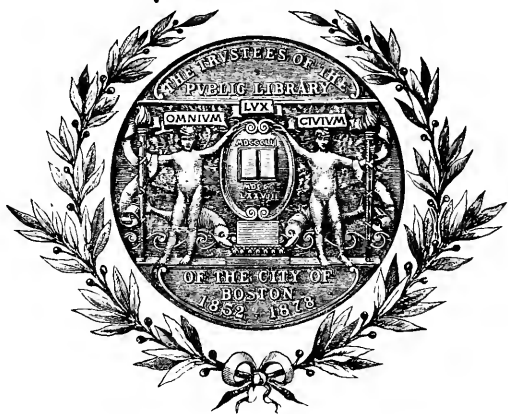


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**SUBVERSIVE CONTROL OF DISTRIBUTIVE,
PROCESSING, AND OFFICE WORKERS OF AMERICA**

U.S. ...

HEARINGS

BEFORE THE

**SUBCOMMITTEE TO INVESTIGATE THE ADMINISTRATION
OF THE INTERNAL SECURITY ACT AND
OTHER INTERNAL SECURITY LAWS**

OF THE

**COMMITTEE ON THE JUDICIARY
UNITED STATES SENATE**

EIGHTY-SECOND CONGRESS

FIRST AND SECOND SESSIONS

ON

**SUBVERSIVE CONTROL OF DISTRIBUTIVE, PROCESSING,
AND OFFICE WORKERS OF AMERICA**

**AUGUST 23, 29; OCTOBER 25, 26, 1951; FEBRUARY 11, 13, 14,
15, 19, 20, 21; MARCH 7, 1952**

Printed for the use of the Committee on the Judiciary



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REPORT FROM THE SUBCOMMITTEE INVESTIGATING SUBVERSIVE CONTROL OF THE DISTRIBUTIVE, PROC- ESSING, AND OFFICE WORKERS OF AMERICA

Hearings were held in Washington, D. C., and Memphis, Tenn., respecting subversive control of the Distributive, Processing, and Office Workers of America which is presently certified by the National Labor Relations Board as the bargaining agent for a membership of approximately 65,000 persons who are engaged in diverse occupations.

The principal points in the testimony which is herewith transmitted are as follows:

1. The United Office and Professional Workers of America and the Food, Tobacco, and Agricultural Workers of America were expelled from the Congress of Industrial Organizations early in 1950 because their policies and activities "are consistently directed toward the achievement of the program and the purposes of the Communist Party rather than the objectives and policies set forth in the CIO constitution." Thereafter, the Distributive Workers Union seceded from the Congress of Industrial Organizations.

2. In October 1950 the Distributive, Processing, and Office Workers of America was formed by a merger of the United Office and Professional Workers of America; the Food, Tobacco, and Agricultural Workers of America; and the Distributive Workers Union. The first two named unions were national in scope while the great bulk of the membership of the Distributive Workers Union was centered in New York City and its environs.

3. Just prior to the merger, Donald Henderson was president of the Food, Tobacco, and Agricultural Workers of America; Arthur Osman was president of the Distributive Workers Union; and James Durkin was president of the United Office and Professional Workers of America. Immediately after the formation of the Distributive, Processing, and Office Workers of America, Osman was named president, Durkin was named secretary-treasurer, and Henderson was named administrative director. At the present time Osman is president and Henderson is secretary-treasurer. Osman, Henderson, and Durkin have all been identified in sworn testimony before the subcommittee as Communist Party members. Further, numerous lesser officials of the DPOWA have been similarly identified.

When interrogated by the subcommittee the officers of the Distributive, Processing, and Office Workers of America refused to answer any questions concerning their Communist activities, asserting that their answers to such questions would incriminate them.

4. A former Communist Party member, Harvey Matusow, described the mechanics of the Communist Party control of the DPOWA as follows:

When I was a full-time employee of the Communist Party of New York County, Norman Ross, who was at that time New York County Trade Union secretary

(of the Communist Party) had direct contact daily with members of local 65 and did instruct them as to party policy, party procedure to be followed in the union * * * some of the people Ross had contact with were William Burl Michaelson, Communist Party section organizer, local 65, Communist Party; Norma Aaronson, * * * David Livingston; Victoria Garvin; James Durkin * * * Esther Letz Goldberg.

Now, on many occasions, as I said, they received instructions from the Communist Party through Norman Ross and at times through George Blake Charney, who at that time was county organizer for the New York County Communist Party.

5. The Distributive, Processing, and Office Workers of America has a security plan trust fund, the annual income of which is approximately \$3,000,000 per year and the net worth of which is approximately \$6,000,000. In addition, the aggregate income of the national organization from dues of members is in excess of \$500,000 per year.

6. Witnesses testified with respect to the strong-arm terror technique employed by representatives of the Distributive, Processing, and Office Workers of America in New York City and elsewhere.

7. Public hearings in Memphis, Tenn., revealed the Communist control and activities of local 19, DPOWA. The business agent of local 19 was, until shortly after the public hearings, Edwin Kay McCrea. Paul Crouch, former functionary of the Communist Party, testified with respect to McCrea as follows:

Senator EASTLAND. Who succeeded you as district organizer for the Tennessee district of the Communist Party of the United States?

Mr. CROUCH. Edwin McCrea.

Senator EASTLAND. Where is he?

Mr. CROUCH. The man who is seated across the table. The second man from the end of the table.

Mr. ARENS. Do you positively identify the gentleman whom you have just pointed to, Edwin Kay McCrea, as a man who, to your knowledge, was a member of the Communist Party and was district organizer of the Communist Party in the State of Tennessee?

Mr. CROUCH. Yes; certainly.

Senator EASTLAND. And you state under oath that he is a member of the Communist Party, that is, that he was a member of the Communist Party and succeeded you as organizer for the Tennessee district?

Mr. CROUCH. He was a member and a leading official of the Communist Party during the period I mentioned and succeeded me in April 1941 as Tennessee district organizer of the Communist Party.

(Shortly after the afore-mentioned public hearings Edwin Kay McCrea ceased to be business agent of local 19, DPOWA.)

COMMENTS AND RECOMMENDATIONS

The instant testimony again demonstrates the tactics by which an organization with some 65,000 American worker members and with very substantial amounts of money is under the control of agents of the Kremlin which is dedicated to the destruction of the freedom which the members of the organization now enjoy.

The subcommittee recommends (1) that prompt attention be given to perfecting those provisions of the bill (S. 2548) of the Eighty-second Congress introduced by Senator Pat McCarran, to make it unlawful for a member of a Communist organization to hold an office or employment with any labor organization, and to permit the discharge by employers of persons who are members of organizations

designated as subversive by the Attorney General of the United States, and (2) that a copy of these proceedings be transmitted to the Attorney General for his consideration in conjunction with prosecution for perjury in connection with the signing of non-Communist affidavits required by the Labor Management Relations Act of 1947 by those officers named as Communists by witnesses before the subcommittee.

JAMES O. EASTLAND,
Chairman.

PAT McCARRAN.
HOMER FERGUSON.



SUBVERSIVE CONTROL OF DISTRIBUTIVE, PROCESSING, AND OFFICE WORKERS OF AMERICA

THURSDAY, AUGUST 23, 1951

UNITED STATES SENATE,
SUBCOMMITTEE TO INVESTIGATE
ADMINISTRATION OF THE INTERNAL SECURITY
ACT AND OTHER INTERNAL SECURITY LAWS
OF THE COMMITTEE ON THE JUDICIARY,
Washington, D. C.

The subcommittee met, pursuant to call, at 4:20 p. m., in room 424, Senate Office Building, Senator Willis Smith presiding.

Present: Senators Smith and Watkins; also present: Donald D. Connors, Jr., investigator.

Mr. CONNORS. Mr. Budenz, you have previously been sworn?

Mr. BUDENZ. Yes.

TESTIMONY OF LOUIS FRANCIS BUDENZ, CRESTWOOD, N. Y.

Mr. CONNORS. Mr. Budenz, I hand you a list of individuals who are officers of a union known as the Distributive, Processing, and Office Workers of America, and I ask you if you can identify any of these individuals as Communist Party members.

Mr. BUDENZ. The first is Arthur Osman, who appears as president on this list. To my knowledge and from personal contact with Mr. Osman, I know him to be a Communist. I know this during practically the entire period of my membership in the Communist Party from 1935 to 1945. For instance, I was with Mr. Osman at the Tampa convention of the American Federation of Labor, which would be approximately in the fall of 1936. He was then a Communist, and I met with him in regard to what they might attempt to do on the floor of the American Federation of Labor. When I say "they," I mean those few Communists who were delegates in one capacity or another. He at that time was president of sort of an independent union, which later went into another larger organization.

Then, all through the years until 1945, I met Arthur Osman off and on as a Communist in these fall meetings called for Communists who were trade-unionists.

Mr. CONNORS. Have you any information with respect to the record of Mr. Donald Henderson?

Mr. BUDENZ. I know Mr. Henderson rather well and throughout the entire period of my membership in the Communist Party, he was a fellow member, for some time, of the national committee of the Communist Party. The original organization of which he was the head, the Agricultural Workers Union, or something of that sort, was a

Communist creation. It was created before I was in the party, but I know that from Mr. Henderson's reports and from discussions with him. All through my period in the party I met Donald Henderson at national committee meetings—these are the enlarged national committee meetings—at national conventions of the Communist Party, and on many other occasions, as a Communist.

Mr. CONNORS. Will you just proceed down the list?

Mr. BUDENZ. James Harvey Durkin, I know to be a Communist from having met him, though the occasions are not fresh in my memory at the moment. They were not many.

Mr. CONNORS. Proceed, please.

Mr. BUDENZ. Nicholas Carnes I also know as a Communist, personally having met him in some of these meetings at the Roosevelt Building. I could reinforce this by reference to some of my notes on Mr. Carnes which I furnished to the Federal Bureau of Investigation, if they are presently available to me. I can say definitely, though, that I knew him as a Communist.

Mr. CONNORS. That is Nicholas Carnes?

Mr. BUDENZ. Yes. The next name I recognize is David Livingston. He was associated very closely with Arthur Osman and I have met him as a Communist at the Roosevelt Building meetings, in the national headquarters of the Communist Party, and also in the headquarters of what formerly was local 65, of which they were officers, in what was known as Tom Mooney Hall, near Astor Place, in New York City.

As a matter of fact, I arranged on one occasion through Mr. Livingston for the Daily Worker to hold an all-day session to raise a hundred thousand dollars, which meeting was the opening of the financial campaign in that respect. That was in the spring of 1945.

Mr. CONNORS. That is all.

Thank you, Mr. Budenz.

(Whereupon, at 4:40 p. m., Thursday, August 23, 1951, the hearing was recessed subject to reconvene at the call of the Chair.)

SUBVERSIVE CONTROL OF DISTRIBUTIVE, PROCESSING, AND OFFICE WORKERS OF AMERICA

WEDNESDAY, AUGUST 29, 1951

UNITED STATES SENATE,
SUBCOMMITTEE TO INVESTIGATE THE ADMINISTRATION
OF THE INTERNAL SECURITY ACT AND OTHER INTERNAL
SECURITY LAWS, OF THE COMMITTEE ON THE JUDICIARY,
Washington, D. C.

The committee met, pursuant to call, at 10 a. m., in room 424, Senate Office Building, Senator Arthur V. Watkins presiding.

Present: Senator Watkins.

Also present: Frank W. Schroeder, professional staff member; Donald D. Connors, Jr., Edward R. Duffy, and Mitchel M. Carter, investigators.

Senator WATKINS. The committee will resume session.

Mr. Riesel, will you stand to be sworn?

Do you solemnly swear the testimony you are about to give in the matter now pending before the committee shall be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. RIESEL. I so swear.

TESTIMONY OF VICTOR RIESEL, NEW YORK, N. Y.

Mr. CONNORS. Will you kindly identify yourself by occupation, Mr. Riesel?

Mr. RIESEL. My name is Victor Riesel. My office is in the New York Daily Mirror Building, at times, and on Madison Avenue as well.

I am a newspaperman and I write a daily column called Inside Labor, which goes beyond the title. It covers politics and subversive activities, as well as the labor movement. It is syndicated in considerably over a hundred newspapers. I have with me several of those papers, to show you the format, if you want it.

Mr. CONNORS. For how long a period of time, Mr. Riesel, have you been writing this column?

Mr. RIESEL. I have been writing this column since 1943, the 1st of March 1943. I have been covering the field since March 6, 1930.

Mr. CONNORS. And in those some more than 20 years, you have developed a wide familiarity with labor and union problems; is that correct?

Mr. RIESEL. Very intimately so; yes.

Mr. CONNORS. Mr. Riesel, I would like to invite your attention to a union called the Distributive, Processing, and Office Workers of America, and ask you if you are aware of the existence of that union.

Mr. RIESEL. I am. They have an office on Astor Place in New York. That is their national headquarters, and I might add that within labor circles, the headquarters of that union is known as the second headquarters of the Communist Party.

Mr. CONNORS. Mr. Riesel, are you familiar with the way in which that union came into being?

Mr. RIESEL. Yes; I am.

Mr. CONNORS. Could you relate that in some detail?

Mr. RIESEL. I can do it in broad outlines, and if you want the specifics, I can refer to the notes and documents I have here.

Broadly, the first section of this union was the retail section, which, through a series of very loud and sometimes violent strikes, in and around the department stores of New York, succeeded in organizing pretty close to 10,000 members. They were then affiliated with a council which was dominated by what we call local 65, each individual retail union having its own name, such as 1-S for Macy's, and local 3, as I remember it, for Bloomingdale's, and so on. These became a part of the Retail, Wholesale, and Department Store Employees' Union. I may be off here in the exact names.

Mr. CONNORS. Let me suggest to you the name of Wholesale Warehouse Workers of New York and New Jersey.

Mr. RIESEL. That was a section of this union. They were in the retail end of it. They were also in the warehouse and wholesale end of it. The very genesis of it springs from a weird kind of store which in New York is referred to as a slog house. How you spell that, I don't know, but it is a place with vast inventories, down in the lower East Side, and it had 30 or 40 employees.

Senator WATKINS. Are these wholesale houses?

Mr. RIESEL. This was a wholesale house. It sold to thousands of retailers throughout New York. It was called H. Eckstein & Son. I have been through it. It had specifically 20 employees. It began on September 16, 1933.

The workers were called to the home of Arthur Osman, a man known, although I have no documentary evidence of that, to be in the apparatus of the Communist Party. I have known that Mr. Osman has very consistently, unequivocally, unswervingly followed the Communist line.

Now, all these unions were part of the CIO Retail and Wholesale Employees.

Mr. CONNORS. Let me at this point suggest the name, "Retail, Wholesale and Department Store Union, CIO."

Mr. RIESEL. That was headed by Samuel Walschok. There came the fight between the Communists and anti-Communists in the union, and upon the passage of the Taft-Hartley law, and their refusal to sign the anti-Communist affidavit, which was the ostensible excuse, and because of the split in power, these unions withdrew and formed their own organization.

Mr. CONNORS. Which was called the Distributive Workers Union; is that correct?

Mr. RIESEL. If you want very specific details of it, I can give it to you here.

No. 1 was—I think you get into too much detail, unless you really want it.

Mr. CONNORS. Not in great detail, but a broad picture of it.

Mr. RIESEL. After 1933, when they organized the Wholesale Dry Goods Workers, it became the first headquarters at 136 Allen Street, in 1934. Then they published a paper in August of 1934 called New Voices.

Then, in 1935, they affiliated with the A. F. of L. In 1937, on July 22, they merged with the Textile Houseworkers Union. You begin to get here a picture of this John Lewis concept of taking in the employees of little shops and the terror begins to spread because a small-business man cannot resist the pressure of a strong union. This was headed by a man called David Livingston, this Textile Houseworkers, who eventually developed a notorious reputation in the Pacific.

Mr. CONNORS. I might suggest to you the name of Distributive, Processing and Office Workers of America, in connection with David Livingston.

Mr. RIESEL. Go into the United Warehouse Workers to see if we can get the record here, under the name of the United Wholesale Employees of New York, Local 65, which is the first place you begin to see the No. 65. This is the textile workers' organizing committee of the CIO, which I want on the record to say is led by sincere, honest, and clean trade-unionist in the CIO. The meeting took place at Webster Hall, and the new union headquarters, which were at 44 Astor Place.

In November 1937, they hired a notorious pro-Communist attorney called Harry Sacher. In late 1937, local 65 joins the Retail and Wholesale Employees Union. The officers are Arthur Osman, David Livingston, and Jack Perry. Then in August 1938, they changed the name to the Wholesale and Warehouse Employees' Union. Then they refused to sign the non-Communist affidavits. They seceded from the CIO.

Then, on October 9, 1950, they merged with the United Office and Professional Workers' Union, the Food and Tobacco Workers. At the head is Arthur Osman, James Durkin, and Donald Henderson, all notorious Communists, ousted from the CIO for devotion to the Communist Party line instead of their union.

Mr. CONNORS. Mr. Riesel, isn't it so that in 1950, three unions, one of which was the Distributive Workers' Union, the second of which was the United Office and Professional Workers' Union, and the third of which was the Food, Tobacco, Agricultural and Allied Workers Union of America, all three, as you have said, formed the Distributive, Processing and Office Workers of America?

Mr. RIESEL. Yes.

Mr. CONNORS. And of the three unions from which this one union grew, is it not so that the United Office and Professional Workers, and the Food, Tobacco and Agricultural Workers' Union were expelled from the CIO?

Mr. RIESEL. They were part of the group.

Mr. CONNORS. And the third union, namely, the Distributive Workers' Union, withdrew, or, as they said, "seceded" from the CIO?

Senator WATKINS. Off the record.

(Discussion off the record.)

Mr. CONNORS. On the record.

Isn't it a fact, Mr. Riesel, that the three unions which merged to form the DPOWA were in separate industries and had no central point of continuity?

Mr. RIESEL. Yes.

Mr. CONNORS. Why, then, was such a union formed or such a merger formed?

Mr. RIESEL. Along about that time we began hearing rumors, and then we got confirming reports, of the planning for a third federation, outside of the A. F. of L., and which would compete with the A. F. of L. and the CIO.

Mr. CONNORS. Then the DPOWA was more or less a holding company, with the three other unions?

Mr. RIESEL. It became the core of a new federation, around which were to gather the unions ousted from the CIO. You have to remember that this union, by preying on the small-business men, and the stores in New York, was building a terrific treasury, running up into the millions of dollars—\$3,000,000 in one fund, a total of \$6,000,000, real estate properties, a big building on Astor Place—and the unions were beginning to gather around this group. They were huddling around it the way you do around a fire at night.

On October 10, 1950, the Daily Worker said, in regard to a third federation, that is, a Communist Federation of Labor in the United States:

The new organization of 80,000 members expresses the will of the workers to unite and fight back attacks at a moment when so much of the labor movement is torn by division, and when many labor leaders have jumped on the bandwagon of reaction. Judging by the record of the leaders that compose it, the new union promises to be the principal fighting and organizing center for hundreds of thousands of workers.

This is in reference to the merger of all these unions on October 9. The Daily Worker says this on October 10, 1950.

Mr. CONNORS. Local 65 of the Wholesale and Warehouse Workers of New York and New Jersey is the principal local of the DPOWA?

Mr. RIESEL. Yes.

Mr. CONNORS. And the president of that was Arthur Osman, is that right?

Mr. RIESEL. Yes.

Mr. CONNORS. Is local 65 annually represented in New York City May Day parades?

Mr. RIESEL. Of course it is—to my specific knowledge.

Mr. CONNORS. And I think the record might show here that the files of the House Un-American Activities Committee describe the May Day parade in New York City as an annual mobilization of Communist strength.

Mr. RIESEL. I might add that the Union Voice, which is the official publication of this coalition, on May 9, 1948, has given a spread to local 65's participation in the May Day parade, if you want a very specific citation on it.

Mr. CONNORS. The same Arthur Osman, who was former president of local 65 is presently the president of the Distributive, Processing and Office Workers of America; is that correct?

Mr. RIESEL. Yes.

Mr. CONNORS. Can you characterize Arthur Osman for the record?

Mr. RIESEL. Arthur Osman is one of those men who have consist-

ently and unswervingly followed the Communist propaganda and activist line in America for as long as I have known of him, which goes back for some 15 years or more, I think. In his activity in the CIO he was known as the leader of the Communist faction in the United Retail, Wholesale and Department Store Workers Union. He has been—and it will be futile here for me to attempt to outline this thing—the man in the American Peace Mobilization, support of the Progressive Party, worked with the Communist section, the American Labor Party, backed the May Day parade; in other words, where you found Stalinist activity you found Arthur Osman.

Here are quotations of Arthur Osman from the *Daily Worker*, March 13, 1947. Here are reports of Arthur Osman, *Daily Worker*, April 1, 1945, where he spoke with people such as Ben Gold, Louis Weinstock, recently arrested, and other Communists, like Charles Collins, who was one of the Negro Communist activists.

Here is the provisional May Day committee, vice chairman, Arthur Osman.

Here is the Bill of Rights conference, Arthur Osman, July 16 and 17, sponsor, 1949; national conference of the International Labor Defense; right under Harry Bridges is Arthur Osman. There are 30 or 40 such citations.

Mr. SCHROEDER. Mr. Riesel, do you know the wealth of local 65?

Mr. RIESEL. We have a copy of their financial statement. It runs into the millions, and comes out of a taxation on payrolls. Some of those funds run to \$3,000,000. Now, there are other funds, which total the assets of this union as high as \$6,000,000. Remember, too, that in the heart of Manhattan, there is a huge building, with night clubs, bars, penthouse, social facilities, and so on, which makes it more than a union, and gives it considerable real property. In other words, where the A. F. of L. itself, the holding central organization for 107 international unions, has only a million and some odd thousands of dollars, this union goes over \$6,000,000 to \$7,000,000 in actual worth.

Let me point this out: they have funds on pensions and old-age contractual relationships in an industry where the young people come and go and never collect this money, and it keeps piling up. This makes them one of the wealthiest single unions in the world, something, I think, that has never quite been recognized.

Mr. CONNORS. Mr. Riesel, can you send down to the committee for the record a copy of the financial statement to which you referred?

Mr. RIESEL. Yes; of course we can.

Mr. CONNORS. To continue down the slate of officers of the DPOWA, the next name which occurs is that of Donald Henderson, who is presently the administrative director of that union; what information can you furnish concerning him?

Mr. RIESEL. While we are checking through these, let me tell you that, again, Donald Henderson has been known in the CIO as one of the Stalinist activists for as far back as the origin of the CIO, that he was, we think, assigned by the Communists to the field which he led, which was a field extraneous from his cultural and intellectual and scholastic background, that the field there was to gather up, to use a Communist word, and I use the Communist word, the "peasants," as against the industrial workers. In other words, he was to gather lettuce workers, tobacco workers, in very low-income groups, and

organize them to the point where in time they could be used either for strikes, demonstrations, and so on, in the agricultural field. As far as I know him in New York he goes back in Stalinist activity to my personal observation for almost 20 years.

Mr. CONNORS. Prior to his holding his present office he was president of the Food, Tobacco, and Agricultural Workers' Union?

Mr. RIESEL. Yes. That is the union I was talking about being ousted from the CIO.

Mr. CONNORS. And it is one of the three unions which synthesized to form the DPOWA?

Mr. RIESEL. What happened was that orders were given to the Communist unions to solidify their strength. There was a process of merger, so that you found the smaller unions going into the larger unions and finally into the central organization.

Mr. CONNORS. But the officers of the smaller unions reappeared as officers of the principal?

Mr. RIESEL. For the most part they did; yes. There is now a falling out, if that is of interest, amongst these people. Apparently there is a further consolidation of power going on and we hear that Henderson has now been plotting, conspiring, or conferring, any way you see it, with others, to pull out of this organization, because the Communists have ordered an even tighter concentration in the Distributive, Processing, and Office Workers of America.

Mr. CONNORS. The third individual whose name we have is the present secretary-treasurer of the DPOWA, James Harvey Durkin. I wonder what information you have concerning Mr. Durkin?

Mr. RIESEL. Well, I have seen Mr. Durkin lead the Communist contingent on the floor of the CIO. I have had personal jousts with him, where he espoused the Communist Party line, and he is known in the New York CIO and in the National CIO as one of the men chosen by the Communists to lead the fight against Phil Murray when Phil finally decided to oust them.

Now, he has signed Communist Party nominating petitions, August 25, 1946. The names of the candidates were Robert Thompson, Governor; Israel Amter, lieutenant governor; Benjamin Davis, United States Senator; and so on.

He participated in Communist training schools, the Jefferson School of Social Science, which is familiar to you, at 575 Avenue of the Americas. He has been accused of Communist activity in newspaper pieces and never denied it. He also witnessed the signing of nominating petitions by the Communists for councilmen, August 2, 1945. I think that gives you pretty much the party line of Mr. Durkin.

Mr. CONNORS. Just prior to the formation of the DPOWA, Mr. Durkin was the president of the UOPWA, was he not?

Mr. RIESEL. Yes.

Mr. CONNORS. Which again was one of the three unions that formed the basic parent organization?

Mr. RIESEL. May I add here that when some of the unions in the CIO such as Mike Quill's transport workers and Joe Curran's National Maritime Union, who were taken out from under Communist control, the staff, which were members of the United Office and Professional Workers, were ousted, and there were charges made that they were, and pointed out that they were, spies for the Communists, and lifted files from these unions, and nothing could transpire without

it going back, so this union, we feel, was used for the infiltration of officers of all kinds.

Mr. CONNORS. To continue with the present officers of the DPOWA, the next name which is suggested is the name of the vice president, Mr. David Livingston. You have already mentioned his name. Can you add a few brief comments about Mr. Livingston?

Mr. RIESEL. Yes. Mr. Livingston, who gained considerable notoriety in the "bring the boys back" campaign, during the postwar period, if you recall, out in the Pacific, has continued that activity.

For example, in the Sunday Worker, July 16, 1950, we find him again listed as president of local 65, 35,000 strong, attacking President Truman, opposing "American involvement in Korea."

We find him attacking the trial under Judge Medina of the Communists.

We find him organizing such things as the ideas on trial demonstrations, reports from Foley Square, which is sponsored by the Civil Rights Congress, which has been declared subversive. That is, I think, representative of the kind of activities Livingston has engaged in.

Again, Livingston is known as the activist. He, for example, on April 24, 1946, is listed as the GI leader to speak at a pre-May Day Rally, "David Livingston"—this is in the Daily Worker—"one of the leaders of the GI protest movement in the South Pacific, will be a speaker at a Noon Hour Rally for garment workers," et cetera. Livingston we know to be the top activist of the union.

Mr. CONNORS. Another vice president of the DPOWA is one Nicholas Carnes. Can you furnish the committee any information concerning him?

Mr. RIESEL. We have here newspaper and magazine clips saying that he was a delegate to the New York State convention of the Communist Party in 1945, which he didn't deny, although this was widely distributed.

We have here a slip called "New York State Committee, Communist Political Association."

We have Nick Carnes listed under Peter V. Cacchione, that man being an official Communist, and once a member of the New York City Council on that party's ticket. This is a voting slip on which Nick Carnes appears. We have him leading labor leaders in a demonstration of protest against the indictment of the 12 Communists.

We have quotes here from the Daily Worker of May 7, 1944, where he is listed along with Osman in praising the Daily Worker.

Mr. CONNORS. That Osman is Arthur Osman?

Mr. RIESEL. Arthur Osman. We have Committee for May Day, 1948, with other Communist union leaders, Nicholas Carnes. We have on that slip an Esther Letz, of the same union, that went to Moscow, recently. That is one of the slips.

Mr. CONNORS. Is she known as Esther Goldberg?

Mr. RIESEL. She is known as Esther Goldberg. I make the point that I give you her other name only for identification purposes. Esther Letz as a Stalinist, went to Moscow, whooped it up at the May Day parade there this past year.

Mr. CONNORS. Mr. Riesel, will you comment on the present state of activities of local 65, within that metropolitan area of New York?

Mr. RIESEL. There has been a real reign of terror in the city. There are times when you use a trite expression, because it says more effectively than anything else what you want to say, and "reign of terror" is exactly the phrase. Into my office for the past several years have come literally endless telephone calls, some of them whispered, some of them horrified, some of them in real anguish, demanding or urging and pleading for protection against goon squads sent in by this union. Coldly telling you this across the table is one thing, and I know that you have been listening to a lot of reports of Communist activity, but this has meant the retiring from business of some people to save the lives of their partners, their fathers, and so on.

Let me show you what I mean:

Not too long ago I got a phone call from a man called Markovitch of the firm of Markovitch & Null, of the old firm of Markovitch & Null. He was the son of Robert Markovitch. He called me to tell me that a hundred-man squad had raided the store of his father-in-law, leaving him only these alternatives: either he would take his father-in-law and his father-in-law's weak heart out of business to save the old man's life, or he would have to fight, in which event any excitement, such as another raid, might kill him.

I want you to know about the firm of Markovitch & Null. The late Samuel Null was a supreme court justice in New York State. Mr. Markovitch himself, Samuel Markovitch, is a veteran labor attorney. Young Markovitch is a sophisticated authority on labor, and yet you find that they are terrorized completely because they have the alternatives that I just set forth.

Now, in either event, whether the old man will be injured or not, business would be hurt in a picket-conscious city like New York, by demonstrations. Clerks would quit out of terror, customers wouldn't come in; store counters would be upset. I tell you that in the past several years—I have not kept a record of these, but I have received hundreds of calls of such instances, and in each case they have said that the police have not done anything. Whether or not this reflects on the police, I don't know, but the point is that the objective reporting requires that each one of these people felt they did not get or could not get police protection.

I could cite you 10 instances of similar violence:

About a year and a half ago I got a call from the owner of Universal Fabricators in the Bronx. Thirty to forty members of this union—40 members of this union rushed in screaming into his headquarters. This was October 25, 1950. Their leader had been a chap by the name of Morris Doswell, a member of the executive board of this union. They ripped out the phones, they had terrorized the girls, they had threatened him with violence. This followed midnight calls to his wife in which they said they would kill him. Only the accidental presence of two detectives who had come to answer complaints of sidewalk dice games saved some of these people from injury. They dashed in; they pulled their guns, and that quieted the crowd. You have here an example of the kind of terror that prevails. The Mr. Allen who owns this plant employed 60 people at that time. He is a small operator. It is Henry Allen, by the way. He is a small operator. How can he fight the invasion of this kind of thing?

More recently a man by the name of Naft telephoned me. This was several weeks ago. He was hysterical. He was up in the fortieth

precinct of the Bronx. Sixty men had rushed into his place, seized the phones. "to wreck the joint" unless he signed the papers saying he would sign up with them.

Mr. CONNORS. This is, with the union?

Mr. RIESEL. Yes. This happened on June 23, 1951; a small print shop in the Bronx. In-between were all these instances of the use of goon squads doing exactly the same thing, and in the very heart of New York City.

Mr. SCHROEDER. Mr. Riesel, as a newspaperman, did you ever confer with the city officials on this matter?

Mr. RIESEL. I called the individual precinct in 8 or 10 instances, and in each instance got very little cooperation and, as a matter of fact, was considered to be butting in on what was not my business. We called this to the attention of the higher officials of the police department, and, for that matter, to my knowledge, it was known also to assistants to the mayor, yet nothing was done.

I have here, for example, an affidavit in the lower Manhattan courts, Borough of Manhattan, made out by a Rose F. Newmark, 139 Duane Street, partner in the Pen 'n Brush Studios saying that—here are a list of names which you may or may not want—Henry Stirt, David Levine, Harold Fishman, Seymour Hausman, Louis Malazzo, William Cavanaugh, invaded her shop and conspired to prevent others from exercising lawful trade or calling, et cetera.

This was given to me by a police officer who told me that he knew of scores of other instances, but that the police department did very little about it.

In other words, what you have got in the biggest city in the world is a reign of terror, reaching into even Fourteenth Street, which is our main shopping center in the downtown area, lower-income department stores; people rushing in, turning over counters, frightening girls, calling them names, disturbing merchandise, and yet no protection can be obtained.

I wanted to give you an example of this activity in the heart of New York City. Brushing aside the jingling Santa Clauses one day at the height of the Christmas season, a squad of 75 men from this union dashed into the Jonas Department Store, 62 West 14th Street, at 5:30 p. m., December 20. You know what a shopping area is in a congested city 5 days before Christmas. A few minutes later the store management was forced to lose thousands of dollars by closing early to avoid a major riot.

Mr. CONNORS. Did you identify that particular business establishment?

Mr. RIESEL. It is a store. It is a retail store. It is a small department store, 62 West Fourteenth Street, New York City. For example, there was the Modern Aljack Dental Lab over in Brooklyn. There, during a dispute, one of the workers who refused to join this District 65 section of the Distributive, Processing, and Office Workers of America Union was caught by the union's action squad on a subway, so badly beaten that he was rushed for treatment to a local emergency hospital ward. Then the lefties began to persecute his wife. She was telephoned that there would be more of the "same" if he tried to work.

Now, they went to the police, and the officer said, "You find them and we will arrest them." Well, how are you going to find them? They knew where they were all the time and yet the police wouldn't

go and say, "Well, we'll stop this." Now, there are scores of these things happening all the time.

I want to make this point: that up until the present time we have been talking about New York City. I want to point out that this is a national union, that it reaches deep into Arizona, California, Memphis, and so on; that I have letters from CIO officials, asking this committee to help them in these places, because there is no way that this outfit can be stopped unless there is a Federal investigation.

Mr. SCHROEDER. By "this committee" you mean the Senate Subcommittee on Internal Security?

Mr. RIESEL. Yes. They have heard that this committee was active in it, and so on. I have here a letter which comes from a high labor official, who says that he received from his regional director in a Southern State a report that your Senate committee was to look into this matter, and he indicates that they are involved in a fight with the Communists there. This is in the South, in the near South. The same thing goes right across the entire United States.

Now, how do you fight these people? Certainly no one is going to get goon squads to start civil war, and yet you find the preposterous situation of a union known to be Stalinist, actually being one of the few, if any other unions, to use such tactics, to use gangsters, use gangster tactics.

Mr. CONNORS. With respect to the make-up of this so-called goon squad, have you any idea of who the individuals are who comprise that squad? You have already mentioned Morris Doswell as one individual who was active in that sort of operation.

Mr. RIESEL. Well, you have the names of the people in this "Pen 'n Brush" thing. Then you have Doswell, here, for example—and this goes back awhile—is a report of the beating of a man called Gus Holmstrom, who was an A. F. of L. organizer in Bloomingdale's. They also beat up a man called William Evans, business manager of an A. F. of L. local fighting the Communists in that field. Now, the man who was accused of slugging Holmstrom was Jack Fitzgerald, one of the distributive, processing, et cetera, union organizers. He was cited at hearings before the NLRB and in fact the Board twice set aside election victories by the Communists in Bloomingdale's and Sterns, which are department stores.

Mr. CONNORS. In New York City?

Mr. RIESEL. Yes. Fitzgerald was the leader of a band of six men who assaulted Evans during the Wertheimer strike, which is a store. They cornered an A. F. of L. man in the neighborhood Automat and gave him a beating; likewise two other A. F. of L. people in the store who would not back the strike.

Mr. CONNORS. Mr. Riesel, do some of these individuals who operate in this terror band have police records, to your knowledge?

Mr. RIESEL. Not to my knowledge. I have not checked it. I know that they have political records, but you mean criminal records?

Mr. CONNORS. Yes, sir.

Mr. RIESEL. I don't know.

Mr. CONNORS. Mr. Riesel, in view of your knowledge and experience as a labor journalist, is it possible for a union to employ such methods without the union officers knowing of the methods?

Mr. RIESEL. It's not possible, for several reasons, and in this case the main reason is that I personally telephoned Arthur Osman and

told him, and in a long conversation, to which several people were witnesses, Osman said—I will try to recall his exact words—that there might be undue excitement in the organization of the unionization of a plant, but would I let him know in the future where these occurred.

Well, we have sent him copies of some of the columns, and he has known through other ways, and yet they have continued for almost a year after this personal conversation between me and Osman.

MR. CONNORS. Even though you personally brought to the attention of Osman one of these incidents, no corrective action has been taken by union headquarters?

MR. RIESEL. It has been intensified, to the contrary.

MR. CONNORS. The terror methods have been intensified?

MR. RIESEL. The terror methods have been intensified. Not only has there not been a decrease, but there has been an increase in this type of activity.

MR. CONNORS. And your testimony is to the effect that it must be, in the very economy of things, that the union officers at least tolerate such methods?

MR. RIESEL. I think that is sophistry there, in your question. They don't at least tolerate it; they direct it. It is in the nature of things that a trade-union organizing committee couldn't spontaneously spring up. They wouldn't know the address of a place and where the telephones are, who runs it, who the boss is, where the switchboard is, and so on. To use a phrase, every shop has to be "cased," every shop has to be examined from the inside, so what they do is very methodically plant the man on the inside; he brings out his report, and then the squad goes in.

MR. CONNORS. Isn't it a fact that the general executive board of the DPOWA has a very positive and very telling voice in union policies?

MR. RIESEL. Of course; it is the command. It is the high command of the union.

MR. CONNORS. So that when Morris Doswell, who is a member of the executive board, is personally present in a raid of the type described, it would seem to indicate that such raids are, in fact, urged by the union command; isn't that so?

MR. RIESEL. Yes; it is so. No union organizer on his own would organize these raids. It would have to be the policy of the executive board and the national officers.

Let me point out that I have done 8 or 10 columns on this.

Let me point out that we have had reports of union meetings in which these columns were discussed, and in which the Communist leadership attacked me, so that they knew that these things were happening. I mean, there is no secret from Osman and the others. He could stop it in 15 seconds, if he just said the word.

MR. CONNORS. What would be the result in a well-run labor union, when such tactics were used and the union was able to identify the principal offenders? Would the union take very severe administrative action against the offenders?

MR. RIESEL. If I understand your question, it is this:

Suppose a local business agent decided to use these tactics—

MR. CONNORS. Yes.

MR. RIESEL. In violation of the law and there were injuries inflicted and damage done to a shop. He would be put on trial; he would be

disciplined, and he would be expelled. Furthermore, there would be cooperation with the police to end this kind of terror.

Mr. CONNORS. And to bring those offenders to justice?

Mr. RIESEL. By all means.

Mr. CONNORS. Mr. Riesel, you have indicated incidents in a print shop, a dental laboratory, and an ordinary retailer of general merchandise to the public, and I wonder if in view of those three diversified businesses, what is the jurisdiction of this union, called the DPOWA?

Mr. RIESEL. There is no jurisdiction. I might add that one of these instances involved a department store; another instance involved the fabrication of steel metal frames and doors. There is no jurisdiction. The principal thought here is to prey on small-business men who have no way of defending themselves, who have no association to go to, who would find it financially difficult to hire attorneys who have labor experience, and so on, and therefore gather up in small lots what would make an aggregate union of many thousands and bring this kind of money into the treasury.

The district, district 65, is the backbone of the entire pro-Communist Distributive Workers Union. It covers office workers in movie companies, clerks in small apparel stores, lettuce pickers, department-store people, printing plants, warehouses, tobacco processors, canneries, white-collar workers in all sorts of shops, drug stores, dental labs, specialty and sport stores, appliance and electrical parts shops, and I mentioned just a few in such areas as New York, New Jersey, Pennsylvania, Michigan, Texas, Iowa, Arizona, California, Connecticut, Massachusetts, Tennessee, the Carolinas and Kentucky.

Mr. CONNORS. Then actually, although the bulk of your testimony is confined to New York City, this union is by no means confined to the metropolitan area?

Mr. RIESEL. No. As a matter of fact, we did some stories on documentation and the testimony of people who have witnessed it on the invasion of the lettuce fields and the vegetable fields of the far Southwest. For example, to go away from the New York streets to Arizona and California, we find the same union expending \$36,000 to capture vegetable workers which, I said once, is a lot of cabbage to spend on lettuce fields.

The point is, Who is spending this money? Well, there was a fellow called Bob Burke, whom you may or may not remember, but your records will show that he was ousted from Columbia. He worked with the pro-Communist apparatus in Ohio which ran the 1936 steel strike, and I might point out that the man there was Gus Hall, that specialist in dynamite, and now at the top of the Communist Party. Still later Burke ran demonstrations for the American Communists; has been accused before a congressional committee of being a high party organizer. Now he comes up as a vice president of the union in Yuma, Ariz., and in central California.

Mr. CONNORS. And by "the union" you mean—

Mr. RIESEL. Of the Distributive, Processing, and Office Workers' Union, where he is working with Harry Bridges, and there he gets into a fight. That's on record. The judge fined Burke \$50.

Mr. CONNORS. Where was that trial held, Mr. Riesel?

Mr. RIESEL. That was in Arizona, at the end of the past year. I can get you the name of the town if you want it, but I can't now, be-

cause I don't have the record of it. The regional CIO director, Nick Dragon, has the details of it. He would be the man in Arizona who could give you more detail on the actual fight.

Mr. CONNORS. Mr. Riesel, have you any information indicating the names of the persons who comprise the legal staff of the Distributive, Processing, and Office Workers of America Union?

Mr. RIESEL. I don't know whom they retain. I undoubtedly know the records—do we have a list available?

Mr. CONNORS. Off the record.

(Discussion off the record.)

Mr. CONNORS. On the record.

Now, is it true, Mr. Riesel, that the National Labor Relations Board has certificated some parts of the DPOWA to bargain in certain specified areas of labor?

Mr. RIESEL. They have signed these non-Communist affidavits. They are participating in these elections. Well, they couldn't participate in any of these elections without having signed any of these non-Communist affidavits. When I say "they," they are the union, in these instances; I mean the Distributive, Processing, and Office Workers of America.

Mr. CONNORS. So that it is true that they have been certified as bargaining agents with some certain segments of industries and workers, in New York City?

Mr. RIESEL. Oh, sure; and they are participating against the legitimate trade-union movement in this country.

Mr. CONNORS. Mr. Riesel, to paint a complete picture of the terror methods in New York City, used by the DPOWA, can you cite further examples, or further incidents, or make further comments on that situation?

Mr. RIESEL. I would like to do that. I might add that we have now gotten to the point where we cannot handle—by "we" I mean my office organization—we cannot handle the day-by-day complaints of this kind of threat of violence on the part of the Distributive, Processing and Office Workers of America.

Only before I came here, about a day or so ago, we got a telephone call from a girl who said that she and her widowed mother run a store. She had hired a manager. He had been apprehended in the subway by a squad from this union. They had threatened him with death if he didn't join the union.

Now, they follow through in all these instances with constant phone calling throughout the night. I wanted to point out that the instances which I have cited here are just about 10 out of several hundred, which we no longer attempt to keep any record of, but only recently, the police department has taken cognizance of this, but nothing has been done yet. I think that would wind up my own comment on that.

Mr. CONNORS. You are appearing here today in answer to a subpoena, are you not, Mr. Riesel?

Mr. RIESEL. Yes.

Mr. CONNORS. The committee wants to express its gratitude for your testimony, and you will be released from subpoena.

(Whereupon, at 11:25 a. m., Wednesday, August 29, 1951, the hearing was recessed, subject to the call of the Chair.)

SUBVERSIVE CONTROL OF DISTRIBUTIVE, PROCESSING, AND OFFICE WORKERS OF AMERICA

THURSDAY, OCTOBER 25, 1951

UNITED STATES SENATE,
SUBCOMMITTEE TO INVESTIGATE THE ADMINIS-
TRATION OF THE INTERNAL SECURITY ACT
AND OTHER INTERNAL SECURITY LAWS,
OF THE COMMITTEE ON THE JUDICIARY,
Memphis, Tennessee.

The subcommittee met at 10 a. m., pursuant to call, in room 301, Federal Building, Hon. James O. Eastland presiding.

Present: Senator Eastland.

Also Present: Richard Arens, staff director; Frank W. Schroeder, professional staff member; and Donald D. Connors, Jr., investigator.

Senator EASTLAND. The committee will come to order.

Do you solemnly swear the testimony you are about to give before the Internal Security Subcommittee of the Committee on the Judiciary of the Senate of the United States will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. COPELAND. I do.

Mr. CROWDER. I do.

TESTIMONY OF W. A. COPELAND, CIO REGIONAL DIRECTOR, AND EARL A. CROWDER, DISTRICT REPRESENTATIVE, UNITED STEEL WORKERS OF AMERICA, CIO, MEMPHIS, TENN.

Mr. ARENS. Gentlemen, will you each kindly identify yourself by name, residence, and occupation?

Mr. COPELAND. W. A. Copeland, CIO regional director; residence, 1595 Forrest Avenue, Memphis, Tenn.

Mr. CROWDER. Earl A. Crowder, district representative of the United Steel Workers of America, CIO; residence, 3578 Sherwood Avenue, Memphis.

Mr. ARENS. Mr. Chairman, I respectfully suggest that as the question is posed, in view of the fact that each of these gentlemen is possessed of information in the same area, that the gentleman who has the information in response to the question identify himself for the purpose of the record and then proceed to testify with respect to the query.

Senator EASTLAND. Yes.

Mr. ARENS. Do you gentlemen, or either of you, have information respecting the expulsion from the CIO of the Distributive, Processing and Office Workers of America?

Mr. COPELAND. Do you mean on a national, or local, basis?

Mr. ARENS. Let us proceed if you please, first, on the national basis.

Mr. COPELAND. I have knowledge of the reasons and the methods of the expulsion of, which was at that time called, Food and Tobacco Workers Union of America from the CIO. That union is now part of the DPO.

Mr. ARENS. And what is the other union which is now part of the DPO?

Mr. COPELAND. Food and Tobacco Workers. It was called FTA. The other two unions making up that national union were formerly called the United Office and Professional Workers of America and the Distributive Workers Union of New York City.

Mr. ARENS. When was the expulsion by the CIO on a national level?

Mr. COPELAND. On or about the middle of January 1950.

Mr. ARENS. And what was the reason for the expulsion?

Mr. COPELAND. The national CIO convention in 1949 instructed its executive board to conduct investigations into the communistic influences of certain affiliated national unions. A committee of the national CIO executive board was set up to investigate the FTA.

Senator EASTLAND. And what is the FTA?

Mr. COPELAND. FTA is part now of DPO. At that time it was FTA. I might say, prior to October of 1950 there was no DPO.

Mr. ARENS. FTA was the Food, Tobacco and Allied Workers of America?

Mr. COPELAND. That's right. After a hearing in Washington, the committee recommended to the national CIO executive board that FTA be expelled because the committee had found without contradiction by the officers of FTA that it was under communistic domination and the Executive Board, under the mandate of the convention, expelled FTA from the CIO.

Mr. ARENS. Do you have similar information with reference to the United Office and Professional Workers of America?

Mr. COPELAND. They went through the similar process.

Mr. ARENS. And were they likewise expelled?

Mr. COPELAND. They were expelled.

Mr. ARENS. And were they likewise expelled because the CIO found that the United Office and Professional Workers of America had followed the Communist Party program?

Mr. COPELAND. That is the record of the CIO executive board. They were expelled for that reason.

Mr. ARENS. Let us proceed, if you please, to follow the chronology. After the expulsion of the Food, Tobacco and Allied Workers of America and the United Office and Professional Workers of America on a national level from the Congress of Industrial Organizations, what transpired with reference to the two expelled organizations?

Mr. COPELAND. I do not quite follow that question, "what transpired."

Mr. ARENS. Did the two organizations, the FTA and the UOPWA amalgamate or join forces?

Mr. COPELAND. It is my understanding that that amalgamation came in September of 1950 or some months later.

Mr. ARENS. And what was the name of the new organization?

Mr. COPELAND. The Distributive, Processing and Office Workers of America, commonly called DPO.

Mr. ARENS. Now, we have covered the national level. Would you kindly express yourselves on the basis of the facts with reference to the local of the DPOWA in Memphis?

Mr. COPELAND. The local was expelled from the Memphis CIO in February, but the first meeting of the council of the expulsion on a national basis —

Mr. ARENS. February of what year?

Mr. COPELAND. 1950.

Mr. ARENS. And what was the reason for the expulsion of the local?

Mr. COPELAND. The resolution that the council adopted in expelling FTA pointed out that for a number of years Local 19 of FTA and Memphis had been under the influence and domination of the Communists or followers of the Communist Party, and the council had always taken a pretty positive position against communism and we expelled the local from the Memphis CIO Council for that reason.

Senator EASTLAND. What proof did you have, Mr. Copeland?

Mr. COPELAND. It is a rather long story. Do you want me to begin it?

Senator EASTLAND. Yes, I would like to have it.

Mr. COPELAND. It dates back from the inception of FTA in Memphis, which at that time went by the name of United Cannery and Agricultural Workers of America, which was a predecessor of FTA. They changed their name to Food, Tobacco and Agricultural Workers, I think, in 1945 or 1946.

Every national representative of that union who had ever been in Memphis had consistently followed what those of us who thought we knew were the policies of the Communist Party of the United States.

Prior to the invasion of Russia by Germany those people were singing the old song that they knew real well in those days, that the Yanks were not coming.

Immediately after the invasion of Russia, they advocated resolutions in our council and in other organizations which they were members in as individuals demanding a second front.

Down through the years the policies as enunciated by the Daily Worker—and that's how we usually determined whether or not they were following the Communist Party—some of us, particularly Earl Crowder and myself, used to read the Daily Worker fairly religiously so we could anticipate what these people were going to do.

Senator EASTLAND. How long have you been connected with the CIO?

Mr. COPELAND. As CIO Director, since early in 1943; as a member since June of 1937.

Senator EASTLAND. And has it been your policy at all times to attempt to keep Communists out of the labor movement in Memphis?

Mr. COPELAND. It's been my policy always to oppose communism.

Senator EASTLAND. But to keep it out of the labor movement in Memphis.

Mr. COPELAND. We'll have to answer that this way, Senator: It was impossible to keep it completely out of the labor movement, but to curb the influence of Communists among the labor people.

Senator EASTLAND. That meant that you had to watch the set-up and conditions in Memphis to spot the Communist organization here; is that correct?

Mr. COPELAND. That is true, sir.

Senator EASTLAND. Was there a Communist organization in Memphis at that time? Was there a Communist organization here in 1943?

Mr. COPELAND. In 1943, in 1941, and 1942, the Communist influences in Memphis, as far as the prior labor movement was concerned, were confined to what at that time was United Cannery and Agricultural Workers and to a very small element in the National Maritime Union.

At one time, the Mine, Mill, and Smelter Workers set up an office here and their representative was generally known all over the South as a member of the Communist Party. I think his name was Ross. I'm not positive about that.

At one time we understood, although we couldn't prove it, late 1941 or early in 1942, the Communist Party moved its headquarters to Memphis for the South and they were established in the office of local 19, United Cannery and Agricultural Workers. It was generally believed that they were working out of this office, although as far as the positive proof is concerned, we couldn't offer it.

Senator EASTLAND. Aside from the labor movement, were there other groups in Memphis that were connected with this Communist organization?

Mr. COPELAND. I wouldn't say that they were organized groups.

Senator EASTLAND. I do not mean necessarily organized, but individuals.

Mr. COPELAND. There are individuals whom we have certain reasons to believe have worked with these people.

Senator EASTLAND. Who were those individuals?

Mr. COPELAND. May I ask a question at this stage?

Senator EASTLAND. Yes, sir; but I want you to answer my question.

Mr. COPELAND. I will answer your question but I have always been a little reluctant to tie up people with a movement of this kind unless I was pretty positive of it.

Senator EASTLAND. We will take that part of your testimony then in executive session, but I want you to answer my question.

Mr. COPELAND. You appreciate I do not want to smear anybody.

Senator EASTLAND. That is right, and we will take that information in executive session. Was this Communist organization here fairly extensive?

Mr. COPELAND. It was pretty active.

Senator EASTLAND. Was its purpose to take over the labor movement or to form a Communist Party? What was its purpose?

Mr. COPELAND. Now, Senator, in answering questions of that type I have to give you my thinking.

Senator EASTLAND. That is what I want.

Mr. COPELAND. Those of us who combatted the Communists and thought we knew something about their activities were pretty well convinced of the fact that they were trying to take over the labor movement. Their very activities indicated that they were trying to spread their influence not only among the labor unions, but in and among any organizations where they could get contacts.

Senator EASTLAND. This local 19 was a focal point of that influence, was it?

Mr. COPELAND. That is true, in my opinion.

Senator EASTLAND. Did you have people in the Communist organization who kept you informed?

Mr. COPELAND. I don't think that's exactly true that we had people within the Communist organization, but we got information from members of that particular local union.

Senator EASTLAND. You may proceed, Mr. Arens.

Mr. COPELAND. May I ask this question? I am answering all the questions. Crowder is supposed to answer, too.

Mr. ARENS. We want the information from either of you gentlemen who has it. With further reference to local 19, do you have information respecting the compulsion which was brought to cause local 19 to move out of the CIO building?

Mr. COPELAND. I'm not sure we could base the actual moving of local 19 out of the building at the time they moved on a compulsion basis. Here's what actually happened: After the national CIO convention in 1950 had taken the position it did on communism and they started these investigations, the leadership of local 19 knew that as soon as the national union was expelled from the national CIO, they were going to be expelled on the local basis, so they did not wait for that expulsion. They moved out of the CIO building, I believe on the 28th or 29th of January 1950, or approximately 2 weeks before they were expelled from the Memphis CIO Council.

Mr. ARENS. Do you have information respecting one, Larry Larsen? Who is Larry Larsen?

Mr. COPELAND. Larry Larsen came into Memphis, I think, early in 1946 as the regional director for FTA. It is my understanding he came to Memphis from North Carolina or South Carolina where he had been very active.

Mr. ARENS. He had been very active in Mississippi, too, had he not?

Mr. COPELAND. DPO and the old FTA has a number of local unions in Mississippi and Larry Larsen, I think, services those local unions.

Senator EASTLAND. Where are they?

Mr. COPELAND. There are one or two in Corinth, Miss. There used to be one at Greenville, Miss., one at Vicksburg, and there are perhaps one or two others whose locations I don't recall offhand.

Senator EASTLAND. Were those locals Communist-dominated?

Mr. COPELAND. I have no knowledge of the Mississippi locals, sir.

Senator EASTLAND. But the man that set them up and serviced them, you say, is a Communist?

Mr. COPELAND. I haven't said that to this point.

Senator EASTLAND. Well, is he?

Mr. COPELAND. There is no question in my mind but what he is.

Senator EASTLAND. He is a Communist?

Mr. COPELAND. No question in my mind, Senator, but what he is a Communist.

Mr. ARENS. Will you procure the information on the locals of DPOWA which are operating in Mississippi and transmit that to the subcommittee?

Mr. COPELAND. That information may not be available to me, because since they have been expelled from the CIO we have no way of checking those.

Mr. ARENS. You will procure what information is available through your own source?

Mr. COPELAND. Yes.

Mr. ARENS. I want to invite your attention to Lee N. Lashley.

Mr. COPELAND. He is president of local 19, DPO.

Mr. ARENS. And what information do you have with respect to his background or activities?

Mr. COPELAND. Lee Lashley has been very active in local 19 for approximately 7 or 8 years. He came from a plant, Quaker Oats Feed Mill, which was generally considered the backbone of the Communist element or left-wing element, whichever way you want to use it, and out of that plant came some leaders—Henderson Davis, who was very active in local 19, but he died sometime ago; a Negro by the name of Obanion, O-b-a-n-i-o-n—I don't recall his first name.

Mr. ARENS. Is that Wash O'Bannon?

Mr. COPELAND. Frankly, I don't know his first name. As far as I personally know, Lee Lashley has never been openly identified with what we have reasons to believe are Communist activities, but he has consistently followed and supported the policies and positions taken by the paid representatives of local 19. It is my understanding that his name was signed to a telegram in the name of local 19 which was sent to New York, protesting the conviction of those 11 Communists, and in a conversation with me and Clark Porteous and, I think, at which Rev. J. A. McDaniel was present some 6 weeks ago, Lee Lashley admitted or said that when his local union was organized he was told by the representative that the Daily Worker was their union newspaper.

Mr. ARENS. He was referring to the Communist Daily Worker?

Mr. COPELAND. That's right, sir. Ever since then he had been taking the Daily Worker, although he qualified that by saying that he only read the sport pages of that paper. He also admitted at that time that this worker, Obanion (or O'Bannon) had been fired by the company after an accident to his truck in Mississippi, and when the sheriff or deputy of that particular county investigated the wreck, they found a bundle of communistic literature. Obanion was supposed to have said that literature had been put on by a hitchhiker.

Senator EASTLAND. Where was that wreck? In what county?

Mr. COPELAND. I never did know.

Mr. ARENS. Do you happen to know where Obanion is today or in the recent past?

Mr. COPELAND. We have heard nothing from Obanion since he worked for the K. & S. Appliance Co. in Memphis.

Mr. ARENS. May I invite your attention to the name, Edwin McCrea, and ask you to identify him?

Mr. COPELAND. Edwin McCrea is the business agent of local 19, DPO. He has been the business agent of local 19 since midsummer of 1948.

Mr. ARENS. May I ask you to identify Earl Fisher?

Mr. COPELAND. I know very little about Earl Fisher except that he used to be the national vice president of DPO.

Mr. ARENS. Almyra Bartlett?

Mr. COPELAND. Almyra Bartlett has been the office secretary of local 19 since about early 1945.

Mr. ARENS. L. E. McGurty?

Mr. COPELAND. When you say identify him, you don't mean to go into their history?

Mr. ARENS. We would like to have all the information you have pertinent to this inquiry on each of these individuals on whom I have posed a question.

Mr. COPELAND. We might go back to some of the individuals later, because I merely identified them as you requested.

As to their present capacity—

Mr. ARENS. Let us revert then to Edwin McCrea.

Mr. COPELAND. Yes, sir. Edwin McCrea is generally known here as Ed McCrea. He has been the business agent for local 19 since the summer of 1948.

Mr. ARENS. Do you know how long he has been around the Memphis parts?

Mr. COPELAND. He worked in Memphis for FTA at one time, and I am not positive of the date, but I think it was 1938 or 1939. Then most of his activities were in North Carolina. Ed McCrea was generally known when he was in Tennessee before. He originally came out of a plant in Nashville, Tenn., and was very active there.

Mr. ARENS. In what capacity?

Mr. COPELAND. I have no personal knowledge of his activities there except what was told me by the people in Nashville.

If you want that information—

Mr. ARENS. We would rather not have it.

Senator EASTLAND. You may proceed about your knowledge of his activities in Nashville. I want to get that in the record.

Mr. COPELAND. You understand, it was not my knowledge?

Senator EASTLAND. Yes, sir; but this is an investigation and it might furnish leads that we can proceed on.

Mr. COPELAND. Yes, sir. Well, the CIO people in Nashville have told me, on a number of occasions, about the early activities of Edwin McCrea and his wife in the interest of the Communist Party at Nashville. At one time—and this is one of the stories told me—during the depression years—I don't know what year—he attempted to organize the WPA into a union on one hand and at the same time attempted to organize them into the Communist Party. He is reported to have written a number of letters to the national newspapers back in those days in which he signed himself as the Secretary of the Communist Party of Tennessee.

Personally, I have not seen the newspapers with those letters in it. It was over a period from 1933 up through 1937, it is my understanding.

Senator EASTLAND. Where is McCrea now?

Mr. COPELAND. At the moment?

Senator EASTLAND. Does he live in Memphis?

Mr. COPELAND. Yes, sir. He lives in Memphis. He is the business agent for local 19. As far as his Memphis activities are concerned, he came into Memphis, I think, in late June or early July 1948 and apparently his first assignment here was to organize the Progressive Party in Memphis, which at that time had its candidate for president as Henry Wallace. Shortly after he came in McCrea, W. E. (Red)

Davis, L. E. McGurty, and one or two others, which included the late John Mack Dyson, set up headquarters for the Progressive Party and at that particular time, Davis was the port agent for the National Maritime Union. Davis, in August of 1948, was eliminated in the National Maritime Union purge of communism. When Davis was eliminated as port agent, the Progressive Party had no headquarters, and we woke up one day in the CIO building to find that they had moved the Memphis headquarters of the Progressive Party into the FTA office.

A committee of our people, including Mr. Crowder and myself, and maybe one or two others, called on Larry Larsen and, I think, Ed McCrea, with orders to get the headquarters out of our building and they agreed to do it.

It is my understanding that McCrea has been pretty active in a number of under-cover movements here, but more personally we know the position he took when questions of patriotic nature came up for action before our council meetings. Among those would be the endorsement of the Marshall plan, the endorsement of the North Atlantic Pact, and other programs of a civilian-defense nature.

Senator EASTLAND. What were those under-cover movements to which you referred?

Mr. COPELAND. Meetings at the homes of certain people at which they would get groups together, the attempts to organize in 1948 minority groups like the—if they had a few Polish people here, some of the Jewish groups, and a few others were under the sponsorship of the International Workers Order, which is a Communist benevolent organization.

Senator EASTLAND. It is true it is a Communist organization, but whose residences were those meetings held in?

Mr. COPELAND. I'm not quite sure in all cases, Senator.

Senator EASTLAND. I will take that in executive session, but I want the residences that you know about or that you heard about.

Mr. COPELAND. Yes, sir.

Mr. ARENS. Is there anything else which you would like to say with reference to Mr. Edwin McCrea?

Mr. COPELAND. I think I will let Mr. Crowder finish up on Mr. McCrea, except I want to make this comparison which I think is very significant: All patriotic programs Ed McCrea opposed very viciously in council meetings and otherwise because he termed them "war-mongering programs." That involved practically every one and I have never known a single instance since he has been in here when Local 19, FTA, supported or endorsed programs like the Community Fund, the Red Cross, the Blood Bank, or things of that nature, but, on the other hand, the local has consistently circulated what we think are communistic propaganda petitions like the Korean peace petition of last year, and a few other petitions of that nature.

In early 1949, Ed McCrea, Larry Larsen, Davis, and a few others tried to organize an organization called the Negro Workers Guild. We didn't know too much about that organization except we knew that if it was being organized by Larsen, McCrea, and Henderson Davis, that it must be a Communist organization and we discouraged the organization from that set-up.

Mr. ARENS. Do you have further information with reference to the International Workers Order in connection with Local 19?

Mr. COPELAND. No, sir.

Mr. ARENS. The leadership of local 19?

Mr. COPELAND. My information on that is only casual.

Senator EASTLAND. Is Mr. Victor Rabinowitz in the audience?

Mr. RABINOWITZ. Yes, Senator.

Senator EASTLAND. Put him under subpoena and get him out.

Mr. RABINOWITZ. I'm sorry, Senator; I thought this was an open session.

Senator EASTLAND. You may proceed.

Mr. ARENS. May I invite your attention to the name of Earl Fisher and ask you—you have already identified him—to supply the committee with the information you have with respect to his background and activities?

Mr. COPELAND. I know very little about Earl Fisher. As a matter of fact, about all I know about Earl Fisher is he is the national vice president of DPO and he was at this meeting at which they attempted to organize the Negro Workers Guild or League about 2 years ago.

Mr. ARENS. And where is he located now?

Mr. COPELAND. I don't know, sir.

Mr. ARENS. Almyra Bartlett?

Mr. COPELAND. Almyra Bartlett has been the secretary of local 19 since early 1945, I believe. She has been a very quiet personality, has had very little to say, and openly she has not been very active, and about the only thing I could say about Bartlett is the fact that all of the officers, the leaders of the FTA, whom we have suspected of following the Communist Party, they regularly get mail from organizations which we know are Communist-front organizations and Bartlett's mail came along with the rest, and I might explain that when FTA was in the building—the postman brings up the mail in the bundle and we usually sort it in the various mail boxes—we noticed the return address on envelopes and in that way we could identify to some extent where they were coming from.

Mr. ARENS. May I invite your attention to the name, L. E. McGurty, whom we have already identified, and ask you if there is any additional information which you are in a position to supply the committee with at this time?

Mr. COPELAND. L. E. McGurty originally came to Memphis from Chicago, and the first time I met McGurty, he was working at the Abraham Packing Co. In February of 1946 I put McGurty on the CIO staff as a full-time representative, not knowing too much about his background nor the fact that he was a brother-in-law of W. E. (Red) Davis.

In September of 1946, I discovered that McGurty, along with Larry Larsen, Karl Korstad, who at that time was the business agent for local 19, Davis, and John Mack Dyson, had had a meeting to organize a Memphis chapter of the National Negro Congress, which is generally known as a Communist-front organization.

Mr. ARENS. It has been cited repeatedly by agencies of the Government as a Communist front organization.

Mr. COPELAND. That is my understanding. That exposed to us, and to me particularly, the fact that McGurty, under cover, apparently, had been working with his brother-in-law and a few others in Com-

munist movements. We had a staff meeting of the people on our staff and went into that at some length. I thought there was a possibility that the boy had been misled and wasn't quite sure what he was doing. During that staff meeting when certain questions were posed to McGurty, as to his feelings toward the Communist Party and as to whether or not he would follow the CIO policy, among those remarks he made at this meeting and later repeated to Mr. Crowder were these: That he believed in the policies of the Communist Party and the only conflict in his thinking and the thinking of most of those who followed the Communist Party was the fact that the Communists believed in overthrowing the Government by force and he believed in overthrowing it at the ballot box.

He was pressed further as to the conflict between the CIO policies and the Communist Party policies, and he made the statement that when the Communist policies that he believed in conflicted with the policies of the CIO, he would follow the policies of the Communists.

He was dismissed from my staff. Shortly after he was dismissed from my staff, within a week or 10 days, he was hired by FTA and sent to Virginia, I think Suffolk, Va., as a representative. He came back into Memphis approximately 2 years later and apparently resumed his activities with the Communist crowd, and in September of 1949 he was supposed to be seated at the council as a delegate from FTA, and along with Red Davis as a delegate from the National Maritime Union, and the council almost unanimously, after some debate, refused to seat both Davis and McGurty, because of their consistently following the policies of the Communist Party and barred them from our building.

Since then I understand he has been fairly active with Ed McCrea's crowd. Being barred from our building, we have not had any personal contact with McGurty since September of 1949.

Mr. ARENS. May I ask you if you know Rev. James A. McDaniel?

Mr. COPELAND. I do, sir.

Mr. ARENS. Will you kindly identify him?

Mr. COPELAND. Reverend McDaniel is the executive secretary of the Memphis Urban League and a colored minister, who is very active in promoting the progress and welfare of the Negro people as well as the general community welfare and programs as a whole.

Mr. ARENS. Do you have information respecting an incident or a series of incidents involving telephone calls to Rev. James A. McDaniel from certain persons?

Mr. COPELAND. My only knowledge, sir, is what Reverend McDaniel told me about those.

Mr. ARENS. We can accept information of that character.

Senator EASTLAND. If he is a witness, I do not think we ought to query him any further on that.

Mr. ARENS. Gentlemen, are there any further facets of information on the material which we have covered?

Mr. COPELAND. I was asked, sir, by Mr. Connors, when he was in here a couple of weeks ago to bring this document which was delivered at our building some 3 weeks ago, a message from Moscow, addressed to local 19, FTA, delivered to our building.

Senator EASTLAND. That should go in the record as an exhibit.

Mr. ARENS. I suggest we mark it exhibit 1 and have it for filing by the committee.

(The document referred to was marked "Exhibit No. 1" and filed.)

Mr. CROWDER. I would like to say with respect to McGurty that soon after this attempt to organize the National Negro Conference here, a chapter of it—

Senator EASTLAND. That is a Communist-front organization?

Mr. CROWDER. Yes, sir.

McGurty came to my office and I questioned him about this activity and pointed out to him that we thought that it was a Communist-front organization.

I tried to discourage him in his activities in that organization, and it was at that time that he admitted to me that he was a Communist and qualified it by saying that the only objections he had at that time to the Communist Party was their policy of violent overthrow of the Government.

Senator EASTLAND. He said he was a Communist Party member?

Mr. CROWDER. No, he didn't say that.

Senator EASTLAND. You said he said he was a Communist. What did he mean by that?

Mr. CROWDER. I may qualify that by saying that he believed in the principles of the Communist Party, or words to that effect. Anyway, he made known to me that he was sympathetic to the Communist cause. Then I said, "Well, McGurty, if you can finally agree to the violent overthrow of the Government, why, you will be a full-fledged Communist then."

He said, "Yes," but at the moment he said he disagreed with that point.

Mr. ARENS. You gentlemen are both appearing today under subpoena?

Mr. COPELAND. Yes, sir.

Mr. CROWDER. Yes, sir.

Mr. COPELAND. I would like to make one statement, though, because I don't want to confuse you. The question that the Senator asked Crowder that McGurty admitted they are Communists, none of these people ever admitted they are Communists.

Senator EASTLAND. The witness testified that he admitted he was a Communist.

I wanted to know whether he believed in it, whether he was a party member, or just what he meant by it.

Mr. COPELAND. None of them ever admits that they are members of the party. That question has been asked on a number of cases.

Mr. CROWDER. He didn't tell me that he had signed a card, but I got the impression from the conversation with him that he was.

Senator EASTLAND. That he was a party member?

Mr. CROWDER. Yes, sir.

Senator EASTLAND. Gentlemen, I am going to excuse you now, but I am going to hold you under the subpoena.

Before lunch, I want to take some testimony from you in executive session, but I will wait until other witnesses testify.

Senator EASTLAND. Do you solemnly swear the testimony you are about to give before the Internal Security Subcommittee of the Judiciary Committee of the Senate of the United States will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. RABINOWITZ. I do.

**TESTIMONY OF VICTOR RABINOWITZ, ATTORNEY AT LAW,
NEW YORK, N. Y.**

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. RABINOWITZ. My name is Victor Rabinowitz. I am an attorney, a member of the New York Bar. My office is at 76 Beaver Street, New York.

Mr. ARENS. When did you arrive in Memphis last?

Mr. RABINOWITZ. At about 8:15 last night.

Mr. ARENS. Did you appear here under subpoena?

Mr. RABINOWITZ. No.

Mr. ARENS. Did you come voluntarily?

Mr. RABINOWITZ. Well, I don't know what you mean by voluntarily.

Mr. ARENS. You were not invited by the committee to appear here?

Mr. RABINOWITZ. No.

Senator EASTLAND. Do you have some clients here, Mr. Rabinowitz?

Mr. RABINOWITZ. Yes.

Senator EASTLAND. Who are your clients?

Mr. RABINOWITZ. I represent the Distributive, Processing, and Office Workers of America. I have ever since the union was organized.

Senator EASTLAND. You were attorney for Frederick Vanderbilt Field, were you not?

Mr. RABINOWITZ. I have on occasion appeared for Mr. Field in various matters.

Senator EASTLAND. Yes. What other Communists have you represented?

Mr. RABINOWITZ. I can't answer that question. It implies a state of facts that I certainly am in no position to testify.

Senator EASTLAND. Are you a Communist?

Mr. RABINOWITZ. Senator—

Senator EASTLAND. Answer my question. Are you a member of the Communist Party?

Mr. RABINOWITZ. I decline to answer that question on the grounds of my privilege under the fifth amendment. That question has been asked to me by this committee before and I have given the same answer.

Senator EASTLAND. Yes, sir. What other organizations do you represent? What other unions?

Mr. RABINOWITZ. What other unions?

Senator EASTLAND. Yes.

Mr. RABINOWITZ. Well, on general retainer I represent, in addition to the Distributive, Processing, and Office Workers, I represent the American Communications Association—

Mr. ARENS. The American Communications Association is an organization which was investigated by the Internal Security Committee in the course of the last few months, was it not?

Mr. RABINOWITZ. I'd say it was in about April or March, sometime around there.

Mr. ARENS. And, in the findings of the Internal Security Subcommittee in its report in conjunction with the American Communications Association, the subcommittee found that the leadership of the American Communications Association were all Communists, did it not?

Mr. RABINOWITZ. I regret to say, Mr. Arens, that I have never read the report. I should have, but didn't.

Mr. ARENS. Who is the president of the American Communications Association?

Mr. RABINOWITZ. Joseph P. Selly.

Mr. ARENS. And he was identified as a Communist before the Internal Security Subcommittee?

Mr. RABINOWITZ. I don't know. I didn't read the report, as I say.

Mr. ARENS. You represented Mr. Selly, did you not?

Mr. RABINOWITZ. He was not so identified when I was there.

Mr. ARENS. Who is Joseph Kehoe?

Mr. RABINOWITZ. He is the international secretary-treasurer of the ACA.

Mr. ARENS. You appeared as counsel representing Mr. Selly and Mr. Kehoe, did you not?

Mr. RABINOWITZ. Yes; I did.

Mr. ARENS. And you advised them not to answer questions—

Senator EASTLAND. Wait a minute. All of those witnesses refused to answer the questions put to them as to whether or not they were Communist Party members on the ground that it might incriminate them. That is true, is it not?

Mr. RABINOWITZ. All of which witnesses, Senator?

Senator EASTLAND. That you represented before this subcommittee.

Mr. RABINOWITZ. I can't say whether all of the witnesses that I have represented before this subcommittee have refused to answer that question.

Senator EASTLAND. Is that not true?

Mr. RABINOWITZ. Please let me answer. You have asked me a question.

Senator EASTLAND. All right, answer.

Mr. RABINOWITZ. You will recall that on every occasion on which you have presided—this has not been true of other members of the committee—

Senator EASTLAND. I have excluded you, and I am going to exclude you today, and that was your advice to them.

Mr. RABINOWITZ. I advised them, in my opinion, under the decision of the United States Supreme Court in United States against Blau, they had a right to refuse to answer that question if they so desired. That was my advice to them. However, if they followed my advice, I don't know.

Senator EASTLAND. What are you doing in Memphis?

Mr. RABINOWITZ. I was asked to come down and represent a union here by the international union which I represent.

Senator EASTLAND. Did the local employ you?

Mr. RABINOWITZ. Well, I am on a retainer from the international union.

Mr. ARENS. Did you file an amicus curiae brief for the 11 Communists in the New York City trial?

Mr. RABINOWITZ. We've gone over this.

Senator EASTLAND. Answer the question.

Mr. RABINOWITZ. Did I file such a brief?

Mr. ARENS. Yes.

Mr. RABINOWITZ. Well, I submitted such a brief for filing. I don't believe it was accepted. I think it was withdrawn subsequently.

Mr. ARENS. Are you a member of the National Lawyers Guild?

Mr. RABINOWITZ. Yes, I am.

Mr. ARENS. The National Lawyers Guild has been cited as a Communist front, has it not?

Mr. RABINOWITZ. I don't know. Perhaps it has.

Senator EASTLAND. And you decline to answer now whether or not you are a Communist Party member at this time or whether you have ever been a Communist Party member; is that right?

Mr. RABINOWITZ. That's my position, Senator.

Mr. ARENS. Do you know Edwin K. McCrea?

Mr. RABINOWITZ. I met him last night.

Mr. ARENS. Do you know whether or not he is a member of the Communist Party?

Mr. RABINOWITZ. I must decline to answer that question.

Mr. ARENS. Why?

Mr. RABINOWITZ. On the grounds of the fifth amendment.

Senator EASTLAND. What is the fifth amendment?

Mr. RABINOWITZ. What is the fifth amendment?

Senator EASTLAND. What is the fifth amendment? I want you to state your reason now.

Mr. RABINOWITZ. I will be delighted to state my reason. May I state it in full without interruption?

Senator EASTLAND. I will take that under advisement when the time comes.

Mr. RABINOWITZ. Under the terms of the fifth amendment to the Constitution, a person may not be compelled to bear witness against himself. Now, that amendment to the Constitution has been interpreted by court decisions and by authorities in the field of constitutional law to provide that a witness may not be required to answer questions which might either furnish evidence in a prosecution against him for a crime or which might furnish a link in evidence which might connect him with a crime.

Senator EASTLAND. And it is being used by Communists, is it not, as a pretext to prevent the legally constituted authority in this country from securing evidence of a villainous conspiracy to overthrow this Government, is it not?

Mr. RABINOWITZ. I don't believe so, Senator.

Senator EASTLAND. Then why don't you answer whether you are a Communist or not?

Mr. RABINOWITZ. I just told you why.

Mr. ARENS. Mr. Rabinowitz, do you feel that your answer to the question as to whether or not Edwin K. McCrea, business agent, Local 19, DPOWA, is a Communist, might tend to cause a criminal prosecution of you?

Mr. RABINOWITZ. Yes. I can explain why, if you want me to.

Mr. ARENS. Do you know any members or officers of Local 19, DPOWA, who are not Communists?

Mr. RABINOWITZ. I must decline to answer that question on the same ground.

Mr. ARENS. Why?

Mr. RABINOWITZ. On the ground that the answer might tend to incriminate me.

Mr. ARENS. How would it tend to incriminate you?

Mr. RABINOWITZ. I could know for sure whether they were members of the Communist Party or not members of the Communist Party only if I had pretty intimate knowledge of the membership of the Communist Party in and about the State of Tennessee, and I don't see how such knowledge could have been acquired by me except under such circumstances that it might furnish a link in the prosecution, which, under the Supreme Court decisions, gives me the privilege of not testifying with respect thereto.

Mr. ARENS. Are you possessed of knowledge as to the membership or officers of local 19 who are Communists?

Mr. RABINOWITZ. I told you that I must decline to answer that question.

Mr. ARENS. What organizations do you belong to?

Mr. RABINOWITZ. Well, as to some organizations, I must claim the privilege that I referred to. As to other organizations, organizations in which we in our previous sessions have referred to as nonsensitive organizations, I will be perfectly willing to testify to.

Senator EASTLAND. Nonsensitive organizations?

Mr. RABINOWITZ. Yes. That is what Mr. Arens and I call them. By "nonsensitive," I mean organizations which are not generally considered to be subversive. Now, I will be glad to answer those. I will just run through my wallet and see what cards I have.

Senator EASTLAND. I am not interested in those organizations. I am interested in the organizations that you call sensitive and which we know are Communist.

Mr. RABINOWITZ. As to those, I must decline to answer, Senator. I am sorry. I am sorry; I belong to some very fine organizations.

Mr. ARENS. Who is Mr. Velson?

Mr. RABINOWITZ. He is a man who lives in Brooklyn, I believe.

Mr. ARENS. Did you represent him before the committee?

Mr. RABINOWITZ. I represented him. You will recall, I wasn't allowed in.

Senator EASTLAND. You tried to represent him.

Mr. RABINOWITZ. I represented him in the sense that he retained me and I appeared in Washington, but I didn't get into the hearing room.

Senator EASTLAND. I allowed him to go out and consult with you.

Mr. RABINOWITZ. I think twice you allowed me to go in and consult with him.

Mr. ARENS. You got into a little difficulty in New York City that time in the ACA hearing, did you not?

Mr. RABINOWITZ. No; I never had any difficulty except with Senator Eastland.

Mr. ARENS. Did not Senator Smith order you to be removed from certain sessions during the hearings on American Communications in New York City?

Mr. RABINOWITZ. He didn't order me. He thought it would be a good idea and I agreed.

Senator EASTLAND. Are there any further questions?

Mr. ARENS. No, Senator.

Senator EASTLAND. That will be all. You are under the rule, Mr. Rabinowitz. We will excuse you, but hold you under subpoena.

Mr. RABINOWITZ. For how long?

Senator EASTLAND. Until I decide to release you. I would like him to be separate from other witnesses.

Mr. RABINOWITZ. I am free to go about my business, am I not?

Senator EASTLAND. You are under subpoena.

Mr. RABINOWITZ. I know that, but that doesn't mean I am under arrest.

Senator EASTLAND. You can do as you want to at your peril. You are under subpoena to this committee and I am going to enforce it.

Gentlemen, I would like to say that Mr. Rabinowitz is a very able lawyer who always shows up representing big-time Communists.

Do you solemnly swear the testimony you are about to give before the Internal Security Subcommittee of the Judiciary Committee of the Senate of the United States is the truth, the whole truth, and nothing but the truth, so help you God?

Reverend McDANIEL. I do.

TESTIMONY OF REV. JAMES ALFRED McDANIEL, SR., EXECUTIVE SECRETARY, MEMPHIS URBAN LEAGUE, MEMPHIS, TENN.

Mr. ARENS. Please identify yourself by name, residence, and occupation.

Reverend McDANIEL. My name is James Alfred McDaniel, Sr. I was born in Cartersville, Ga., and was reared in Greenwood County, S. C. I completed my high school education at Brewer Normal School at Greenwood, S. C. My college and theological training was received at Talladega College, Talladega, Ala. I am an ordained minister and have served the Bethel Presbyterian Church, Memphis, Tenn., since January 1, 1942. I have been executive secretary of the Memphis Urban League since August 1944. Is that sufficient?

Mr. ARENS. That is sufficient for identification, yes, if you please. Are you acquainted with Lee N. Lashley?

Reverend McDANIEL. I have met him once.

Mr. ARENS. On what occasion did you meet him?

Reverend McDANIEL. I met him at a meeting that I had called of the Interdenominational Ministers Alliance and he appeared, that he might speak to that body of men.

Mr. ARENS. Did Mr. Lashley express himself to you at that time or at any other time with respect to a telegram which he had dispatched?

Reverend McDANIEL. There was some expression made prior to the meeting and then during the meeting we raised the question about a telegram.

Mr. ARENS. Just elaborate on that incident, if you please.

Reverend McDANIEL. Prior to the meeting, a group of us were out in front of the church, and we had talked to Mr. Lashley about the local 19, I believe it is, DPO, and his activities and what he felt about it, and the question was raised whether or not he had any part in sending a telegram to New York during the trial, I believe, of 11 Communists.

He expressed a knowledge of a telegram having been sent—he was president of the union—but he did not recall whether or not he signed the telegram.

Mr. ARENS. What has been your activity and attitude with reference to Local 19, DPOWA?

Reverend McDANIEL. My activities have been thusly:

From two sources that we felt reliable, one which I cannot reveal, but the other information that we got through other—

Senator EASTLAND. Wait a minute. You say one that you cannot reveal? What do you mean by that?

Reverend McDANIEL. Well, it's an agency which has to deal with the—

Senator EASTLAND. That is all right; I see.

Reverend McDANIEL. And the other information came from prominent persons, a number of them identified with the CIO, that the leadership of this union was alleged to be Communist. Knowing that FTA was largely composed of our Negro citizens, 90 to 95 percent of them, I felt that at least they should be acquainted with the thinking of their leadership.

Mr. ARENS. FTA is the predecessor organization to DPOWA?

Reverend McDANIEL. That's right. I sought to enlighten and to use such persuasion within the bounds of our authority and our organization to rescue, a term that I use, those workers from that particular union because I felt with the state of the union and the state of the world that it was a dangerous—that they would be exposed to such leadership.

Mr. ARENS. What has happened as a result of your activities in opposing Communist control in the Communist leadership of DPOWA, Local 19?

Reverend McDANIEL. I'd like to read this statement.

Senator EASTLAND. What is this? I want you to answer the question in your own words.

Reverend McDANIEL. All right. Your question, sir?

Mr. ARENS. The question was: What has happened with reference to you because of your activities in opposition to Communist leadership in the DPOWA?

Reverend McDANIEL. In August and September, with the approval of the board of directors of the Urban League, realizing the seriousness of the situation, or based on the information we had about Communist activities within that union, it was suggested that I work with the CIO and in any other capacity to acquaint these people, and I did so. I did it through the press. I bought time over the radio out of my own pocket in order that we might tell the story and further persuade the workers there to withdraw from that union.

As a result of it, I received three—possibly four; I'm not too sure—three or four threatening telephone calls which were insulting and intimidating.

Mr. ARENS. May I just ask you to pause right there? Did the party or parties who made the calls identify themselves in the telephone conversation to you?

Reverend McDANIEL. No; except in one instance some man said his name was Woodsey, as I understood it. I looked it up in the directory and found no Woodsey. He wanted to come out to my house in order that they, he said, might talk to me. I was alone—I just incidentally went home that day—and immediately I got the telephone call.

Mr. ARENS. You characterize these phone calls as threatening. Could you elaborate on that and give us a little more detail?

Reverend McDANIEL. Well, each said to me—they had about the same message—that I was working for white interests and I was trying to sell this Negro union out and that they would get me, they said.

Mr. ARENS. Do you have any information respecting an incident in which you were away from your home and your wife and children were there who were approached in your absence?

Reverend McDANIEL. Yes. That was in 1948, in November of '48, when I was unalterably opposed to the Progressive Party movement and unofficially or personally as any other citizen, I was interested in the Democratic Party and I spoke and I wrote against the Progressive Party movement because, again, it was alleged that they were Communist-led.

Following that election, immediately following—I do not know the exact date—my home was entered through a dining-room window and the front and the back doors were opened.

Incidentally, I had been called to a former parish to preach a funeral and unknowingly I was absent from my home to the public. I had left hastily and hurriedly to catch the Frisco train that evening. That night a man came into our home with a cloth across the lower part of his face. He entered the room where my wife and older daughter slept in one bed, and two youngsters in a three-quarter bed, and he struck matches in the face of each one of them. There were some valuables in the house. I like to hunt. I had a single-barrel shotgun, a Stevens shotgun, and there was a rifle there which I used for hunting. They bothered none of those things which were very valuable to me, but they did strike the matches in the faces of each member of my family in that room. It is highly probable, when they came through the dining room, they struck matches in the faces of my two sons who slept on a couch which folded out into a double bed. We thought first it was burglary, but the only thing that my wife missed was some photos she had there. They bothered none of the other valuables, and then we construed that it was possibly due to our activity, that they were looking for me, because they did not attempt to harm my wife nor daughters.

Mr. ARENS. Is that all on that incident?

(No response.)

Mr. ARENS. Do you have information respecting the Willie McGee matter and the position which was taken on that by Local 19 of DPOWA?

Reverend McDANIEL. According to the names they furnished the leadership for that campaign from here. A number of people, according to the press, went from Memphis to Mississippi in protest of that trial.

Mr. ARENS. You know, of course, that the Willie McGee matter was one of the issues of the Communist Party?

Reverend McDANIEL. Yes.

Mr. ARENS. These people you are referring to who went to Mississippi were from Local 19 of DPOWA; is that correct?

Reverend McDANIEL. I'm not too sure that all of them were, but it was alleged that a number of them were from DPOWA.

Mr. ARENS. Now, do you have information respecting a meeting of the ministers at which Lashley appeared and made a comment with reference to McCrea?

Reverend McDANIEL. I recall the meeting and quite a few questions were asked Mr. Lee Lashley. I don't recall whether or not Mr. McCrea's name was mentioned or not. It possibly was.

Mr. ARENS. Did Lashley ever indicate to you anything with reference to the Daily Worker?

Reverend McDANIEL. In my presence he did.

Mr. ARENS. What did he say?

Reverend McDANIEL. He said the Daily Worker, he was informed—I think those were his words—was the official paper of their union and that he read the Daily Worker and that it was distributed through their union, as nearly as I recall, but he read principally the sports section of the paper.

Mr. ARENS. You are appearing today under subpoena of this committee, are you not?

Reverend McDANIEL. I am.

Senator EASTLAND. That will be all.

You will be excused from your subpoena.

(Whereupon, at 11:25 a. m., Thursday, October 25, 1951, the hearing was recessed, and the committee proceeded to executive session.)

AFTERNOON SESSION

(The hearing was resumed at 2:30 p. m.)

Senator EASTLAND. Do you solemnly swear the testimony you are about to give before the Internal Security Subcommittee of the Judiciary Committee of the Senate of the United States will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. PORTEOUS. I do.

TESTIMONY OF CLARK PORTEOUS, REPORTER FOR MEMPHIS PRESS-SCIMITAR, MEMPHIS, TENN.

Mr. ARENS. Will you kindly identify yourself by name, residence, and occupation?

Mr. PORTEOUS. Clark Porteous. I live in Memphis. I am a reporter for the Memphis Press-Scimitar.

Mr. ARENS. And how long have you been so engaged as a reporter?

Mr. PORTEOUS. Since June of 1943, 17 years.

Mr. ARENS. Mr. Porteous, in the course of your occupation as a reporter, have you had occasion to make a study and to familiarize yourself with labor conditions in the Memphis area?

Mr. PORTEOUS. Yes, sir.

Mr. ARENS. Recite, if you please, the nature of the study and investigation with which you have concerned yourself.

Mr. PORTEOUS. I have written a number of stories about unions of both the CIO and the A. F. of L. and independent unions, and mainly about strikes when they occurred.

I have covered strikes and meetings in their council actions, political or otherwise, and things of that general nature.

Mr. ARENS. Have you had occasion to familiarize yourself with the facts with reference to Local 19 of DPOWA?

Mr. PORTEOUS. Yes, sir.

Mr. ARENS. And over what course of time did you acquaint yourself with the facts on Local 19, DPOWA?

Mr. PORTEOUS. Well, that particular local, I would say, it's been principally since 1946 at the time I got out of the Army. It was FTA then, Food, Tobacco and Agricultural Workers. I don't recall

if I had activities with them before the war or not. I don't believe I did. It's been since '46 I would say.

Mr. ARENS. I suggest the witness be permitted to proceed at his own pace to recite the facts which he has developed in the course of his study and investigation of this situation.

Senator EASTLAND. All right.

Mr. PORTEOUS. Well, I knew FTA just as another local and never did pay a whole lot of attention to it one way or the other until I learned that it was supposed to have left-wing or possibly Communist leadership, and there wasn't a whole lot I could do about that. I knew about it and discussed it and talked to people in labor and otherwise until the CIO council, as such, took action to have this particular local expelled from the council and it become newsworthy and I learned that such action had been taken and wrote stories about it. That was my first particularly close association with that.

At that time and since, I talked to various officials of it, mainly Ed McCrea, Larry Larsen, and the late John Mack Dyson, who was the president of it, and at various times they would figure in the news. I heard that they were supposed to have been passing out copies of a peace proposal generally called the Stockholm peace proposal and I wrote stories about it and Ed McCrea called and said that they wanted to make a statement giving their side of it, and I said, "Sure, be glad to have it," and I still have the particular statement. It was sent out—he had called me about it—

Mr. ARENS. If you will pardon me, I would like to identify the Stockholm Peace Appeal. This is the Stockholm Communist-inspired peace petition, is it not?

Mr. PORTEOUS. As I understand it, yes. I got a statement delivered to me personally at the paper after I had written a story that the FTA was active in distributing it signed—and I have it here—by John Mack Dyson, who was a Negro, and I did not think capable of writing the statement, and the statement from what it said—well, it made me more convinced than ever that there was at least left-wing leadership there, and the statement was defending their position about this particular peace petition and said:

The membership has discussed the Stockholm World Peace Appeal. It has not endorsed the appeal.

Then it goes on to say:

It has pledged its full support and protection to every member's right as an American citizen under the law to express his opinion, to petition the Government or the United Nations, and to sign, if they so desire, the World Peace Appeal. * * *

And then it went on to state certain people who were for this:

It was also noted that this World Appeal is non-partisan in its application to a person's country, political party or religious affiliations and race, creeds, or color, and has been signed by such outstanding Americans as Aubrey Williams, publisher of the Southern Farmer, Dr. Thomas Mann, novelist, Rev. G. Ashton Oldham, bishop, Protestant Episcopal Church. * * *

I think they meant Oxnam; I don't know. In other words, I just know that the late John Mack Dyson didn't write that statement and it sounded like left-wing stuff to me.

Mr. ARENS. May I suggest that this statement here which you have identified be marked "Exhibit 2" and be received for filing by the committee?

Senator EASTLAND. It will be admitted.

(The document referred to was marked "Exhibit No. 2," and filed.)

Mr. ARENS. May I invite your attention to the name of Larry Larsen and ask you if you can identify him?

Mr. PORTEOUS. Yes, sir; he is regional director of DPOWA, formerly FTA.

Mr. ARENS. What information, if any, do you have respecting his background and activities?

Mr. PORTEOUS. It would be strictly hearsay. I have been told that he was active in Communist activities up in North Carolina, I believe, one of the Carolinas, and I believe it was the Charlotte paper that had some stuff about him in the mid-thirties or something, which I have never seen and don't know if it is true, and since he's been here he's been more or less in the background, but in the FTA and in the DPO organization and sort of the brains of it, I have always thought. I haven't had much dealings with him. I had conversation once with him. I once asked him if he was a Communist, in a telephone conversation, and he declined to answer it, the usual reaction you get to people like that.

Mr. ARENS. Do you have any information respecting Mr. Larry Larsen's activities in Mississippi?

Mr. PORTEOUS. No, sir.

Mr. ARENS. I invite your attention to the name Edwin McCrea, and ask you if you can kindly identify him and supply the committee with any information respecting his activities and background.

Mr. PORTEOUS. Yes. He has been with the FTA and now the DPO here for a few years and I at various times called him for his side on stories and things—very amiable—and I got that statement after a conversation with him. It was sent up to me by messenger, signed by Mack Dyson, but he was the one who said they were sending the statement out. My opinion was that he had written it rather than Dyson.

Mr. ARENS. Kindly identify Beatrice McCrea.

Mr. PORTEOUS. I understand she is Ed's wife.

Mr. ARENS. Do you have any information respecting her background or activities?

Mr. PORTEOUS. No, sir. It seems to me I recall that she had some part in the Willie McGee business, without refreshing my memory—I could be wrong—but it is my opinion that she was in a picture with some other sympathizers who met Willie McGee's wife when she arrived at the Memphis airport and that picture appeared on the front page of the Memphis World, a Negro twice-a-week publication.

Mr. ARENS. Do you have information respecting copies of the Communist Daily Worker being disseminated in the Memphis area?

Mr. PORTEOUS. I have been told that there were some 700 copies coming into Memphis a day and I stated that in one of the stories I wrote. I was just told that and I, of course, have no way of knowing whether that's correct or not. I did know this about the Communist Daily Worker: it was in a conversation this past summer. Just recently there was a fight between the CIO local, the chemical workers, and the DPO, for jurisdiction at the Buckeye Cotton Oil Co.; and there was a meeting of Negro ministers at a church in which they were going to discuss whether or not they would issue a statement in favor of the CIO because of the charges that the DPO was left-wing, and

Lee Lashley, who is president of the DPO, was there. He had come there to make a statement, and Mr. Copeland, who testified this morning, was also there. I got in a conversation with Lashley along with Copeland—I believe Reverend McDaniel was there at least part of the time—and we started talking about the Daily Worker's coming in. Lashley told about the Daily Worker. As he understood, it was the union paper and he said, talking about the Daily Worker that he had read about Jackie Robinson, and things like that, and the sports news mainly, but a few minutes later said that this Daily Worker had covered the news of his convention. He said he didn't read much, he only read the sports, but then a little while later, he said that the Daily Worker had covered fully the news of his union's national convention, the DPO, and he thought it was the union's paper, or seemed to think so.

Mr. ARENS. Kindly identify Earl Fisher.

Mr. PORTEOUS. Never heard of Earl Fisher until he was mentioned in the hearing here this morning.

Mr. ARENS. Almyra Bartlett?

Mr. PORTEOUS. She's secretary of the DPO. I don't know her other than that.

Mr. ARENS. Wash O'Bannon?

Mr. PORTEOUS. Wash O'Bannon, if I remember correctly—I think he is a Negro who formerly worked for Quaker Oats and was in the DPO and then in the FTA, who had an accident in Mississippi, somewhere I'd say in Tunica County, but that is strictly my memory and is probably wrong. He had 500 copies of some Communist pamphlets and investigating officers found them and of course wanted to know about them and his explanation was that a hitchhiker had left them in the car and the company discharged him, not because of the Communist literature, but because they had a rule against hitchhikers, and the union apparently let it go. I mean they didn't protest this because my idea was that they didn't want to stir up this business about the Communist pamphlets, but, anyway, he did get fired, but on the pretext of a hitchhiker rather than because of this literature.

Mr. ARENS. On the basis of your study and investigation of conditions in the Memphis area, do you have any other comments which you would like to furnish the subcommittee with reference to Communist Party conditions or activities in this area?

Mr. PORTEOUS. You might be interested in this: the telephone conversations you get sometimes when you write stories particularly that have your name on them—I wrote some stories about Lawrence McGurty and William (Red) Davis being expelled, not permitted to go into the CIO building, that they were not accepted as delegates to the CIO council, and that and some other stories I had written along about that time caused me to get quite a few telephone calls and they would always wait until after midnight to call. I have four young children, and I didn't like it because it would wake them up; I didn't mind it so much myself—but I know one time when they called and talked for quite a while there were women calling and they sounded like maybe a party going on and drinking involved, and I definitely recognized Lawrence McGurty's voice in the background, not as the one who telephoned these rather foolish telephone conversations, but was doing some prompting. He has a very hoarse voice which you wouldn't mistake.

I knew him well and I knew he was at least present when there were these calls, and I hadn't any like that for about a year until just recently, until the NLRB election at Buckeye which the DPO won by a close margin over the CIO union which was trying to get jurisdiction, and it was almost 2 weeks after the election was over on a Saturday night about 1 o'clock the phone rang and I waked up and answered it and it was a man's voice, and said he had read some of my stories and just come through town and just wandering, "By the way, how did the election come out at Buckeye?"

I said the DPO won—I was very sleepy and that's about all I managed to say.

He said, "Yes, damn right, thanks to you," and hung up; just those little annoying calls, but that's about all I can say, I guess.

Mr. ARENS. Is there any other information which you should like to supply the committee with at this time?

Mr. PORTEOUS. I don't think so. There was something from a story I had written here along about the time of the Stockholm peace conference—I don't know if it would be of any help—but they were getting signatures to it and we learned that a young woman who was being charged with being a communist but declined to answer the question was one of those picked up. Carrying her two babies with her, she had been getting names to the peace petition. This was the Stockholm peace petition. Her name was not used in the story, but that was Carmen Davis, who was the wife of Red Davis, who is active in spreading these peace proposals and was also one of the barelegged trio, as they were called, at Jackson, Miss., very active in the "Save Willie McGee" case, and she's been most active in Communist-front sort of activities around here, as is her husband, Red Davis, who has been mentioned here.

Mr. ARENS. Where is her home?

Mr. PORTEOUS. In Memphis. It was on Linden Avenue. I don't know if they're still living there now. She was the daughter of Bob Hinnaugh, who was convicted down in New Orleans. He used to be here and was a union man here. I think it was perjury or something about being a Communist down in New Orleans where he was convicted; and Red Davis is McGurty's brother-in-law.

Mr. ARENS. Where is Red Davis now?

Mr. PORTEOUS. Well, he was with the NMU, working out of Memphis. I heard he was in St. Louis. I don't know. He is supposed to be a Memphian, but he may not be here now.

Mr. ARENS. Is there any other information which you would like to supply the committee with at this time?

Mr. PORTEOUS. No, sir.

Senator EASTLAND. Thank you, Mr. Porteous.

I want the record to show that Mr. Victor Rabinowitz is released from his subpoena at this time.

Senator EASTLAND. Do you solemnly swear the testimony you are about to give before the Internal Security Subcommittee of the Judiciary Committee of the Senate of the United States will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. LASHLEY. Yes, I do, sir.

Mr. RABINOWITZ. May I sit next to the witness?

Senator EASTLAND. Yes, sir.

I would like to ask him some questions.

TESTIMONY OF LEE N. LASHLEY, PRESIDENT, LOCAL 19, DISTRIBUTIVE, PROCESSING, AND OFFICE WORKERS OF AMERICA, MEMPHIS, TENN., ACCOMPANIED BY VICTOR RABINOWITZ, ATTORNEY AT LAW, NEW YORK, N. Y.

Senator EASTLAND. Does this man represent you?

Mr. LASHLEY. Yes, sir.

Senator EASTLAND. What is his name?

Mr. LASHLEY. Mr. Rabin—I've got it wrote down.

Senator EASTLAND. Wait a minute; what is his name? You certainly know his name if he is your lawyer.

Mr. LASHLEY. I just met him a few days ago.

Senator EASTLAND. Where did you meet him?

Mr. LASHLEY. New York.

Senator EASTLAND. You went to New York to see him?

Mr. LASHLEY. I didn't know nothing before I seen him about this subpoena.

Senator EASTLAND. Did he contact you, or did you contact him?

Mr. LASHLEY. We contacted him.

Senator EASTLAND. Who contacted him?

Mr. LASHLEY. We contacted him through our Local.

Senator EASTLAND. Before you talk to Mr. Rabinowitz, you know

Mr. Schroeder here, do you not?

Mr. LASHLEY. Yes, sir, I recognize his face.

Senator EASTLAND. You know Mr. Connors, there, do you not?

Mr. LASHLEY. I do recognize him.

Senator EASTLAND. You talked to them, did you not?

Mr. LASHLEY. Yes, sir.

Senator EASTLAND. Lashley, you want to tell the truth, do you not?

Mr. LASHLEY. Yes, sir.

Senator EASTLAND. You want to help your country discover all Communists and any conspiracy to overthrow the Government and you want to cooperate with your country, do you not?

Mr. LASHLEY. Yes, sir, I do.

Senator EASTLAND. You know, advice from people can get you in trouble. You are testifying before a committee duly constituted of the United States Senate. We have the power to request you to answer questions.

Before you decline to answer any questions, I want you to think, because you could get in some very serious trouble. We just want you to tell the truth, and I want you to realize that people who give you advice and try to use you are not trying to help you, but trying to help themselves, and protect people high up in the ring that wants to overthrow this Government.

Now, you understand that, do you not?

Mr. LASHLEY. No, I don't.

Senator EASTLAND. Well, that makes sense, anyway, does it not? What I told you makes sense? It makes sense for you not to let people use you.

Mr. LASHLEY. Not to let people use me, that's right.

Senator EASTLAND. You talked to Mr. Schroeder, did you not?

Mr. LASHLEY. Yes, sir.

Senator EASTLAND. Did you not tell them you were a member of the Communist Party?

Mr. RABINOWITZ. I would like to advise——

Senator EASTLAND. Wait a minute; you keep quiet.

Mr. RABINOWITZ. I would just like to know what my rights are.

Senator EASTLAND. You will keep your mouth shut. Did you tell Mr. Schroeder that?

Mr. LASHLEY. I refuse to answer the question at this time.

Senator EASTLAND. You refuse to answer? Why?

Mr. LASHLEY. It might incriminate me.

Senator EASTLAND. Who told you to say that? Who advised you to say that?

Mr. LASHLEY. I just refuse to answer it.

Senator EASTLAND. Who advised you to refuse to answer? I am ordering you now to answer that question.

(No response.)

Mr. RABINOWITZ. Do I understand, Senator—am I not permitted to advise?

Senator EASTLAND. Just wait a minute; I will get to that. You just keep quiet. I will put you out of here.

I want you to answer the question. It is a simple question: Who advised you to refuse to answer on the ground that it might incriminate you?

(No response.)

Senator EASTLAND. That is not covered by any privilege and I want you to answer it. Mr. Rabinowitz there did, did he not?

Mr. LASHLEY. Senator, I refuse to answer that question.

Senator EASTLAND. You wanted to tell the truth about this thing and you admitted to these gentlemen that you were a Communist until you got in his hands, did you not?

(No response.)

Senator EASTLAND. Do you refuse to answer that?

Mr. LASHLEY. Yes, I refuse.

Senator EASTLAND. If it was not true, you would not hesitate to say that that is not right, would you?

Mr. LASHLEY. I refuse to answer.

Senator EASTLAND. Well, that is true, is it not? If it was not true, you would say that, would you not? Boy, what have you got to hide?

Mr. LASHLEY. Not anything—

Senator EASTLAND. Then, why do you not tell the truth?

Mr. LASHLEY. I just don't want to get myself into——

Senator EASTLAND. Into trouble.

Mr. LASHLEY. No trouble.

Senator EASTLAND. The way to stay out of trouble is to tell the truth, is it not? You are treading on dangerous ground to be held in contempt of the United States Senate. We just want you to tell the truth, that is all.

Are you a member of the Communist Party?

Mr. LASHLEY. Senator, I refuse to answer.

Senator EASTLAND. Have you ever been a member of the Communist Party?

Mr. LASHLEY. I refuse to answer that, Senator.

Senator EASTLAND. On what ground?

Mr. LASHLEY. It might incriminate me.

Senator EASTLAND. Is your union a Communist union?

Mr. LASHLEY. I refuse to answer that question.

Senator EASTLAND. Is your local a Communist local?

Mr. LASHLEY. I refuse to answer that, too.

Senator EASTLAND. Are the leaders of your local Communists?

Mr. LASHLEY. I refuse to answer that.

Senator EASTLAND. How long have you lived in Memphis?

Mr. LASHLEY. I come here in fall of 1926.

Senator EASTLAND. Are you a member of the Communist reign in Memphis?

Mr. LASHLEY. Was that a question?

Senator EASTLAND. Yes.

Mr. LASHLEY. I refuse to answer that.

Senator EASTLAND. Take the witness.

Mr. ARENS. When did you last see Mr. Rabinowitz before just at this moment?

Mr. LASHLEY. I saw him at noon, somewhere around noon.

Mr. ARENS. When did you see him last before that?

Mr. LASHLEY. I think day before yesterday—I'm not sure—in New York.

Mr. ARENS. What were you doing in New York?

Mr. LASHLEY. Went up to the board meeting.

Senator EASTLAND. Wait a minute. By the way, Mr. Neuburger is your attorney, is he not?

Mr. LASHLEY. I haven't got an attorney.

Senator EASTLAND. You do not have an attorney? That man there is not your attorney?

Mr. LASHLEY. He's the man that represents our local.

Senator EASTLAND. He does not represent you, though?

Mr. LASHLEY. No, sir.

Senator EASTLAND. I think he better stand aside if he is not your attorney.

(Mr. Rabinowitz departed from the counsel table.)

Senator EASTLAND. A man named Mr. Neuburger telephoned me. Was Mr. Neuburger your attorney?

Mr. LASHLEY. I don't know any of them.

Senator EASTLAND. He telephoned me in Washington and said he was your attorney and asked that these hearings be held in Washington, in Texas, or anywhere but Memphis.

Did you authorize him to do that?

Mr. LASHLEY. Our international did. Our international got the attorney.

Senator EASTLAND. Was he your attorney?

Mr. LASHLEY. Turned him down.

Senator EASTLAND. You turned him down?

Mr. LASHLEY. No, sir; they sent him down, I say.

Senator EASTLAND. Sent Mr. Neuburger down?

Mr. LASHLEY. I don't know Mr. Neuburger. I haven't seen him.

Senator EASTLAND. The man that called himself your attorney was not your attorney; is that right?

Mr. LASHLEY. This man here is the only one I know.

Senator EASTLAND. But you say he is not your attorney.

Mr. LASHLEY. Well, he is representing me.

Senator EASTLAND. Did you not say he did not represent you?

Mr. LASHLEY. Did I say that?

Senator EASTLAND. Did you not say he did not represent you?

Mr. LASHLEY. I refuse to answer that.

Senator EASTLAND. You refuse to answer whether he represents you or not?

Mr. LASHLEY. Not that.

Senator EASTLAND. Well, if he is your attorney, now, he can sit down by you over there. Is he your attorney?

Mr. LASHLEY. He is the only one that I know of. He's my attorney.

Senator EASTLAND. Who employed him?

Mr. LASHLEY. Our local did.

Senator EASTLAND. What did they pay him?

Mr. LASHLEY. He was paid by the international.

Senator EASTLAND. Did they not employ him because he was a Communist and represents all Communists before congressional committees? That is right, is it not?

Mr. LASHLEY. I refuse to answer that.

Senator EASTLAND. All right.

(Mr. Rabinowitz returned to the counsel table.)

Senator EASTLAND. Do you solemnly swear the testimony you are about to give before the Internal Security Subcommittee of the Judiciary Committee of the United States Senate will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SCHROEDER. I do.

Mr. CONNORS. I do.

TESTIMONY OF FRANK W. SCHROEDER, PROFESSIONAL STAFF MEMBER; AND DONALD D. CONNORS, JR., INVESTIGATOR, INTERNAL SECURITY SUBCOMMITTEE OF THE COMMITTEE ON THE JUDICIARY, UNITED STATES SENATE

Mr. ARENS. Will each of you gentlemen please identify yourself by name and occupation?

Mr. SCHROEDER. My name is Frank W. Schroeder, investigator for the Senate Subcommittee on Internal Security.

Mr. ARENS. You are chief investigator, Mr. Schroeder, are you not?

Mr. SCHROEDER. I am.

Mr. ARENS. Would you kindly identify yourself?

Mr. CONNORS. My name is Donald D. Connors, and I am investigator for the Senate Subcommittee on Internal Security.

Mr. ARENS. Did you gentlemen, in the course of the recent past, have occasion to interview Lee N. Lashley?

Mr. SCHROEDER. On the 16th day of October 1951, Investigator Connors and myself visited Mr. Lashley and served him with a subpoena. During the course of our conversation with Mr. Lashley, we asked him if he had ever been a member of the Communist Party, and he stated that he had been a member of the Communist Party, and he had carried his card for a while and then he left it at home.

Senator EASTLAND. Boy, is that true?

Mr. LASHLEY. I refuse to answer.

Senator EASTLAND. You are looking at him. Is that true?

Mr. LASHLEY. I refuse to answer that statement.

Senator EASTLAND. You do not deny that you told him that, do you?

(No response.)

Senator EASTLAND. You do not deny that you told him that?

Mr. LASHLEY. I refuse to answer the question.

Mr. ARENS. Mr. Connors, would you kindly express to this subcommittee, under oath, as you now are, the essence of the conversation which you had with Lee Lashley?

Mr. CONNORS. We asked Mr. Lashley if he had ever been a member of the Communist Party and, he said he had been recruited into the Communist Party 4 or 5 years ago one evening in the union hall of the Food, Tobacco, and Agricultural Workers, Local 19. He said that he had carried his card with him for some weeks and then had left it at home, and indicated he paid 50 cents to the man who recruited him at the time that he received his card.

Mr. ARENS. Now, Lashley, after you received that subpoena to appear before this Internal Security Subcommittee, did you go to New York?

Mr. LASHLEY. Yes; I did.

Mr. ARENS. Who paid your expenses there?

Mr. LASHLEY. The international.

Mr. ARENS. Who in the international paid your expenses? Who gave you the money to go?

Mr. LASHLEY. I got the money from here and they reimbursed from the national. They give me a check for my transportation.

Mr. ARENS. Who gave you the money here?

Mr. LASHLEY. The finance secretary gave me the check for it.

Mr. ARENS. What is his name?

Mr. LASHLEY. Mrs. Bartlett.

Mr. ARENS. And you went to New York?

Mr. LASHLEY. I did.

Mr. ARENS. Did anybody accompany you on the trip?

Mr. LASHLEY. Yes, the two of us went.

Mr. ARENS. Who went with you?

Mr. LASHLEY. Fisher, Earl Fisher.

Mr. ARENS. And who is Earl Fisher?

Mr. LASHLEY. He is a member of the board.

Mr. ARENS. He is vice president, is he not?

Mr. LASHLEY. Yes, sir.

Mr. ARENS. And you are president of local 19; is that right?

Mr. LASHLEY. That's right.

Mr. ARENS. Where did you go when you got to New York?

Mr. LASHLEY. To the hotel.

Mr. ARENS. Where did you go from the hotel?

Mr. LASHLEY. To the union hall.

Mr. ARENS. Where is that?

Mr. LASHLEY. 13 Astor Place, New York.

Mr. ARENS. And whom did you see?

Mr. LASHLEY. Lots of people there.

Mr. ARENS. Did you have any long-distance telephone calls with New York before you went there?

Mr. LASHLEY. Long-distance call? I don't know whether I made the call.

Mr. ARENS. Whom did you talk to in New York by long-distance telephone?

Mr. LASHLEY. Mr. Osman.

Mr. ARENS. Give me his full name.

Mr. LASHLEY. Arthur Osman.

Mr. ARENS. Who is he?

Mr. LASHLEY. President of the local; of the international.

Mr. ARENS. Now, when you got to the international headquarters there in New York City, did you see Osman?

Mr. LASHLEY. I didn't see him first day. He was there; yes.

Mr. ARENS. Did you know that Osman attended a meeting at the New Yorker Hotel 3 weeks ago with Harry Bridges?

Mr. LASHLEY. I did not.

Mr. ARENS. Just tell us about the conversation you had with Osman when you were there. That is O-s-m-a-n, is it not?

Mr. LASHLEY. Yes, sir. The real conversation I had with him—he was preparing his speech that he had at the Garden, at which I was invited to. That is why I went up.

Mr. ARENS. Did you tell him about being under subpoena with the committee?

Mr. LASHLEY. There was a telephone call.

Mr. ARENS. Oh, you called him after you were subpoenaed?

Mr. LASHLEY. I didn't call him, but I talked with him at that time.

Mr. ARENS. Did he call you? How did you happen to talk to him on the phone?

Mr. LASHLEY. The business agent called him.

Mr. ARENS. That is McCrea who called him?

Mr. LASHLEY. Yes.

Mr. ARENS. Where did that call go from?

Mr. LASHLEY. From the union hall.

Mr. ARENS. What did McCrea tell him on the telephone?

Mr. LASHLEY. Told him we was under subpoena.

Mr. ARENS. Had he already been to New York?

Mr. LASHLEY. I had my credentials and everything to go to the thing, and I told him I wouldn't be there. That is way he called him, because we had to be here for a meeting today. That's why we called him.

Mr. ARENS. What meeting was that you were going to attend there in New York?

Mr. LASHLEY. I went—Founder's Anniversary, as I get it, of the Sixty-fifth, in Madison Square Garden.

Mr. ARENS. Did you attend any secret meeting there?

Mr. LASHLEY. No secret meetings. They had their board meeting. I sit in on that yesterday until I left.

Mr. ARENS. That was not a public meeting, was it?

Mr. LASHLEY. It was a meeting of all the officers; sure it was.

Mr. ARENS. Just the officers admitted?

Mr. LASHLEY. It was all officers; yes.

Mr. ARENS. Did Osman tell you about being in conference with Harry Bridges in the New Yorker Hotel?

Mr. LASHLEY. Didn't have no conversation at all along that line.

Mr. ARENS. Was Morris Doswell there?

Mr. LASHLEY. Didn't know him.

Mr. ARENS. Did Osman tell you he was going to send a lawyer down here to represent you?

Mr. LASHLEY. He didn't state it directly that he would, but—not at that time.

Mr. ARENS. Did you meet Mr. Rabinowitz there when you were in New York City?

Mr. LASHLEY. Sure did.

Mr. ARENS. Where did you meet him?

Mr. LASHLEY. Met him in the office there.

Mr. ARENS. What office?

Mr. LASHLEY. Mr. Henderson's office.

Mr. ARENS. Is that the office of the international?

Mr. LASHLEY. Yes, sir.

Mr. ARENS. He is the administrative director. Donald Henderson, is it not?

Mr. LASHLEY. Yes.

Mr. ARENS. Did you meet James Harvie Durkin while you were there?

Mr. LASHLEY. For the first time to know him, but I didn't get to speak to him.

Mr. ARENS. Is Osman the big boss?

Mr. LASHLEY. He's the president.

Mr. ARENS. Is he the one that gives the orders to you?

Mr. LASHLEY. I have membership to give me orders for what orders I get.

Mr. ARENS. He ordered you to New York?

Mr. LASHLEY. He invited me.

Mr. ARENS. His invitation is like an invitation of the king; you just respond to it, do you not?

Mr. LASHLEY. No, sir.

Mr. ARENS. You never turned down an invitation to Osman, have you?

Mr. LASHLEY. That is the first one he asked me to come to.

Mr. ARENS. And you went, did you not?

Mr. LASHLEY. (Nods head affirmatively.)

Mr. ARENS. Did you know that Henderson just got out of the penitentiary in Florida?

Mr. LASHLEY. Penitentiary?

Mr. ARENS. Yes. You know what a penitentiary is, do you not?

Mr. LASHLEY. Never been to one.

Mr. ARENS. Do you know Henderson just go out of the penitentiary?

Mr. LASHLEY. I read about it in the paper.

Mr. ARENS. Did Henderson discuss it with you?

Mr. LASHLEY. He didn't discuss it.

Mr. ARENS. Where and when were you born?

Mr. LASHLEY. I was born in Mississippi.

Mr. ARENS. 1902; Columbus, Miss.?

Mr. LASHLEY. Columbus, Miss.

Mr. ARENS. How much education have you had?

Mr. LASHLEY. Eighth grade.

Mr. ARENS. Give us, if you please, a brief run-down or summary of your employment. Let us begin, say, in 1926.

Mr. LASHLEY. In 1926, worked at the Quaker Oats Co.; yes, fall of 1926, I started working at the Quaker Oats Co. Previous to that I worked at Eden College, Mississippi, from the time I was big enough up to—

Mr. ARENS. You took leave of absence frequently from the Quaker Oats Co., did you not?

Mr. LASHLEY. Yes, I did.

Mr. ARENS. What was the cause of the leave of absences?

Mr. LASHLEY. The president of the local died, passed.

Mr. ARENS. And you took leave of absence to do organizational work there; is that correct?

Mr. LASHLEY. Yes, take over, yes.

Mr. ARENS. Where do you reside?

Mr. LASHLEY. Where do I live?

Mr. ARENS. Where is your home?

Mr. LASHLEY. I own 1428 Menager.

Mr. ARENS. Here in Memphis?

Mr. LASHLEY. Yes, sir.

Mr. ARENS. What is your present position with local 19?

Mr. LASHLEY. As president of the local.

Mr. ARENS. You are appearing here today under a subpoena which was served upon you?

Mr. LASHLEY. Yes.

Mr. ARENS. This subpoena called upon you to produce certain records, does it not?

Mr. LASHLEY. Yes, sir, it does.

Mr. ARENS. It demands you to produce all records, correspondence, telegrams transmitted, and financial statements of local 19 and any predecessor unions, and so forth. Do you have those records with you?

Mr. LASHLEY. No, sir, I don't.

Mr. ARENS. Why don't you have them?

Mr. LASHLEY. Those records are not available for me. They are not mine. I don't have access of them. The finance secretary has some; Mr. McCrea some, in the file there.

Mr. ARENS. You are president of this local, are you not?

Mr. LASHLEY. Yes, sir.

Mr. ARENS. Do you refuse to produce these records?

Mr. LASHLEY. No, sir, I don't.

Mr. ARENS. Why did you not get them?

Mr. LASHLEY. I wanted to find out what special records you wanted there and I didn't—fact, I wasn't—

Senator EASTLAND. Who told you not to bring those records? Tell the truth.

Mr. LASHLEY. The lawyer told me not to bring them today, to find out what you wanted, special.

Senator EASTLAND. He told you to ignore that subpoena, did he not?

Mr. LASHLEY. No, sir, he didn't. He told me to come and find out what special records we had; they are so bulky.

Senator EASTLAND. You intended bringing those records until he advised you not to, did you not?

Mr. LASHLEY. No. Well—

Senator EASTLAND. Tell the truth.

Mr. LASHLEY. I just wanted to bring what I could.

Senator EASTLAND. You were going to bring them until he told you not to, were you not? That is true, is it not?

Mr. LASHLEY. I wouldn't have brought them all because I couldn't have brought them.

Senator EASTLAND. You would have tried it, would you not?

Mr. LASHLEY. I would have brought maybe what I could brought in my pocket and find out whatever it was you wanted.

Mr. ARENS. When did Mr. Rabinowitz tell you not to bring those records?

Mr. LASHLEY. Told me today. They were so bulky, he said, we'd find out what you wanted and then we would try to get them up here.

Senator EASTLAND. We are going to have the marshal get them.

Mr. ARENS. You are not paying Mr. Rabinowitz anything for appearing here today for you, are you?

Mr. LASHLEY. I don't have to pay him. The local sent him down.

Mr. ARENS. You mean the international?

Mr. LASHLEY. The international sent him down.

Senator EASTLAND. Did you ever sign a non-Communist oath?

Mr. LASHLEY. Yes, sir, I did.

Senator EASTLAND. You signed an oath in order to be bargaining agent for your union, that is, to be certified as bargaining agent? You signed an oath that you were not a member of the Communist Party, did you not?

Mr. LASHLEY. I sure did.

Senator EASTLAND. Did you tell the truth there?

Mr. LASHLEY. I sure did.

Senator EASTLAND. Are you a member of the Communist Party?

Mr. LASHLEY. I refuse to answer the question.

Mr. ARENS. You heard what these two gentlemen just testified a little while ago.

Senator EASTLAND. Now, I want you to tell the truth.

Just a minute. Hush, hush; I'm conducting this hearing.

You just swore that you signed a non-Communist oath and that you told the truth. These gentlemen say you told them that you had been a member of the Communist Party. What is the truth?

(No response.)

Senator EASTLAND. Answer my question. What is the truth?

Mr. LASHLEY. I refuse to answer it, Senator.

Senator EASTLAND. I am going to order you to answer the question now and if you refuse you may be guilty of contempt.

I order you to answer that question.

Read him the question.

(The reporter then read the question as follows:

"Are you a member of the Communist Party?")

Senator EASTLAND. Answer the question.

Mr. LASHLEY. I refuse to answer, Senator.

Mr. ARENS. Is McCrea a member of the Communist Party?

Mr. LASHLEY. I refuse to answer that.

Mr. ARENS. Why?

Mr. LASHLEY. It might incriminate me.

Mr. ARENS. How would it incriminate you if you know that McCrea is a member of the Communist Party?

(No response.)

Mr. ARENS. Answer the question, if you please.

(No response.)

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer the question.

Senator EASTLAND. He has already been directed to answer. Answer the question.

Mr. ARENS. Do you refuse to answer the question?

Mr. LASHLEY. I refuse to answer the question.

Mr. ARENS. How many members of DPOWA are there in the Memphis area in local 19?

Mr. LASHLEY. We had 1,100 dues' paying members, I think, something in the neighborhood, I think, approximately 1,100.

Mr. ARENS. How much are the dues?

Mr. LASHLEY. Two dollars.

Mr. ARENS. How often?

Mr. LASHLEY. A month.

Mr. ARENS. Do the records of the DPOWA in your office reflect the names of the membership?

Mr. LASHLEY. They do.

Mr. ARENS. I respectfully suggest to the chairman that this witness be directed and ordered to produce the names of the membership of the DPOWA.

Senator EASTLAND. He is so ordered and directed, and I want a list of the documents that you want from him.

Mr. ARENS. The subpoena tells here. Who is at the office right now?

Mr. LASHLEY. The financial secretary and she keeps those records.

Senator EASTLAND. Do you subscribe to the Daily Worker?

Mr. LASHLEY. What did you ask?

Senator EASTLAND. Do you subscribe to the Daily Worker?

Mr. LASHLEY. Do I subscribe?

Senator EASTLAND. Yes.

Mr. LASHLEY. I do not.

Senator EASTLAND. Did you ever subscribe to the Daily Worker?

Mr. LASHLEY. At one time I did.

Senator EASTLAND. When was that?

Mr. LASHLEY. Been back so many—a good many years back.

Senator EASTLAND. Did many members of your local at Memphis subscribe to the Daily Worker?

Mr. LASHLEY. At my time—subscribe—I was the only man to subscribe.

Senator EASTLAND. That is a Communist paper, is it not?

Mr. LASHLEY. That's what I hear them say it is.

Senator EASTLAND. Did you say at one time that the Daily Worker was your union paper?

Mr. LASHLEY. Never did, sir.

Senator EASTLAND. You never told anybody that?

Mr. LASHLEY. Never told anybody at one time the Daily Worker was my union paper.

Senator EASTLAND. What did you tell them about it being your union paper?

Mr. LASHLEY. I made a statement that when I first joined the union that a certain man said, "Read your union paper," and a certain man got up and said, "Read the Worker."

Senator EASTLAND. The Daily Worker?

Mr. LASHLEY. He said, "Read the Worker," yes.

Senator EASTLAND. He said that was the union paper?

Mr. LASHLEY. He didn't say that.

Senator EASTLAND. Who was that man?

Mr. LASHLEY. Mace Nixon. He is a colored man.

Senator EASTLAND. Where is he now?

Mr. LASHLEY. I haven't seen him for many years; I don't know.

Senator EASTLAND. In 1950, were you a delegate to the founding convention of the DPOWA?

Mr. LASHLEY. I sure was.

Senator EASTLAND. That was in New York?

Mr. LASHLEY. Yes.

Senator EASTLAND. Who was at that convention?

Mr. LASHLEY. Lord, I don't know. Senator, I couldn't tell you. If there is any special name you want to ask, if I could remember—

Senator EASTLAND. Who were the leaders?

Mr. LASHLEY. Osman was one, a leader.

Senator EASTLAND. Do you know him to be a Communist?

Mr. LASHLEY. Do I know him to be a Communist?

Senator EASTLAND. Yes.

Mr. LASHLEY. I refuse to answer that question.

Senator EASTLAND. On the ground that it might incriminate you? (No response.)

Senator EASTLAND. If he is a Communist, how could that incriminate you, Lashley?

(No response.)

Senator EASTLAND. How could it incriminate you if he was a Communist?

Mr. LASHLEY. Couldn't incriminate me.

Senator EASTLAND. Answer the question, then, if it cannot incriminate you. Answer the question. You said it would not incriminate you. Is he a Communist?

Mr. LASHLEY. I've seen him three times.

Senator EASTLAND. Answer my question. Is he a Communist? You can answer it "Yes" or "No."

Mr. LASHLEY. If you allow me to ask you a question.

Senator EASTLAND. Yes, I will let you ask me a question if you will tell the truth.

Mr. LASHLEY. You say I would answer it "Yes" or "No"?

Senator EASTLAND. You can answer my question "Yes" or "No." Do you know Osman to be a Communist?

Mr. LASHLEY. I don't know him too well, Senator.

Senator EASTLAND. You will not say whether he is or whether he is not a Communist; is that what you mean?

Mr. LASHLEY. That's why I didn't answer your question, because I didn't know.

Senator EASTLAND. You do not know whether he is or not?

Mr. LASHLEY. That's right.

Senator EASTLAND. What Communists do you know in Memphis?

Mr. LASHLEY. Senator, I won't answer that question.

Senator EASTLAND. That cannot incriminate you, that another man's a Communist.

Lashley, were you advised by anybody not to testify that Mr. Osman was a Communist? Your lawyer there told you that if you were asked if Osman was a Communist, to say that you refuse to answer, that it might incriminate you, did he not?

Mr. LASHLEY. I refuse to answer that question.

Senator EASTLAND. Now, you see, I know he did do that, Lashley. He is not trying to protect you; he is trying to protect the man in New York, and I want you to tell the truth. To say that somebody else is a Communist is not going to incriminate you. I want to know what Communists you know in Memphis.

Mr. LASHLEY. Senator, I refuse to answer that question.

Senator EASTLAND. Are other members of your local Communists?

Mr. LASHLEY. I refuse to answer that question, Senator.

Senator EASTLAND. How could that incriminate you? Is that your ground, that it might incriminate you? Is that the ground of your refusal?

Mr. LASHLEY. Yes.

Senator EASTLAND. That it might incriminate you?

Mr. LASHLEY. (Nods head affirmatively.)

Senator EASTLAND. How could it incriminate you?

(No response.)

Senator EASTLAND. Explain.

(No response.)

Senator EASTLAND. Explain, Lashley.

Mr. LASHLEY. Senator, I refuse to answer the question.

Senator EASTLAND. How would it incriminate you, Lashley?

(No response.)

Senator EASTLAND. Answer the question.

Mr. LASHLEY. If I go ahead and say things —

Mr. RABINOWITZ. May I advise the witness?

Senator EASTLAND. Just wait a minute. You keep quiet. I'll put you out of here.

Answer the question, Lashley.

(No response.)

Senator EASTLAND. Answer the question.

Mr. LASHLEY. Senator, may I talk to the lawyer?

Senator EASTLAND. No; I am not going to permit any coaching here. This is an investigation.

Mr. RABINOWITZ. May I advise him of his rights?

Senator EASTLAND. Just hush.

Come on out with it. Answer the question.

Mr. LASHLEY. Senator, I refuse to answer that question.

Mr. ARENS. You collect \$2,200 a month here from 1,100 people; is that right?

Senator EASTLAND. If you want to, consult with your lawyer right now.

Mr. LASHLEY. Yes.

Senator EASTLAND. I will let him consult with you if you want to.

Mr. RABINOWITZ. May we step out?

On the record—

Senator EASTLAND. Just a minute. I am making this record and if he wants to confer with you he can do it.

Mr. RABINOWITZ. There is not much point in conferring. There is no question pending. He wanted to before he was questioned, not after.

Senator EASTLAND. I am not going to permit—

Mr. RABINOWITZ. There is no point to giving him the right to confer when there is nothing to confer about.

Senator EASTLAND. All right, proceed.

Mr. ARENS. You collect \$2,200 a month from the 1,100 people here in the Memphis area, from local 19; is that correct?

Mr. LASHLEY. I don't know exactly the record, but we have whatever—

Mr. ARENS. You have 1,100 members, do you not?

Mr. LASHLEY. Yes, approximately.

Mr. ARENS. And \$2 a month a head?

Mr. LASHLEY. Yes.

Mr. ARENS. That makes \$2,200 a month.

Mr. LASHLEY. It do.

Mr. ARENS. How much of that money do you send back to New York City to Arthur Osman and his organization?

Mr. LASHLEY. We send 75 cents out of a dollar capital.

Mr. ARENS. They have a pretty potent organization in New York City, pretty powerful organization?

Mr. LASHLEY. Yes, they do.

Mr. ARENS. Got a big executive board of Communists, have they not?

(No response.)

Mr. ARENS. Answer the question.

Mr. LASHLEY. I refuse to answer that question.

Senator EASTLAND. Have you been to Communist headquarters in New York?

Mr. LASHLEY. Where's it at?

Senator EASTLAND. Answer my question. Have you been to the Communist Party headquarters in New York?

Mr. LASHLEY. Sir, I am afraid to say "Yes" or "No" because I don't know where it's at.

Senator EASTLAND. If you had been there, you would certainly know. I wouldn't know where it is.

Mr. ARENS. Thirteenth Street, New York City. Have you been there? Communist Party headquarters on Thirteenth Street?

Mr. LASHLEY. I refuse to answer that question.

Mr. ARENS. Is DPOWA certified by the National Labor Relations Board as a bargaining agent?

Mr. LASHLEY. Yes.

Mr. ARENS. In other words, a Government agency of the United States has certified this outfit as a bargaining agent; is that correct?

Mr. LASHLEY. Yes, sir.

Mr. ARENS. And you took a non-Communist affidavit as an officer; is that correct?

Mr. LASHLEY. I did.

Mr. ARENS. This man, McCrea, did he go with you to New York City?

Mr. LASHLEY. He did not.

Mr. ARENS. Does McCrea issue the orders to the local here, or do you issue the orders to the local?

Mr. LASHLEY. The membership issues them.

Mr. ARENS. What is McCrea's title?

Mr. LASHLEY. Business agent.

Mr. ARENS. Do you know anything about him? I put it to you as a fact that he is a Communist. Do you know whether or not he is?

Mr. LASHLEY. I refuse to answer that question.

Senator EASTLAND. On what ground? On what ground do you refuse?

Mr. LASHLEY. May I talk to my lawyer?

Senator EASTLAND. Yes; I will let you talk to your lawyer.

Mr. RABINOWITZ. Is there a question pending?

Senator EASTLAND. I simply asked him on what ground he declined to answer the question. Answer my question. I asked you what was your ground for refusing to answer the question.

Mr. LASHLEY. I'm not—I want to know about his affiliation and me actually saying that; it might involve me.

Senator EASTLAND. Why would it involve you?

(No response.)

Senator EASTLAND. Answer the question.

Mr. LASHLEY. If you know if you are saying something about somebody—

Senator EASTLAND. If what?

Mr. LASHLEY. If you are saying something about a person you are talking about him, his affairs, and something maybe you don't know about.

Senator EASTLAND. Do you think you can refuse to answer a question about somebody's affairs simply because you do not want to answer the question?

Mr. LASHLEY. It might incriminate me.

Senator EASTLAND. That is your ground?

Mr. LASHLEY. Yes.

Mr. ARENS. What do you mean by might incriminate you?

Mr. LASHLEY. That's what I said. A while ago—

Mr. ARENS. What do you mean by "might incriminate" you? What do you mean by that word "incriminate"?

(No response.)

Mr. ARENS. Rabinowitz told you to say that, did he not?

Mr. LASHLEY. No, sir.

Senator EASTLAND. Let him answer the question. What does "incriminate" mean?

Mr. LASHLEY. It involves you in things that—

Mr. ARENS. What contracts does local 19 have at the present time?

Mr. LASHLEY. They have the grain feed mills mostly and cotton oil and cotton compresses.

Mr. ARENS. Give us the names of the companies they have contracts with.

Mr. LASHLEY. They have contracts with Quaker Oats Co. and the Allied Feed Mill; Royal Feed formerly. It's changed over to a new name. I don't exactly remember the name of it. And the Buckeye Cotton Oil and the Federal Bottoms they call it down here.

Mr. ARENS. Federal Bottoms?

Mr. LASHLEY. Yes; that's the cotton compress.

Mr. ARENS. What other companies do you have contracts with?

Mr. LASHLEY. The H. C. Cole Flour Mill, Pillsbury, the Tri-State Compress, this navy yard compress down here.

Mr. ARENS. You just have one local here in Memphis of 1,100 members?

Mr. LASHLEY. Yes.

Mr. ARENS. Your contracts, however, cover more than 1,100 members, do they not?

Mr. LASHLEY. They do at a peak season. They come at a peak season. Sometimes it runs up higher.

Mr. ARENS. How many people are covered in your peak season by your contracts in addition to your members?

Mr. LASHLEY. I don't know that.

Mr. ARENS. It would run several thousand, would it not?

Mr. LASHLEY. Those that don't belong to the union, don't you mean?

Mr. ARENS. It would run several thousand?

Mr. LASHLEY. I imagine so.

Mr. ARENS. So there are several thousand people in this community that are under the grip of your organization; is that correct?

Mr. LASHLEY. I refuse to answer that because I don't know.

Senator EASTLAND. Well, your answer is you don't know. Do you know?

Mr. LASHLEY. Several thousand?

Senator EASTLAND. Yes.

Mr. LASHLEY. No, sir. I don't know how many that is not under—what I go by is what the payroll shows.

Mr. ARENS. You have eleven hundred dues-paying members of your local?

Mr. LASHLEY. That's right.

Mr. ARENS. But in your contracts with these various business establishments over this community you embrace in your contracts people who are not members of your local; is that not correct?

Mr. LASHLEY. Not in the bargaining unit, that's correct.

Mr. ARENS. How many people are there in the bargaining unit who are not members of the local?

Mr. LASHLEY. I couldn't tell.

Mr. ARENS. At least twice as many people in the local; is that not correct?

Mr. LASHLEY. I don't know. The only thing I go by are workers in the plant—

Mr. ARENS. But not all the people in the plant are in the local; is that correct?

Mr. LASHLEY. Are not in the union?

Mr. ARENS. Yes. What percentage of the people for whom you bargain are in the local?

Mr. LASHLEY. To be exact, I couldn't tell you.

Mr. ARENS. What is your best judgment?

Mr. LASHLEY. I couldn't tell you.

Mr. ARENS. Would you say you have as many as 50 percent?

Mr. LASHLEY. Don't make me say. I would rather check and give a correct figure.

Mr. ARENS. Well, would you say you have as many as 25 percent?

Mr. LASHLEY. I'd still rather check on it.

Senator EASTLAND. Let him give you the information.

Mr. ARENS. What other locals of DPOWA are there in this area besides the Memphis area?

Mr. LASHLEY. Besides the Memphis area?

Mr. ARENS. Yes.

Mr. LASHLEY. I don't know all, but I'll give you the ones I know. Corinth, Miss.; like that?

Mr. ARENS. Yes, just give us all those you know. Let us start with Corinth, Miss. Who is boss over there?

Mr. LASHLEY. Mr. Holtz is the business agent there.

Mr. ARENS. The business agent is the boss, is he not?

Mr. LASHLEY. No, the membership of our local is the boss.

Mr. ARENS. Yes, but you named McCrea as the business agent here, did you not?

Mr. LASHLEY. I sure did.

Mr. ARENS. He is the boss, is he not?

Mr. LASHLEY. The membership is the boss.

Mr. ARENS. Within the officers, is he the boss?

Mr. LASHLEY. The membership is the boss, not the figurehead.

Mr. ARENS. McCrea is a white man, isn't he?

Mr. LASHLEY. Yes, sir; he is.

Mr. ARENS. Over in Corinth, who do you say is the business agent, the boss, over there?

Mr. LASHLEY. Mr. Holtz is the business agent, but if it runs like ours here, the membership is the boss.

Mr. ARENS. What is Holtz' full name?

Mr. LASHLEY. I don't know.

Mr. ARENS. Who are some of the other officers over there in Corinth?

Mr. LASHLEY. I couldn't give you one.

Mr. ARENS. Let's jump over to Greenville.

Mr. LASHLEY. I don't know any of those officers in those places.

Mr. ARENS. Have you got a local in Greenville?

Mr. LASHLEY. Don't know, to be frank. I believe Mr. Larsen is over in that region.

Mr. ARENS. That is Larry Larsen?

Mr. LASHLEY. Yes, sir.

Mr. ARENS. Is he the business agent for the whole State of Mississippi?

Mr. LASHLEY. Yes.

Mr. ARENS. Is he a Communist?

Mr. LASHLEY. He's not the business agent there. He's the regional.

Mr. ARENS. He's the big boss in Mississippi?

Mr. LASHLEY. Regional director.

Mr. ARENS. Is Larry Larsen the big boss in Mississippi?

Mr. LASHLEY. He's the regional director down there.

Mr. ARENS. Well, he is the big boss, is he not?

(No response.)

Mr. ARENS. Answer the question.

Mr. LASHLEY. The membership is the big boss of all.

Mr. ARENS. Yes, I know, but I mean the big wheel, the big boss, the big power—that's Larry Larsen in Mississippi?

Senator EASTLAND. What is Larsen's title?

Mr. LASHLEY. International representative, I think.

Senator EASTLAND. Is he a white man?

Mr. LASHLEY. He is.

Senator EASTLAND. What is his territory?

Mr. LASHLEY. I don't know all of his territory, but he worked out in the area around where they got DPO plants at.

Senator EASTLAND. Where? In what State?

Mr. LASHLEY. He's in Mississippi, and maybe in Arkansas.

Senator EASTLAND. Where does he live?

Mr. LASHLEY. I don't know his address. He lives here in Memphis.
 Senator EASTLAND. What are his duties?

Mr. LASHLEY. He serves these plants as far as I know.

Senator EASTLAND. You mean the union?

Mr. LASHLEY. Out in the area he take care of the plants.

Senator EASTLAND. Is he a Communist?

(No response.)

Senator EASTLAND. Answer my question.

Mr. LASHLEY. Senator, I refuse to answer that question.

Senator EASTLAND. On what ground?

(No response.)

Senator EASTLAND. That it might incriminate you; is that your ground?

Mr. LASHLEY. Yes, it is.

Senator EASTLAND. Is he setting up a Communist organization in the State of Mississippi? Is that what he is doing?

Mr. LASHLEY. I refuse to answer that one.

Senator EASTLAND. Why? Have you attempted to set up a Communist organization in Mississippi?

Mr. LASHLEY. Was that have I?

Senator EASTLAND. Yes. Have you?

Mr. LASHLEY. I refuse to answer that one.

Senator EASTLAND. You refuse to answer whether or not you have attempted to set up a Communist organization in Mississippi?

Mr. LASHLEY. Yes, sir.

Senator EASTLAND. And you refuse to answer whether Larsen is a Communist or whether or not he is so attempting now; is that right?

(No response.)

Senator EASTLAND. Is that true?

Mr. LASHLEY. The reason I didn't say that—will you restate that again?

Senator EASTLAND. I say, you refuse to answer whether or not Larsen is a Communist and whether or not he is attempting to set up a Communist organization in Mississippi at the present time.

Mr. LASHLEY. Yes, I refuse to answer that.

Mr. ARENS. Who is William E. Davis?

Mr. LASHLEY. I don't know him.

Mr. ARENS. Who is James E. Jackson?

Mr. LASHLEY. Don't know him.

Mr. ARENS. Now, the DPOWA has what they call Mississippi Valley conferences here in Memphis, don't they?

Mr. LASHLEY. Yes, they do.

Mr. ARENS. And what is the area covered by this Mississippi Valley conference which they have here in Memphis from time to time?

Mr. LASHLEY. That is those different plants that I couldn't name all of them. I just say Corinth and Jackson, Miss., and maybe Arkansas.

Senator EASTLAND. Vicksburg?

Mr. LASHLEY. Vicksburg?

Senator EASTLAND. Is that right?

Mr. LASHLEY. I don't know, sir.

Senator EASTLAND. Greenville?

Mr. LASHLEY. I have heard them call that name.

Mr. ARENS. You have given us the big boss' name in Corinth. Who is the big boss in Vicksburg?

Mr. LASHLEY. I don't know him.

Mr. ARENS. Is there a local in Vicksburg?

Mr. LASHLEY. I don't know, to be frank with you.

Mr. ARENS. Is there a local in Greenville?

Senator EASTLAND. That is enough of that. Go ahead.

Mr. ARENS. How about Jackson?

Mr. LASHLEY. There is one in Jackson; I know that.

Mr. ARENS. Who is the big boss there?

Mr. LASHLEY. I don't know who it is.

Mr. ARENS. Who is Earl Henry Fisher?

Mr. LASHLEY. That's the vice president of our local.

Mr. ARENS. Is he a white man?

Mr. LASHLEY. Colored.

Mr. ARENS. And McCrea, though, is a white man?

Mr. LASHLEY. Yes.

Mr. ARENS. What percentage of your membership is colored and what percentage is white?

Mr. LASHLEY. We figure about 95 percent. It may be a little different than that, but not exact, you understand.

Mr. ARENS. Ninety-five percent is what?

Mr. LASHLEY. Is colored.

Mr. ARENS. Did Fisher have a little meeting this morning about this hearing that is taking place right now?

Mr. LASHLEY. Meeting? Where do you mean?

Mr. ARENS. Federal Compress.

Mr. LASHLEY. I don't know, sir.

Mr. ARENS. Do you know whether or not he had a meeting?

Mr. LASHLEY. No, sir, I don't.

Mr. ARENS. Didn't Fisher, between 7:30 and 8 o'clock this morning, have a meeting at Federal Compress talking to the men about this session here?

Mr. LASHLEY. I don't know, sir. I live one place and he lives the other and I came from the other end of town.

Mr. ARENS. What is the total financial worth of Local 19? How much are you worth, the local?

Mr. LASHLEY. You mean how much money they have right now.

Mr. ARENS. Yes.

Mr. LASHLEY. Not to be exact, about maybe a thousand or two thousand. It varies between a thousand and eight hundred or seven hundred, like that. It just varies between \$2,000.

Mr. ARENS. You remember the Willie McGee case over in Mississippi?

Mr. LASHLEY. Yes, I do.

Mr. ARENS. Did some members of local 19 go over there in Mississippi on that case?

Mr. LASHLEY. I heard they did.

Mr. ARENS. Did you go?

Mr. LASHLEY. No, sir, I didn't.

Mr. ARENS. Who went?

Mr. LASHLEY. I don't know, sir. I left. Some fellows went, but I don't know who went.

Mr. ARENS. Did local 19 send a telegram protesting the trial of the Eleven Communist leaders in New York City?

Mr. LASHLEY. That's what I've heard different times about that.

Mr. ARENS. You are president of the local, are you not?

Mr. LASHLEY. That's what I say. We send several telegrams, but I don't know—

Mr. ARENS. McCrea sends that sort of thing, does he not?

Mr. LASHLEY. I don't know whether they sent that telegram or not.

Senator EASTLAND. Did you sign such a telegram?

Mr. LASHLEY. I'll say I don't know whether I did or not. That sounds maybe fantastic, but I don't know whether I signed such a telegram.

Mr. ARENS. McCrea looks after those things, does he not?

Senator EASTLAND. Have you completed your answer?

Mr. LASHLEY. Yes, sir; I did.

Mr. ARENS. McCrea looks after those things, does he not?

Mr. LASHLEY. Usually, yes.

Mr. ARENS. Does he look after the contacts with Osman and the other boys back in New York City?

Mr. LASHLEY. Most, he's business agent; he mostly do the calling.

Mr. ARENS. He is the man that receives the orders from New York City; is that right?

Mr. LASHLEY. It comes—way we get our mail is that if they sign a letter, usually if it's one letter, it's to Mr. McCrea and myself; our names are on that.

Mr. ARENS. He is the man that opens the mail and reads it?

Mr. LASHLEY. I open it if the names are there and it comes to both of us. If he's not there and something comes, I'll open it. I don't get very many.

Mr. ARENS. How often do you have membership meetings?

Mr. LASHLEY. Once a month membership.

Mr. ARENS. Do you ever receive any literature from Moscow?

Mr. LASHLEY. It comes there once in a while.

Mr. ARENS. What comes there every once in a while from Moscow?

Mr. LASHLEY. We've got a pamphlet or something there.

Senator EASTLAND. Does it come from Moscow, Russia?

Mr. LASHLEY. From Russia. We get those pamphlets from there. We picked up one the other day.

Mr. ARENS. What do you do with it after you get it?

Mr. LASHLEY. It goes in the garbage can.

Mr. ARENS. Did you ever read it?

Mr. LASHLEY. I don't.

Senator EASTLAND. Who does?

Mr. LASHLEY. I don't.

Senator EASTLAND. How is it that you are on the mailing list of the Communist World International?

Mr. LASHLEY. Me? You won't find my name.

Senator EASTLAND. Well, who gets that literature?

Mr. LASHLEY. The literature—

Senator EASTLAND. Why is your local on that mailing list?

Mr. LASHLEY. I don't know, sir, why it's on there.

Senator EASTLAND. Oh, yes, you do.

Mr. LASHLEY. I just say, Senator, I don't know, because I don't—
 Senator EASTLAND. It is because you are a Communist organization, is it not?

Mr. LASHLEY. Is that what it is? I've got a lot of mail that I didn't subscribe for.

Senator EASTLAND. I say you did not subscribe for it, but they send it to you because you are a Communist organization; is that not it?

Mr. LASHLEY. I refuse to answer that question.

Mr. ARENS. Who, from the New York crowd, comes down to visit you? Who from the New York crowd comes down to visit you besides Mr. Rabinowitz?

Mr. LASHLEY. Once in a while—Mr. Osman been here once.

Mr. ARENS. How long ago was it that he was here?

Mr. LASHLEY. I haven't got no sense of time, but I think it was back in the spring.

Mr. ARENS. Did he have a little meeting with the boys when he was here?

Mr. LASHLEY. Union meeting, yes. He talked with the whole membership. When he comes down, we called a membership meeting, and he talked with the whole bunch.

Mr. ARENS. You had a little bit bigger meeting than the local when he was here. Didn't you have a regional conference when he was here?

Mr. LASHLEY. Yes, we did.

Mr. ARENS. Who all was here at the regional conference when Osman came to town?

Mr. LASHLEY. I'd have to get a record to see, but the fellows from the different plants.

Mr. ARENS. From the different regions around here?

Mr. LASHLEY. Yes.

Mr. ARENS. Had the boys from Mississippi?

Mr. LASHLEY. Yes.

Mr. ARENS. From Arkansas?

Mr. LASHLEY. Wherever we had a plant.

Mr. ARENS. All around here. Did you have the boys here from Georgia?

Mr. LASHLEY. Wherever we had members in the plant that's where we had fellows from.

Mr. ARENS. Whenever any of the big boys come down from New York you have a pretty big affair, do you not?

Mr. LASHLEY. Well, we will have the members come to see them at certain times.

Mr. ARENS. How often do you have your membership meetings?

Mr. LASHLEY. We have membership meeting once a month.

Mr. ARENS. And how many out of your eleven hundred attend these membership meetings?

Mr. LASHLEY. It varies. I couldn't exactly tell. Approximately around 75; maybe a hundred.

Mr. ARENS. Seventy-five to one hundred attend the membership meetings out of the eleven hundred, and you contract for many more than that; is that right?

Mr. LASHLEY. Yes, sir, we do.

Mr. ARENS. Are these 75 to 100 people who attend the membership meetings about the same all the time?

Mr. LASHLEY. No, they rotate around.

Senator EASTLAND. How many of them are Communists?

Mr. LASHLEY. Senator, I refuse to answer that question.

Senator EASTLAND. On the ground that it might incriminate you?

Mr. LASHLEY. (Nods head affirmatively.)

Mr. ARENS. What is your salary?

Mr. LASHLEY. \$270 plus expenses.

Mr. ARENS. And what do your expenses run?

Mr. LASHLEY. Different rates. We are allowed about \$30 more and it varies around.

Mr. ARENS. And who does the allotment?

Mr. LASHLEY. Well, we figure out what it costs and different things and we run it out; the membership.

Mr. ARENS. And vote it. And what is McCrea's salary? Is it the same as yours?

Mr. LASHLEY. A little expenses.

Mr. ARENS. A little bit more liberal expense account on McCrea?

Mr. LASHLEY. Yes, sir.

Mr. ARENS. You and McCrea don't do anything but with the union?

Mr. LASHLEY. That's right.

Mr. ARENS. How about Almyra Bartlett? Is she full time?

Mr. LASHLEY. Yes.

Mr. ARENS. What is her salary?

Mr. LASHLEY. About \$200.

Mr. ARENS. Does she get an expense account?

Mr. LASHLEY. No.

Mr. ARENS. Larry Larsen?

Mr. LASHLEY. Paid by the international.

Mr. ARENS. What is his salary?

Mr. LASHLEY. I don't know.

Mr. ARENS. How about Earl Fisher?

Mr. LASHLEY. He works in the plant. He works in the plant.

Mr. ARENS. He is not full time?

Mr. LASHLEY. Not full time.

Mr. ARENS. Give us the names of all organizations to which you have contributed money in the last year.

Mr. RABINOWITZ. Do you refer to him personally, or the local?

Mr. ARENS. Refer to him personally first.

Mr. LASHLEY. To all organizations that I have contributed to?

Mr. ARENS. Yes.

Mr. LASHLEY. Oh, I give money to the Red Cross, I give money to our church. I don't recall—

Mr. ARENS. How much have you given to the Communist Party in the last year?

Mr. LASHLEY. Not any that I know of.

Mr. ARENS. Did you know that the two organizations that went together to form DPOWA were expelled from the CIO because they found them to be Communist-controlled?

Mr. LASHLEY. Because they were found to be Communist-controlled?

Mr. ARENS. Yes.

Mr. LASHLEY. That's what I heard about local 19. I didn't know the rest of them. That's what they say it were.

Mr. ARENS. Do you get any literature from New York City, from your national group up there, from Osman and his boys to distribute down here in Memphis?

Mr. LASHLEY. Only of union paper.

Mr. ARENS. What is the name of that paper?

Mr. LASHLEY. Union Voice.

Mr. ARENS. Who is the editor of it?

Mr. LASHLEY. I think Miss Helen Kinger. I think she's the editor of the paper.

Mr. ARENS. Off the record.

(Discussion off the record.)

Mr. ARENS. I have no more questions.

Senator EASTLAND. You have no more questions?

Mr. ARENS. No.

Senator EASTLAND. We will recess until 9:30 tomorrow morning.

At 9:30 there will be an executive session.

I want you back here in the morning at 9:30.

That will be all.

(Whereupon, at 4:05 p. m., Thursday, October 25, 1951, the hearing was recessed, subject to the call of the Chair.)

SUBVERSIVE CONTROL OF DISTRIBUTIVE, PROCESSING, AND OFFICE WORKERS OF AMERICA

UNITED STATES SENATE,
SUBCOMMITTEE TO INVESTIGATE THE ADMINIS-
TRATION OF THE INTERNAL SECURITY ACT
AND OTHER INTERNAL SECURITY LAWS,
OF THE COMMITTEE ON THE JUDICIARY,
Memphis, Tenn.

The subcommittee met at 11:30 a. m., pursuant to call, in room 301, Federal Building, Hon. James O. Eastland, presiding.

President: Senator Eastland.

Also present: Richard Arens, staff director; Frank W. Schroeder, professional staff member; and Donald D. Connors, Jr., investigator.

TESTIMONY OF W. A. COPELAND, CIO REGIONAL DIRECTOR, AND EARL A. CROWDER, DISTRICT REPRESENTATIVE, UNITED STEEL WORKERS OF AMERICA, CIO, MEMPHIS, TENN.

Senator EASTLAND. You gentlemen have been sworn before.

Mr. COPELAND. Yes.

Mr. CROWDER. Yes.

Senator EASTLAND. Mr. Copeland, you testified that there were people in Memphis that, in your judgement, were connected with the Communist movement but that you had no proof. I believe you further stated that they were not in the labor movement. I would like you, in executive session, to identify those people.

Mr. COPELAND. I'd like to preface my identification with the remark that it's always been my policy and it is the policy of our people to avoid implicating people in the situation unless we positively know those things and that is why I was reluctant to testify openly.

Senator EASTLAND. I understand you and in fact I do not blame you.

Mr. COPELAND. We confined most of our activities to cleaning them out of our labor movement hoping that somebody else would take care of them outside. There are a number of people, and I won't dispute the recollection of what I testified, but I think I said that these people were pretty active, but were people we generally know to be Communists. There's an appliance company out at McLemore and Bellevue by the name of K. & S. Appliance Co. which stands for Kaset and Scheinberg. The Kaset part of the company—and I don't recall his first name offhand—came to Memphis from Chattanooga about 4½ years ago. I was informed of his activities in Chattanooga that he was formerly very active in the old line Socialist Party and we know from our experience a lot of these old line Socialists have graduated to the Communist Party.

In 1948—I think it was 1948; it may have been in '49—my first knowledge of Mr. Kaset came when Local 19, FTA, attempted to make an issue out of the CIO building having segregated toilet facilities. They attempted to eliminate the separate facilities—when I say “segregate,” I mean on a racial basis and not on a sexual basis, of course—

Senator EASTLAND. I understand what you mean.

Mr. COPELAND. They attempted to eliminate that separation. Ed McCrea and Henderson Davis presented the building committee, of which I was chairman, an opinion from Mr. Kaset that it would not be against the city code or any State law to eliminate the segregation of the colored people. I began to look into Mr. Kaset at that time because, very frankly, when anyone who gives opinions of that type to people of that type, it incites some suspicion and during my investigation it developed that Ed McCrea's wife worked at the K. & S. Appliance Co. and at various times the wives or the people who we suspected of being Communist did work for the K. & S. Appliance Co. and that included this Negro, O'Bannon. When he was fired at Quaker Oats feed mill, he went to work at that company as an appliance salesman. We have had reports from some of our people of gatherings in this place on particular occasions.

Personally I do not know Mr. Kaset. I do know Mr. Scheinberg, who, at that time, was a neighbor of mine, and when he was a neighbor I never observed anything out of the ordinary.

There is a Mr. and Mrs. Robert Simpson—I'm not sure if the name is Robert; the wife's name is Dorothy—who lived on Millrite Road in Memphis.

Senator EASTLAND. Where do they live now?

Mr. COPELAND. It is my understanding that they moved to St. Louis after the Willie McGee incident.

We have had reports of a number of—well, the reports they get from people who live in the neighborhood, they see such and such a person go in a house and we have to jump to the conclusion, knowing these people for their Communist activities, that they are having a Communist confab.

Mr. and Mrs. Simpson were among the leaders of the Willie McGee parade in Jackson and as a result of that extreme burst of publicity they got I've been told that they moved to St. Louis.

The home of L. E. McGurty on Towns Avenue; very frequently the Communist people are seen together in that particular neighborhood. I'm a little vague about some specific names, but on the circulation of the Korean peace petition—probably last fall those petitions were circulated—those petitions were circulated by a number of people who are not in the movement.

I might explain, Senator, that for the last 3 or 4 years, some of us, including myself, in the CIO, have worked closely with Federal agencies who like to know what is going on among certain groups.

Senator EASTLAND. I understand.

Mr. COPELAND. And we exchange sometimes information. Some of the information that I have come from that source and frankly, unless I am ordered to do it I don't like to reveal that information.

Senator EASTLAND. I want those names.

Mr. COPELAND. There's a woman attorney here—and this is from my own source—I'm not positive of the name because we have had

no connection with her for some time. I think her name was Rosenberg, but I am not sure whether it was Rosenblum or not.

Senator EASTLAND. Where does she live?

Mr. COPELAND. Somewhere in Fort Pickering, that section near the Mississippi Bridge.

Senator EASTLAND. Does she live there now?

Mr. COPELAND. I don't know.

Senator EASTLAND. Is she in Memphis now?

Mr. COPELAND. I don't know that either. She represented Local 19, FTA, in a number of cases and in 1948 when they were trying to organize the Progressive Party we had information, which is not substantiated by direct proof, that there were a number of meetings held in her home and on at least one or two of those meetings, either Ed McCrea or Red Davis attended, and perhaps we were jumping at conclusions that they were organizing minority groups, but they had several people of Jewish descent at those meetings, who might be interested in that particular thing.

Senator EASTLAND. Who were they?

Mr. COPELAND. Offhand, I couldn't recall the names, Senator. That was 3 years ago, and—

Senator EASTLAND. Do you recall any of them?

Mr. COPELAND. No, I don't. The people outside—excuse me; one other name which has not been brought out in the hearing so far who I think attended some of these meetings was a Mrs. Reuel Stanfield, who prior to her marriage to Stanfield was named Rebecca Namiot.

Senator EASTLAND. What is her address?

Mr. COPELAND. Senator, you got me. She was the secretary of FTA for a period from 1942 through '44.

Mr. ARENS. That is in Memphis, is it not?

Mr. COPELAND. Yes, sir. And I was told by one of the business agents of FTA when she first went on that she was a graduate of the old Commonwealth College in Arkansas, located at Mena, Ark., which was put out of business by a Supreme Court decision early in the forties, after the conviction of subversive activities. She attended some of those meetings, we hear.

On this Willie McGee thing, while we don't have the definite proof, we have been told—and I think a thorough investigation will probably substantiate this—that the Willie McGee Caravan to Jackson, Miss., was organized in the office of Local 19, FTA, with Larry Larsen and Ed McCrea standing completely in the background—that has been their policy for about a year; they stand in the background and get other people to take the lead—and I have been told, and I don't know if this is true—that eight or nine of those Negroes who were there were from the Federal Compress on Bardley Avenue in Memphis, which has been under contract with local 19 for some time.

Mr. CONNORS. Did not Ed McCrea's wife go down with that group?

Mr. COPELAND. I don't know. I understand Ed McCrea's wife, Lawrence McGurty and his wife, and Red Davis' wife, met Willie McGee's wife at the airport when she went through here previous to that.

Senator EASTLAND. You spoke of residences. Are those all the individuals that you know?

Mr. COPELAND. Offhand, yes, sir; I think that have been pretty active, except the wife, of course, of W. E. Davis, whose name is

Carmen. She has never been in the labor movement, and our knowledge is she is probably one of the most active workers in the Communist movement.

Senator EASTLAND. Her name is Carmen Davis?

Mr. COPELAND. Yes, sir.

Senator EASTLAND. Where does she reside?

Mr. COPELAND. I understand she is presently living with L. E. McGurty on Towns Avenue.

Senator EASTLAND. You spoke of residences in Memphis where meetings were held in 1948 when there was an attempt to organize a Progressive Party along minority group lines. What were those residences?

Mr. COPELAND. I mentioned one, I think, this woman, Mrs. Rosenberg or Mrs. Rosenblum.

Senator EASTLAND. Yes; that she was an attorney here.

Mr. COPELAND. Yes, sir; and offhand I can't recall the others.

Frankly, I'd like to put this off the record. Part of that information came from a friend in the other Federal agency.

Senator EASTLAND. Do you know of any other residences?

Mr. COPELAND. Not for that specific purpose. I know that meetings have been held, as I pointed out, at McGurty's home. There have been clandestine meetings at Lee Lashley's home attended by Ed McCrea, and Larry Larsen, and, of course, before Henderson Davis died there were a number of meetings in his place.

Senator EASTLAND. You mentioned that a few years ago there were some undercover movements in Memphis. Did you have reference to the attempt to organize the Progressive Party here?

Mr. COPELAND. I don't recall how that was brought out, Senator, so I don't know exactly what you are referring to.

Senator EASTLAND. You spoke of an attempt a few years ago to set up undercover movements in Memphis and you spoke of the connection of some of these individuals with the undercover movements.

Mr. COPELAND. I don't recall just how I brought that in. I wonder if I could get the reporter to—

Senator EASTLAND. That is all right; it is not important. Do you have any information about undercover movements here at the present time?

Mr. COPELAND. Of Communist movements?

Senator EASTLAND. Yes, sir.

Mr. COPELAND. Well, for the last few months and probably for a year, practically all of the movements are undercover now. Here are a few things that we know now from a reasonable basis to be accurate. There is in excess of 500 copies of the Daily Worker coming into Memphis fairly regularly. Carmen Davis used to—I don't know if she's still doing it or not—go to a drug store at Linden and Bellevue and send a money order almost every week for \$50 or more to some book company in New York. Offhand I've forgotten the name of the book company.

Mr. ARENS. Four Continent Book Co.?

Mr. CONNORS. Federated Press?

Mr. COPELAND. No, it wasn't that. We know damn well she didn't read that many books and the supposition was—it so happened that the clerk in that drug store—they take money orders there, and one

of our union officers is above that—we saw the girl going in there pretty regularly and we were making inquiries and it developed she was sending these money orders for \$50 or more every week to a book company and the only supposition would be that it would be for Communist literature.

Senator EASTLAND. Do you know of any undercover movements at this time in Memphis?

Mr. CROWDER. She is an admitted Communist, Senator.

Mr. COPELAND. I can't say positively of the undercover movements. You see, I think maybe we made a mistake in kicking FTA out of the CIO, because when they were in our building we could watch them, but when they left our building we sort of lost contact with them and we have to rely mainly on reports we get, and when we got them expelled from the CIO, we felt like we were going through a cleansing process and we didn't have to worry with them too much because they were no longer our Communists and we hoped somebody else would pick up the ball on them, so our reports for the last year on the activities of these people has been pretty vague and unsubstantiated reports from the people we talked to.

Mr. ARENS. Do you have information respecting the Buckeye Cotton Oil Mill strike insofar as that strike would have a connection with the Communist activities?

Mr. COPELAND. I think that was early in 1947. I'm pretty sure. That was before Ed McCrea came in. Karl Korstad was the business agent of the local. Karl Korstad was the business agent of the local when Larry Larsen was here. That strike had been going on for probably 2½, 3 weeks, and I got a call from the attorney who was a friend of mine telling me that the Buckeye Co. had gotten up a four-page ad exposing the Communist background of Karl Korstad and Larry Larsen and branding this as a Communist strike.

I didn't see their ad, but I relayed the information to Karl Korstad that they were on the verge of being exposed as Communists and it may have been by coincidence, but the strike was called off before the scheduled publication of that ad.

Senator EASTLAND. Are there any further questions?

That will be all. We thank you.

Mr. COPELAND. I think Mr. Crowder made a note or two.

Mr. CROWDER. John Mack Dyson's name has been mentioned here as the president of FTA. He's dead now. I have information here that he gave me before he died. Of course, that's the reason I wanted to know if that would be permissible for me to bring up.

Senator EASTLAND. Yes, sir.

Mr. CROWDER. Well, John Mack Dyson used to tell me some of the activities going on within his local union and this Korstad that's been an agent here, so John Mack Dyson told me, signed him up in the Communist Party. Now, he told me very frankly that he had to sign a membership card in the Communist Party to hold his job there.

I wanted to bring that out here. I, of course, advised John that I would not sign the card and advised him to report it to the proper Federal officials. John then had pledged me prior to this conversation to secrecy and after I asked him to do that it seemed like it more or less scared him off. I mean he didn't have too much to tell me after that.

So that is one man that is still, I think, connected with FTA——

Mr. COPELAND. Yes.

Mr. CROWDER. That the committee should know about.

Mr. COPELAND. There is one other point, which I could bring up briefly which I didn't mention, I think mainly because—I didn't know whether to ask—I was not asked a question in connection with it.

In 1948, a chap by the name of Floyd McDaniel, M-c-D-a-n-i-e-l, was a full-time representative of Local 19, FTA.

When local 19, as well as the national union, endorsed Henry Wallace for President, Floyd McDaniel would not go along with the policy of actively supporting a campaign for Henry Wallace.

He stated his position before an executive meeting of local 19 that he could not conscientiously campaign for Henry Wallace, that as a matter of fact he couldn't vote for Henry Wallace, but in deference to the policy of the local for which he was working he would not oppose the candidacy of Henry Wallace, so he was fired that night as full-time representative.

I think that is significant for one or two reasons: that that local, as well as the national union, has never tolerated any paid representative to remain on the staff or the pay roll who did not religiously follow their policies as laid down.

Senator EASTLAND. Is there anything else?

Mr. COPELAND. That's all I can think of at the moment.

Senator EASTLAND. We thank you, gentlemen. You are excused from your subpoena.

(Whereupon at 11:55 a. m., the executive hearing was adjourned, subject to the call of the Chair.)

SUBVERSIVE CONTROL OF DISTRIBUTIVE, PROCESSING, AND OFFICE WORKERS OF AMERICA

FRIDAY, OCTOBER 26, 1951

UNITED STATES SENATE,
SUBCOMMITTEE TO INVESTIGATE THE ADMINIS-
TRATION OF THE INTERNAL SECURITY ACT
AND OTHER INTERNAL SECURITY LAWS,
OF THE COMMITTEE ON THE JUDICIARY,
Memphis, Tenn.

The subcommittee met at 9:30 a. m. in room 301, Federal Building,
Hon. James O. Eastland, presiding.

Present: Senator Eastland.

Also Present: Richard Arens, staff director; Frank W. Schroeder,
professional staff member; and Donald D. Connors, Jr., investigator.

Senator EASTLAND. Do you solemnly swear the testimony you are
about to give before the Internal Security Subcommittee of the
Judiciary Committee of the United States Senate will be the truth,
the whole truth, and nothing but the truth, so help you God?

Mr. KASET. I do.

TESTIMONY OF SIMON KASET, MEMPHIS, TENN.

Mr. ARENS. Kindly identify yourself, if you please, by name, resi-
dence, and occupation.

Mr. KASET. Simon Kaset, merchant and attorney; residence, 991
Terry Circle.

Mr. ARENS. Mr. Kaset, you are appearing today before the Internal
Security Subcommittee in response to a subpoena which was served
upon you?

Mr. KASET. That's correct.

Mr. ARENS. What is the nature of your business as a merchant?

Mr. KASET. In the appliance business, sir.

Mr. ARENS. And you are admitted to practice law in Tennessee?

Mr. KASET. Right, sir.

Mr. ARENS. Do you know a man by the name of Wash O'Bannon?

Mr. KASET. Yes, sir.

Mr. ARENS. What has been your association with him?

Mr. KASET. Very brief association, sir. He was hired by one of our
supervisors in the capacity of salesman, did not do a good job, and was
later released.

Senator EASTLAND. How long have you lived in Memphis?

Mr. KASET. Approximately 6 or 7 years, sir.

Senator EASTLAND. Where did you live before that?

Mr. KASET. Chattanooga, Tenn., born and raised, sir.

Mr. ARENS. Do you know or have you ever known a man by the name of Paul Crouch?

Mr. KASET. No, sir; I never have.

Mr. ARENS. Do you know a man by the name of Edwin McCrea?

Mr. KASET. I do know him, sir.

Mr. ARENS. What is the nature of your acquaintanceship with him?

Mr. KASET. Twofold. On one occasion he purchased a Frigidaire refrigerator from us. On another occasion he solicited some legal advice from me concerning interpretation of a city ordinance.

Mr. ARENS. Over what period of time did you live in Chattanooga?

Mr. KASET. All my life, sir, since birth, May 1, 1912.

Mr. ARENS. Until when?

Mr. KASET. Until I came to Memphis, which was about 6 or 7 years ago.

Mr. ARENS. During the time that you lived in Chattanooga, tell us the names of the organizations you were a member of.

Mr. KASET. At the time I was in Chattanooga, sir, I belonged to the B'nai B'rith at one time; I belonged to the youth section of the Workmen's Circle—

Senator EASTLAND. The Workmen's Circle?

Mr. KASET. Yes, sir. Would you want me to explain that organization?

Senator EASTLAND. Yes.

Mr. KASET. The Workmen's Circle is an organization that was formed a number of years ago when immigrants came to this country and began to help each other solve their mutual problems. It has always been sympathetic toward labor. It is not a radical organization in the sense that—well, in those days they probably had some socialistic leanings, but it somewhat watered down into an insurance organization for fraternal benefits and is in very close harmony at the present time in working with the Labor Department and the Government.

Senator EASTLAND. What committees have you been a member of?

Mr. KASET. Committees, sir?

Senator EASTLAND. Yes.

Mr. KASET. In Memphis, or in Chattanooga?

Senator EASTLAND. In Chattanooga or Memphis.

Mr. KASET. In Chattanooga, I don't recall any specific committees. As a child I was a member of a youth committee as part of the Workmen's Circle when we protested the buying of merchandise made by Hitler Germany. We intended to boycott that type of merchandise. That's all I recall, sir, in Chattanooga, to the best of my memory and recollection.

In Memphis, I was so-called member—I attended three meetings—of the Wallace committee, which I regret very much and would not take the same position today. At that time I didn't want to vote for Truman or for Dewey and I did attend the Wallace committee meetings, about three, to the best of my memory and recollection, here in Memphis.

Senator EASTLAND. Mr. Kaset, are those all the committees you remember?

Mr. KASET. That's all that I can probably recall right now.

Senator EASTLAND. You deny that you were a member of any other political committees?

Mr. KASET. Political committees? What do you mean, sir?

Senator EASTLAND. Well, what the name implies. You said you were on the Wallace committee.

Mr. KASET. That's right. Well, I wasn't on the Wallace committee actually, sir; I attended the Wallace committee meetings. In other words, I was called in several times for consultation on what their legal rights—

Senator EASTLAND. That is the only committee you were a member of?

Mr. KASET. Well, I couldn't afford to—I have to stand on my constitutional grounds, sir—

Senator EASTLAND. You have already testified that that was all the committees.

Mr. KASET. All the committees I remember, yes, sir; that's all I recall.

Senator EASTLAND. I want you to think in the light of your testimony and your oath now. I am going to ask you this question: In 1939, 1941, to 1941, or at any other time, have you been a member of the Tennessee district of the Communist Party?

Mr. KASET. I refuse to answer that, sir, on the basis of my constitutional right that the testimony might—of the fifth amendment of the Constitution—might tend to incriminate or embarrass me.

Senator EASTLAND. You have already testified that that one committee, in 1948, was the only committee you were a member of.

Mr. KASET. Still maintain no other committees.

Senator EASTLAND. Then you refuse to testify that you were a member of the Communist committee?

Mr. KASET. I do, sir, on the constitutional grounds.

Senator EASTLAND. If you were a member of that committee in the light of your testimony now, you are guilty of perjury unless you answer the question.

Mr. KASET. I was never on any committee, sir, any other committees, sir, that I can recollect.

Senator EASTLAND. Were you a member of the Communist Party?

Mr. KASET. I have to refuse to answer that on the same grounds I have given previously.

Senator EASTLAND. Are you a member of the Communist Party now?

Mr. KASET. I have to refuse that on the same grounds I have previously given.

Mr. ARENS. You do not construe this as being a criminal trial here today?

Mr. KASET. I was called on very short notice, sir, late yesterday afternoon, and I didn't have the advantage of legal counsel.

Mr. ARENS. I want to read to you, Mr. Kaset, one of the statutes from the United States Statutes before you undertake to deny the right of this committee to obtain certain information. This is from the United States Code, title 28:

No testimony given by a witness before either House, or before any committee of either House, or before any joint committee established by a joint or concurrent resolution of the two Houses of Congress, shall be used as evidence in any criminal proceeding against him in any court, except in a prosecution for

perjury committed in giving such testimony. But an official paper or record produced by him is not within the said privilege.

This is an investigating subcommittee of the Judiciary Committee of the United States Senate and the chairman here has just posed the question to you as to whether or not you are now or ever have been a member of the Communist Party, and I respectfully suggest to the chairman that the witness be ordered and directed to answer the question.

Senator EASTLAND. Yes, I so order it.

Mr. KASET. Sir, I have to stand on my constitutional grounds.

Mr. ARENS. What constitutional grounds are you asserting?

Mr. KASET. On the ground, sir, of the fifth amendment of the United States Constitution, that any evidence I might give here might tend to incriminate or embarrass me.

Mr. ARENS. Is there any thought in your mind that if you would answer the question as to whether or not you are now or ever have been a member of the Communist Party you might be subjected to criminal prosecution?

Mr. KASET. I couldn't answer that question, sir.

Senator EASTLAND. Don't you think that you are embarrassed to refuse to cooperate with your country that has protected your people in uncovering a criminal conspiracy to overthrow it, and by your conduct you brand yourself as a traitor to your country? That does not embarrass you?

Mr. KASET. I would help in any way.

Senator EASTLAND. Why don't you tell the truth, then—

Mr. KASET. I have told the truth.

Senator EASTLAND. Instead of being a damn, slurring, slinking Communist and refuse to come out and make a full breast of activities that will help your country? Of course, he is sworn to tell the whole truth. Now, I want you to answer the question.

Mr. KASET. I can't answer the question, based on constitutional rights.

Senator EASTLAND. That it might embarrass you?

Mr. KASET. That's right.

Senator EASTLAND. It does not embarrass you to deny you are a traitor?

Mr. KASET. I like to show pride that I have—some of the things I have done in the war and every other manner.

Senator EASTLAND. But branding yourself does not embarrass you?

Mr. KASET. I don't consider myself as a traitor.

Senator EASTLAND. You do not think a member of the Communist Party is a traitor to this country?

(No response.)

Senator EASTLAND. Answer the question.

Mr. KASET. I can't answer that question on the same grounds previously stated.

Mr. ARENS. Did you break with the Communist Party prior to the enactment of the Smith Act in 1940?

Mr. KASET. I can't answer that question for the previous reasons given.

Mr. ARENS. Off the record.

(Discussion off the record.)

Senator EASTLAND. You are under subpena and I am going to hold you out there.

Mr. KASET. Yes, sir.

Senator EASTLAND. Just one moment, please.

(At this point, Mr. Paul Crouch entered the room.)

Senator EASTLAND. Do you know that gentleman?

Mr. KASET. I don't recognize him, sir.

Senator EASTLAND. You are certain, under the light of your oath, that you do not know him?

Mr. KASET. I don't recognize him at all.

Senator EASTLAND. Do you recognize him?

Mr. CROUCH. I do.

Senator EASTLAND. You may wait on the outside. I don't want you to talk to anybody out there.

Mr. KASET. My wife is out there.

Senator EASTLAND. That is all right, but you stay away from the other witnesses.

(Whereupon, at 9:40 a. m., Friday, October 26, 1951, the executive hearing was recessed.)

SUBVERSIVE CONTROL OF DISTRIBUTIVE, PROCESSING, AND OFFICE WORKERS OF AMERICA

FRIDAY, OCTOBER 26, 1951

UNITED STATES SENATE,
SUBCOMMITTEE TO INVESTIGATE THE ADMINIS-
TRATION OF THE INTERNAL SECURITY ACT
AND OTHER INTERNAL SECURITY LAWS,
OF THE COMMITTEE ON THE JUDICIARY,
Memphis, Tenn.

The subcommittee met at 9:40 a. m., in room 301, Federal Building,
Hon. James O. Eastland presiding.

Present: Senator Eastland.

Also present: Richard Arens, staff director; Frank W. Schroeder,
professional staff member; and Donald D. Connors, Jr., investigator.

Senator EASTLAND. Do you solemnly swear that the testimony that
are about to give before the Internal Security Subcommittee of the
Judiciary Committee of the Senate of the United States will be the
truth, the whole truth, and nothing but the truth, so help you God?

Mr. McGURTY. I do.

TESTIMONY OF LAWRENCE E. MCGURTY, MEMPHIS, TENN.

Mr. ARENS. Please identify yourself by name, residence, and occupa-
tion.

Mr. MCGURTY. Lawrence McGurty, 3658 Townes Avenue; laborer.

Mr. ARENS. What is your occupation?

Mr. MCGURTY. Laborer.

Mr. ARENS. You are appearing here today in response to a subpoena?

Mr. MCGURTY. Yes. I was pulled off a job to come down here.

Mr. ARENS. Do you belong to a labor organization?

Mr. MCGURTY. No, I don't.

Mr. ARENS. Do you know Red Davis?

Mr. MCGURTY. I refuse to answer that question on the grounds that
it might incriminate me.

Mr. ARENS. Who have you been talking to since you have been
served with a subpoena by this committee?

Mr. MCGURTY. The United States Marshal.

Mr. ARENS. Anybody else?

Mr. MCGURTY. No.

Senator EASTLAND. What lawyer? Have you talked to a lawyer?

Mr. MCGURTY. No, sir.

Mr. ARENS. Do you know Carmen Davis?

Mr. MCGURTY. I refuse to answer that question on the grounds it
might incriminate me.

Mr. ARENS. What do you mean "incriminate"?

Mr. MCGURTY. On the grounds that it might incriminate, on the grounds of the fifth amendment of the United States.

Mr. ARENS. What does the fifth amendment of the Constitution say?

Mr. MCGURTY. That the witness does not have to testify against himself.

Mr. ARENS. In what kind of a proceeding does the witness not have to testify against himself?

Mr. MCGURTY. That is my answer, and I am holding to that. Anything that tends to name me in connection with any other people I refuse to answer those questions.

Mr. ARENS. You know you are appearing here before an investigating subcommittee of the United States Senate?

Mr. MCGURTY. I imagine that's what it is.

Mr. ARENS. I will tell you now that is what it is and I want to read you a section from the United States law, statutes passed by the Congress:

No testimony given by a witness before either House, or before any committee of either House, or before any joint committee established by a joint or concurrent resolution of the two Houses of Congress, shall be used as evidence in any criminal proceeding against him in any court, except that prosecution for perjury committed in giving such testimony. But an official paper or record produced by him is not within the said privilege.

Now, I ask you, are you now or have you ever been a member of the Communist Party?

Mr. MCGURTY. I refuse to answer that question on the grounds it might incriminate me.

Mr. ARENS. How could it incriminate you?

Mr. MCGURTY. I refuse to answer the question.

Mr. ARENS. Answer the question as to how you think it might incriminate you.

Mr. MCGURTY. I refuse to answer the question.

Mr. ARENS. I respectfully suggest to the chairman that the witness be ordered and directed to answer the question.

Senator EASTLAND. Yes, I direct and order you to answer the question.

Mr. MCGURTY. I refuse to answer the question on the grounds that it might incriminate me.

Mr. ARENS. Do you feel that it might incriminate you to answer the question as to why you think it might incriminate you?

Mr. MCGURTY. May I make a statement?

Mr. ARENS. Just answer that question.

Mr. MCGURTY. I refuse to answer the question on the grounds that it might incriminate me.

Mr. ARENS. Have you betrayed your country?

Mr. MCGURTY. I refuse to answer that question and I think it's irrelevant, too.

Senator EASTLAND. I am going to decide which questions are irrelevant. That is my job here.

Mr. MCGURTY. May I make a statement?

Senator EASTLAND. You can answer his questions.

Mr. MCGURTY. I can't make a statement?

Senator EASTLAND. You cannot make a statement. You can answer his question. You can do as you are told to do. I am going to conduct this hearing. I am going to run it.

Mr. ARENS. When did you last see Red Davis?

Mr. MCGURTY. I refuse to answer that on the grounds——

Mr. ARENS. Is there a man called Red Davis?

Mr. MCGURTY. I refuse to answer that question on the grounds it might incriminate me.

Mr. ARENS. Is there a woman known as Carmen Davis?

Mr. MCGURTY. I refuse to answer.

Mr. ARENS. I put it to you as a fact that you are a member of the Communist Party and ask you to affirm or deny that fact.

Mr. MCGURTY. I refuse to answer on the grounds——

Mr. ARENS. Why?

Mr. MCGURTY. I refuse to answer that——

Senator EASTLAND. You have gone over that with him. Let him go.

Mr. ARENS. I suggest the witness be retained under the subpoena and ordered to keep himself in readiness for further appearance.

Senator EASTLAND. That is right.

(Whereupon, at 10:13 a. m., Friday, October 26, 1951, the executive hearing was recessed subject to the call of the chairman.)

SUBVERSIVE CONTROL OF DISTRIBUTIVE, PROCESSING, AND OFFICE WORKERS OF AMERICA

FRIDAY, OCTOBER 26, 1951

UNITED STATES SENATE,
SUBCOMMITTEE TO INVESTIGATE THE ADMINIS-
TRATION OF THE INTERNAL SECURITY ACT
AND OTHER INTERNAL SECURITY LAWS,
OF THE COMMITTEE ON THE JUDICIARY,
Memphis, Tenn.

The subcommittee met at 10:14 a. m., in room 301, Federal Building, Hon. James O. Eastland, presiding.

Present: Senator Eastland.

Also present: Richard Arens, staff director; Frank W. Schroeder, professional staff member; and Donald D. Connors, Jr., investigator.

TESTIMONY OF LEE N. LASHLEY, PRESIDENT, LOCAL 19, DISTRIBUTIVE, PROCESSING, AND OFFICE WORKERS OF AMERICA, MEMPHIS, TENN.

Mr. ARENS. Please identify yourself.

Mr. LASHLEY. Lee Lashley.

Mr. ARENS. You were previously sworn yesterday?

Mr. LASHLEY. Yes, sir.

Mr. ARENS. Now, Lashley, yesterday the chairman of this subcommittee, the Senator from Mississippi, ordered and directed you to produce certain records.

Mr. LASHLEY. Yes, sir.

Mr. ARENS. Where are the records?

Mr. LASHLEY. I went back for them, but I didn't get them. Mr. McCrea and the secretary have access of them.

Senator EASTLAND. You said you were running that local.

Mr. LASHLEY. No, sir. The membership run it and they elected those people. I was just elected president there, as you know, just by the membership and everybody that's put up there they put up by the membership and they have certain things to do. I don't have access to those.

Mr. ARENS. I am going to step over there by you and I am going to ask you to identify these records.

I lay before you now several records of the Distributive, Processing, and Office Workers of America, and ask you to identify those. What are they?

Mr. LASHLEY. Finance reports. Those are finance reports.

Mr. ARENS. Are these all financial reports of the local 19 of the Distributive, Processing and Office Workers of America?

Mr. LASHLEY. Yes, I'm sure they are, which I don't have any—

Mr. ARENS. I respectfully suggest to the chairman that these documents which I have just laid before Mr. Lashley, which he has identified, be admitted into the record.

Senator EASTLAND. They will be admitted into the record.

(The document referred to was marked "Lashley Exhibit No. 1" and filed.)

Mr. ARENS. I lay before you another document and ask you if you can identify that.

Mr. LASHLEY. That's the per capita tax.

Mr. ARENS. Is that an official record of local 19?

Mr. LASHLEY. Yes, that's a record. Yes, sir, that's the record, so far as I know.

Senator EASTLAND. They will be admitted to the record.

(The document referred to was marked "Lashley Exhibit No. 2" and filed.)

Mr. ARENS. Now, I lay before you certain documents from the National Labor Relations Board and ask you if you can identify those documents.

What are those documents I have just laid before you?

Mr. LASHLEY. These are documents of the National Labor Relations Board.

Mr. ARENS. Are those the Taft-Hartley affidavits?

(No response.)

Senator EASTLAND. Do you know what those records are?

Mr. LASHLEY. No, sir; I don't know.

Mr. ARENS. You don't run that union down there, do you?

Mr. LASHLEY. No, sir; I don't.

Mr. ARENS. McCrea runs it, does he not?

Mr. LASHLEY. Yes, as far as these legal papers and things like that, he takes care of them.

Senator EASTLAND. Read him his oath. Did he sign an oath?

Mr. ARENS. Did you sign an oath that you are not now or ever have been a member of the Communist Party?

Mr. LASHLEY. Yes, sir.

Mr. ARENS. We cannot find it, Senator.

Senator EASTLAND. You did not slip that out, now?

Mr. LASHLEY. No, sir. I haven't slipped it out. I haven't seen it since I signed it.

Senator EASTLAND. When did you join the Communist Party?

(No response.)

Senator EASTLAND. It is not going to hurt you.

(No response.)

Senator EASTLAND. And I realize when I ask you that question that you do not know what the Communist Party is and do not know anything about it. Now, when did you join it? Give us the facts about it.

Mr. LASHLEY. Senator, I refuse to answer the question at this time.

Senator EASTLAND. Now, you are making a mistake Lashley. You are making a mistake. I was just trying to help you, that is all. I know that you don't know and you know you don't know. You know we do not want to hurt you. You have already said it. You have already told these men you belong to the party. I just want to get in on the record there now from you.

Mr. LASHLEY. I think you all know my record.

Senator EASTLAND. Think about it and do the right thing.

Mr. LASHLEY. Don't you—

Senator EASTLAND. Know your record?

Mr. LASHLEY. Don't you know my record?

Senator EASTLAND. What is your record? Let us see if we know it. What is it? Let us see if we know it.

Mr. LASHLEY. This is the first time I have ever been on any kind of witness stand and anything and I tried to do the thing that I know is right and nothing to violate the laws of our land.

Senator EASTLAND. Just tell the truth.

Mr. LASHLEY. If I have—I want to say this: If I have violated the law of this land, then I want to be brought to justice and dealt with according to the law and start life all over again, if I have done that.

Senator EASTLAND. You have not violated any law, Lashley. That is the reason that this-might-incriminate-you stuff does not apply to you. It is the people in New York that we are after. They are using you. They paid this lawyer a lot of money to come down here. You are about to violate the law now. You are about to. Think about it right there a minute. Do the right thing. I am giving you your last chance.

Mr. LASHLEY. Yes, sir.

Senator EASTLAND. You are hurting your family now. And you are hurting your union. You are hurting your local here and the people that belong to that union.

Mr. LASHLEY. As I say, I'm not going to do anything that I know to violate the laws of the land. As I say, this is the first time that I been brought before trial and that's sure that I have been trying to—

Senator EASTLAND. You have not violated the law now, but you are about to; you are about to when you say that you are not going to testify. I do not want to do it, but I am going to have to turn you over to the United States marshal. I just called you back to give you another chance because I knew that you had some bad advice that was not to your interest.

Mr. LASHLEY. Personally, I haven't got anything to hide from this court. Personally, I haven't got a thing to hide from this court; nothing.

Senator EASTLAND. If you have not anything to hide, then that is just absolutely fine. Just tell us the facts, that is all.

Mr. LASHLEY. Not ashamed of—if I made a mistake I am not ashamed of that; I just made a mistake.

Senator EASTLAND. Then say so.

Mr. LASHLEY. I want to correct it if I did.

Senator EASTLAND. What does the good book say about mistakes?

Mr. LASHLEY. It's bad to make them.

Senator EASTLAND. We are not after you. Will you talk to me privately now?

Mr. LASHLEY. I would.

Senator EASTLAND. Will you tell me everything privately?

Mr. LASHLEY. I would talk to you.

Senator EASTLAND. All right, let us go back in Senator McKellar's office now.

(At this point, Senator Eastland and Mr. Lashley retired to room 310, followed later by Mr. Arens and the reporter, at which time the following testimony was taken:)

Mr. ARENS. Lashley, would you please tell this subcommittee now about your experience in the Communist Party?

Mr. LASHLEY. My experience in it, when I met a man that I never met before, and I don't remember meeting him since—

Senator EASTLAND. What year was that? What is your best recollection?

Mr. LASHLEY. We was over here on Union and Third. It was on Union and Third when we had our local over there. I really don't know.

Mr. ARENS. That was in the forties, sometime, was it not?

Mr. LASHLEY. I don't keep very much time like that. I don't know quite the year, but it's been quite a few years back.

Mr. ARENS. That was in the forties sometime, was it not? That was sometime in the 1940's?

Mr. LASHLEY. Yes, sure, it was in '40.

Mr. ARENS. And then what happened after you met this man?

Mr. LASHLEY. I joined.

Mr. ARENS. You joined what?

Mr. LASHLEY. I joined the Communist Party at that time and he gave me a little card or book or something; I don't know just exactly, seemed a little something like that, but I didn't carry the thing. I'd been seeing the work of Communists but I paid no attention because I wasn't interested in it, so after I joined the thing—he asked about joining the Communist Party—and then I begin to hear and then I begin to pay attention to the thing.

Mr. ARENS. Did you pay dues, Lashley?

Mr. LASHLEY. During—I am trying to see did I pay any dues on that thing. It had on there if you didn't pay no dues that's the way you got out. I don't know whether I paid any dues.

Mr. ARENS. You said some dues. Was it not 50 cents? Wasn't that what you paid?

Mr. LASHLEY. I don't remember exactly. I remember that's the way you got out of it. I'll say I paid dues maybe, and as it went on during the Progressive Party movement, when Mr. Wallace—why, then, I asked in one of the meetings at the Progressive Party meeting—I'd been hearing a lot about this Communist stuff—what was the object of it, the Communist Party. I disremember the answer I got; but it wasn't a satisfactory answer. Then I asked, "What would you say if the police asked you?" I think I asked was it against the law to belong to it and they said "no." Then I asked if police asked you were you a Communist what would you tell him, and I remember it was said that if he asks you, go ahead and tell him.

Then he said, "No, I don't expect you better tell him that; he's liable to beat your head," and then my reply was that if that was against the law, I don't fool with that.

Senator EASTLAND. Who told you that?

Mr. LASHLEY. Mr. Davis.

Mr. ARENS. Is that Red Davis?

Mr. LASHLEY. Yes. Mr. Davis and—who was in that meeting? Let's see—some of them told me that in that meeting. It might have been him or Hall, Sam Hall. I think that's what his name was. I won't definitely say because I never met him before.

Senator EASTLAND. How many meetings did you go to of the Communist Party?

Mr. LASHLEY. Communist Party meetings?

Senator EASTLAND. Yes.

Mr. LASHLEY. Senator, those meetings, if you say their Progressive Party meetings, I went to several meetings.

Senator EASTLAND. That was Communist regardless of what it was called, was it not?

Mr. LASHLEY. Well, we had a series of those meetings.

Senator EASTLAND. Well, I say they were Communist Party meetings regardless of whether it was called Progressive Party or Republican or Democrat. You knew it was a Communist Party meeting?

Mr. LASHLEY. No, sir, I didn't.

Senator EASTLAND. What other Communists do you know in Memphis?

Mr. LASHLEY. Let's see now. As I told you, I hadn't asked anyone were they Communists or nothing like that, but the only person admit that was Mr. Davis.

Mr. ARENS. How about McCrea, Lashley?

Mr. LASHLEY. I just say he never asked me anything about this and I never have asked this.

Mr. ARENS. McCrea really runs this local, doesn't he?

Mr. LASHLEY. He's the business agent of it. The membership, as I say, gives the orders to the thing. Mr. McCrea is what a lawyer would be to a criminal.

Mr. ARENS. This is off the record.

(Discussion off the record.)

Senator EASTLAND. That will be all.

(Whereupon, at 10:35 a. m., Friday, October 26, 1951, the hearing was recessed.)

SUBVERSIVE CONTROL OF DISTRIBUTIVE, PROCESSING, AND OFFICE WORKERS OF AMERICA

FRIDAY, OCTOBER, 26, 1951

**UNITED STATES SENATE,
SUBCOMMITTEE TO INVESTIGATE THE ADMINIS-
TRATION OF THE INTERNAL SECURITY ACT
AND OTHER INTERNAL SECURITY LAWS,
OF THE COMMITTEE ON THE JUDICIARY,
*Memphis, Tenn.***

The subcommittee met at 10:45 a. m., pursuant to recess, in room 301, Federal Building, Hon. James O. Eastland presiding.

Present: Senator Eastland.

Also present: Richard Arens, staff director; Frank W. Schroeder, professional staff member; and Donald D. Connors, Jr., investigator.

Senator EASTLAND. Will you stand, please, sir?

Do you solemnly swear the testimony you are about to give the Internal Security Subcommittee of the Committee on the Judiciary of the United States Senate will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. McCREA. I do.

**TESTIMONY OF EDWIN KAY McCREA, BUSINESS AGENT, LOCAL 19,
DISTRIBUTIVE, PROCESSING, AND OFFICE WORKERS OF AMERICA,
MEMPHIS, TENN., ACCOMPANIED BY VICTOR RABINOWITZ, AT-
TORNEY AT LAW, NEW YORK, N. Y.**

Mr. ARENS. Please identify yourself by name, residence, and occupation.

Mr. McCREA. My name is Edwin Kay McCrea. You want my home, or office address?

Senator EASTLAND. Your home residence first.

Mr. McCREA. 1186 Homer, and 171 South Second is my business address. I am business agent for local 19 of the Distributive, Processing, and Office Workers of America.

Senator EASTLAND. Are you a native Tennessean?

Mr. McCREA. I have lived in Tennessee since the early part of 1937.

Senator EASTLAND. Where were you born, Mr. McCrea?

Mr. McCREA. I was born in Long Island.

Senator EASTLAND. What year?

Mr. McCREA. 1915, May 15.

Senator EASTLAND. How long did you live in New York State?

Mr. McCREA. You mean my whole life?

Senator EASTLAND. Yes. Just trace where you lived.

Mr. McCREA. As I recall, I left New York during the First World War. My father was overseas. My mother moved to South Carolina when I was about three and then I lived in New York from 1934 to approximately—1935 to approximately the early part of 1937.

Senator EASTLAND. Proceed.

Mr. ARENS. Kindly give us a brief résumé of your education.

Mr. McCREA. I have had about 4 years of college. I went through 3½ years of college on an athletic scholarship; night school at another university, New York University.

Mr. ARENS. Did you attend St. John's College at Annapolis?

Mr. McCREA. I did.

Mr. ARENS. And over what period of time did you attend St. John's College?

Mr. McCREA. As I recall, it was 3½ years. I left the first part of 1935.

Mr. ARENS. And you entered an occupation in 1935 after you completed your education at St. John's?

Mr. McCREA. I did.

Mr. ARENS. What was your first employment?

Mr. McCREA. Well, I had been employed prior to that. I mean, I had lived on a farm up till that time and worked on a farm. I worked for my father who was an architect, and contractors, at different trades in New York; did clerical work. Times were pretty hard then and I had a number of jobs during that period.

Mr. ARENS. You are appearing today in response to a subpoena which was served upon you?

Mr. McCREA. That's correct.

Mr. ARENS. And you are represented by counsel?

Mr. McCREA. I am.

Mr. ARENS. And that is Mr. Rabinowitz?

Mr. McCREA. That's right.

Mr. ARENS. Now, in 1939, you became employed, did you not, by Turner, Day & Woolworth Handle Co. in Nashville; is that correct?

Mr. McCREA. That's correct.

Mr. ARENS. And did you, at that same time, have an affiliation with a local 203 of the International Woodworkers of America, CIO?

Mr. McCREA. At that time that union was not affiliated, as I recall, with any particular national union. It was a local industrial union affiliated directly with the CIO.

Mr. ARENS. What was your association or affiliation with the union?

Mr. McCREA. I was the chief shop steward and also secretary of that local.

Mr. ARENS. Were you also a member of the grievance committee?

Mr. McCREA. I was.

Mr. ARENS. And how long were you employed by Turner, Day & Woolworth?

Mr. McCREA. I can't be accurate on that. I would say up until about 1943.

Mr. ARENS. And then what was your next employment?

Mr. McCREA. My next employment in 1943 was for the Food, Tobacco, and Agricultural Workers. I think it was called the United Cannery—UCAPAWA, at that time.

Mr. ARENS. And did you have an affiliation as a labor organizer in South Carolina about that time?

Mr. McCREA. I was working as an organizer at that time, yes.

Mr. ARENS. For the United Cannery, Agricultural, Packing and Allied Workers of America?

Mr. McCREA. That's correct.

Mr. ARENS. Who was your immediate supervisor?

Mr. McCREA. Well, I was on the organizational staff and at that time Henderson was president of the national union.

Mr. ARENS. What is Henderson's full name?

Mr. McCREA. Donald Henderson.

Mr. ARENS. And what were your duties as labor organizer?

Mr. McCREA. I was assigned to the organization of the American Tobacco Cigar plant in Charleston, S. C., at that time.

Mr. ARENS. This Donald Henderson who was your immediate supervisor had what occupation?

Mr. McCREA. He was president of the national union at the time.

Mr. ARENS. Is he the same Donald Henderson who was just released from the penitentiary in Florida?

Mr. McCREA. I don't recall that he was released from the penitentiary. I understand, according to the latest issue of the Union Voice, that the workers were on strike down there and he and a number of strikers were jailed for a short length of time and the company finally petitioned to get them out in order to get better labor relations.

Mr. ARENS. Let us proceed chronologically with your employment, if you please. After you left the post as labor organizer for United Cannery, Agricultural, Packing and Allied Workers of America, what was your next assignment?

Mr. McCREA. I was aerial machine gunner in the Navy Air Corps.

Mr. ARENS. And over what period of time?

Mr. McCREA. From about August 1943 until some time in 1946, end of 1945.

Mr. ARENS. December 2, 1945, was it not?

Mr. McCREA. Yes, that's right.

Mr. ARENS. What was your next occupation?

Mr. McCREA. My next occupation was again for the union I was working with before I went in the service.

Mr. ARENS. That is United Cannery?

Mr. McCREA. When I went to work after the war, they were then known as the Food, Tobacco, Agriculture, and Allied Workers of America.

Mr. ARENS. And where were you headquartered?

Mr. McCREA. In Philadelphia.

Mr. ARENS. And what was your occupation then? What were your duties?

Mr. McCREA. I was assigned as an organizer for the union in Cambridge, Md., assigned to organize the Phillips Packing Co. there.

Mr. ARENS. All right, sir. And what was your next assignment?

Mr. McCREA. My next assignment was an organizer in Winston-Salem, a union. During that period I was also working—set up local 10 in the eastern part of South Carolina, in helping the CIO.

Mr. ARENS. Local 10 of what?

Mr. McCREA. Of the same union that I was working for.

Mr. ARENS. Just proceed to trace your employment from then on in.

Mr. McCREA. Then I was assigned back to Winston-Salem for a while and in 1948 I came to Memphis.

Mr. ARENS. In what capacity did you come to Memphis in 1948?

Mr. MCCREA. I was assigned to work with the staff of local 19.

Mr. ARENS. Does local 19 have any affiliation or connection with the union you were with previously?

Mr. MCCREA. You mean was it the same national union?

Mr. ARENS. Yes.

Mr. MCCREA. Yes, it was.

Mr. ARENS. Who did the assigning of you to Memphis?

Mr. MCCREA. Well, the local people here asked that someone be sent in to give them help and they asked the national office to do that, and the national office sent me in.

Senator EASTLAND. What local people requested that?

Mr. MCCREA. The membership of local 19.

Mr. ARENS. Whom did they ask to send you in?

Mr. MCCREA. They asked the national office of the union.

Mr. ARENS. What is the name of the union?

Mr. MCCREA. Food, Tobacco, Agricultural and Allied Workers of America.

Mr. ARENS. What are your duties in your present occupation?

Mr. MCCREA. Well, my duties consist of assisting the different units in the local and in negotiations and the handling of grievances. Primarily, that's my assignment.

Mr. ARENS. What is the total membership of local 19?

Mr. MCCREA. Well, it varies. It's a seasonal operation in most of the plants that we have and the membership varies. I'd say between about 1,050 or 1,100 to about 1,400.

Mr. ARENS. And how many people are embraced by the contracts which local 19 has?

Mr. MCCREA. Well, I'd say roughly, rough estimate, about 1,700.

Mr. ARENS. And what percentage of the membership of local 19 is made up of persons of the Negro race?

Mr. MCCREA. Well, I couldn't give you the exact percentage. I'd say that out of the total membership of our union approximately over 200 are white workers; the rest are Negro workers.

Mr. ARENS. Now, in what other vicinities in this general area are there locals of DPOWA?

Mr. MCCREA. Well, I can't give you necessarily an accurate picture of that, but I can tell you the ones I know about. There's a local in Nashville, there's a local in Hopkinsville, Ky.; Corinth, Miss.; Selma —

Senator EASTLAND. Is that Corinth?

Mr. MCCREA. Yes. Greenwood, Miss.; Jackson, Miss.; Selma and Montgomery, Ala.

Mr. ARENS. How about Vicksburg?

Mr. MCCREA. I don't know whether there's a local down there. It's combined as several towns. I don't know whether the local is actually there or one of the other towns.

Senator EASTLAND. What about the locals in the State of Arkansas?

Mr. MCCREA. Yes; there's one in Little Rock, Ark.

Senator EASTLAND. Are there any others in Arkansas?

Mr. MCCREA. No, not that I know of.

Mr. ARENS. Who is your immediate supervisor or your boss?

Mr. MCCREA. The membership of local 19.

Mr. ARENS. Did the membership elect you to this job as business agent?

Mr. McCREA. That's right.

Mr. ARENS. Did they elect you before you even got here?

Mr. McCREA. No.

Mr. ARENS. When was the last time Arthur Osman, president of DPOWA, was in town?

Mr. McCREA. Sometime in the spring of this year.

Mr. ARENS. Do you know Morris Doswell?

Mr. McCREA. Never heard of him.

Mr. ARENS. Are you married?

Mr. McCREA. I am.

Mr. ARENS. And what is your wife's name?

Mr. McCREA. You want her maiden name?

Mr. ARENS. The full name now.

Mr. McCREA. Beatrice McCrea.

Mr. ARENS. Is it Beatrice Douglas McCrea?

Mr. McCREA. That's right.

Mr. ARENS. And when were you married?

Mr. McCREA. In 1938.

Mr. ARENS. Where?

Mr. McCREA. In Kentucky.

Mr. ARENS. Who has custody of the membership records of local 19?

Mr. McCREA. I do.

Mr. ARENS. Do you have them in your possession?

Mr. McCREA. I do not.

Mr. ARENS. Where are they now?

Mr. McCREA. They're in the union office.

Mr. ARENS. If your wife a member of the Communist Party?

Mr. McCREA. I've been advised by my legal counsel that any questions along that line, that I have a legal right not to answer such questions of the grounds of the fifth amendment. I therefore refuse to answer the question.

Mr. ARENS. I put it to you as a fact and ask you to affirm or deny the fact that from 1939 to 1941 both you and your wife were members of the Communist Party in Nashville, Tenn.

Mr. McCREA. On the same grounds, I refuse to answer that question.

Senator EASTLAND. I would like to ask you this question: Are you now or have you ever been district organizer for the Tennessee district of the Communist Party?

Mr. McCREA. I give you the same answer on that. I refuse to answer that on the same grounds.

Senator EASTLAND. Now, are you now or have you ever been a member of the Communist Party?

Mr. McCREA. I also refuse to answer that question on the same grounds.

Senator EASTLAND. Is that the ground that you might incriminate yourself by answering?

Mr. McCREA. That's right, the fifth amendment.

(At this point, Mr. Paul Crouch entered the room.)

Senator EASTLAND. Do you know this gentleman?

Mr. McCREA. I refuse to answer that question on the same ground.

Senator EASTLAND. You will not answer whether you know this witness or not?

Mr. McCREA. That's right.

Senator EASTLAND. Do you solemnly swear the testimony you are about to give the Internal Security Subcommittee of the Judiciary Committee of the Senate of the United States will be the truth, the whole truth, and nothing but the truth, so help me God?

Mr. CROUCH. I do.

Senator EASTLAND. Sit down.

TESTIMONY OF PAUL CROUCH, IMMIGRATION AND NATURALIZATION SERVICE, DEPARTMENT OF JUSTICE

Mr. ARENS. Please identify yourself by name, residence, and occupation.

Mr. CROUCH. My name is Paul Crouch, C-r-o-u-c-h, now a resident of Washington, D. C.; employed by the Immigration and Naturalization Service of the Department of Justice.

Senator EASTLAND. You are now an employee of the United States Government?

Mr. CROUCH. That is correct.

Mr. ARENS. Mr. Crouch, have you ever been a member of the Communist Party?

Mr. CROUCH. Yes; I was a member for 17 years.

Mr. ARENS. Would you kindly give in résumé form your background and experience in the Communist Party?

Mr. CROUCH. I was a member of the Communist Party from 1925 until I became thoroughly disillusioned and broke with it in 1942. During those years I was in the Communist Party in many parts of the country and held many positions.

To mention only the major ones, I was on the national committee and secretariat of the Young Communist League as national educational director; editor of the Young Worker, official organ; a member of the editorial staff of the Daily Worker, organ of the Communist Party; in charge of the joint department of the Communist Party and Young Communist League who worked in the Armed Forces. I was a representative of the Communist Party to Moscow, to the Communist International and Young Communist International executive committee, to the World Conference of the Red International of Trade Unions in Moscow, and there I was made an honorary regimental commander of the Red Army, had been in meetings with staff officers and given various positions in connection with the military work. I was one of the organizers of the Gastonia strike in North Carolina, my home State, in 1929.

Later, I was organizer of the Communist Party in Virginia; an organizer of the Communist Party of the State of Utah. At the same time I was a State organizer for a Communist-controlled organization, the National Miners Union in Utah, and leader of the Carbon County strike out there.

I came to North Carolina in 1934 as district organizer for North and South Carolina, remaining until 1937. In 1938 until September 1939 I was editor of the magazine, New South, the organ of the Communist Party for the Southern States. After discontinuing publication, from September 1939 until April 1941, I was district organizer of the Communist Party for the State and district of Tennessee. In addition, I

was a delegate at national conventions of the Communist Party in 1929, '34, '36, '38, two conventions in 1940; served on the agricultural commission of the central committee, the trade-union commission of the central committee, the Negro commission of the central committee.

Mr. ARENS. All of the Communist Party?

Mr. CROUCH. All of the Communist Party.

Senator EASTLAND. Who succeeded you as district organizer for the Tennessee district of the Communist Party of the United States?

Mr. CROUCH. Edwin McCrea.

Senator EASTLAND. Where is he?

Mr. CROUCH. The man who is seated across the table, the second man from the end of the table.

Mr. ARENS. Do you positively identify the gentleman whom you have just pointed to, Edwin Kay McCrea, as a man who, to your knowledge, was a member of the Communist Party and was district organizer of the Communist Party in the State of Tennessee?

Mr. CROUCH. Yes; certainly.

Senator EASTLAND. What year did he succeed you?

Mr. CROUCH. He succeeded me in April 1941 as district organizer of the Communist Party at the time I left for California and I was advised by Mrs. Harry Koger that the district was discontinued as a separate district and made a part of the Alabama district when he entered the armed services during the war.

Mr. ARENS. Was he then a member of the Communist Party when he was in the Armed Forces?

Mr. CROUCH. Yes; according to Mrs. Koger.

Mr. ARENS. And what was the policy of the Communist Party with reference to the penetration of the Armed Forces by Communists?

Mr. CROUCH. The policy of the Communist Party has always been to send members into the Armed Forces to obtain as many positions, as high positions, as possible and during the war, when the United States and the Soviet Union were fighting on the same side against Germany their policy was to actually fight for the United States because the United States was fighting on the same side as the Soviet Union, so, to help the United States would help the Soviet Union over Hitler.

Mr. ARENS. You have broken with the Communist Party?

Mr. CROUCH. Yes.

Mr. ARENS. Since your break with the Communist Party, you have been in the service of your Government in undertaking to ferret out Communists and former Communists; is that correct?

Mr. CROUCH. In recent years; yes.

Mr. ARENS. And you are presently engaged in that work?

Mr. CROUCH. Yes.

Mr. ARENS. In the employ of the United States Government?

Mr. CROUCH. That's correct.

Senator EASTLAND. When did you first know Mr. Edwin McCrea there?

Mr. CROUCH. I corresponded with Mr. McCrea when I was editor of the New South regarding the circulation at Nashville, and the first time I possibly recall meeting him was in September of 1939 at Monteagle, Tenn., at the district committee of the Communist Party where Ted Wellman, the former organizer, formally resigned, and where I was formally elected by the State or district committee.

Senator EASTLAND. Do you know his wife?

Mr. CROUCH. Beatrice McCrea; yes. Yes, very well.

Senator EASTLAND. Is she a Communist?

Mr. CROUCH. She was a Communist during the period I knew her, and according to the information I have recently.

Senator EASTLAND. Do you know her home address?

Mr. CROUCH. Her home address? She was, I understand, a native of Nashville, Tenn. I met her family in Nashville. After leaving Tennessee, she and her husband, Mr. McCrea, were with the Food and Tobacco Workers Union at Winston-Salem, N. C., where Mrs. McCrea, I was informed, spoke over the radio as a Communist.

Senator EASTLAND. As a Communist?

Mr. CROUCH. She spoke over the radio as an official representative of the Food and Tobacco Workers Union, but the station manager told me that Mrs. McCrea told her that she was a member of the Communist Party.

Senator EASTLAND. Did you know this McCrea here intimately? Did you stay in the same home with him? Were you intimately associated with him?

Mr. CROUCH. Yes. Mr. McCrea, in addition to being one of our political associates, being one of the top leaders of the party, was one of my closest personal friends.

When my wife, Sylvia, and I were in Nashville, we stayed with Mr. and Mrs. McCrea. On many occasions they have stayed at our home in Knoxville, Tenn., when we lived at two addresses, on Baxter and at Oklahoma Avenue in Knoxville. We have gone out socially together in the evenings and I had few closer friends than Edwin McCrea while I was in the Communist Party.

Senator EASTLAND. And you state under oath that he is a member of the party, that is, that he was a member of the Communist Party and succeeded you as organizer for the Tennessee district?

Mr. CROUCH. He was a member and a leading official of the Communist Party during the period I mentioned and succeeded me in April 1941 as Tennessee district organizer of the Communist Party.

Senator EASTLAND. What were his duties as district organizer for the Communist Party of Tennessee?

Mr. CROUCH. His duties as district organizer of the Communist Party were to attend the meetings of the central committee of the Communist Party in New York, receive the line and the instructions, to give reports to the national officers of the party and keep them informed on all political, trade-union, and other matters connected with the party's activities, to visit the regional committees of the Communist Party, to preside over the State or district committee of the party, supervise collection of dues, and attend to the administrative routine of the party.

Senator EASTLAND. In fact, he was the district organizer, he was the head man, and he is head man in the party in the district in which he is the organizer?

Mr. CROUCH. That is correct. He also has the title of State Secretary, which is interchangeable with district organizer.

Senator EASTLAND. In fact, he is the boss of the Communist Party, is he not?

Mr. CROUCH. Subject to the bosses above him who in turn are subject to Moscow.

Senator EASTLAND. Yes.

Now, what is the attempt of the Communist Party to penetrate organized labor and control labor unions? What is their policy?

Mr. CROUCH. The policy of the Communist Party regarding labor has always been to infiltrate existing unions, A. F. of L. or CIO, where possible and where necessary, and where this was not the most practical, to form new unions with Communist officials to use those unions as recruiting grounds for the Communist Party, to engage those unions in such struggles with the Government in conflict with authorities as would weaken what we call the class consciousness of the members and the workers make them more ready to join the Communist Party, and, above all, the policy was to be in such a key position in the trade-unions that during the war between the Communist and the capitalist world——

Senator EASTLAND. That is between the United States——

Mr. CROUCH. And the Soviet Union and other Communist countries, that the trade-unions would be able to go under Communist control, to go on strikes, to sabotage production of war materials, and to make it impossible for the United States to be victorious against the Soviet Union.

Senator EASTLAND. In other words, a person that knew and realized what the Communists were up to is a traitor, is he not? He is a traitor to his country, is he not?

Mr. CROUCH. I would say that he really always has been but today no intelligent person could help knowing the fact.

Senator EASTLAND. The idea, then, in the penetration and control of labor unions from your information, from your knowledge, as a Communist leader, was not to promote the living standards of the workman, but rather to promote communism, was it not?

Mr. CROUCH. Yes. In connection with the living standards, we would sometimes try to win improvements in a union that was under our control so that the Communist leaders would get credit and increase their ability to recruit new members. The most striking example of this is in the spring of 1941 we were trying to promote strikes wherever possible whether it improved conditions or did not improve conditions especially in defense industries, up to June 22. Immediately after June 22, 1941, after the German invasion, our policy was to prevent strikes everywhere, especially in defense industries, because that would slow down the production of guns that would be used against Hitler.

Senator EASTLAND. And to promote the Soviet Union.

Now, would you say that McCrea, there, that a union that he belonged to, was a bona fide labor union, or would you say that it was being used to promote a Communist organization designed to overthrow the American Government by force and violence?

Mr. CROUCH. Senator, I happen to be particularly well acquainted with the trade-union of which he has been an official for a number of years, and I know that that union, formerly the UCAPAWA, later the Food and Tobacco Workers Union, and now the Distributive, Processing and Office Workers, is an organization in which I have never known anyone to be on the payroll who was not a member of the Communist Party and which probably is one of the most tightly controlled organizations in the United States by the Communist Party,

treated by them and existing for the purpose of strengthening the Communist movement.

Senator EASTLAND. In other words, McCrea's union is not a bona fide labor union but a Communist organization; is that right?

Mr. CROUCH. It is not a bona fide union in the sense that labor unions are organizations that are always out to represent the interests of the members of their union.

The interest of the union created by Don Henderson under the direction of the central committee of the Communist Party, and known by various names, has been to strengthen the hold of the Communist Party over workers in the Food, Tobacco, Canning, and other industries where organized.

Senator EASTLAND. In 1940, did you come to Memphis?

Mr. CROUCH. I did.

Senator EASTLAND. Why did you come to Memphis and tell me who came with you?

Mr. CROUCH. I came to Memphis because I had just had discussions in New York with Fred Brown, alias Alpi, J. Peters.—

Senator EASTLAND. J. Peters was the Communist boss of this country who was over Earl Browder, was he not?

Mr. CROUCH. On underground matters, things of that kind; yes.

Senator EASTLAND. In fact, he was a Soviet military agent?

Mr. CROUCH. Yes, an intelligence agent. He was in charge of all the intelligence work in this country for the international Communist movement.

Senator EASTLAND. A direct representative of the Communist International in Moscow?

Mr. CROUCH. Yes.

Senator EASTLAND. On their payroll?

Mr. CROUCH. Yes.

Senator EASTLAND. On the payroll of the Russian military secret service.

Mr. CROUCH. That is correct. He represented them in this country.

Senator EASTLAND. You conferred with him?

Mr. CROUCH. And with Jack Stachel and William Weiner.

Senator EASTLAND. Jack Stachel was one of the eleven Communists, who was convicted, was he not?

Mr. CROUCH. Yes, a native of Rumania; and another alien party leader, William Weiner, alias A. Blake, alias few other names, an alien of Poland. We had long discussions of Memphis, and I was directed by them to take steps to organize the party here. First I suggested that a full time organizer be sent here.

Senator EASTLAND. That is the Communist Party in Memphis? You were requested to take steps to organize the Communist Party in Memphis in 1940?

Mr. CROUCH. Yes. There had been a previous Communist Party organization in Memphis in the midthirties.

Senator EASTLAND. In fact, there was a man named Spradling in charge of the organization?

Mr. CROUCH. Yes.

Senator EASTLAND. And the police ran him out of town?

Mr. CROUCH. He was arrested. The party disintegrated and Peters and Brown said the same thing would happen again if we were to send another full time organizer again, that is, that the method should

be to come into Memphis to organize a branch of residents here based on the contacts that they had, and I was given the contacts that Spradling had, the members of the International Workers Order—several from Memphis belonged to that—subscribers to foreign language Communist papers, and all other contacts.

Senator EASTLAND. Those orders came from a high man in the Russian military secret police, did they not?

Mr. CROUCH. Yes, together with the other alien leaders of the party I mentioned.

Senator EASTLAND. Whom did you bring with you to Memphis?

Mr. CROUCH. I brought Edwin McCrea, the regional organizer for Nashville, Tenn.

Senator EASTLAND. (points to Mr. McCrea). Is that the man?

Mr. CROUCH. Yes.

Senator EASTLAND. Where did you stay in Memphis?

Mr. CROUCH. I didn't stay in the city of Memphis; I stayed in West Memphis across the Mississippi River, and Mr. McCrea stayed at a hotel in Memphis.

Senator EASTLAND. Why did you stay in West Memphis and Mr. McCrea in Memphis?

Mr. CROUCH. Because I was well known as an organizer of the Communist Party and to carry through this plan secrecy was absolutely essential. It was necessary that the authorities should not know any Communist organization was going on. McCrea visited the contacts on this list—

Senator EASTLAND. He was unknown in Memphis to the police?

Mr. CROUCH. Yes.

Senator EASTLAND. Go ahead.

Mr. CROUCH. And conferred with me in West Memphis and, as a result of the visits by Mr. McCrea, a branch of the Communist Party was organized headed by a Harry Koger, who later became the Texas State organizer of the Food and Tobacco Workers Union, and his daughter, Mary Lou Koger, was, about 1946, the Tennessee organizer of the Food and Tobacco Workers Union, and according to her mother, Mary Lou was in charge of Communist activities in the State, also subject to the Alabama district of which this was a part.

Senator EASTLAND. Would you know his wife if you were to see her?

Mr. CROUCH. I'm sure I would. I saw her in April in 1940, 1941. Ten years have passed.

Senator EASTLAND. Would you recognize her in the room if she is here? I do not know whether she is here or not.

Mr. CROUCH. (looking about room). I don't see her, offhand.

Senator EASTLAND. Mr. McCrea, you heard the testimony now. You have declined to answer whether or not you were the district organizer for Tennessee of the Communist Party on the ground that it might incriminate you.

You refused to testify whether you have ever been a Communist on the ground that it might incriminate you. I would like to ask you if you desire to comment on his testimony. If he has not told the truth, I want you to point out in which particular he has not told the truth.

Mr. McCREA. There's a lot that I could comment on this type of testimony, but because of the nature of this hearing and the questions

involved in relation to my union, because of my legal rights under the Constitution——

Senator EASTLAND. What is that right, now? I want your ground on which you decline to testify. I want you to put it in the record. Is it because it might tend to incriminate you?

Mr. McCREA. If you let me finish it, I'll answer.

Senator EASTLAND. All right, sir, excuse me.

Mr. McCREA. So I decline to answer the question in this type of a hearing which, in my opinion, is obviously designed——

Senator EASTLAND. I am not interested in your opinion now.

Mr. McCREA. You got everybody else's opinion.

Senator EASTLAND. That is beside the point. If you desire to point out where this man has not told the truth in any particular, I will let you do so.

If you desire to answer a——

Mr. McCREA. I think that's a good commentary on the type of hearing this is. You want everybody else's opinion, but you don't want mine.

Senator EASTLAND. You have heard the testimony. If he has not told the truth, I am giving you an opportunity to point out the particular in which he has not told the truth.

Mr. McCREA. Under the circumstances, which you make very clear, I decline to answer the question.

Senator EASTLAND. All right, sir; that is what I know.

Take him out, please. He is still under the subpena.

TESTIMONY OF SIMON KASET, MEMPHIS, TENN.—Resumed

Senator EASTLAND. You have been sworn.

Mr. KASET. I have, sir.

Senator EASTLAND. Proceed, Mr. Arens.

Mr. ARENS. Mr. Kaset, please identify yourself by name, residence, and occupation.

Mr. KASET. My name, sir, is Simon Kaset; occupation, attorney and merchant; residing at 991 Terry Circle.

Mr. ARENS. Are you now or have you ever been a member——

Senator EASTLAND. Wait a minute, now. What firm are you with? Get his background.

Mr. KASET. I am the owner of an appliance company, sir.

Mr. ARENS. What is the name of it?

Mr. KASET. It's K. & S.

Senator EASTLAND. K. & S. Appliance Co.?

Mr. KASET. That's right.

Senator EASTLAND. Where is it located?

Mr. KASET. McLemore and Bellevue.

Senator EASTLAND. When did you live in Chattanooga, Tenn.?

Mr. KASET. I lived in Chattanooga, Tenn., from date of birth, 1912, until approximately 7 years ago.

Senator EASTLAND. Then you came to Memphis?

Mr. KASET. That's right.

Senator EASTLAND. All right, proceed now.

Mr. ARENS. Mr. Kaset, were you ever a member of the Tennessee district committee of the Communist Party?

Mr. KASET. I refuse to answer that, sir, on the constitutional grounds of the fifth amendment of the Constitution, that it might tend to embarrass or incriminate me.

Senator EASTLAND. It does not embarrass you, then, by refusing to answer, to brand yourself as a traitor to your country? That does not embarrass you to so brand yourself publicly; is that right?

Mr. KASET. I stand on constitutional grounds, sir, and that is the provision of the Constitution for the benefit of the citizens.

Senator EASTLAND. Are you now a member of the Communist Party?

Mr. KASET. I have to refuse to answer that, sir, on the same grounds.

Senator EASTLAND. Have you ever been a member of the Communist Party?

Mr. KASET. I have to answer that, sir, also, on the same grounds.

Senator EASTLAND. Is that the ground that it might incriminate you; is that right?

Mr. KASET. Might tend to incriminate and embarrass me; yes, sir.

Senator EASTLAND. Mr. Crouch, do you know this man?

Mr. CROUCH. I knew Mr. Kaset—

Senator EASTLAND. Do you know this man?

Mr. KASET. I refuse to answer that on the same basis, on the same grounds.

Senator EASTLAND. You swore in executive session that you did not know him, did you?

Mr. KASET. I stated in executive session, sir, that I did not recognize the gentleman.

Senator EASTLAND. That you did not recognize him. You recognize him now, do you not?

Mr. KASET. I refuse to answer because it might tend to incriminate or embarrass me.

Senator EASTLAND. In other words, you committed perjury before this committee when you said that you did not recognize him. Is that the reason it might incriminate, because you perjured yourself?

Mr. KASET. No, sir; I don't think I perjured myself.

Senator EASTLAND. Mr. Crouch, do you know this man?

Mr. CROUCH. I knew Mr. Simon Kaset well from September 1939 until April 1941.

Senator EASTLAND. Where did you know him and what was he then?

Mr. CROUCH. I knew him at Chattanooga, Tenn. He was then, throughout that period, he was a member of the district committee of the Communist Party of Tennessee, and about 1940 after Chattanooga was organized for the Communist Party, Charles Brown, generally known as Red Brown, left the State. He succeeded Mr. Brown as Chattanooga regional organizer of the Communist Party and remained in that position until I left the State in April of '41.

Senator EASTLAND. Was he a Communist Party member then?

Mr. CROUCH. Yes; he was certainly a member of the Communist Party.

Senator EASTLAND. Now, Mr. Kaset, you have heard the testimony. I want you to point out, and I am giving you this opportunity to point out in what particular this gentleman has not spoken the truth about you.

Mr. KASET. I refuse to answer, sir, on the grounds of the constitutional right, it might tend to incriminate or embarrass me.

Senator EASTLAND. But you do not deny that what he says is true; is that right?

Mr. KASET. I state the same objection, sir, on the constitutional grounds.

Mr. ARENS. Mr. Kaset, what organizations have you been a member of?

Mr. KASET. I don't recall every organization I have been a member of, sir. I have been a member of some organizations. During the last campaign I didn't see fit to support either Truman or Dewey and I voted for Henry Wallace.

Mr. ARENS. Were you a member of the Progressive Party organization?

Mr. KASET. As such, I don't know. I don't know how you interpret it. It was a very loosely organized thing here in Memphis, and I was called for legal interpretations from time to time.

Mr. ARENS. Do you know Wash O'Bannon?

Mr. KASET. I did, sir.

Mr. ARENS. What was your association with Wash O'Bannon?

Mr. KASET. He was employed as a salesman, made application as one of our salesmen, and was employed for a short period of time, was not capable of selling as a salesman, and was later dismissed.

Mr. ARENS. Do you know Edwin Kay McCrea?

Mr. KASET. I do, sir.

Mr. ARENS. He got the job for Wash O'Bannon down there at your places?

Mr. KASET. I refuse to answer that.

Mr. ARENS. Why?

Mr. KASET. On the constitutional grounds it might tend to incriminate me.

Mr. ARENS. What has been your association with Edwin McCrea?

Mr. KASET. My association has been very good, naturally, because he's purchased many commodities from me and he has consulted me on many questions of legal interpretation.

Mr. ARENS. Is Edwin McCrea a Communist?

Mr. KASET. I refuse to answer that, sir, on the same grounds.

Mr. ARENS. You feel your testimony as to whether or not Edwin McCrea is a Communist might cause a criminal prosecution of you?

Mr. KASET. I refuse to answer that question, sir, based on the chance that it might tend to incriminate or embarrass me.

Mr. ARENS. Were you a member of the Communist Party prior to the enactment of the Smith Act in 1940?

Mr. KASET. I refuse to answer for the foregoing reasons given.

Mr. ARENS. I respectfully suggest to the chairman that the witness be ordered and directed to answer the question.

Senator EASTLAND. Yes, I order the witness to answer that.

Mr. KASET. What was that?

Mr. ARENS. Whether or not you were a member of the Communist Party prior to the enactment of the Smith Act in 1940.

Mr. KASET. I still feel, sir, that I have a right to allow in the fifth amendment of the Constitution—

Senator EASTLAND. You certainly do not because at that time it was not a crime and you can refuse to answer at your peril. At that time membership in the Communist Party was not a crime.

Mr. KASET. What year was that?

Mr. ARENS. 1940.

Mr. KASET. I couldn't answer that, sir, because it's on the same basis of the fifth amendment there, I feel.

Senator EASTLAND. The fifth amendment applies to a commission of a crime. If you shoot somebody or if you rob somebody you could not be forced to give evidence against yourself.

Mr. KASET. But this might tend to embarrass me, sir, and leave incriminating evidence.

Senator EASTLAND. It is not incriminating evidence because, in 1940, it was not a crime to belong to the Communist Party. Therefore the privilege does not apply, and I order you to answer the question.

Mr. KASET. I don't recall. I don't recall, sir.

Mr. ARENS. Were you a member of the Communist Party in 1941?

Mr. KASET. I have to answer that on the same constitutional grounds.

Senator EASTLAND. What about 1939?

Mr. KASET. I don't recall.

Mr. ARENS. I put it to you as a fact—

Senator EASTLAND. I want you to realize that if the proof to a jury shows that you were a member, then you have committed perjury here. I want you to think about that when you say you do not remember in 1939 and 1940. Do you still say you do not remember?

Mr. KASET. I insist on using the constitutional grounds—

Senator EASTLAND. I order you to answer the question, though. The privilege does not apply there.

Mr. KASET. If the order does not apply to that particular year, then of course I just don't recall it.

Senator EASTLAND. All right.

Mr. ARENS. I put it to you as a fact and ask you to affirm or deny the fact from 1939 to 1941 you were a member of the Tennessee district committee of the Communist Party.

Senator EASTLAND. That is 1939. Take it up year by year.

Mr. ARENS. I put it to you as a fact and ask you to affirm or deny the fact that in 1939 you were a member of the Tennessee District of the Communist Party.

Mr. KASET. I have to use my constitutional grounds again, sir.

Mr. ARENS. I respectfully suggest the witness be ordered and directed to answer the question. That is before the passage of the Smith Act.

Senator EASTLAND. Yes.

Mr. KASET. I was not, sir.

Mr. ARENS. I put it to you as a fact that in 1940 you were a member of the Tennessee district committee of the Communist Party.

Mr. KASET. I want to use the constitutional rights again, sir.

Senator EASTLAND. That was before the passage of the Smith Act, and I order you to answer the question.

Mr. KASET. When was the Smith Act passed, Senator?

Senator EASTLAND. 1941.

Mr. KASET. I don't recollect, sir.

Senator EASTLAND. You remember 1939.

Mr. KASET. I didn't remember that either, sir.

Senator EASTLAND. You swore you did.

Mr. KASET. I swore, sir, that I just didn't remember at that time.

Senator EASTLAND. You just said you were not. You want to change that now?

Mr. KASET. Yes, sir; I would like to rectify that.

Senator EASTLAND. I am not going to let you change it.

Mr. KASET. I just don't recall.

Mr. ARENS. Have you ever broken with the Communist Party?

Mr. KASET. I refuse to testify, sir, on the same statement, constitutional rights.

Senator EASTLAND. That will be all. Release him from subpena.

Mr. Crouch, do you know the membership of the Communist committee in Tennessee?

Mr. CROUCH. I knew the membership of the Communist district committee in 1939, '40, and '41.

Senator EASTLAND. Who was on that committee?

Mr. CROUCH. The members of the district committee from September 1939 on—the membership in September of 1939 was Charles Brown, generally known as Red Brown—

Senator EASTLAND. Where did he live?

Mr. CROUCH. Chattanooga, Tenn. Simon Kaset—

Senator EASTLAND. That is the man who just testified?

Mr. CROUCH. (nods head affirmatively). Who lived in Chattanooga, Tenn.; Edwin McCrea, Nashville, Tenn.; his wife, Beatrice McCrea, Nashville, Tenn.

Senator EASTLAND. McCrea is the man who just testified?

Mr. CROUCH. Yes. Mr. David Robinson, a professor at Fisk University, Nashville, Tenn.; Addison T. Cutler, a professor at Fisk University, Nashville, Tenn.; Esther Cooper, a student at Fisk University in Nashville; Francis Martin of Knoxville, Tenn.; my wife, Sylvia Crouch and myself, and a lady at Monteagle, Tenn., whose first name was Elizabeth, whose last name I cannot at the moment recall, who lived about a half mile from the Highlander Folk School; later Sam Reece became a member of Knoxville, Tenn., became a member of the district committee of the party.

Senator EASTLAND. The testimony is of the local union here of DPOWA that 95 percent of the membership are Negroes.

I would like you to testify what the policy of the Communist Party is toward Negroes and organization of Negroes.

Mr. CROUCH. The Communist Party, since the early thirties has made a very heavy—or since 1929, in fact, has made a heavy concentration in its effort to recruit Negroes into the Communist Party on the grounds that they could be made the most revolutionary in the South. The Communist Party advocated demands not only for social equality, and so on, but for self-determination for the Black Belt, that in all counties in the South where the Negroes constitute the majority of the population they should secede from the United States and form a separate Negro republic.

By advancing this, the Communist Party was motivated by the belief they could rally large numbers of Negroes behind this slogan and bring about civil war in the United States, especially in a time of world war between United States and the Soviet Union and further the defeat of this country. In this effort they have not been very successful and the overwhelming majority of the Negroes, both North and South, have refused to swallow the Communist bait.

I know that in Tennessee, for example, in 1941, the total membership of Negroes in the Communist Party was only about two dozen throughout the entire State, which shows the small success that they have had, but they have not given up this effort, and at the present time the Daily Worker and the Communist publications are continually hammering on this effort to try to bring about race strife to divide the American people and further the interests of the Soviet Union.

Senator EASTLAND. Mr. Crouch, the real point behind my question was this: the Communist Party, does it not, concentrates on organizing industries where the employees are predominantly black, so that they can use the Negro people for that purpose; is that true?

Mr. CROUCH. Yes; that is true.

Senator EASTLAND. And that is the reason they have concentrated on an organization in the city of Memphis where the membership of that union is 90 to 95 percent black, so that they can use them?

Mr. CROUCH. Yes. They feel that it is impossible to go out and ask these Negroes to join the Communist Party, but they will join an organization calling itself a trade-union, and in this country they will be able to propagandize them to give the Communist Party line long enough so they can recruit substantial numbers for the party and, at any rate, they would be able to involve them in clashes with the Government when the situation warrants.

Senator EASTLAND. We will have a 5 minute recess. I have a party I would like to talk to on the outside. (Brief recess.)

Senator EASTLAND. We have come to order.

TESTIMONY OF LEE N. LASHLEY, PRESIDENT, LOCAL 19, DISTRIBUTIVE, PROCESSING, AND OFFICE WORKERS OF AMERICA, MEMPHIS, TENN.—Resumed

Senator EASTLAND. Lashley, you were under oath and testified yesterday. That is true, is it not?

Mr. LASHLEY. Yes.

Senator EASTLAND. Now, you testified yesterday with Mr. Rabinowitz, your New York lawyer, and when you were asked whether you had ever been a member of the Communist Party you refused to answer on the ground that your testimony might tend to incriminate you. First, you testified that you are president of the local DPOWA union. That is true, is it not?

Mr. LASHLEY. Yes.

Senator EASTLAND. That is local 19?

Mr. LASHLEY. Yes.

Senator EASTLAND. Now, upon reflection, I want to ask you now whether or not you are now or ever have been a member of the Communist Party, and if so, on what conditions and I want you to make just a clean breast and tell the truth.

Mr. LASHLEY. You asked whether I am now or ever was?

Senator EASTLAND. You are not a member, are you?

Mr. LASHLEY. I am not now a member of the Communist Party.

Senator EASTLAND. Were you ever a member of the Communist Party?

Mr. LASHLEY. Well, I did join the Communist Party at one time.

Senator EASTLAND. About when was that?

MR. LASHLEY. Well, I don't know the exact date and year, but it's back some time in '40; it is since '40, because I joined the union some time in '40.

SENATOR EASTLAND. You paid dues to the Communist Party?

MR. LASHLEY. I'm not definitely sure whether I paid it any dues or not. I might have.

SENATOR EASTLAND. Lashley, I am going to say this for you: that I realize that you don't know what communism is. I realize that you don't know anything about it. I realize that you were being used by unscrupulous people who desired to set up a communist organization in the city of Memphis. Now, I can readily see where you would be deceived and misled into an organization and, frankly, I do not think, from my knowledge of you and your testimony—you have been very cooperative—that you are to be severely condemned. I believe that you were simply misled and used by designing people who wanted to destroy your country and I think it is commendable that you come here and tell the committee the truth.

I think if you are not under the influence of these Communists in Memphis, you will, at all times, try to do the right thing.

I want to ask you this question:

I understand from Washington that telegrams from Communist headquarters are being sent to the Chairman of this committee, Senator McCarran, saying that I am abusing and browbeating witnesses in Memphis. Now, I talked to you privately. You are the only one that I have talked to out of this room. I want to ask you if I have mistreated you or browbeat you in any way.

MR. LASHLEY. You talked to me just like you are talking to me now.

SENATOR EASTLAND. Just like I am talking to you now, just told you to tell the truth and that you would be better off.

MR. LASHLEY. That's right.

SENATOR EASTLAND. Did anybody browbeat you?

MR. LASHLEY. No, sir.

SENATOR EASTLAND. Did anybody threaten you or mistreat you in any way?

MR. LASHLEY. No, sir; I haven't been threatened.

SENATOR EASTLAND. In fact, you were told that if you would tell the truth you would not get in any trouble about it, were you not?

MR. LASHLEY. Yes, sir.

SENATOR EASTLAND. And you told us the truth with those assurances. That will be all, then, and we thank you. I think somebody is going to lead you. I think you got in bad hands and I do not want you to be too severely condemned. You make any statement you want to make.

MR. LASHLEY. Well, I want to say this: Nobody that around have asked me, you know, in my position—I don't want to impersonate since Mr. McCrea—since I be there—he hasn't asked me was I Communist and I haven't asked him. I want to say that here. It is something that seems to be touchy and nobody when it was talked about these slanders were going on and when he spoke he says, "Well, there is nothing to that; nobody going trying to overthrow the Government."

SENATOR EASTLAND. Mr. McCrea said that?

MR. LASHLEY. That's all he said. That's what he said.

SENATOR EASTLAND. I forgot to ask you: Why did you quit the Communist Party? Give us the facts on quitting.

Mr. LASHLEY. I definitely seen the thing blowing up. I had seen those words in the paper, but I didn't pay no attention to them. It didn't concern me, so I just decided to find out a little something about it. Then I found out that it was something that you wanted to keep secret and I just, like I said—if there is anything that I got to keep secret I don't want to fool with it.

Senator EASTLAND. Did not one of the Communists tell you not to admit it, that the police might jump on you?

Mr. LASHLEY. Yes, sir.

Senator EASTLAND. Did you know Red Davis?

Mr. LASHLEY. Yes; I know him.

Senator EASTLAND. Was he a Communist?

Mr. LASHLEY. I don't know personally. He was the only man that admitted that he was.

Senator EASTLAND. That he was a Communist?

Mr. LASHLEY. Yes, sir.

Senator EASTLAND. Do you desire to say anything else?

Mr. LASHLEY. No, sir; that is all I have.

Senator EASTLAND. I thank you. You are released from the subpoena.

Senator EASTLAND. Mr. Crouch, I have a few more questions I would like to ask you.

TESTIMONY OF PAUL CROUCH, IMMIGRATION AND NATURALIZATION SERVICE, DEPARTMENT OF JUSTICE—Resumed

Senator EASTLAND. What are the members of the district committee of Tennessee of the Communist Party doing at the present time?

Mr. CROUCH. There was one member whose name I had forgotten when you asked me before about the members. That's Mildred White, generally known as Millie, who is now in Washington, D. C., working in the United Electrical Workers Union office and is said to be married to a well known Communist, Travis Hedrick, of the Federated Press.

Senator EASTLAND. The Federated Press, of course, is a Communist service.

Mr. CROUCH. Yes, sir.

Senator EASTLAND. That electrical union was kicked out of the CIO because it was a Communist organization?

Mr. CROUCH. Yes.

Senator EASTLAND. All right, proceed.

Mr. CROUCH. Sam Reece, of Knoxville was—the last I heard of him—found to have been employed, to have passed security tests at Oak Ridge, Tenn., about a year ago. I don't know where he is since his true identity was discovered.

Senator EASTLAND. He passed the security test and was working at the Atomic Energy plant at Oak Ridge?

Mr. CROUCH. That is correct.

Senator EASTLAND. Making atomic—

Mr. CROUCH. Bombs, yes. I don't know what his job was.

Senator EASTLAND. He was a Communist there?

Mr. CROUCH. Yes, a member of the district committee. Esther Cooper is now Mrs. James E. Jackson, Jr., wife of the central committee representative for the entire South, under indictment of the

Smith Act and a fugitive from the FBI and Government agencies at the present time, that is, her husband. I believe she is in New York.

Francis Martin is living in New York City and says that he is out of the Communist Party.

Charles Brown left the State and went to New York and I don't know what has happened to him since that time.

Sylvia Crouch, my wife, is in Washington, D. C., and has testified before a number of congressional committees.

Mr. ARENS. She has broken with the party?

Mr. CROUCH. She has broken with the party, broke at the same time I did in 1942.

There was a question as to Davis. He was not a member of the Tennessee committee at the time. I knew Bill Davis in 1936-37, an active member of the Communist Party from Asheville, N. C., who was then a student at the University of North Carolina closely associated with two Communist professors, Dr. Eric Erickson, professor of English, and a member of the Communist Party district committee, and a Prof. Arnold Williams, a member of the North Carolina district committee of the Communist Party.

Elizabeth of Monteagle is the wife of a farmer, and I don't know what has happened to her since I left the State. Edwin and Bea McCrea, as already mentioned, are here with this union.

Mr. ARENS. Did you serve with Kaset in the party in 1939?

Senator EASTLAND. I want you to qualify that.

Did you hear Mr. Kaset's testimony that, first, in 1939 he was not a member of the Communist Party, and later he said that he did not recall or did not remember whether he was a member of the Communist Party or not? Did you hear that testimony?

Mr. CROUCH. I heard that testimony.

Mr. ARENS. Did you know Mr. Kaset in the Communist movement in 1939?

Mr. CROUCH. I knew Mr. Kaset in the Communist movement in 1939. I attended a meeting in September of 1939 of the district committee of the Communist Party near Monteagle, Tenn., held in the back yard of the home of this Elizabeth, whom I mentioned. Present at that meeting were: Ted Wellman, Edwin and Bea McCrea, Kaset, myself, Francis Martin, Dr. David Robinson. Those were the people that I specifically recall being at that meeting. Also during the following months—it was between September and the end of 1939—I was present at several unit meetings of the Communist Party in Chattanooga held in the apartment of Red Brown or Charles Brown, at which Charles Brown and his wife, Simon Kaset, and several other members—the only one I recall by name at this moment at the unit meeting was a Mr. Gore, then telegraph editor of the Chattanooga Times, who was an under-cover member of the Communist Party and left the State about the end of 1939 or early 1940. He was present at several of these unit meetings. Also Mr. Kaset attended district committee meetings during the fall of 1939 in addition to the one I mentioned held at the apartment of Mr. and Mrs. Brown in Chattanooga, one or more held at the home of Francis Martin in Knoxville, Tenn., and one or more meetings held at Nashville, Tenn., all in 1939.

Senator EASTLAND. Are there any further questions, Mr. Arens?

Mr. ARENS. No, sir.

Senator EASTLAND. We thank you, sir.

The committee is going into executive session now.

(Whereupon, at 12:10 p. m., a recess was taken until 2 p. m., this same day.)

AFTERNOON SESSION

Senator EASTLAND. We will have order now.

Proceed, Mr. Arens.

TESTIMONY OF EDWIN KAY McCREA, BUSINESS AGENT, LOCAL 19, DISTRIBUTIVE, PROCESSING, AND OFFICE WORKERS OF AMERICA, MEMPHIS, TENN., ACCOMPANIED BY VICTOR RABINOWITZ, ATTORNEY AT LAW, NEW YORK, N. Y.—Resumed

Mr. ARENS. Mr. McCrea, I lay before you certain documents and ask you if you will look at them, go through them, and identify them.

Mr. McCREA. I'd like to ask my lawyer for some legal advice. Since these were seized out of the office over our protest, they are not voluntarily presented here.

Senator EASTLAND. They were seized at your office by committee investigators and deputy United States marshals under subpoena. Is that what you meant?

Mr. McCREA. I was subpoenaed to appear with them here at 2 o'clock, but they were seized prior to 2 o'clock.

Senator EASTLAND. I know; you had been subpoenaed to bring them before that.

Mr. RABINOWITZ. He was not subpoenaed to bring them before that. No subpoena duces tecum was ever served upon them.

Senator EASTLAND. The president of the union was.

Mr. RABINOWITZ. I might say this was a thoroughly outrageous interference—

Senator EASTLAND. Throw that damn scum out of here. Get rid of him.

(At this point, Mr. Rabinowitz was ushered out of the hearing room.)

Mr. ARENS. Mr. McCrea, will you please identify these documents, if you are able to do so, which are presently before you?

Mr. McCREA. Well, I still say that I would like to have some legal advice on this question. All membership lists are the property of the membership, and although I have access to them and could be allowed by the membership to produce them, the membership has never taken such action.

Mr. ARENS. Look at these documents and see if you can identify them. Look at them.

Mr. McCREA. Frankly, I don't know what my legal rights are in this matter since I am asked to identify documents which, I have been advised by the opinion of the lawyer, were illegally seized.

Mr. ARENS. Can you read?

Mr. McCREA. I certainly can read.

Mr. ARENS. Then, will you read, please, the first piece of paper there and look at it?

Mr. McCREA. I think everybody can read that is sitting around this table here. The substance of what that says is that the list of employees on check-off at D. Canale—

Senator EASTLAND. Find out what that list is. Qualify it.

Mr. ARENS. Can you identify that first list?

Senator EASTLAND. Was it in the office of the union?

Mr. McCREA. I am answering those questions under protest.

Senator EASTLAND. I understand, but that was in the office of the union when it was seized?

Mr. McCREA. That's right.

Senator EASTLAND. That is the list of the members of your union who are employed by D. Canale & Co., is it not?

Mr. McCREA. That's correct.

Senator EASTLAND. Yes, sir. Go ahead and qualify all of them, Mr. Arens.

Mr. ARENS. Now, would you look at the next series of documents which I lay before you, entitled "The Buckeye Cotton Oil Co.," and identify that next series of documents, if you please?

Mr. McCREA. You mean the series on Buckeye?

Mr. ARENS. Yes.

Mr. McCREA. Those two pages are.

Mr. ARENS. Are what?

Mr. McCREA. Hollywood Buckeye.

Mr. ARENS. What is on the documents?

Mr. McCREA. A list of names.

Mr. ARENS. Of whom?

Mr. McCREA. Of union members on check-off at the plant.

Mr. ARENS. Of the Buckeye Cotton Oil Co.?

Mr. McCREA. That is right.

Senator EASTLAND. The Hollywood plant.

Mr. ARENS. Your Hollywood Memphis, Tenn. plant; is that correct?

Mr. McCREA. That's right.

Mr. ARENS. And these are lists from the local headquarters of Local 19, DPO?

Mr. McCREA. Those are check-off lists sent to us each week with the amount of dues corresponding to the numbers.

Mr. ARENS. And this list here of the second series of documents, which we will take in order, if the Senator please, for reference, identifies the names of persons who have paid dues to DPOWA at the Buckeye Cotton Oil Co. plant; is that correct?

Mr. McCREA. That's correct.

Mr. ARENS. I lay before you the next document in the series on a letterhead entitled, "Federal Compress and Warehouse Co.," and ask you to identify that document.

Mr. McCREA. Senator, I'd like to protest this and I would like to state why.

Senator EASTLAND. You can state your reasons, yes, sir.

Mr. McCREA. It's always been my opinion as a labor organizer that the membership lists of a union are the property of the members as a whole and that no single individual has the authority to identify union members without the say-so of the membership.

Now, I'd be glad to go through this and identify every one of these. There is not anything that can't be identified here by what's on the paper.

Senator EASTLAND. Do you have anything else to say?

Mr. McCREA. Well, working people's organizations in a trade-union movement for years have been protected from blacklists and any kind

of employer investigation, and so on, for the point of protecting the membership. I don't believe that there is any self-respecting trade-union in this country would want to submit to this kind of thing.

Senator EASTLAND. Mr. McCrea, there is no statute that makes those lists confidential. They can certainly be reached or subpoenaed by a duly constituted authority. The Senate of the United States has the power to get those lists, which we have done.

It is for our own information and not for the information of any competitive union or any employer. We have availed ourselves under the powers that we have to get those lists. Now, you are here under subpoena and we got the lists on our own responsibility. The members of the union do not have to agree to give those lists up because we have the power to take those lists. We have done that and I simply wanted you to identify the list.

I am going to require you to identify each page there.

Mr. McCREA. Suppose you were in an organizing campaign and you had a list of union members and—

Senator EASTLAND. That is a supposition that does not exist now. We have the right and we have rightly gotten the lists and I simply want them identified. You have identified part of them.

Proceed, Mr. Arens.

Mr. ARENS. If the chairman please, I should like the privilege of the Chair to mark the first list which he has identified as "McCrea Exhibit 1," the second list which he has identified as "McCrea Exhibit 2," and each succeeding list in the proper chronological order, so the record will be clear on that, if the chairman would agree to that being done.

Senator EASTLAND. That is all right. I am going to take up the matter of going in the record later.

I simply want him to identify the list.

(The documents referred to were marked "McCrea Exhibits Nos. 1 and 2" and filed.)

Mr. McCREA. I'd like to make one more statement.

Senator EASTLAND. All right.

Mr. McCREA. As far as our union is concerned, we don't have anything to conceal, but I would like to comment on this: that as far as our membership is concerned, I feel like that one reason I shouldn't answer this is because of the newspaper publicity and the hysteria that's been whipped up around this hearing here. This appears to be a form of intimidation against our membership.

Senator EASTLAND. You can call it whatever you want to. We are not intimidating or attempting to intimidate anyone. I simply want you to identify the lists and I am going to require you to identify them.

Mr. ARENS. May we proceed with the next list, Mr. McCrea, which is entitled on the letterhead, "Federal Compress & Warehouse Co.," and ask you if you can identify this next series of documents?

Senator EASTLAND. Just ask him if that is a list of his employees in that plant.

Mr. McCREA. That is a list.

Senator EASTLAND. Members in that plant?

Mr. ARENS. Is that the list of the members in that plant?

Mr. McCREA. That is. We do have some plants that pay dues that are not on a check-off and that's not included in this list.

(The document referred to was marked "McCrea Exhibit No. 3" and filed.)

Mr. ARENS. These lists here about which I am interrogating you do contain the membership in those particular plants which we designate as we go along; is that correct?

Mr. MCCREA. That's correct.

Mr. ARENS. The next list which I invite your attention to is a list on a document entitled, "Carload Consolidation Record, Federal Compress & Warehouse Co., South Memphis plant," and I ask you if that document, which I now lay before you, contains a list of members of DPOWA, Local 19, employed in this establishment?

Mr. MCCREA. That is a check-off list of October 3.

(The document referred to was marked "McCrea Exhibit No. 4" and filed.)

Mr. ARENS. And if the chairman please, these are to be marked in the proper chronology.

Senator EASTLAND. Just mark them as you go along.

Mr. ARENS. The next one is Gulf-Atlantic Warehouse Co. and I ask you if this document reflects a true and correct check-off of the membership of Local 19, DPOWA, in that establishment.

Mr. MCCREA. I can't say definitely that they are all true and correct, because I haven't checked those lists myself.

Mr. ARENS. These are lists prepared in the headquarters of local 19?

Mr. MCCREA. Those are lists that are sent in by the company.

Mr. ARENS. And you identify this document as the list which was sent in by the Gulf Atlantic Warehouse Co. of employees who were checked off who were members of local 19?

Mr. MCCREA. It appears to be that; yes.

(The document referred to was marked "McCrea Exhibit No. 5" and filed.)

Mr. ARENS. The next document I lay before you is a document entitled, "Union Dues for Employees of the Quaker Oats Co. Feed Mill, October 1951," and I ask you if you can identify that document as the check-off list of employees who are members of Local 19, DPOWA?

Mr. MCCREA. That appears to be true.

(The document referred to was marked "McCrea Exhibit No. 6" and filed.)

Mr. ARENS. The next document I lay before you is a document on letterhead, "Memphis Compress & Storage Co.," dated October 5, 1951, with the heading "CIO Dues Withheld from Payroll, Week Ending 10-5-51," and I ask you if that is a list of employees of this establishment who are members of Local 19, DPOWA?

Mr. MCCREA. It appears to be so.

Mr. ARENS. This document was sent to the local 19 headquarters from this establishment, was it not, the Memphis Compress & Storage Co.?

Mr. MCCREA. I believe it was; yes.

(The document referred to was marked "McCrea Exhibit No. 7" and filed.)

Mr. ARENS. The next document is a document on letterhead entitled, "Cold Press Mill," with the heading "Union Dues for October 1951," with a list of names and I ask you if that document was sent to local 19 from the Cold Press Mill, indicating the employees of this establishment who are members of Local 19, DPOWA.

Mr. McCREA. It appears to be so.

(The document referred to was marked "McCrea Exhibit No. 8" and filed.)

Mr. McCREA. Senator, may I ask another question?

Senator EASTLAND. Yes, sir.

Mr. McCREA. Has this ever happened—you have had a number of hearings around the country—has this ever occurred before—

Senator EASTLAND. I have not had a number of hearings around the country. This is the first list that we have gotten. I do not think it is going to be the last one. I think you will have other company in the future.

Mr. McCREA. I want you to know that these were seized.

Senator EASTLAND. That is correct.

Mr. McCREA. And I am testifying under protest.

Senator EASTLAND. All right, you are testifying under protest.

Mr. McCREA. If you want to put me in jail for it, that is up to you.

Senator EASTLAND. I take the responsibility for the seizure. I know it is hard that we make you do these things, but it just has to come now. It has got to be done.

Mr. McCREA. It's a new turn of events in labor history.

Senator EASTLAND. It might be, but we are going to protect the United States. We are going to put Communist organizations out of business.

Proceed, Mr. Arens.

Mr. ARENS. I lay before you and invite your attention to letterhead, "Navy Yard Compress & Warehouse Co.," with the date line October 5, 1951, containing a list of names and ask you if this document was received by Local 19, DPOWA?

Mr. McCREA. I'm going to make one statement on all of these as I saw seized in the office and that will cover the whole list. Unless something has been substituted in here since you got the list, all of these lists here are check-off lists from all companies which we have contracts with and these are all check-off lists that were sent in by the companies and that covers the whole group.

Mr. ARENS. I do not think it is necessary, then, Senator, to identify the individual ones.

Senator EASTLAND. I do not think so, either. I think that is all right. They will be admitted into the record.

(The documents referred to were marked "McCrea Exhibit No. 9" and filed.)

Senator EASTLAND. I want you to have a couple of photostats for the record and you return the list to his union.

Mr. ARENS. Do you know a man by the name of Robert Hall?

Mr. McCREA. I've heard of him, but I refuse to answer that question on the same grounds that I refused to answer questions along the same line this morning.

Mr. ARENS. Did you have any associations with Robert Hall back in 1942?

Mr. McCREA. I refuse to answer that question on the same grounds.

Senator EASTLAND. That is the ground of self-incrimination?

Mr. McCREA. That's the ground of the fifth amendment. I have been advised by my lawyer that questions along this line I have a legal right not to answer.

Senator EASTLAND. Yes, sir, all right.

Mr. ARENS. I put it to you as a fact and ask you to affirm or deny this fact, that in addition to the Communist Party affiliation, which was referred to in testimony this morning, you and your wife were both members of the executive board of the North Carolina State branch of the Communist Party.

Mr. McCREA. I refuse to answer that question on the same ground.

Mr. ARENS. Do you know Sam Hall?

Mr. McCREA. I've heard of him, but I refuse to answer that question on the same ground that I refused to answer the other questions.

Mr. ARENS. Have you ever had personal association with Sam Hall?

Mr. McCREA. I refuse to answer that question.

Mr. ARENS. Do you know Nat Ross?

Mr. McCREA. I refuse to answer that.

Mr. ARENS. Who is Sam Hall?

Mr. McCREA. I refuse to answer that question on the same ground.

Mr. ARENS. Sam Hall is chairman of district No. 27 of the Communist Party, is he not?

Mr. McCREA. I refuse to answer that on the same ground that I refused to answer the other one.

Mr. ARENS. And Celia Hall, Sam's wife, is secretary of district 27 of the Communist Party, is she not?

Mr. McCREA. I refuse to answer that on the same ground.

Mr. ARENS. Have you ever been arrested?

Mr. McCREA. I refuse to answer that on the same grounds.

Mr. ARENS. I respectfully suggest the witness be ordered and directed to answer that question.

Senator EASTLAND. Yes; he is ordered and directed to answer that question under peril of contempt.

Mr. McCREA. I still refuse. According to the advice of my lawyer, I have a legal right to refuse to answer such questions.

Mr. ARENS. Have you ever been convicted?

Mr. McCREA. I refuse to answer that question on the same ground.

Mr. ARENS. Off the record.

(Discussion off the record.)

Mr. ARENS. Where and when were you convicted? Were you not convicted on May 2, 1950?

Senator EASTLAND. Where?

Mr. ARENS. I don't know.

Senator EASTLAND. I do not recall any such conviction.

Mr. ARENS. Who is Wash O'Bannon?

Mr. McCREA. Wash O'Bannon was one of our shop stewards at the Quaker Oats plant.

Mr. ARENS. Is he there now?

Mr. McCREA. No; he is not.

Mr. ARENS. Do you know where he is now?

Mr. McCREA. No; I do not.

Mr. ARENS. When did you last see Wash O'Bannon?

Mr. McCREA. The last time I recall seeing O'Bannon—the last time I recall seeing him—I may have seen him some other time—I think he may have visited union hall after his discharge occurred, but I

don't recall, but I do remember at the time that he was discharged—when he left the Quaker Oats plant, he was discharged and we had a grievance on his discharge and the company claimed that he was being discharged because he had a truck accident in Mississippi and that he had a rider in the truck.

Mr. ARENS. How many shop stewards do you have?

Senator EASTLAND. Do you know who the rider was on that truck?

Mr. McCREA. No; I have no idea.

Mr. ARENS. How many shop stewards do you have?

Mr. McCREA. Oh, I'd say over 50. I don't know the exact number.

Mr. ARENS. The shop steward is the man who represents DPOWA, Local 19, within the particular plant, is that not correct?

Mr. McCREA. Well, every one of our plants has a number of shop stewards in it. The different departments have a shop steward and the membership in that department elects whoever they want as shop steward, and they let us know. We send the name in to the company.

Mr. ARENS. But the shop steward is the local 19 man in the plant, is he not?

Mr. McCREA. He represents the workers in his department that he's elected by.

Mr. ARENS. But he is identified with local 19 in his capacity as a shop steward?

Mr. McCREA. Every member at the plant is identified with local 19 and under the Taft-Hartley law you know as well as I we are responsible for the actions of all members in the plant.

Mr. ARENS. By the way, did you sign a Taft-Hartley affidavit?

Mr. McCREA. I did.

Mr. ARENS. Were you a member of the Communist Party when you signed it?

Mr. McCREA. I refuse to answer that question on the same ground I refused to answer the others. I should think the signing of the Taft-Hartley would be sufficient proof for you not to have to ask me some of these questions.

Senator EASTLAND. Go ahead; proceed.

Mr. ARENS. Did the shop stewards receive any compensation or remuneration from local 19?

Mr. McCREA. No; they receive none.

Mr. ARENS. Who is James Harvie Durkin?

Mr. McCREA. James Harvie Durkin is the secretary-treasurer of the national DPO, I believe. I recognize the last name. I don't know about the first name.

Mr. ARENS. When were you last in New York City at the national headquarters?

Mr. McCREA. I went to a convention about a year ago as I recall, and the early part of this year I visited, took a week of my vacation which I had coming from the year before and visited New York.

Mr. ARENS. The national president, Arthur Osman, is he a member of the Communist Party?

Mr. McCREA. I refuse to answer that question on the same ground I refused to answer the others.

Mr. ARENS. Do you feel that your testimony with respect to Arthur Osman would cause a criminal prosecution of you?

Mr. McCREA. You mean, do I feel it might tend to incriminate me?

Mr. ARENS. Yes.

Mr. McCREA. I feel if I answered that question it would show some intimate knowledge of the Communist Party and might tend to incriminate me.

Mr. ARENS. If you didn't have that knowledge you wouldn't be fearful of answering that question, would you?

Mr. McCREA. I didn't say that.

Mr. ARENS. Do you have that knowledge?

Mr. McCREA. I refuse to answer on the same ground.

Mr. ARENS. Is Donald Henderson, the administrative director, a member of the Communist Party?

Mr. McCREA. I refuse to answer that on the same grounds I refused to answer the others on.

Senator EASTLAND. We will suspend for 5 minutes.

(A short recess was taken, after which the hearing was resumed.)

Senator EASTLAND. Let us have order now. Proceed, Mr. Arens.

Mr. ARENS. Mr. McCrea, has local 19, DPOWA, contributed any money toward a fund to organize DPOWA groups in Mississippi?

Mr. McCREA. You'd have to ask the financial secretary about that. I don't know.

Senator EASTLAND. Do you know anything about such contributions?

Mr. McCREA. No, I don't.

Mr. ARENS. Did local 19 send a delegation to New York during the trial of the 11 Communists there?

Mr. McCREA. There was a delegation that went up to a civil rights convention in New York.

Mr. ARENS. Was that during the trial of the 11 Communists?

Mr. McCREA. As I recall, there was a trial going on in New York at the time.

Mr. ARENS. Was that the trial of the 11 Communists?

Mr. McCREA. I believe—yes; it was; yes.

Mr. ARENS. And the session they attended was to protest the trial of the 11 Communists and to raise money for their defense; is that not correct?

Mr. McCREA. As I recall, that was merely concerned with civil rights and involving the Smith Act and the possibility of the passage of the McCarran Act which every labor organization in the country opposed and which our union had taken a very firm position on because we felt that those two laws along with the Taft-Hartley law were patterned after similar legislation that was legislated in Germany under Hitler and destroyed the organization of trade-unions.

Mr. ARENS. Did you go on that trip to New York City?

Mr. McCREA. I did.

Senator EASTLAND. Was that a meeting called by the Civil Rights Congress?

Mr. McCREA. I couldn't tell you who called the meeting.

Senator EASTLAND. Was it under the auspices of the Civil Rights Congress?

Mr. McCREA. As I recall—I really couldn't tell you because I don't remember exactly who called it. I just know what we got through the president at the time we got some notice on it. It was taken up at the time, I believe, of a membership meeting.

Mr. ARENS. How many went on this delegation to New York City during the trial of the 11 Communists from local 19?

Mr. McCREA. I refuse to answer any question that has any connection with this trial of 11 Communists if that's the way you are trying to tie it in on the same grounds as the others.

Senator EASTLAND. How many went on the trip? Who were they?

Mr. McCREA. As I recall, there was a furniture worker who was on strike at the time who wanted to make a trip to appeal for funds of the strike at the national office.

Senator EASTLAND. What was his name?

Mr. McCREA. I don't remember that. I don't know that. It was a woman.

Senator EASTLAND. An employee in Memphis?

Mr. McCREA. Yes.

Senator EASTLAND. Of what company?

Mr. McCREA. She was on strike at the time.

Senator EASTLAND. Well, on strike, but with what company had she been employed?

Mr. McCREA. That was the Memphis furniture strike.

Senator EASTLAND. Who were the others?

Mr. McCREA. Mrs. A. B. Bartlett and Earl Fisher.

Mr. ARENS. Earl Fisher is vice president of local 19, is he not?

Mr. McCREA. He is, yes.

Mr. ARENS. Did local 19 pay the expenses of the delegation that went?

Mr. McCREA. They did.

Mr. ARENS. On this trip?

Mr. McCREA. Yes.

Mr. ARENS. Did local 19 raise any money for the defense of the 11 Communists?

Mr. McCREA. To my knowledge; no.

Mr. ARENS. Now, about 2 years ago did local 19 send a delegation to Chicago on a labor peace organization?

Mr. McCREA. I understand that that's an organization that's considered by the Attorney General of the United States as on the so called subversive list; is that correct?

Mr. ARENS. I just wanted to ask you if they sent a delegation to Chicago on a labor peace—

Mr. McCREA. I am going to refuse to answer that question on the same ground as I refused to answer others.

Mr. ARENS. Why?

Mr. McCREA. On the grounds that you are asking about an organization which has been labeled as subversive and which any answer on my part might tend to incriminate me under the fifth amendment.

Mr. ARENS. Did you go on the trip to Chicago?

Mr. McCREA. I refuse to answer that question on the same grounds.

Mr. ARENS. In 1948, did local 19 send two Negro members from Memphis to a Communist school in New York City?

Mr. McCREA. I refuse to answer that question on the same ground that I refused to answer other questions along this same line.

Senator EASTLAND. Well, did they send a delegation to a school in New York, whether it is Communist or Fascist or capitalist, whatever it is? Did they send a delegation to a school?

Mr. McCREA. No; local 19 did not.

Mr. ARENS. Do you know anything about a trip that was made by some members of local 19 to the Jefferson School of Social Science in New York City in the course of the last couple of years?

Mr. McCREA. I refuse to answer that question on the same grounds.

Senator EASTLAND. He has already answered it. He said they didn't.

Mr. McCREA. You see, I have legal advice that any of the questions along the line that the lawyer is asking me, that I have legal grounds to refuse to answer on the fifth amendment, and I refuse to answer—

Senator EASTLAND. I am not disputing that. I said you had testified that local 19 did not send a delegation.

Mr. McCREA. That's right.

Senator EASTLAND. Proceed, Mr. Arens.

Mr. ARENS. Who is Millie White?

Mr. McCREA. She was a worker that I knew years ago when she worked for the garment plant when I was organizing for Amalgamated Clothing Workers in Nashville, Tenn.

Mr. ARENS. What was she doing at that time?

Mr. McCREA. She was working for the Washington Manufacturing Co.

Mr. ARENS. Did you have social relationships with her?

Mr. McCREA. I knew her.

Mr. ARENS. Did you and Millie White have certain activities together in the labor movement?

Mr. McCREA. We're both members of the same union at the same time.

Mr. ARENS. Did you both work together, collaborate, in certain organizing work?

Mr. McCREA. Yes.

Mr. ARENS. Do you know whether or not Millie White is a member of the Communist Party?

Mr. McCREA. I refuse to answer that question on the same grounds I refused to answer other such questions.

Senator EASTLAND. That will be all. We will release you from subpena.

Do you solemnly swear the testimony you are about to give the Internal Security Subcommittee of the Judiciary Committee of the Senate of the United States will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. BARTLETT. I do.

TESTIMONY OF ALMYRA BARTLETT, MEMPHIS, TENN., FINANCIAL SECRETARY, LOCAL 19

Mr. ARENS. Identify yourself by name, residence, and occupation.

Mrs. BARTLETT. Almyra Bartlett, 363 Hernando Street, Memphis; financial secretary of local 19.

Mr. ARENS. How long have you been financial secretary of Local 19, DPOWA?

Mrs. BARTLETT. Well, DPOWA has only been in existence just about a year, but I was secretary—

Senator EASTLAND. Go ahead and finish your answer.

Mrs. BARTLETT. But I was secretary before that.

Mr. ARENS. And what were you secretary of before DPOWA came into existence?

Mrs. BARTLETT. FTA.

Mr. ARENS. And how long were you secretary of FTA?

Mrs. BARTLETT. I started to work in September '44.

Mr. ARENS. And what did you do prior to that time?

Mrs. BARTLETT. Well, I was ill for seven years prior to that time.

Mr. ARENS. Now, Almyra, how much money does DPOWA send to New York—

Senator EASTLAND. Wait just a minute. Go into the contributions that this local has made to other locals. You asked the previous witness that question and he told you the financial secretary would give you that information.

Mr. ARENS. Almyra, how much money does DPOWA send to other locals, let us say, in Mississippi?

Mrs. BARTLETT. None.

Mr. ARENS. Has DPOWA, to your knowledge, local 19, here, sent any money into Mississippi in the last 2 or 3 years for organization work?

Mrs. BARTLETT. No; not to my knowledge.

Mr. ARENS. Has there been any assessment against the membership here for the purpose of raising funds to organize in Mississippi?

Mrs. BARTLETT. No.

Mr. ARENS. How much does DPOWA send to the New York headquarters?

Mrs. BARTLETT. Seventy-five cents for each member.

Mr. ARENS. Per month?

Mrs. BARTLETT. Yes.

Mr. ARENS. And what does that come to all together a month?

Mrs. BARTLETT. Oh, the membership varies some months. A man not working doesn't pay that. Those financial statements will show what went each month.

Mr. ARENS. What is your membership, on the average?

Mrs. BARTLETT. On the average of around 1,100.

Mr. ARENS. In 1946, did you go to Detroit to attend a meeting there?

Mrs. BARTLETT. I refuse to answer that question.

Mr. ARENS. Why is that?

Mrs. BARTLETT. Well, my counsel has said that I could refuse on the ground it might incriminate me.

Senator EASTLAND. Who is your counsel?

Mrs. BARTLETT. Mr. Rabinowitz.

Senator EASTLAND. Did you employ him to represent you?

Mrs. BARTLETT. No, I didn't; the international sent him here.

Senator EASTLAND. Is he your attorney?

Mrs. BARTLETT. No; but he is for the international.

Senator EASTLAND. I know, but the international is not on trial now. Is he your attorney? You say he is not?

Mrs. BARTLETT. He is not my personal attorney.

Mr. ARENS. In 1946, did you leave the Memphis area to take a trip?

Mrs. BARTLETT. I refuse to answer that, because I couldn't say where I went.

Senator EASTLAND. Almyra, it is not a crime to go to Detroit any more than it is a crime to go to Collierville.

Mrs. BARTLETT. I wouldn't think it would be.

Senator EASTLAND. Then, why can't you answer his question?

Mrs. BARTLETT. Because it might incriminate me later on. I don't know. I haven't been into this kind of stuff.

Senator EASTLAND. How could it incriminate you?

Mrs. BARTLETT. I might forget something after a while and say something else. You get confused when you get into these things and it is best just to refuse to answer if I can and my rights are that I can.

Mr. ARENS. You understand that your refusal to answer these questions is at your peril?

Mrs. BARTLETT. That's right.

Mr. ARENS. I put it as a fact that in 1946, from May 30 through June 2, you were in attendance and a participant in the National Negro Congress at Detroit, and ask you whether or not that is a fact.

Mrs. BARTLETT. Will you repeat that?

Mr. ARENS. I put it to you as a fact that in 1946, from May 30 through June 2, you were a participant in the National Negro Congress at Detroit, Mich., and ask you to affirm or deny that fact.

Mrs. BARTLETT. I went, that's right.

Mr. ARENS. Did you attend the National Negro Congress?

Mrs. BARTLETT. Not in all of the sessions.

Mr. ARENS. Some of the sessions?

Mrs. BARTLETT. I did.

Mr. ARENS. Were you a member of the National Negro Congress?

Mrs. BARTLETT. I'm not sure whether I ever signed a membership card.

Mr. ARENS. As a matter of fact, you were on the executive board of the National Negro Congress—

Mrs. BARTLETT. I said I'm not sure.

Mr. ARENS. At this convention in Detroit?

Mrs. BARTLETT. Maybe my name was placed on there, but I'm not sure.

Mr. ARENS. What is your best recollection as to whether or not you were a member of the National Negro Congress executive board?

Mrs. BARTLETT. Well, I can refuse to answer that, because I don't know.

Senator EASTLAND. Your answer is, then, you do not know whether you were or not?

Mrs. BARTLETT. That's right, I don't know.

Mr. ARENS. But you were in attendance at that time at the National Negro Congress?

Mrs. BARTLETT. Yes, sir.

Mr. ARENS. You know, of course, the National Negro Congress has been repeatedly cited by agencies of the Government of the United States as a Communist and subversive organization? Do you know that?

Mrs. BARTLETT. Well, I thought it was since that time. I was under the impression it was since that time.

Mr. ARENS. It was cited, was it not, by the Attorney General clear back in 1942 as a subversive and Communist organization?

Mrs. BARTLETT. I didn't know about that.

Senator EASTLAND. When did you quit the organization, or do you still belong to it?

Mrs. BARTLETT. I didn't know it was in existence.

Senator EASTLAND. You did not know it was in existence now?

Mrs. BARTLETT. Yes.

Senator EASTLAND. Were you a member until it went out of existence?

Mrs. BARTLETT. I haven't ever been but to one meeting. That's the only meeting I attended. That's the only thing I know about it.

Mr. ARENS. Do you remember the trial of the 11 Communists in New York City?

Mrs. BARTLETT. Yes; I remember that.

Mr. ARENS. Did you sign a statement addressed to the President and the Attorney General condemning the trial of the 11 Communists in New York City?

Mrs. BARTLETT. I refuse to answer that because I don't know.

Mr. ARENS. Now, in 1949—

Senator EASTLAND. Because you don't know?

Mrs. BARTLETT. I didn't say any statement, but I said I refuse to answer because it is my privilege to refuse.

Senator EASTLAND. To answer whether you sent the President of the United States a telegram?

Mrs. BARTLETT. Oh, I refuse to answer. That I refuse to answer.

Mr. ARENS. Were you an endorser of a statement with respect to the Communists who were on trial in New York City?

Mrs. BARTLETT. I refuse to answer that. I don't think I—in fact, I wouldn't be—no.

Senator EASTLAND. You said, "I wouldn't be." What did you mean by that?

Mrs. BARTLETT. I wouldn't sign such a statement.

Senator EASTLAND. You would not?

Mrs. BARTLETT. No.

Senator EASTLAND. Do you know whether someone signed your name to such a statement or not?

Mrs. BARTLETT. I couldn't say.

Senator EASTLAND. Did you authorize anyone to sign your name to such a statement?

Mrs. BARTLETT. No.

Mr. ARENS. Did you ever go under the name of A. B. Bartlett?

Mrs. BARTLETT. That's my name.

Mr. ARENS. When you sign your name, do you sign it "Almyra Bartlett," or "A. B. Bartlett"?

Mrs. BARTLETT. A. B.; A. B. Bartlett.

Mr. ARENS. I put it to you as a fact that according to the August 29, 1948, issue of the Daily Worker, one of the endorsers of a statement condemning the arrest of the 12 members of the Communist Party National Committee was A. B. Bartlett, of Tennessee, and ask you whether or not that is a fact.

Mrs. BARTLETT. What is it you want me to tell you about it? You read that and said that I signed what?

Senator EASTLAND. He said that the Daily Worker carried an article. Tell her what the article said.

Mr. ARENS. An article in the August 29, 1948, issue of the Daily Worker, which contains a statement to the President and Attorney General condemning the 1948 arrest of the 12 members of the Communist Party National Committee. One of the endorsers of that

statement is A. B. Bartlett, of Tennessee. What do you know about that?

Mrs. BARTLETT. Nothing.

Senator EASTLAND. Was that you? Was that A. B. Bartlett?

Mrs. BARTLETT. A. B. Bartlett is my name.

Senator EASTLAND. Was that you that endorsed that?

Mrs. BARTLETT. I said I didn't. I don't even remember endorsing anything like that.

Mr. ARENS. Did you go to New York City in July of 1949?

Mrs. BARTLETT. I refuse to answer.

Mr. ARENS. Is it a crime to go to New York City?

Mrs. BARTLETT. Not that I know of.

Mr. ARENS. Then, did you go to New York City in 1949 in July?

Mrs. BARTLETT. I couldn't say. I just refuse to answer that question.

Mr. ARENS. Why?

Mrs. BARTLETT. Because I might not think of something that I say after a while and get tripped up on it.

Senator EASTLAND. I am going to have to make you answer the question now. You cannot refuse just because you might be caught in a falsehood here.

Mrs. BARTLETT. I am not supposed to tell.

Senator EASTLAND. I know you are not. Then, tell us what is your best recollection. You are not going to get into trouble.

Mrs. BARTLETT. I know I am not.

Senator EASTLAND. If you went there, say so. You would be much better off if you would just be frank.

Mrs. BARTLETT. That's right.

Senator EASTLAND. Did you go to New York?

Mrs. BARTLETT. Yes, I went to New York.

Mr. ARENS. What meetings did you attend while you were in New York City in July of 1949?

Mrs. BARTLETT. Just one meeting.

Mr. ARENS. And what meeting was that?

Mrs. BARTLETT. I don't even know.

Mr. ARENS. Did you attend a meeting of the—

Senator EASTLAND. Wait just a minute right there. Where was the meeting that you attended in New York?

Mrs. BARTLETT. It was in New York, and the opening session was at the Henry Hudson Hotel.

Senator EASTLAND. What kind of a meeting was it?

Mrs. BARTLETT. I'm not sure. I'm not certain. I couldn't say, but if I'm not mistaken it was supposed to be civil rights meeting of some sort. I don't know.

Senator EASTLAND. Was that a meeting by the National Civil Rights Congress?

Mrs. BARTLETT. I'm not certain, but I attended the morning session and Mr. Finley Wilson was the speaker—he is Exalted Ruler of the Elks—and I didn't attend any other session. I went to church Sunday and Radio City Monday and came home on Tuesday.

Mr. ARENS. That was the Bill of Rights Congress in New York City, was it not?

Mrs. BARTLETT. I don't know.

Mr. ARENS. Who paid your expenses on that trip?

Mrs. BARTLETT. The local was paying for the car and they didn't have enough folks to go and I just asked if I could go.

Mr ARENS. Who all went on that trip besides you from the local?

Mrs. BARTLETT. Mr. McCrea and Mr. Fisher.

Senator EASTLAND. Did you go up in an automobile?

Mrs. BARTLETT. Yes.

Mr. ARENS. Did you participate in the protest during that Bill of Rights conference of the trial of the Communist Party leaders in New York City?

Mrs. BARTLETT. No.

Mr. ARENS. Are you now or have you ever been a member of the Communist Party?

Mrs. BARTLETT. I refuse to answer that question.

Mr. ARENS. Why?

Mrs. BARTLETT. On the grounds that it might incriminate me.

Mr. ARENS. What do you mean by "might incriminate me"?

Mrs. BARTLETT. I don't know. My counsel advised me that I could say that.

Mr. ARENS. Is Edwin McCrea a member of the Communist Party?

Mrs. BARTLETT. I refuse to answer that.

Senator EASTLAND. I am going to ask you this question, Almyra, a question that is not going to incriminate you in any manner, and I am going to give you a chance to be frank with us here. I want you to tell me what Communists you know in Memphis.

Mrs. BARTLETT. I could stand on all the Bibles that you could find and tell you that I don't know of any.

Senator EASTLAND. Why did you not say that in answer to his question?

Mrs. BARTLETT. That's my answer, that I give, that I refuse to answer the question.

Senator EASTLAND. But you told me you did not know any.

Mrs. BARTLETT. That was a different question.

Senator EASTLAND. Do you know anybody in your union that is a Communist?

Mrs. BARTLETT. I refuse to answer that question.

Senator EASTLAND. Well, you said you did not know any Communists in Memphis.

Mrs. BARTLETT. I don't. That's answering your question.

Senator EASTLAND. That is an answer to both questions, is it not?

Mrs. BARTLETT. I don't think so. I don't know of any.

Senator EASTLAND. Why is it that if there are no Communists in your local that you always send delegations over the country to Communist meetings and that the local is always promoting Communist causes over the country? I am frank to say that I do not believe you and the officers of your local know what Communists are. You do not know anything about it. I think that some people that control your local are using it and subverting it to promote communism. I think the proof here will show that. I think you ought to cooperate with us.

Why is it that if it is not Communist that you always send a delegation and promote every Communist cause you get a chance to? Explain that to me.

Mrs. BARTLETT. I couldn't say. I couldn't say how it is that you do that.

Senator EASTLAND. Your local, not you individually. You are an official of the local.

Mrs. BARTLETT. Yes; but—

Senator EASTLAND. Why do they do it?

Mrs. BARTLETT. The membership would be the one to say what and everything that goes on.

Senator EASTLAND. Who makes those suggestions? It is Mr. McCrea.

Mrs. BARTLETT. I couldn't even say that. My job most of the time keeps me in the room writing receipts and I am in the room when meetings are going on and I only go in to read my report generally and come out.

Senator EASTLAND. You made a trip to New York and you have testified that it was innocent enough, that first you went on the trip; then you went to a civil-rights meeting in New York. Then you went to church. Then you went to Radio City, and then you came home. Whose idea was that trip to New York? It wasn't yours. Was it Mr. McCrea's idea?

Mrs. BARTLETT. I couldn't say now. I could refuse to answer that because I couldn't tell you.

Senator EASTLAND. No; you can't refuse to answer that.

Mrs. BARTLETT. There wouldn't be any way that I could tell you whether it was his idea or not.

Senator EASTLAND. As you remember, it was his idea?

Mrs. BARTLETT. I couldn't even say that.

Senator EASTLAND. Who got the trip up?

Mrs. BARTLETT. I don't know.

Mr. ARENS. We have no more questions of this witness.

Senator EASTLAND. That will be all.

I am informed that I made the statement that I did not think any of the officers of this local were Communists.

I want to change that. I think that they have very definitely proven that the leadership is Communist and controlled by the Communists, but I think that some of the Negro officials have been used. They do not know what communism is, but are simply tools and stooges of designing people.

Do you solemnly swear the testimony you are about to give before the Internal Security Subcommittee of the Judiciary Committee of the Senate of the United States will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. LARSEN. I do.

TESTIMONY OF LARRY LARSEN, INTERNATIONAL REPRESENTATIVE OF DISTRIBUTIVE, PROCESSING, AND OFFICE WORKERS OF AMERICA, MEMPHIS, TENN.

Mr. ARENS. Please identify yourself by name, residence, and occupation.

Mr. LARSEN. Larry Larsen, international representative of the Distributive, Processing, and Office Workers of America; home address, 3878 Kimball, Memphis, Tenn.

Mr. ARENS. When and where were you born?

Mr. LARSEN. January 1, 1905, Duluth, Minn.

Mr. ARENS. And where do you reside?

Mr. LARSEN. 3878 Kimball.

Mr. ARENS. Kindly furnish the committee with a résumé of your employment over the course of the last 15 years.

Mr. LARSEN. Well, up until 1944, I was employed by various steamship companies as a sailor—Luckenbach Line, American Pioneer, United States Lines, and a number of others I can't recall right off-hand. It's up to 1944, November 1944.

Mr. ARENS. All right, sir; take us on from November 1944.

Mr. LARSEN. November '44 I was—in November 1944, I had a medical discharge from the United States merchant marine. I then went to work for the National Maritime Union, CIO, as a patrolman in New York. I was transferred from New York—

Senator EASTLAND. Was that to Mr. Harry Bridges?

Mr. LARSEN. No, sir; that's the—Joe Curran, president. I was transferred to Charleston, S. C., I believe around March of 1945. I worked in Charleston, S. C. as a port agent for the National Maritime Union until about June of 1945. At that time I went to work for the then known as the Food, Tobacco, Agricultural and Allied Workers Union of the CIO at that time, and I have been employed by that union ever since, up to the present time.

Mr. ARENS. What are your duties in your present position?

Mr. LARSEN. My duties are to assist local unions negotiate contracts, help on grievance procedure, help to organize new plants in these various local unions I represent.

Mr. ARENS. And what are the geographical limitations of your region?

Mr. LARSEN. Tennessee, Kentucky, Arkansas, Mississippi, and Alabama.

Mr. ARENS. How many members are there of DPOWA in these States which you have just enumerated, in region No. 5?

Mr. LARSEN. Roughly, around 2,400 members. That includes Memphis.

Mr. ARENS. Would you please start with each of the States in region No. 5 under your jurisdiction and give us the names of the locals and the location of the locals of DPOWA?

Mr. LARSEN. Local 195, Hopkinsville, Ky.; Local 98, Little Rock, Ark.—

Mr. ARENS. May I just interpose this question. Do you know the leader of each of these locals?

Mr. LARSEN. Yes.

Mr. ARENS. Would you, as you identify the local, also give us the name of the leader of the local, the business agent or the president, the man who is the active director of that?

Mr. LARSEN. I haven't no legal advice on this. I don't know know whether I should give that or not. They are not involved here.

Senator EASTLAND. It is not privileged. You have to answer the questions.

Mr. ARENS. Let us clear the record and start with the local that you first started with in Kentucky. Give us the name of the local, the location of the local, and the key man in the local.

Mr. LARSEN. I am prepared to give you the local number and location, but I don't know about giving you the key leader of the local.

Mr. ARENS. The Chairman just directed you to do that.

Senator EASTLAND. I will get into that later. Take the names of the organizations first. I will take the other request under advisement.

Mr. LARSEN. Local 98, Little Rock, Ark.; Local 129, Greenwood, Miss.; that includes Greenwood, Greenville, and Leland.

Senator EASTLAND. Cotton oil and compress?

Mr. LARSEN. No compress; just cotton oil.

Senator EASTLAND. What industry is the local organized in, in Little Rock?

Mr. LARSEN. It's fertilizing, Arkansas Fertilizing and the Arkansas Farmers Plant Food Co. You have the Greenville, Greenwood, and Leland, 129, and local 180, Jackson, Miss., which includes Jackson, Vicksburg, and Port Gibson.

Senator EASTLAND. What industries are organized there?

Mr. LARSEN. There's two, three, four cotton-oil plants and one wholesale company, P. P. Williams. I believe they changed their name later. I don't know what the new name is. Then we have local 112 in Selma, Ala., and Montgomery, Ala., cotton-oil division. Then local 102 in Corinth, Miss.

Mr. ARENS. Is that a cotton compress?

Mr. LARSEN. Cotton compress, cotton oil, brickyard, and the handle plant makes mop and broom handles. That's the lot.

Mr. ARENS. On February 22, 1950, you bought a second-hand Mercury automobile for \$1,400; did you not?

Mr. LARSEN. That's correct.

Mr. ARENS. Where did you get the money to pay for it?

Mr. LARSEN. I borrowed the money from my national union.

Mr. ARENS. Who, in the national union, gave you that money?

Mr. LARSEN. Well, I wrote a letter to the national office, requested a loan of money to buy a car because of my wide traveling. The question of money was taken up at the national offices, and that's how the loan was granted.

Mr. ARENS. Is that car in your name, or in the name of the local, or in the name of the national?

Mr. LARSEN. In my name, but the union has a deed to it.

Mr. ARENS. What union, the local or the international?

Mr. LARSEN. DPO national union.

Mr. ARENS. What is your salary?

Mr. LARSEN. \$70 a week plus \$20 expenses.

Mr. ARENS. Do you have any other income?

Mr. LARSEN. No, sir.

Mr. ARENS. Do you know William E. Davis?

Mr. LARSEN. Well, he was port agent for the National Maritime Union; that's all I know.

Mr. ARENS. Do you know about any of his other activities or affiliations or capacities?

Mr. LARSEN. I refuse to answer that question on the grounds it might incriminate me.

Mr. ARENS. William E. Davis is the top functionary of the Communist Party in Tennessee; is he not?

Mr. LARSEN. I refuse to answer that question.

Senator EASTLAND. What did you say?

Mr. LARSEN. I refuse to answer the question on the basis it might incriminate me.

Mr. ARENS. Do you know James E. Jackson, Jr.?

Mr. LARSEN. No, sir.

Mr. ARENS. Did you circulate the Stockholm peace pledge among the membership of the DPOWA at region 5?

Mr. LARSEN. I refuse to answer the question on the base it might incriminate me.

Mr. ARENS. You alleged that you were going to procure some 3,000 signatures on that peace pledge; did you not?

Mr. LARSEN. I refuse to answer that question on the same basis.

Mr. ARENS. Do you know Sam Hall?

Mr. LARSEN. Sir?

Mr. ARENS. Do you know Sam Hall?

Mr. LARSEN. I refuse to answer that question.

Mr. ARENS. Is there a man by the name of Sam Hall?

Mr. LARSEN. I do not know.

Mr. ARENS. You don't know whether or not there is a man by the name of Sam Hall?

Mr. LARSEN. You are asking me if I knew there was a man by the name of Sam Hall?

Mr. ARENS. Is there a man by the name of Sam Hall?

Mr. LARSEN. I couldn't say.

Mr. ARENS. Do you know William E. and Carmen Davis?

Mr. LARSEN. William E. and Carmen Davis?

Mr. ARENS. Yes, husband and wife.

Mr. LARSEN. William E. and Carmen Davis?

Mr. ARENS. William E. and his wife, Carmen Davis.

Mr. LARSEN. Can't recall the names.

Mr. ARENS. I put it to you as a fact that on March 8, 1948, Sam Hall and Nat Ross spent the night here in your home in Memphis, and ask you whether you have a recollection of that fact.

Mr. LARSEN. I refuse to answer that question, because it might incriminate me.

Mr. ARENS. Do you know Roy Hudson?

Mr. LARSEN. I read the paper about him.

Mr. ARENS. Is that the only knowledge you have of him?

Mr. LARSEN. Yes, sir.

Mr. ARENS. Ever been in contact with him?

Mr. LARSEN. No, sir.

Mr. ARENS. Now, in 1948, then, October, November, you went to Phoenix; did you not?

Mr. LARSEN. Yes, sir.

Mr. ARENS. What was the purpose of your mission there?

Mr. LARSEN. My purpose was to go out there and help local 78 against a raid by the teamsters' union.

Mr. ARENS. What Communists did you see while you were there?

Mr. LARSEN. The only people I saw in Phoenix were the membership that I dealt with.

Mr. ARENS. Have you ever been active in the Civil Rights Congress?

Mr. LARSEN. I refuse to answer that question. It might incriminate me.

Senator EASTLAND. Why? Is that a Communist organization?

Mr. LARSEN. I don't know.

Senator EASTLAND. Well, then, you have to answer that question.

Mr. LARSEN. I have no legal advice. I have been told not to speak to any lawyers and I don't know just what to answer and if I——

Senator EASTLAND. I let your lawyer in here and he tried to run the meeting and I had to get rid of him.

Mr. LARSEN. It is the first time I have ever been before this kind of hearing and I am a little dumb and I don't want to get mixed up here.

Senator EASTLAND. You are not going to get mixed up. I am protecting your rights now as to what questions you do not have to answer. I want you to answer that last question.

Mr. ARENS. Have you ever been affiliated with the Civil Rights Congress?

Mr. LARSEN. I refuse to answer that question on the basis that it might incriminate me. I'm sorry; I would like to cooperate if I can.

Mr. ARENS. What do you mean, "It might incriminate me"?

Mr. LARSEN. It might incriminate me.

Mr. ARENS. What do you mean?

Mr. LARSEN. Well, we have certain rights under the fifth amendment and as explained to me, I have a right to refuse to answer certain questions.

Mr. ARENS. What do you mean by it might incriminate you to answer the question as to whether or not you have ever been affiliated with the Civil Rights Congress?

Mr. LARSEN. I can only say I refuse to answer that question because it might incriminate me.

Mr. ARENS. Do you know Harry Koger?

Mr. LARSEN. He used to work for our union here in Memphis, an organizer agent.

Mr. ARENS. Where is he now?

Mr. LARSEN. I don't know where Harry Koger is. I haven't seen him since 1948, 1949.

Mr. ARENS. Do you know John Lackner?

Mr. LARSEN. I worked with him in Florida.

Mr. ARENS. What was he doing in Florida?

Mr. LARSEN. He was business agent for local 43 in Dade City.

Mr. ARENS. Do you know Edwin Waller?

Mr. LARSEN. No, sir.

Mr. ARENS. Isn't he also in Florida?

Mr. LARSEN. I don't know, sir.

Mr. ARENS. Are you now or have you ever been a member of the Communist Party?

Mr. LARSEN. I refuse to answer that question on the basis it might incriminate me.

Senator EASTLAND. I would like to ask you this question: In setting up these local unions over the States that you have mentioned, are you setting up a labor organization or are you setting up Communist cells under the guise of labor?

Mr. LARSEN. Senator Eastland, I have been down here since 1946 and the only job that I have done here in this region is to help the people get more money and better working conditions.

Senator EASTLAND. You have been setting up labor organizations?

Mr. LARSEN. That's right; labor organizations.

Senator EASTLAND. From November 1946 to February 1947—will you get those dates straight, November 1946 to February 1947—you were employed by FTA; were you not?

Mr. LARSEN. Yes, I've been employed by FTA since 1945.

Senator EASTLAND. What were your duties and where was your place of work during that time?

Mr. LARSEN. November of 1946 till February 1947? Right here. I got to Memphis, I believe it was in July, and I spent some time in Jackson, Miss., and Greenwood, Miss., to organize some cotton oil mills, particularly the Buckeye Cotton Oil Co.

Senator EASTLAND. Mr. Larsen, during that time or before or since, did you have correspondence with a man named Paul Crouch?

Mr. LARSEN. No, sir.

Senator EASTLAND. You have never had correspondence with a man named Paul Crouch?

Mr. LARSEN. No, sir.

Senator EASTLAND. Do you know Paul Crouch?

Mr. LARSEN. No, I don't, only I seen his picture in the paper today, read about him.

Senator EASTLAND. You never had correspondence with him?

Mr. LARSEN. No, sir; I have not.

Senator EASTLAND. Did you ever set up a labor organization in the Rio Grande Valley in Texas?

Mr. LARSEN. No, sir; never been in the Rio Grande Valley in my life; been to Houston, Tex., and San Antonio. We have locals there.

Senator EASTLAND. Did you ever have any correspondence with Paul Crouch about labor conditions in Texas?

Mr. LARSEN. No, sir; never have.

(At this time, Mr. Paul Crouch resumed the witness stand.)

Senator EASTLAND. Mr. Crouch, you have been sworn. Have you met this Mr. Larsen?

Mr. CROUCH. No, I have never met Mr. Larsen, and have never seen him, to my knowledge.

Senator EASTLAND. Did you have correspondence with him?

Mr. CROUCH. I had corresponded at the end of 1946 with some Mr. Larsen, written on the letterhead of the Food and Tobacco Workers Union when I was secretary of local 503, Brownsville, Tex., asking for organizational possibilities, conditions down there. I spoke with Harry Koger, who was State organizer of the FTA, and he stated that he had suggested that this inquiry be made of me.

Senator EASTLAND. What was Koger's official position?

Mr. CROUCH. His official position was Texas State organizer of the Food and Tobacco Workers Union.

Senator EASTLAND. Was he a Communist?

Mr. CROUCH. Very active Communist. He was the one when Ed McCrea set up—he was the unit organizer here in Memphis, Tenn., here in 1940, and then he went to Texas later and in 1946 and early 1947 was State organizer for the Food and Tobacco Workers Union, while his daughter, Mary Lou Koger, was, according to his statements, working in Tennessee.

Senator EASTLAND. Was this correspondence about labor matters or Communist matters, correspondence signed by Larsen?

Mr. CROUCH. The correspondence itself was regarding labor matters, regarding the possibilities of organization work for FTA there.

Senator EASTLAND. That was a Communist organization?

Mr. CROUCH. It was a Communist organization, certainly a Communist-controlled union.

Mr. ARENS. Mr. Larsen, what is the total membership over the Nation of DPOWA?

Mr. LARSEN. I couldn't say right offhand. I believe it's roughly around fifty-five or sixty thousand members. I'm sure of it just now, roughly.

Mr. ARENS. That is your best judgment on the basis of your experience as international representative?

Mr. LARSEN. Yes, sir.

Mr. ARENS. How many locals are there throughout the Nation of DPOWA?

(No response.)

Mr. ARENS. What is your best judgment on the number of locals?

Mr. LARSEN. Well, in FTA we had roughly around 75 or 80 locals. I believe that's just a rough guess now; I wouldn't be sure. I believe it was around 75 or 80 locals because we have lost some since then and some have merged, like down in Mississippi we had Greenwood and Greenville and Leland, different locals; they all got in one local. The number may be changed completely now, I don't know. I couldn't say. There have been other mergers since then in the East and Middle West.

Mr. ARENS. Are the dues throughout the Nation for these 55,000 members uniform dues of \$2 a month?

Mr. LARSEN. No, sir; it varies from a dollar on up. Some pay as high as \$4. I'm not sure of that, but I know they vary.

Mr. ARENS. Do you have information respecting the aggregate income from the membership of 55,000 members?

Mr. LARSEN. No, I couldn't say; wouldn't be able to tell you.

Mr. ARENS. Do you know whether or not John Lackner is a Communist Party member, L-a-c-k-n-e-r?

Mr. LARSEN. I don't know.

Mr. ARENS. That is all I have.

Senator EASTLAND. Release him from his subpoena.

Do you solemnly swear the testimony you are about to give to the Internal Security Subcommittee of the Judiciary Committee of the Senate of the United States will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. FISHER. I do.

Senator EASTLAND. Sit down.

TESTIMONY OF EARL FISHER, VICE PRESIDENT, LOCAL 19, DISTRIBUTIVE, PROCESSING, AND OFFICE WORKERS OF AMERICA, MEMPHIS, TENN.

Mr. ARENS. Please state your name, and your occupation.

Mr. FISHER. Earl Fisher.

Mr. ARENS. Would you speak a little louder? We can hardly hear you.

Mr. FISHER. Earl Fisher; work with Federal Compress & Warehouse Co., South Memphis.

Mr. ARENS. Are you also connected with local 19, DPOWA?

Mr. FISHER. Yes, sir.

Mr. ARENS. And what is your connection?

Mr. FISHER. I have been a member up until, just a member—shop steward in the plant until about last May or June, something like that; I don't remember the date. At that time I was elected vice president of the local.

Mr. ARENS. And you have been vice president and are vice president now?

Mr. FISHER. Yes, sir.

Mr. ARENS. Where were you born?

Mr. FISHER. Dublin, Miss.; between Dublin and Clarksdale, Miss.

Mr. ARENS. And how long did you live in Mississippi?

Mr. FISHER. I be in Mississippi other than the time that I spent in school until 1939, I believe it was.

Mr. ARENS. Have you been a member of local 19 ever since it started?

Mr. FISHER. No, sir.

Mr. ARENS. When did you join up with local 19?

Mr. FISHER. 1942 or 1943, I don't remember the exact year, as a member.

Mr. ARENS. Did you join local 19 at that time, or did you join some other organization?

Mr. FISHER. It was local 19.

Mr. ARENS. Was it local 19, DPOWA, at that time?

Mr. FISHER. FTA at that time.

Mr. ARENS. And then you have been in FTA and DPOWA all of the time since then; is that right?

Mr. FISHER. Since that time.

Mr. ARENS. In 1949, August, did they have a regional meeting here in Memphis of FTA?

Mr. FISHER. A regional meeting? In the union hall?

Mr. ARENS. Yes.

Mr. FISHER. I really don't remember. I can't recall. It might have, it might have been such, but at that time I wasn't so active in the union.

Mr. ARENS. Do you remember making a speech at the union hall here during the regional meeting in 1949 about the trial that was going on up in New York City at that time?

Mr. FISHER. I don't recall that.

Mr. ARENS. Now, I put it to you, Fisher, as a fact, that in August 1949, during the meeting of the FTA here in Memphis, you delivered a speech in which you were condemning the trial of the 11 Communists in New York City. Do you remember that?

Mr. FISHER. Sorry, I'm not saying I did not, saying I didn't, but I just don't recall it. I'm afraid of saying something that I might get in trouble.

Mr. ARENS. Is that why you don't remember, you think you might get in trouble?

Mr. FISHER. I don't want to say something under oath that is not true.

Senator EASTLAND. Do you remember making a speech back there?

Mr. FISHER. I really don't recall. I'm not saying that I didn't, not saying that I did, but I don't remember.

Senator EASTLAND. You did condemn the trial of the 11 Communists whether it was in a speech or not, did you not—the 11 Communist leaders in New York?

Mr. FISHER. To be true and fair, I'm afraid to say it.

Mr. ARENS. I can't hear you.

Mr. FISHER. I don't recall doing that.

Mr. ARENS. Remember last year circulating a petition around here in Memphis?

Mr. FISHER. Yes, I remember that.

Mr. ARENS. Did you help circulate the petition?

Mr. FISHER. Did I help circulate? You mean going around to people's homes, circulating?

Mr. ARENS. Yes.

Mr. FISHER. I don't recall that either.

Mr. ARENS. What petition is it that you remember?

Mr. FISHER. I remember they had a petition out called "peace petition" down here, and at that time I heard a lot of talk about it, but so far as me participating in some activities, I don't recall that.

Mr. ARENS. What did you do about the peace petition? Did you sign it?

Mr. FISHER. I don't recall signing the petition.

Senator EASTLAND. You say you do not recall signing it?

Mr. FISHER. No, sir.

Mr. ARENS. Did Larry Larsen circulate the peace petition?

Mr. FISHER. I don't know; don't remember that either.

Senator EASTLAND. Who circulated the petition?

Mr. FISHER. You mean from the union hall?

Senator EASTLAND. Yes. You said you remember it was circulated. Who did it?

Mr. FISHER. I don't remember whether it was circulated from the union hall, but I remember in the city here there was a petition. I saw in the paper about the petition being circulated.

Senator EASTLAND. Is that all you know, what you read in the newspapers?

Mr. FISHER. I saw a petition in the union hall at one time. Yes.

Senator EASTLAND. That was the Stockholm peace petition, was it not?

Mr. FISHER. Just what was on it I don't recall.

Senator EASTLAND. Who had that petition there?

Mr. FISHER. You have a table out there with literature on it and it was just out on the table with the rest of the literature.

Senator EASTLAND. Who put it there, do you know?

Mr. FISHER. No.

Senator EASTLAND. You knew that was a Communist plan to try to undermine the United States position in Korea, did you not?

Mr. FISHER. I say I knew there was a——

Senator EASTLAND. Yes. Did you know that?

Mr. FISHER. I'm telling you I don't know. I don't want to get any trouble here by answering a question that I don't know about, that I am not acquainted with, but I refuse to answer that.

Senator EASTLAND. You refuse to answer that?

Mr. FISHER. It might incriminate me some way. I don't want to get into something I am not well acquainted with and I don't know so much about. I'm not a politician.

Senator EASTLAND. You just don't know. That is the truth, is it not?

Mr. FISHER. Yes, sir; I don't know.

Mr. ARENS. Did they have some meetings of the local in which they discussed this petition and urged everybody to sign it? Do you remember that?

Mr. FISHER. You mean general membership meeting?

Mr. ARENS. Yes.

Mr. FISHER. I might remember some discussion on it. I don't recall. I never kept up to date with all those things. I never kept no memorandum or nothing like that on it.

When they passed over I never did, just slightly, consider them.

Mr. ARENS. You are a pretty good speaker at the union meetings, are you not?

Mr. FISHER. When it comes to something I know about, union activities or grievance or what not, I can, but when it comes to political questions, I'm not so well off.

Mr. ARENS. Did you get up in the meetings pretty frequently and make speeches?

Mr. FISHER. When I'm in town and when around. I drive truck and sometimes I'm out at nights.

Mr. ARENS. When you are here at meetings, do you get up and make speeches?

Mr. FISHER. Sometimes I do; sometimes I don't.

Mr. ARENS. Did you make a little speech about this peace petition?

Mr. FISHER. I refuse to answer that.

Senator EASTLAND. You have to answer that question. You will have to answer that question. It is not a privileged question.

Mr. FISHER. If I answer it I wouldn't be sure.

Senator EASTLAND. I want your best judgment.

Mr. FISHER. I really don't recall it.

Senator EASTLAND. You do not recall?

Mr. FISHER. No, sir.

Senator EASTLAND. And that is your best judgment, you just do not recall?

Mr. FISHER. That's right.

Mr. ARENS. Did you take a copy of this peace petition that was there on this table in the union hall?

Mr. FISHER. I refuse to answer that, too. I don't remember that far back. I refuse to answer because it might incriminate me in some way.

Mr. ARENS. That was just last year, was it not, during 1950?

Mr. FISHER. I don't even remember what year it was.

Mr. ARENS. Didn't you take that peace petition around and get other people to sign that peace petition?

Mr. FISHER. I refuse to answer that.

Mr. ARENS. Why is that?

Mr. FISHER. Because of the fact that I might be incriminated in some way with something that I don't remember clearly, and don't want to be tied up with something—

Senator EASTLAND. Wait a minute. You are about to incriminate yourself. You better think now.

Mr. FISHER. I don't know.

Senator EASTLAND. I know you don't want to. You are about to incriminate yourself. You just said you do not know anything about it. You do remember about it, do you not?

(Shakes head negatively.)

Mr. ARENS. You are bound to. You first said you did not remember anything about the petition. Then you said you saw it on the table in union hall. You do not want to incriminate yourself, do you?

Mr. FISHER. No, sir, sure don't.

Senator EASTLAND. You answer his questions.

Mr. ARENS. Fisher, you went around with that petition and got some signatures, did you not?

Mr. FISHER. I refuse to answer.

Senator EASTLAND. You are going to have to answer the question.

Mr. FISHER. If I don't know—

Senator EASTLAND. If you don't know you can say you don't know.

Mr. FISHER. Well, I don't recall.

Mr. ARENS. Did Mr. McCrea ever tell you what to do on these peace petitions?

Mr. FISHER. I don't recall that either.

Mr. ARENS. Do you know Red Davis?

Mr. FISHER. Yes, sir.

Mr. ARENS. Who is Carmen Davis?

Mr. FISHER. Must be his wife.

Mr. ARENS. You know him pretty well, don't you?

Mr. FISHER. I met him when I came in the union. We all was in the same hall together on the city council.

Mr. ARENS. Is Red Davis a Communist?

Mr. FISHER. I refuse to answer that because—

Senator EASTLAND. Now, wait a minute; you are going to have to answer that question. That will not incriminate you to tell what you know about Red Davis.

Mr. FISHER. I don't know. I refuse to answer, that is all, because it might incriminate me.

Senator EASTLAND. No; that could not incriminate you.

Mr. FISHER. I don't know nothing about these people. In fact, I heard more this week than I heard about the whole situation.

Senator EASTLAND. Did they ever talk communism around you?

Mr. FISHER. I refuse to answer that, too.

Senator EASTLAND. Did they ever tell you they were Communists?

Mr. FISHER. I refuse to answer.

Senator EASTLAND. We have not asked you if you were a Communist. Have they ever told you they were Communists?

Mr. FISHER. I refuse to answer that question.

Senator EASTLAND. That would not incriminate you and you are going to have to answer.

Mr. FISHER. If I can recall all that, then that—

Senator EASTLAND. Do you want to be cited for contempt? I thought you wanted to stay out of jail.

Mr. FISHER. I want to answer the questions that I know.

Senator EASTLAND. All right, answer it now. Did they ever tell you they were Communists?

Mr. FISHER. I refuse to answer that.

Senator EASTLAND. I want you to answer the question. Did they ever tell you they were Communists? You can answer that "Yes" or "No." That would not incriminate you.

Mr. FISHER. I don't have anything to do with these political questions because I'm not so clear and I can't tell.

Senator EASTLAND. It is not a political question and I just want to know what they said about it.

Mr. FISHER. I refuse to answer because I can't recall all the incidents—

Mr. ARENS. Can you recall whether they told you they were Communists or not?

Mr. FISHER. I can't recall that.

Senator EASTLAND. You don't remember?

Mr. FISHER. No, sir; I don't remember.

Senator EASTLAND. You would not say they did and you would not say they didn't?

Mr. FISHER. No, sir.

Mr. ARENS. Fisher, I want to make a little statement before I ask you the next question.

I am not in the next question going to ask you whether or not you are now or ever have been a member of the Communist Party. I am going to ask you this question, however: Who asked you to join the Communist Party?

Mr. FISHER. I refuse to answer because—I refuse to answer that because it might be tied up in something—what do you mean who asked me to join the Communist Party?

Senator EASTLAND. Yes; just who asked you to join it?

Mr. FISHER. I can't recall anybody asking me to join no Communist Party. If I am clear on the question—get me right—

Mr. ARENS. Nobody asked you to join?

Mr. FISHER. I can't recall anybody ever asking me.

Mr. ARENS. Did you ever pay dues to the Communist Party?

Mr. FISHER. I haven't paid any dues. What do you mean "dues to the Communist Party," me knowing that I have paid dues? I never have. I can't recall that incident. I don't know, because I don't know—

Senator EASTLAND. Did you ever have a membership card in the Communist Party?

Mr. FISHER. I never have.

Senator EASTLAND. You never had one?

Mr. FISHER. No, sir.

Mr. ARENS. In 1949 and 1950—that is last year and the year before last—did you subscribe to the Communist Daily Worker?

Mr. FISHER. No, sir; I did not. You mean did I do that myself?

Mr. ARENS. Yes.

Mr. FISHER. Let me clear this question before I answer it. I never subscribed to the Daily Worker. If somebody sent my name in, I don't know who it was, and the paper is coming to my address now, but I did not subscribe for the Daily Worker, and I haven't had any communications in my own handwriting to the publishing house.

Senator EASTLAND. Do you know who subscribed for you?

Mr. FISHER. All I know the paper started coming in.

Senator EASTLAND. What is your best judgment now about who subscribed for you?

Mr. FISHER. I really don't know. I'm sorry, I don't remember.

Senator EASTLAND. Don't you think the business agent of the local did that?

Mr. FISHER. I'd rather not answer that.

Senator EASTLAND. Yes, you have to answer that. I just asked you what you thought. What you think is not going to incriminate you. It is not a crime to think. Now, your best judgment is that the business agent sent you—

Mr. FISHER. No.

Senator EASTLAND. That is what you think, though, is it not? You cannot refuse now. You are going to have to answer that.

Mr. FISHER. I don't have no thoughts about it because the paper came in there. I got a letter today some place—I don't know how they got my address—from some reserve life-insurance company. Why they got my address, I don't know.

Senator EASTLAND. If you are getting a newspaper other folks in your union get it, too, don't they?

Mr. FISHER. I guess they do. I don't know.

Senator EASTLAND. You know they do. Now, does the union buy those papers?

Mr. FISHER. Union buy those papers?

Senator EASTLAND. Yes. Somebody has to pay for them.

Mr. FISHER. You want to know what I think about that?

Senator EASTLAND. Yes.

Mr. FISHER. I'm not sure about it because I'm telling you the facts so far as I know. Just what I'm saying; I don't think so.

Senator EASTLAND. Then who do you think did it?

Mr. FISHER. I really don't know.

Senator EASTLAND. You are bound to think somebody did it. You have to have an opinion about it.

Mr. FISHER. I don't have no opinion; just don't know.

Senator EASTLAND. You get a paper and you never did even think who might have sent you that paper?

Mr. FISHER. I don't recall.

Senator EASTLAND. And the other officers in the union get the paper and none of you have ever thought who paid for it or how you got it, have you?

Mr. FISHER. I haven't thought anything about it.

Mr. ARENS. Have you been to New York for the union?

Mr. FISHER. Yes, sir.

Mr. ARENS. What other places have you been to where the union paid your expenses?

Mr. FISHER. New York and once to Philadelphia.

Mr. ARENS. What did you go to New York for?

Mr. FISHER. Convention and board meeting.

Senator EASTLAND. What convention?

Mr. FISHER. At that time it was the founding convention when the merger took place in New York.

Senator EASTLAND. When the CIO kicked the union out as being a Communist union, were you called to New York?

Mr. FISHER. No, sir; the time of the expulsion?

Senator EASTLAND. Yes.

Mr. FISHER. The times I said like this: The time that I went to New York was to attend a board meeting and the founding convention.

Senator EASTLAND. That is the only time you have been there?

Mr. FISHER. That is the only time I recall.

Senator EASTLAND. If you made another trip to New York, you would have recalled it. Think right now before you answer that.

Mr. FISHER. I don't recall another trip and that's the reason I'm answering these questions like this, because I don't want to say something definite that I don't—

Senator EASTLAND. If the FBI had said that you made a trip up there and had watched you on that trip, they might have been right?

Mr. FISHER. I'm not going to say yes to that. At the time of the expulsion—when was that? I don't know when it was.

Senator EASTLAND. You knew your union had been expelled, didn't you?

Mr. FISHER. Well, that's what I understood about it.

Senator EASTLAND. What was your trip to Philadelphia?

Mr. FISHER. To a board meeting, as an alternate board member.

Senator EASTLAND. What board?

Mr. FISHER. For the international at the time before the merger, just before the merger.

Senator EASTLAND. Are those the only two trips you made?

Mr. FISHER. You mean to New York or Philadelphia?

Senator EASTLAND. Yes; Chicago, or Detroit, or St. Louis, or Nashville.

Mr. FISHER. That's the only one I recall.

Senator EASTLAND. The Communists were trying to save Willie McGee down at Jackson, Miss. You know about the delegation that went to Jackson from your union?

Mr. FISHER. I know about the one from my plant.

Senator EASTLAND. Who was on that delegation?

Mr. FISHER. About 19 of them, I think.

Senator EASTLAND. About 19 of them? Who sent them down there?

Mr. FISHER. The way this happened, some person came by there one day at noon and was talking to fellows on top of the hill.

Senator EASTLAND. What person?

Mr. FISHER. Don't know; supposed to be from California. Never saw him before and haven't seen him since.

Senator EASTLAND. He was just a stranger, and he talked to the fellows on the top of the hill.

Now, go ahead.

Mr. FISHER. Came in and talked to those men at the plant gate where they eat lunch; asked about participating in some kind of prayer meeting—that was before he discussed Willie McGee—and asked them to come down and pray in the prayer meeting.

Senator EASTLAND. Was the prayer meeting in Memphis?

Mr. FISHER. No, sir; Jackson.

Senator EASTLAND. Jackson, Miss.?

Mr. FISHER. Yes, sir.

Senator EASTLAND. It was a Communist demonstration in Jackson, Miss., and 19 went from your plant; is that right?

Mr. FISHER. That's right.

Senator EASTLAND. Just a stranger came there—you don't know who he was—and talked to you, and 19 of them pulled out to Jackson?

Mr. FISHER. They had a meeting among themselves and they took up the donation there among the plant, workers in the plant.

Senator EASTLAND. Did the union approve that trip?

Mr. FISHER. I don't think the union knew anything about it.

Senator EASTLAND. There has been testimony here that the union sent them.

Mr. FISHER. Sent those men down here?

Senator EASTLAND. You better watch what you say.

Mr. FISHER. I know this fact to be a fact: that those donations up there were among themselves, regardless of who said what.

Senator EASTLAND. Why is it that when there is a Communist cause to be promoted this local here always cooperates to promote that Communist cause? What is the reason for that?

Mr. FISHER. I don't know whether I'm able to detect, to answer that question, but yet I mean I don't—if you make it a little more clearly what I understand "Communist cause"—

Senator EASTLAND. Well, to "save Willie McGee," Civil Rights Congress, Stockholm peace petition; everything the Communists have advocated your local has advocated. Why do you do that?

Mr. FISHER. I don't know whether my local advocates all those things or not.

Senator EASTLAND. Well, now, actually the business agent runs the local; does he not?

Mr. FISHER. Well, to clear that up, from my understanding that we try to make our union as democratic as we possibly can.

Senator EASTLAND. I know that.

Mr. FISHER. And, in the electing in these resolutions or any program that is to be adopted, then we urge every rank and file person to come from the plant and participate in this affair.

Senator EASTLAND. But the business agent is the smartest man there and he actually runs the union; does he not?

Mr. FISHER. I wouldn't say that.

Senator EASTLAND. Be frank with me.

Mr. FISHER. I wouldn't say that.

Senator EASTLAND. What he recommends you all do; do you not?

Mr. FISHER. Recommends so far as contracts understanding, grievance proceeding, and help negotiate contracts.

Senator EASTLAND. Yes, and these trips you have been making in respect to the Stockholm peace petition, Civil Rights Congress, and "Save Willie McGee," that is what your financial agent told you to do; was it not?

Mr. FISHER. Our financial agent? I don't follow you. I'm not so clear on that.

Senator EASTLAND. The business agent, McCrea.

Mr. FISHER. Told us to do that?

Senator EASTLAND. Yes.

Mr. FISHER. If some person came in—and, as I said, that is the truth—some person came in from California, or some place, that I had never seen before, and so far as our business agent is concerned in this part—

Senator EASTLAND. There have been a lot of other people who have been electrocuted for crime. Has your union sent delegations to hold prayer meetings around where the other people were going to be electrocuted?

Mr. FISHER. I don't follow you.

Senator EASTLAND. I say other people have been electrocuted for murder and for rape, for instance. Has your union sent delegations in those cases to hold prayer meetings to save the person who was going to be electrocuted?

Mr. FISHER. You ask me have they done that?

Senator EASTLAND. Yes.

Mr. FISHER. I refuse to answer that because——

Senator EASTLAND. You refuse to answer?

Mr. FISHER. I don't know about that.

Senator EASTLAND. You don't know. Well, the truth is you have not sent delegations to protest the electrocution of other people charged with crime. That is true; is it not?

Mr. FISHER. I refuse to answer.

Senator EASTLAND. Was there one single man electrocuted for murder in Tennessee that your union sent delegations to prayer meetings to save him? Has it done that?

Mr. FISHER. The time that I been in the union I don't know.

Senator EASTLAND. You know they have not, don't you?

Mr. FISHER. I don't recall.

Senator EASTLAND. They have not done that; have they?

Mr. FISHER. I don't remember.

Senator EASTLAND. No; you don't remember, but why was it that just this one time when the Communist Party was attempting to save Willie McGee, just that time and that time only, your union sent a delegation to cooperate with it if your union was not directed by the Communist Party to do that?

Mr. FISHER. You asked me if my union sent a delegation down. You still asked me that and I said just now that my union didn't even know those men were going down there, because those men down in the plant decided that by themselves.

Senator EASTLAND. Other people here have testified the union did. Were they wrong about that?

Mr. FISHER. Those men that went from the Federal Compress down there, they took up a collection down there, 25 cents, 50 cents, among themselves and got enough to pay expenses and they used their own cars for transportation.

Senator EASTLAND. Are you denying now under oath that your union sent a delegation down there?

Mr. FISHER. I don't think it was my union, if I understand it clearly.

Senator EASTLAND. You better think. Other officials of your union have testified that they did send a delegation.

Mr. FISHER. If they did, I don't know about that delegation. I am talking about the men I was talking about a few minutes ago.

Senator EASTLAND. Is it not a strange coincidence that your union has attempted to save a man from the electric chair that the American Communist Party was attempting to save?

Mr. FISHER. I wouldn't say that's the only time. I hadn't been around too long.

Senator EASTLAND. How long have you been around?

Mr. FISHER. I think I become active in the union in 1947 or 1948, somewhere.

Senator EASTLAND. There have been a lot of people electrocuted in Tennessee since then, but your union has not interceded for them, including Negroes from Memphis. Your union has not interceded. Why is it that your union intercedes just the one time that the Communist Party intercedes if you are not controlled by the Communist Party?

Mr. FISHER. I wouldn't say that my union did anything toward Willie McGee, so far as this delegation. I don't know what they did, because we weren't asked by the union.

Senator EASTLAND. They were union members that went down there.

Mr. FISHER. They did not go down there in the name of the union.

Senator EASTLAND. They were union members.

Mr. FISHER. They were union members.

Senator EASTLAND. You tell me that a stranger came here, a man that they did not know, and suggested that they go down there and hold a prayer meeting and they raised money and went down there; is that right?

Mr. FISHER. That's right.

Senator EASTLAND. No official of the union had anything to do with it?

Mr. FISHER. No.

Senator EASTLAND. And when the officials testified that they did do it, then you say they are wrong?

Mr. FISHER. You mean to say they testified and I was there when the actual collection took place? Then I didn't see them there. If they was around, I didn't see them.

Mr. ARENS. You are vice president of this local; aren't you?

Mr. FISHER. Yes, sir.

Mr. ARENS. What are your duties?

Mr. FISHER. Specifically for the local, I don't have any specific duties. Just in case the president is absent, come up and maybe preside at the meeting. I haven't had a chance to do that yet because he has never been away.

Mr. ARENS. What are the president's duties?

Mr. FISHER. To supervise the office, sign checks, and what not.

Senator EASTLAND. Does he do all that, or does McCrea do it?

Mr. FISHER. The president doesn't sign checks.

Senator EASTLAND. What political organizations do you belong to?

Mr. FISHER. Political organizations? I am not so up on political organizations. I just participate in politically nothing. I don't see where I've been in anything political. The only thing I have devoted most of my time to is union activities and problems in the plant.

Senator EASTLAND. Well, were you interested in Henry Wallace's campaign for President?

Mr. FISHER. I wouldn't say that I was. I wouldn't say that I wasn't.

Senator EASTLAND. Did you support Henry Wallace?

Mr. FISHER. May I answer that question in this form, because I am very careful—I am trying to be careful—I don't know whether I am or not—but I didn't vote at all.

Senator EASTLAND. You did not vote. Did you attend some meetings, some Progressive Party meetings for Henry Wallace?

Mr. FISHER. I refuse to answer because I don't remember.

Senator EASTLAND. Yes; you do remember.

Mr. FISHER. I do remember?

Senator EASTLAND. Of course you remember. You attended some Henry Wallace meetings; didn't you?

Mr. FISHER. I refuse to answer because I don't recall.

Senator EASTLAND. You don't recall?

Mr. FISHER. What year was that?

Senator EASTLAND. 1948.

Mr. FISHER. I don't recall. I refuse to answer that because it might sometime tie in and I don't—I refuse to answer.

Senator EASTLAND. Do you remember whether you attended some Wallace meetings or not?

Mr. FISHER. I don't remember.

Senator EASTLAND. You do not remember whether you did or not?

Mr. FISHER. No, sir.

Senator EASTLAND. Do you remember when Mr. Wallace came to Memphis?

Mr. FISHER. Yes, sir.

Senator EASTLAND. Did you meet him?

Mr. FISHER. No, sir.

Senator EASTLAND. Your union supported Henry Wallace; did it not?

Mr. FISHER. At that time I wasn't active in the union, at that particular time. Whether they did or not I don't recall.

Senator EASTLAND. As a matter of fact, you know that your union did support Henry Wallace; don't you?

Mr. FISHER. Through the press and other things that I have heard; that's the way I got it.

Senator EASTLAND. And you know that your local in Memphis supported Henry Wallace; do you not?

Mr. FISHER. Only through the presses and other means of hearsay that I know.

Senator EASTLAND. And you know that Henry Wallace was supported by the Communist Party as the Communist candidate for President? Have you not read that in the papers?

Mr. FISHER. Read that in the papers?

Senator EASTLAND. Yes.

Mr. FISHER. Read that the Communist Party supported Mr. Wallace?

Senator EASTLAND. Yes. That is common knowledge. You know that, do you not?

Mr. FISHER. I refuse to answer that.

Senator EASTLAND. You are going to answer that now. You knew that; did you not?

Mr. FISHER. I refuse to answer because it might somehow get me hooked up in something.

Senator EASTLAND. Might get you "hooked up"?

Mr. FISHER. Might incriminate me some way.

Senator EASTLAND. How could it possibly incriminate you?

Mr. FISHER. Because I don't know about this.

Senator EASTLAND. Is it not strange, now, that if your union was not run by the Communists they would support along with the other Communist unions the Communist candidate for President in 1948?

Mr. FISHER. I don't follow you. How do you have that?

Senator EASTLAND. I say, isn't it strange that if your union is not controlled by the Communists that they would line up with other Communist unions and support Henry Wallace in 1948?

Mr. FISHER. I refuse to answer it.

Senator EASTLAND. You are going to have to answer.

Mr. FISHER. I try to answer the best I can. I want to cooperate, but I don't want to get myself in trouble here. When it comes to this political questions, I'm not so up.

Senator EASTLAND. You are liable to get in trouble if you do not answer the questions.

Mr. FISHER. If I don't know them?

Senator EASTLAND. If you don't know them, say you don't know them, but I am not going to let you refuse. Did you ever join the Communist Party?

Mr. FISHER. I refuse to answer that question. It might incriminate me, Senator.

Senator EASTLAND. Might incriminate you some way?

Mr. FISHER. Yes.

Senator EASTLAND. Back in 1939, did you belong to the Communist Party?

Mr. FISHER. 1939?

Senator EASTLAND. You were not even a member of the union then; were you?

Mr. FISHER. In 1939?

Senator EASTLAND. Yes.

Mr. FISHER. I refuse to answer that, too.

Senator EASTLAND. Were you a member of the union in 1939?

Mr. FISHER. I joined this union here in Memphis much later than that.

Senator EASTLAND. What year did you join?

Mr. FISHER. 'Long about 1942 or 1943.

Senator EASTLAND. All right, then, you were not a member in 1939. In 1939, did you belong to the Communist Party? If you didn't, say so.

Mr. FISHER. I refuse to answer that.

Senator EASTLAND. Refuse to answer it? Why?

Mr. FISHER. Might incriminate me in some way.

Senator EASTLAND. Well, did you belong then?

Mr. FISHER. I still refuse. I refuse to answer.

Senator EASTLAND. What have you got to hide?

Mr. FISHER. When it comes to these political questions I don't know.

Senator EASTLAND. You do not know?

Mr. FISHER. What I mean, I don't want to get tied up in something I don't know about and have no understanding about it.

Senator EASTLAND. If you did not belong to it, the way not to get tied is to say you did not belong, if you didn't.

Mr. FISHER. Like you say now, about the local send a delegation to Jackson; my understanding is that they didn't send a delegation to Jackson. You said somebody might come up here and say in 1939 and say Earl was this or Earl was that and I don't know what these people say and therefore I am not going to tie myself up to it.

Senator EASTLAND. In 1939, now, if you did not belong to the Communist Party say so and declare yourself. Then nobody can get you in trouble.

Mr. FISHER. I refuse to answer.

Senator EASTLAND. Have you ever been a member of the Communist Party?

Mr. FISHER. I refuse to answer that, too, because it might incriminate me.

Senator EASTLAND. In New York, did you go to Communist meetings?

Mr. FISHER. Since you keep asking me questions, I say like this: If they were, nobody told me that they were. The only meeting I attended was a meeting in union hall.

Senator EASTLAND. Did you go to Thirteenth Street in New York?

Mr. FISHER. I went to 13 Astor Place in New York.

Senator EASTLAND. You did not go to Thirteenth Street?

Mr. FISHER. I must passed by there than go inside. I don't remember going in.

Senator EASTLAND. Did anybody in your union ever talk Communist talk to you or tell you they were Communists and ask you if you were?

Mr. FISHER. I refuse to answer that because I can't recall.

Mr. ARENS. What about the president of the union; what is his name—Lashley?

Mr. FISHER. Lashley; yes, sir.

Senator EASTLAND. Did he ever join the Communists? Did Lashley join the Communists?

Mr. FISHER. Today I heard some statement made. From my knowing, I would be afraid to answer that, too, because I don't know—

Senator EASTLAND. Did he ever tell you he was a Communist?

Mr. FISHER. I never asked him and he never told me.

Senator EASTLAND. Did you ever go to any meetings with him?

Mr. FISHER. To union meetings.

Senator EASTLAND. That is all, union meetings?

Mr. FISHER. That is all. That's all I can recall ever been to with him.

If there's some other kind of meeting they didn't tell me. That is when I went there.

Senator EASTLAND. Who, in your union, was urging support of Henry Wallace? Was it Mr. McCrea, the business agent?

Mr. FISHER. I refuse to answer that because I'm afraid that I might be wrong or right because I don't recall that.

Senator EASTLAND. You just don't recall?

Mr. FISHER. No, sir.

Senator EASTLAND. Did you ever make any trips over Tennessee with Mr. McCrea?

Mr. FISHER. Trips over Tennessee?

Senator EASTLAND. Yes.

Mr. FISHER. You have to kind of clear me up on that because I don't like—

Senator EASTLAND. Have you been to Nashville with him?

Mr. FISHER. I don't recall ever going to Nashville with him.

Senator EASTLAND. Chattanooga?

Mr. FISHER. Never recall going to Chattanooga with him.

Senator EASTLAND. Have you been to Knoxville with him?

Mr. FISHER. Don't recall that either.

Senator EASTLAND. Where have you been with him?

Mr. FISHER. We didn't go together because I went before he did. He went to New York the time that I went to New York; California at a convention. A convention was held in California. He was there, but we didn't go together.

Senator EASTLAND. You just went to a union convention in California?

Mr. FISHER. In Santa Cruz.

Senator EASTLAND. It has been testified here that Mr. McCrea was the Tennessee organizer for the Communist Party and the head man in the Tennessee district. Have you been on any trips with him over the State where he saw people?

Mr. FISHER. I refuse to answer that, because I don't—might incriminate me some way and I'm not clear on all these things and I'd rather not get tied up with it.

Senator EASTLAND. You say what?

Mr. FISHER. I refuse to answer that, too.

Senator EASTLAND. As to this stuff that it might incriminate you, where did you hear about that?

Mr. FISHER. In other words, what I'm trying to say is I don't know whatever been said. I'm trying to stay clear of all this stuff so I won't get myself in trouble.

Senator EASTLAND. All right. Who was it that told you to say that?

Mr. FISHER. Who was it told me? I had some legal advice, but he didn't tell me what to say or what not to say.

Senator EASTLAND. Who was your legal adviser?

Mr. FISHER. Lawyer for the union, but he didn't tell me what to say.

Senator EASTLAND. What is his name?

Mr. FISHER. Rabinowich or something like that.

Senator EASTLAND. Mr. Rabinowitz of New York?

Mr. FISHER. I guess.

Senator EASTLAND. You began to sing a little song and before I even asked you, you were going to say that he did not tell you what to say.

Mr. FISHER. I mean he didn't put words in my mouth.

Senator EASTLAND. All right, he told you to say that he had not told you what to say, did he not? He told you to tell me that out here—that he had not told you what to testify.

Mr. FISHER. May I put it the way I understand it?

Senator EASTLAND. I want you to answer my question "yes" or "no."

Mr. FISHER. He didn't tell me what to say because he didn't know what I mean. He just told me what my rights were.

Senator EASTLAND. He told you to testify out here that he had not told you what to say; did he not?

Mr. FISHER. I'm telling you what he told me. He told me what my rights were.

Senator EASTLAND. Did he not tell you to tell me when you got on the witness stand that he had not told you what to say?

Mr. FISHER. I refuse to answer that because I am trying to explain. I don't want to say the wrong thing.

Senator EASTLAND. You say what?

Mr. FISHER. I refuse to answer because I tried to explain it the best I understood.

Senator EASTLAND. You are going to have to answer that question as to whether Rabinowitz told you.

Mr. FISHER. I told you what he told me.

Senator EASTLAND. Did he tell you to say that he had not told you what to say?

Mr. FISHER. He told me my legal rights so far as testimony is concerned. So far as what to say here he didn't tell me what to say.

Senator EASTLAND. But he told you to testify that he had not told you what to say; did he not?

Mr. FISHER. No, he didn't tell me that.

Senator EASTLAND. He did not tell you that?

Mr. FISHER. That's my understanding that's what he was telling me.

Senator EASTLAND. He had a meeting with you last night.

Mr. FISHER. I went home last night.

Senator EASTLAND. When did you see him?

Mr. FISHER. I saw him in New York at the union office.

Senator EASTLAND. Did you see Mr. Neuburger up there?

Mr. FISHER. If I did, I didn't know him.

Senator EASTLAND. Another lawyer.

Yesterday, did you talk to the employees of the Compress, the Federal Compress, about this hearing?

Mr. FISHER. Yesterday?

Senator EASTLAND. Yes. I want you to think because I want to warn you now that I have a statement from somebody who was there.

Mr. FISHER. What did you ask me, did I go around there to the plant yesterday and contact the workers?

Senator EASTLAND. What did you tell them about this hearing?

Mr. FISHER. What did I tell the workers about this hearing?

Senator EASTLAND. Yes.

Mr. FISHER. I don't know nothing about what I told the workers. I didn't get in town till 4 o'clock the other morning from New York and I didn't get up until around 10:30 and I was at the union hall at 11.

Senator EASTLAND. Where were you between 7:30 and 8 o'clock yesterday morning?

Mr. FISHER. That was—that's Thursday morning?

Senator EASTLAND. Yes.

Mr. FISHER. I was in the bed, I thought, unless I was walking around in my sleep.

Senator EASTLAND. You were not at the plant?

Mr. FISHER. I didn't get in town here yesterday morning till 4 o'clock and didn't get home until 5.

Senator EASTLAND. Between 7:30 and 8 o'clock. I want you to think, now.

Mr. FISHER. I went on and put on my clothes and got into bed. Around 10:30, my wife got up and ate breakfast.

Senator EASTLAND. When did you last go down to the plant?

Mr. FISHER. Last time I went down to the plant was yesterday at noon and I only saw one or two people.

Senator EASTLAND. Did you have a meeting yesterday morning and tell them not to pay any attention to these hearings and tell them not to testify, that we were only trying to prevent the workers from getting an increase in wages?

Mr. FISHER. Yesterday morning?

Senator EASTLAND. Yes. Did you do that yesterday?

Mr. FISHER. If that's Thursday morning, I left New York Wednesday night——

Senator EASTLAND. Answer my question.

Mr. FISHER. The way I thought it was——

Senator EASTLAND. You are going to answer my question "yes" or "no" now. Did you do that?

Mr. FISHER. Yesterday morning I did not.

Senator EASTLAND. All right, did you make that statement to workers any time yesterday?

Mr. FISHER. I haven't saw the workers yesterday, only one or two people that come down to the plant. I was up on top of hill at lunch and only saw one or two people down there. We didn't have a meeting down there yesterday. If there is, somebody else held a meeting; I didn't.

Senator EASTLAND. Your name is Fisher, F-i-s-h-e-r?

Mr. FISHER. F-i-s-h-e-r.

Senator EASTLAND. Did you ever have a meeting there and tell the workers what I have just——

Mr. FISHER. No, sir; we never had a meeting down there on an issue like this.

Senator EASTLAND. You have not advised any of the workers there not to pay any attention to these hearings and not to testify, that we were simply trying to keep the workers from getting an increase in wages?

Mr. FISHER. You mean to say I told——

Senator EASTLAND. I am asking you whether you did or not.

Mr. FISHER. I refuse to answer that.

Senator EASTLAND. Why?

Mr. FISHER. What you saying about the meeting, I know these things—there's something funny about it. I don't know what had been said and I refuse to answer that because——

Senator EASTLAND. Somebody has said it and that is exactly the reason you are going to have to answer and tell me whether that person told the truth or not.

If it is not true, you say so.

Mr. FISHER. I don't recall saying that.

Senator EASTLAND. All right, you do not recall saying that. If you said, you would recall it, would you not?

Mr. FISHER. I don't know. If I don't recall I don't remember saying it.

Senator EASTLAND. You do not know whether you remember telling that yesterday or not?

Mr. FISHER. I wasn't telling anybody that yesterday.

Senator EASTLAND. All right, now, say that.

You testified that you saw two workers yesterday. What did you say to them?

Mr. FISHER. Only they just asked me when did I get back and when I was coming back to work; just generally, didn't have nothing like this.

Senator EASTLAND. You would not want to belong to a Communist, union, would you?

Mr. FISHER. Well, if it's against the law I wouldn't want to belong to nothing, if it's against the law.

Senator EASTLAND. You know the Communists are against the United States and trying to destroy the United States, do you not?

Mr. FISHER. Yes; that's my understanding about it.

Senator EASTLAND. They are controlled by Russia.

Mr. FISHER. Don't ask the question too deep for me because I never gave it too much study.

Senator EASTLAND. But you hear that.

Mr. FISHER. Yes; I hear that.

Senator EASTLAND. You would not want to be affiliated with an outfit like that.

Mr. FISHER. I don't want to be affiliated with nothing trying to overthrow the Government.

Senator EASTLAND. You are. Those people are using you.

Why don't you tell me just what Mr. McCrea, the business agent, has told you about Communists? He's a Communist.

Mr. FISHER. I refuse to answer because it might incriminate me.

Senator EASTLAND. It might incriminate you?

Mr. FISHER. Yes, sir.

Senator EASTLAND. You do not remember whether he has even told you anything or not? Which is it? Which is true?

Mr. FISHER. I don't remember, so I don't know what.

Senator EASTLAND. Well, you do not remember, then.

Mr. FISHER. I don't remember. I just want to get saying something here——

Senator EASTLAND. Are you afraid of him?

Mr. FISHER. No, sir; I'm not. I don't think I am.

Senator EASTLAND. Has he ever threatened you in any way?

Mr. FISHER. No, sir.

Senator EASTLAND. If he has made some statement to you, why don't you testify about it? Are you afraid of him?

Mr. FISHER. No, sir; I'm not. He never said anything or made no threats to me. If he did, I didn't hear.

Senator EASTLAND. Are you afraid of him?

Mr. FISHER. No, sir; I'm not afraid of him.

Mr. ARENS. What did Rabinowitz tell you when he started talking to you?

Mr. FISHER. In New York?

Mr. ARENS. That New York lawyer; yes.

Mr. FISHER. He talked to—I think Lee and I was together at the time they talked with us.

Mr. ARENS. You went to New York to see him and you were subpoenaed; is that right?

Mr. FISHER. I went to New York to attend a board meeting in New York.

Mr. ARENS. When was that?

Mr. FISHER. We left here Saturday night, drive in New York Monday around 12 o'clock for board meeting that was supposed to open up that Wednesday, I think.

Senator EASTLAND. While you were in New York what was said about this investigation by the officials of the international union? What did they say about it?

Mr. FISHER. They said—I don't know what they said about this investigation, but I think all I understood them to say was that either the investigation—that you need some legal advice or something like

that. They told me that I don't know too much about the technicalities so far as the law is concerned, that I might need some legal advice in answering the questions because if I didn't be careful——

Senator EASTLAND. They told you if you were not careful what?

Mr. FISHER. And I asked something like that it might some way get me in trouble.

Senator EASTLAND. Might incriminate you?

Mr. FISHER. Might get me in trouble.

Senator EASTLAND. That is right. They said if you were not careful about what you testified about them or about the union it might get you in trouble; is that what it was?

Mr. FISHER. Ask that again for me, please.

Senator EASTLAND. They told you that if you were not careful about your testimony about the union that it might get you in trouble and therefore they wanted to furnish you a lawyer?

Mr. FISHER. They didn't say about the union.

Senator EASTLAND. They just said if you were not careful about your testimony you might get in trouble?

Mr. FISHER. Don't get confused because I might say something once or twice. You know, I heard this all the time even about others——

Senator EASTLAND. I want to know what they told you when you went to New York on this trip and they furnished a lawyer for you.

Mr. FISHER. I didn't even know they were going to furnish a lawyer.

Senator EASTLAND. You just testified you did.

Mr. FISHER. I met him now. I didn't know for sure he was coming down here.

Senator EASTLAND. What did they tell you there about the reason for getting the lawyer?

Mr. FISHER. So that I'd have legal advice.

Senator EASTLAND. Why did they tell you needed legal advice?

Mr. FISHER. They say they thought I needed legal advice.

Senator EASTLAND. Why did they tell you they thought you needed legal advice?

Mr. FISHER. Why they did I don't know. That's what they told me.

Senator EASTLAND. They told you that you might get in trouble unless they——

Mr. FISHER. They told me I needed legal advice.

Senator EASTLAND. They told you you might get in trouble?

Mr. FISHER. They told me I needed some legal advice, according to the words that they put to me.

Senator EASTLAND. And they wanted to furnish a lawyer?

Mr. FISHER. We were in a union. That's a union lawyer, I understand. I'm not sure.

Senator EASTLAND. Does the union in Memphis have a lawyer?

Mr. FISHER. I understand all of it to be DPO.

Senator EASTLAND. And who is the lawyer for your local here in Memphis?

Mr. FISHER. I don't know.

Senator EASTLAND. You do not have one, have you?

Mr. FISHER. I don't know about it.

Senator EASTLAND. There are a lot of good lawyers in Memphis. Why was it necessary to furnish one from New York City?

Mr. FISHER. My understanding about it, I have always thought the international furnished the lawyers for the local. I might not be

sure about it, but that's what I thought about it. Even before, I thought they furnished the lawyers.

Senator EASTLAND. They told you to testify what this lawyer told you to testify; did they not?

Mr. FISHER. No, sir.

Senator EASTLAND. They did not tell you to say what he said?

Mr. FISHER. No, sir.

Senator EASTLAND. They did not tell you to take the lawyer's advice?

Mr. FISHER. They said I needed to talk to the lawyer for some legal advice, not what to say and how to say it. They just told me that's what I needed.

Senator EASTLAND. The lawyer told you if questions were asked you that being a Communist and about other people in the union being Communists, to refuse to answer on the grounds that it might incriminate you; didn't he tell you that?

Mr. FISHER. He left it up to me to judge for myself whether I was clear on a question or whether I understand what it was all about, or whether I could answer it under oath and not be right or wrong, be clear and understood about it before I answered any questions.

Senator EASTLAND. Somebody had to tell you that if a question was asked about another man being a Communist, you did not have to answer that, that it might incriminate you.

Now, somebody told you that. Did your lawyer tell you that?

Mr. FISHER. Say that again.

Senator EASTLAND. Did your lawyer tell you that if you were asked if Mr. McCrea or Mr. Red Davis or other members were Communists, or if officers in New York were Communists, to refuse to answer on the ground that it might incriminate you?

Mr. FISHER. Just told me what my rights were. He didn't call names to me. He didn't say anything.

Senator EASTLAND. How did you know when to refuse to answer on the ground that it might incriminate you when the questions were asked about somebody else that did not concern you?

Mr. FISHER. I am answering that because of the simple fact I don't know and I don't remember occasions and therefore I'd rather not commit myself to something that I'm not clear on.

Senator EASTLAND. What did the lawyer advise you about other people?

Mr. FISHER. He didn't advise me about no people. He just told me what my legal rights were on certain questions.

Senator EASTLAND. What did he tell you your legal rights were?

Mr. FISHER. That I could refuse to answer certain questions if it's that nature.

Senator EASTLAND. What questions? What nature?

Mr. FISHER. Any question that I wasn't clear on; rather than tell something wrong up here under oath, that if I wasn't clear that I should refuse to answer those questions.

Senator EASTLAND. Refuse to answer if you were not clear on it?

Mr. FISHER. That's my understanding of it.

Senator EASTLAND. If you do not know about them, say you do not know about them. Did he advise you not to answer any question on

the ground that might incriminate you if you were not clear on it and did not know about it?

Mr. FISHER. It might not be right, but whatever it is—I don't know the technicalities about it—but that's my understanding.

Senator EASTLAND. That will be all. You are excused.

Gentlemen, I am going to close the hearings in Memphis. I am going to order the investigators at a future date to see if the testimony of the activities of these people in Mississippi, Alabama, Arkansas, and Kentucky would furnish the necessity for further hearings at those places.

I think the record is absolutely clear that this is a Communist organization and that it is directed and controlled by men who are able and who are ruthlessly carrying out the policies of the Communist Party. I think instead of being a labor organization that it is, in reality, a Communist organization and that the Negroes who belong to it are dupes and are being used and bent to the will of people who desire the mid-South to set up a Communist organization.

I think that is the issue and I do not think there is any doubt that its purpose is to set up in this community and in other communities a Communist organization, an organization designed to overthrow the Government of the United States and designed to aid and promote the objects of the Soviet Union.

How such an agency as this could be certified as a bargaining agent by the National Labor Relations Board is beyond me, but it has been, and I think as a result of these hearings there will be legislation to deny organizations of this kind bargaining rights.

I think that the Negro officials who testified here are dumb. I do not think they know what has happened. I think that they have simply been used by designing people.

I desire to thank in particular the United States marshal and his deputies for the very fine cooperation and assistance they have given us.

I also desire to thank the Federal judges and the United States attorney and his assistants for their help and for their assistance.

Every one here has been very nice to me. In fact, I have never been better treated in my life.

We have the membership records which were seized and I am going to order those records to be made a part of the permanent record and thrown open to the public. I think that the public interest requires that the names of people who belong to organizations such as this be made public and the public can get the full information about them.

I also desire to thank the press corps for their courtesies and for the fair way in which they have covered these matters. I have had to be discourteous to some of the people at times, because I have had to be firm to prevent people from taking over the hearings and running away with them, as they desire to do and as they have done in other places. I was not going to permit this hearing to be a sounding board for Communist propaganda, and yesterday when I saw certain people here I was certain that that was the object—to use this as a sounding board to promote the interests of world communism.

That will be all, gentlemen, and I thank you.

(Whereupon, at 4:30 Friday, October 26, 1951, the hearing was recessed, subject to the call of the Chair.)

SUBVERSIVE CONTROL OF DISTRIBUTIVE, PROCESSING, AND OFFICE WORKERS OF AMERICA

MONDAY, FEBRUARY 11, 1952

UNITED STATES SENATE,
SUBCOMMITTEE TO INVESTIGATE THE
ADMINISTRATION OF THE INTERNAL SECURITY ACT
AND OTHER INTERNAL SECURITY LAWS,
OF THE COMMITTEE ON THE JUDICIARY,
Washington, D. C.

The subcommittee met at 9:30 a. m., pursuant to call, in room 457, Senate Office Building, Senator Arthur V. Watkins, presiding.

Present: Senator Watkins.

Also present: Richard Arens, staff director; Donald D. Connors, Jr., Winton H. King, and Edward R. Duffy, investigators.

Senator WATKINS. The subcommittee will be in order. The witness is Mr. Henry Allen. Mr. Allen, you do solemnly swear that the testimony you are about to give before the subcommittee of the Committee on the Judiciary will be the truth, the whole truth and nothing but the truth, so help you God?

Mr. ALLEN. I do.

TESTIMONY OF HENRY ALLEN, NEW YORK, N. Y.

Senator WATKINS. You may proceed, Mr. Arens.

Mr. ARENS. Will you kindly identify yourself by name, address, and occupation?

Mr. ALLEN. Henry Allen, 1827 Boone Avenue, New York 60, N. Y. I am a manufacturer.

Mr. ARENS. What is the nature of the manufacturing establishment?

Mr. ALLEN. The manufacturing of metal frame insect screens, storm windows, and kindred items.

Mr. ARENS. Will you give us, if you please, a brief personal history of yourself, telling us where you were born and a brief summary of your education and personal background?

Mr. ALLEN. I was born in St. Louis, Mo., in 1899. I attended school there in the public schools and took a correspondence course for the higher education. I worked in the daytime.

In 1918 I took a job with the Mesker Bros. Iron Co. in the office, and I remained with that corporation for 22 years and 9 months, leaving them in December 1940, and I came to New York where I started my own business.

Mr. ARENS. And will you tell us just a bit about your business?

Mr. ALLEN. Yes. In the spring of 1941 this business was founded as a corporate set-up manufacturing the items mentioned before and we just got started when Pearl Harbor came along and we had to convert to defense work. Then after VJ-day it was the same problem over again, but we are making substantially the same items today as we did at that time. We have national distribution for these items, shipping to some 30-odd States.

Mr. ARENS. How many employees do you presently have at your establishment?

Mr. ALLEN. Between 75 and 100.

Mr. ARENS. What organization, if any, is certified by the bargaining agency for the employees in your company?

Mr. ALLEN. Local 377, CIO. It is sort of a catch-all union.

Mr. ARENS. Can you more specifically identify the union?

Mr. ALLEN. The Wholesale, Retail, and Department Store Employees.

Mr. ARENS. How long has this particular organization to which you have just alluded been the bargaining agency for your employees?

Mr. ALLEN. Since 1946.

Mr. ARENS. Have you had occasion in the course of the operation of your company to come in contact with representatives of district 65 of the Distributive Processors and Office Workers of America?

Mr. ALLEN. Yes.

Mr. ARENS. Would you kindly elaborate upon the incidences and occurrences which transpired in your relationship with this district 55, DPOWA?

Mr. ALLEN. In May of 1950 while I was confined to the hospital with a virus infection a raid upon the membership of local 377 was made in our plant. When I returned after some 5 weeks I learned that a few of the men in the plant were wearing these buttons. I also received a letter from local 65 asking that we negotiate with that local.

Mr. ARENS. Will you just pause there a moment, Mr. Allen, to elaborate on what you mean by a raid on your employees and, secondly, more specifically identify these buttons that you have just alluded to?

Mr. ALLEN. The first evidence was the membership buttons which were green in color that some of the men were wearing, and the story, as I got it upon investigation, was to the effect that the membership was notified that a special union meeting was to be held and the men assumed that it was going to be a meeting by local 377. They gathered at the usual place for the meeting and were met by a number of cars. These cars took the men down to 13 Astor Place in New York City and then for the first time the men learned that it was not local 377 but local 65 that was holding the meeting. Subsequently a number of our employees told me that they were told they must attend subsequent meetings of local 65 and were threatened with bodily harm if they failed to do so. At least one of the men had visitors at his home who talked to his family.

Mr. ARENS. Could you more specifically identify the people who talked to your employees and who undertook to cause this pressure or duress upon them?

Mr. ALLEN. One Morris Doswell who apparently was in charge of the drive—

Mr. ARENS. On behalf of whom?

Mr. ALLEN. On behalf of local 65.

Mr. ARENS. Of DPOWA?

Mr. ALLEN. That is right. He was specifically in charge of this membership raid.

Mr. ARENS. Mr. Allen, can you kindly specify the date of the occurrence which you have just described, approximately?

Mr. ALLEN. 1950. That was the latter part of May 1950.

Mr. ARENS. Would you kindly go on in your own way and describe the relationship which you and your associates had with local 65 DPOWA?

Mr. ALLEN. When Morris Doswell first came into our office and said that he wanted to discuss representation of our employees by his union, I explained to him that we had an existing contract with local 377 that had 3 years to run and that we were bound by law to recognize this union, and that unless and until some Government agency told us that we could no longer recognize 377 that we should deal with local 65, we were powerless to deal with them.

Mr. Doswell, however, continued to insist that he represent the men on their grievances and said that they did not want local 377 to represent them. Mr. Doswell continued to appear at the plant at lunch time and during the evening hours to talk to the night shift and at least on 3 occasions during the next 3 months had mass demonstrations of over 100 men, none of whom were ever employed by our company, to mill about on the sidewalk and in the streets around our plant.

Mr. CONNORS. Did you find it necessary to have police protection against these demonstrations, Mr. Allen?

Mr. ALLEN. Each time we called the police who came with radio cars and dispersed the crowds. I attempted to learn more about local 65 and visited several employers in the metropolitan area in an effort to find out more about them, which action confirmed my previous suspicion that they were definitely Communist-controlled and were extremely militant.

During the week that followed I had regular meetings with our employees and read to them excerpts from the press consisting of most of the New York newspapers, which articles plainly indicated the real interest behind the union. Several of my employees approached me saying that after the initial meeting at 13 Astor Place they were threatened with bodily harm if they did not attend all subsequent meetings.

Mr. CONNORS. Who made those threats to your employees?

Mr. ALLEN. The men whom I do not know by name but who were at the local.

Mr. CONNORS. At local 65?

Mr. ALLEN. Yes.

Mr. CONNORS. So the position was then those men who were members of local 65, DPOWA, were threatening the employees of Universal Fabricators with violence if those men did not join local 65; is that correct?

Mr. ALLEN. That is right. Morris Doswell told me on several occasions that I had no right to talk to our men and said that I would be very sorry if I continued to do so. Three of the ringleaders inside our plant were continually demonstrating by inciting slowdowns,

work stoppages, and went so far as to sabotage some of the machinery of the plant.

Mr. CONNORS. Can you describe that in brief detail?

Mr. ALLEN. One of our presses was operated by a competent employee and when this man went to the lavatory, one of the other men lowered the machine without his knowledge so that when the operator returned and ran the press, it cracked the ram. This tampering was observed by two of the other employees of the shop who were afraid to inform at the time that it happened. It was at that point that I petitioned local 377 for permission to discharge the three leaders, and we agreed to hold a hearing before an arbitrator to decide if these men should be discharged.

Mr. CONNORS. That is, the three individuals in your shop who had incited the slow-down, the stoppages, and the sabotage; is that right?

Mr. ALLEN. That is right. When this became known to local 65, they began to telephone our office threatening my life if the men were discharged.

They also telephoned my wife at our residence saying the same thing. The calls were anonymous, and we were unable to recognize the voices.

Mr. CONNORS. How many such calls did you and your wife receive, Mr. Allen?

Mr. ALLEN. Between 6 and 10 calls.

Mr. CONNORS. Can you place the date of those telephone calls?

Mr. ALLEN. Most of the calls came in on October 24, 1950, the day set for the hearing before the arbitrator.

Mr. CONNORS. Do you remember any of the phrases used in the telephone calls?

Mr. ALLEN. The calls followed the same pattern to our office. They would ask for Mr. Allen. When the operator said, "Who is calling?" they would say "Never mind, but tell that son of a bitch if he fires those men we will kill him."

Mr. CONNORS. Have you ever been able to identify any of the persons or person who made the telephone calls?

Mr. ALLEN. We have never been able to identify those persons.

Mr. CONNORS. Will you then continue at your own pace and develop the chronology of events around October 1950?

Mr. ALLEN. The hearing having been completed on October 24, we waited to get the decision of the arbitrator. On October 25, between 12 and 1 p. m., I was in my office when I was advised by one of my foremen that another group was running down Boone Avenue. Assuming that it was to be another mass demonstration, I suggested that he tell the girl on the switchboard to call the police in order to break it up. This time, however, the men did not stop at the door but came on into the office, told the girl to hang up the phone, and upon her failure to comply, they grabbed her by the wrist, threw her on the floor, and pulled the telephone wires out of the switchboard, which killed all the phones in our offices.

Mr. CONNORS. How many men entered your premises?

Mr. ALLEN. Forty men.

Mr. CONNORS. Please continue.

Mr. ALLEN. Hearing the screaming and going on, I walked out of my office into a corridor, at which time I recognized Morris Doswell leading this group of men, the rest of whom were strange to me. Dos-

well said, "This is Allen; this is the boss." And at the same time he grabbed me by the coat lapels and, backed up by the crowd, started shoving me down the corridor and screaming threats to me all the while.

Mr. CONNORS. This was on your own property in the plant?

Mr. ALLEN. That is right; in the office. When we reached the back office, a distance of about 60 feet, I had been backed into a corner when two plain-clothes policemen came in through the back entrance. It seems that these two plain-clothes men were in the neighborhood taking care of some other reported incidents.

Mr. CONNORS. May I interrupt for a moment. Then the girl in your office who attempted to call the police was not able to get the call through before she was interrupted, as you previously described?

Mr. ALLEN. She was not able. The plain-clothes men, being notified of the trouble inside, came in a back door and attempted to reach me through the mob. In doing so, one of the men hit Officer Giacobello, knocking him over a desk. He got to his feet and backed into a corner and pulled his gun. His companion also went to his aid, and when the men learned they were officers, they started to run out of the building and down the street.

Mr. CONNORS. Did these two officers succeed in laying hands upon any of the rioters?

Mr. ALLEN. At that time there was so much confusion that apparently all the men got away, the officers being somewhat concerned with some other prisoners they had outside the building.

Mr. CONNORS. Then they made no arrests as a result of the rioting?

Mr. ALLEN. Not at that time.

Mr. CONNORS. About what was the duration of the riot at the plant on October 25?

Mr. ALLEN. It lasted approximately 10 minutes.

Mr. CONNORS. As a result of the riot were any arrests made at a subsequent date?

Mr. ALLEN. I obtained a warrant for Morris Doswell, he being the only one I recognized in the crowd. He was subsequently held for a special sessions court and the case given to the district attorney.

Mr. CONNORS. Who represented Doswell at the first hearing?

Mr. ALLEN. Sam Neuberger of the firm of—

Mr. CONNORS. What is the status of the criminal proceedings at this point—the criminal proceedings against Morris Doswell?

Mr. ALLEN. It has not been disposed of.

Mr. CONNORS. What transpired after the events of October 25 with respect to DPOWA?

Mr. ALLEN. On the following day we received notice from the referee advising that the men should be discharged, and they were fired on that day. Local 65 later on decided to withdraw and they have not made any further effort, to my knowledge, to raid the membership or to secure members from our men.

Mr. CONNORS. Mr. Allen, who were the three men whom you discharged?

Mr. ALLEN. Joe A'Benigno, Al Spencer, and Isadore Rosner.

Mr. CONNORS. Mr. Allen, did you have any evidence of Communist control or Communist membership within the framework of local 65 of the DPOWA?

Mr. ALLEN. Only what I read in the press and a remark by another manufacturer whom I am not at liberty to name, to the effect that his union shop, local 65, had the unit captured to such an extent that the officials had very little if anything to say with reference to running the business, and that when conditions got intolerable, he would approach Marcantonio who would ease the situation somewhat for them.

Mr. CONNORS. By Marcantonio you mean Vito Marcantonio, of New York?

Mr. ALLEN. I do.

Mr. CONNORS. Was Vito Marcantonio recommended to you by any members of local 65 of the DPOWA as a man with whom to do business?

Mr. ALLEN. No, he was not.

Mr. CONNORS. Were you advised on any other occasion that Vito Marcantonio could ease your situation with local 65 for a fee?

Mr. ALLEN. I was not. Several employees with whom I talked said that their members marched in the May Day parades.

Mr. CONNORS. The employers who mentioned to you their employees marched in the May Day parades were employers whose employees were organized by local 65 of the DPOWA; is that correct?

Mr. ALLEN. That is correct.

Mr. CONNORS. Mr. Allen, what knowledge have you concerning the welfare fund of local 65 of the DPOWA?

Mr. ALLEN. This local charges not less than 6 percent of the payroll, which money goes into a so-called welfare fund to purchase health and life insurance for its members. This excessive charge no doubt results in part for the enormous war chest or amount of moneys contained in their treasury. It is rumored that in some cases they are now attempting to get a fee of 10 percent of payroll for this purpose. In my opinion the benefits given by them could well be furnished for approximately 2½ to 3 percent of payroll.

Mr. CONNORS. In other words, members of Local 65, DPOWA, purchase for 6 percent of payroll benefits which they should be getting for 2½ or 3 percent of payroll; is that correct?

Mr. ALLEN. And do get for that with this exception: I understand that local 65 has a charter from the State of New York to self-insure, which means that they do not actually purchase anything. It would seem to me that care should be exercised in granting these charters.

Mr. CONNORS. You are appearing here this morning under subpoena, are you not?

Mr. CONNORS. Have you anything further to add to the record?

Mr. ALLEN. Not that I can think of.

Mr. CONNORS. The committee wishes to express its appreciation for your testimony and you will be released from your subpoena.

(Whereupon, at 11 a. m., the hearing was closed.)

SUBVERSIVE CONTROL OF DISTRIBUTIVE, PROCESSING, AND OFFICE WORKERS OF AMERICA

WEDNESDAY, FEBRUARY 13, 1952

UNITED STATES SENATE,
SUBCOMMITTEE TO INVESTIGATE THE
ADMINISTRATION OF THE INTERNAL SECURITY ACT
AND OTHER INTERNAL SECURITY LAWS,
OF THE COMMITTEE ON THE JUDICIARY,
Washington, D. C.

The subcommittee met at 10 a., m. pursuant to call, in room 457, Senate Office Building, Senator Arthur V. Watkins presiding.

Present: Senator Watkins.

Also present: Richard Arens, staff director; Donald D. Connors, Jr., investigator; Mitchel M. Carter, investigator; Frank W. Schroeder, professional staff member.

Senator WATKINS. The committee will resume its session. Do you have a witness, Mr. Carter.

Mr. CARTER. We have one witness this morning, Senator.

Senator WATKINS. And your name is?

Mr. MATUSOW. Harvey M. Matusow.

Senator WATKINS. Raise your right hand, please. Do you solemnly swear that the testimony given in the matter now pending before the subcommittee of the Judiciary Committee of the Senate of the United States will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. MATUSOW. I do.

Senator WATKINS. You may continue the hearing and interrogate the witness.

TESTIMONY OF HARVEY M. MATUSOW, DAYTON, OHIO

Mr. ARENS. Would you kindly identify yourself by name, residence, and occupation?

Mr. MATUSOW. Harvey M. Matusow, 1308 Grand Avenue, Dayton 6, Ohio. I am employed as a research assistant for the Ohio un-American Activities Commission, Ohio State Legislature.

Mr. ARENS. How long have you been so employed?

Mr. MATUSOW. I have been employed there since the 14th of January, having just been discharged from the United States Air Force.

Mr. ARENS. Would you kindly give us a brief résumé of your earlier life and education?

Mr. MATUSOW. I attended public school in the Bronx, New York City, and high school in the Bronx. When I was 18 I entered the United States Army, Infantry, served in the European theater of oper-

ations, One Hundred and Sixth Infantry Division; discharged in August of 1946, and then became employed at Grey Advertising Agency, and at that time was attending City College of New York.

I attended the City College for about a year and a half, in the period of 1946-47. After leaving Grey Advertising Agency in 1947, I did some free-lance work in the theatrical fields of television and radio production; then became employed at the Jefferson School Book Shop, 575 Sixth Avenue; then worked at their summer camp, Camp Sherwood, at Monticello, N. Y.; managed book shop at the camp in 1948.

I returned to the city and became a full-time employee of People's Songs and worked extensively in the Wallace campaign under party assignments.

I then became an employee of the New York County office of the Communist Party at 35 East Twelfth Street, New York.

I then worked at Camp Unity, Wingdale, N. Y., managed the book shop there in the summer of 1949.

Then I worked at the Worker's Book Shop at 48 East Thirteenth Street, New York, until about January of 1950.

Then I didn't do too much. Then I went to New Mexico and went to school out there, an art school run by a couple of Communists, Taos Valley Art School.

I then went into the United States Air Force in February of 1951, was a reservist called back, and discharged December 11, 1951, and now employed by the Ohio Un-American Activities Commission.

Mr. ARENS. What caused your discharge?

Mr. MATUSOW. A normal Reserve release. I am still in the Reserves.

Mr. ARENS. Were you a member of the Communist Party at the time you had been called into the service?

Mr. MATUSOW. I had been expelled from the Communist Party previous to that. I had contacted the FBI while I was still in the party, for about a year, and furnished information to them.

Mr. ARENS. Would you kindly give us your age and marital status?

Mr. MATUSOW. I am single, and 25 years old.

Mr. ARENS. Mr. Matusow, the Internal Security Subcommittee is making a study and investigation of the Distributive, Processing, and Office Workers of America, and it is our information that you have material respecting this organization.

I invite you, at your own pace, to supply the committee with such information as you feel is pertinent to this inquiry.

Mr. MATUSOW. In October or November of 1946 I joined the AYD, American Youth for Democracy, in the Bronx, N. Y., which was Club Roosevelt in the West Bronx, which was a Communist Party youth arm.

In August of 1947 I was invited to attend Camp Unity at Wingdale, N. Y., by Jules Sheik, who was at that time a member of the Communist Party and the AYD.

Mr. ARENS. Kindly identify Camp Unity.

Mr. MATUSOW. Camp Unity is a Communist Party summer camp in New York State. At that point, I was invited to join the Communist Party.

I did not join it then, but 3 or 4 weeks later I joined the Communist Party on the invitation of this same Jules Sheik and Lee Scharf, who was a full-time employee of Local 65, Distributive Work-

ers Union, which was one of the predecessor organizations of DPOWA.

I joined the Communist Party, the Joe York Youth Club, Mount Eden section of the Communist Party in the Bronx, in October 1947.

During my time of membership in the Communist Party, I was a full-time employee of the Communist Party at New York County headquarters, a full-time employee of the Wholesale Book Corp., which is the publication distributive organization for the Communist Party, a full-time employee of the Jefferson School, which is the Communist Party school in New York, and a full-time employee of People's Songs, which was the cultural arm of the Communist Party in New York and Nation-wide.

I worked, while in the party, closely with the United Office and Professional Workers Union, Local 16, which was one of the predecessor organizations to DPOWA.

In January of 1951 I was expelled from the Communist Party for "being an enemy agent."

In chronological order, I would like to go over the associations I had with people and organizations connected with the DPOWA or their predecessor organizations. I will start with Local 65, Distributive Workers Union.

Mr. CONNORS. You mean to say local 65 of the Distributive Workers Union, which was formerly affiliated with the Retail, Wholesale and Department Store Union, CIO, is that correct?

Mr. MARUSOW. That is right.

My first contact with local 65 was when I was a member of Club Roosevelt, AYD, in the latter part of 1946 or early 1947. There was a strike at Hecht's Department Store on 14th Street in New York. At one of our meetings, Lee Scharf, who was then an organizer for the AYD in the Bronx, and also a full-time employee of the union, local 65, that is, addressed the meeting and told us of this strike, and that under AYD directive we were to mobilize at the store on Saturday morning, cross the picket line and go into the store to disrupt the sales personnel, keep them busy so they couldn't wait on any legitimate customers.

I later found out that this was also a policy of the party, and the directive had been handed down by the Communist Party to support this strike and keep the volume of the sales in the store down so the management would have to sign a contract with the union.

This was not an isolated case of Communist Party direct support of local 65. Offhand I can't think of any specifics, but there were others where we were called upon to conduct similar support.

Further contact with the union was made when I was an employee of Wholesale Book Corp. and working at the Workers Book Shop.

On the tenth floor of their headquarters at 13 Astor Place, there was a book shop called 65 Book Shop, which was run directly by Wholesale Book Corp. and the Communist Party. The manager of this book shop was Jack. He was a member of the Communist Party, identified to me by the State literature director of the Communist Party and by himself, at various times, at Communist Party headquarters on Twelfth Street.

All of the literature he sold at this book shop was bought from Wholesale Book Corp. under the direction of the party. He didn't have a free hand in picking his own literature.

The party set up the policy for selling this material. Included in his book stock was the Little Lenin Library, published by International Publishers. In fact, about every publication that International Publishers or New Century Publishers distributed, all of the party pamphlets, were there.

Just before the book shop closed in 1949, he was giving great play to William Z. Foster's book "Twilight of World Capitalism."

He also sold records at the book shop, mostly phonograph records, distributed by Charter Records, which was an arm of People's Songs and directly controlled by the Communist Party, and Young People's Records, also at the time controlled by the Communist Party.

The book shop had a very close relationship to the union in that—

Mr. ARENS. By the union, you mean DPOWA, or its predecessor?

Mr. MATUSOW. Local 65 at the time. At all union affairs and functions, Jack was there to sell literature. If the book shop was closed, and the affair was held at the third-floor room called the panel room, he would set up a table with phonograph records and literature and sell them to people in attendance. The union newspapers did carry ads and material on the book shop and told its members to frequent this book shop and purchase material there.

That was one of the ways in which the party tried to indoctrinate the union members. The Communist Party clubs which were affiliated with local 65 in many times received their literature directly from this book shop, that is, literature for club meetings and organizers for local 65, full-time employees, also received their party literature from the book shop.

When I was a full-time employee of the Communist Party of New York County, Norman Ross, who was at that time New York County trade union secretary, had direct contact daily with members of local 65 and did instruct them as to party policy, party procedure to be followed in the union. He was the man who they were responsible to.

Now this included people such as Lee Scharf, whom I mentioned before. Some of the people that Ross had contact with were William Burl Michaelson, Communist Party section organizer, local 65, Communist Party, Norma Aaronson, who at that time was president of local 65, United Office and Professional Workers Union; David Livingston, Victoria Garvin, James Durkin, who at that time was president of United Office and Professional Workers Union. At the present he is the secretary-treasurer of DPOWA. Victoria Garvin, known as Vicki Garvin, is one of the vice presidents of the DPOWA today; David Livingston is a vice president of DPOWA; Norma Aaronson at that time was president of Local 16, UOPWA; William Michaelson, who was on the general executive board of DPOWA; Esther Letz Goldberg, who was a member of the general executive board at DPOWA.

Now, on many occasions, as I said, they received instructions from the Communist Party through Norman Ross and at times through George Blake Charney, who at that time was county organizer for the New York County Communist Party. At the time of the taxicab workers' strike in 1949, which was organized, I believe, by the United Mine Workers, DPOWA Local 65 at that time sent many of their organizers out to help in the organization of that union without the consent, mind you, of the United Mine Workers Union but under the direction of the Communist Party, and took a very active part in that

strike. Many of the people there did advocate certain violence in the strike to insure that no cabs were on the street.

As I say, the party in that work, in that taxicab workers strike, received their workers through local 65.

Another employee of the union, who I knew as a Communist Party member, one of the secretaries in the Union, was Inez Wood, who was a member also of the Tompkins Square Youth Club of the Communist Party.

Getting on to the United Office and Professional Workers Union, which was one of the predecessors of DPOWA, my first contact with the UOPWA was at Camp Unity in 1947, where Irving Leftowitz, who has the nickname of Lefty, at that time was county organizer for the Communist Party Youth Section, New York County.

He, Norma Aaronson, and—Winifred Norman¹ was later an organizer for United Office and Professional Workers Union, and I believe at that time was co-chairman of the AYD nationally—all three of the above-named people did attempt at that time to recruit me into the Communist Party.

Mr. ARENS. Do you identify each of those persons as Communists?

Mr. MATUSOW. Right. The three of them identified themselves to me at the time as members of the Communist Party. They told me also that they were connected with the United Office and Professional Workers Union.

I had found that out also through my connections with local 21 of the United Office and Professional Workers Union, which was set up to organize the advertising industry in New York.

Their first attempt was at Grey Advertising Agency where I was employed, and I was a member of that local and very active in the attempt to organize advertising.

The local itself was under the direct control of the Communist Party members in the local who were working at Grey Advertising Agency. Some of them were Lester Talkington, president, local 21, UOPWA, Communist Party member; Joe Sacco, his wife Nola Sacco, who was not employed at Grey but very active in the campaign; Norma Aaronson, and I just mentioned her; Herman Davis, who was an artist there; Florence Gartin, who later became identified to me as a member of the Communist Party; a woman named Ruth Stone, and no connection with the Ruth Stone of United Electrical Workers in New Jersey. This Ruth Stone is currently working in Hollywood, Calif.

The attempt to organize Grey Advertising Agency was part of a plan for the party to infiltrate into advertising, that is, to have something to say about the kind of advertising copy that comes out in relation to national campaigns, to keep, if possible, as much bad publicity away from the party and, wherever possible, favor and flavor toward the trade-union movements controlled by the party, and a general part of their plan of infiltration into the arts, dramatics, and otherwise.

¹ A letterhead of the New York State American Youth for Democracy lists Winifred Norman and David Livingston as cochairmen. The letterhead also gives as a temporary address that of DPOWA or 13 Astor Place, rooms 607-608, New York 3, N. Y. (Communist Tactics in Controlling Youth Organizations, hearings before the Subcommittee To Investigate the Administration of the Internal Security Act and Other Internal Security Laws, 82d Cong., p. 8.)

As I say, the union was defeated quite soundly and never again—instead, the local itself disbanded and became part of local 16, United Office and Professional Workers Union.

Some of the organizers of United Office and Professional Workers Union who were known to me as Communist Party members were Jack Greenspan, an organizer for the United Office and Professional Workers Union, which was a predecessor organization to DPOWA; his wife, and I don't remember her first name; Aaron Kramer, who was an employee of UOPWA and also a member of the Communist Party who has had numerous books published by International Publishers, books on poetry; Ethel Beach, nicknamed Sandy, who was in charge of the placement bureau or hiring hall of UOPWA; Vince Pieri, who was an organizer for the Labor Youth League, working in the UOPWA—Pieri is now the State organizer for the Labor Youth League in Ohio—Irving Sherman, who was a member of the Tompkins Square Youth Club of the Communist Party, working in UOPWA to try to organize a UOWPA Club of the Communist Party, a Youth Club.

On more than one occasion I was sent down to the hiring hall of UOPWA by the Communist Party County headquarters to secure a job in one of the weak shops, weak as far as the union was concerned, and at that time I either contacted Sandy or Ethel Beach or Jack Greenspan.

Greenspan was in charge of the direct mail division of the UOPWA. He referred me to Miss Beach and she would find an opening in any one of a number of shops and send me up, or other party members, as the case was, to secure work and maintain party control in the shop.

Mr. ARENS. What would be the nature of the work in which you would be engaged?

Mr. MATUSOW. For instance, direct mail was the printing trade. That is, the multigraph and mimeograph houses, there again relating to advertising. At one time I was sent up to William Morris Agency, a theatrical booking agency, in an attempt to get a job up there.

They were under party control, that is, the union, and there are a number of party workers, though I never knew them by name. At the time I was introduced to them I was introduced to them as party members in the organization, and they were there to promote certain radio and television shows in connection with their booking work. I will say that the William Morris Agency, in addition to regular theatrical bookings, do produce certain radio and television shows.

Now, some of the direct tie-ups between the United Office and Professional Workers Union and the party were brought to my attention through the contacts of certain party organizers, certain UOPWA organizers, whom I have just mentioned, and Norman Ross or George Blake Charney of the Communist Party.

When Young People's Records canceled or did not renew their contract with the UOPWA, word was sent out through the Communist Party State office to Wholesale Book Corp. to stop selling Young People's Records in our book shops, and word was sent out through the party organization at club level to cancel all subscriptions to the Young People's Record Club and, in other cases, such as the Book Find Club, there again a contract with the UOPWA was not renewed, and there again the Communist Party sent out word through its or-

ganization that all subscriptions to Book Find Club will be canceled, and the party put pressure on these organizations in an attempt for these organizations to continue their affiliation with the United Office and Professional Workers Union.

Norma Aaronson, whom we mentioned as an organizer for the United Office and Professional Workers Union, in 1949, visited Puerto Rico as a guest of the Puerto Rico Communist Party.

The United Office and Professional Workers Union had contracts with all of the Communist Party front groups in New York, such as People's Songs, the Communist Party itself—

Mr. CONNORS. Do you mean to say, Mr. Matusow, that members of the Communist Party who worked at Communist Party headquarters in trades or crafts under the jurisdiction of UOPWA also belonged, as members of the union, to UOPWA?

Mr. MATUSOW. That is right. All full-time employees of the Communist Party and the Communist-front groups did hold membership in the United Office and Professional Workers Union.

Mr. CONNORS. As labor union members?

Mr. MATUSOW. Right. In some cases, it referred to local 65.

Mr. CONNORS. Now let me ask you if the same situation still obtains with respect to Communist Party members, that is, office workers in Communist Party headquarters still retaining membership in DPOWA?

Mr. MATUSOW. To the best of my knowledge, yes. This also applied to other Communist-dominated unions. For instance, before 1947, Michael Quill, who was then president, and still is, of the Transport Workers Union, was a member of the Communist Party. He was expelled in 1947. At that time, the Transport Workers Union did not renew their contract with the United Office and Professional Workers Union. A number of Communist Party members who worked at the TWU were fired from their jobs, one in particular was Mrs. Greenspan, the wife of Jack Greenspan, an organizer for the UOPWA.

She and other Communist Party members were fired. The same applied to the Packing House Workers Union in New York, and the National Maritime Workers Union. All of the office personnel of these unions were UOPWA members and 99 percent of them were Communist Party members.

The DPOWA made sure, through its hiring hall, that no non-Communist would be sent out for jobs at other unions where they had contracts, and in that way they attempted to maintain certain control over the trade-union movement in New York City.

In 1948 and 1949, when I was selling subscriptions to the Sunday Worker, I, on a number of occasions, sold subscription to people at 13 Astor Place, the headquarters of local 65, and at the headquarters of the United Office and Professional Workers Union. I sold subscriptions to full-time employees of that organization.

Now, all Communist Party drives, such as fund drives, petition campaigns, mobilizations, as they called them, to Washington or to any legislative agency in protest of some specific affair, such as universal military training or the Smith Act, picketing at Foley Square during the trial of the 11 Communist leaders, the members of the UOPWA and local 65 were instructed by their unions to take part

in these demonstrations as well as take part in the May Day parade and become affiliated with the United May Day Committee in New York.

Mr. CONNORS. Do you happen to know, Mr. Matusow, whether most of the contracts that DPOWA has with employers specify that union members will be given a half holiday to join in the May Day celebration?

Mr. MATUSOW. I know that that clause did exist in contracts with the Jefferson School or the Communist Party itself. I am not familiar with the rest of them.

In 1949, in Peekskill, N. Y., Paul Robeson was to give a concert. Before that concert took place, a call was sent out for members of the United Office and Professional Workers Union and local 65 to get up to Peekskill to insure a good turn-out. Esther Letz Goldberg and her husband, Quincy Goldberg, were at Camp Unity at that time, and did take part in the organization of the guests at Camp Unity to attend the Peekskill concert of Paul Robeson, and were very actively taking part in this thing to insure that members of the delegation or guests of the Robeson concert did take baseball bats, lead pipes, and so forth, in the event of violence.

Mr. CONNORS. Did the Communist Party wish to have violence at Peekskill incident to Robeson's concert?

Mr. MATUSOW. Nobody ever said, "We are looking forward to violence." But to use a quote of Quincy Goldberg, "Everybody take a baseball bat. We might play baseball there."

At 13 Astor Place, the Tom Mooney Hall, which is called the union headquarters for local 65, and presently DPOWA, the Communist Party itself had never had any trouble in obtaining the use of that hall for any of its affairs, such as—I believe it was January 1949, the Daily Worker dance was held there.

Another Communist front, the Veterans of the Abraham Lincoln Brigade, many times hold their affairs at a place called the Penthouse at 13 Astor Place.

People's Artists and People's Songs both use the hall extensively in connection with organizing work. People's Songs and People's Artists are again Communist-front groups.

The cooperation between the union and the other various Communist-front groups, such as those I have mentioned, and the Council on American-Soviet Friendship, Committee for a Democratic Far Eastern Policy, any of the numerous front groups were quite close and many of the members of the union held joint membership.

Mr. CONNORS. Mr. Matusow, have you been in 13 Astor Place, New York City?

Mr. MATUSOW. Yes; I have.

Mr. CONNORS. What is your appraisal of the worth of the union which has its headquarters there?

Mr. MATUSOW. In respect to their contracts with employers or the work at the union hall itself?

Mr. CONNORS. Let us say the total financial assets of the union, to the best of your recollection.

Mr. MATUSOW. Well, when local 65 voted to disaffiliate with the international organization—was it the Retail and Wholesale Workers Union—the Retail, Wholesale, and Department Store Workers Union,

CIO, the reasons given at Communist Party headquarters for that was that the international party wanted to take away the autonomy of the local, and that local 65 was the most influential and richest, monetarily, of all of the party unions or party-controlled unions in New York City, and that if local 65 was independent it could maintain its contracts with various shops because of its wealth, and could help other party-controlled unions in the question of organizing campaigns.

Their funds were raised through various means, through union dues, through solicitation of ads in their publications—actually bludgeoning some employers to come across with greetings and anniversaries—through the renting of the panel room on the third floor of union headquarters, and the penthouse on the top floor of union headquarters, through the union cafeteria which was run on the tenth floor and which attracted most of the party members, actually, in and around there. Many party meetings were held in the cafeteria, around the tables there.

Mr. CONNORS. Many Communist Party meetings, you mean?

Mr. MATUSOW. Yes; party organizers used to meet up there for lunch and discuss party tactics.

Mr. CONNORS. Does the Communist Party regard local 65 as a wealthy labor union?

Mr. MATUSOW. It regards local 65 as the wealthiest labor union in the city of New York.

Mr. CONNORS. And does the Communist Party regard local 65, DPOWA, as a valuable adjunct to the Communist Party?

Mr. MATUSOW. It does.

Mr. CONNORS. Mr. Matusow, have you any information with respect to any intimidation used by local 65, DPOWA, toward small merchants whom they wished to organize?

Mr. MATUSOW. Yes. For instance, at times—and this also applied to the Furrier Workers Union—they will assign a man or two men to follow the merchant or the owner of the shop continuously, 24 hours a day. They will harass him, they will keep ringing his telephone at early hours of the morning and getting him out of bed.

If he goes into a shop, for instance, to purchase something, the party member who is following him will go into the shop and inform the shop steward of this other union shop that he conducts a nonunion shop and therefore he cannot do business with him and, in other words, call a walkout in the shop that does business with him and prevent him from purchasing merchandise or conducting any business outside of his own shop.

And, of course, the tactic described before of Hecht's department store, of going in and disrupting the personnel of his shop, giving false orders and having deliveries made to some place that doesn't exist, for instance, and, in general, disrupting the over-all apparatus of his organization.

Mr. CONNORS. Is this intimidation carried on at the instructions of Communist Party headquarters?

Mr. MATUSOW. Communist Party organizers in the union.

Mr. CONNORS. The ringing of a telephone of a person whom one wishes to intimidate is an old Communist Party tactic; is it not?

Mr. MATUSOW. Yes; in fact, it was used on my parents this last week for 3 days after my testimony before the House committee.

Mr. CONNORS. Mr. Matusow, is a fair appraisal of your former testimony concerning the 65 book shop to say that this is actually a Communist Party book shop located at 13 Astor Place.

Mr. MATUSOW. I believe the book shop has closed. I don't know whether they reopened. But it was directly controlled by the Communist Party. Its bank account was controlled by the Communist Party, literature department, at Twelfth Street, party national headquarters.

I mentioned some of the party material—even the Cominform Bulletin For a Lasting Peace and a People's Democracy—which was sold there.

Mr. CONNORS. Do you happen to know whether the Communist Party paid rental for the space they occupied at 13 Astor Place?

Mr. MATUSOW. I believe they did in an attempt to keep an autonomy there, so that if any investigating agency came in and said it was a Communist Party book shop given space by the union or tied up with the union, they could say, "We just rent the space here as many other organizations do."

Mr. CONNORS. That was a mere subterfuge; was it not?

Mr. MATUSOW. That is right.

Mr. CONNORS. Mr. Matusow, in the light of your experience with the UOPWA and the DPOWA is it a fair statement of the fact to say that the labor leaders of DPOWA are not so much concerned with the welfare of their rank-and-file members as they are concerned with the welfare of the national headquarters of the Communist Party, USA?

Mr. MATUSOW. That is correct.

Mr. CONNORS. And can you give some examples to bear out that statement?

Mr. MATUSOW. Yes; when they were instructed by the Communist Party organizers, they will place in various key spots in their industry Communist Party members. Almost to a man or woman the employment at the union, full-time employees of the union, are Communist Party members.

The only exceptions were being made in the case of a Negro man or woman who might happen to be active in one of the front groups who the party members in that front group feel can be recruited into the party if they are given a job in DPOWA and worked on a 24-hour-a-day basis. But with the exception of these few Negroes, nobody is employed by the union unless they are active in the Communist Party.

Mr. CONNORS. Is it a fair statement to say that most of the important union decisions are controlled by the Communist Party?

Mr. MATUSOW. Yes, and they are controlled and set up by the Communist Party headquarters or at a meeting arranged by the Communist Party.

When I was employed at the New York County office of the Communist Party, I handled the switchboard at Communist Party headquarters and on numerous occasions I would receive a call from George Blake Charney, the New York organizer, Norman Ross, Esther Cantor, or a few of the organizers dealing in industrial work, and told to contact somebody at local 65 at the time, or United Office and Professional Workers, and set up a meeting at somebody's house.

These things were usually set up in code so that if the phone was tapped nobody would know where the meeting was set. We would set A, B, C, and so forth, and they would know where the meeting was to be held.

At that meeting, party decisions relating to the union were to be set up and implemented.

At party unions, the decisions of the party meetings were carried out by the party members in the union, coming early to the meeting and crowding the meeting, not giving the proper announcements sometimes for the meeting, dissuading other members of the union not to attend.

Mr. CONNORS. These are union meetings you are speaking of?

Mr. MATUSOW. Yes. The party caucuses in the union will do this.

If a question comes up that the party does not agree with, they will harangue the membership. Most party members are experts on Robert's Rules of Order as related to procedure, and will interject points of personal privilege or of order and actually filibuster at the meeting until the hours drag on and the legitimate union members leave.

At that point, unless somebody calls a quorum, and that is seldom done, the party will railroad its own business through the union meeting.

Mr. CONNORS. Then actually all of the organizers and all of the principal officers of the DPOWA are under Communist Party discipline and their wills are bent to conform with the wills of the officers of the Communist Party?

Mr. MATUSOW. That is right. And it extends also to the office secretaries and the help of the union.

Mr. CONNORS. So that DPOWA is not only Communist infiltrated but it is Communist-dominated in a pure sense of the word?

Mr. MATUSOW. That is correct.

Mr. CONNORS. You have previously identified Winifred Norman as a Communist Party member, Mr. Matusow. Can you furnish some additional information indicating how well under Communist Party discipline she is?

Mr. MATUSOW. My first contact with her, as I said, was at Camp Unity where she was one of the people who attempted to recruit me into the Communist Party.

At that time she was a national officer of the American Youth for Democracy, a Communist Party youth arm. She later at that time was an employee of the UOPWA, and, to my knowledge, is now an organizer for DPOWA.

I have seen her at Communist Party headquarters, which at the time was 35 East Twelfth Street, New York City.

She took part in all of the major Communist Party demonstrations as a Communist, and under Communist Party instructions did take part in demonstrations that were instituted or supported by the UOPWA. For instance, protesting the indictment of the party leaders under the Smith Act.

The Communist Party instructed Winifred Norman, as well as other organizers, to say "We, as organizers of this trade union or UOPWA, do protest the indictment of Communist leaders under the Smith Act."

And she appeared in Washington, D. C., on a number of occasions to take part in demonstrations against the McCarran bill, the Com-

munist Registration Act, I believe, was the correct name for it, under Communist Party instructions, but using the name of the United Office and Professional Workers Union which she was at that time affiliated with.

And in no way did she solve any decisions relating to the union, any major decisions, unless they were O. K.'d by the Communist Party.

Mr. CONNORS. Then in any organizing work which Winifred Norman would undertake, it would be a fair appraisal of the situation to say that her actual principal is the Communist Party, although she may appear as an agent for the DPOWA. Is that correct?

Mr. MATUSOW. That is correct.

Mr. CONNORS. Thank you very much.

(Whereupon, at 11:15 a. m., the hearing was recessed.)

SUBVERSIVE CONTROL OF DISTRIBUTIVE, PROCESSING, AND OFFICE WORKERS OF AMERICA

THURSDAY, FEBRUARY 14, 1952

UNITED STATES SENATE,
SUBCOMMITTEE TO INVESTIGATE THE ADMINISTRATION
OF THE INTERNAL SECURITY ACT AND OTHER INTERNAL
SECURITY LAWS OF THE COMMITTEE ON THE JUDICIARY,
Washington, D. C.

The subcommittee met, at 2:20 p. m., pursuant to call in room P-36, the Capitol, Senator Arthur V. Watkins presiding.

Present: Senator Watkins.

Also present: Richard Arens, staff director; Edward R. Duffy, investigator; Donald D. Connors, Jr., investigator; Mitchell M. Carter, investigator; Winton H. King, investigator.

Senator WATKINS. The committee will be in session. Do you have some witnesses to be sworn?

Mr. ARENS. Mr. Chairman, we have two witnesses to be sworn, Mr. Donald Henderson and Mr. Morris Doswell.

Senator WATKINS. Do you want them both sworn at the same time?

Mr. ARENS. If you please.

Senator WATKINS. Will the witnesses named please stand?

You do solemnly swear that the testimony you will give in the matter now pending before this subcommittee of the Judiciary Committee of the United States Senate will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. DOSWELL. I do.

Mr. HENDERSON. I do.

TESTIMONY OF DONALD HENDERSON, NATIONAL SECRETARY-TREASURER, DISTRIBUTIVE, PROCESSING AND OFFICE WORKERS UNION OF AMERICA, ACCOMPANIED BY SAMUEL A. NEUBURGER, AND VICTOR RABINOWITZ, NEW YORK, N. Y.

Mr. ARENS. Would you kindly identify yourself by name?

Mr. HENDERSON. Donald Henderson.

Mr. ARENS. And you are appearing today, Mr. Henderson, in response to a subpoena which was served upon you?

Mr. HENDERSON. That is correct.

Mr. ARENS. Are you represented by counsel?

Mr. HENDERSON. I am.

Mr. ARENS. Will counsel kindly identify themselves?

Mr. NEUBURGER. Samuel A. Neuburger, 76 Beaver Street, N. York City.

Mr. RABINOWITZ. Victor Rabinowitz, same address.

Mr. ARENS. Will you kindly give us the date and place of your birth?

Mr. HENDERSON. I was born in New York City, February 4, 1902.

Mr. ARENS. And where were you educated? Give us a word about your education, if you please.

Mr. HENDERSON. I went to grammar school in Montpelier, Vt. I went to high school at Dansville, N. Y. I went to college at Columbia University.

Mr. ARENS. Give us, if you please, a brief résumé of your occupation after you completed your formal education.

Mr. HENDERSON. I taught at Columbia University for 7 years as an instructor in economics, and since that time I have been a labor organizer in one or another labor union.

Mr. ARENS. Could you be a little bit more specific on the labor organizations which you have been identified with?

Mr. HENDERSON. Starting in 1933-34, I started organizing agricultural workers throughout the country.

Mr. ARENS. For what organization, if you please?

Mr. HENDERSON. For the American Federation of Labor. And in 1937, we established an international union affiliated to the CIO.

Mr. ARENS. What was the name of that union?

Mr. HENDERSON. It was called the United Cannery, Agricultural, Packing and Allied Workers of America. That changed its name to the Food, Tobacco and Agricultural Workers Union in 1944. It affiliated to the CIO in 1937.

Mr. ARENS. And what was your particular office or position with the union?

Mr. HENDERSON. I was elected international president of that union in 1937 and held that post until 1949. In October 1950, we merged with two other organizations, the Distributive Workers Union and the United Office and Professional Workers Union, to form a new international union called the Distributive, Processing and Office Workers Union of America, and I am the national secretary-treasurer of that new international union.

Mr. ARENS. And how long have you held this post of national secretary-treasurer of DPOWA?

Mr. HENDERSON. At the time of the merger, I held the post of administrative secretary of that international union until October of 1951, when there was a reorganization and I was elected to the post of national secretary-treasurer of that union, and I have held that post since that time.

Mr. ARENS. Would you give us, if you please, just a word of your personal history? Are you a married man?

Mr. HENDERSON. I am married; have been married twice. My first wife died. I have three children by my first wife, aged 25, 16, and 14, living on Long Island at the present time.

Mr. ARENS. What is the total membership of DPOWA?

Mr. HENDERSON. Roughly 60,000 members.

Mr. ARENS. And can you give us a word about the breakdown of your 60,000?

Mr. HENDERSON. Yes. About 35,000 of those are located in and around New York City, comprising what we call district 65. The re-

mainder are scattered around the country, principally in the South, Middle West, with a couple of the scattered locals on the west coast and a couple of scattered locals in the Northeast.

Mr. ARENS. How many locals do you have?

Mr. HENDERSON. Roughly I would say probably 50. That is very rough, offhand.

Mr. ARENS. And could you give us a word of description as to the field of activity in which your members engage?

Mr. HENDERSON. Yes. The bulk of the membership in New York City are in distributive, wholesale, retail, department-store units; some office workers. Outside of New York City, the membership is largely industrial, in the food industry, in the tobacco industries, both in the leaf preparation and in the cigar industry and in the cigarette industry.

We also have members who work in cotton-compress mills, cotton-seed-oil mills, grain-processing plants, and similar agricultural processing plants.

Mr. ARENS. Is DPOWA certified by the National Labor Relations Board?

Mr. HENDERSON. It is.

Mr. ARENS. As the bargaining agent for workers in this line of work which you have just described?

Mr. HENDERSON. It is, sir.

Mr. ARENS. And when was it so certified?

Mr. HENDERSON. Well, it was certified from the time it was organized as DPOWA; and prior to that, the component parts—that is, FTA and UOPWA and DWA—were the certified agencies under the NLRB before the merger.

Mr. ARENS. Well, then, after the merger, was there a new certification?

Mr. HENDERSON. That is correct, sir.

Mr. ARENS. And what was the time of the merger again, if you please?

Mr. HENDERSON. October 1950.

Mr. ARENS. What is the aggregate income of DPOWA from membership dues?

Mr. HENDERSON. Well, about 65,000 members at 75 cents a month, which is the per capita tax; you can figure it out mathematically. That is roughly the total income. That is about the only income we have, from the per capita tax on monthly dues.

Mr. ARENS. What other income does the DPOWA have other than the income from membership dues of 75 cents per month per member?

Mr. HENDERSON. It has a little income from half of the initiation fees. Initiation fees are \$2 when a person joins, and \$1 of that goes to the national office. Those two items—the dollar on initiation fees and 75 cents per month per capita—constitute its income by and large.

Mr. ARENS. Is the 75 cents per capita straight across the board for each member of DPOWA or does the member contribute to the national DPOWA a sum based upon his aggregate earnings in a month?

Mr. HENDERSON. No; it is straight across the board so far as the national union is concerned. Some locals have different systems, but the national office has that system.

Mr. ARENS. Does the 75 cents a month from the individual member go to DPOWA national headquarters or does that go to the local, which then transmits it to DPOWA national headquarters?

Mr. HENDERSON. The member pays his or her dues to his or her local, and the local pays to the international union the 75-cents-per-month per capita tax.

Mr. ARENS. Then the aggregate income from dues of members of DPOWA to the national office is approximately \$45,000 a month. Is that correct?

Mr. HENDERSON. If that is what it works out, yes.

Mr. ARENS. And how much does the local member pay to the local organization of DPOWA?

Mr. HENDERSON. Most of our locals have a dues system of \$2 per month. Some of them have \$1.50 and occasionally some of them will have \$2.50 or \$3. That is up to them.

Mr. ARENS. Then the difference between the 75 cents and the \$2 a month which the member pays to the local stays in the local treasury; is that correct?

Mr. HENDERSON. That is correct.

Mr. ARENS. What is the aggregate financial worth of DPOWA at the present time?

Mr. NEUBURGER. May I make a suggestion, Mr. Arens. In view of the fact that a subpoena duces tecum was issued not to Mr. Henderson but to Mr. Osman, we have not brought the detailed figures with us on this trip, although we will have them available at the next inquiry. You will recall there was a duces tecum.

Mr. ARENS. I take it your suggestion is that another witness who will appear will have that information?

Mr. NEUBURGER. Yes. I would like to suggest that. I think it will give you a more accurate picture.

Mr. ARENS. Who owns the property known as 13 Astor Place in New York City?

Mr. HENDERSON. That is a question which I can't answer. You would have to ask Mr. Livingston, who is another witness, who is president of local 6, district 65. There is some legal set-up there. It is owned in connection with district 65 and not the national union. We rent from them.

Mr. ARENS. Is it your understanding that 13 Astor Place, New York City, is owned by a local of DPOWA?

Mr. HENDERSON. That is correct.

Mr. ARENS. That is local 65?

Mr. HENDERSON. District 65.

Mr. ARENS. District 65?

Mr. HENDERSON. That is correct.

Mr. NEUBURGER. Mr. Arens, may I suggest, as to that, that another witness will be able to clear that up. I don't think Mr. Henderson has the exact set-up, and I wouldn't want the committee to be of the opinion that that is the mechanically or technically correct answer.

Mr. ARENS. We will inquire of the other witness on that?

Mr. NEUBURGER. That is correct. A subsequent witness will have all of the details on that.

Mr. ARENS. All right, sir. While we are still in the stage of your testimony developing background, Mr. Henderson, may I ask you if you will again tell us the component parts of DPOWA or what groups came together to form DPOWA?

Mr. HENDERSON. There was the Distributive Workers Union, which had its main base and strength in New York City, composed primarily

of wholesale, retail department store workers. They also had a local in Philadelphia.

There was the Food, Tobacco, and Agricultural Workers Union, whose main strength was scattered around the country in the food, tobacco, and fiber industries.

And then there was the United Office and Professional Workers Union, composed primarily of, at that time, office workers, insurance agents, and so on, who were also scattered around the country, with about a third of their membership in New York City.

Mr. ARENS. Now, which, if any, of these organizations which constitute the component parts or the predecessor organizations to DPOWA were at one time affiliated with the CIO?

Mr. HENDERSON. I think they all were at one time.

Mr. ARENS. And could you tell us what happened?

Mr. HENDERSON. I would prefer only to speak of the Food, Tobacco, and Agricultural Workers Union. Do you want to ask me that question?

Mr. ARENS. Yes, if you please. What happened between the Food, Tobacco and Agricultural Workers Union and the CIO?

Mr. HENDERSON. There was so much difference of opinion on it, I refuse to answer on the ground that it may tend to incriminate me under the fifth amendment.

Mr. ARENS. Well, did the CIO eject the Food, Tobacco and Agricultural Workers organization?

Mr. HENDERSON. I must refuse to answer that question on the same ground.

Mr. ARENS. Do you know whether or not the CIO ejected them?

Mr. HENDERSON. I must refuse to answer that question on the same ground.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer the question.

Senator WATKINS. Will you repeat the question?

(The record was read by the reporter.)

Mr. ARENS. And by "them" I mean, of course, the Food, Tobacco, and Agricultural Workers.

Senator WATKINS. I think the witness can answer that question, and you are directed and ordered to answer the question propounded by counsel.

Mr. HENDERSON. I still must refuse to answer the question on the grounds of my rights under the Fifth amendment, it may tend to incriminate me.

Senator WATKINS. You understand that question merely asks you to answer "Yes" or "No," whether you know, and that is not disclosing any information of whether you know or do not know.

Mr. NEUBURGER. May I suggest, Mr. Senator, that the sentence uses the word "ejected," and I have advised my client on the basis of that. It does not use the term "severed relationships."

Senator WATKINS. I cannot hear you.

Mr. NEUBURGER. The question propounded uses the word "ejected" and has an implication of for certain reasons. It was on that basis that I advised the witness that in my opinion he had a privilege which, if he wished, he might exert. The question was not whether or not there was a severance of relationship, which question, I think, might better properly be answered.

Senator WATKINS. It merely asked him if he knew whether or not there had been an ejection. That can be answered "Yes" or "No," whether he knows or does not know. And without incriminating him.

I do not see any basis for that at all, and he is directed and ordered to answer that question.

Mr. NEUBURGER. There is still a debate going on.

Senator WATKINS. I understand. I do not want to argue with counsel.

Mr. NEUBURGER. I really do not mean to, Senator, if it can be re-framed without the word "ejected." I do not think the witness will object. But I think that is up to you.

Senator WATKINS. You want it less painful then?

Mr. NEUBURGER. That is right.

Senator WATKINS. In other words, did they kick you out?

Mr. NEUBURGER. That is exactly the question to which the witness feels there is a privilege.

Senator WATKINS. All they asked him was did he know. They did not ask him whether they did or not. They merely asked him whether he knows what they did. Do you refuse to answer?

Mr. NEUBURGER. May I advise the answer?

Mr. HENDERSON (after consultation). Yes, I know.

Senator WATKINS. All right. You have your answer. He says he knows; yes, he knows.

Mr. ARENS. What were the reasons given by the CIO for the severance of relationships with your organization, or the organization to which you were affiliated?

Mr. HENDERSON. I would ask them, if I were you.

Mr. ARENS. You are the witness.

Mr. HENDERSON. I don't want to give you their reasons.

Mr. ARENS. Well, the reasons you understood they gave.

Mr. HENDERSON. I must refuse to answer that question on the ground it tends to self-incrimination under the fifth amendment.

Mr. ARENS. You feel the reasons given by the CIO for the ejection or severance of relationships with the Food, Tobacco, Agricultural Workers Association might lay a groundwork for a criminal prosecution of you, is that correct?

Mr. HENDERSON. If they are right. They weren't right.

Senator WATKINS. If you gave a truthful answer to that, do you think it would incriminate you?

Mr. HENDERSON. I refuse to answer the question on the ground of my rights under the fifth amendment, it might tend to incriminate me.

Mr. ARENS. Now, what overtures, if any, to your knowledge, have the national officers of the DPOWA made in the recent past to the CIO with reference to a reaffiliation?

Mr. HENDERSON. No overtures were made by the officers of DPO to the CIO. Overtures were made by the CIO to DPO.

Mr. ARENS. Who in the CIO made overtures to DPOWA, and when were these overtures made?

Mr. HENDERSON. I would prefer to have one of the other witnesses, to whom the overtures were directly made, answer that question.

Mr. ARENS. What information do you have respecting overtures which were made by CIO to DPOWA?

Mr. HENDERSON. Well, these overtures have been discussed, and my information is second-hand in terms of information reported to me by people who were directly in the meetings with the officials of the CIO.

Mr. ARENS. Who made reports to you?

Mr. HENDERSON. President Osman of the international union.

Mr. ARENS. What did he tell you?

Mr. HENDERSON. He told me that overtures had been made, meetings had been held, that there was some possibility of CIO wanting to see us reaffiliate, if some reasonable basis could be worked out.

Mr. ARENS. Mr. Rabinowitz, are you taking notes on this session?

Mr. RABINOWITZ. Yes, I am taking a couple of notes.

Mr. ARENS. Mr. Chairman, I respectfully submit that the attorney is here for the purpose, on the basis of the practice of the committee, of advising his client and not for the purpose of taking out of the room a memorandum on what transpires here. We have other witnesses who will be here.

Senator WATKINS. You cannot do that. That is a violation of the Senate rules. When an executive session is executive, it means just that. You cannot do it.

Mr. RABINOWITZ. I am sorry, Senator. I have on previous occasions taken notes. As a matter of fact, Mr. Arens will remember that on a previous occasion I had an associate that took notes almost as well as your stenographer did. But that objection was raised.

Mr. ARENS. I think on that occasion both Mr. Rabinowitz and his associate were admonished by the then presiding Senator not to proceed and not to take out of the room information as to what transpired in executive session.

Mr. RABINOWITZ. I will not take any further notes.

Mr. ARENS. What organizations do you belong to, Mr. Henderson?

Mr. HENDERSON. I am not quite sure I understand the question.

Mr. ARENS. What organizations do you belong to?

Mr. HENDERSON. Well, I belong to the DPO.

Senator WATKINS. What was that?

Mr. HENDERSON. DPO, Distributive, Processing and Office Workers Union.

Mr. ARENS. What other organizations?

Mr. HENDERSON. Well, you are fishing, aren't you?

Mr. ARENS. Speak a little louder.

Mr. HENDERSON. You are sort of fishing. I don't know quite how to answer you.

Mr. ARENS. What other organizations do you belong to? You said you belonged to the Distributive, Processors Union. What other organizations do you belong to?

Mr. HENDERSON. At the present time I don't think I belong to any other organizations.

Mr. ARENS. Are you sure about that, that you do not belong to any others?

Senator WATKINS. You would know if you did belong to any others, would you not?

Mr. HENDERSON. I should guess so.

Senator WATKINS. And if you do not think you do, that is the equivalent of saying that you do not belong to any other organizations?

Mr. HENDERSON. Correct.

Mr. ARENS. When did you last belong to any organization besides DPOWA?

Mr. HENDERSON. I must refuse to answer that question on the ground that it may tend to incriminate me, and my rights under the fifth amendment.

Mr. ARENS. Did you belong to any organization other than DPOWA last year?

Mr. HENDERSON. I still must refuse to answer on the same grounds.

Mr. ARENS. Did you belong to any organization other than DPOWA yesterday?

Mr. HENDERSON. I still must refuse to answer that question on the same ground.

Mr. ARENS. As an officer of the DPOWA, did you sign a non-Communist affidavit?

Mr. HENDERSON. I did, sir.

Mr. ARENS. And when did you sign that?

Mr. HENDERSON. I signed it originally, I believe, when I was in the FDA in 1949, and I have signed it since then as an officer of DPO at the proper times.

Mr. ARENS. When did you last sign that affidavit?

Mr. HENDERSON. I am not sure of the date, but it is in effect now. It must have been within the year. Whenever it was required.

Mr. ARENS. Well, since you signed that affidavit, have you belonged to any organizations other than DPOWA?

Mr. HENDERSON. I must refuse to answer that question on the same ground.

Mr. ARENS. But you do not now belong to any organization other than DPOWA, is that correct?

Mr. HENDERSON. That is what I stated.

Mr. ARENS. Did you join the Communist Party in 1931?

Mr. HENDERSON. I must refuse to answer that question on the same ground.

Mr. ARENS. I put it to you as a fact that on or about August 4, 1931 you joined the Communist Party and I ask you to affirm or deny that fact.

Mr. HENDERSON. I must refuse to answer that question on the same ground, sir.

Mr. ARENS. Did you ever read the Daily Worker?

Mr. HENDERSON. I must refuse to answer that question on the same ground, sir.

Senator WATKINS. May I inquire if you have a belief that if you admit that you have read the Daily Worker that that might incriminate you?

Mr. HENDERSON. Well, in these times, I don't know where questions like that are going to lead me. I must refuse to answer on the same ground.

Senator WATKINS. There are people in this room, practically most of us, who have seen and read some copies of the Daily Worker. In fact, it is our business to see it and read it. I do not think for a moment that would incriminate me, because I have read it. I do not see how you can make that as a basis.

Mr. HENDERSON. I must stand by my answer, sir.

Mr. ARENS. The Daily Worker, Mr. Henderson, of August 4, 1931, contains an article which states that you had rejected socialism and

joined the Communist Party. Do you have any recollection of that article?

Mr. HENDERSON. I must refuse to answer on the same ground.

Mr. ARENS. I lay before you, Mr. Henderson, a photostatic copy of an article appearing in the Communist Daily Worker of August 4, 1931, and I ask you if you recognize that article.

Mr. HENDERSON. I must refuse to answer on the same ground, sir.

Mr. ARENS. Did you ever see that article before?

Mr. HENDERSON. What article?

Mr. ARENS. The article, the photostatic copy of which I just laid before you.

Mr. HENDERSON. I must refuse to answer on the same ground.

Mr. ARENS. Now I lay before you an article, a photostat of an article, in the Communist Daily Worker of August 15, 1949, entitled "FTA complies with NLRB rule" in which the following appears:

The Food, Tobacco, Agricultural, and Allied Workers Union of America, CIO, yesterday announced that Donald Henderson, national administrative director, had signed the necessary National Labor Relations Board affidavits and the union had been notified by the NLRB that the union is in full compliance.

Henderson's accompanying statement, issued by the FTA Board declared: "In view of the unfair and unjustifiable position of the NLRB that this union is not in compliance unless your national administrative director is considered as an officer and signs the necessary affidavits required by this compliance, I have today signed the necessary affidavits.

"In spite of this unwarranted interference in the internal affairs of our union and our international constitution which defines who and who are not officers, it is essential that FTA meet the full requirement necessary for immediate compliance to protect and further the interests of our entire membership.

"While I have signed these non-Communist affidavits there should be a greater determination than ever on the part of our entire membership and leadership to safeguard to the utmost the provisions in our constitution guaranteeing no discrimination against any member because of race, creed, color, or political opinion. The fighting unity of FTA depends upon maintenance of this no-discrimination policy.

"While it is true that I had been a member of the Communist Party, I have resigned my membership therein.

"I shall continue in the future as in the past to carry out the progressive fighting program of FTA as adopted in our international conventions and our international executive board meetings and by our local memberships."¹

FTA COMPLIES WITH NLRB RULE

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¹ The article from the Daily Worker of August 15, 1949, is reproduced herewith:

Do you recognize that article, a photostat of which I just laid before you, Mr. Henderson.

Mr. HENDERSON. I must refuse to answer on the same ground, sir.

Mr. ARENS. Did you make the statement which is quoted in the article which I just read to you?

Mr. HENDERSON. I must refuse to answer on the same ground, sir.

Mr. ARENS. Had you been a member of the Communist Party and did you resign your membership?

Mr. HENDERSON. I must still refuse to answer on the same ground.

Mr. ARENS. When did you resign your membership in the Communist Party?

Mr. HENDERSON. I must still refuse to answer.

Mr. ARENS. As a matter of fact, you are still right now, this minute, a Communist, are you not?

Mr. HENDERSON. I must refuse to answer on the same ground, sir.

Senator WATKINS. I understand that this labor union, of which you are the international president, is not a Communist organization, is it?

Mr. HENDERSON. I am the secretary-treasurer of the organization, national secretary-treasurer.

Senator WATKINS. What position do you occupy?

Mr. HENDERSON. National secretary-treasurer.

Senator WATKINS. I said, that is not a Communist organization?

Mr. HENDERSON. No; it is not, sir.

Senator WATKINS. And you do not belong to any other organization at the present time other than that, do you?

Mr. HENDERSON. That is what I said.

Senator WATKINS. Then why can you not answer the other one?

Mr. HENDERSON. I still think that it would tend to incriminate me.

Senator WATKINS. If you told the truth?

Mr. HENDERSON. And under the fifth amendment I refuse to answer.

Senator WATKINS. You are doing that, basing it on the fact that if you give a truthful answer to that question then you might incriminate yourself, is that right?

Mr. HENDERSON. I still must stand by my answer, Senator. I am sorry.

Mr. ARENS. You have told us just a little while ago, Mr. Henderson, that the only organization to which you belong is the DPOWA. Is that not correct?

Mr. HENDERSON. That is correct.

Mr. ARENS. If that is the only organization to which you belong, how could your answer to the question as to whether or not you now belong to the Communist Party possibly incriminate you?

Mr. HENDERSON. I don't know. I am just afraid with all the things that go on that it might, and I am not going to answer on the ground that it might tend to incriminate me. That is as frank and honest and sincere as I can be.

Mr. ARENS. How might it tend to incriminate you?

Mr. HENDERSON. I don't know. But I have a feeling that it might, so I must avail myself of my rights under the fifth amendment, sir.

Mr. ARENS. What makes you feel that it might?

Mr. HENDERSON. I think that is my business, isn't it?

Senator WATKINS. If you said "No," would that incriminate you?

Mr. HENDERSON. I don't follow you, Senator.

Senator WATKINS. I said, if you said "No, I am not a member of the Communist Party today," would that incriminate you? How could it possibly incriminate you?

Mr. HENDERSON. I don't know.

Senator WATKINS. How would your attorney advise? I would be interested to find out what he thinks about that, whether the answer is, "No, I don't belong to the Communist Party," how that could incriminate you.

Mr. NEUBURGER. I think, Mr. Senator, since you have directed the question to counsel, that the question of incrimination arises from the question, not from the answer, and his question is such that it may lay a foundation. I think the witness has a right if, in his judgment, there may be incrimination, he has a right to avail himself of the privilege.

Senator WATKINS. I disagree with your attorney on that question because, obviously, if you say no, that cannot incriminate you.

If I ask you whether you have committed murder and you say no, that couldn't possibly, if it is the truth, and you are sworn to tell the truth, it could not incriminate you.

Mr. HENDERSON. That is correct.

Senator WATKINS. Of course, if you perjure yourself somewhere along the line, that is another matter.

Mr. HENDERSON. I think perjury is a bum beef, Senator.

Senator WATKINS. I did not get the answer. You will have to speak up because we cannot hear you, since you have a low voice and it does not carry.

Mr. ARENS. On November 1, 1932, did you speak at a little rally at Cooper Union, N. Y.?

Mr. HENDERSON. I must refuse to answer on the same ground, sir.

Mr. ARENS. That was a Communist Party election rally at Cooper Union, N. Y., was it not?

Mr. HENDERSON. I must refuse to answer on the same ground.

Mr. ARENS. I put it to you as a fact that on August 12, 1934, you called a meeting known as the South Jersey Conference in Defense of Farmers' and Laborers' Rights in the Elks Home at Bridgeton, N. J. At the conference you were introduced as a Communist, and you yourself said that you were glad to bring the greetings of the Communist Party, U. S. A., to the conference. Do you recall that incident?

Mr. HENDERSON. I must refuse to answer on the same ground.

Mr. ARENS. Have you ever appeared before the New Jersey State Legislative Committee?

Mr. HENDERSON. I must refuse to answer that question on the same ground.

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer the question as to whether or not he has ever appeared before the New Jersey State Legislative Committee.

Senator WATKINS. I direct and order the witness to answer the question. It does not seem to be incriminating at all.

Mr. HENDERSON. I think it might be, so I must refuse to answer on the same ground.

Mr. ARENS. In 1934 you admitted before the New Jersey State Legislative Committee, appointed to investigate Communist activities, that both you and Mrs. Henderson were Communists; did you not?

Mr. HENDERSON. I must refuse to answer that on the same ground, too, sir.

Mr. ARENS. I respectfully suggest that the witness be ordered and directed to answer that question. That was in 1934.

Senator WATKINS. The witness is ordered and directed to answer the question.

Mr. HENDERSON. I must refuse to answer that, Senator, on the same ground.

Mr. ARENS. Why did you sever your connections with Columbia University?

Mr. HENDERSON. I must refuse to answer that on the same ground, sir.

Senator WATKINS. Were you teaching at Columbia University?

Mr. HENDERSON. Yes, sir.

Senator WATKINS. What position did you occupy?

Mr. HENDERSON. I was an instructor there for 7 years in the department of economics.

Senator WATKINS. Department of economics?

Mr. HENDERSON. That is correct, sir.

Mr. ARENS. What period of time?

Mr. HENDERSON. 1926 to 1933, I believe, were the years.

Mr. ARENS. Did you resign, or was there a severance of relationships?

Mr. HENDERSON. There was a severance of relationships.

Mr. ARENS. At whose request was there a severance of relationships?

Mr. HENDERSON. I must refuse to answer that question on the same ground.

Mr. ARENS. I respectfully suggest that the witness be ordered and directed to answer the question: At whose request was there a severance of relationships between this witness and Columbia University?

Senator WATKINS. You are ordered and directed to answer.

Mr. HENDERSON. I must refuse to answer on the same ground.

Mr. ARENS. I put it to you as a fact that you were forced to resign from the faculty of Columbia University because of your activities in behalf of the Communist Party, and I ask you to affirm or deny that fact.

Mr. HENDERSON. I must refuse to answer the question on the same ground.

Mr. ARENS. In 1937 you registered to vote as a Communist, did you not?

Mr. HENDERSON. I must refuse to answer that on the same ground.

Mr. ARENS. Did you attend the Tenth National Convention of the Communist Party as a delegate in 1938?

Mr. HENDERSON. I must refuse to answer that question on the same ground, sir.

Mr. ARENS. I put it to you as a fact that, on November 16, 1940, you attended the 1-day national emergency convention held by the Communist Party in New York City, and I ask you to affirm or deny the fact.

Mr. HENDERSON. I must refuse to answer that question on the same ground.

Mr. ARENS. Isn't there an organization known as the Trade Union Commission of the Communist Party?

Mr. HENDERSON. I must refuse to answer that question on the same ground.

Mr. ARENS. You are a member of the Trade Union Commission of the Communist Party, are you not?

Mr. HENDERSON. I must refuse to answer that question on the same ground.

Mr. ARENS. Who is Sam Darcy?

Mr. HENDERSON. I must refuse to answer that.

Mr. ARENS. Is there a man by the name of Sam Darcy?

Mr. HENDERSON. I must refuse to answer that question on the same ground.

Mr. ARENS. In 1940, you sent a letter to the then Governor of California petitioning for the release of Sam Darcy who had been extradited to California for the purpose of facing prosecution for perjury. Do you remember that incident?

Mr. HENDERSON. I must refuse to answer that question on the same ground, sir.

Mr. ARENS. Did you ever live in Chicago, Ill.?

Mr. HENDERSON. I did.

Mr. ARENS. Did you ever live at 234 South Wells Street, Chicago?

Mr. HENDERSON. That may have been, I don't recall the exact number. I lived at three different places there.

Mr. ARENS. Did you ever live on South Wells Street, in Chicago?

Mr. HENDERSON. I think so; yes.

Mr. ARENS. I put it to you as a fact that on February 1, 1941, you were present at a Communist Party executive board meeting held at 234 South Wells, Chicago, Ill., and ask you to affirm or deny that fact.

Mr. HENDERSON. I must refuse to answer that on the same ground, sir.

Mr. ARENS. Did you ever go to the Skyline Ballroom up on West Randolph in Chicago?

Mr. HENDERSON. I must refuse to answer that on the same ground, sir.

Mr. ARENS. I respectfully suggest that the witness be ordered and directed to answer the question. That is a place where a lot of people could go who could go there for a lot of innocent purposes.

Mr. HENDERSON. I don't even remember the place.

Mr. ARENS. Then you have declined to answer on the ground that it might incriminate you as to whether or not you have been to a place that you do not even remember?

Mr. HENDERSON. That is correct, sir.

Senator WATKINS. The witness is ordered, for the purpose of the record, to answer.

Mr. HENDERSON. I must refuse to answer on the same ground.

Mr. ARENS. Have you ever been in the Skyline Ballroom in Chicago, Ill.?

Mr. HENDERSON. Not to my knowledge or recollection.

Mr. ARENS. Why did you decline a few moments ago to answer that on the ground that it might tend to incriminate you?

Mr. HENDERSON. I don't know where it is, I don't know what it is—I don't, when I can't recall that—

Mr. ARENS. Then you just throw the Constitution at us as a shield when you don't remember, is that correct?

Mr. HENDERSON. I don't mean it that way. But the line of questioning is such that you can't blame me for feeling that some of these answers might tend to incriminate me.

Mr. ARENS. You cannot blame me for feeling a particular way toward you either.

Mr. HENDERSON. So I feel I have a right to that amendment, not to answer, sir.

Mr. ARENS. Have you ever lived in Philadelphia?

Mr. HENDERSON. I have, sir.

Mr. ARENS. What clubs did you belong to in Philadelphia?

Mr. HENDERSON. I must refuse to answer that question on the same ground, sir.

Mr. ARENS. That you might be criminally prosecuted by admitting a particular club that you belonged to; is that correct?

Mr. HENDERSON. That is correct.

Mr. ARENS. If you told the truth of what you were doing in Philadelphia, you might be criminally prosecuted; is that correct?

Mr. HENDERSON. I don't think I have to answer that question, on the same ground, either.

Mr. ARENS. I put it to you as a fact that in April 1945 you were a member of the Bill Haywood Club of the Communist Political Association of Philadelphia, and also educational director of that club, and ask you to affirm or deny that fact.

Mr. HENDERSON. I must refuse to answer that question on the same ground.

Mr. ARENS. I put it to you as a fact that in December 1941 you participated actively in a rally at the Skyline Ballroom in Chicago, Ill., in behalf of a movement to free Earl Browder, then head of the Communist Party in the United States of America, and ask you to affirm or deny that fact.

Mr. HENDERSON. I must refuse to answer the question on the same ground, sir.

Mr. ARENS. I put it to you as a fact, and ask you to affirm or deny the fact, that on July 21, 1945, you attended the eastern Pennsylvania convention of the Communist Political Association at the Broadwood Hotel, Philadelphia, and ask you to affirm or deny that fact.

Mr. HENDERSON. I must refuse to answer the question on the same ground.

Mr. ARENS. Have you ever been to Paris?

Mr. HENDERSON. I must refuse to answer that question on the same ground.

Mr. ARENS. On the basis that the mere fact that you might have been to Paris at some time could be used to prosecute you for criminal conduct; is that correct?

Mr. HENDERSON. I must refuse to answer the question on the same ground, sir.

Mr. ARENS. Well, I am asking why you refuse to answer it. You are appearing before a Senate committee.

Mr. HENDERSON. I am giving my answer.

Mr. ARENS. Give it again.

Mr. HENDERSON. I must refuse to answer the question on the ground that it may tend to incriminate me, and I avail myself of the rights under the fifth amendment.

Mr. ARENS. Have you ever been outside of the continental limits of the United States?

Mr. HENDERSON. I must refuse to answer that question on the same ground.

Mr. ARENS. That the fact that you may have been outside of the continental United States could be used against you in a criminal proceeding; is that correct?

Mr. HENDERSON. I have given you my answer.

Mr. ARENS. Answer that question, this last question, if you please.

Mr. HENDERSON. I must refuse to answer on the same ground, sir.

Mr. ARENS. In 1949, in Paris, you were an observer of the World Federation of Trade Unions, were you not?

Mr. HENDERSON. I must refuse to answer that question on the same ground.

Mr. ARENS. And while you were there you made a speech, did you not?

Mr. HENDERSON. I must refuse to answer that question on the same ground, sir.

Mr. ARENS. You were not quite as reluctant to speak in Paris as you are here before this congressional committee, were you?

Mr. HENDERSON. Is that a question?

Mr. ARENS. Yes.

Mr. HENDERSON. I must refuse to answer that on the same ground.

Mr. ARENS. At that meeting in May of 1949, in your speech, you uttered these sentiments, did you not:

The American people will defend themselves against the ugly and inhuman forces of war and fascism. The American people have been subjected to a torrent of filth, lies, and anti-Soviet slander, but in spite of this the American people have withstood this barrage of hatred. Believe me, my dear friends, we will not so easily be driven to war against the great Soviet Union of Workers Republic. We will not so easily be led to lay down our lives for Washington, Wall Street, and the dollar.

Did you make those statements?

Mr. HENDERSON. I must refuse to answer the question on the same ground, sir.

Mr. ARENS. Do you feel, if there is a war between the United States and the Soviet Union, it will be because of aggression on the part of the United States?

Mr. HENDERSON. I must refuse to answer that question on the same ground, sir.

Mr. ARENS. Have you betrayed your country?

Mr. HENDERSON. No; I haven't.

Mr. ARENS. Do you think the Communist Party in the United States is a conspiracy?

Mr. HENDERSON. I must refuse to answer that question on the same ground.

Senator WATKINS. Let me ask you a question: If a war were to break out between the United States and the Soviet Union of Socialist Republics, would you be willing to serve in the Armed Forces of your country against that enemy?

Mr. HENDERSON. I must refuse to answer that question on the same ground, sir.

Mr. ARENS. Have you ever been in Memphis, Tenn.?

Mr. HENDERSON. Yes, sir.

Mr. ARENS. Were you there in June of last year?

Mr. HENDERSON. I don't remember the dates I was there, sir.

Mr. ARENS. When was the last time you were in Memphis?

Mr. HENDERSON. About 10 days ago.

Mr. ARENS. Whom did you see down there?

Mr. HENDERSON. Well, I saw the leaders of the union.

Mr. ARENS. The local?

Mr. HENDERSON. The local leaders.

Mr. ARENS. Of the DPOWA?

Mr. HENDERSON. That is correct.

Mr. ARENS. And who were they 10 days ago?

Mr. HENDERSON. Larry Larsen is the international representative. Lee Lashley is the president, newly elected president, of the local. I saw all of the officers that were recently elected. They were counting ballots the day I was there, as a matter of fact.

Mr. ARENS. How about McCrea? Did you see him the day you were down there?

Mr. HENDERSON. I saw him, and he is no longer an officer of the local.

Mr. ARENS. What happened to McCrea?

Mr. HENDERSON. He didn't run for reelection.

Mr. ARENS. I wonder what caused that. Have you any idea?

Mr. HENDERSON. He must have had a reason.

Mr. ARENS. Do you know what the reasons were?

Mr. HENDERSON. I don't know.

Mr. ARENS. You knew that the Internal Security Subcommittee held some sessions down there some time ago, did you not?

Mr. HENDERSON. I heard rumors about it.

Mr. ARENS. Did you know that they did? Did you know they held sessions down there?

Mr. HENDERSON. I knew there were hearings; yes.

Senator WATKINS. Did you meet any members of the Communist Party while you were there?

Mr. HENDERSON. I did not, sir.

Senator WATKINS. Did you have any—

Mr. HENDERSON. At least, I don't know of anybody that were members of the Communist Party. I met people that I knew to be members of the union. I didn't meet anybody else, sir.

Mr. ARENS. Do you know that McCrea down there was named as a member of the Communist Party?

Mr. HENDERSON. I don't know anything about McCrea's political affiliations.

Mr. ARENS. I did not ask you that. I asked you if you knew that McCrea had been named in our hearings in Memphis as a member of the Communist Party.

Mr. HENDERSON. I did not; no, sir.

Mr. ARENS. Who is the new business agent in Memphis?

Mr. HENDERSON. Well, they have three full-time people now; that is, three organizers. We don't call them business agents—three full-time organizers. Two of them are out at the Buckeye plants—they are all four, the president and three full-time organizers are all out at the plants. That is the best answer I can give you.

Mr. ARENS. Where is McCrea now?

Mr. HENDERSON. He is still in Memphis, I believe. He was there when I left there.

Mr. ARENS. What is he doing?

Mr. HENDERSON. He isn't doing anything right now, as far as I know. He is no longer connected with the union.

Mr. ARENS. Is he working for some other assignment for the Communist Party; do you know?

Mr. HENDERSON. I don't know anything about that, sir.

Mr. ARENS. You got into a little difficulty with the Communist Party leaders along about August 1949, did you not?

Mr. HENDERSON. I must refuse to answer that question on the same ground, sir.

Mr. ARENS. Who is Phil Bart?

Mr. HENDERSON. I must refuse to answer that question on the same ground.

Mr. ARENS. And who is Henry Winston?

Mr. HENDERSON. I must refuse to answer that question on the same ground.

Mr. ARENS. Did you ever get into a little difficulty with them?

Mr. HENDERSON. I must refuse to answer that question on the same ground, sir.

Mr. ARENS. You were severely criticized by Phil Bart and Henry Winston and broke down and shed tears, did you not, on June 5, 1948?

Mr. HENDERSON. I must refuse to answer that on the same ground, sir.

Mr. ARENS. Have you ever been criticized for excessive drinking by any of your colleagues in the DPOWA?

Mr. HENDERSON. What has that got to do with the situation?

Mr. ARENS. That is for the subcommittee to determine. Have you ever been criticized for excessive drinking?

Mr. HENDERSON. I refuse to answer that question.

Mr. ARENS. Why?

Mr. HENDERSON. On the same ground.

Mr. ARENS. That criticism for excessive drinking might cause you to be criminally prosecuted?

Mr. HENDERSON. How do I know?

Mr. ARENS. Mr. Chairman, I respectfully suggest that the witness be ordered and directed to answer that question.

Senator WATKINS. The order may be made for the record.

Mr. HENDERSON. I would like to confer with counsel. I don't know whether I should answer it or not. [After consultation.] Senator, I ask you what have these personal habits of mine to do with this inquiry.

Senator WATKINS. The committee is investigating into the operation of various things that may affect our life, the very lives in this country, and I could conceivably think that it might possibly have some bearing on whether a man in an organization was satisfactory, because he was an excessive drinker.

Mr. ARENS. Let me pose the question a little differently. Did not the Communist Party leadership censure you for excessive drinking?

Mr. HENDERSON. I must refuse to answer that question on the same ground, sir.

Mr. ARENS. Who is Morris Graham?

Mr. HENDERSON. I must refuse to answer that question on the same ground, sir.

Mr. ARENS. He was chairman of the Communist Party in Arizona at one time, was he not?

Mr. HENDERSON. I must refuse to answer that question on the same ground.

Mr. ARENS. Who is Dr. Earl Worner?

Mr. HENDERSON. I must refuse to answer that question on the same ground, sir.

Mr. ARENS. Who is Joe Kuzman?

Mr. HENDERSON. I must refuse to answer that question on the same ground, sir.

Mr. ARENS. What organizations did you belong to back in 1934-35?

Mr. HENDERSON. I must refuse to answer that question on the same ground.

Mr. ARENS. You were head of the agricultural commission of the control committee of the Communist Party in 1934 until about 1942, were you not?

Mr. HENDERSON. I must refuse to answer that question on the same ground.

Mr. ARENS. Did you ever go out to Mother Bloor's farm?

Mr. HENDERSON. I must refuse to answer that question on the same ground, sir.

Mr. ARENS. Did you ever engage in organizing workers in California, organizing the cannery workers?

Mr. HENDERSON. Yes; I have.

Mr. ARENS. Who helped you in that work out there?

Mr. HENDERSON. There was a very large staff of organizers, 40 or 50, as I recall it.

Mr. ARENS. Did William Schneiderman help you?

Mr. HENDERSON. Who is he?

Mr. ARENS. A man by the name of William Schneiderman.

Mr. HENDERSON. Not to my recollection.

Mr. ARENS. Do you know him?

Mr. HENDERSON. Wait a minute. Who is he? Identify him.

Mr. ARENS. Well, you know a man by the name of William Schneiderman?

Mr. HENDERSON. Are you referring to William Schneiderman who is connected with the Communist Party in California?

Mr. ARENS. Yes; that is right.

Mr. HENDERSON. I refuse to answer that question on the same ground.

Mr. ARENS. Apparently you know there is a man or was a man by the name of William Schneiderman.

Mr. HENDERSON. It didn't click for a minute.

Senator WATKINS. At least he had some knowledge of the name.

Mr. HENDERSON. I am not a lawyer, sir.

Mr. ARENS. Who is Rose Schatz?

Mr. HENDERSON. She worked as bookkeeper and office manager for our office in Philadelphia, international office in Philadelphia, at one time.

Mr. ARENS. Did you have a little bit of trouble with her at one time, a little difficulty, back in, let us say, 1948?

Mr. HENDERSON. Well, when you run an office you may have trouble from time to time with the office help.

Mr. ARENS. Did you have difficulty with her over padding an expense account?

Mr. HENDERSON. Not to my recollection. Involving her?

Mr. ARENS. Involving you.

Mr. HENDERSON. No, sir.

Mr. ARENS. In October 1948, did she have a little trouble with you over your expense account?

Mr. HENDERSON. No, sir. You are getting it mixed up with our secretary-treasurer, Harold Lane, with whom we had trouble, and with whom we had to make him pay restitution and make him sign a letter admitting embezzlement and resigning from the international union.

Mr. ARENS. Was he a Communist?

Mr. HENDERSON. Harold Lane?

Mr. ARENS. Yes.

Mr. HENDERSON. I don't know, sir.

Mr. CONNORS. Did you in fact resign from the Communist Party in 1949?

Mr. HENDERSON. I must refuse to answer that question on the same ground, sir.

Mr. CONNORS. It might incriminate you if you admitted that you resigned from it; is that correct?

Mr. HENDERSON. That is my answer, sir.

Mr. CONNORS. Has anyone ever paid Communist Party dues for you on your behalf since you "resigned" from the Communist Party?

Mr. HENDERSON. I must refuse to answer that question on the same ground.

Mr. CONNORS. Have you consulted with Communist Party officials with respect to the way DPOWA should be operated?

Mr. HENDERSON. I must refuse to answer that question on the same ground, sir.

Mr. CONNORS. If you have not, in fact, consulted with Communist Party officials about the way your union could be operated, you could give an affirmative answer to that, could you not?

Mr. HENDERSON. That conclusion doesn't follow.

Mr. CONNORS. Explain how it does not.

Mr. HENDERSON. I must refuse to answer the question on the same ground, sir.

Mr. CONNORS. I have here a list of organizations with which you have been affiliated in your career. As I name these organizations will you indicate whether you will admit being affiliated with them?

American Committee for Protection of Foreign-Born?

Mr. HENDERSON. I must refuse to answer the question.

Mr. CONNORS. American Committee for Spanish Freedom?

Mr. HENDERSON. I must refuse to answer the question on the same ground.

Mr. CONNORS. American Council for Democratic Greece?

Mr. HENDERSON. I must refuse to answer the question on the same ground.

Mr. CONNORS. American Jewish Labor Council?

Mr. HENDERSON. I must refuse to answer the question on the same ground.

Mr. CONNORS. American League Against War and Fascism?

Mr. HENDERSON. I must refuse to answer the question on the same ground.

Mr. CONNORS. American League for Peace and Democracy?

Mr. HENDERSON. I must refuse to answer the question on the same ground.

Mr. CONNORS. American Peace Mobilization?

Mr. HENDERSON. I must refuse to answer the question on the same ground, sir.

Mr. CONNORS. Civil Rights Congress?

Mr. HENDERSON. I must refuse to answer the question on the same ground, sir.

Mr. CONNORS. Why do you refuse to answer?

Mr. HENDERSON. I have given you my answer, sir.

Mr. CONNORS. Because you feel it might incriminate you if you did, in fact, belong to these organizations?

Mr. HENDERSON. I have given you my answer, sir.

Mr. CONNORS. Committee for a Democratic Far Eastern Policy?

Mr. HENDERSON. I must refuse to answer it.

Mr. CONNORS. Commonwealth College, out in Mena, Ark.? Were you ever affiliated with that organization?

Mr. HENDERSON. I must refuse to answer on the same ground.

Mr. CONNORS. Do you know whether you were or not?

Mr. HENDERSON. I don't know, to tell you the truth.

Mr. CONNORS. Well, say so, then.

Friends of the Soviet Union?

Mr. HENDERSON. I refuse to answer on the same ground.

Mr. CONNORS. Joint Anti-Fascist Refugee Committee?

Mr. HENDERSON. I refuse to answer on the same ground, sir.

Mr. CONNORS. National Council of American-Soviet Friendship?

Mr. HENDERSON. I refuse to answer on the same ground.

Mr. CONNORS. The Philadelphia School of Social Sciences and Arts?

Mr. HENDERSON. I refuse to answer on the same ground.

Mr. CONNORS. The catalog of that school in 1944 said that you were a member of the advisory board. Is that correct?

The catalog for the Philadelphia School of Social Sciences and Arts, the 1944 catalog, carried your name as a member of the advisory board.

Mr. HENDERSON. So?

Mr. CONNORS. Is that correct?

Mr. HENDERSON. I must refuse to answer on the same ground.

Mr. CONNORS. And you, as a matter of fact, were a member of the board of directors of that school, were you not?

Mr. HENDERSON. I refuse to answer on the same ground, sir.

Mr. CONNORS. How about the American Committee for Struggle Against War?

Mr. HENDERSON. Never heard of it.

Mr. CONNORS. How about the Continental Congress for World Peace?

Mr. HENDERSON. I refuse to answer on the same ground.

Mr. CONNORS. How about the Harry Bridges' Defense Committee?

Mr. HENDERSON. I refuse to answer on the same ground.

Mr. CONNORS. United States Congress Against War?

Mr. HENDERSON. I refuse to answer on the same ground.

Mr. CONNORS. World Congress Against War?

Mr. HENDERSON. I refuse to answer on the same ground.

Mr. CONNORS. Were you against war in 1944?

Mr. HENDERSON. 1944?

Mr. CONNORS. Yes, 1944. Did you oppose the war this country was engaged in then?

Mr. HENDERSON. I did not.

Mr. CONNORS. You did not?

Mr. HENDERSON. No; I did not.

Mr. CONNORS. Did you oppose the war in Europe in 1940?

Mr. HENDERSON. I opposed the war until we got into it.

Mr. CONNORS. You opposed the war until Soviet Russia got into it. That is what you mean to say; do you not?

Mr. HENDERSON. No, I do not say that.

Mr. CONNORS. That is what you mean?

Mr. HENDERSON. I do not mean that.

Mr. CONNORS. When did you cease opposing the war?

Mr. HENDERSON. I am opposing war, so far as practical, at all times.

Mr. CONNORS. I am speaking about World War II.

Mr. HENDERSON. The record will show that I have done my best for peace.

Mr. CONNORS. I cannot hear you.

Mr. HENDERSON. The record shows I do my best for peace.

Mr. CONNORS. I am asking you when you ceased opposing our participation in World War II?

Mr. HENDERSON. I must refuse to answer on the same ground, sir.

Mr. CONNORS. You told this committee a few minutes ago that you would refuse to fight for this country in a war against Soviet Russia; did you not?

Mr. HENDERSON. Putting it abstractly, I refused to answer the question on the same ground. It depends on the circumstances.

Mr. CONNORS. I have no further questions, Senator Watkins. I think his sympathies are pretty well determined.

Senator WATKINS. Does Mr. Arens have any further questions?

Mr. ARENS. No, sir.

Senator WATKINS. You came here in response to a subpoena?

Mr. HENDERSON. Yes, sir.

Senator WATKINS. Do you want him any further?

Mr. CONNORS. No, Senator.

Senator WATKINS. You may be excused, then.

Mr. CONNORS. May I ask that these two articles be incorporated into the record?

Senator WATKINS. They may be incorporated into the record.²

Senator WATKINS. The committee will take a recess for about 10 minutes.

(Brief recess.)

Mr. CONNORS. Will you identify yourself by name and occupation?

² These articles are in the files of the subcommittee.

**TESTIMONY OF MORRIS L. DOSWELL, ORGANIZER, DISTRICT 65,
DISTRIBUTIVE, PROCESSING, AND OFFICE WORKERS OF AMERICA,
ACCOMPANIED BY SAMUEL A. NEUBURGER, AND VICTOR
RABINOWITZ, NEW YORK, N. Y.**

Mr. DOSWELL. Morris Doswell, organizer for district 65.

Mr. CONNORS. Of what union?

Mr. DOSWELL. The Distributive, Processing, and Office Workers of America.

Mr. CONNORS. Commonly called DPOWA, is that correct?

Mr. DOSWELL. That is right.

Mr. CONNORS. Will you kindly trace in brief detail your educational background, your formal education?

Mr. DOSWELL. I went to Public School 125 in Sunnyside, Long Island; then went to Newtown High School in Elmhurst, Long Island. That is as far as I have gone.

Mr. CONNORS. And what has your occupation been since the termination of your formal education?

Mr. DOSWELL. I worked for Consolidated Edison, a part time job, for around a year, I imagine, back in around 1937.

Mr. CONNORS. When was it that you graduated from high school?

Mr. DOSWELL. Around 1937—1937, I believe.

Mr. CONNORS. Go ahead.

Mr. DOSWELL. From there I got a job in the shoe market, in at that time, a local 65 shop. I had a couple of odd jobs prior to that. And from that job I came on the staff of the union. I believe the date was approximately the latter part of 1941 or the early part of 1942, and I have been on the staff ever since.

Mr. CONNORS. Then your full-time occupation since some time in 1941 has been that of an official of DPOWA, is that correct?

Mr. DOSWELL. Yes, in one capacity or the other.

Mr. CONNORS. Which of the three unions were you in in 1941? I mean by the three unions, those three which merged to form DPOWA.

Mr. DOSWELL. Formerly known as Local 65, Wholesale Warehouse Workers Union.

Mr. CONNORS. What is your present address?

Mr. DOSWELL. 2265 Fifth Avenue, New York 35, N. Y.

Mr. CONNORS. Are you a member of the Communist Party?

Mr. DOSWELL. I refuse to answer that question on the basis, I believe, that it will incriminate me under the fifth amendment of the Constitution.

Mr. CONNORS. You mean your answer to that might incriminate you?

Mr. DOSWELL. I stand on my answer.

Mr. CONNORS. The question is not going to incriminate you, is it?

Mr. DOSWELL. I stand on my answer.

Mr. CONNORS. Did you ever hear of the term "industrial section W"?

Mr. DOSWELL. I never heard of it.

Mr. CONNORS. I put it to you as a fact and ask you to affirm or deny the fact that in September 1943 you were a member of industrial section W of the Communist Party in New York City.

Mr. DOSWELL. I refuse to answer that question on the same ground.

Mr. CONNORS. Did you ever belong to a club known as the John Brown Club?

Mr. DOSWELL. I refuse to answer that question on the same ground.

Mr. CONNORS. As a matter of fact, in October 1943 you were transferred from the industrial section W to the John Brown Club of the upper harlem section of the Communist Party in New York City; is that not so?

Mr. DOSWELL. I refuse to answer that question.

Mr. CONNORS. You do not deny that it is true, do you?

Mr. DOSWELL. I stand on my former answer.

Mr. CONNORS. I put it to you as a fact and ask you to affirm or deny the fact that, on April 22, 1945, or thereabouts, you were a speaker in a panel discussion at 2315 Seventh Avenue, New York City.

Mr. DOSWELL. I refuse to answer that question—

Mr. CONNORS. Have you ever been—

Mr. DOSWELL. For the reason stated before.

Mr. CONNORS. Go ahead.

Mr. DOSWELL. I merely said I refuse to answer that question for the reason stated before.

Mr. CONNORS. Have you ever been at 2315 Seventh Avenue, New York City?

Mr. DOSWELL. 23—

Mr. CONNORS. 15 Seventh Avenue.

Mr. DOSWELL. The address is not familiar to me.

Mr. CONNORS. I put it to you as a fact that the panel discussion I spoke of a moment ago, which occurred on April 22, 1945, at 2315 Seventh Avenue, New York City, and in which you were a speaker, took place at a closed meeting of the Ben Davis Communist Association Club, and I ask you to affirm or deny that fact.

Mr. DOSWELL. I refuse to answer that question for the reasons stated before.

Mr. CONNORS. Are you a member of the IWO?

Mr. DOSWELL. I refuse to—I understand that the IWO is on the Attorney General's list.

Mr. CONNORS. That is correct; yes.

Mr. DOSWELL. And therefore I refuse to answer that question because I feel it may incriminate me.

Mr. CONNORS. I put it to you as a matter of fact that you are a member of lodge No. 691 of the IWO in New York City, and ask you to affirm or deny that fact.

Mr. DOSWELL. I refuse to answer that question.

Mr. CONNORS. And I put it to you as a fact that you, in 1947, were a member of the labor committee of lodge No. 691 of the IWO in New York City.

Mr. DOSWELL. I refuse to answer that question as I have stated before.

Mr. CONNORS. Do you know what the Civil Rights Congress is?

Mr. DOSWELL. I refuse to answer that question.

Mr. CONNORS. Have you ever heard of the Civil Rights Congress?

Mr. DOSWELL. I refuse to answer that question.

Mr. CONNORS. How could it possibly incriminate you; the fact that you have heard of the Civil Rights Congress?

Mr. DOSWELL. I refuse to answer that question.

Mr. CONNERS. Do you remember that on June 25, 1949, the Civil Rights Congress held a conference at the City Center Casino in New York City?

Mr. DOSWELL. I don't recall.

Mr. CONNORS. Do you recall attending a conference of the Civil Rights Congress at City Center Casino in New York City at any time?

Mr. DOSWELL. My answer to that is I don't recall.

Mr. CONNORS. You do not recall whether you did in fact attend such a conference?

Mr. DOSWELL. No, sir.

Mr. CONNORS. Did you ever hear of the Negro Labor Victory Committee?

Mr. DOSWELL. I understand that, to my knowledge, that this committee has been listed on the Attorney General's list and therefore I refuse to answer that question because I feel it may incriminate me.

Mr. CONNORS. As a matter of fact, in 1944 you were a member of the over-all committee of the Negro Freedom Rally, were you not?

Mr. DOSWELL. I refuse to answer that question.

Mr. CONNORS. And that over-all committee of the Negro Freedom Rally was a part and parcel of the Negro Labor Victory Committee, was it not?

Mr. DOSWELL. I refuse to answer that question.

Mr. CONNORS. Did you ever hear of Universal Fabricators?

Mr. DOSWELL. Yes; I have.

Mr. CONNORS. You have?

Mr. DOSWELL. Yes.

Mr. CONNORS. Do you know Mr. Henry Allen, the man who operates that business?

Mr. DOSWELL. Yes; I do. He is the employer.

Mr. CONNORS. Yes. Have you ever been in his office?

Mr. DOSWELL. Yes; I have.

Mr. CONNORS. As a matter of fact, you were there on October 25, 1950, were you not?

Mr. DOSWELL. The exact date I do not know. I know I was there in 1950, approximately around that time. The exact date I wouldn't recall.

Mr. CONNORS. What was your business there at the time?

Mr. DOSWELL. Well, the shop had approximately 61 workers. I had organized 57 out of the 61 workers in the shop.

Mr. CONNORS. They were already members of a CIO union, were they not?

Mr. DOSWELL. They were all members of the CIO, but the workers desired to change and had joined our union.

Mr. CONNORS. How did they make known to you their alleged desire to change?

Mr. DOSWELL. They came down to the union, as I recall.

Mr. CONNORS. You brought them down to the union in automobiles, did you not?

Mr. DOSWELL. No; I didn't. The first contact was established by two members coming down to the union.

Mr. CONNORS. Two members of what?

Mr. DOSWELL. Of the shop, of the Universal Fabricators. That is where the original contact was established.

I subsequently set up a meeting to get additional people down to the union. We worked on this for a period of, I imagine, around 9 months, and then the shop signed up to the extent of 57 out of 61, and that is how I became involved.

The original contact was not through myself as organizer, but one of the other staff organizers.

Mr. CONNORS. Now, did you threaten Mr. Henry Allen with bodily violence?

Mr. DOSWELL. I did not threaten Mr. Allen.

Mr. CONNORS. Did you lay your hands upon Mr. Allen?

Mr. DOSWELL. I did not lay my hands on Mr. Allen.

Mr. CONNORS. Were you arrested as a result of your visit to Mr. Allen's office in October 1950?

Mr. DOSWELL. I went into Mr. Allen's office to ask for representation. Now, the exact date that you state, I don't know exactly what occurred on that particular day.

Subsequently, after Mr. Allen had fired 15 people, as a result of organization of which I, on behalf of the union, had filed charges to the National Labor Relations Board, unfair labor charges against Mr. Allen, there were several visits to his office.

No. 1, the first visit, was asking for representation; and several other visits trying to get started on negotiations of a contract, and then finally when he began to fire people one by one, to request that these people be reinstated and that the matter be taken up through the due process of law to the National Labor Relations Board.

The charges were filed, and the fact of the matter is, it is a matter of record at the National Labor Relations Board, that Mr. Allen was found guilty of unjust discharges and, as a result, a settlement of the dispute—I think the settlement was in terms of \$1,000, in the form of a check, which was given to the union to be distributed amongst the workers under the supervision of the National Labor Relations Board.

Mr. CONNORS. Now, answer my original question. Were you arrested as a result of any one of your visits to Mr. Allen's office?

Mr. DOSWELL. I was not arrested. I was not arrested at any of the visits at his office.

Mr. CONNORS. No; I understand that. But you were arrested as a result of those visits?

Mr. DOSWELL. I wasn't, never arrested. I was served a summons by Mr. Allen when I attended one of the hearings at the National Labor Relations Board.

Mr. CONNORS. Was a warrant issued for your arrest, to your knowledge?

Mr. DOSWELL. A warrant was, to my knowledge, was not issued for my arrest. A summons was given charging me with, I believe—the charge was assault at that particular time.

Mr. CONNORS. Go ahead.

Mr. DOSWELL. The summons was accepted by myself and attorneys who were present at the National Labor Relations Board hearing, and it went to court and finally Mr. Allen, and this is a matter of record, withdraw the charges.

Mr. CONNORS. You appeared in magistrate's court, is that correct?

Mr. DOSWELL. Yes; that is right.

Mr. CONNORS. And what charges were made against you there?

Mr. DOSWELL. Charges of assault.

Mr. CONNORS. And what was the disposition of the case?

Mr. DOSWELL. Mr. Allen withdrew the charges, apparently.

Mr. CONNORS. When you went to Allen's Universal Fabricators, did you go by yourself?

Mr. DOSWELL. No, I didn't. I had had a meeting with the employees, I believe, a night or so prior to going in—I believe the night before—and it was decided that during lunch hour the entire shop, together with myself, at that particular time there was around 57 people, would go in and speak to Mr. Allen, that the members of the shop who were employees of his would indicate to him that they felt that it was an unjust discharge of these men, that it was against the law, and that if he wanted to discharge anybody it should be done in accordance with practices that are set up.

Mr. CONNORS. As a matter of fact, you went in Allen's office with 30 or 40 DPOWA members, did you not?

Mr. DOSWELL. With 30 or 40—

Mr. CONNORS. Thirty or forty members of DPOWA.

Mr. DOSWELL. Yes; they were members of Mr. Allen.

Mr. CONNORS. They were not employees of Mr. Allen, were they?

Mr. DOSWELL. To my knowledge, all of the people were employees of Mr. Allen, with—there may have been a handful of other people from surrounding shops in the area, but I would say that, to my knowledge, the overwhelming majority of the people were people who were employees of Mr. Allen.

Mr. CONNORS. Never mind the overwhelming majority. How many people who accompanied you on that raid were not employees of Mr. Allen?

Mr. DOSWELL. There was no raid, and I resent the question of a raid.

Mr. CONNORS. Do you deny that those people who went in with you, or you yourself, took the telephone away from the hands of a female employee of Mr. Allen's who was attempting to call the police?

Mr. DOSWELL. There was no telephone, to my knowledge, taken away from a female employee. When I went into the office of Mr. Allen, I went in there with his employees to talk to him about the discharge of 15 men.

Mr. CONNORS. And with some people who were not his employees?

Mr. DOSWELL. There may have been, I don't recall.

Mr. CONNORS. You know, as a matter of fact, that there were, do you not?

Mr. DOSWELL. I don't recall whether they were in the office or not. I was in the front. There were around fifty-some-odd people, and they were all in back of me. I did not turn around to count noses as to exactly who was there.

Mr. CONNORS. I want an answer to this question, and I want you to think about it before you answer it: Did you lay hands on Mr. Allen at any time on the premises of Universal Fabricators?

Mr. DOSWELL. I don't have to think about it. I did not lay hands on Mr. Allen. I so stated in court.

Mr. CONNORS. As a matter of fact, the charges are still pending, are they not?

Mr. DOSWELL. No; they are not, to my knowledge.

Mr. CONNORS. You do not know whether they are or not?

Mr. DOSWELL. In fact, I know they are not pending.

Mr. CONNORS. Did Arthur Osman know you were going to Universal Fabricators on that visit?

Mr. DOSWELL. Did Arthur Osman know?

Mr. CONNORS. Yes.

Mr. DOSWELL. I don't know what Arthur Osman knows.

Mr. CONNORS. Did David Livingston know you were going over there?

Mr. DOSWELL. I don't know what Livingston knows.

Mr. CONNORS. Did Donald Henderson know you were going over there?

Mr. DOSWELL. I don't know whether they did or not. I will say this: that any shop that is brought into the union is approved by the general counsel of the union through the organization department office.

Mr. CONNORS. Do you know Winifred Norman?

Mr. DOSWELL. Winifred Norman?

Mr. CONNORS. Yes.

Mr. DOSWELL. Yes, I do.

Mr. CONNORS. Is she a member of the Communist Party?

Mr. DOSWELL. I do not know. You will have to ask her that.

Mr. CONNORS. I asked you that. Is she a member of the Communist Party?

Mr. DOSWELL. I cannot answer that. I do not know whether she is.

Mr. CONNORS. Are you a member of the Communist Party?

Mr. DOSWELL. I refuse to answer that question on the ground that it may incriminate me under the fifth amendment of the Constitution.

Mr. CONNORS. Have you ever been a member of the Communist Party?

Mr. DOSWELL. I refuse to answer that question for the same ground.

Mr. CONNORS. Have you ever paid dues to a Communist Party organizer?

Mr. DOSWELL. I refuse to answer that question on the same ground.

Mr. CONNORS. Do you know that the Community Party is an agent of the Soviet Government?

Mr. DOSWELL. I refuse to answer that question.

Mr. CONNORS. Have you ever been in the United States Army?

Mr. DOSWELL. No; I haven't.

Mr. CONNORS. Have you ever been in the armed services of this country?

Mr. DOSWELL. No; I haven't.

Mr. CONNORS. Did you register with the draft board during the last war?

Mr. DOSWELL. I did. I was rejected because of my eyes, and placed in IV-F category.

Mr. CONNORS. When and where were you born?

Mr. DOSWELL. I was born in Blackstone, Va., 1918, December 5.

Mr. CONNORS. We have asked the witness a few questions, Senator, that he has refused to answer. I asked him specifically if he knew what the Civil Rights Congress is, and he refused to answer.

I would like respectfully to suggest that the Chair might wish to order him to answer that question.

Senator WATKINS. You are ordered and directed to answer that question.

Mr. DOSWELL. I didn't get that, I am sorry.

Mr. CONNORS. The question is: Have you ever heard of the Civil Rights Congress?

Mr. DOSWELL. Yes; I have heard of it.

Mr. CONNORS. Are you a member of the Civil Rights Congress?

Mr. DOSWELL. I refuse to answer that question on the ground that, to my knowledge, it is on the Attorney General's list, and I feel that it may incriminate me.

Mr. CONNORS. Have you ever contributed money to the Civil Rights Congress?

Mr. DOSWELL. I refuse to answer that question on the same ground.

Mr. CONNORS. Have you ever been a member of the Civil Rights Congress?

Mr. DOSWELL. I refuse to answer that question on the same ground.

Mr. CONNORS. You are appearing here under subpoena, are you not?

Mr. DOSWELL. That is right.

Senator WATKINS. Have you any further questions?

Mr. CONNORS. I have no further questions.

Senator WATKINS. Do you want him for any further purpose?

Mr. CONNORS. No, Senator.

Senator WATKINS. You may be excused.

Mr. NEUBURGER. Thank you for your courtesy, Senator.

Senator WATKINS. Do you have any further witnesses?

Mr. CONNORS. No, we have not, sir.

(Whereupon, at 3:50 p. m., Thursday, February 14, 1952, the hearing was recessed subject to the call of the Chair.)

SUBVERSIVE CONTROL OF DISTRIBUTIVE, PROCESSING, AND OFFICE WORKERS OF AMERICA

FRIDAY, FEBRUARY 15, 1952

UNITED STATES SENATE,
SUBCOMMITTEE TO INVESTIGATE THE ADMINISTRATION
OF THE INTERNAL SECURITY ACT AND OTHER INTERNAL
SECURITY LAWS, OF THE COMMITTEE ON THE JUDICIARY,
Washington, D. C.

The subcommittee met at 10:20 a. m., pursuant to call, in room 457, Senate Office Building, Senator Herbert R. O'Connor presiding.

Present: Senator O'Connor.

Also present: Richard Arens, staff director; Edward R. Duffy, investigator; Donald D. Connors, investigator; Mitchell M. Carter, investigator; Frank W. Schroeder, professional staff member.

Senator O'CONNOR. We will now proceed with the hearing.

Mr. ARENS. Mrs. Victoria Garvin and Mr. James Harvey Durkin, will you kindly rise and be sworn?

Senator O'CONNOR. In the presence of Almighty God, do you swear that the testimony you are about to give to the Subcommittee on Internal Security of the Committee on the Judiciary, United States Senate, will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. GARVIN. I do.

Mr. DURKIN. I do.

Senator O'CONNOR. Mr. Arens, we will proceed with the taking of testimony, and I request, if you will, that you interrogate the witnesses.

TESTIMONY OF JAMES H. DURKIN, NEW YORK CITY, N. Y., ACCOMPANIED BY SAMUEL A. NEUBURGER, NEW YORK, N. Y.

Mr. ARENS. Kindly identify yourself by name, residence, and occupation.

Mr. DURKIN. James H. Durkin, 48 Grove Street, New York City, factory worker.

Mr. ARENS. And you are appearing today in response to a subpoena which was served upon you?

Mr. DURKIN. That is right.

Mr. ARENS. And you are represented by counsel?

Mr. DURKIN. That is correct.

Mr. ARENS. Will counsel kindly identify himself?

Mr. NEUBURGER. Samuel A. Neuburger, 76 Beaver Street, New York City.

Mr. ARENS. If you please, tell us the place and date of your birth, Mr. Durkin.

Mr. DURKIN. June 30, 1912, New York City.

Mr. ARENS. And give us a brief résumé of your early life, your education.

Mr. DURKIN. I attended grade school and graduated from the School of the Blessed Sacrament in New York City, attended high school at Townsend-Harris Hall and Jamaica High School, from which I graduated and went for a year to the College of the City of New York.

Mr. ARENS. Then give us, if you please, a brief résumé of your employment activities since you graduated from the College of the City of New York.

Mr. DURKIN. I didn't graduate. I said I went for a year.

Mr. ARENS. Well, then, give us a brief résumé of your occupation record since you terminated or concluded your formal education.

Mr. DURKIN. I had a couple of early jobs right after school which I don't even remember the name of the employers of, miscellaneous jobs. I worked for the Equitable Life Assurance Society for about 6 years, beginning in 1942. That is in New York.

I became a union organizer for the United Office and Professional Workers of America about 1937.

Mr. ARENS. How did you obtain that employment?

Mr. DURKIN. I was a member of that union and when it was necessary for staff representatives to be appointed, I was appointed under the constitution by the union's general executive board.

Mr. ARENS. Continue, if you please.

Mr. DURKIN. I continued in that employment for about 10 years. My employment immediately subsequent to that I do not believe I can inform this subcommittee of, and I claim my privilege under the fifth amendment and decline to answer questions about that.

My current employment—I am ready to describe if the committee wishes.

Mr. ARENS. I would like to have the record a little bit clearer just on what the situation is at the moment.

You were an organizer for the United Office and Professional Workers of America from 1937 until 1947, is that correct?

Mr. DURKIN. That is correct.

Mr. ARENS. And then your activity or employment from 1947 until what time you decline to describe?

Mr. DURKIN. Until approximately the end of 1951.

Mr. ARENS. When did you disassociate yourself or when did your association terminate with the United Office and Professional Workers of America?

Mr. DURKIN. I decline to answer that question on the same grounds.

Mr. ARENS. Be as specific as you can, Mr. Durkin, on the period of time you have alluded to concerning which you feel an answer might tend to incriminate you.

Mr. DURKIN. From approximately the middle of 1947 until approximately the end of 1951.

Mr. ARENS. That would be approximately June of 1947.

Mr. DURKIN. That is correct.

Mr. ARENS. Until December 1951?

Mr. DURKIN. Or approximately November.

Mr. ARENS. November or December of 1951. During the period of time you were an organizer for the United Office and Professional Workers of America, were you a full paid employee?

Mr. DURKIN. Yes, I was.

Mr. ARENS. Did you have any other income?

Mr. DURKIN. No; I did not.

Mr. ARENS. And what was your salary?

Mr. DURKIN. It ranged from \$35 a week to about \$55 a week.

Mr. ARENS. And how long were you on the payroll of the United Office and Professional Workers Union of America?

Mr. DURKIN. Well, excluding the period about which I have declined to answer, I was on the payroll for about 10 years, from 1937 to 1947.

Mr. ARENS. When did you start in 1937, what month?

Mr. DURKIN. I believe it was June or July.

Mr. ARENS. When did you go off of the payroll of the United Office and Professional Workers of America?

Mr. DURKIN. I decline to answer that question on the same grounds.

Mr. ARENS. Would you kindly explain, for the purpose of the record, why you feel that the period of time at which you went off of the payroll of the United Office and Professional Workers of America would cause you to be criminally prosecuted?

Mr. DURKIN. I am declining to answer questions about my employment in the period from 1947 through the end of 1951 because of my belief that answering those questions might tend to incriminate me, and I am claiming the protection of the fifth amendment, and decline to answer. And a reason that I feel—

Mr. ARENS. I think I ought to advise counsel here now that counsel is permitted to advise the witness with respect to his rights, but that counsel should be cautioned that his presence as counsel to this witness is to advise the witness of his rights and for no other purpose.

Mr. NEUBURGER. I don't know why the question was made, unless Mr. Arens has some reason to believe that counsel has done anything else. On the contrary, I have been advising this witness in line with our discussions of yesterday, and also, in fact, although I don't believe it is necessary, I have advised him to state the reasons, and by consultation, in the form in which you have stated.

Mr. ARENS. I am not accusing the counsel of any improper conduct, but I am just observing that the last consultation between counsel and the witness seemed to be just a little longer than necessary.

Mr. NEUBURGER. For the record, what I have been doing, Mr. Arens, was to advise him to state the general reasons, both in line with your views and Senator Watkins' views, in line with the statement.

Mr. ARENS. Proceed.

Mr. DURKIN. To continue with the answer that was interrupted, there is all kinds of legislation that might be used in some proceedings and among them the Taft-Hartley law as well as others, and, as a matter of fact, I was a witness before a Federal grand jury in New York, in September, in which questions were asked me along these lines and questions appeared to be, and from all reports, the proceedings of that grand jury, Federal grand jury, were directed toward some kind of possible ultimate prosecution, and I declined to answer similar questions there, and I decline now for the same reason.

Mr. ARENS. What is your present occupation?

Mr. DURKIN. Factory worker.

Mr. ARENS. Do you have any affiliation or association with the DPOWA?

Mr. DURKIN. I am a member of that organization.

Mr. ARENS. How long have you been a member?

Mr. DURKIN. About a year and a half.

Mr. ARENS. What was your occupation beginning in November of 1951?

Mr. DURKIN. Factory worker.

Mr. ARENS. Where?

Mr. DURKIN. The Shelton Manufacturing Co., Newark, N. J.

Mr. ARENS. Is that the same place, the same job that you have now?

Mr. DURKIN. No; it is not.

Mr. ARENS. Would you trace your employment, then, from November 1951 up until the present time?

Mr. DURKIN. Well, through a good part of November and December 1951 I was employed by that company that I just mentioned, and in the early part of January I was laid off there, and a short time ago, after a lay-off of 3 or 4 weeks, I became employed at the Dutch Mustard Co., Brooklyn, N. Y.

Mr. ARENS. Does that complete your employment record?

Mr. DURKIN. Yes.

Mr. ARENS. Have you ever held an office in DPOWA?

Mr. DURKIN. I decline to answer that question on the grounds that I stated before.

Mr. ARENS. Well, now, would you explain for the purpose of the record why, in your opinion, the answer to the question as to whether or not you have ever been an officer of DPOWA could possibly incriminate you?

Mr. DURKIN. The same answer that I gave before, it was that very subject about which the Federal grand jury proceedings were held and in which I was a witness, and it is on that ground, because of legislation that might pertain to me, that I decline to answer that question.

Mr. ARENS. Have you ever signed a Taft-Hartley affidavit?

Mr. DURKIN. I decline to answer that question on the same grounds.

Mr. ARENS. Would you explain to this committee how an answer to the question as to whether or not you have ever signed a Taft-Hartley affidavit, non-Communist affidavit, could possibly tend to incriminate you?

Mr. DURKIN. I repeat the answer I gave before, sir; that this grand jury investigation was along that very line.

Mr. ARENS. Well, are not signatures on the Taft-Hartley non-Communist affidavit matters of public record?

Mr. DURKIN. I do not know.

Mr. ARENS. How many members are there in DPOWA?

Mr. DURKIN. I do not know.

Mr. ARENS. What is your best estimate?

Mr. DURKIN. I wouldn't know.

Mr. ARENS. What is your estimate as to the financial worth of DPOWA?

Mr. DURKIN. I don't know.

Mr. ARENS. Who is the present secretary-treasurer of DPOWA?

Mr. DURKIN. I believe it is Mr. Donald Henderson.

Mr. ARENS. How long has he been a secretary-treasurer of DPOWA?

Mr. DURKIN. For 3 or 4 months, I believe.

Mr. ARENS. Who was his predecessor in office?

Mr. DURKIN. I have to decline to answer that question.

Mr. ARENS. Who was the secretary-treasurer of DPOWA prior to the officer who held that office immediately before Mr. Henderson?

Mr. DURKIN. You will have to repeat that; that is a little bit involved.

Mr. ARENS. Who was the national secretary-treasurer of the DPOWA immediately before the national secretary-treasurer who held office immediately prior to Mr. Henderson?

Mr. DURKIN. Who was the national secretary-treasurer before the one who held office before Mr. Henderson?

Mr. ARENS. That is right.

Mr. CONNORS. The third man.

Mr. ARENS. May I explain it to you? We have a little hiatus here. You have told us now who is the present secretary and treasurer of the DPOWA.

You have declined to answer as to who was secretary-treasurer of DPOWA before Mr. Henderson took office.

Now I am asking you who was secretary-treasurer of DPOWA prior to the time that we have this little hiatus that we don't talk about, or at least that you do not talk about.

Mr. DURKIN. I don't think there was any.

Mr. ARENS. How many secretary-treasurers have there been of DPOWA?

Mr. DURKIN. I think there have been two.

Mr. ARENS. And one is Mr. Henderson, is that correct?

Mr. DURKIN. That is correct.

Mr. ARENS. And the other you will not talk about, is that correct?

Mr. DURKIN. That is correct.

Mr. CONNORS. And you realize the privilege under the fifth amendment is a personal privilege, do you not?

Mr. DURKIN. I do.

Mr. CONNORS. It only applies to you and no one else, when you claim it.

Mr. DURKIN. That is correct.

Mr. ARENS. I put it to you as a fact and ask you to affirm or deny the fact that until just recently, until Henderson took office as national secretary-treasurer of DPOWA, that you were the national secretary-treasurer of DPOWA.

Mr. DURKIN. I decline.

Mr. ARENS. I put it to you as a fact that in 1945 you contributed \$50 to the Communist Party fund drive in Buffalo, N. Y.

Mr. DURKIN. I decline to answer that question on the grounds of the fifth amendment.

Mr. ARENS. I put it to you as a fact that in 1943 you were chairman of the labor committee of the Greater Boston executive committee of the Communist Party, and ask you to affirm or deny that fact.

Mr. DURKIN. I decline to answer that question on the same grounds.

Mr. ARENS. Would you tell us all the organizations that you belong to?

Mr. DURKIN. That is a big question. I do not think I could answer that question.

Mr. ARENS. Well, do the best you can.

Mr. DURKIN. Union work is like a politician, you belong to a lot of organizations.

Mr. ARENS. Well, now, you belong to the DPOWA, do you not?

Mr. DURKIN. Yes; I do.

Mr. ARENS. Now what other organizations do you belong to?

Mr. DURKIN. I think you will have to be more specific than that. I really couldn't say offhand.

Mr. ARENS. You tell us the organizations that you belong to. You are not ashamed of any of them, are you?

Mr. DURKIN. No; I am not. It is just a question of recollection.

Mr. ARENS. Well, do you recollect an organization that you belong to and were pretty active in, in 1943, 1944, and 1945 called the Communist Political Association?

Mr. DURKIN. I decline to answer that question.

Mr. ARENS. Is it just that you do not have a recollection or you just decline to answer the question because the answer may, in your judgment, tend to incriminate you?

Mr. DURKIN. The latter.

Mr. ARENS. Does the number 33047 mean anything to you?

Mr. DURKIN. No; it doesn't.

Mr. ARENS. Mr. Durkin, I would like to lay before you a photostat of a certain document in the custody and control of the Internal Security Subcommittee, and ask you if that prompts any recollection to your mind.

Mr. DURKIN. I decline to answer on the same grounds.

Mr. ARENS. What is that document?

Mr. DURKIN. I don't know. What is it?

Mr. ARENS. What does it purport to be on its face?

Mr. DURKIN. It seems to be a card with some data on it.

Mr. ARENS. What kind of card does it seem to be?

Mr. DURKIN. I can't tell by looking at it.

Mr. ARENS. Whose name appears on that card?

Mr. DURKIN. J. H. Durkin.

Mr. ARENS. Did you ever go by the name of J. H. Durkin?

Mr. DURKIN. That is my name.

Mr. ARENS. I would like to lay before you another card here, a photostat of another card, and see if you can identify that card.

Mr. DURKIN. I decline to answer that.

Mr. ARENS. Those two cards, these two photostats, are photostats of your Communist membership cards in the Communist Political Association, are they not?

(These cards are reproduced herewith.)

Nº 39210 1281 Club File Card

Name J. H. Martin

Address 748 Auburn Ave. 12

City Buffalo County Erie State N.Y.

Name of Club Democrat

New Card Issued on 11/15/44 (To be filled in by person exchanging card)


Male ☒ Female ☐ Negro ☐ White ☐

Occupation Organizer

Industry U. O. P. W. A.

Member of: CIO ☒ A.F.L. ☐ Ind. Union ☐ No Union ☐

Name of Union and local number U. O. P. W. A.

 Regional Director

Nº 39210 CLUB FILE CARD

Date 11/15/44

Name J. H. Martin

Address 748 Auburn Ave. Apt 4 12

Male ☒ Female ☐ Negro ☐ White ☒

Occupation Regional Director

Industry U. O. P. W. A.

Name of Union and local number U. O. P. W. A. - 64

C.I.O. ☒ A.F.L. ☐ Independent ☐ No Union ☐

Recruited by: _____

This line to be used only in the case of new recruits

Name of Club Democrat County Erie

Mr. DURKIN. I decline to answer that question on the same grounds.

Mr. ARENS. Have you ever been to 273 Bleecker Street, New York?

Mr. DURKIN. I decline to answer on the same grounds.

Mr. ARENS. Well, do you feel that anyone who has been to 273 Bleecker Street might, by going there, perform an act which would be a basis for criminal prosecution?

Mr. DURKIN. I don't know. I am answering for myself.

Mr. ARENS. Have you ever been a member of the Sacco-Vanzetti Club of the Communist Party?

Mr. DURKIN. I decline to answer.

Mr. ARENS. Who is Robert Thompson?

Mr. DURKIN. I decline to answer.

Mr. ARENS. You understand you are declining to answer these questions at your peril, do you, Mr. Durkin?

Mr. DURKIN. I am declining to answer them on my understanding of the protection I have under the fifth amendment.

Mr. ARENS. Your understanding is that you have what protection under the fifth amendment?

Mr. DURKIN. That I am protected against being compelled to answer questions that may tend to incriminate me.

Mr. ARENS. And who makes the determination as to whether or not the answer might incriminate you?

Mr. DURKIN. I don't know. I am making it at present. Who makes the final one I don't know.

Mr. ARENS. You supported Robert Thompson in his political campaign in New York City in 1946, did you not?

Mr. DURKIN. I decline to answer on the same grounds.

Mr. ARENS. What ticket was he running on?

Mr. DURKIN. I decline to answer.

Mr. ARENS. He was running on the Communist Party ticket, was he not?

Mr. DURKIN. I decline to answer.

Mr. ARENS. Now in 1947, did you attend the convention of the UOPWA in Los Angeles?

Mr. DURKIN. I don't recollect having done so.

Mr. ARENS. Were you in Los Angeles in 1947?

Mr. DURKIN. I may have been, I don't remember.

Mr. ARENS. What was your position, by the way, in UOPWA?

Mr. DURKIN. I previously stated that up until June 1947 I was an organizer, and thereafter I have declined to answer.

Mr. ARENS. Were you president of UOPWA?

Mr. DURKIN. I decline to answer on the same grounds.

Mr. ARENS. Was UOPWA Commie-controlled?

Mr. DURKIN. As a member and organizer of UOPWA, any connection I had with the union I can only say it was not to my knowledge.

Mr. ARENS. Well, is DPOWA Commie-controlled?

Mr. DURKIN. Not to my knowledge.

Mr. ARENS. Let us see, now, in order to ascertain whether an organization is Communist-controlled, it would be reasonable if we looked to see who are the officers and whether or not they are Commies, would we not? Would you not think that would be a pretty good way of finding out?

Mr. DURKIN. Don't ask me hypothetical questions. I mean, that is not a question I am capable of answering.

Mr. ARENS. If you were going to determine whether or not an organization were Commie-controlled, you would look to see whether or not the key officers of that organization were Communists, would you not?

Mr. DURKIN. I can't answer that question.

Mr. ARENS. Let us try it on DPOWA. Is Arthur Osman a Communist?

Mr. DURKIN. I don't know.

Mr. ARENS. Do you know whether or not he has ever been a member of the Communist Party?

Mr. DURKIN. I don't know.

Mr. ARENS. Is Donald Henderson a Communist?

Mr. DURKIN. I don't know.

Mr. ARENS. Do you know whether or not he has ever been a member of the Communist Party?

Mr. DURKIN. I don't know.

Mr. ARENS. Is Nicholas Carnes a Communist?

Mr. DURKIN. I don't know.

Mr. ARENS. Do you know whether or not he has ever been a member of the Communist Party?

Mr. DURKIN. I don't know.

Mr. ARENS. Leon Davis. Is he a Communist?

Mr. DURKIN. I don't know.

Mr. ARENS. Do you know whether or not he has ever been a member of the Communist Party?

Mr. DURKIN. I don't know.

Mr. ARENS. How about you? Have you been a member of the Communist Party?

Mr. DURKIN. I decline to answer.

Mr. ARENS. Victoria Garvin, has she ever been a member of the Communist Party?

Mr. DURKIN. I don't know.

Mr. ARENS. Veronica Kryzan, has she ever been a member of the Communist Party?

Mr. DURKIN. I don't know.

Mr. ARENS. Robert Lathan, has he ever been a member of the Communist Party?

Mr. DURKIN. I don't know.

Mr. ARENS. David Livingston, has he ever been a member of the Communist Party?

Mr. DURKIN. I don't know.

Mr. ARENS. John J. Stanley, has he ever been a member of the Communist Party?

Mr. DURKIN. I don't know.

Mr. ARENS. John Tisa, has he ever been a member of the Communist Party?

Mr. DURKIN. I don't know.

Mr. ARENS. William Anderson, has he ever been a member of the Communist Party?

Mr. DURKIN. I don't know.

Mr. ARENS. Carl Andrean, has he ever been a member of the Communist Party?

Mr. DURKIN. I don't know.

Mr. ARENS. Norma Aaronson, has she ever been a member of the Communist Party?

Mr. DURKIN. I don't know.

Mr. ARENS. Robert C. Blanck, has he ever been a member of the Communist Party?

Mr. DURKIN. I don't know.

Mr. ARENS. Anna Blanck, has she ever been a member of the Communist Party?

Mr. DURKIN. I don't know.

Mr. ARENS. Robert Burke, has he ever been a member of the Communist Party?

Mr. DURKIN. I don't know.

Mr. ARENS. Morris Doswell, has he ever been a member of the Communist Party?

Mr. DURKIN. I don't know.

Mr. ARENS. Earl Henry Fisher, has he ever been a member of the Communist Party?

Mr. DURKIN. I don't know.

Mr. ARENS. John Gallacher, has he ever been a member of the Communist Party?

Mr. DURKIN. I don't know.

Mr. ARENS. Sandra Hershorn, has she ever been a member of the Communist Party?

Mr. DURKIN. I don't know.

Mr. ARENS. Flossie Jones, has she ever been a member of the Communist Party?

Mr. DURKIN. I don't know.

Mr. ARENS. Osborne Landix, has he ever been a member of the Communist Party?

Mr. DURKIN. I don't know.

Mr. ARENS. Charles Law, has he ever been a member of the Communist Party?

Mr. DURKIN. I don't know.

Mr. ARENS. Max Lefkowitz, has he ever been a member of the Communist Party?

Mr. DURKIN. I don't know.

Mr. ARENS. William Michelson, has he ever been a member of the Communist Party?

Mr. DURKIN. I don't know.

Mr. ARENS. Mervin Leroy Meyers, has he ever been a member of the Communist Party?

Mr. DURKIN. I don't know.

Mr. ARENS. Jack Paley, has he ever been a member of the Communist Party?

Mr. DURKIN. I don't know.

Mr. ARENS. Armando Ramirez, has he ever been a member of the Communist Party?

Mr. DURKIN. I don't know.

Mr. ARENS. Esther Reed, has she ever been a member of the Communist Party?

Mr. DURKIN. I don't know.

Mr. ARENS. Milton Reverby, has he ever been a member of the Communist Party?

Mr. DURKIN. I don't know.

Mr. ARENS. Aaron Schneider, has he ever been a member of the Communist Party?

Mr. DURKIN. I don't know.

Mr. ARENS. Bernard Segal, has he ever been a member of the Communist Party?

Mr. DURKIN. I don't know.

Mr. ARENS. R. H. Smith, has he ever been a member of the Communist Party?

Mr. DURKIN. I don't know.

Mr. ARENS. Al Tyler, has he ever been a member of the Communist Party?

Mr. DURKIN. I don't know.

Mr. ARENS. You have been associated and have been a member active in a number of organizations, have you not?

Mr. DURKIN. Excuse me.

Mr. ARENS. You have been active in a number of organizations, have you not?

Mr. DURKIN. I belonged to a number of organizations.

Mr. ARENS. Did you belong to the American Council for a Democratic Greece?

Mr. DURKIN. I decline to answer.

Mr. ARENS. I put it to you as a fact that you have been a member of, or affiliated with, each of numerous Communist and Communist-front organizations, including the American Council for a Democratic Greece, the American-Jewish Labor Council, the American Peace Mobilization during the Stalin-Hitler Pact, the American Youth Congress, the Civil Rights Congress, the Committee for a Democratic Far Eastern Policy, the Joint Anti-Fascist Refugee Committee, the National Negro Congress, the Mid-Century Conference for Peace, the National Committee To Defeat the Mundt Bill, the National Labor Conference for Peace; and I ask you to affirm or deny that statement.

Mr. DURKIN. I decline to answer that statement on the same grounds.

Mr. ARENS. What is the Young Progressives of America?

Mr. DURKIN. Can you tell me if that is on the Attorney General's list?

Mr. ARENS. Yes.

Mr. DURKIN. I decline to answer.

Mr. ARENS. Have you ever been a member of the Young Progressives of America?

Mr. DURKIN. I decline to answer.

Mr. ARENS. When did you cease to become an officer of the DPOWA?

Mr. DURKIN. I decline to answer.

Mr. ARENS. Are you now an officer of the DPOWA?

Mr. DURKIN. No; I am not.

Mr. ARENS. Were you an officer of the DPOWA this time a month ago?

Mr. DURKIN. I decline to answer.

Mr. ARENS. Were you an officer of DPOWA a week ago?

Mr. DURKIN. No; I was not.

Mr. ARENS. Were you an officer of DPOWA 2 weeks ago?

Mr. DURKIN. No; I was not.

Mr. ARENS. Were you an officer of DPOWA 3 weeks ago?

Mr. DURKIN. No.

Mr. ARENS. Were you an officer of DPOWA 3½ weeks ago?

Mr. DURKIN. No.

Mr. ARENS. Were you an officer of DPOWA on February 1, 1952?

Mr. DURKIN. No; I was not.

Mr. ARENS. Were you an officer of DPOWA on January 25, 1952?

Mr. DURKIN. Excuse me. I will simplify the problem you were getting at in those questions by stating that from the first part of November 1951 I have not been an officer of DPOWA, and as to time prior to that I decline to answer.

Mr. ARENS. How long have you been a member of DPOWA?

Mr. DURKIN. I have stated before, about a year and a half.

Mr. ARENS. During the period of time which you have been a member of DPOWA, how much of that time have you not been an officer?

Mr. DURKIN. I decline to answer.

Mr. ARENS. Why?

Mr. DURKIN. The question seems to me it is a loaded question; it simply attempts to get around by indirection my previous answers. I have already stated the period during which I have not been an officer.

Mr. ARENS. Off the record.

(Discussion off the record.)

Mr. CONNORS. On the record. Have you ever resided at 748 Auburn Avenue in Buffalo, N. Y.?

Mr. DURKIN. I decline to answer.

Mr. CONNORS. Why do you decline to answer?

Mr. DURKIN. On my grounds under the fifth amendment.

Mr. CONNORS. Would it incriminate you to have lived at 748 Auburn Avenue, Buffalo, N. Y.?

Mr. DURKIN. Well, the gentleman just showed me a card which he claims purports to be a Communist membership card that has that address on it, and I thereby decline.

Mr. ARENS. Do you deny that that is a true and correct reproduction?

Mr. DURKIN. I decline to answer.

Mr. CONNORS. You were an organizer for UOPWA in Buffalo, N. Y., were you not, in 1944?

Mr. DURKIN. Yes; I was.

Mr. CONNORS. You were. Were you regional director of UOPWA in Buffalo, N. Y., in 1944?

Mr. DURKIN. Yes; I was.

Mr. CONNORS. How many regional directors in Buffalo, N. Y., were there of UOPWA in 1944?

Mr. DURKIN. Only myself.

Mr. CONNORS. So, if this card has James H. Durkin, regional director, UOPWA, it could only refer to you; is that not correct?

Mr. DURKIN. I decline to answer.

I would like to make a statement. I previously gave answers to questions concerning a list of people about whom you asked me. You asked me whether they were members of the Communist Party, and I replied, "I don't know."

Now, I would like to reconsider that answer and state in reply to those questions I decline to answer and invoke my privilege. I withdraw the previous answers.

Mr. ARENS. You have already made your answer. We know that you know, and we know who is going to answer. The next witness will be Victoria Garvin.

TESTIMONY OF VICTORIA GARVIN, NEW YORK CITY, N. Y., ACCOMPANIED BY SAMUEL A. NEUBURGER, AND VICTOR RABINOWITZ, NEW YORK, N. Y.

Mr. ARENS. Kindly state your full name.

Mrs. GARVIN. Victoria Garvin.

Mr. GARVIN. You are appearing today in response to a subpoena which was served upon you?

Mrs. GARVIN. The subpoena wasn't served legally, I don't believe. I think I am appearing here voluntarily. One was left at my home and one was sent through the mail, but not served on me personally.

Mr. ARENS. Anyway, you are appearing here in response to notification that your presence was requested; is that it?

Mrs. GARVIN. That is right.

Mr. ARENS. And you are represented by counsel today?

Mrs. GARVIN. That is right.

Mr. ARENS. Counsel will kindly identify themselves, please.

Mr. NEUBURGER. Samuel A. Neuburger, 76 Beaver Street, New York City.

Mr. RABINOWITZ. Victor Rabinowitz, the same address.

Mr. ARENS. And please give us your residence.

Mrs. GARVIN. 2265 Fifth Avenue, New York City.

Mr. ARENS. And your place and date of birth.

Mrs. GARVIN. Richmond, Va., December 18, 1915.

Mr. ARENS. Are you married?

Mrs. GARVIN. Yes; I am.

Mr. ARENS. And your husband's name?

Mrs. GARVIN. C. Arthur Garvin.

Mr. ARENS. Do you have any children?

Mrs. GARVIN. No; I haven't.

Mr. ARENS. Give us, if you please, a brief résumé of your early life prior to the time that you started to work.

Mrs. GARVIN. What questions are you interested in?

Mr. ARENS. Well, where did you go to school?

Mrs. GARVIN. I went to high school in New York City. I got a B. A. from Hunter College; did some graduate work at Columbia University; a master's degree at Smith College; also some business-school training.

Mr. ARENS. And what is your present occupation?

Mrs. GARVIN. I am unemployed at the moment.

Mr. ARENS. What was your last occupation?

Mrs. GARVIN. I decline to answer that question.

Mr. ARENS. You decline to tell the Internal Security Subcommittee of the United States Senate what your last occupation was?

Mrs. GARVIN. I decline to answer that question, under the fifth amendment.

Mr. ARENS. What do you understand the fifth amendment to be?

Mrs. GARVIN. That I have the privilege of refusing to answer questions which I believe the answers to which might place me in jeopardy.

Mr. ARENS. What do you mean by place you in jeopardy?

Mrs. GARVIN. Of doing any kind of a personal injury to me in terms of—well, I would say that—well, I don't know that I can explain it beyond that.

Mr. ARENS. Do you feel that you have a right to decline to answer questions if that answer would cause you to go to jail for criminal prosecution for something you did wrong, is that what you understand it to mean?

Mrs. GARVIN. If there is such a possibility of any kind of inference, I would think that I am entitled to claim such a privilege.

Mr. ARENS. Your occupation that you decline to tell about, is that something that you might be put in jail for?

Mrs. GARVIN. I decline to answer the question.

Mr. ARENS. Have you ever been a member of the DPOWA?

Mrs. GARVIN. Yes, I have.

Mr. ARENS. How long were you a member of DPOWA?

Mrs. GARVIN. I think it was around October 1951 to the present date.

Mr. RABINOWITZ. October 1950.

Mrs. GARVIN. October of 1950.

Mr. ARENS. Have you ever held office in DPOWA?

Mrs. GARVIN. I decline to answer that question.

Mr. ARENS. You feel that the answer to the question as to whether or not you held office in an organization representing people who are supporting that organization by the sweat of their brow might tend to incriminate you?

Mrs. GARVIN. May I consult with counsel?

Mr. ARENS. Yes.

Now I want to advise counsel that the witnesses, under our practice here, are entitled to consult with counsel, but counsel is not entitled to tell a witness what to say. I do not presume now that Mr. Rabinowitz is going to do that, but I want the record to be clear that counsel can advise you as to rights.

Mrs. GARVIN. I will make my decisions here.

Mr. ARENS. We make our own decisions as to the proceedings here.

Mrs. GARVIN. I appreciate that. I refer only in terms of my own answers.

Mr. ARENS. We want you to understand that this proceeding here is being run by the Internal Security Subcommittee of the United States Senate, which is here to investigate subversive influences in the United States.

Mr. RABINOWITZ. All that the witness was saying was that she was going to make her own decisions as to what her answers would be.

Mr. ARENS. We will stop this record right now before we are going to let you proceed to be a witness unless you want to be sworn and testify, Mr. Rabinowitz. If you want to advise the client on her rights, we will let you do that. But that is as far as you are going to go.

Mr. RABINOWITZ. Very well, thank you. Is there a question pending?

Mr. ARENS. Yes.

Mr. RABINOWITZ. Would you mind reading it?

(The record was read by the reporter.)

Mrs. GARVIN. I decline to answer that question under the fifth amendment because I know that there are certain grand jury investigations under way in New York now involving trade-union leaders with whom I have an association, and while these investigations are under way I think that to answer questions relating to trade-union activities, such as posed here, might possibly have some incriminating effect upon me.

Mr. ARENS. Do you, in your mind, make any distinction between a trade-union and a Communist organization masquerading as a trade-union?

Mrs. GARVIN. I refuse to answer that question.

Mr. ARENS. How many vice presidents are there of the DPOWA?

Mrs. GARVIN. I am not certain of the amount now.

Mr. ARENS. How many were there at any time, to your knowledge?

Mrs. GARVIN. I think there were seven vice presidents.

Mr. ARENS. How did you acquire that information?

Mrs. GARVIN. Well, as a member of the union I subscribed to its newspaper.

Mr. ARENS. Is that the only way that you have acquired the knowledge as to the number of vice presidents there are or were of DPOWA?

Mrs. GARVIN. I refuse to answer that question.

Mr. ARENS. You were, of course, a vice president of the DPOWA. I mean, you are now one of about half a dozen vice presidents of the DPOWA, are you not?

Mrs. GARVIN. I refuse to answer that question.

Mr. ARENS. What is the approximate membership of DPOWA?

Mrs. GARVIN. I think the figures that I have seen are around 50,000. I am not sure of the total amount.

Mr. ARENS. How did you happen to see those figures?

Mrs. GARVIN. They are generally published in the union publication.

Mr. ARENS. What is the approximate financial worth of DPOWA?

Mrs. GARVIN. I wouldn't know that.

Mr. ARENS. When did you join the Communist Party?

Mrs. GARVIN. I decline to answer that question under the fifth amendment.

Mr. ARENS. Are you ashamed of your membership in the Communist Party?

Mrs. GARVIN. I decline to answer that question under the fifth amendment.

Mr. ARENS. You are a member of the Communist Party and have been since 1944, is that not true?

Mrs. GARVIN. I decline to answer that question.

Mr. ARENS. Who is Claudia Jones?

Mrs. GARVIN. I decline to answer that question.

Mr. ARENS. Are you ashamed of your acquaintanceship with Claudia Jones?

Mrs. GARVIN. I decline to answer that question.

Mr. ARENS. Is it a crime to know Claudia Jones?

Mrs. GARVIN. I decline to answer that question.

Mr. ARENS. Have you ever been to Hawaii?

Mrs. GARVIN. No, I have not.

Mr. ARENS. Well, you had a little correspondence with the folks out in Hawaii, did you not, back in 1948?

Mrs. GARVIN. I decline to answer that question.

Mr. ARENS. How well do you know Howard Fast?

Mrs. GARVIN. I decline to answer that question.

Mr. ARENS. Did Mr. Rabinowitz tell you whenever we got onto the subject of communism just to decline to answer the question?

Mrs. GARVIN. No, he did not.

Mr. ARENS. What did he tell you?

Mrs. GARVIN. He told me that if there were any questions which were raised by this committee which I thought would incriminate me, that I could refuse to answer under the fifth amendment.

Mr. ARENS. You think, then, these questions that we ask you about communism might incriminate you, is that correct, if you gave a truthful answer to them?

Mrs. GARVIN. I refuse to answer the question.

Mr. ARENS. What organizations do you belong to?

Mrs. GARVIN. I decline to answer that question under the fifth amendment.

Mr. ARENS. Is every organization of which you are a member of a character that membership therein might cause a criminal prosecution against you?

Mrs. GARVIN. I decline to answer that question.

Mr. ARENS. Do you belong to any organizations, membership in which might not cause a criminal prosecution against you?

Mrs. GARVIN. I refuse to answer that question on the same grounds.

Mr. ARENS. Is the Communist Party a foreign-controlled conspiracy?

Mrs. GARVIN. I decline to answer that question on the same grounds.

Mr. ARENS. Do you know anything about the Communist Party?

Mrs. GARVIN. I decline to answer that question.

Mr. ARENS. Are you loyal to your Government?

Mrs. GARVIN. Yes, I am.

Mr. ARENS. Do you think a person can be loyal to his Government and be a member of the Communist Party and active in promulgating the work of the Communist Party?

Mrs. GARVIN. I decline to answer that question.

Mr. ARENS. Would you tell the 50,000 workers who pay dues to the DPOWA that you are or are not a Communist?

Mrs. GARVIN. I decline to answer that question.

Mr. CONNORS. Did you ever hear of the Jamaica section of the Communist Party in New York City?

Mrs. GARVIN. I decline to answer this question.

Mr. CONNORS. I put it to you as a fact and ask you to affirm or deny the fact that you have been a member of the Jamaica section of the Communist Party of New York City.

Mrs. GARVIN. I decline to answer this question.

Mr. CONNORS. Did you ever hear of Farrington High School in Honolulu, Hawaii?

Mrs. GARVIN. No, I haven't. It is not at all familiar to me.

Mr. CONNORS. I put it to you as a fact and ask you to affirm or deny the fact that in March 1948, you wrote a letter to the Department of

Public Instructions, Honolulu, Hawaii, protesting the suspension of John and Aiko Rainecke from the faculty of the Farrington High School in Honolulu.

Mrs. GARVIN. I don't recall such.

Mr. CONNORS. You do not recall writing such a letter?

Mrs. GARVIN. No.

Mr. CONNORS. Did you know that John and Aiko Rainecke were at that time members of the Communist Party?

Mrs. GARVIN. I decline to answer that question.

Mr. CONNORS. Have you ever heard of John and Aiko Rainecke?

Mrs. GARVIN. I decline to answer this.

Mr. CONNORS. Could you explain to the subcommittee just what your interest, as a member of DPOWA or UOPWA, would be in the suspension of two teachers in the Farrington High School in Honolulu?

Mrs. GARVIN. I don't remember anything at all surrounding it.

Mr. CONNORS. In 1948, were you an official of the UOPWA?

Mrs. GARVIN. I decline to answer that.

Mr. CONNORS. Well, if, in 1948, you were an official of the UOPWA, can you explain how you had an interest in the affairs of a high school in Honolulu?

Mrs. GARVIN. I decline to answer that.

Mr. CONNORS. Is it not a matter of fact that the only interest you had in this affair in Farrington High School in Honolulu was because John and Aiko Rainecke had been suspended from a high school faculty for Communist Party activities, and you wanted to get them back in the high school?

Mrs. GARVIN. I decline to answer that on the basis of all of the things I have answered in reference to this particular point.

Mr. CONNORS. Have you ever met John and Aiko Rainecke?

Mrs. GARVIN. I decline to answer that.

Mr. CONNORS. Now, have you ever been mistress of ceremonies at an affair?

Mrs. GARVIN. Would you be more specific than that?

Mr. CONNORS. I will be in a minute. As a matter of fact, let me put it this way: Were you mistress of ceremonies at a reception at the Hotel Riverside Plaza in New York City in honor of Howard Fast?

Mrs. GARVIN. I decline to answer that question.

Mr. CONNORS. I put it to you as a fact that on March 30, 1951, you were mistress of ceremonies at a reception at the Hotel Riverside Plaza in New York City in honor of Howard Fast, or a book by Howard Fast, called "Peekskill, U. S. A."

Mrs. GARVIN. What is the question, please?

Mr. CONNORS. Would you affirm or deny that fact?

Mrs. GARVIN. I decline to answer this question.

Mr. CONNORS. You do not deny that you were there as mistress of ceremonies?

Mrs. GARVIN. I decline to answer this question.

Mr. CONNORS. How many Communists were at that rally?

Mrs. GARVIN. I decline to answer this question.

Mr. CONNORS. Do you know where Pythian Hall is in New York City?

Mrs. GARVIN. I decline to answer this question.

MR. CONNORS. How would it incriminate you to know where Pythian Hall is?

Mrs. GARVIN. I decline to answer this question.

MR. CONNORS. I put it to you as a fact and ask you to affirm or deny the fact that on October 28, 1947, you sponsored a so-called Price Control Rally at Pythian Hall, which rally was under the auspices of the Congress of American Women.

Mrs. GARVIN. Would you repeat the question?

MR. CONNORS. I would like you to affirm or deny the fact that you did appear at Pythian Hall on October 28, 1947, in connection with a rally held by the Congress of the American Women.

Mrs. GARVIN. I decline to answer this question.

MR. CONNORS. Have you ever heard of the Congress of American Women?

Mrs. GARVIN. I refuse to answer this question.

MR. CONNORS. Do you belong to Lodge No. 691 of the IWO?

Mrs. GARVIN. I refuse to answer this question.

MR. CONNORS. I put it to you as a matter of fact that you do belong to Lodge No. 691 of the IWO in New York City, and I ask you to affirm or deny the fact.

Mrs. GARVIN. I decline to answer.

MR. CONNORS. Do you know what the Peace Information Center was?

Mrs. GARVIN. I refuse to answer this question.

MR. CONNORS. Do you think it is possible for a labor union which has as its principal officers people who are members of the Communist Party to perform a useful function for American labor?

Mrs. GARVIN. I refuse to answer this.

MR. CONNORS. Are you generally familiar with the contracts which DPOWA gives to those employers whose employees it bargains for? I am asking you if you have seen or if you are familiar with the general type of contract that DPOWA has with employers with whom it bargains.

Mrs. GARVIN. I have seen some contracts.

MR. CONNORS. Do some of those contracts specify that the workers are to be given one-half day off on May 1?

Mrs. GARVIN. I decline to answer this.

MR. CONNORS. When is Labor Day in this country?

Mrs. GARVIN. I think it is the first Monday in September.

MR. CONNORS. It is in September. And May 1 or May Day is generally a Russian holiday, is it not?

Mrs. GARVIN. I decline to answer this question.

MR. CONNORS. It is a matter of common knowledge that the Russian Communist Party holds celebrations on May 1, is that not so?

Mrs. GARVIN. I decline to answer this.

MR. CONNORS. How do you explain the fact, then, that some of these contracts which DPOWA has specify that the employees of the employers will have a half-day off on May 1?

Mrs. GARVIN. I decline to answer your first question, as to whether there were such contract clauses or whether I had any knowledge of them.

MR. CONNORS. At any time in your past, have you drawn your entire salary from a labor union?

Mrs. GARVIN. I refuse to answer this.

Mr. CONNORS. What is your husband's occupation, Mrs. Garvin?

Mrs. GARVIN. He is a film technician.

Mr. CONNORS. A film technician?

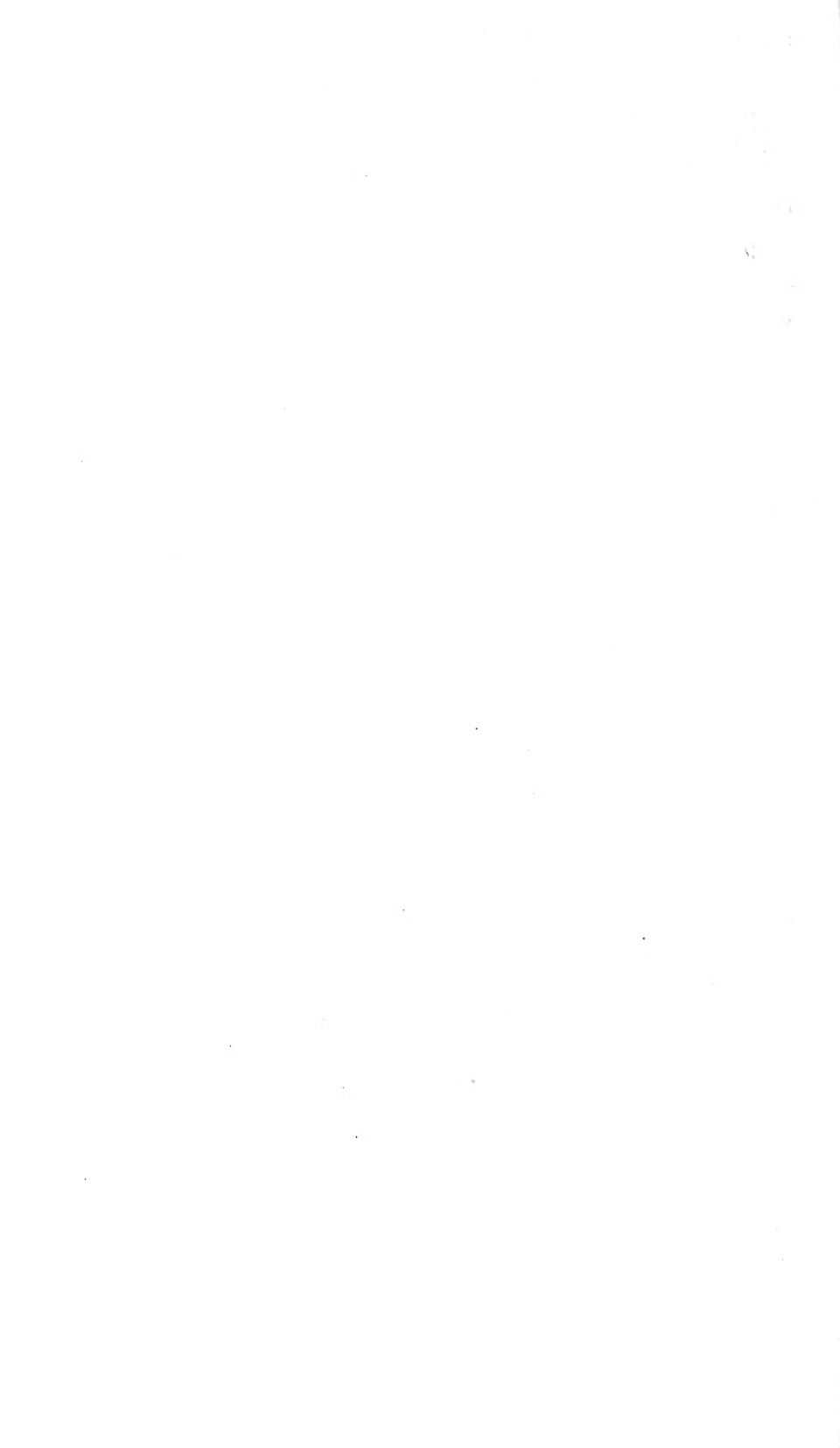
Mrs. GARVIN. That is right.

Mr. CONNORS. And you are appearing here in answer to a subpoena, is that correct?

Mrs. GARVIN. That is right; in line with the first explanation I gave.

Mr. CONNORS. Well, the subcommittee has no further questions, and you will be excused from your subpoena.

(Whereupon, at 11:37 a. m., Friday, February 15, 1952, the hearing was recessed subject to the call of the Chair.)



SUBVERSIVE CONTROL OF DISTRIBUTIVE, PROCESSING, AND OFFICE WORKERS OF AMERICA

TUESDAY, FEBRUARY 19, 1952

UNITED STATES SENATE,
SUBCOMMITTEE, COMMITTEE TO INVESTIGATE
THE ADMINISTRATION OF THE INTERNAL SECURITY
ACT AND OTHER INTERNAL SECURITY LAWS,
OF THE COMMITTEE ON THE JUDICIARY,
Washington, D. C.

The subcommittee met, pursuant to call, at 10:30 a. m. in room 457, Senate Office Building, Hon. Homer Ferguson presiding.

Present: Senators Ferguson and Watkins.

Also present: Richard Arens, staff director; Frank W. Schroeder, professional staff member, and Donald D. Connors and Mitchell M. Carter, investigators.

Senator FERGUSON. The committee will come to order. You may proceed, Mr. Connors.

Mr. CONNORS. Mr. Chairman, will you swear the witness?

Senator FERGUSON. You do solemnly swear in the matter now pending before this committee, in a subcommittee of the Judiciary Committee of the United States Senate, to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. OSMAN. I do.

TESTIMONY OF ARTHUR OSMAN, BROOKLYN, N. Y., ACCOMPANIED BY SAMUEL A. NEUBURGER, NEW YORK, N. Y.

Mr. CONNORS. Mr. Osman, you are appearing here under subpoena duces tecum, which was served upon you; is that correct?

Mr. OSMAN. Yes, sir.

Mr. CONNORS. And the subpoena duces tecum was for the production of certain records; is that correct?

Mr. OSMAN. That is right.

Mr. CONNORS. Before we get into the records which the subpoena asks you to bring along, let me ask you to state your full name.

Mr. OSMAN. Arthur Osman.

Mr. CONNORS. And what is your residence address?

Mr. OSMAN. My home address?

Mr. CONNORS. Yes.

Mr. OSMAN. 2272 East Twenty-eighth Street, Brooklyn, N. Y.

Mr. CONNORS. What is your present occupation, Mr. Osman?

Mr. OSMAN. I am president of the Distributive, Processing, and Office Workers of America.

Mr. CONNORS. How long have you held that position, Mr. Osman?

Mr. OSMAN. Since it has been assigned in October of 1950.

Mr. CONNORS. And what was your position prior to that?

Mr. OSMAN. Prior to that I was president of the Distributive Workers Union.

Mr. CONNORS. Over what period of time did you hold that position, Mr. Osman?

Mr. OSMAN. Since February 1950.

Mr. CONNORS. Since February 1950?

Mr. OSMAN. Yes, sir.

Mr. CONNORS. Will you trace your occupation beginning from your present one which you have already gone over, and go back into the past, if you please.

Mr. OSMAN. Well, as I said, I am now president of the Distributive, Processing and Office Workers of America. Prior to that, I was president of the Distributive Workers Union. Prior to that I was president of local 65.

Mr. CONNORS. Of what union?

Mr. OSMAN. Of the Retail Wholesale Department Store Employees.

Mr. CONNORS. When did you cease being president of local 65 of the Retail Wholesale Department Store Employees?

Mr. OSMAN. When I became president of the Distributive Workers Union.

Mr. CONNORS. When was that?

Mr. OSMAN. In February of 1950.

Mr. CONNORS. I see.

Mr. OSMAN. Now, I don't recall whether that occurred in February or in May, but around that time.

Mr. CONNORS. All right. Continue.

Mr. OSMAN. There might have been an overlapping period.

Senator FERGUSON. You have been in union work for a long time?

Mr. OSMAN. Yes, sir.

Senator FERGUSON. You devote all your time to union work?

Mr. OSMAN. Yes, sir. I can go further back, if you want me to.

Mr. CONNORS. Do so, briefly, if you will.

Mr. OSMAN. Well, I have been president of local 65 since its formation in 1937.

Prior to that I was president of the Wholesale Dry Goods Employees Union, which eventually amalgamated with two other locals and became local 65. And I was president of this dry goods local since its formation, which was in 1933.

Mr. CONNORS. Then actually, since 1933, you have been president of the predecessor unions of the union of which you are now president; is that correct?

Mr. OSMAN. Yes. In 1933 I worked in a wholesale dry goods firm, in the wholesale dry goods industry of New York, and we got together and formed the union.

Perhaps this is a little inaccurate. That is, if I say I was president of the union since 1933 as a full time officer. It was not until 1936. I realize that in these committee hearings I have to be fairly accurate.

Mr. CONNORS. Although the name of the union itself has changed somewhat, your position has been fairly stationary? Your position

as president of the union has been in effect since about 1933, and the union name and membership perhaps have changed?

Mr. OSMAN. The union, I would say, is not the same union. I was always at the top office of one union or another, but it is not the same union.

Mr. CONNORS. It is not the same union, but the union of which you are now president had as its predecessor unions, the unions of which you were president?

Mr. OSMAN. I do not know how scientifically accurate that is.

Senator FERGUSON. At least the purpose was to play around the same objective?

Mr. OSMAN. It was an organization for working people in this distributive industry; yes, sir.

Mr. CONNORS. Where were you educated, Mr. Osman? Just trace your education since high school.

Mr. OSMAN. I went to New Utrecht High School in Brooklyn, and graduated from there, and went to City College of New York for a while.

Mr. CONNORS. When was the last year in which you went to City College of New York?

Mr. OSMAN. I went on and off, because I worked, and I think it was 1928. I am not sure of that year, sir.

Mr. CONNORS. What generally was your occupation from 1928 until 1933?

Mr. OSMAN. From 1928, during those days I worked in various places. In 1928 my father had a retail dry goods store and I worked there.

Mr. CONNORS. What was your employment from 1928 until 1933—generally in the dry goods trade, the dry goods business?

Mr. OSMAN. Yes. In 1932, I think it was, I worked for Eckstein's, the firm which eventually became organized, and that is how our union got started.

Mr. CONNORS. Among the records which you were commanded to bring were the records respecting the financial worth and financial ability of the later union known as the Distributive, Processing, and Office Workers of America. Do you have those records?

Mr. OSMAN. Yes, sir. I have here our accountant's statement of September 30, 1951.

Mr. CONNORS. What firm of accountants do you have?

Mr. OSMAN. Gruber & Gruber. I would say that essentially the statement reflects the condition of today with very insignificant changes.

Mr. CONNORS. That is dated September 1951; is that correct?

Mr. OSMAN. Yes.

Mr. CONNORS. Is that in the nature of a balance sheet?

Mr. OSMAN. Well, you have there, I believe, a statements of assets, liabilities, operating expenses, and so forth.

You see, Senator, you have the two dates, September 30 and March 31, I believe, so you may make comparisons. The statement was not prepared for this hearing. It was our regular auditor's statement.

Mr. CONNORS. Does that statement include and embrace every source of income and every bit of financial worth that the union has?

Mr. OSMAN. Yes.

Mr. CONNORS. Does it include all assets of the union?

Mr. OSMAN. That is right.

Mr. CONNORS. You have no securities, cash, or any realty, or any other assets not included in that statement? Is that correct?

Mr. OSMAN. Yes.

Mr. NEUBURGER. May I confer for a second just on the corporate set-up?

Mr. CONNORS. Yes.

Mr. OSMAN. May I look at the statment again, please?

(Document handed to witness.)

Mr. OSMAN. I think everything I said is accurate, but maybe there is a technicality that seems to worry our counsel here.

Mr. CONNORS. What is that?

Mr. OSMAN. In the assets here there is not listed stocks in the Distributive Realty Corp., but it is listed "Advances" in the Distributive Realty Corp. Those stocks have a nominal value. I don't know if they have any value because the Distributive Realty Corp. is merely an instrumentality set up for helping various locals with their offices.

Mr. CONNORS. What is the net worth?

Mr. OSMAN. Distributive Realty Corp. has no net worth because its assets and liabilities balance. It is merely a corporation which we have set up. We have advanced them some money. It is listed \$149,000.

Mr. CONNORS. Do you have a balance sheet or statement of income of that corporation, a subsidiary corporation?

Mr. OSMAN. Yes; I have it here, the Distributive Realty Corp. I didn't think I had omitted it.

Mr. CONNORS. What were the total assets of that corporation?

Mr. OSMAN. Its assets are \$183,000 and its liabilities are \$182,800. The surplus is \$261. They more or less balance each other—the assets and the liabilities.

Mr. CONNORS. What is the statement of capital stock in the liability column of that sheet?

Mr. OSMAN. \$261.47.

Mr. CONNORS. What are the other assets?

Mr. OSMAN. The assets are cash in the bank of \$129,000; advances to local 26 in Suffolk County, Va., \$42,649; advance to Cedar Rapids Local of \$6,000; and advance to district 76 at Philadelphia, \$5,000.

Mr. CONNORS. Let me ask you if that general financial statement includes all of the financial assets of the various locals throughout the country?

Mr. OSMAN. No. This is the financial statement of the Distributive Processing.

Mr. CONNORS. International aspect?

Mr. OSMAN. That is right.

Mr. CONNORS. Does that include the total financial worth of local 65?

Mr. OSMAN. That is a separate thing.

Mr. CONNORS. That is a separate statement?

Mr. OSMAN. Yes. You didn't ask me to bring that.

Mr. CONNORS. I realize that we did not. We asked Mr. Livingston for that information.

Mr. OSMAN. I presume he will bring it.

Mr. CONNORS. May I ask at this time that this statement be incorporated into the record.

Senator FERGUSON. The statement will be incorporated into the record.

(The document referred to is as follows:)

DISTRIBUTIVE, PROCESSING, AND OFFICE WORKERS OF AMERICA, FINANCIAL REPORT,
SEPTEMBER 30, 1951

(Gruber & Gruber, certified public accountants)

GRUBER & GRUBER,
New York, N. Y., October 18, 1951

DISTRIBUTIVE, PROCESSING, AND OFFICE WORKERS OF AMERICA,
13 Astor Place, New York, N. Y.

GENTLEMEN: At your request, we have audited your books and records for the 9 months ended September 30, 1951. As a result of our audit, we present the attached reports of your financial condition and operating results.

Included in "Accounts receivable" on the balance sheet is \$13,337.22 charged to district 65 for old per capita and Union Voice subscription obligations. These obligations do not appear on the books of district 65 and their collectibility is doubtful. Also included in "Accounts receivable" is \$10,000, which you may possibly receive in connection with back-pay claims against the Metropolitan Life Insurance Co. In our previous report, this item appeared as \$46,850. The difference of \$36,850 has been written off as uncollectible. The bail bonds shown on the balance sheet consist of \$12,000 in Houston, Tex., for Armando Ramirez and \$8,000 in Dade City, Fla., for the Pasco packing workers.

The income shown on the 9-month statement of income and expenses reflects 10 months of per capita from district 65. As of September 30, 1951, district 65 had paid per capita for 1 month in advance. The officers' salaries and expenses were not distributed among the various regions, but we wish to point out that considerable periods of time have been devoted by Donald Henderson and James Durkin to Winston-Salem, N. C., Dade City, Fla., Suffolk, Va., and other areas.

For organizational reasons, money which you paid to the United Insurance Agents of America was carried on the books as loans. Since the United Insurance Agents have lost the John Hancock election, these loans are uncollectible and appear as a bad debts expense on the statement of income and expenses.

The cash of the Distributive Realty Corp. has been earmarked for the construction of a new union headquarters in Chicago.

In our opinion, the attached reports fairly reflect your financial condition as of September 30, 1951, and the results of your operations for the 9 months ended September 30, 1951.

Respectfully submitted.

GRUBER & GRUBER,
Certified Public Accountants.

EXHIBIT A.—*Distributive, Processing, and Office Workers of America comparative balance sheet, as of Sept. 30, 1951, and Mar. 31, 1951*

	Sept. 30, 1951	Mar. 31, 1951
ASSETS		
Cash in banks.....	\$39,802.33	\$168,987.02
Cash on hand.....	200.00	543.50
Deposits with post office, etc.....	2,683.88	2,418.88
Accounts receivable, net.....	36,873.07	105,790.36
Advance to Distributive Realty Corp.....	149,575.75	8,000.00
Furniture and fixtures.....	2,323.65	2,614.11
Prepaid rent.....	64.53	3,825.01
Bail bonds.....	20,000.00	-----
Total assets.....	251,487.21	292,178.88
LIABILITIES		
Accounts payable, F. T. A.....	8,485.08	13,334.95
Loans payable, F. T. A.....	3,061.10	3,061.10
F. A. E. C. T. victory certificates payable.....	1,566.60	1,576.60
Accrued expenses and taxes.....	4,890.90	5,331.41
Due to "hold" locals.....	131.50	2,240.75
Funds payable and exchanges.....	832.27	-----
Total liabilities.....	18,967.45	25,544.81
Accumulated surplus.....	232,519.76	266,634.07

EXHIBIT B.—Distributive, Processing, and Office Workers of America, statement of income and expenses for the 9 months ended Sept. 30, 1951

	(A) New York City	(B) New Jersey and Pennsyl- vania	(C) Ohio	(D) Chicago	(E) Midwest	(F) Missis- sippi	(G) Gulf	(H) South- east	(I) West coast	(J) New England	(K) Canada	National union
Income:												
Per capita from locals.....	\$349,302.37	\$251,735.05	\$14,074.16	\$28,441.70	\$8,883.40	\$12,469.25	\$5,826.31	\$8,458.20	\$10,816.00	\$3,588.35	\$589.00	\$866.05
Union Voice income.....	7,616.64											7,616.64
Income from litigation.....	22,682.25											22,682.25
Assessments.....	543.50		53.00	18.00				450.00	22.50			
Local 78 income.....	3,520.64								3,520.64			
Other income.....	2,727.39							388.40				
Total income.....	386,392.79	251,735.05	14,074.16	28,459.70	8,883.40	12,469.25	5,826.31	9,296.60	14,359.14	3,588.35	589.00	33,503.93
Expenses:												
Officers' salaries and expenses.....	27,649.07											
International representatives and organizers.....												
Salaries and expenses.....												
Subsides:	57,243.66	1,740.52	2,776.34	6,181.40	3,558.54	6,020.88	7,912.11	11,710.27	3,456.45		593.90	27,649.07
Local 78.....	27,799.10								27,799.10			
Local 22.....	17,122.09							17,122.09				
Insurance Division.....	11,515.81			1,258.43						10,172.38		
Local 80.....	2,560.52	85.00										
Other locals.....	40,807.29	4,875.00										
Union Voice, publicity costs.....	65,260.62	2,215.30	1,409.87		1,561.00	3,161.25	10,442.48	11,550.00	5,104.64		487.75	65,260.62
Salaries and expenses.....	20,696.82											20,696.82
Bad debts, insurance division.....	15,809.12											6.25
Legal fees.....	12,957.47									15,802.87		12,957.47
Payroll taxes and insurance.....	7,432.81											7,432.81
Stationery, printing, etc.....	7,151.66											7,151.66
Office salaries and expenses.....	5,337.34											5,337.34
Rent.....	4,474.80											4,474.80
Conferences and meetings.....	2,887.19											2,887.19
Telephone and telegraph.....	1,954.75											1,954.75
Convention expenses.....	1,916.18											1,916.18
Contributions.....	1,591.36											1,591.36
Moving and storage.....	1,267.68											1,267.68
Postage.....	1,054.51											1,054.51
Insurance and bonding.....	512.98											512.98
Accounting fees.....	450.00											450.00
Depreciation.....	435.69											435.69
Miscellaneous expenses.....	1,041.13									24.38		1,016.75
Total expenses.....	336,929.65	6,615.52	4,186.21	7,439.83	5,119.54	9,182.13	18,354.59	40,382.36	36,360.19	25,999.03	1,081.65	164,053.93
Net operating surplus.....	49,463.14	245,119.53	578.31	21,019.87	3,763.86	3,287.12	12,528.28	31,085.76	22,001.05	22,411.28	492.65	130,560.00

EXHIBIT C.—Distributive, Processing, and Office Workers of America, statement of surplus for the 9 months ended Sept. 30, 1951

Accumulated surplus as of Jan. 1, 1951.....		\$217, 666. 18
Add—		
FTA accounts payable reduced by settlement.....	\$2, 900. 48	
Adjustment for 1950 field expenses recorded in error.....	209. 06	
Bad debts recovered.....	137. 50	
		<u>3, 247. 04</u>
Total.....		220, 913. 22
Less—		
Metropolitan back-pay agreement written off as uncollectible.....	\$36, 850. 00	
Payments to district 76 for furniture and fixtures sold in their behalf by FTA.....	267. 95	
Payment of old FTA legal bill.....	252. 40	
Payment of DWU death benefits.....	250. 00	
Old UOPWA advances written off as uncollectible.....	203. 00	
Payment of old UOPWA bill.....	25. 00	
Payment of old UOPWA voided check.....	8. 25	
		<u>37, 856. 60</u>
Adjusted accumulated surplus as of Jan. 1, 1951.....		183, 056. 62
Add net operating surplus for 9 months ended Sept. 30, 1951.....		49, 463. 14
		<u>232, 519. 76</u>
Accumulated surplus as of Sept. 30, 1951.....		232, 519. 76

EXHIBIT D.—Distributive, Processing, and Office Workers of America, statement of income and expenses for the 6 months ended Sept. 30, 1951

	(A)	(B)	(C)	(D)	(E)	(F)	(G)	(H)	(I)	(J)	(K)	Other
Total	New York City	New Jersey and Pennsylvania	Ohio	Chicago	Midwest	Mississippi	Gulf	South-east	West coast	New England	Canada	
INCOME												
Per capita from locals.....	\$152,685.05	\$8,884.75	\$1,161.40	\$18,673.35	\$5,851.40	\$7,600.90	\$3,284.03	\$5,659.25	\$5,201.95	\$1,163.80	\$320.25	\$775.05
Union Voice income.....	4,617.55	-----	-----	-----	-----	-----	-----	300.00	4.50	-----	-----	4,617.55
Assessments.....	337.50	-----	53.00	-----	-----	-----	-----	-----	4.90	-----	-----	-----
Local 78 income.....	4.90	-----	-----	-----	-----	-----	-----	87.45	-----	-----	-----	-----
Other income.....	543.47	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	456.02
Total income.....	152,685.05	8,884.75	1,214.40	18,673.35	5,851.40	7,600.90	3,284.03	6,046.70	5,211.35	1,163.80	320.25	5,848.6
EXPENSES												
Officers' salaries and expenses.....	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	18,388.21
International representatives' and organizers' salaries and expenses.....	480.00	10,134.13	1,713.63	4,435.66	1,832.02	4,280.96	5,951.44	4,938.36	1,256.76	-----	593.90	-----
Subsides.....	-----	-----	-----	-----	-----	-----	-----	-----	5,464.54	-----	-----	-----
Local 78.....	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----
Local 22.....	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----
Insurance division.....	-----	-----	-----	-----	-----	-----	-----	15,915.57	-----	-----	-----	-----
Local 80.....	-----	1,159.49	-----	-----	-----	-----	-----	-----	-----	6,062.57	-----	-----
Other locals.....	1,950.00	2,215.30	1,059.87	-----	1,500.00	3,090.00	9,392.48	10,800.00	3,700.00	-----	343.50	-----
Union Voice.....	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	40,159.98
Publication costs.....	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	13,368.41
Salaries and expenses.....	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	6.26
Bad debts (insurance division).....	-----	-----	-----	-----	-----	-----	-----	-----	-----	15,802.87	-----	9,646.97
Legal fees.....	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	4,029.12
Payroll taxes and insurance.....	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	3,529.97
Stationery, printing, etc.....	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	3,321.84
Office salaries and expenses.....	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	2,983.20
Rent.....	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	2,614.31
Conferences and meetings.....	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	1,232.81
Telephone and telegraph.....	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	1,043.50
Convention expenses.....	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	1,306.36
Contributions.....	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	950.99
Moving and storage.....	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	276.13
Postage.....	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	10.90
Insurance and bonding.....	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	300.00
Accounting fees.....	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	290.46
Depreciation.....	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	-----	163.21
Miscellaneous expenses.....	187.59	-----	-----	-----	-----	-----	-----	-----	-----	24.38	-----	-----
Total expenses.....	2,430.00	13,508.92	2,773.50	4,435.66	3,332.02	7,370.96	15,343.92	31,653.93	10,421.30	20,889.82	937.40	103,621.92
Net operating surplus.....	150,255.05	4,624.17	1,559.10	14,237.69	2,519.38	239.94	12,059.89	25,607.23	5,209.95	19,726.02	617.15	97,773.30

EXHIBIT E.—Distributive, Processing, and Office Workers of America, statement of surplus for the 6 months ended Sept. 30, 1951

Accumulated surplus as of Apr. 1, 1951.....		\$266,634.07
Add—		
FTA accounts payable reduced by settlement.....	\$2,900.48	
Adjustment for 1950 field expenses recorded in error.....	209.06	
Adjustment to accrued expenses as of Mar. 31, 1951.....	16.30	
		3,125.84
Total.....		269,759.91
Less—		
Metropolitan Life Insurance Co. back-pay agreements written off as uncollectible.....	\$36,850.00	
Payment of old FTA legal bill.....	252.40	
Old UOPWA advances written off as uncollectible.....	203.00	
		37,305.40
Total.....		232,454.51
Add net operating surplus for 6 months ended Sept. 30, 1951.....		65.25
Accumulated surplus as of Sept. 30, 1951.....		232,519.76

EXHIBIT F.—Distributive Realty Corp. balance sheet, Sept. 30, 1951

ASSETS		
Cash in bank.....		\$129,412.28
Advances to locals:		
Local 26, Suffolk.....	\$43,190.45	
Less repayments of loan.....	541.41	
		\$42,649.04
Local 110, Cedar Rapids.....	6,000.00	
District 76, Philadelphia.....	5,000.00	
Total advances to locals.....		53,649.04
Total assets.....		183,061.32
LIABILITIES AND SURPLUS		
Advance from local 194, Chicago.....	\$40,000.00	
Less development costs.....	6,775.92	
		33,224.08
Loan payable, DPOWA.....		149,575.75
Total liabilities.....		182,799.83
Accumulated surplus.....		261.49
Total liabilities and surplus.....		183,061.32

EXHIBIT G.—Statement of income and expenses for the 5 months ended Sept. 30, 1951

Income: Interest from local 26, Suffolk.....		\$324.84
Expenses:		
Supervision and management.....	\$35.25	
Stationery, postage, and office supplies.....	20.60	
Miscellaneous.....	7.50	
Total expenses.....		63.35
Net surplus for 5 months ended Sept. 30, 1951.....		261.49

Mr. CONNORS. Does that statement, or any statement which you brought with you, reflect the banks or any financial institutions in which you have cash, securities, or other negotiable papers?

Senator FERGUSON. It does not say the name of the bank. It says, "In bank."

Mr. OSMAN. I am not sure, but I believe all of our bank deposits are in the Corn Exchange Bank of New York. I am pretty sure of that, but I would like to make a reservation.

Mr. CONNORS. Let me ask at this time if you will undertake to procure and transmit to this committee a statement of the holdings you have in the various banks, including the Corn Exchange Bank?

Mr. OSMAN. I will do so. Let me put it this way: I am pretty sure it is Corn Exchange Bank. If there is any other bank, I will send you the name of the bank. Is that fair enough?

Mr. CONNORS. Yes.

Mr. OSMAN. I have here the Corn Exchange statement which is a later one.

Mr. CONNORS. What is the date of the Corn Exchange Bank statement?

Mr. OSMAN. The Corn Exchange Bank statement? The latest entry here is December 31, 1951.

Mr. CONNORS. What is the balance on that statement?

Mr. OSMAN. The balance on that statement is \$26,057.80.

Mr. CONNORS. Now, does that \$26,000 represent all of the cash that DPOWA has in any bank, to the best of your knowledge?

Mr. OSMAN. I believe so. I am pretty sure of that.

Mr. CONNORS. How about other holdings such as stocks, bonds, or negotiable papers of any sort?

Mr. OSMAN. The DPOWA doesn't have any such things.

Mr. CONNORS. It does not own any stocks or bonds or negotiable securities?

Mr. OSMAN. No sir.

Mr. CONNORS. Does the DPOWA undertake to write insurance for any of the workers for whom it bargains?

Mr. OSMAN. It does not.

Mr. CONNORS. Does local 65, to your knowledge?

Mr. OSMAN. You mean district 65?

Mr. CONNORS. District 65?

Mr. OSMAN. District 65, as such, doesn't do that. You mean the union as an organization?

Mr. CONNORS. Yes.

Mr. OSMAN. However, in district 65, or by virtue of the activities of district 65, there is a security plan which is jointly administered by employers and the union, but I wouldn't call that funds of district 65.

Mr. CONNORS. Do you have any knowledge of that fund?

Mr. OSMAN. Well, vaguely, generally. I don't take detailed trouble.

Mr. CONNORS. The subpoena duces tecum also says you are to bring with you records requesting donations, contributions, or other voluntary or involuntary gifts of money or negotiable instruments made by the said labor union to any persons or organizations whatsoever since October 1, 1950. Do you have such papers?

Mr. OSMAN. We haven't given much. I have it here. Do you want me to read them for you?

Mr. CONNORS. Let me suggest it be incorporated into the record.

Senator FERGUSON. It will be incorporated into the record.

(The document referred to is as follows:)

Memorandum re DPO contributions since Oct. 1, 1950

Nov. 14, 1950, United States Committee To Defeat Taft-Hartley-----	\$100
Jan. 8, 1951, National Committee To Repeal McCarran Act-----	250
June 4, 1951, Agricultural Workers Union-----	500
Apr. 23, 1951, Trade Union Committee To Save Willie McGee-----	500
Oct. 17, 1951, Jewish War Veterans-----	25
Dec. 27, 1951, Al Jolson canteen-----	50
Total -----	1,425

Mr. CONNORS. Let me also suggest that this statement from the Corn Exchange Bank be incorporated into the record at this time.

Senator FERGUSON. It will be incorporated into the record.

(The document was filed for reference.)

Mr. CONNORS. How are these contributions made, Mr. Osman?

Mr. OSMAN. What do you mean by "how"? By check?

Mr. CONNORS. By check or cash?

Mr. OSMAN. By check.

Mr. CONNORS. Who decides whether they will or will not be made?

Mr. OSMAN. Well, there were only these six little items. Just how they were decided, I don't recall. I would say that somebody sent in a request of some officer of the union and brought to my attention the fact that some request had been made, and I would consult the other officers.

Mr. CONNORS. Do you, yourself, have to pass on these contributions?

Mr. OSMAN. I would say that I would be aware of these contributions.

Senator FERGUSON. Who has the authority to pass on them?

Mr. OSMAN. The question has never arisen, but I would say a majority of the officers could make such a decision.

Senator FERGUSON. Who did make the decision? Take the first one.

Mr. OSMAN. Take the first one, the contribution of \$100 to the United Labor Committee To Defeat Taft-Hartley. Somebody raised the question. I just don't recall who. I probably said, "It's all right with me if the rest of the officers agree with it."

Senator FERGUSON. But you did agree?

Mr. OSMAN. I probably did agree.

Senator FERGUSON. Probably; did you or did you not?

Mr. OSMAN. I didn't disagree.

Senator FERGUSON. Who had the authority to do this?

Mr. OSMAN. The majority of the officers had the authority. I could have disagreed, but I don't recall disagreeing.

Senator FERGUSON. If you had disagreed, it would not have happened?

Mr. OSMAN. I wouldn't say necessarily, but it is likely.

Senator FERGUSON. What about the next one, the National Committee To Repeal the McCarran Act?

Mr. OSMAN. Similar.

Senator FERGUSON. Who is that committee?

Mr. OSMAN. I wouldn't be sure I know. Some correspondent came in and somebody raised the question.

Senator FERGUSON. Do you mean that you would give \$250 to some committee that was unknown to you or about which you knew no more than that it said it would repeal the McCarran act?

Mr. OSMAN. Mr. Senator, the labor movement is opposed to the McCarran act. President Truman is opposed to the McCarran act. The bulk of our opinion is opposed.

Senator FERGUSON. Did you ever consult your members on this?

Mr. OSMAN. Yes.

Senator FERGUSON. How did you consult your members?

Mr. OSMAN. At every membership meeting, our members discussed this.

Mr. CONNORS. I put it to you as a fact that that is not what happened. What happened at your membership meeting is that the various executive committees make a policy and ask the members that are there if they agree with the policy.

Mr. OSMAN. You are talking about the national.

Mr. CONNORS. Those things pass by default.

Mr. OSMAN. Are you putting it or asking me it?

Mr. CONNORS. I am asking you to affirm or deny the fact.

Mr. OSMAN. You repeat that.

Mr. CONNORS. I am asking you to affirm or deny that, when a contribution is to be made or a policy of the union is to be asserted, the executive committees of the union or the various locals, the subsidiary organizations of the union, make a slate of premises and decide on the slate of premises. Then at a membership meeting, so-called, they ask the members whether or not they agree with the slate of premises. Whether the members signify agreement or disagreement with that slate of premises, that slate of premises is passed and is later called union policy.

Mr. OSMAN. I would not call that an accurate presentation of fact.

Mr. CONNORS. That is an accurate presentation of fact.

Mr. OSMAN. I don't see it that way. Very frankly, if you were to ask me how every local functions in our international union, I couldn't honestly say that I am sure precisely how it functions. I belonged to local 65 before it was district 65. First of all, your reference to membership meetings, so-called—I personally don't believe any membership meeting is valid if a majority of the members are not present. We believe in democracy.

Senator FERGUSON. You believe in what?

Mr. OSMAN. We believe in democracy.

Senator FERGUSON. What kind of democracy?

Mr. OSMAN. Where the membership make all decisions; where we are not dominated by anybody.

Senator FERGUSON. Do you believe in what is known as the Soviet people's democracy?

Mr. OSMAN. I believe in American democracy where the people make all decisions.

Senator FERGUSON. Have you ever been a Communist?

Mr. OSMAN. Mr. Senator, is it necessary for me to get into that kind of question?

Senator FERGUSON. Yes; that is what I am asking. You raised this question, and I want to know.

Mr. OSMAN. I didn't raise the question.

Senator FERGUSON. It is material to the issue. I ask you the question now: Have you ever been a Communist?

Mr. OSMAN. In the light of the connotations that are made—

Senator FERGUSON. I am not making any connotations on it.

Mr. OSMAN. In the light of the connotations that are generally connected with this kind of question, I think it is an improper question. I hope I am not disrespectful to the Senator.

Senator FERGUSON. You are. I have asked the question. You may answer it.

Mr. OSMAN. I think I ought to exercise the constitutional privilege.

Senator FERGUSON. That is your privilege. In other words, you refuse to answer it on the ground that it would tend to incriminate you?

Mr. OSMAN. I would prefer saying, Senator, that I regard that as an invasion of my rights.

Senator FERGUSON. Do you or do you not claim the constitutional privilege?

Mr. OSMAN. I do claim the constitutional privilege, but I do not do so out of disrespect for the committee or the Senator, for any desire to be impolite to you.

Senator FERGUSON. I want to know. You were attempting to tell me what democracy is, and I wanted to know whether or not you had ever been a Communist. If you had said that you had not been a Communist, or if you had not claimed the privilege, I would then think that possibly you knew what democracy is.

Mr. OSMAN. Perhaps it is your opinion that I do not understand democracy?

Senator FERGUSON. I do not think that any Communist understands what real democracy is.

Mr. OSMAN. Mr. Senator, I do not want to be an expert on what Communists understand. I think I would like to explain what I believe democracy is. By democracy I mean a form of government where the people make decisions, where there is no dictatorship or imposition of views by a minority upon a majority. I understood that to be American democracy.

Senator FERGUSON. How many Communists have you on the board of directors of your union? I am excluding you in the answer. You cannot claim your privilege on that.

Mr. OSMAN. I would not know, Mr. Senator.

Senator FERGUSON. Do you know of any? You are under oath, sworn to tell the truth, the whole truth, and nothing but the truth.

Mr. OSMAN. May I speak to Mr. Neuburger?

Senator FERGUSON. You cannot confer with your attorney on that because you cannot claim a constitutional privilege on that.

Mr. NEUBURGER. Mr. Senator, if you will insist, I will advise aloud as to whether or not he claims; you undoubtedly have a different view.

Senator FERGUSON. Mr. Osman is excluded from the scope of the question.

Mr. NEUBURGER. I understand that, and I understand the rules of the committee, and I do not propose to suggest any answer. I suggest only to advise my client as to my judgment as to whether or not the question may or may not come within the fifth amendment. If you wish, I will do it aloud.

Senator FERGUSON. I am merely asking him now the question as to how many Communists, to his knowledge, are on the board of directors of his union.

Mr. NEUBURGER. May I advise him?

Senator FERGUSON. Yes; I will permit you to advise him.

Mr. OSMAN. I would like the Senator to understand what is bothering me in my mind. I do not like to refuse to answer questions. It so happens that I honestly don't know the answer to that question, but beyond that I am afraid that any tendency to express knowledge on a subject of that sort might endanger me and subject me to possible self-incrimination.

Senator FERGUSON. How could it subject you to possible self-incrimination?

Mr. NEUBURGER. May I explain that?

Mr. OSMAN. Today everybody that seems to know anything about communism is ipso facto suspect. There is a hysteria going on in the United States.

Senator FERGUSON. The hysteria is only in the minds of the Communists.

Mr. OSMAN. I have confronted hysteria. You know, one of our members was questioned in a court of law and one of the questions asked him was, "Do you know that Arthur Osman is a Jew?" As if that were a crime in itself. You perhaps do not appreciate, in the atmosphere in Washington, what is going on in other parts of the country. Your Senator Eastland conducted a hearing in Memphis, Tenn. It was an insult to American democracy. I hope I am not offensive to you when I say that. He conducted a circus that was reminiscent of Hitler.

Mr. CONNORS. Were you there?

Mr. OSMAN. I have information from Victor Rabinowitz and Lee Lashley.

Mr. ARENS. They both are or were Communists.

Mr. OSMAN. Yeah, insulting me.

Senator FERGUSON. Are those two men whom you named at the Memphis meeting Communists?

Mr. OSMAN. It so happens that I know of no such things, but I could not possibly indulge in such a discussion in the light of things we have said, and I would prefer invoking the privilege on any subject relating to communism because I do not want to deal with that subject.

Senator FERGUSON. But we want to deal with this subject.

Mr. OSMAN. I am afraid to deal with that subject in the light of remarks like this gentleman's. What is his name?

Mr. NEUBURGER. Mr. Arens.

Mr. OSMAN. In the light of his charges, I am afraid to answer.

Senator FERGUSON. In other words, you will not discuss anything involving communism. You want to tell us that you are a leader of an American labor union. Yet you refuse to discuss in the United States Senate anything involving communism?

Mr. OSMAN. I will discuss things involving my obligation to defend American democracy and freedom in America.

Senator FERGUSON. I asked you a question. I want an answer.

Mr. OSMAN. I am afraid to discuss anything involving communism.

Senator FERGUSON. I do not want to know whether or not you are afraid. I want to know whether you refuse, as the president of an American labor union, to discuss the question of communism, or the question of which members, if any, on your executive board, are Communists?

Mr. OSMAN. I would say you are right.

Senator FERGUSON. You would say that you do refuse?

Mr. OSMAN. Yes.

Senator FERGUSON. Do you think that you, an American citizen, can then properly represent American labor?

Mr. OSMAN. If our members don't want me to represent them, I will leave them any time they so desire.

Senator FERGUSON. Do you think that Communists should be permitted to operate American labor unions?

Mr. OSMAN. In my opinion, the only people who should be officers of an American labor union are people reflecting the wishes of the people they represent.

Senator FERGUSON. Should they be Communists, known Communists?

Mr. OSMAN. They should respect the laws of the land, and the wishes of the membership.

Senator FERGUSON. Can any Communist respect the laws of the United States?

Mr. OSMAN. I am not an expert on communism.

Senator FERGUSON. Answer the question.

Mr. OSMAN. In the light of what I said before, I will refuse to discuss communism in any manner, shape, or form, and I will exercise my privilege under the Constitution.

Senator FERGUSON. I do not think there is any use in interrogating the witness.

Mr. ARENS. I think there is because I think it helps to build a record on the type of questions that this man and others of his ilk will not answer. These are men who are taking the money of American labor and channeling it into a foreign conspiracy.

Mr. OSMAN. Mr. Arens, I resent those statements.

Mr. ARENS. Do you think the Communist Party in the United States is controlled by Moscow?

Mr. OSMAN. The only function of the president of our union, as I understand it, is to be the executor of the will of our membership, and anything else you say is just up to you. Out of respect to this committee, I won't use stronger language.

Senator FERGUSON. I cannot conceive that the majority of the members of your union are Communists.

Mr. OSMAN. Our membership is the most patriotic in America.

Senator FERGUSON. I would think that they would immediately hold a meeting when you refuse to say whether or not you are a Communist.

Mr. OSMAN. Senator, any time you wish our membership to be polled on whether they want me to be head of the union, I would be happy to submit to a secret poll.

Mr. ARENS. Does your membership know that you are a Communist?

Mr. OSMAN. You are insulting.

Mr. ARENS. Do you feel that it is an insult to call a man a Communist?

Mr. OSMAN. I didn't say anything of the sort. I don't want to discuss communism.

Mr. CONNORS. You were not always so reticent. Weren't you one of the members of the National Nonpartisan Committee To Defend the Rights of the Twelve Communist Leaders?

Mr. OSMAN. I will exercise my rights under the fifth amendment.

Senator FERGUSON. Do you refuse to answer that question?

Mr. OSMAN. The United States did not always have the kind of hysteria that is now being cultivated by people who would like to imitate the adventures of a man by the name of Adolf Hitler.

Mr. ARENS. How about Josef Stalin?

Mr. OSMAN. I am opposed to anybody that will involve America in adventures that will destroy American freedom.

Mr. ARENS. Are you opposed to Josef Stalin?

Mr. OSMAN. I am opposed to anybody who is against America.

Senator FERGUSON. Answer the question. Are you opposed to Josef Stalin. That was the question.

Mr. OSMAN. I am prepared to defend America against anybody, including Josef Stalin.

Mr. ARENS. Did you ever resign from the Communist Party?

Mr. OSMAN. I refuse to answer that question.

Senator FERGUSON. I take it that your reason is always the fifth amendment?

Mr. OSMAN. I hope I don't have to repeat that.

Senator FERGUSON. I want the record to be accurate. Otherwise, you have to answer.

Mr. OSMAN. Thank you, Senator.

Mr. CONNORS. To continue with this list of contributions, Mr. Osman, on April 23, 1951, I note in your memorandum that you gave \$500 to the Trade-Union Committee To Save Willie McGee. Is that correct?

Mr. OSMAN. Yes; and now I would like to add something there because I am not sure that my question is completely accurate. There is nothing untrue in my answer. If I recall correctly, this was a donation of \$500 which was, in part at least, balanced by contributions which we received from locals. In other words, this was an advance on pledges that various local unions made, and part of those pledges were met.

Mr. CONNORS. This represents \$500 that the national or the locals gave to this Trade-Union Committee To Save Willie McGee?

Mr. OSMAN. Some unions might have given some. I am not aware of that.

Mr. CONNORS. Who solicited this contribution?

Mr. OSMAN. Who solicited this contribution?

Mr. CONNORS. Yes. Who asked you for the money?

Mr. OSMAN. I couldn't recall specifically, but we have a lot of Negro members in that union and they were very much interested in raising money.

Mr. CONNORS. Did the Daily Worker solicit you for this money?

Mr. OSMAN. Solicit us for this money?

Mr. CONNORS. Yes; solicit DPOWA?

Mr. OSMAN. The only solicitation from us came from members of our union, from the executive board of the national union.

Mr. CONNORS. Who was Willie McGee?

Mr. OSMAN. I understand he was a Negro in Mississippi who was charged with rape, I believe. I believe that was the specific charge.

Mr. CONNORS. He is a cause célèbre, so to speak, to the Communist Party, or he was for a certain length of time?

Mr. OSMAN. I only know members of the union asked that we contribute.

Mr. CONNORS. Didn't you read anything in the Daily Worker about Willie McGee?

Mr. OSMAN. Our contributions are based upon requests of the executive board.

Senator FERGUSON. The question was, Did you read anything in the Daily Worker about Willie McGee?

Mr. OSMAN. May I ask my counsel? I would like to exercise my privilege.

Senator FERGUSON. The question is not whether you would like to exercise your privilege. The question is—do you exercise your privilege?

Mr. OSMAN. I do, in the light of the fact that the Daily Worker is presumed to be an organ of the Communist Party.

Mr. CONNORS. Well, it is an organ of the Communist Party, isn't it?

Mr. OSMAN. Precisely, because of these reasons, I want to exercise my privilege.

Mr. CONNORS. Who is Esther Goldberg?

Mr. OSMAN. Esther Goldberg is a member of our union.

Mr. CONNORS. Isn't she now working for the United Labor Committee To Defeat Taft-Hartley?

Mr. OSMAN. I don't know if she is or isn't. She is not an officer of our union.

Mr. CONNORS. You have listed on this memorandum six contributions. Does that represent all the solicitations you have had?

Mr. OSMAN. Well, these are all the contributions we have made. Personally, I don't believe that we, as a national union, should make any contributions, and you will notice that they are rare and far between, as a matter of fact.

Mr. CONNORS. Well, the total is \$1,425.

Mr. OSMAN. As a matter of fact, since April of last year the only contributions we made were \$25 to Jewish War Veterans, and \$50 to the Al Jolson canteen. Precisely because I firmly believe in democracy, not phony or imitation democracy, but genuine democracy, I believe a local union where the membership attends meetings and can more directly express itself is a better judge of what contributions to make than is a national union which is removed from the rank and file.

Mr. ARENS. Were you in a meeting at the New Yorker Hotel a couple of months ago with Harry Bridges and Flaxer?

Mr. OSMAN. Yes.

Mr. ARENS. Who was at that meeting from your board?

Mr. OSMAN. From the DPOWA, Livingston and I were the only ones there.

Mr. ARENS. Who were there from some of the other unions?

Mr. OSMAN. Well, Bridges was there, Harry Bridges of the ILWU.

Mr. ARENS. He is a great man for democracy, too, isn't he?

Mr. OSMAN. Don't ask me to characterize other people.

Senator FERGUSON. Is he or is he not?

Mr. OSMAN. I don't know if I am qualified to pass judgment on other persons' estimate of the nature of democracy.

Senator FERGUSON. Do you know whether Harry Bridges has ever been a Communist?

Mr. OSMAN. I don't; no.

Mr. ARENS. Who else was in the meeting down there?

Mr. OSMAN. Who else was there?

Mr. ARENS. Was Mr. Emspak there?

Mr. OSMAN. Yes; and Mr. Fitzgerald.

Mr. ARENS. What organization is Mr. Emspak with?

Mr. OSMAN. Both from the same union, United Electrical and Machine Workers.

Mr. ARENS. That was the organization ejected from the CIO because CIO found they were following the Communist line; isn't that correct?

Mr. OSMAN. I know only what I read in the papers. I have no direct knowledge of those things.

Mr. ARENS. You would not want to testify about that?

Mr. OSMAN. I don't understand the question.

Senator FERGUSON. Has your union ever been expelled from the CIO?

Mr. OSMAN. No, sir.

Senator FERGUSON. It is now a member of the CIO?

Mr. OSMAN. No, sir.

Senator FERGUSON. Is it a member of the AFL?

Mr. OSMAN. No, sir.

Senator FERGUSON. What is it?

Mr. OSMAN. An independent union.

Senator FERGUSON. Have its predecessors ever been expelled?

Mr. OSMAN. Well, the union I come from, Distributive Workers Union, was never expelled. Now, that is the main predecessor of our organization.

Senator FERGUSON. It was never expelled?

Mr. OSMAN. That is right.

Senator FERGUSON. Was any of the unions that consolidated or came into your union expelled?

Mr. OSMAN. Well, there are a few members.

Senator FERGUSON. Were any of the unions that came into your union expelled?

Mr. OSMAN. Yes; two of the groups. One of them has hardly any membership. That was the United Office and Professional Workers of America.

Senator FERGUSON. Were they expelled?

Mr. OSMAN. They were, I believe, expelled. This is not from direct knowledge.

Senator FERGUSON. You have heard it?

Mr. OSMAN. Yes, sir.

Senator FERGUSON. You do not doubt it?

Mr. OSMAN. It is not necessary for me to doubt it.

Senator FERGUSON. But you do not doubt it?

Mr. OSMAN. I don't doubt it.

Senator FERGUSON. Were any of the other unions expelled?

Mr. OSMAN. The other was the Food, Tobacco, and Agricultural Workers.

Senator FERGUSON. Were they ever expelled?

Mr. OSMAN. Yes.

Senator FERGUSON. So, two of the unions that consolidated in your union were expelled from the CIO because of communism?

Mr. OSMAN. A very small minority of our organization.

Senator FERGUSON. They were expelled because of communism?

Mr. OSMAN. They claim that is not the reason they were expelled. They claim they were expelled because they refused to accept dictation from CIO. I wasn't there.

Senator FERGUSON. Are you certified by the Labor Board?

Mr. OSMAN. Yes, sir.

Senator FERGUSON. Have you filed the affidavit?

Mr. OSMAN. Yes, sir.

Senator FERGUSON. Have you filed the affidavit that you were not a Communist?

Mr. OSMAN. I filed the affidavit. That is a matter of record.

Senator FERGUSON. What did the affidavit say?

Mr. OSMAN. I don't have a copy of the affidavit here. I presume it was the typical form of affidavit.

Senator FERGUSON. Is it true? Why do you have to consult your lawyer as to whether or not that affidavit you filed is true? How would he know whether it was true or not?

Mr. OSMAN. It so happens that that is not the reason the attorney was talking to me. It isn't a question of whether it is true or not.

Senator FERGUSON. I asked the question, is it or is it not true?

Mr. OSMAN. I would never tell an untruth and certainly not under oath. The only thing is, I believe, Mr. Senator, that in the light of certain grand jury investigations against some officers of our union, I think it would be proper for me to invoke my privileges.

Senator FERGUSON. I cannot allow you to invoke your privilege as to whether or not your affidavit is true. Your assignment of a reason, that somebody is investigating other members of your union, has nothing to do with your affidavit.

Mr. OSMAN. Mr. Senator, you more or less know my answer to that. Do I have to answer any further?

Senator FERGUSON. Yes. Is that affidavit true or false?

Mr. OSMAN. You say I cannot invoke my privilege?

Mr. NEUBURGER. It is my opinion that you may.

Senator FERGUSON. It is your peril. You have to decide.

Mr. NEUBURGER. It is your personal choice.

Senator FERGUSON. I ask you the question: Is that affidavit true?

Mr. OSMAN. You put me in a very unpleasant position, Mr. Senator. I said to you before that I would never tell an untruth, certainly not under oath, and still I would like to be spared the need to give a direct answer to this question, especially in the light of the fact that people in our organization are being investigated by the grand jury and there is such a thing as common decency and common fair play.

Senator FERGUSON. I certainly want to be fair with you.

Mr. OSMAN. I don't question your desire to be fair to me, but there are some people who think I might do harm to their particular defense by answering questions of this sort.

Senator FERGUSON. Do you know of any false affidavits other than your own? I will change the question.

Mr. OSMAN. I don't know of any false affidavits, including my own.

Senator FERGUSON. What?

Mr. OSMAN. Including my own.

Senator FERGUSON. Then you say that your affidavit is true. That is all. Go to another subject.

Mr. CONNORS. The subpoena duces tecum with which you were served asks that you bring with you—

records of the said union, reflecting the names, numbers, or other designations of all locals of the said union, which records must include all names and addresses of the principal officers of each local of the aforesaid union, including business agents, presidents, secretary-treasurers, or secretaries and treasurers, and board members or trustees.

Have you such records with you?

Mr. OSMAN. Yes, sir.

Mr. CONNORS. Will you submit them for the record, please.

Mr. OSMAN. There are some objections. Some of these things are not accurate. Supposing I submit those parts which are accurate to the best of my knowledge, Senator? I hardly know most of these people so it is conceivable that some of these lists are old.

Mr. CONNORS. In order to save time, suppose that you go over these when we conclude and you may make any amendments that you may want to make.

Senator FERGUSON. Make any amendments that you think might be needed.

Mr. CONNORS. May this list be incorporated into the record, Senator Ferguson?

Senator FERGUSON. That will be received; yes.

(The list referred to was marked as an exhibit, and is reproduced below:)

Local 5, 4039 Arcade Building, Seattle, Wash.:

President, James Moellendorf, 1022 Forty-fourth Avenue SW., Seattle, Wash.
Vice president, N. A. Kopf, 2058 Fourteenth Avenue, West Seattle, Wash.
Secretary-treasurer, Florence Palmer, 6403 Beacon Avenue, Seattle, Wash.

Local 8:

President, Hugo King, 1407 Republic Street, Cincinnati, Ohio
Vice president, Clarence Stevens, 739 Second Street, Dayton, Ky.
Secretary-treasurer, J. J. Miller, 700 Ann Lane, Covington, Ky.
Recording secretary, Herbert Gard, 331 Grand Avenue, Bellevue, Ky.

Local 10, 209 Goldleaf Street, Rocky Mount, N. C.:

President, Wardell Bynum, 1707 Pender Street, Rocky Mount, N. C.
Vice President, Roye Moss, 204 Orange Street, Oxford, N. C.
Secretary-treasurer, Annie L. Streeter, 204 West Fourteenth Street, Greenville, N. C.

Local 11:

President, John Besso, 408 East Seventh Street, Lockport, Ill.
Financial secretary, Glen Lawrence, 918 State Street, Lockport, Ill.

Local 15, 656 King Street, Charleston, S. C.:

Business agents, Marie Huges, Narimie O. Carter
Cochairmen, John Cummings, 97 American Street, and Cora Lee Murray,
33 Sheppard Street, Charleston, S. C.
Vice chairmen, Marjorie Amos, 200 President Street, and Lillie Martin,
32 Pinckney Street, Charleston, S. C.
Financial secretary, Rebecca Wall, 401 King Street, Charleston, S. C.
Secretary, Cornelia Washington, 140 Spring Street, Charleston, S. C.

Local 17:

President, Edward Mear, 614 Fourteenth Street, Rochelle, Ill.
Vice president, Murrell Denny, 720 East Lincoln Parkway, Dekolt, Ill.
Recording secretary, A. J. Manheim, Box 9, Seatonville, Ill.
Financial secretary, Arthur Eglund, 133 S. Washington Street, Rochelle, Ill.

Local 19, 171 South Second Street, Memphis, Tenn.:

President, Lee N. Lashley, 1428 Mencyer Road, Memphis, Tenn.
Financial secretary, A. B. Bartlett, 363 Hernando Street, Apartment 1,
Memphis, Tenn.
Business agent, Ed McCrea

Local 22, 312-314½ North Chestnut Street, Winston-Salem, N. C.¹

Local 24, 431 South Dearborn St., room 313, Chicago, Ill.:

President, Gerry Dvorak, 5038 North Long, Chicago, Ill.
Secretary, Lois Friedberg, 1235 Jarvis, Chicago, Ill.
Treasurer, Irene Cherry, 3256 West Lexington, Chicago, Ill.

Local 26, 509 East Washington Street, Suffolk, Va.

Business agent, Robbie Mae Reddick
President, Leroy Harris, 137 County Street, Suffolk, Va.
Vice president, Isaac J. Kaker, 608 Bank Street, Suffolk, Va.
Secretary-treasurer, Flossie Jones, 122 Church Street, Suffolk, Va.
Recording treasurer, Ada Thomas, 503 Wellous Street, Suffolk, Va.

¹ No record of officers.

Local 28:

President, W. M. Roseboro, 821 Maple Street, Charlotte, N. C.
 Recording secretary, Perry Mimo, 1125 Forest Street, Charlotte, N. C.
 Treasurer, Paul Alexander, 1231 Hunter Street, Charlotte, N. C.
 Financial secretary, Lucille Kirkpatrick, 1125 South Pitcher Street, Charlotte, N. C.

Local 29, 7201 East Washington Street, Indianapolis, Ind.:

President, David L. Johnson, 7201 East Washington Street, Indianapolis, Ind.
 Recording secretary, Francis Brown, 2367 North Gale Street, Indianapolis, Ind.
 Treasurer, James Lohrman, 1015 Dudley Street, Indianapolis, Ind.
 Financial secretary, Hugh Barnett, 201 North Seventeenth Street, Beech Grove, Ind.

Local 34, 228 McAllister Street, room 201, San Francisco, Calif.:

President, Katherine Telford, 42 Elsie Street, San Francisco, Calif.
 Secretary, Marion Sanjines, 1121 McAllister Street, San Francisco, Calif.

Local 35, 84 Union Street, room 310, Seattle, Wash.:

President, Myrna Anderson, Route 4, Box 524, Kirkland, Wash.
 Secretary, Jean R. Hatten, 226 Thirty-third Street, North, Seattle, Wash.
 Treasurer, Edith Coley, 6216 Sycamore, Seattle, Wash.

Local 39, 431 South Dearborn Street, room 313, Chicago, Ill.:

President, Jane Garrettsen, 73 East Cedar Street, Chicago, Ill.
 Vice president, Robert Perlman, 3731 Arthington, Chicago, Ill.
 Recording secretary, Mimi Segal, 548 West Wugenie, Chicago, Ill.
 Treasurer, Anne Kaufman, 4518 South Woodlawn, Chicago, Ill.

Local 43, Dade City, Fla. (P. O. Box 857): Business agent, W. E. Thomas, 407 Lawrence Street, Dade City, Fla.

Local 52, Morrison, Ill.:

President, Roy Shoff, 708 West Park Street, Morrison, Ill.
 Vice president, Mervin Stralow, 206 Cedar Street, Morrison, Ill.
 Secretary treasurer, Robert Pearson, 409 East North Street, Morrison, Ill.

Local 56, 140 Genesee Street, Trenton, N. J.:

Business Agent, Helen Gaybond, 7724 Ardleigh Street, Philadelphia, Pa.
 President, Lucy Aiello, 236 Robertson Avenue, Morrisville, Pa.
 Vice president, Louis Morock, 129 Pearl Street, Trenton, N. J.
 Recording secretary, Emma Cegledi, 348 Jersey Street, Trenton, N. J.
 Financial secretary, Katherine Criscio, 705 Monmouth Street, Trenton, N. J.

Local 64, 1201 Harbor Drive, San Diego, Calif.:

President, Agnes Adams, 234 West 29th Street, National City, Calif.
 First Vice president, Jose Camarena, 1821 Wilson Avenue, National City, Calif.
 Second Vice president, Leslie D. Hoyt, 5226 LaPaz Drive, San Diego, Calif.
 Secretary-treasurer, Catalina Rodriguez.
 Financial secretary, Josephine Zarate Shepherd, 1721 Wilson Avenue, National City, Calif.

District 65, 13 Astor Place, New York City:

President, David Livingston
 Executive vice president, Nicholas Carnes.
 Secretary-treasurer, Jack Paley.

Local 75, 2747 Lyons Avenue, Houston, Tex.:

President, R. H. Smith, 2217 Stevens Street, Houston, Tex.
 Vice presidents, N. Knight, R. O. Bennett, A. Richardson, and A. Anderson.
 Recording Secretary, A. C. Gates, 2611 Webster, Houston, Tex.
 Treasurer, Prince Jenkins, 3809 Broyles, Houston, Tex.
 Financial secretary, O. L. Lockridge, 4722 Settegast, Houston, Tex.

Local 76, 1415 Locust Street, Philadelphia, Pa.:

President, Albert Brown, 505 East Courtland Street, Philadelphia, Pa.
 Vice president, Walter Sullivan, 1460 North Redfield Street, Philadelphia, Pa.

Treasurer, Harry Siskin, 7000 Lincoln Drive, Philadelphia, Pa.

Local 77, 4 North Eleventh Street, room 703, Denckla Building, Philadelphia, Pa.:

Local 79, Montreal, Canada:

President, Leona Feyer, 1562 Pine Avenue W., Montreal, Canada.
 Recording secretary, Milton Bernstein, 3720 Cote Street, Montreal, Canada
 Treasurer, Anita Leighton, 1011 Ball Avenue, Montreal, Canada
 Corresponding secretary, Minda Posen, 6210 Deacon Road, Montreal, Canada.

¹ No record of officers.

Local 87, 901 Fell Street, Baltimore, Md.:

Acting president and financial secretary, Amanda Banks, 1101 North Broadway, Baltimore, Md.

Vice president, Ella Horton, 416 North Bond Street, Baltimore, Md.

Treasurer, Payton Wallar, 31 South Regest Street, Baltimore, Md.

Recording secretary, Winnie Terry, 1606 East Pratt Street, Baltimore, Md.

Local 95, 40 Central Jersey Farmers Union Co-op Association, Hightstown, N. J.:

President, Joseph Abate, R. D. No. 2, Freehold, N. J.

Vice president, John Perry, 334 Fisher Avenue, Neptune, N. J.

Secretary, R. D. No. 4, Freehold, N. J.

Treasurer, Morris Siegel, care of Central Jersey Co-op, Hightstown, N. J.

Local 98, North Little Rock, Ark.:

President, John Gilmore, 610 Hazel Street, North Little Rock, Ark.

Secretary, Jamie Golden, 524 Hickory Street, North Little Rock, Ark.

Treasurer, John Morrison, 2812 Allen Street, North Little Rock, Ark.

Local 101, 2031 Dryades Street, New Orleans, La.:

President, Charles Workman, 2535 Perdido Street, New Orleans, La.

Vice president, Leo Johnson.

Recording secretary, Estelle Adams, 2325 First Street, New Orleans, La.

Secretary-treasurer, Condy D. Sarter, 2230 Upperline Street, New Orleans, La.

Local 102, 510-512 Waldron Street, Corinth, Miss.:

President, James Lee

Vice president, Mack Porter

Recording secretary, Mac Johnson

Financial secretary and treasurer, Howell Gilstrap, Route 6, 1508 Leon Street, Corinth, Miss.

Local 105, New Brunswick, N. J.:

President, Mary E. Godfrey, 20 High Street, New Brunswick, N. J.

Vice president, Theresa Tobias, 328 Snyder Street, New Brunswick, N. J.

Secretary-treasurer, Mary Chrinko, 249 Somerset Street, New Brunswick, N. J.

Recording secretary, Jenny Soas, 2756 Livingston Avenue, New Brunswick, N. J.

Local 106, Temple, Pa.:

President, Lloyd F. Olinger, route 3, Kutztown

Vice president, Alfred G. Dutt, post office box 213

Secretary, Mary Ann Jacoby, post office box 337

Treasurer, Sara K. Phillips, 4215 Kutztown Road

Local 110, 419½ Second Avenue SE, Cedar Rapids, Iowa:

President, Mac Davis, 1231 Uyl Avenue NE.

Vice president, Wesley Kopecky, 147 Hayes Street SW.

Recording secretary, Eunice Bjornsen

Financial secretary and business agent, Mervin L. Myers, route 2

Local 112, Montgomery and Selma, Ala.:

President, Elijah Smith, 13 McKinne Street, Montgomery, Ala.

Vice President, Larry McCall

Secretary, Henry Whitestone, 105 McKinne Street, Montgomery, Ala.

Local 115, Depew, N. Y.:

President, Leo Wagner, 108 Hyland Avenue, Depew, N. Y.

Vice president and treasurer, Adeline Fisher, 80 Pleasant Street, Lancaster, N. Y.

Recording secretary, Edward Niemara, 189 Warsaw Street, Depew, N. Y.

Local 125, 118½ South Sixth Street, St. Joseph, Mo.:

President, Robert Moren, 3324 Duncan, St. Joseph, Mo.

Vice president, Virgil Smith, 3405 Monterey, St. Joseph, Mo.

Business agent, James H. Walsh, 2822 Seneca, St. Joseph, Mo.

Local 129, Greenville, Leland, Greenwood, Mo.:

President, Will Owen, post office box 126, Leland, Miss.

Secretary-treasurer, Alfred Bishop, 1202 Carver Street, Greenville, Miss.

Local 150, 608 Exchange Building, Nashville, Tenn.:

President, James H. Pate, 1211 Akron Avenue, Nashville, Tenn.

Vice president, John W. Johnson, 612 Ewing Avenue, Nashville, Tenn.

Secretary-treasurer, Walter Elliott, 1500 Clayton Avenue, Nashville, Tenn.

Local 160, Hamilton, Ohio:

President, Juanita Clark, 1946 Pleasant Avenue, Hamilton, Ohio

Vice president, Earl Andrews, 837 Willow Avenue, Hamilton, Ohio.

Recording secretary, Albert A. Kloss, 339 North Eleventh Street, Hamilton, Ohio

Finance secretary, Betty Diebach, 29 South D Street, Hamilton, Ohio

Local 166, Marshalltown, Iowa :

President, James Yardy, 206 North First Avenue, Marshalltown, Iowa
 Vice president, Jack A. Saum, 109½ North Fourth Street, Marshalltown, Iowa

Treasurer, Marvel Robinson, 1009 South Sixth Avenue, Marshalltown, Iowa

Local 179 (Independent Insurance), Richmond, Va. :

President, Enos W. Langon, 227 Petersburg Pike, Richmond, Va.

Vice president, Kermit L. Branch, 3059 Midlothian Pike, Richmond, Va.

Treasurer, Samuel H. Walker, 1201 North Thirty-second Street, Richmond, Va.

Recording secretary, Royal Ruffin, 611 St. Peter Street, Richmond, Va.

Local 180, Vicksburg, Miss. :

President, John Wyatt

Civic chairman, Grover Myers

Finance secretary, Mathew Lee, 912 Meadow Street

Local 185, 210 Swenney Building, Fort Wayne, Ind. :

President, Joseph W. Ford

Vice president, Donald E. Munro

Secretary-treasurer, Irma H. Bell

Local 193, Glen Olden, Pa. :

President and treasurer, Samuel Crawford, 307 Amosland Road, Norwood, Pa.

Vice president, Vincent J. Dowgiel, Ashland Avenue, Secane, Pa.

Recording and financial secretary, J. W. Davenport, 715 Fifteenth Avenue, Prospect Park, Pa.

Local 194, 3508 South Western Avenue, Chicago, Ill. :

President, John Gallacher, 1038 West Eighteenth Street, Chicago, Ill.

Vice president, Henry Gistover, 3964 South Langley Avenue, Chicago, Ill.

Secretary-treasurer, Veronica Kryzan, 3342 South Aberdeen Street, Chicago, Ill.

Recording secretary, Josephine Chlupsa, 8155 South Sawyer Avenue, Chicago, Ill.

Local 195, Hopkinsville, Ky. :

President, Cordie Wills, 206 North Vine Street, Hopkinsville, Ky.

Vice president, Alonze Kendrick, McKee Street, Hopkinsville, Ky.

Recording secretary, Charles F. Hubbard, 1017 Edmond Street, Hopkinsville, Ky.

Secretary-treasurer, Charles Major, 423 Cypress Street, Hopkinsville, Ky.

Local 195C, 356 Bloor Street East, Toronto, Canada :

Chairman (Technical Division), William Procher, 86 Willcocke Street, Toronto, Canada

Chairman (Dental Division), Donald Lay, 59th St., Clair Avenue, E., Toronto, Canada

Secretary, Anthony Mazurk, 114 Bristol Street, Toronto, Canada

Treasurer, Lorne Wilcox, 111 Howland Avenue, Toronto, Canada

Local 225, 160 Grand Avenue, Oakland, Calif. :

President, Mabel Black, 10488 Jane Court, Oakland, Calif.

Secretary-Treasurer, T. Y. Wulff, 1016 Santa Fe Avenue, Albany, Calif.

Business agent, William Burke, 1675 Forty-seventh Avenue, San Francisco, Calif.

Local 271 (FTA), 610 Dufferin Avenue, Winnipeg, Canada :

President, William Papowich, 2041 Gallagher Avenue, Winnipeg, Canada.

Vice President, Eddie Danchur, 719 Seven Oaks Avenue, Winnipeg, Canada.

Recording secretary, Jack Lardner, 1118 Sherburn Street, Winnipeg, Canada.

Treasurer, Eloise Popiel, 770 Dukster Boulevard, Winnipeg, Canada.

Local 309, 514 Destrehan Avenue, Harvey, La. :

President, Thelma Johnson, 609 Brinter Street, Gretna, La.

Vice president, Viola Harold, Westwego post office, Waggaman, La.

Recording secretary, Gloria Pavageau, 920 Sixth Street, Aetna, La.

Treasurer, Christina Thompson, 838 Fried Street, Aetna, La.

Local 341, Fond du Lac, Wis. :

President, E. Woklashlegel, 184 Doty Street, Fond du Lac, Wis.

Vice president, Herbert Kuen, 239 Wilkens Street, Fond du Lac, Wis.

Recording secretary, Florence Benedict, 52 East Williams Street, Fond du Lac, Wis.

Financial secretary, Elmer Wilke, Route No. 1, Box 297, Fond du Lac, Wis.

Local 358, Spencer, N. Y.

President, Andrew Walle, Spencer, N. Y.
 Vice president, Ed. Pelto, Jr., Spencer, N. Y.
 Secretary, Helmi Kannus, Spencer, N. Y.
 Treasurer, Clifford Salmi, Spencer, N. Y.

Local 638, 153-155 South Queen Street, Lancaster, Pa. :

Business agent and president, Miriam Y. Cliff, 240 West Liberty Street, Lancaster, Pa.
 Vice president, Edith Lonkoski, 614 Beaver Street, Lancaster, Pa.
 Recording secretary, Teresa Mayer, 27 Howard Avenue, Lancaster, Pa.
 Treasurer, Andrew Dotterman, 23 East Frederick Street, Lancaster, Pa.
 Financial secretary, Augusta Dotterman, 23 East Frederick Street, Lancaster, Pa.

Local 1199, 210 West Fiftieth Street, New York, N. Y. :

President, Leon Davis, 75-43 One Hundred and Eighty-seventh Street, Flushing, Long Island, N. Y.
 Vice president, William J. Taylor, 561 West One Hundred and Forty-seventh Street, New York City.
 Secretary-Treasurer, Ed Ayash, 1272 Grand Concourse, Bronx, N. Y.

Los Angeles Joint Board, 1906 West Sixth Street, Los Angeles, Calif. :

President, Esther Reed, 718 Casanover Street, Los Angeles, Calif.
 Vice president, Sarah Bradley, 831 North Bonnie Beach Place, Los Angeles, Calif.

Secretary, Max Drucker, 1500 Duarte Road, Duarte, Calif.

Treasurer, Joy McNichols, 3336 Stevens Street, La Crescenta, Calif.

Local 1282, 295 Huntington Avenue, Boston, Mass. (room 306) :

President, Frank Siegel, 19 Thornton Street, Revere, Mass.

Local 78, 658 East Market Street, Salinas, Calif. :

President, Charles Low, 5252 South Montezuma, Phoenix, Ariz.
 Secretary-Treasurer, H. A. Allen, Box 555 El Camino Real, Salinas, Calif.

Local 81, Montreal, Canada :

President, James Russell, 4123 Saint Catherine Street, East Montreal, Canada.

Vice president, Denis Dormoy, 1607 Desery Street, Montreal, Canada.

Secretary, John Edward Graham, 2020 Mason Street, Montreal, Canada.

Mr. CONNORS. The subpoena duces tecum also asks you to bring a list of the names and addresses of all national officers and all members of the general executive board, and all trustees, if any. Have you that list, Mr. Osman?

Mr. OSMAN. Yes, sir. Here again, there might be one or two insignificant inaccuracies.

Mr. CONNORS. That is to the best of your knowledge, you understand?

Mr. OSMAN. Yes, sir.

Mr. CONNORS. May this be incorporated into the record, Senator Ferguson?

Senator FERGUSON. That will be received; yes.

(The list referred to is as follows:)

NATIONAL OFFICERS

President: Arthur Osman

Secretary-Treasurer: Donald Henderson

Vice president from—

Wholesale Workers, New York: David Livingston

Warehouse Workers, New York: Cleveland Robinson

Department Stores, New York: Nicholas Carnes

Retail Drug Clerks, New York: Leon Davis

Philadelphia-New Jersey area: John Tisa

Memphis, Tenn.: Lee Lashley

New Orleans, La.: Osborne Landix

Chicago, Ill.:

Suffolk, Va.: Flossie Jones

MEMBERS OF THE EXECUTIVE BOARD

Boston, Mass.: Max Lefkowitz
 Cedar Rapids, Iowa: Mervin Myers
 Charleston, S. C.: Marie Hodges
 Dade City, Fla.: W. E. Thomas
 Houston, Tex.: R. H. Smith
 Jackson, Miss., vicinity: Charles Scott.
 Lancaster, Pa.: Miriam Cliff
 Los Angeles, Calif.: Esther Reed
 Memphis, Tenn.: Earl Fisher
 Nashville, Tenn.: James H. Pate
 Philadelphia, Pa.: Albert Brown
 Rocky Mount, N. C., vicinity: Robert Lathan
 Rochelle, Ill., vicinity: Ed Mears
 St. Joseph, Mo.: James H. Walsh
 San Diego, Calif.: James L. Daugherty
 Trenton, N. J.: Lucy Aiello
 Winston-Salem, N. C.: Robert C. Black
 Suffolk, Va.:
 Chicago, Ill. (3): Laura Epstein, George White, Giesthover
 New Brunswick, N. J.: Mary Godfrey or Mary Chrinko
 Hightstown, N. J.:
 Newark, N. J.: Sondra Hershhorn
 Jersey City, N. J.: Milton Reverby
 Brooklyn, N. Y. (2): Robert H. Burke, Bernard Segal
 Long Island, N. Y. (2): Alcott Tyler, Armando Ramirez
 Bronx, N. Y.: Morris Doswell
 Manhattan, N. Y. (7): Aaron Schneider, Jack Paley, Norma Aronson, Carl Andren, William Michaelson, Anna Blank, William Anderson

Mr. OSMAN. This was the list indicating what the probabilities are. I thought I would be able to read them.

Mr. CONNORS. We are not concerned with the form.

Mr. OSMAN. There is a name here—Giesthover. I don't know if it is Giesthover or some other person from Chicago. Otherwise, that is fairly accurate.

Mr. CONNORS. Mr. Osman, when DPOWA was formed, isn't it a fact that officers of the BTA, and the UOPWA, and of the DWU, were all elected to the principal offices of the DPOWA? In other words, the DPOWA was formed out of three unions, wasn't it?

Mr. OSMAN. Yes.

Mr. CONNORS. And, as a general statement, most of the officers of the three unions were elected into office in the DPOWA?

Mr. OSMAN. Yes, sir. There was a joint convention to form a new union and there was a more or less understanding that the three top officers, each top officer of the three unions, would be one of the three top officers.

Mr. CONNORS. Of the new union?

Mr. OSMAN. Of the new union.

Mr. CONNORS. Prior to that convention, were there not some meetings at Communist Party headquarters with respect to this convention and to the contemplated merger?

Mr. OSMAN. All discussions regarding this merger were discussions within our organization.

Mr. CONNORS. Do you deny that there were discussions to that effect at Communist Party headquarters?

Mr. OSMAN. I believe I have to exercise my constitutional rights under the fifth amendment.

Mr. CONNORS. Did you take part in any of those discussions at Communist Party headquarters?

Mr. OSMAN. The same answer.

Senator FERGUSON. Were you ever present to discuss this at one of these meetings at Communist Party headquarters?

Mr. OSMAN. I said before—all of these discussions were either in our union or other union offices.

Senator FERGUSON. That was not the question.

Mr. OSMAN. I decline to answer any questions referring to the Communist Party on the constitutional ground, in light of the reference I made before.

Senator FERGUSON. You decline to answer as to whether the meetings took place at Communist headquarters and as to whether you were there?

Mr. OSMAN. I believe the committee knows the truth in this case. You are unfair. Maybe you do not intend to be. This is a trade-union function.

Senator FERGUSON. Suppose we do know that you were present at the Communist headquarters? Isn't it fair to ask the question?

Mr. OSMAN. This is so far-fetched. I have been advised that it is the proper thing for me to exercise the privilege on any question relating to the Communist Party or Communist Party headquarters.

Senator FERGUSON. Then you do refuse to answer?

Mr. OSMAN. On advice of counsel.

Mr. CONNORS. Do you know Jack Statchel? Can you answer that question out of your own knowledge, without consulting counsel?

Mr. OSMAN. I will decline to answer.

Mr. CONNORS. Did Jack Statchel take part in these discussions?

Mr. OSMAN. I decline to answer.

Mr. CONNORS. You decline to answer. You do not deny that he did?

Mr. OSMAN. I decline to answer.

Mr. CONNORS. I put it to you as a fact that this whole merger originated in Communist Party headquarters and Jack Statchel, John Williamson, and Roy Hudson were the prime movers of the merger. It was not a trade-union movement at all; it was a Communist Party movement. I ask—do you affirm or deny the fact?

Mr. OSMAN. I told you that all decisions are made by our membership and our membership takes no dictation or advice, nor does it permit itself to be dominated by anybody, and we wouldn't tolerate domination from any source.

Senator FERGUSON. That was not the question. The question was, whether or not this consolidation originated in the minds of these members of the Communist Party.

Mr. OSMAN. I told you before, Senator, I cannot discuss anything in relation to Communists or the Communist Party.

Senator FERGUSON. Do you refuse to answer that question on the grounds that it would tend to incriminate you?

Mr. OSMAN. I refuse to answer.

Mr. ARENS. Why do you think it might incriminate you?

Mr. OSMAN. I refuse to answer that question.

Senator FERGUSON. Take the next question.

Mr. CONNORS. Did you ever appear at a rally with Earl Browder?

Mr. OSMAN. I refuse to answer that question.

Mr. CONNORS. I put it to you as a fact and ask you to affirm or deny the fact, that on or about September 24, 1942, you attended and spoke at a second front rally held in Union Square, New York, and that on the same program with you as speakers were Earl Browder, William Z. Foster, Ferdinand Smith, Benjamin Davis, Jr., Israel Amter, and Ben Gold.

Mr. OSMAN. I decline to answer.

Mr. CONNORS. William Z. Foster is a Communist, is he not?

Mr. OSMAN. I decline to answer.

Mr. CONNORS. Ferdinand Smith is a Communist, is he not?

Mr. OSMAN. I decline to answer.

Mr. CONNORS. Benjamin Davis is a Communist, and so is Israel Amter. Did Israel Amter run for office on the Communist Party ticket?

Mr. OSMAN. I decline to answer.

Mr. CONNORS. Ben Gold has been a Communist for a long time, has he not?

Mr. OSMAN. I decline to answer.

Mr. CONNORS. Yet you appeared on a program with those people all of whom are known to the general public and to the world as Communists? You did appear on that program, didn't you?

Mr. OSMAN. I decline to answer.

Mr. CONNORS. Did your membership send you down to appear at that rally?

Mr. OSMAN. I will make a general statement, that anything I ever do is done with the knowledge and consent of our membership.

Mr. CONNORS. Do you mean to tell this committee that your membership gave you permission or asked you to go and speak at a rally where there were six people who are known to the world as Communists?

Mr. OSMAN. I decline to answer that.

Mr. CONNORS. Do you recall attending the convention of the United Retail, Wholesale and Department Store Employees of America at Pittsburgh in 1937?

Mr. OSMAN. I think so. I think I attended that one.

Mr. CONNORS. Now, you were head of the Communist Party caucus at that convention, were you not?

Mr. OSMAN. I decline to answer any such question.

Mr. CONNORS. In May 1942, did you attend an international convention of the United Retail, Wholesale and Department Store Employees of America in Chicago, Ill.?

Mr. OSMAN. May 1942, I believe so; yes.

Mr. CONNORS. And were you not head of the Communist Party caucus and Communist Party section at that convention?

Mr. OSMAN. I decline to answer such question.

Mr. CONNORS. Did you talk to anybody there who was known to you as a Communist?

Mr. OSMAN. I decline to answer that.

Mr. CONNORS. You realize that if you give a truthful negative answer to that it would not incriminate you? Don't you realize that?

Mr. OSMAN. I decline to answer that.

Senator FERGUSON. It is possible that a negative would be a false answer.

Mr. CONNORS. Yes, Senator, indeed it is possible.

Senator FERGUSON. I think that the Chair is permitted to draw that inference. This is not a court of law and he is not being charged with a crime, so we have a right to draw certain inferences.

Mr. CONNORS. Mr. Osman, did you know that the Worker for October 25, 1942, featured an article entitled "Here's Looking at Arthur Osman," and that this article was a résumé of your history and was accompanied by a picture of you? Did you know that?

Mr. OSMAN. I decline to comment on anything in the Daily Worker on the grounds I expressed before.

Mr. CONNORS. You do not deny that that appeared?

Senator FERGUSON. I think that he is right on that. I think that it would tend to incriminate a man if this appeared in the Daily Worker. I think that he is right, and I will certainly rule that he is accurate on that. He may claim his constitutional privilege.

Mr. CONNORS. As a matter of fact, on May 7, 1944, the Daily Worker printed a comment by Arthur Osman. The paper at that time adopted a new format and the comment printed and attributed to you by the Daily Worker was this: "Very nice. Well put up, compact, attractive, and very readable. It is an important source of information on labor news." Now, did you make that statement to the Daily Worker?

Mr. OSMAN. I refuse to comment on that.

Senator FERGUSON. Do you refuse to answer that on the grounds that it would incriminate you?

Mr. OSMAN. I refuse to comment on anything regarding the Daily Worker.

Mr. CONNORS. Do you regard the Daily Worker as an important source of labor news?

Mr. OSMAN. I refuse to comment.

Senator FERGUSON. Do you refuse to comment on the grounds that it would tend to incriminate you?

Mr. ARENS. What overtures have you recently made, Mr. Osman, looking toward a reaffiliation or an affiliation by DPOWA to the CIO?

Mr. OSMAN. I have made no overtures with the CIO, but the CIO has made overtures to us.

Mr. ARENS. Who in the CIO has made overtures to you? Tell us about it?

Mr. OSMAN. Senator, this is not a matter of incrimination. It is a question of ethics.

Senator FERGUSON. I was going to ask you how that could incriminate you.

Mr. OSMAN. There is a question of ethics here. I would like your guidance on it. We have been approached and there were discussions between the CIO officials and ourselves presumably off the record, and I don't know whether it is fair to ask me to divulge those discussions.

Senator FERGUSON. I do not see anything wrong about that in these hearings.

Mr. OSMAN. I presume I am obliged to do so; and, if I have to do so, I will.

Senator FERGUSON. You would have to.

Mr. OSMAN. Perhaps I can tell them to you off the record?

Mr. ARENS. We want it on the record, and we want the complete facts and details because it is pertinent to the security and germane

to the security of this Nation that this committee be informed in this respect.

Senator FERGUSON. Give us the names.

Mr. OSMAN. You don't think it is unethical for me to give them?

Senator FERGUSON. I certainly do not think so, or I would not ask them.

Mr. OSMAN. I did agree that this would be confidential.

Senator FERGUSON. But you cannot claim confidential information as a reason for not answering.

Mr. OSMAN. Will these things be made public?

Senator FERGUSON. I do not know. The whole subcommittee determines that.

Mr. OSMAN. Because, frankly, Senator, any bandying around of this information might hurt what I believe and what I am sure any objective student of the facts will believe to be a laudable and decent objective in these discussions.

Senator FERGUSON. No one is questioning that at the present time.

Mr. ARENS. Who made the overtures? When were the overtures made? We want the complete facts. You are under oath to tell the whole truth. Tell us the whole truth about the arrangements which have been made or which are in the offing with respect to an affiliation of CIO and DPOWA.

Mr. OSMAN. No arrangements have been made, and I don't know what is in the offing.

Senator FERGUSON. Who consulted you?

Mr. OSMAN. I was called by Mr. Morris Pizer. He is the president of the furniture workers union. Is that the real name? Furniture Workers of America. He said he wanted to see me.

Senator FERGUSON. Is that in the CIO?

Mr. OSMAN. Yes, sir. I believe he is a member of the CIO executive board. He said he wanted to see me. I saw him. We have always maintained friendly relations with many CIO unions.

Senator FERGUSON. Did you see anyone besides Mr. Pizer?

Mr. OSMAN. The first time I met him we were alone. He said to me that the CIO would like me back in their midst, and I asked him for whom he is speaking. I don't remember exactly what he said, but got the impression that he was speaking with the knowledge and consent of important CIO people.

Senator FERGUSON. Who were they?

Mr. OSMAN. I wouldn't know precisely who, but the fact is I did meet him.

Senator FERGUSON. Did he mention any names?

Mr. OSMAN. I don't recall whether he did at that time.

Senator FERGUSON. Did he mention any names at any time?

Mr. OSMAN. I met with Mr. Heywood shortly thereafter.

Senator FERGUSON. What is his first name?

Mr. OSMAN. Allan Haywood. He is executive vice president of the CIO.

Senator FERGUSON. What did you discuss with him?

Mr. OSMAN. Well, we discussed getting back into the CIO.

Senator FERGUSON. Were there any conditions prescribed at that time?

Mr. OSMAN. We had had a lot of general discussions.

Mr. ARENS. Did you have any discussion of communism?

Mr. OSMAN. The question was raised.

Mr. ARENS. Did you tell him or did it develop in the conversation that 24 out of the 32 members of the general executive board of your organization are members of the Communist Party?

Mr. OSMAN. We discussed with him the possibility of—the only political questions discussed—

Mr. ARENS. Let's not talk about political questions. Let's talk about communism. What transpired with respect to communism?

Mr. OSMAN. Yes. The only reference to such a subject in our discussion was—well, there was some question as to how we can affirm and make clear something that we knew was true, that he knew was true; namely, that our union was a democratic union dominated by nobody.

Mr. ARENS. How about Communists?

Mr. OSMAN. Not dominated by Communists.

Mr. ARENS. Did you assert it as a fact that your union is not dominated by the Communist Party?

Mr. OSMAN. I said so, earlier, that our union is not dominated by the Communist Party.

Mr. ARENS. How do you account for the fact that 24 out of 32 members on your executive board are members of the Communist Party?

Mr. OSMAN. I don't know what are the facts. Incidentally, you have a list of officers here, and each of these board members and officers is elected by the rank and file. Incidentally, our leadership today is a leadership elected by the membership, not by a convention. Maybe you are not up to date with your information.

Senator FERGUSON. That does not say that there are not questions. His question was, Did you know that 24 out of 32 were members?

Mr. OSMAN. Most of these people I didn't know until they were on the board, so I don't know whether I am capable of saying. I do know that every one of these persons was elected by the membership from which they stem.

Mr. ARENS. Do you know any members of the executive board besides yourself who are Communists?

Mr. OSMAN. I told you before that I would not discuss the subject of communism.

Mr. ARENS. You discussed it with the CIO. Tell us what you discussed.

Mr. OSMAN. I told you the discussion we had with the CIO.

Mr. ARENS. About the democratic union?

Mr. OSMAN. We specifically said that the nature of our union ought to be made clear; namely, a union not dominated by the Communist Party or any other group. The main discussions with the CIO were jurisdictional questions. It is unfortunately true that in our industry there are several unions already in the CIO. And there are problems of how to effectuate unity between them.

Senator FERGUSON. You answered the questions technically that your union was not dominated by the party. Do you think that a member of an executive board of an American labor union can be a known Communist and his actions be not dominated by the Communist Party?

Mr. OSMAN. If you mean can a person who does not reflect or respect the wishes of the membership be on the executive board, I would say "No."

Senator FERGUSON. That was not my question at all.

Mr. OSMAN. That is the only criterion. A board member either respects the decisions of the membership, he reflects the views, or he isn't fit on the executive board.

Senator FERGUSON. That was not my question. I wanted to know whether or not, if you have a Communist on your executive board, he would not be dominated by the Communist Party?

Mr. OSMAN. Here again, any knowledge of that subject is something to which I cannot testify, and I must refuse to answer.

Senator FERGUSON. And do you refuse to answer on the grounds that it would tend to incriminate you?

Mr. OSMAN. Yes.

Senator FERGUSON. All right.

Mr. ARENS. Go on and tell some more about these arrangements between you and your union and the CIO. We want the whole truth.

Mr. OSMAN. What other conferences there were, you mean?

Mr. ARENS. Yes.

Mr. OSMAN. There were a series of conferences. I don't know if I can reconstruct all of them. As I said, we met with Haywood. We met with a number of other people later, and we discussed the possibilities of uniting various unions in our industry. It hasn't jelled into anything more concrete.

Senator FERGUSON. We will recess until 2 o'clock.

(Thereupon, at 11:50 a. m., the hearing was recessed, to reconvene at 2 p. m. of the same day.)

AFTERNOON SESSION

Senator WATKINS (presiding). The committee will resume session. You may proceed.

Mr. Osman has been previously sworn?

Mr. CONNORS. Yes, Senator Watkins.

Mr. Osman, this morning, in getting into your background, I believe I neglected to ask you where and when you were born. Would you supply that information?

Mr. OSMAN. I was born April 11, 1908.

Mr. CONNORS. Where, if you please?

Mr. OSMAN. In Poland.

Mr. CONNORS. And are you a naturalized citizen of the United States?

Mr. OSMAN. Yes.

Mr. CONNORS. Where and when were you naturalized?

Mr. OSMAN. I became a citizen by virtue of my father's papers. I was a minor at the time. He became a citizen in the eastern district court in 1928.

Mr. CONNORS. This morning you were discussing the hearings that this subcommittee had in Memphis, Tenn. I would like to ask you if you are acquainted with Lee Lashley, president of local 19, Memphis, Tenn.?

Mr. OSMAN. All I know of him is since I met him in our organization in the past year.

Mr. CONNORS. Isn't it a fact that shortly after he was served with a subpoena Mr. Lashley came to New York and talked with you?

Mr. OSMAN. We had a regular scheduled board meeting. Suppose you tell me the time. I am not clear on the time. When was that?

Mr. CONNORS. The hearings were in the latter part of October 1951.

Mr. OSMAN. In October of 1951 we had a board meeting. That is the one he was at in New York.

Mr. CONNORS. Did he discuss with you the fact that he had been subpoenaed by the subcommittee of the Senate Judiciary Committee?

Mr. OSMAN. Sure.

Mr. CONNORS. With whom else did he discuss that?

Mr. OSMAN. I don't know if he discussed it with anybody else. I think at the board meeting we mentioned the fact there was a hearing.

Mr. CONNORS. Were arrangements made at that time for Mr. Lashley to be represented by counsel?

Mr. OSMAN. We stated our policy that the union lawyers would represent.

Mr. CONNORS. And those lawyers are whom?

Mr. OSMAN. Neuburger & Rabinowitz, sir.

Mr. CONNORS. You are accompanied by counsel now?

Mr. OSMAN. Yes.

Mr. CONNORS. Will counsel please identify himself?

Mr. NEUBURGER. Samuel A. Neuburger, 76 Beekman Street, New York City.

Mr. CONNORS. Have you any knowledge of the testimony given by Mr. Lashley at the hearing at Memphis to which you alluded a moment ago?

Mr. OSMAN. Well, we have had discussions of the hearing. I don't know if that is what you asked.

Mr. CONNORS. Did it come to your attention that in the course of that hearing Mr. Lashley admitted that he had been a member of the Communist Party?

Mr. OSMAN. I think I heard it mentioned. I don't know if it was at the hearing or investigation, but some place he had mentioned it.

Mr. CONNORS. He had admitted that he was a member of the Communist Party; is that correct?

Mr. OSMAN. I believe so. I wasn't there.

Mr. CONNORS. However, he is still president of local No. 19 on the DPOWA membership files; is that correct?

Mr. OSMAN. There was an election just recently. He was elected at a secret-ballot election.

Mr. CONNORS. Do you know Edward McCrae, the former business agent?

Mr. OSMAN. I met him once or twice.

Mr. CONNORS. Is he currently business agent of local 19?

Mr. OSMAN. No, sir.

Mr. CONNORS. What happened to him?

Mr. OSMAN. There was an election of local 19 for officers, business agents, and so forth, and he was not a candidate.

Mr. CONNORS. He was not a candidate. He is a Communist, isn't he?

Mr. OSMAN. Well, in line with the discussions we had this morning, it so happens I wouldn't know, but we had more or less agreed that I would decline to answer any questions referring to communism or Communists.

Mr. CONNORS. There was no agreement. You said you would not answer those questions.

Mr. OSMAN. It would be repetition of the same kind of questions.

Mr. CONNORS. Have you ever attended a meeting at Academy Hall, 853 Broadway, New York City, to the best of your recollection?

Mr. OSMAN. Where is that—853 Broadway?

Mr. CONNORS. Yes; Academy Hall.

Mr. OSMAN. I will decline to answer that question.

Mr. CONNORS. I put it to you as a fact and ask you to affirm or deny the fact that on November 12, 1943, you attended a meeting of the New York State committee of the Communist Party at Academy Hall at 853 Broadway, New York City.

Mr. OSMAN. I decline to answer that.

Mr. CONNORS. I also put it to you as a fact and ask you to affirm or deny the fact that on November 23, 1943, some 11 days later, you attended a meeting of the Selective Labor Leaders at the Hotel Piccadilly in New York City and that this meeting was presided over by Earl Browder. Do you affirm or deny that fact?

Mr. OSMAN. I decline to answer the question.

Mr. CONNORS. Earl Browder at that time was head of the CPA.

Senator WATKINS. Will you restate for the record the grounds on which you decline to answer these questions?

Mr. OSMAN. On the basis of the fifth amendment that I might incriminate myself.

Mr. NEUBERGER. Senator Ferguson pointed out this morning that there is no need to repeat.

Senator WATKINS. I want to be certain that it is on the record. Do you refuse to answer because you feel that an answer to that might incriminate you?

Mr. OSMAN. I don't want to say anything untruthful. I am sure the truth would not hurt me in any fair examination of the facts.

Senator WATKINS. All right. If the truth will not hurt you, you had better answer the question.

Mr. OSMAN. But we have gone over this before.

Senator WATKINS. I do not care if you have gone over it before. You are going over it again now. If you feel that you could tell the truth and it would not hurt you, I do not see any reason why you should not answer the question.

Mr. OSMAN. There have been cases where the truth hurt because people twist the truth and because of the un-American environment.

Senator WATKINS. We are not talking about other cases. We are talking about your specific case. Do you feel that if you answer that question truthfully it might incriminate you?

Mr. OSMAN. I gave my answer, Senator.

Senator WATKINS. You can answer that you either do or do not. In view of what you explained a moment ago, I think it is a very pertinent question.

Mr. OSMAN. I think, under the constitutional rights, I refuse to answer that question.

Mr. CONNORS. You do not presume to accuse this committee of trying to twist the truth, Mr. Osman?

Mr. OSMAN. I don't want to be disrespectful to any person on this committee or anybody else in the Government.

Mr. CONNORS. Answer the question. Do you presume to accuse this committee of twisting the truth?

Mr. OSMAN. I would not question the motives of any one person.

Mr. CONNORS. Do you know Roy Hudson?

Mr. OSMAN. I will decline to answer that.

Mr. CONNORS. Do you know Gil Green?

Mr. OSMAN. I decline to answer that.

Mr. CONNORS. You are not helping the committee get the truth, you know, when you decline to answer.

Mr. OSMAN. I have to decline to answer that question.

Mr. CONNORS. I put it to you as a fact that on May 9, 1944, you attended a meeting in New York with Gil Green, president of the New York State Communist Party, and Roy Hudson, Communist Party official who handles labor leaders such as you. Isn't that so?

Mr. OSMAN. I decline to answer.

Mr. CONNORS. What kind of hold does Roy Hudson have over you anyway?

Mr. OSMAN. I decline to answer.

Mr. CONNORS. Do you expect this committee to believe that you have the interest of the rank-and-file members of your union uppermost in your mind when you frequently consult with Roy Hudson and other members of the Communist Party with respect to how you will conduct your union business?

Mr. OSMAN. I have never refused to discuss any subject or any matter with our membership. On the contrary, as I have said before, I will do nothing without the knowledge and consent of our membership.

Mr. CONNORS. Does your membership know that you frequently consult with Roy Hudson and Gil Green?

Mr. OSMAN. I decline to answer.

Mr. CONNORS. They know everything you do, but you decline to answer that question?

Mr. OSMAN. Everything that I do in any manner, shape, or form affects our membership.

Mr. CONNORS. Your chief concern is not with the welfare of your union members, but with the welfare of the Communist Party of the United States, isn't it?

Mr. OSMAN. My chief and only concern as an officer of my union is the welfare of the membership of our union.

Mr. CONNORS. Do you recall that at the meeting of May 9, 1944, it was decided to hold the next meeting of that group on July 4, 1944, and the place of this meeting was to be your office? Do you recall that?

Mr. OSMAN. I decline to answer.

Mr. CONNORS. Now, on January 17, 1945, at a conference of department-store locals, of the Retail, Wholesale, and Department Store Unions, you said, and I quote:

Labor leaders who are avowed Communists are our most valuable friends.

Is that a correct appraisal of the statement you made at that time to the best of your recollection?

Mr. OSMAN. I don't remember that last statement.

Mr. CONNORS. Do you deny making the statement?

Mr. OSMAN. I don't remember. I couldn't affirm it. I don't remember making such a statement; I don't know if I would have made such a statement. I just don't remember it.

Mr. CONNORS. Were those your sentiments in 1945?

Mr. OSMAN. I imagine that consistency would require me to refrain from answering anything about Communists.

Mr. CONNORS. Do you know who William Albertson is?

Mr. OSMAN. I decline to answer that question.

Mr. CONNORS. The reason that you decline to answer that question is because in 1947 he was an assistant national labor secretary of the Communist Party. Isn't that so?

Mr. OSMAN. I gave you the declination, and I did not present that as a reason for declining.

Mr. CONNORS. And in May 1947 you gave Albertson permission to use your name on a statement against "red-baiting" which was to appear in various newspapers under the auspices of the Civil Rights Congress? Isn't that a fact?

Mr. OSMAN. I will decline to answer the same way.

Mr. CONNORS. Do you know Paul Robeson?

Mr. OSMAN. Paul Robeson, yes. I know who he is.

Mr. CONNORS. Did you ever appear at a meeting with him?

Mr. OSMAN. I think so.

Mr. CONNORS. Do you remember that in June 1948 you attended a rally of the American Committee of Jewish Writers, Artists, and Scientists at which time both you and Paul Robeson spoke?

Mr. OSMAN. What is the name of that committee?

Mr. CONNORS. The American Committee of Jewish Writers, Artists, and Scientists.

Mr. OSMAN. First of all, I don't remember. I don't know if I know who that committee is. Will you tell me? Is that committee on any subversive list?

Mr. CONNORS. I do not have any such list here. What difference would it make in your memory?

Mr. OSMAN. Very frankly, I would be afraid to answer any questions regarding any organizations on the subversive list. It so happens I don't remember the name of this committee.

Mr. CONNORS. Say so then.

Mr. OSMAN. When I said on previous occasions that I declined to answer, it does not presume that I knew the people or the names of the organizations. I just didn't know some of them. But my general feeling is, if it is in any way connected with communism or any other group that might be on the subversive list, I think I have to decline comment on them.

Mr. CONNORS. Well, we have gone over that before. Is Paul Robeson a Communist?

Mr. OSMAN. I decline to answer that question.

Mr. CONNORS. Do you know him as a Communist?

Mr. OSMAN. I decline to answer that question.

Mr. CONNORS. Have you ever attended a Communist Party meeting with Paul Robeson?

Mr. OSMAN. I decline to answer that question.

Mr. CONNORS. Did you testify in July 1948 before the House Labor Subcommittee?

Mr. OSMAN. The Hartley committee, yes.

Mr. CONNORS. Were you asked there if you were a member of the Communist Party?

Mr. OSMAN. I believe I was asked.

Mr. CONNORS. What did you answer?

Mr. OSMAN. I think I declined.

Mr. CONNORS. Why did you decline there?

Mr. OSMAN. Well, it is the same thing. Very frankly, I have stated then I felt that some of these things, irrespective of the motives of the questioners, were designed to subvert the Constitution of the United States of America, and I won't be a party to subversion.

Mr. CONNORS. You declined to answer because you thought an answer would incriminate you?

Mr. OSMAN. More than that. I believe this whole line of questioning is subversive to the American concept freedom and democracy.

Mr. CONNORS. You realize that whatever belief you have along those lines is not protected by the Constitution, don't you?

Mr. OSMAN. What I used in addition to that in explanation, I did invoke the fifth amendment, of self-incrimination.

Mr. CONNORS. No matter what you believe about a line of questioning, that gives no right to invoke the Constitution. You realize that, of course?

Mr. OSMAN. I feel I have a moral obligation to react to those questions in line with my convictions.

Mr. CONNORS. At your own peril.

Mr. OSMAN. I suppose everybody that wants to preserve self-respect takes a certain amount of risk.

Mr. CONNORS. On or about July 14, 1949, did you attend the trial of the 11 Communist Party leaders in Judge Medina's court in the United States District Court for the Southern District of New York at Foley Square, New York?

Mr. OSMAN. I decline to answer that question.

Mr. CONNORS. And when you left the courtroom, didn't you leave with the demand to Judge Medina that he free these three defendants who were jailed at the time?

Mr. OSMAN. I decline to answer.

Mr. CONNORS. Didn't you try to see Judge Medina?

Mr. OSMAN. I decline to answer that question.

Mr. CONNORS. And he refused to see you?

Mr. OSMAN. I decline to answer.

Mr. CONNORS. Do you think it is possible to be a member of the Communist Party and keep your self-respect?

Mr. OSMAN. I decline to answer that question.

Mr. CONNORS. Didn't your picture appear in the Daily Worker on July 14, 1949, with a story concerning your demands to Judge Medina?

Mr. OSMAN. I decline to answer that question.

Mr. CONNORS. Do you know that the Communist Party considers that the DPOWA is so securely under their control that your presence there is neither necessary nor particularly desirable at this time?

Mr. OSMAN. That my what?

Mr. CONNORS. Your presence as head of the DPOWA is neither particularly desirable or necessary from the standpoint of the Communist Party?

Mr. OSMAN. I decline to answer that question.

Mr. CARTER. Mr. Osman, we would like to read a list of organizations to which you have been affiliated in the last several years, and we should like to have you interrupt if at any time you care to comment on your membership in these organizations?

MR. OSMAN. When you say membership, you mean my personal membership?

MR. CARTER. Your affiliation.

MR. OSMAN. Talking about me personally?

MR. CARTER. Your affiliation with these organizations, yes.

MR. OSMAN. I see. When you say affiliation, you mean membership in these organizations? What does affiliation mean?

MR. CARTER. I shall describe in each instance what participation you had with the organization.

MR. OSMAN. I see.

MR. CARTER. But in order to save time, I would like to go ahead and read them for the record and then, if you would care to comment, you may interrupt me and comment.

You were the signer of an open letter to the President in July 1941 and the sponsor for the Sixth National Conference in May 1942 of the American Committee for the Protection of the Foreign Born.

SENATOR WATKINS. Do you want to comment on that?

MR. OSMAN. No.

MR. CARTER. You signed a call to the first national conference in the "Morning Freiheit" of May 16, 1946, and you are a member of the executive committee and a speaker at the New York convention of the American Jewish Labor Council.

You participated in a demonstration before the British Consulate on May 9, 1947, which demonstration was sponsored by the American Jewish Labor Council.

You were a member of the administrative committee in 1948 of the American Jewish Labor Council and you were a member of the executive board in 1949 of the American Jewish Labor Council.

You were a sponsor of the New York Committee for the American Peace Mobilization in 1941.

You were a member of the "Salute to Young America Committee" in 1944, which was sponsored by the American Youth for Democracy.

You signed a petition in March 1942 which was sponsored by the Citizens Committee To Free Earl Browder.

You sent greetings to a mass meeting of the Council on African Affairs in 1942 as is shown by the Daily Worker for August 29, 1942.

You sponsored the statement against the Mundt-Nixon bill which was sponsored by the International Workers Order, and which appeared in the Daily Worker on May 25, 1949.

According to the Daily Worker of June 16, 1941, you were chairman of the Trade Union Committee of the Jewish People's Committee.

You were vice president in 1943 and executive-board member in 1945 of the Jewish People's Committee.

You were a speaker at the National Negro Congress on November 23, 1943, according to the Daily Worker of November 24, 1943.

You were a charter member of the People's Radio Foundation, Inc., in November 1944, according to the Daily Worker of November 23, 1944, and of December 17, 1944.

You were a sponsor in 1941 and you signed an appeal to Governor Dewey as a member of the Schappes Defense Committee, according to the People's Voice of December 25, 1943.

You were vice chairman of the United May Day Committee in 1941.

According to the Daily Worker of July 29, 1949, you were a sponsor of the American Continental Congress for Peace.

You were a member of the New York State executive committee in 1949 of the American Labor Party.

You were a speaker at a rally of the American Student Union in 1940, according to the Daily Worker of October 9, 1940.

According to the promotional letter, you were a sponsor of the Emergency Peace Mobilization in 1943.

You sponsored the New York Conference for Inalienable Rights in 1941.

You were a speaker at a rally sponsored by the People's Voice, on May 26, 1946.

You were a sponsor of the Progressive Committee to Rebuild the American Labor Party in 1941.

You were a sponsor of the Committee of the Reichstag Fire Trial Anniversary in 1943.

You were a director of the Trade Union Committee to put America Back to Work in 1940.

And you were a committee member of the United May Day Provisional Committee in 1939; the vice chairman in 1941, and a speaker at the May Day demonstration in 1946 and in 1949; and you were in the reviewing stand at the May Day Parade in 1947, and marched in the May Day parade in 1948.

Do you wish to comment on the affiliations which we have described?

Mr. OSMAN. Well, assuming that all of the organizations are either on the subversive list or associated with them somehow, I must be consistent and decline.

Senator WATKINS. Does that apply to everyone of these statements that he has read?

Mr. OSMAN. I presume they are somehow related.

Senator WATKINS. Do you honestly believe that if you commented on these questions truthfully, that that comment might possibly incriminate you?

Mr. OSMAN. I am afraid that it might either incriminate me or lead to other questions which might incriminate me.

Senator WATKINS. For that reason you decline to answer it?

Mr. OSMAN. Yes.

Senator WATKINS. I want you to understand that that applies to each of the instances that have been brought to your attention by Mr. Carter.

Mr. OSMAN. Yes, sir.

Senator WATKINS. I want to make that clear so that there will be no question about some of them.

Mr. CARTER. Is Morris Doswell under your direct supervision in union activities?

Mr. OSMAN. No, sir.

Mr. CARTER. Do you have information concerning the number of criminal proceedings which have been filed in the New York courts against members of the DPOWA for strong-arm methods within the time of this organization?

Mr. OSMAN. I have no such information.

Mr. CARTER. I think that is all.

Senator WATKINS. That is all. You may be excused, and released from subpena.

The committee will be in recess, subject to call.

(Whereupon, at 2:35 p. m., Tuesday, February 19, 1952, the hearing was recessed, subject to the call of the Chair.)

SUBVERSIVE CONTROL OF DISTRIBUTIVE, PROCESSING, AND OFFICE WORKERS OF AMERICA

WEDNESDAY, FEBRUARY 20, 1952

UNITED STATES SENATE,
SUBCOMMITTEE TO INVESTIGATE THE ADMINISTRATION
OF THE INTERNAL SECURITY ACT AND OTHER INTERNAL
SECURITY LAWS OF THE COMMITTEE ON THE JUDICIARY,
Washington, D. C.

The subcommittee met at 10:10 a. m., pursuant to call, in room 457, Senate Office Building, Senator William E. Jenner presiding.

Present: Senator Jenner.

Also present: Donald D. Connors, Jr., investigator; Mitchell M. Carter, investigator; Edward R. Duffy, investigator.

Senator JENNER. The hearing will come to order.

Mr. CONNORS. The witness this morning is Mr. Livingston.

Senator JENNER. Will you stand, please, and raise your right hand?

Do you solemnly swear the testimony given in the matter now pending before the committee will be the truth, the whole truth, and nothing but the truth, so help you God?

Mr. LIVINGSTON. I do.

**TESTIMONY OF DAVID MORTIMER LIVINGSTON, NEW YORK, N. Y.,
ACCOMPANIED BY SAMUEL A. NEUBURGER, NEW YORK, N. Y.**

Mr. CONNORS. Will you identify yourself by name, address, and occupation, please?

Mr. LIVINGSTON. I am David Livingston. I am president of district 65, DPOWA. I live at 111 West Sixteenth Street.

Senator JENNER. In what city?

Mr. LIVINGSTON. I am sorry. New York City.

Mr. CONNORS. When and where were you born, Mr. Livingston?

Mr. LIVINGSTON. I was born on January 8, 1915, in the city of New York.

Mr. CONNORS. And you are appearing here as a result of a subpoena served upon you, are you not?

Mr. LIVINGSTON. Correct.

Mr. CONNORS. You are represented by counsel?

Mr. LIVINGSTON. I am.

Mr. CONNORS. Will counsel please identify himself for the record?

Mr. NEUBURGER. Samuel A. Neuburger, 76 Beaver Street, New York City.

Mr. CONNORS. What firm is that, Mr. Neuburger?

Mr. NEUBURGER. The present firm is Shapiro, Rabinowitz and Boudin, of which I am counsel.

Mr. CONNORS. Mr. Livingston, will you kindly indicate your education beginning with high school, please?

Mr. LIVINGSTON. I had a normal high school education in Brooklyn, and 3 years of college.

Mr. CONNORS. At what college?

Mr. LIVINGSTON. Columbia.

Mr. CONNORS. When did you finish at Columbia?

Mr. LIVINGSTON. In 1934.

Mr. CONNORS. And what has been your occupation since 1934?

Mr. LIVINGSTON. I held various jobs as a warehouse worker and salesman, and ultimately became an officer of the union.

Mr. CONNORS. At what date did you become an officer of what union?

Mr. LIVINGSTON. In 1936 I became an officer of Local 65. Let me correct that, if I may. At that time—No, that is correct. In 1936 I became an officer of local 65.

Mr. CONNORS. What was the union with which local 65 was affiliated?

Mr. LIVINGSTON. At that time, it was affiliated with the Textile Workers, CIO.

Mr. CONNORS. And if you will trace your union activities since that date, please.

Mr. LIVINGSTON. Well, I have always been an officer of the union ever since.

Mr. CONNORS. An officer of local 65 ever since?

Mr. LIVINGSTON. That is right. It is now known as district 65. It has been that way for the last year and a half.

Mr. CONNORS. And district 65 is part of DPOWA, is it not?

Mr. LIVINGSTON. Right.

Mr. CONNORS. How many members does local 65 or district 65 embrace?

Mr. LIVINGSTON. About 35,000.

Mr. CONNORS. And your present occupation is president of that district, is that correct?

Mr. LIVINGSTON. That is correct.

Mr. CONNORS. Have you been president of that local or that district ever since 1936?

Mr. LIVINGSTON. No.

Mr. CONNORS. What other offices have you held and when did you hold them?

Mr. LIVINGSTON. I was vice president for a period, and organization director for another period.

Mr. CONNORS. Can you place those periods as accurately as you can?

Mr. LIVINGSTON. You will just have to give me a moment.

Mr. CONNORS. Just approximately.

Mr. LIVINGSTON. I was organization director, roughly, from 1940 to 1946, and vice president from 1948 to 1950.

Mr. CONNORS. And president since 1950?

Mr. LIVINGSTON. Yes.

Mr. CONNORS. And what was your occupation within the union from 1936 to 1940?

Mr. LIVINGSTON. I was an organizer.

Mr. CONNORS. The subpoena which was served upon you commanded you to bring with you certain records of district 65. The first such

record specified in the subpoena was a record reflecting the net financial worth of said district 65. Do you have those documents?

Mr. LIVINGSTON. I am offering you a statement of assets and liabilities for the district as of December 31, 1951.

Mr. CONNORS. Who prepared that?

Mr. LIVINGSTON. This is prepared by our bookkeeper. It is not an auditor's copy. There may be some slight errors when the audit is made.

Mr. CONNORS. I would like to ask that that be incorporated into the record.

Senator JENNER. It may go into the record.

(The information referred to was filed with the subcommittee.)

Mr. CONNORS. The second record dealt with in the subpoena is a copy or the original bank statement or bank statements from any other financial institution in which local 65 has deposits. Have you brought those documents with you?

Mr. LIVINGSTON. Yes; I have. I offer you bank statements from various institutions in which we make deposits.

Mr. CONNORS. The first one is from the Kings County Trust Co.

Senator JENNER. That may go into the record.

(Statement referred to was filed for reference.)

Mr. CONNORS. The other three are from the Corn Exchange Bank & Trust Co.

Senator JENNER. They may go into the record.

(Statements referred to were filed for reference.)

Mr. NEUBURGER. I assume, Mr. Connors, that when they have served their purpose, you will return the bank statements?

Mr. CONNORS. That is correct.

Also dealt with in the subpoena are records of, or photostatic copies of, any deeds or any proof of ownership of any real property held by the aforesaid district 65. Have you those documents, Mr. Livingston?

Mr. LIVINGSTON. There are no deeds of property held by local 65.

Mr. CONNORS. Who owns the property known as 13 Astor Place, New York City?

Mr. LIVINGSTON. It is owned by the People's Realty Corp., the stock of which is owned by the 65 Security Plans.

Mr. CONNORS. The whole stock of the subsidiary, which is—

Mr. LIVINGSTON. It is not a subsidiary. People's Realty Corp. is a separate corporation.

Mr. CONNORS. The whole stock of which is owned by district 65?

Mr. LIVINGSTON. No, the stock of which is owned by the 65 Security Plan.

Mr. CONNORS. The 65 Security Plan?

Mr. LIVINGSTON. That is correct.

Mr. CONNORS. And what is the ownership of the 65 Security Plan?

Mr. LIVINGSTON. Well, there is no ownership. It is a trust.

Mr. CONNORS. And who are the trustees of the trust?

Mr. LIVINGSTON. The trustees are seven employers and seven representatives of the union.

Mr. CONNORS. In the statement of assets and liabilities which you offered first into the records, there is a notation under the asset column of improvements to the amount of \$247,869. What does that represent, Mr. Livingston?

Mr. LIVINGSTON. Certain construction within the building, the floors that we operate, and various amounts that have been spent to improve them are carried as an asset, naturally.

Senator JENNER. But you do not own the building?

Mr. LIVINGSTON. No.

Senator JENNER. There is no deed?

Mr. LIVINGSTON. No, we don't own the building. The building is owned by the Security Plan which is a separate institution.

Mr. CONNORS. A trust establishment, is that correct?

Mr. LIVINGSTON. It is a trust, yes.

Mr. CONNORS. Who was the settlor of the trust, who originated the trust?

Mr. LIVINGSTON. I am not quite sure I understand your question.

Senator JENNER. How was the trust created?

Mr. LIVINGSTON. It was created by the trustees to administer certain funds turned over to them for the purpose of welfare benefits.

Mr. CONNORS. Are you one of the trustees?

Mr. LIVINGSTON. Yes, I am a trustee.

Mr. CONNORS. Who are the other six trustees?

Mr. LIVINGSTON. There are 13 of us.

Mr. CONNORS. I understand that. But who are the other six on the union side?

Mr. LIVINGSTON. They have been changed from time to time. I will give them to you as best I recall: Mr. Osman, Mr. Paley—

Mr. CONNORS. Identify Mr. Paley, if you please.

Mr. LIVINGSTON. Mr. Jack Paley.

Mr. CONNORS. And what is his occupation in the union?

Mr. LIVINGSTON. He is secretary-treasurer of the union.

Miss Norman.

Mr. CONNORS. Would you give her full name?

Mr. LIVINGSTON. Winifred.

Mr. CONNORS. And what is she? That is, by way of occupation?

Mr. LIVINGSTON. A member of the union, an employee of one of our departments. May I consult with Mr. Neuburger?

Mr. CONNORS. Yes.

Mr. LIVINGSTON. I would just like to pass this for the moment. I will get you that information. I don't recall offhand.

Senator JENNER. You can furnish the committee with that.

Mr. CONNORS. How much money was put into the trust when it originated, when it was created?

Mr. LIVINGSTON. Well, I doubt that there was any money put into it. The trust was set up to receive monty. The moneys that come to the plan are based upon a percentage of payroll that is paid on behalf of the members of the union by the employers into the funds. So at its initiation I don't think it had anything, and then it grew in the course of time, as more people were covered by the plan and as time went on.

Mr. CONNORS. What is the net worth of the plan at the present time, to the best of your knowledge?

Mr. LIVINGSTON. Around \$6 million.

Mr. CONNORS. Around \$6 million. How much is the property known as 13 Astor Place, New York City, worth?

Mr. LIVINGSTON. Well, that is a difficult question to answer, Mr. Connors. It is worth a great deal to us and less to others. I don't know quite what you mean by what it is worth.

Mr. CONNORS. Then take the appraisal value, if you will.

Mr. LIVINGSTON. You mean how much would be assessed for tax purposes?

Mr. CONNORS. Yes.

Mr. LIVINGSTON. Perhaps about \$400,000, or thereabouts.

Mr. CONNORS. \$400,000 is the assessment for taxes?

Mr. LIVINGSTON. I think so.

Mr. CONNORS. Or \$400,000 is the net worth of the property?

Mr. LIVINGSTON. Assessment for taxes. It is undoubtedly worth more than that, although I don't know what it would be worth if you put it on the market because it has been set up in such a way as to be most useful to our members.

If you saw the building, you would see that it is primarily set up to be sort of a second home to the members and useful for our kind of big membership organization where thousands of people are in and out of the building every day.

Mr. CONNORS. There are a couple of bars in the building, are there not?

Mr. LIVINGSTON. No, there is a restaurant which serves sandwiches and also has a liquor license.

Mr. CONNORS. You have a liquor license, and you do serve liquor in the building. Is that not correct?

Mr. LIVINGSTON. I said so, yes.

Mr. CONNORS. What are the other sources of assets of this trust which you spoke about a moment ago? You have said that the net worth of the trust is approximately \$6 million. Of that \$6 million, \$400,000 represents the building. What does the other \$5,600,000 represent?

Mr. LIVINGSTON. Either cash or investment, one or the other.

Mr. CONNORS. What type of investments?

Mr. LIVINGSTON. Largely Government bonds, but there may be other investments that are legal under the laws of the State of New York.

Mr. CONNORS. Does the trust conduct an insurance business?

Mr. LIVINGSTON. No.

Mr. CONNORS. Does any section of District 65 conduct an insurance business?

Mr. LIVINGSTON. Well—

Mr. CONNORS. By insurance business, I mean does it engage in such insurance for the members of District 65?

Mr. LIVINGSTON. Mr. Connors, I suggest that you rephrase that question. It would be illegal for us to engage in insurance business and we do not do that. If you are inquiring as to whether or not the Security Plan provides various kinds of health and welfare benefits, the answer to that question is yes, but not as insurance.

Mr. CONNORS. It would not be illegal for you to conduct insurance if you had permission from the State of New York, and I am trying to find out if you do.

Mr. NEUBURGER. That is not necessarily so. It is operated under an exception in the insurance law which does not require permission.

Mr. CONNORS. What is the nature of the business to which you have just alluded, benefits and so forth?

Senator JENNER. I believe you said health and sickness.

Mr. LIVINGSTON. The security plan provides two types of benefits, largely: One is retirement benefits, where a member or some member covered by the plan may retire at a given age at a given amount of money, and the other type of benefits occur in the event of sickness.

They provide sick benefits, hospitalization for the members and their families, surgical benefits for the members and their families, and related benefits.

Mr. CONNORS. Does the trust have a steady income?

Mr. LIVINGSTON. Yes.

Mr. CONNORS. And approximately what is the yearly income of the trust?

Mr. LIVINGSTON. If you will give me a moment, I will make a rough calculation.

Mr. CONNORS. You can give us the way by which the money comes into the trust, and we can compute it ourselves.

Mr. LIVINGSTON. I will give it to you roughly in a few moments. I would say it, the income, is roughly \$3 million a year.

Mr. CONNORS. And is that drawn from membership dues?

Mr. LIVINGSTON. No.

Mr. CONNORS. What is the source of that income?

Mr. LIVINGSTON. The employers pay 6.5 percent of earnings to the security plan.

Mr. CONNORS. You mean 6.5 percent of the employee's earnings?

Mr. LIVINGSTON. Yes. That is accurate as you put it, yes.

Mr. CONNORS. You understand, do you not, that you will also furnish us the names and identities of the seven employers who are trustees?

Mr. LIVINGSTON. Yes, I will.¹

Mr. CONNORS. The subpoena duces tecum also called for a list of officers, business agents, executive board members, if any, of the aforesaid district 65.

Mr. LIVINGSTON. I have a list of the officers. We do not have business agents or trustees.

Mr. CONNORS. May that be incorporated into the record?

Senator JENNER. Yes, it may go into the record.

(Information referred to was filed for reference.)

Mr. CONNORS. Mr. Livingston, do you know a person named Lillian Ross?

¹ The information was furnished by letter dated March 4, 1952, which is reproduced below:

NEW YORK 5, N. Y., March 4, 1952.

PAT MCCARRAN,
Chairman, Committee on the Judiciary,
Senate Office Building, Washington, D. C.

DEAR SIR: I am returning herewith the typewritten list with the correction of spelling of names and inclusion of addresses of individuals as the records reflect the same.

In connection with the specific locals mentioned in your letter of February 27, the national office records indicates that local 11 has only two officers; there is no record of officers for local 22; and that there are two for local 34 and one from local 43.

Your committee also wanted to know the names of the trustees of the 65 Security Plan. The seven employer trustees are: Frederick Ballon, Melvin S. Cohen, Charles Entmacher, Sidney Felsenfeld, Gerard Juliber, Morris Kaplan, and Bertram Levy. The seven union trustees are: Nicholas Carnes, David Livingston, Winifred Norman, Arthur Osman, Jack Paley, Cleveland Robinson, and Molly Genser.

I believe that the enclosed corrected list with the above information constitutes all the additional information required by you.

Very truly yours,

SAMUEL A. NEUBURGER,
Attorney at law.

Mr. LIVINGSTON. Could you identify whom you are talking about?

Mr. CONNORS. Let me put it to you as a fact and ask you to affirm or deny the fact that on or about November 22, 1943, you consulted with Lillian Ross at the Communist Party headquarters, State headquarters, in New York City.

Mr. LIVINGSTON. I decline to answer that question.

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

Mr. LIVINGSTON. I decline to answer the question. My reason in both cases is the constitutional one, relating to the fifth amendment.

Mr. CONNORS. In that if you answered the question, it might tend to incriminate you, is that correct?

Mr. LIVINGSTON. In that the question itself is incriminating.

Mr. CONNORS. Were you a member of the Communist Party in 1937?

Mr. LIVINGSTON. I decline to answer that question on the same grounds.

Mr. CONNORS. Were you business agent of local 65 in 1937?

Mr. LIVINGSTON. I don't know whether that was my exact title. I was connected with local 65 at that time.

Senator JENNER. I believe the witness testified he was an organizer at that period.

Mr. LIVINGSTON. Yes.

Mr. CONNORS. Have you attended Communist Party trade-union meetings at the Communist Party headquarters in New York between 1933 and 1946?

Mr. LIVINGSTON. I decline to answer that question on the same grounds.

Mr. CONNORS. Were you in Honolulu in January 1946?

Mr. LIVINGSTON. I was.

Mr. CONNORS. And what was your business in Honolulu at the time, Mr. Livingston?

Mr. LIVINGSTON. Government business.

Mr. CONNORS. Were you in the Army at the time?

Mr. LIVINGSTON. Yes; I was.

Mr. CONNORS. And did you take part in a demonstration in Honolulu on or about January 1946?

Mr. LIVINGSTON. You would have to define a little more carefully what you mean by a demonstration.

Mr. CONNORS. Did you participate in a public demonstration in Honolulu at about that time?

Mr. LIVINGSTON. I will have to ask that you define that a shade more clearly, Mr. Connors.

Mr. CONNORS. You do not recall taking part in any public demonstration?

Mr. LIVINGSTON. I am asking you to define what you mean by a public demonstration.

Mr. CONNORS. Let me put it to you as a fact and ask you to affirm or deny the fact that you took part in a so-called GI demobilization protest in Honolulu in January 1946.

Mr. LIVINGSTON. That is correct. I affirm that.

Mr. CONNORS. Now, prior to your induction in the Army—and by the way, when were you inducted into the Army?

Mr. LIVINGSTON. 1944.

Mr. CONNORS. Prior to that, were you a member of the Young Communist League?

Mr. LIVINGSTON. I decline to answer that on the same grounds.

Mr. CONNORS. I put it to you as a fact that you were chairman of the credential committee of the Young Communist League in 1943, and that you took part in demobilization protest in Honolulu in January 1946, as a member of the YCL, and as a member of the Communist Party, and ask you to affirm or deny that fact.

Mr. LIVINGSTON. If you will pardon me, that is such a complicated question I couldn't react to it. If you will break it down into its various parts, I will be glad to answer it for you.

Mr. CONNORS. The question seemed fairly simple to me. It has three component parts. You took part in a demobilization protest meeting in Honolulu in January of 1946.

Mr. LIVINGSTON. You said that I did.

Mr. CONNORS. And I said to you that you took part in that meeting as a member of the YCL, and as a member of the Communist Party.

Senator JENNER. Yes or no.

Mr. LIVINGSTON. If the intent of that question was to ask me whether or not I was a member of the Communist Party or the Young Communist League, I decline to answer that question.

Mr. CONNORS. I have here a photostatic copy of what is alleged to be part of a contract which an employer in New York City has with DPOWA, specifically with district 65, and I ask you to read the section entitled "Holidays."

Is that an accurate reproduction of the standard form of contracts which district 65, DPOWA, has with employers in New York City? I realize your contracts may not all be the same.

Mr. LIVINGSTON. Well, I don't know that it is a duplicate of a standard contract. It looks, from its appearance, as it might be a copy of some contracts that we have. I will put it that way.

Mr. CONNORS. Is it customary in your contracts to ask or to demand the employer grant one-half day off for the employees on May Day?

Mr. LIVINGSTON. Well, when you ask me is it customary, that reveals there is some lack of information about how our union operates, Mr. Connors. There is nothing really that is customary. The terms of the contract or the demands made upon the employer are a result of meetings of the workers who decide what they want to ask for.

And when they have decided what they want to ask for, that is put to the employer and then, of course, there is bargaining and the end result is included in the contract.

Mr. CONNORS. Do most of your contracts specify that the employees have one-half day off on May Day?

Mr. LIVINGSTON. I would say that the contracts covering the overwhelming majority of our members do not provide for that.

Mr. CONNORS. What is the purpose of providing for one-half day off on May Day in those contracts which do have that proviso?

Mr. LIVINGSTON. I would suspect that the purpose, wherever it does appear, is to give the workers who want it a half-day off on that day.

Mr. CONNORS. Does your union participate in the May Day celebrations in New York City?

Mr. LIVINGSTON. Well, there, too, Mr. Connors, you suggest a lack of information about how our union functions. There is no standard rule on some matters. At times, some of our members have participated in the May Day demonstration and in others they didn't.

Last year, for example, the union, as an institution, did not participate in the May Day parade, although some sections of our members who chose to did.

Mr. CONNORS. Did you?

Mr. LIVINGSTON. I personally did not.

Mr. CONNORS. Did you the year before last?

Mr. LIVINGSTON. You asked me about the year before, I think. I think that since you have asked me about my personal activity I will decline to answer that question since May Day has been characterized as a Communist holiday.

Mr. CONNORS. I respectfully submit that the witness has started to answer questions concerning this area of interrogation and has waived his privilege with respect to that area of interrogation.

Senator JENNER. I believe that is right.

Mr. NEUBURGER. May I call to your attention, Mr. Senator, that the witness has answered in relation to the union. The question is asked as to what the union had as their objectives. The first question asked about it was the last question.

Senator JENNER. The first question was about the union.

Mr. NEUBURGER. About the union, that is right.

Senator JENNER. He said the union last year did not. Then the question was, did the union the year before, and he said if it was a personal——

Mr. NEUBURGER. No, he asked whether he did, not the union.

Mr. CONNORS. I asked whether he participated last year and he said no. Then I asked whether he participated the year before last, and he declined to answer.

Mr. LIVINGSTON. I can explain this in the following fashion: As an officer of the union under no circumstances would I participate unless the union did. The union not having participated last year, I have no hesitation that as an officer I respected the decision of our officers and did not participate.

When the question was asked about my personal participation in previous years, since there was no relationship to the union, I choose then to take my constitutional privilege and refuse to answer that question. I think that is consistent.

Mr. CONNORS. I think it is mere subterfuge. The question did not deal with any union direction or requirement. It dealt with your personal participation in the May Day parade.

Mr. LIVINGSTON. I previously informed you, Mr. Connors, that the union had not participated and I am merely informing you that I carried out the wishes of the union in that year. When you asked me about the previous occasions, I declined to answer that because it might incriminate me personally.

Senator JENNER. Have you ever participated in the union demonstrations on May Day since you have been either an organizer or an officer of the union?

Mr. LIVINGSTON. Since that question relates to me personally, sir, I decline to answer it.

Senator JENNER. You have stated that this provision is in some of the union contracts.

Mr. LIVINGSTON. Yes, sir.

Senator JENNER. Of your own personal knowledge, did the members of your union participate in the union demonstration?

Mr. LIVINGSTON. Some members of our union have participated.

Senator JENNER. What percentage, if you know?

Mr. LIVINGSTON. I would be unable to make an estimate of that.

Senator JENNER. You say you have 35,000 members of district 65?

Mr. LIVINGSTON. Correct, sir.

Senator JENNER. Would you say as many as 5,000 participated?

Mr. LIVINGSTON. I would be unable to make an estimate of the exact number, Mr. Senator.

Senator JENNER. You have no idea?

Mr. LIVINGSTON. Well, there were varying amounts in different years, I guess.

Mr. CONNORS. May the photostatic copy of part of the union contract go into the record?

Senator JENNER. It is marked, and it may go into the record.

(The document referred to is as follows:)

Effective as of October 31, 1949, the wage of each employee shall be increased by the sums listed in schedule A attached to this agreement and made part hereof.

11. HOLIDAYS

(a) The employer agrees to pay the employees full salary for the following holidays, as if they worked thereon: New Year's Day; Washington's Birthday; Decoration Day; Fourth of July; Labor Day; Thanksgiving Day; Christmas Day; two days Rosh Hashonah; Yom Kippur; one-half election day, except in presidential election year, which shall be a full day; one-half May Day, for the purpose of participating in a union demonstration.

Rosh Hashonah or Yom Kippur or May Day, falling on a week end, will not be paid for. All other holidays falling on a week end shall be paid for.

(b) No employee shall be required to work on a holiday unless the union consents. In the event an employee shall work on a holiday with the consent of the union, as hereinabove set forth, he shall receive pay at the rate of double time.

12. VACATIONS

(a) All employees who shall have been employed for a period exceeding 3 months but less than 6 months on September 1 in each year shall receive a vacation of at least 3 days with pay in advance. All employees who shall have been employed for a period exceeding 6 months but less than 1 year on September 1 in each year shall receive a vacation of at least 1 week with pay in advance. All employees who shall have been employed for a period of 1 year or more on September 1 in each year shall receive a vacation of at least 2 weeks with pay in advance. Should a holiday occur during the vacation period of any employee, such employee shall be entitled to one additional day of vacation.

Mr. CONNORS. Do you know a man named Hal Simon?

Mr. LIVINGSTON. Would you tell me a little bit more about him, Mr. Connors?

Mr. CONNORS. Do you recall knowing a man named Hal Simon without my telling you any more about him?

Mr. LIVINGSTON. I would have to decline to answer that question Mr. Connors.

Mr. CONNORS. Why do you decline to answer it?

Mr. LIVINGSTON. Because you have been suggesting individuals along a certain line in this proceeding, and I suspect that, from the

tone of your question, that Mr. Simon is someone related to Communist organizations and, therefore, I would have to decline to answer.

Mr. CONNORS. Do you know whether Hal Simon is related to Communist organizations?

Mr. LIVINGSTON. I would have to decline to answer that question.

Mr. CONNORS. Did you ever have a conversation with Hal Simon?

Mr. LIVINGSTON. I would decline to answer that question.

Mr. CONNORS. I put it to you as a fact that on April 3, 1946, you had a consultation with Hal Simon and the subject of that consultation was a discussion of May Day preparations for 1946.

Mr. LIVINGSTON. I would decline to answer that question.

Mr. CONNORS. Were you invited to attend a 3-month Communist Party training school, from October 1, 1947, to December 21, 1947?

Mr. LIVINGSTON. I would decline to answer that question.

Mr. CONNORS. Have you ever been in Communist Party headquarters in New York City, Mr. Livingston?

Mr. LIVINGSTON. I would decline to answer that question.

Mr. CONNORS. Have you ever consulted with Roy Hudson?

Mr. LIVINGSTON. I would decline to answer that question.

Mr. CONNORS. As a matter of fact, in 1950, and more specifically in October of 1950, the Communist Party designated you as their contact with DPOWA; is that not so?

Mr. LIVINGSTON. I would decline to answer that question.

Mr. CONNORS. Were you ever a member of the American League for Peace and Democracy?

Mr. LIVINGSTON. I decline to answer that question.

Mr. CONNORS. Why?

Mr. LIVINGSTON. Because that organization has been described variously as a Communist or Communist-front organization. I decline on the same general grounds.

Mr. CONNORS. I put it to you as a fact and ask you to affirm or deny the fact that in August 1940 you were a delegate to the Emergency Peace Mobilization Convention held in Chicago, Ill.

Mr. LIVINGSTON. Just a moment. I decline to answer.

Mr. CONNORS. What did you do in the Army, Mr. Livingston?

Mr. LIVINGSTON. I guess I did the usual thing.

Mr. CONNORS. What were you, a rifleman, a machine gunner, a tank man, or what did you do? What was your assignment?

Mr. LIVINGSTON. I was assigned to the combat engineers.

Mr. CONNORS. What battalion?

Mr. LIVINGSTON. You are asking me a hard one. I don't remember.

Mr. CONNORS. Was the combat battalion assigned to a division?

Mr. LIVINGSTON. I don't think it was. I am not sure.

Mr. CONNORS. You were not part of the Ninety-sixth Division in Hawaii?

Mr. LIVINGSTON. I don't think we were.

Mr. CONNORS. Did you assist in organizing the Hawaiian Youth for Democracy at the University of Hawaii during the fall of 1945?

Mr. LIVINGSTON. I would decline to answer that question.

Mr. CONNORS. Why would you decline to answer a question like that?

Mr. LIVINGSTON. My impression is, Mr. Connors, that that organization was described in the press and elsewhere as a Communist or Communist influenced or dominated, and I would decline on the same grounds.

Mr. CONNORS. Most all Communist organizations claim to be fighting for democracy; do they not?

Mr. LIVINGSTON. You would know more about that than I would, and I would decline to answer that question.

Mr. CONNORS. I put it to you as a fact that you sponsored the Hawaiian Youth for Democracy, which was a Communist-sponsored organization in Hawaii, and that you participated in it.

Mr. LIVINGSTON. I decline to answer that.

Mr. CONNORS. Were you ever a member of the American Youth for Democracy?

Mr. LIVINGSTON. I decline to answer that.

Mr. CONNORS. I put it to you as a fact that you were a member of the Tom Paine Club of the American Youth for Democracy in the City College in New York City in January 1943, and ask you to affirm or deny the fact.

Mr. LIVINGSTON. I decline to answer that.

Mr. CONNORS. Did you ever hear of the Labor Canteen School in Hawaii?

Mr. LIVINGSTON. Yes, I did.

Mr. CONNORS. Were you an instructor in the Labor Canteen School in Hawaii?

Mr. LIVINGSTON. Just a moment. What was the question, please?

Mr. CONNORS. Were you an instructor at the Labor Canteen School in Hawaii, in January 1946?

Mr. LIVINGSTON. Yes; I was an instructor.

Mr. CONNORS. Were you a Communist at that time, Mr. Livingston?

Mr. LIVINGSTON. I decline to answer that.

Mr. CONNORS. Did you ever know a man named Harvey Matusow?

Mr. LIVINGSTON. I don't recall the name at all.

Mr. CONNORS. Did you ever have a book shop in 13 Astor Place, New York City?

Mr. LIVINGSTON. There was a concession run by somebody.

Mr. CONNORS. What was the name of that book shop?

Mr. LIVINGSTON. I don't remember what they called it. I don't even know whether it had a name, to tell you the truth.

Mr. CONNORS. Was it not the 65 Book Shop?

Mr. LIVINGSTON. I have already said I don't recall what they called it.

Mr. CONNORS. Is it still in 13 Astor Place, New York City?

Mr. LIVINGSTON. No.

Mr. CONNORS. Let me read to you from some sworn testimony by Mr. Harvey Matusow, and ask you to comment upon the testimony:

On the tenth floor of their headquarters at 13 Astor Place, New York City, there was a book shop called 65 Book Shop which was run directly by Wholesale Book Corp. * * *

Is that name familiar to you, the Wholesale Book Corp.?

Mr. LIVINGSTON. You would have to tell me more.

Mr. CONNORS. Continuing with the quotation:

Wholesale Book Corp. and the Communist Party. The manager of this book shop was Jack. He was a member of the Communist Party, identified to me by the State literature director of the Communist Party and by himself, at various times at Communist Party headquarters on Twelfth Street. All of the literature he sold at this book shop was bought from Wholesale Book Corp. under the direction of the Communist Party. He didn't have a free hand at picking his own literature.

Was the 65 Book Shop located on the tenth floor of 13 Astor Place a Communist Party book shop, Mr. Livingston?

Mr. LIVINGSTON. I would decline to answer that.

Mr. CONNORS. Why would you decline to answer that?

Mr. LIVINGSTON. For the same reason.

Mr. CONNORS. Because an answer might tend to incriminate you?

Mr. LIVINGSTON. No; because the question itself is incriminating.

Mr. CONNORS. Questions are not incriminating. A negative answer to the question would not incriminate you, would it?

Mr. LIVINGSTON. I have already answered, Mr. Connors.

Mr. CONNORS. Continuing with the testimony of Mr. Matusow, let me ask you to comment on the testimony:

When I was a full-time employee of the Communist Party of New York County, Norman Ross, who was at that time New York County trade-union secretary, had direct contact daily with members of local 65, and did instruct them as to party policy and party procedures to be followed in the union. Now, this includes such people as Lee Scharf, whom I mentioned before. Some of the people that Ross had contact with were: William Michelson, Norma Aronson, who at that time was president of Local 65, United Office and Professional Workers; David Livingston, Victoria Garvin, James Durkin, and other people.

Did you have contact with Mr. Norman Ross?

Mr. LIVINGSTON. I would decline to answer that on the same grounds.

Mr. CONNORS. Do you know Norman Ross?

Mr. LIVINGSTON. I would decline to answer.

Mr. CONNORS. Who is Norma Aaronson?

Mr. LIVINGSTON. Norma Aaronson is an officer of our union.

Mr. CONNORS. Was she at one time president of Local 65, United Office and Professional Workers Union?

Mr. LIVINGSTON. I am not familiar with Miss Aronson's various offices.

Mr. CONNORS. Was she at one time an officer of UOPWA?

Mr. LIVINGSTON. I don't know whether she was an officer of the UOPWA or not. She may have been.

Mr. CONNORS. Who was Victoria Garvin?

Mr. LIVINGSTON. She is a member of our union.

Mr. CONNORS. Is she a member of the Communist Party?

Mr. LIVINGSTON. I decline to answer.

Mr. CONNORS. How would it incriminate you to say whether or not Victoria Garvin is a member of the Communist Party?

Mr. LIVINGSTON. Mr. Connors, I am just afraid that knowledge of anything connected with the Communist Party or Communists could be incriminating, and I am not going to put myself in that position, nor am I going to act as an informer for this committee or anybody else.

Mr. CONNORS. Senator Jenner and I know something about the Communist Party, and we are not incriminated thereby.

Mr. LIVINGSTON. You had better consult with your counsel, then, Mr. Connors.

Mr. CONNORS. I respectfully suggest that the chairman might wish to order Mr. Livingston to answer the question whether or not Victoria Garvin is known to him as a Communist.

Mr. LIVINGSTON. I—

Senator JENNER. That is a proper question, I think, Mr. Livingston.

Mr. NEUBURGER. May I call your attention to the point that this has

been acted on on more than one occasion by other Senators, with due respect. The question necessarily implies a knowledge by the witness. A knowledge which has been a link in a chain has been something which has been sustained as being incriminating.

Senator JENNER. I think it is a proper question, and I cannot see where there is anything incriminating in the question. I direct the witness to answer.

Mr. LIVINGSTON. I stand on my position, sir.

Mr. CONNORS. Is Arthur Osman a Communist?

Mr. LIVINGSTON. The same answer.

Mr. CONNORS. You refuse to answer whether to the best of your knowledge Mr. Osman is a Communist?

Mr. LIVINGSTON. My answer stands on that, Mr. Connors.

Mr. CONNORS. I put it to you as a fact that you marched in a May Day parade in 1950 and made a speech from the reviewing stand of that parade calling for a voluntary demonstration of peace, and I ask you to affirm or deny that fact.

Mr. LIVINGSTON. I decline to answer that.

Senator JENNER. Why do you decline to answer that question?

Mr. LIVINGSTON. May Day has been described as a Communist holiday, sir, and my participation in it, if I had participated in it, might be a link in a chain designed to—

Senator JENNER. Which would tend to incriminate you?

Mr. LIVINGSTON. Incriminate, degrade, subject me to various kinds of hysterical attacks which are taking place in this country, and I don't intend to answer it.

Mr. CONNORS. The immunity does not extend to degradation or to any "hysterical attack" to which you might be subjected. It just extends to incrimination.

Mr. LIVINGSTON. I included the term "incrimination," Mr. Connors. I added gratuitously that other penalties are also there.

Senator JENNER. But the basic reason that you will not answer is that it may tend to incriminate you.

Mr. LIVINGSTON. That the question is incriminating; yes.

Mr. CONNORS. The May Day parade in New York City is not an illegal parade, is it?

Mr. LIVINGSTON. Mr. Connors, it is my impression that the May Day parade was referred to in the Smith Act trials as a Communist operation, and on that ground I would have to decline to answer the question which you put to me.

Mr. CONNORS. Before a parade can be held in New York City, it is necessary to obtain a permit from the necessary city officials, is it not?

Mr. LIVINGSTON. I believe that it is. I am not certain.

Mr. CONNORS. Consequently, if the permit were granted in May 1950, such an operation would not be illegal, would it?

Mr. LIVINGSTON. It would not be illegal to the extent that a permit were granted by the city of New York. But citizens are subject to laws and actions, legal actions, other than by the city. There is a State and Federal Government, and an action which might be legal in the city of New York might become a link in a chain of evidence set up by the Federal Government that might have quite a different meaning. In the light of the fact that in the Federal Smith Act trials the May Day parade was referred to as a Communist operation, despite

the fact that a permit may have been granted by the New York City police, I would decline to answer questions connected with it.

Mr. CONNORS. How do you know that the May Day parade was referred to in the Smith Act trial of the 11 Communist leaders in New York City?

Mr. LIVINGSTON. It was referred to in the press.

Mr. CONNORS. Did you read in the press, or did counsel advise you that it was referred to in the press?

Mr. LIVINGSTON. I read it in the press.

Mr. CONNORS. You are sure you read it in the press?

Mr. LIVINGSTON. Yes.

Mr. CONNORS. Did counsel just advise you that it was printed in the press?

Mr. LIVINGSTON. He reminded me that it had been.

Mr. CONNORS. Did you ever see the 1938 yearbook of the New York State Young Communist League?

Mr. LIVINGSTON. I would decline to answer that question.

Mr. CONNORS. As a matter of fact, your photograph appeared on page 28 of the 1938 yearbook of the New York State Communist League, did it not?

Mr. LIVINGSTON. I would decline to answer that question.

Mr. CONNORS. Did you ever talk to Judge Medina?

Mr. LIVINGSTON. I would decline to answer that.

Mr. CONNORS. Well, I put it to you as a fact and ask you to affirm or deny the fact that you approached Judge Medina as part of a delegation of trade-union leaders and demanded from him the release of four Communists imprisoned by Judge Medina for contempt of court.

Mr. LIVINGSTON. I would decline to answer that.

Mr. CONNORS. And I put it to you as a fact and ask you to affirm or deny the fact that on June 26, 1949, the issue of the Sunday Worker carried a photograph of several union leaders, captioned "They told it to the judge," in which your picture appeared.

Mr. LIVINGSTON. You put it to me, did you?

Mr. CONNORS. Yes.

Mr. LIVINGSTON. What did you want me to do about it?

Mr. CONNORS. Affirm it or deny it.

Mr. LIVINGSTON. I decline to answer it.

Mr. CONNORS. It might incriminate you; is that correct?

Mr. LIVINGSTON. I have given my answer, Mr. Connors.

Mr. CONNORS. And were you a speaker at a meeting of the Broadway Actors' Association at the Capitol Hotel, New York City, on September 8, 1949, at which you condemned the trial of the 12 members of the national committee of the Communist Party?

Mr. LIVINGSTON. If you could tell me who sponsored this meeting—what did you say it was?

Mr. CONNORS. The meeting of the Broadway Actors' Association, on September 8, 1949.

Mr. LIVINGSTON. I never heard of the Broadway Actors' Association. I will tell you that at various times I have condemned the imprisonment of the leaders of the Communist Party, and legislation generally infringing the rights of Communists, because I believe personally that limitation of the rights of Communists leads to the limi-

tation of the rights of everybody. That is a personal opinion. It is shared widely by—

Mr. CONNORS. Communists?

Mr. LIVINGSTON. Well, such Communists as the national convention of the CIO and other labor organizations. Now, it is interesting to know that you regard practically all labor as Communists, Mr. Connors, but I don't.

Mr. CONNORS. Do not make a statement like that.

Senator JENNER. Mr. Connors never imputed anything like that.

Mr. LIVINGSTON. Mr. Connors made the statement that the only people that think that of the rights of all people are Communists.

Senator JENNER. But that did not say labor.

Mr. LIVINGSTON. By implication, then, everybody who opposes limitations of the rights of people are Communists. And I pointed out, sir, that the national convention of the CIO went on record as deploring the Supreme Court decision of the Smith Act on the grounds that limitation of the Communists leads to limitations of the rights of everybody. And if Mr. Connors regards only Communists as people who feel that way, then he is including labor, including such a great institution as the CIO.

Senator JENNER. I ask if the Communist Party's avowed purpose was the overthrow of this Government, would you still make the same answer?

Mr. LIVINGSTON. I oppose, sir, the overthrow of this Government by anybody. I believe in democracy. I simply state this as my personal belief.

Senator JENNER. Let me ask you this question: If the Communist Party's avowed purpose is the overthrow of this Government by violence, would you still make the same statement you have made?

Mr. LIVINGSTON. Senator, I don't want to engage in a philosophical discussion with you. I state simply a truth. I was asked did I make a speech at a given place. I don't remember the organization he refers to. I say that my own view, the view of the membership of my union, the view of the broadest sections of labor is that legal limitations and restrictions on the rights of Communists leads to limitations on the rights of others, create an atmosphere of hysteria, create an atmosphere where people can't think, create an atmosphere where everything decent is labeled and smeared and people can't operate.

I would call to your attention, Senator, the views of the Supreme Court Justice Douglas which run to the same effect.

Senator JENNER. Then I would like to get an answer to this question. Do you think that it is wrong to limit, then, people who have a belief that this Government should be overthrown, even by force and violence? Do you think those people should not be limited in their activities?

Mr. LIVINGSTON. I did not say, sir, anything like that. In the first place, people's beliefs in my opinion are their own business. Secondly, I would be opposed to limiting people's beliefs in anything.

Senator JENNER. Regardless of their objective?

Mr. LIVINGSTON. I wouldn't care what anybody believed. I don't want to engage in mind reading. Beliefs are people's business. There are adequate laws on the books of this country to protect it against violent overthrow by anybody, and I am for protection of this

country from violence from any source. But I am opposed to the kind of hysteria and witch hunts that are going on in this country now.

Mr. CONNORS. Do you believe that the judiciary system set-up in this country now is a democratic one?

Mr. LIVINGSTON. I imagine it might have some—you put a question to me about which I am not completely qualified to make a statement.

Mr. CONNORS. Let me ask you this question: Do you not regard a finding of fact by 12 jurymen in New York City in Foley Square, trying 11 Communist Party members, as a binding and valid finding of fact, or do you not regard it as valid and binding unless you happen to be on that jury?

Mr. LIVINGSTON. First of all, the question is insulting, Mr. Connors.

Mr. CONNORS. The question points up to you that a jury of 12 men and women found, as a matter of fact, that the defendants were guilty of conspiring to overthrow the Government of the United States by force and violence.

Mr. LIVINGSTON. Four members of the Supreme Court, several members of the Supreme Court at least—

Mr. CONNORS. They did not pass on a finding of fact at all.

Mr. LIVINGSTON. Several members of the Supreme Court expressed the belief that the result of the trials in Foley Square were against the deepest interests of America. I share their belief. You can do what you like with it.

Mr. CONNORS. Who is Morris Doswell, Mr. Livingston?

Mr. LIVINGSTON. A member of our staff.

Mr. CONNORS. Have you any knowledge of an entrance made by Mr. Doswell into the office of a man named Henry Allen, who runs an organization called Universal Fabricators?

Mr. LIVINGSTON. I heard something about it. But you will have to be a little more specific.

Mr. CONNORS. Did you appear with Mr. Doswell in magistrate's court at any time within the past year?

Mr. LIVINGSTON. No.

Mr. CONNORS. Do you know whether or not Mr. Doswell was in magistrate's court as a result of an entrance he made in the office of Mr. Henry Allen?

Mr. LIVINGSTON. I don't know about Mr. Henry Allen. It is the first I heard of his name. But it is possible an organizer might be in magistrate's court. That is pretty run of the mill in labor affairs.

Mr. CONNORS. Do you condone strong-arm methods in your union activities?

Mr. LIVINGSTON. Mr. Connors, I could say your question is insulting because it implies there are strong-arm methods.

Mr. CONNORS. I ask you if you condone them.

Mr. LIVINGSTON. There are no strong-arm methods in our union.

Senator JENNER. Then your answer is you would not condone it if there were?

Mr. LIVINGSTON. Since I have said there are not any, I do not see where I would have to say I condone or would not.

Mr. CONNORS. I put it to you as a fact that 24 members of your executive board are members of the Communist Party.

Mr. LIVINGSTON. I decline to answer that question.

Senator JENNER. On what grounds?

Mr. LIVINGSTON. That the question is incriminating, and the answer might tend to incriminate me.

Mr. CONNORS. Have you signed a non-Communist affidavit as required by the Taft-Hartley law?

Mr. LIVINGSTON. Yes, I have.

Mr. CONNORS. Were you a Communist when you signed that affidavit?

Mr. LIVINGSTON. The affidavit speaks for itself.

Mr. CONNORS. Do you decline to answer the last question?

Mr. LIVINGSTON. I said that my affidavit spoke for itself.

Mr. CONNORS. I put it to you as a fact and ask you to affirm or deny the fact that you attended the New York State Communist Party Convention at Stuyvesant Casino in New York City on December 22, 1950—December 22, 23, and 24, 1950.

Mr. LIVINGSTON. I decline to answer that.

Mr. CONNORS. You are appearing here in answer to a subpoena, is that correct, Mr. Livingston?

Mr. LIVINGSTON. Yes, sir.

Senator JENNER. If there are no further questions, the witness will be discharged.

(Whereupon, at 11:05 a. m., Wednesday, February 20, 1950, the hearing was recessed subject to the call of the Chair.)

SUBVERSIVE CONTROL OF DISTRIBUTIVE, PROCESSING, AND OFFICE WORKERS OF AMERICA

THURSDAY FEBRUARY 21, 1952

UNITED STATES SENATE,
SUBCOMMITTEE TO INVESTIGATE THE ADMINISTRATION
OF THE INTERNAL SECURITY ACT AND OTHER INTERNAL
SECURITY LAWS OF THE COMMITTEE ON THE JUDICIARY,
Washington, D. C.

The subcommittee met at 10 a. m., pursuant to call, in room 457, Senate Office Building, Senator Homer Ferguson, presiding.

Present: Senator Ferguson.

Also present: Richard Arens, staff director; Mitchel M. Carter, investigator; Edward R. Duffy, investigator; Winton H. King, investigator, and John F. Miller, investigator.

Senator FERGUSON. The hearing will be in order.

Will you raise your right hand, please. Do you solemnly swear that in the matter now pending before this committee, being the subcommittee of the Judiciary Committee of the United States Senate, you will tell the truth, the whole truth and nothing but the truth, so help you God?

Mrs. GOLDBERG. I do.

Senator FERGUSON. Will you be seated, please.

Mr. ARENS. Will you kindly identify yourself by name and residence.

TESTIMONY OF MRS. ESTHER GOLDBERG, NEW YORK CITY, ACCOMPANIED BY SAMUEL A. NEUBURGER, NEW YORK, N. Y.

Mrs. GOLDBERG. My name is Esther Goldberg, and I reside at Apartment 1-R, 108 East Seventeenth Street, New York City.

Mr. ARENS. And are you appearing today in response to a subpoena which was served upon you?

Mrs. GOLDBERG. That is right.

Mr. ARENS. And you are represented by counsel?

Mrs. GOLDBERG. I am.

Mr. ARENS. Will counsel kindly identify himself.

Mr. NEUBURGER. Samuel A. Neuburger, 76 Beaver Street, New York City.

Mr. ARENS. Have you always gone under the name of Esther Goldberg?

Mrs. GOLDBERG. That is my married name. I am known as Esther Letz.

Senator FERGUSON. And your married name now is Goldberg?

Mrs. GOLDBERG. Yes.

Senator FERGUSON. What was your maiden name, Letz?

Mrs. GOLDBERG. No, my maiden name was Cohen. My first marriage name was Letz.

Senator FERGUSON. And now you are known to people as Letz?

Mrs. GOLDBERG. Well that is the name I have used all of these years; yes. I have been known as Esther Letz.

Mr. ARENS. When and where were you born?

Mrs. GOLDBERG. I was born on February 20, 1916, in New York City.

Mr. ARENS. Where were your parents born.

Mrs. GOLDBERG. My parents were born in Russia.

Mr. ARENS. When did they immigrate to the United States?

Mrs. GOLDBERG. I don't know exactly. They have been here for many years. I don't know the date.

Mr. ARENS. What is your present occupation, Mrs. Goldberg?

Mrs. GOLDBERG. I am executive secretary of the United Labor Action Committee.

Mr. ARENS. What is the United Labor Action Committee? Will you kindly identify it.

Mrs. GOLDBERG. Excuse me just a minute. I must refuse to answer that question based on my rights under the fifth amendment.

Senator FERGUSON. You refuse to answer that then on the ground that it may tend to incriminate you?

Mrs. GOLDBERG. That is right.

Mr. ARENS. How long have you been so identified with the United Labor Action Committee?

Mrs. GOLDBERG. I must refuse to answer that question based on the fifth amendment.

Senator FERGUSON. You see the position that that puts the committee in. If one refuses to answer that, it indicates beyond any doubt that that must be a Communist organization.

Mrs. GOLDBERG. Well, may I explain my position? I recently appeared before the grand jury. As a matter of fact, I am still under subpoena before the grand jury.

Senator FERGUSON. What you testified to before the grand jury does not stop you from testifying here.

Mrs. GOLDBERG. Well, except that, based on my situation before the grand jury, with all of the implications upon me personally, I am placed in such a position where to answer the question here would very definitely incriminate me.

Mr. ARENS. Mr. Chairman, the witness has responded in answer to a previous question that she was executive secretary of this organization. Now, the pending question is how long she has been so identified, and I submit to the chairman that in ruling on the proposition of whether or not to order the witness to answer the question the Senator should bear in mind that the witness has already opened the door.

Senator FERGUSON. I have that in mind.

Mr. ARENS. She has already gone into this area.

Mr. NEUBERGER. May I suggest that the difference between her identification of her present position and her activities—

Senator FERGUSON. Let us not say anything about the activities. How long has she been identified with the organization is the question.

Mr. NEUBERGER. That might also, Senator, go to knowledge, and so on. You will recall that one line of the thinking of the Supreme Court has been that continuity or knowledge growing from continuity does play a part in the link of knowledge of content or nature of the operation of a given organization. It is one of the methods of proof, if I may respectfully suggest, that has been used by the Government in seeking to establish knowledge or, may I say, guilty knowledge, if you please, in connection with certain things.

Senator FERGUSON. I do not want to ask this woman to testify against herself. It is the last thing I would try to do. But I am trying to get some information here that will help the Senate and the Congress.

Mr. NEUBERGER. You see, unfortunately, if I may expound a bit, obviously the witness has consulted me, and by virtue of this grand jury investigation, under the interpretations placed by the court on the question of knowledge, "guilty knowledge," the witness may—and I have so advised her—be placing herself in that position.

Now, she, of course, must make the choice. She must make the choice; I cannot. The only thing I am advising her about is that on the basis of previous trials and the position taken by the Government, continuous activities in a given situation, particularly in connection with organizations on the Attorney General's list of those which are deemed to be Communist—

Senator FERGUSON. Has this organization been on the list?

Mr. NEUBERGER. I don't know, but if it has not I think it has been characterized by a representative of this committee—and I am not sure of this—or by representatives of the Government as being a Communist-front organization.

Mr. ARENS. I think we can obviate much of the discussion by a continuation of the questioning. I think we can develop the facts for our record.

I want at this point, however, to respectfully suggest to the chairman that the witness be ordered and directed to answer the question as to how long she has been identified in the capacity in which she now finds herself.

Senator FERGUSON. Mrs. Goldberg, you say that you are with the United Labor Action Committee. Can you not help us out on that one answer? How long have you been identified with that organization?

Mr. NEUBERGER. There is no secret in my thinking, Mrs. Goldberg. You have heard what I said, and I think you have to make the decision yourself as to whether or not in testifying that you have been connected with it for a day or a month or a year would have such an effect that it would incriminate you. If you think so, you have the right to exercise your privilege.

Mrs. GOLDBERG. I must decline to answer.

Mr. ARENS. You understand that your declination is at your peril and that you can be prosecuted for contempt of the Internal Security Committee if your declination is regarded by the court as contempt of this committee.

Mrs. GOLDBERG. I sincerely feel that to answer that question would jeopardize my rights under the fifth amendment.

MR. ARENS. All right. Now, let me ask you this question. Were you executive secretary of the United Labor Action Committee last week?

MRS. GOLDBERG. I must decline to answer.

MR. ARENS. Well, were you executive secretary of the United Labor Action Committee yesterday?

MRS. GOLDBERG. I must decline to answer.

SENATOR FERGUSON. You are today? You have answered that.

MRS. GOLDBERG. Yes.

MR. ARENS. Have you ever been identified as a member of District 65, DPOWA?

MRS. GOLDBERG. Yes.

MR. ARENS. What offices or in what capacity have you been identified with District 65, DPOWA?

MRS. GOLDBERG. Well, I must say that in light of the same explanation I made with reference to the grand jury, I feel that to answer that question might tend to incriminate me.

MR. ARENS. Well, Mr. Chairman, I respectfully suggest to the chairman that she be ordered and directed to answer the question because she opened the door herself a little while ago by saying that she had been identified with District 65, DPOWA.

MR. NEUBURGER. I think Mr. Arens does not recall that she answered and identified herself as a member of the organization but refused to testify as to any other aspects such as offices or otherwise, and she neither opened the door on that nor, in my judgment, does the answer that she was a member necessarily open the door to the other line of questioning.

SENATOR FERGUSON. Well, I will let her refuse to answer. She honestly tells me that she believes that it would tend to incriminate her.

MR. ARENS. How long have you been a member of District 65, DPOWA?

MR. NEUBURGER. I just called to her attention——

MR. ARENS. There has been a change of name. We will get into that in a little while.

MR. NEUBURGER. I did that for clarity.

MR. ARENS. How long have you been a member of District 65?

MRS. GOLDBERG. All the time that it has been District 65, DPOWA.

MR. ARENS. How long has that been?

MRS. GOLDBERG. About a year and a half or 2 years. I don't know exactly.

MR. ARENS. Were you a member of local 65 of the predecessor organization to DPOWA?

MRS. GOLDBERG. Yes.

MR. ARENS. How long were you a member of that organization?

MRS. GOLDBERG. Well, I don't know the exact date, but I think it was around 1937.

MR. ARENS. When was the last time you were outside the United States?

MRS. GOLDBERG. I must refuse to answer that question on the grounds that it might incriminate me.

MR. ARENS. Have you ever been outside the United States?

MRS. GOLDBERG. I must decline to answer that question for the same reason.

Mr. ARENS. Is it a crime to go outside the United States?

Mrs. GOLDBERG. I must decline to answer that question for the same reason.

Mr. ARENS. When did you join the Communist Party?

Mrs. GOLDBERG. I must decline to answer that question on the grounds that it might incriminate me.

Mr. ARENS. Now, as a matter of fact, you were a nominee to the State committee of the Communist Party in New York in August 1942, were you not?

Mrs. GOLDBERG. I must decline to answer that question for the same reason.

Senator FERGUSON. Now, Mrs. Goldberg. Don't just idly refuse to answer these questions unless you really feel that they would have a tendency to incriminate you and that you would be in jeopardy.

Mrs. GOLDBERG. Sir, I am here in good faith.

Senator FERGUSON. We need evidence and I want to impress on you—and I hope counsel will keep it in mind as a member of the bar—that we would like your help in getting information.

Mr. NEUBURGER. I would like to state, as you have noticed, that I have advised my client on the record and openly because of the fact that intimate knowledge of the facts and matters involve solely herself.

Senator FERGUSON. We want to protect the rights of the people, but we do not want to be in the position of just allowing people for frivolous reasons to say, "I refuse to answer on the ground that it will tend to incriminate me."

Mrs. GOLDBERG. I assure you that I am not frivolous, and I am answering every question with sincerity.

Senator FERGUSON. Do the best you can, and do not keep the information from us if you can do so without harming yourself.

Mr. ARENS. Let us clear up that question before we get off the point.

Then, Mrs. Goldberg, isn't it a fact that in these instances in which you have declined to give an answer you feel that a truthful answer to the question would lay yourself open to criminal prosecution?

Mrs. GOLDBERG. I sincerely feel so.

Mr. ARENS. Then you have committed a crime.

Senator FERGUSON. Well, do not put it to her that way.

Mr. ARENS. She can decline to answer that.

Senator FERGUSON. I do not want her to confess to a crime after she has said here that it would incriminate her if truthfully answered.

Mr. ARENS. Mrs. Goldberg, I put it to you as a fact and ask you to affirm or deny the fact that on October 7, 1942, in New York City you presided at an election rally of the industrial division of the Communist Party, which rally was held at Manhattan Center, New York City.

Mrs. GOLDBERG. I must decline to answer that question based on my rights under the fifth amendment.

Mr. ARENS. I put it to you as a fact and ask you to affirm or deny the fact that in attendance at this rally were such well-known Communists as Benjamin Davis, Jr., Ella Reeve Bloor, and Israel Amter.

Mrs. GOLDBERG. I must decline to answer that question on the same ground.

Mr. ARENS. Who is William Z. Foster?

Mrs. GOLDBERG. I must decline to answer that question for the same reason.

Mr. ARENS. Is there a man by the name of William Z. Foster?

Mrs. GOLDBERG. I must decline to answer that question.

Mr. ARENS. Why?

Mrs. GOLDBERG. I feel that in answering that question I would be tending to incriminate myself.

Mr. ARENS. Do you feel that you might be sent to jail just for knowing that there is a man by the name of William Z. Foster?

Mrs. GOLDBERG. I must decline to answer that question for the same reason.

Mr. ARENS. Now, the Daily Worker in 1943 described you as one of the 100 union leaders who endorsed the financial and circulation drive of the Daily Worker. That was at the time when you were 27 years of age. What did you do as one of the union leaders described by the Communist Daily Worker?¹

¹ A portion of this article is reproduced herewith :

100 UNIONISTS BACK WORKER FUND DRIVE

E. C. Greenfield, international representative, International Longshoremen and Warehousemen's Union.

In the Nation's Capital and near-by Baltimore :

Costas Aletziou, executive secretary, Joint board, Hotel and Restaurant Workers, Washington.

William Johnson, business agent, Cooks Local 209, Hotel and Restaurant Workers, Washington, D. C.

Calvin Cousinn, educational director, Cleaners and Laundry Workers Local 188-R, Washington, D. C.

Thomas Keenan, patrolman, National Maritime Union, Baltimore, Md.

A partial list of New York union officials includes :

Ferdinand C. Smith, national secretary, National Maritime Union.

Isidore Rosenberg, manager, Joint Council No. 13, United Shoe Workers.

Max Bronsniak, assistant manager, Local 125, Fur, Floor and Shipping Clerks Union.

Alex Millstone, secretary-treasurer, Leon Davis, business agent ; Nat Solomon, business agent ; Sam Nessin, business agent, all of Locals 1199 and 830, United Retail, Wholesale, and Department Store Employees Union.

Frank Dutto, president, Bakery and Confectionery Workers International Union of America, Local 1, AFL.

Max Perlow, manager, Local 76B, United Furniture Workers Union.

Inez Garcia, acting secretary, United Cigar Workers Union, Local 273.

Aaron D. Schneider, director of organization, Local 18, United Office and Professional Workers.

Joseph Winogradsky, assistant manager, Furriers' Joint Council.

Esther Letz, East Side division director, Local 65, Wholesale and Warehouse Employees Union.

Nicholas Coines, Local 125, Department Stores, United Retail, Wholesale, and Department Store Employees.

Sidney Klein, business agent, Local 1102, United Retail, Wholesale, and Department Store Employees.

Salvatore Gentile, organizer, Waiters Union, Local 1, AFL.

Stanley Moskos, business agent, local 325, Brooklyn.

Lawrence Roberts, general organizer, Chain Service Restaurant Employees Union, Local 42, AFL.

John-Ray, president, Cooks Local 89.

William Albertson, general organizer, Hotel and Restaurant Workers Union, Local 16, AFL.

Charles Martin, organizer, Hotel and Club Employees, Local 6, AFL.

Paul Dobel, business agent, Waiters and Waitresses Union, Local 1.

John Goodman, secretary-treasurer, Hotel Front Service Employees Union, Local 144, AFL.

Morris Gainer, assistant secretary, Painters District Council.

Norma Aronson, general organizer, local 16, UOPWA.

Alex Sirota, manager, Bedding Local 140, United Furniture Workers Union.

Frank Pina, organizer, International Jewelry Workers, Local 1, AFL.

Isidore Kahn, president, International Jewelry Workers, Local 1, AFL.

Hugo DeWald, business representative, Amalgamated Meat Cutters Union, Local 627.

Nathan Kaplan, business agent, local 9 ; N. Schneider, business agent of local 17 ; Barnett Cooper, business agent of local 9 ; A. Gordon, N. Kersh, and A. Cymes, business agents in local 117, all of the International Ladies Garment Workers' Union.

From Chicago the following labor leaders endorsed the financial drive of the Daily Worker :

Herbert March, vice president, Chicago Industrial Union Council.

Gerald Fielde, international secretary-treasurer, United Farm Equipment Workers.

J. R. Robertson, vice president, Warehouse and Longshoremen's Union.

Bob Slezak, publicity director, local 101, United Farm Equipment Workers.

James Pinto, international representative, Mine, Mill, and Smelter Workers.

Terry Kaindl, chairman, educational committee, local 719, UAW.

Robert Kirkwood, field organizer, United Electrical, Radio, and Machine Workers.

Clara Greenberg, executive board, local, ILGWU.

Joe Blum, executive board, local 18, ILGWU.

Mrs. GOLDBERG. I must decline to answer that question for the same reason.

Mr. ARENS. Now, the Communist Daily Worker in 1944, on its twentieth anniversary, listed you as one of 144 labor leaders who had hailed the Communist Daily Worker on its anniversary. I ask you to affirm or deny the fact that you were so listed and did so hail the Communist Daily Worker.

Mrs. GOLDBERG. I must decline to answer that question for the same reason.

Mr. ARENS. Now, in February 1944 were you a member-at-large of the West Concourse Club of the Communist Party Second Assembly District, Bronx County, N. Y.?

Mrs. GOLDBERG. I must decline to answer that question for the same reason.

Mr. ARENS. And at the same time you were also a member of the labor committee of the Communist Party for Bronx County, were you not?

Mrs. GOLDBERG. I must decline to answer that question for the same reason.

Mr. ARENS. How long have you been connected with labor groups?

Mrs. GOLDBERG. I must decline to answer that question for the same reason.

Mr. ARENS. Where were you educated?

Mrs. GOLDBERG. Well, I don't exactly know what you mean by that question.

Mr. ARENS. Where did you go to school? You said you were born in New York.

Mrs. GOLDBERG. I have lived in New York City all of my life.

Mr. ARENS. Where did you go to school?

Mrs. GOLDBERG. In New York City.

Mr. ARENS. What education did you have?

Mrs. GOLDBERG. Public school and high school.

Mr. ARENS. Give us a brief résumé of your employment since you left high school.

Mrs. GOLDBERG. Well, I worked for a theater circuit for a number of years.

Mr. ARENS. What theater circuit was that?

Mrs. GOLDBERG. Leff Meyers.

Mr. ARENS. In what capacity?

Mrs. GOLDBERG. I did cashiering and general work. Then I worked for R. H. Macy for a while.

Mr. ARENS. In what capacity?

Mrs. GOLDBERG. Sales clerk.

I worked for Cohn-Rosenberger as an assistant to the credit manager.

Mr. ARENS. Is that a commercial establishment?

Mrs. GOLDBERG. Yes. That is a wholesale novelty jewelry firm.

Mr. ARENS. When was it that you worked for the Cohn-Rosenberger establishment?

Mrs. GOLDBERG. Around 1936.

Mr. ARENS. All right. Now tell us your next occupation.

Mrs. GOLDBERG. I must decline to answer that question in light of the previous explanation.

Mr. ARENS. Well, is there any occupation you have engaged in since 1936 the answer to which, if you gave us a truthful answer respecting it, would not tend to incriminate you?

Mrs. GOLDBERG. I would say that from that period on the answers might tend to incriminate me.

Mr. ARENS. From 1936 until the present time?

Mrs. GOLDBERG. Approximately 1936.

Mr. ARENS. Was there any interim, any hiatus, any period of time since 1936 in which you were engaged in an activity a truthful answer to which would not tend to incriminate you?

Mrs. GOLDBERG. I would say that since I have been in the employ of Cohn-Rosenberger. I don't know the exact date of that.

Mr. ARENS. You think it was about 1936.

Mrs. GOLDBERG. About 1936 or 1937. I am not exactly sure.

Mr. ARENS. I want the record to contain an accurate reflection of what your situation is. Is it true, Mrs. Goldberg, that since 1936 the activities in which you have been engaged are of a character that, if you were to tell this committee about them, you would likely be subject to criminal prosecution?

Mrs. GOLDBERG. I would say that since I left the employ of Cohn-Rosenberger, which was approximately 1936 or 1937—I don't know the exact date—to answer the questions might tend to incriminate me.

Mr. ARENS. To answer the questions with respect to your occupation?

Mrs. GOLDBERG. That is right.

Mr. ARENS. Now, in 1945 you were elected as a delegate to the State convention of the Communist Party from the West Concourse Club that I mentioned a few minutes ago. Is not that true?

Mrs. GOLDBERG. I must decline to answer that question for the same reason.

Mr. ARENS. Who is Al Lannon?

Mrs. GOLDBERG. I must decline to answer that question for the same reason.

Mr. ARENS. And who is Roy Hudson?

Mrs. GOLDBERG. I must decline to answer that question for the same reason.

Mr. ARENS. What is your husband's occupation?

Mrs. GOLDBERG. I must decline to answer that question for the same reason.

Mr. ARENS. Do you feel that a truthful answer to what your husband's occupation is now would tend to incriminate you or lay the basis for a criminal prosecution of you?

Mrs. GOLDBERG. I do.

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

Mrs. GOLDBERG. Leo Goldberg.

Mr. ARENS. What was your previous husband's name, your first husband's name?

Mrs. GOLDBERG. Ephram Letz.

Mr. ARENS. What was his occupation?

Mrs. GOLDBERG. I must decline to answer that question on the ground that it might incriminate me.

Mr. ARENS. Do you honestly feel that if you would tell the committee the truth as to the occupation of your first husband it would lay a foundation or a basis for a criminal prosecution of you?

Mrs. GOLDBERG. I must decline to answer that question for the same reason.

Mr. ARENS. Did you ever hear of a publication called Plain Talk?

Mrs. GOLDBERG. I must refuse to answer that question for the same reason.

Mr. ARENS. Do you feel that it would tend to incriminate a person or any person just to have known that there might have been a publication called Plain Talk?

Mrs. GOLDBERG. I must stand on my answer.

Mr. ARENS. Well, now, the publication Plain Talk in an article in 1947 refers to an Esther Letz mentioned in the article as an admitted Communist and a member of the New York State Committee of the Communist Party. I ask you to affirm or deny the fact that the person referred to in the article is you.

Mrs. GOLDBERG. I must decline to answer that for the same reason.

Mr. ARENS. Now, in July 1948 did you have something to do with the assemblage of people who were undertaking to cause the dismissal of the indictment against the 12 Communist Party leaders?

Mrs. GOLDBERG. I must decline to answer that question for the same reason.

Mr. ARENS. Is your present husband a Communist?

Mrs. GOLDBERG. I must decline to answer that question for the same reason.

Mr. ARENS. Was your first husband a Communist?

Mrs. GOLDBERG. I must decline to answer that question for the same reason.

Mr. ARENS. Do you have any brothers or sisters?

Mrs. GOLDBERG. Yes. I have brothers and sisters.

Mr. ARENS. Would you name them, please.

Mrs. GOLDBERG. Irving—do you want the full names?

Mr. ARENS. Yes; if you will please.

Mrs. GOLDBERG. Irving Cohen, Thelma Bookman, Ida Wantman, and Nathan Cohen.

Mr. ARENS. Are any of your brothers and sisters Communists?

Mrs. GOLDBERG. I must decline to answer that question for the same reason.

Mr. ARENS. Is Irving Cohen a Communist?

Mrs. GOLDBERG. I must decline to answer that question for the same reason.

Mr. ARENS. Is Thelma Bookman a Communist?

Mrs. GOLDBERG. I must decline to answer that question for the same reason.

Mr. ARENS. Is Ida Wantman a Communist?

Mrs. GOLDBERG. I must decline to answer that question for the same reason.

Mr. ARENS. Is Nathan Cohen a Communist?

Mrs. GOLDBERG. I must decline to answer that question for the same reason.

Mr. ARENS. Is there any member of your family who is not a Communist?

Mrs. GOLDBERG. I must decline to answer that question for the same reason.

Mr. ARENS. On July 6, 1948, you addressed an assemblage of some 2,000 persons who had met to urge the dismissal of the indictment against the 12 Communist Party leaders, did you not?

Mrs. GOLDBERG. I must decline to answer the question.

Mr. ARENS. Why?

Mrs. GOLDBERG. I stand on my rights under the fifth amendment.

Mr. ARENS. Have you been to the Irving Plaza?

Mrs. GOLDBERG. I must decline to answer that question for the same reason.

Mr. ARENS. Do you have a recollection of ever being at the Irving Plaza?

Mrs. GOLDBERG. I must decline to answer that question for the same reason.

Mr. ARENS. Well, would it refresh your recollection or assist you to suggest that on July 10, 1948, you were chairman of a meeting of the New York County Communist Party held at the Irving Plaza, New York City?

Mrs. GOLDBERG. I must decline to answer that question for the same reason.

Mr. ARENS. What is an imperialistic war?

Mrs. GOLDBERG. I must decline to answer that question for the same reason.

Mr. ARENS. Do you have any ideas about an imperialistic war?

Mrs. GOLDBERG. I must decline to answer that question for the same reason.

Mr. ARENS. In 1948 at the meeting referred to above, and in the course of your remarks you made the following statement, did you not?

We must stop being underground and come out into the open and fight. Tell them why we are Communists and why we respect the U. S. S. R. and why we would defend her in an imperialistic war.

Mrs. GOLDBERG. I must decline to answer that question for the same reason.

Mr. ARENS. Have you ever been to the U. S. S. R.?

Mrs. GOLDBERG. I must decline to answer that question for the same reason.

Mr. ARENS. As a matter of fact, you were there in the course of the last year or so with the group that went over and procured passports from the State Department; were you not?

Mrs. GOLDBERG. I must decline to answer that question for the same reason.

Mr. ARENS. Well, now, I lay before you an article clipped from the Daily Worker, the Communist Daily Worker of Wednesday, May 2, 1951, entitled "Peace Is Theme of Moscow Parade," in which your name appears as a member of an American trade-union delegation headed, it says here, by Esther Letz of the United Labor Committee, and in which, according to the article, you and your colleagues received an enthusiastic welcome from the comrades at Moscow.

I will ask you whether you will kindly confirm or deny the truth of the statement appearing in the Communist Daily Worker.

Mrs. GOLDBERG. I must decline to answer that question for the same reason.

Mr. CARTER. I would like to read to you an article from the New York Times of April 29, 1951, appearing on page 27, datelined Moscow, April 28, being a United Press release. The article states:

Eighteen persons from the United States, headed by Esther Goldberg, secretary of the United Labor Action Committee of New York, arrived today to take part in the Soviet observance of May Day.

Does that article refer to you?

Mrs. GOLDBERG. I must decline to answer that question for the same reason.

Mr. ARENS. Do you have any children?

Mrs. GOLDBERG. No.

Mr. ARENS. You were a delegate to the national convention of the Communist Party held at the Riverside Plaza Hotel in New York City, August 2 through August 6, 1948; were you not?

Mrs. GOLDBERG. I must decline to answer that question for the same reason.

Mr. ARENS. Now, during the convention in one of your speeches you made the remark that you were then more of a Communist than at any other time in your previous 16 years in the Communist Party. Do you recall that remark?

Mrs. GOLDBERG. I must decline to answer that question for the same reason.

Mr. ARENS. How long have you been identified with labor groups?

Mrs. GOLDBERG. I must decline to answer that question for the same reason.

Mr. ARENS. Now, I don't think that is a question that is within the privilege. I did not ask you how long you have been a member of the Communist Party or how long you had done anything that would necessarily or probably cause a criminal prosecution to be brought against you.

Mrs. GOLDBERG. Well, in my previous answers I indicated that I was a member of the union from approximately 1937 on.

Mr. ARENS. What union is that?

Mrs. GOLDBERG. District 65.

Mr. ARENS. Will you please state the names which it has had since you have been a member of the union?

Mrs. GOLDBERG. Well now, when I came into the union it was local 65.

Mr. ARENS. Of what?

Mrs. GOLDBERG. I think it was the Retail-Wholesale Union. Then it became the Retail, Wholesale, and Department Store Employees Union. All the time it was local 65. Then it became district 65, affiliated with Distributive Processing Office Workers of America.

Mr. ARENS. You were secretary of local 65 at one time, were you not, in 1946?

Mrs. GOLDBERG. I must decline to answer that question for the same reason.

Mr. ARENS. Do you know that they have slave labor camps in Russia?

Mrs. GOLDBERG. I must decline to answer that question for the same reason.

Mr. ARENS. How would it possibly incriminate you to know that they have slave-labor camps in Russia?

Mrs. GOLDBERG. I must decline to answer and stand on my rights.

Mr. ARENS. Do they have a system in Russia whereby a person could assert rights as against the state?

Mrs. GOLDBERG. I must decline to answer that for the same reason.

Mr. ARENS. Is the Communist Party of the United States of America an arm of the Soviet Government?

Mrs. GOLDBERG. I must decline to answer for the same reason.

Mr. ARENS. Have you ever betrayed your country?

Mrs. GOLDBERG. No.

Mr. ARENS. Do you think a person can be a member of the Communist Party and active in it for years and be under the discipline of the Communist Party without, in effect, betraying his country?

Mrs. GOLDBERG. I must decline to answer that question.

Mr. ARENS. Why?

Mrs. GOLDBERG. I stand on my rights under the fifth amendment.

Mr. ARENS. Of the Constitution of the United States?

Mrs. GOLDBERG. Yes.

Mr. ARENS. Do the Communists, as a part of their conspiracy, advocate the overthrow of the Government of the United States by force and violence?

Mrs. GOLDBERG. I must decline to answer that question for the same reasons.

Mr. ARENS. Now, when you were a delegate to the Bronx County Convention of the Communist Political Association in 1945, in the course of one of your speeches you commented:

I have never wavered in my loyalty toward the Communist Party.

Do you recall making that remark or having that as part of your speech?

Mrs. GOLDBERG. I must decline to answer for the same reason.

Mr. ARENS. When was the last time you were in Washington, D. C., where you are now?

Mrs. GOLDBERG. I must decline to answer that question for the same reason.

Mr. ARENS. Have you been here since 1950 and prior to the time that you arrived for this session?

Mrs. GOLDBERG. I must decline to answer that question for the same reason.

Mr. ARENS. Well, on August 8, 1950, you were here in Washington, D. C., active in a demonstration staged by the American Women for Peace; is not that true?

Mrs. GOLDBERG. I must decline to answer that question for the same reason.

Mr. ARENS. Were you a member of the American Women for Peace?

Mrs. GOLDBERG. I must decline to answer that question for the same reason.

Mr. ARENS. Well now, I submit to you, Mrs. Goldberg, that I do not believe that the American Women for Peace has actually been cited as a Communist front or a Communist organization.

Mrs. GOLDBERG. I must decline to answer that question for the same reason.

Mr. ARENS. Well, do you feel that your activities in connection with the American Women for Peace, if they were revealed to this committee, would lay the basis for a criminal prosecution against you?

Mrs. GOLDBERG. I stand on my answer.

Mr. ARENS. Well, answer that question as to whether or not you feel that your activities in connection with the American Women for Peace, if revealed to this committee, would lay a foundation for criminal prosecution against you?

Mrs. GOLDBERG. I must decline to answer that question.

Mr. ARENS. Why?

Mrs. GOLDBERG. I feel it might incriminate me.

Mr. ARENS. Now, the only way in which you could possibly be incriminated for activities in connection with the Women's Council for Peace or rather the American Women for Peace would be under the Smith Act, which makes it a crime to conspire to overthrow the Government of the United States by force and violence; is not that true?

Mrs. GOLDBERG. I must decline to answer that question.

Mr. ARENS. Now, in 1942 you were a member of an organization called the Labor Committee for Amter, were you not?

Mrs. GOLDBERG. I must decline to answer for the same reason.

Mr. ARENS. Now, Amter was, of course, Israel Amter who in 1942 was a Communist candidate for Governor of New York State?

Mrs. GOLDBERG. I must decline to answer for the same reason.

Mr. ARENS. Have you ever talked on the radio?

Mrs. GOLDBERG. I must decline to answer for the same reason.

Mr. ARENS. Were all of your speeches on the radio of such a character that if you were to admit your identity as a speaker it would lay the basis for a criminal prosecution of you?

Mrs. GOLDBERG. I must decline to answer for the same reason.

Mr. ARENS. You realize, of course, do you not, that your declination to answer these questions is at your peril, that you are appearing before a subcommittee of the United States Senate which has its power stemming from the Constitution of the United States and which is engaged in an enterprise of undertaking to develop the facts upon which to legislate in order to protect the United States of America from a conspiracy? Do you know that?

Mrs. GOLDBERG. I am exercising my rights under the fifth amendment.

Mr. ARENS. Now, in October 1942 you made a radio address over Station WMCA in support of Israel Amter, did you not?

Mrs. GOLDBERG. I must decline to answer for the same reason.

Mr. ARENS. What is radio station WMCA? Is that the municipal station in New York City?

Mrs. GOLDBERG. I don't know.

Mr. ARENS. Did you ever write any articles for a publication known as the Jewish Life?

Mrs. GOLDBERG. I decline to answer for the same reason.

Mr. ARENS. Now, in July 1950, you wrote an article which appeared in Jewish Life in which, among other things, the following was stated:

Every woman trade-unionist should be anxious to sign the Stockholm peace pledge. We will remember the many years of active war duty served by our brother unionists, husbands, and sweethearts during the Second World War. We were patriotic Americans who gave unselfishly to fight fascism. We thought and hoped that after the struggle in which millions were lost and many crippled and maimed we would live in peace and have a better way of life. Now the American people face unemployment, discrimination, a higher cost of living, and the threat of a terrible H-bomb war. The working people do the fighting and dying in a war. We should, therefore, be the decisive people to determine the future. I am confident that our women want and will fight for peace.

Now, was that your article?

Mrs. GOLDBERG. I must decline to answer for the same reason.

Mr. ARENS. Do you know that if the Communists were to overthrow this Government they would not use the native Communists in the key

positions but rather they would use the Communists that they would import here from abroad?

Mrs. GOLDBERG. I must decline to answer for the same reason.

Mr. ARENS. Do you know that there is such a thing as a Communist conspiracy in the world?

Mrs. GOLDBERG. I must decline to answer for the same reason.

Mr. ARENS. Do you know that there was such an organization as the Communist Political Association in the United States?

Mrs. GOLDBERG. I must decline to answer that question for the same reason.²

² Reproduced herewith is an article from the Worker of September 10, 1944.

SEPTEMBER 12—AN IMPORTANT DATE

Three months have passed since the formation of the Communist Political Association. All CPA clubs in the city will hold their first quarterly membership meetings on Tuesday, September 12. At these meetings the executive committee of each club will report on the club's activities for the past 3 months and will at the same time bring a plan of action to cover the period between now and elections.

Some of the former Communist Party members have been unable up to this time to enroll into the new organization. The September 12 meetings offer an opportunity to all to enroll into the CPA and help clear the decks for the decisive political tasks ahead.

Attend your club's quarterly meeting on September 12.* Help your club plan its important work for the next 2 months. Do your part in carrying through this decisive campaign.

CLUB	Place of meeting	Speaker
New York County		
East Side.....	5 Rutgers St.....	Esther Cantor.
Sacco-Vanzetti.....	237 Bleeker St.....	Israel Amter.
Chelsea.....	269 West 25th St.....	Robert Minor.
Village Third.....	Bank St. Schools, 69 Bank St.....	Ruth Clarke.
Fourth A. D.....	154 Clinton St.....	Arnold Grossfeld.
West Midtown.....	326 West 48th St., 1 flight up.....	Rev. Eliot White.
Sixth A. D.....	650 East 9th St.....	M. Olkin.
Columbus Hill.....	5 Columbus Circle, Room 503.....	Nora Pendleton.
Jefferson.....	201 West 72d St., Room 216.....	Elizabeth Barker.
Eighth A. D.....	Stuyvesant Casino, 142 2d Ave.....	Benjamin J. Davis, Jr.
Henry Hudson.....	Hotel Newton, 2528 Broadway.....	Louis Weinstock.
Eleventh East.....	2163 Eighth Ave.....	Alex Schaeffer.
Unity Center.....	2744 Broadway.....	Bill Lawrence.
Tubman.....	73 West 99th St.....	Florence Stone.
Midtown.....	Madison Square Church House, 30th St. and 3d Ave.....	V. J. Jerome.
Stuyvesant.....	Wedermann's Hall, 156 3d Ave.....	Alan Max.
John Brown.....	Church of Masters, 122d St. and Morningside Ave.....	John Q. Robinson.
United Nations.....	347 East 72d St.....	Sue Warren.
Yorkville.....	350 East 81st St., Room 6.....	Michael Singer.
Hostos.....	1549 Madison Ave.....	Marina Lopez.
Eighteenth South.....	204 East 99th St.....	Lennie Leonard.
Columbia.....	171 East 116th St.....	Mary Testa.
Twenty-first A. D.....	702 St. Nicholas Ave.....	Joseph North.
Ben Davis.....	2315 7th Ave.....	Max Gordon.
Lincoln Douglass.....	432 Lenox Ave.....	Elizabeth G. Flynn.
Heights Unity Club.....	493 West 145th St.....	Alberto Moreau.
Four Freedoms.....	Paramount Mansions, 183d St. and St. Nicholas Ave.....	Abraham Chapman.
Inwood.....	139 Dyckman St.....	George Millstone.
KINGS COUNTY CLUB		
Jose Diaz.....	260 Fulton St.....	Peter V. Cacchione.
Kings Highway.....	809 Kings Highway.....	A. Landy.
Midwood.....	1408 Avenue J.....	Harry Raymond.
Ave. U.....	1503 Avenue U.....	Dave Rosenberg.
Branch No. 6.....	1498 Georgia Ave.....	Eli Ross.
Cacchione-2.....	46 New Lots Ave.....	Rose Wortis.
Brighton.....	3200 Coney Island Ave.....	Max Bedacht.
Matteotti.....	529 Henry St.....	Mitch Berenson.
Fourth A. D.....	716 Bedford Ave.....	Joe Roberts.
Jefferson-6.....	Regina Mansion, 601 Willoughby Ave.....	
Bay Ridge.....	5306 4th Ave.....	
Four Freedoms.....	209 Flatbush Ave.....	
Boro Park.....	4903 12th Ave.....	William Albertson.
Jefferson-11.....	1184 President St.....	George Johnson.

Mr. ARENS. Now, your husband, Leo Goldberg, was section organizer of the Communist Party, was he not?

Mrs. GOLDBERG. I must decline to answer that question for the same reason.

Mr. ARENS. Well now, the Communist Daily Worker for January 14, 1949, carried a photograph of your husband and identified him as section organizer of the Morrisania section of the Communist Party; did it not?

Mrs. GOLDBERG. I must decline to answer that question for the same reason.

Mr. ARENS. Who is Quincy Goldberg?

	Place of meeting	Speaker
Kensington.....	305 Church Ave.....	George Morris.
Cacchione-13.....	54 Graham Ave.....	David Amariglio.
Lincoln-14.....	298 South 2d St.....	Belle Beberfall.
Coney Island.....	3228 Mermaid Ave.....	John Middleton.
Lincoln-16.....	7309 20th Ave.....	James Shodell.
Mapleton.....	5409 18th Ave.....	Herb Harris.
Tom Paine-16.....	176 Avenue O.....	
Bath Beach.....	2075 86th St.....	Nat Slutsky.
Whitman.....	927 Kings Highway.....	Dorothy Loeb.
Harriet Tubman.....	1660 Fulton St.....	James W. Ford.
Tom Paine-18.....	372 Kingston Ave.....	Marcy Protter.
Rugby.....	402 East 52d St.....	Sam Milgram.
East Flatbush.....	1124 Clarkson Ave.....	Jim Barker.
Utica Center.....	289 Utica Ave.....	Dave Platt.
Ridgewood.....	1257 Willoughby Ave.....	
Parkside.....	848 Flatbush Ave.....	A. B. Magil.
Windor.....	4002 16th Ave.....	Lester Zirin.
East New York.....	806 Sutter Ave.....	Sam Kanter.
Olgin-Ocean Hill.....	375 Saratoga Ave.....	Mother Bloor.
BRONX COUNTY CLUB		
Good Neighbor.....	785 Westchester Ave.....	Isidore Begun.
Wilkins.....	1334 Wilkins Ave.....	Samuel Brown.
Fordham.....	1 East Fordham Rd.....	Sender Gadlin.
Mount Eden.....	125 East 170th St.....	Max Salzman.
Pelham.....	2086 White Plains Ave.....	Paul Novick.
Allerton.....	2700 Olinville Ave.....	A. Trachtenberg.
Moshulu-Norwood.....	3092 Hull Ave.....	H. Schiller.
West Concourse.....	1 East 167th St.....	Gilbert Green.
Crotona.....	Bronx Winter Garden, 1874 Wash- ington Ave.....	William Z. Foster.
West Farms.....	1013 East Tremont Ave.....	Lena Davis.
Elizabeth G. Flynn.....	373 Willis Ave.....	Maynard King.
Douglass.....	951 Tinton Ave.....	Esther Letz.
Simpson.....	Hunts Point Palace, 163d St. and Southern Blvd.....	Fannie Golos.
Westchester.....	1590 Westchester Ave.....	Florence Block.
Parkchester.....	1478 White Plains Rd.....	Louise Mitchell.
Williamsbridge.....	3578 White Plains Rd.....	Fred Marini.
Burnside.....	9 West Burnside Ave.....	Charles Kaufman.
Moshulu-Jerome.....	3411 Jerome Ave.....	Rebecca Grecht.
Van Cortlandt.....	3885 Sedgewick Ave.....	Lem Harris.
Amter.....	Bronx Cultural Center, 1753 Bos- ton Rd.....	Morris Gainor.
QUEENS COUNTY		
Astoria.....	Bagley's Hall, 32-14 Steinway way Ave., Astoria, L. I.....	Martin Young.
Corona.....	105-03 Northern Blvd., Corona, L. I.....	Fay Vedro.
Far Rockaway.....	1847 Mott Ave., Far Rockaway, N. Y.....	Susan Rauch.
Forest Hills.....	120-44 Queens Blvd., Forest Hills, L. I.....	Joseph Starobin.
Hammels.....	7105 Beach Channel Dr., Arverne, L. I.....	Mannie Blum.
Jackson Heights.....	40-14 82d St., Jackson Heights, L. I.....	David Goldway.
Sunnyside.....	46-14 Queens Blvd., Sunnyside, L. I.....	John Williamson.

*If your club is not listed above, call your county office.

Mrs. GOLDBERG. It is the same person.

Mr. ARENS. Do you mean that Quincy Goldberg and Leo Goldberg are the same?

Mrs. GOLDBERG. That is right.

Mr. ARENS. Your husband, Leo Goldberg, is also known as Quincy Goldberg?

Mrs. GOLDBERG. That is right.

Mr. ARENS. How does it happen that he uses both names, both Leo and Quincy?

Mrs. GOLDBERG. Quincy is a nickname.

Mr. ARENS. Now, Mrs. Goldberg, I would like to read you a list of organizations with which you have been affiliated and ask you to affirm or deny your affiliation.

The first is the American-Jewish Labor Council.

Mrs. GOLDBERG. I must decline to answer for the same reason.

Mr. ARENS. The American Peace Mobilization?

Mrs. GOLDBERG. I must decline to answer for the same reason.

Mr. ARENS. The American-Slav Congress?

Mrs. GOLDBERG. The same answer.

Mr. ARENS. The Congress of American Women?

Mrs. GOLDBERG. I must decline to answer for the same reason.

Mr. ARENS. The Council on African Affairs?

Mrs. GOLDBERG. I must decline to answer for the same reason.

Mr. ARENS. The Jefferson School of Social Science?

Mrs. GOLDBERG. I must decline to answer for the same reason.

Mr. ARENS. The National Negro Congress?

Mrs. GOLDBERG. I must decline to answer for the same reason.

Mr. ARENS. The People's Radio Foundation, Inc.?

Mrs. GOLDBERG. I must decline to answer for the same reason.

Mr. ARENS. The United May Day Committee?

Mrs. GOLDBERG. I must decline to answer for the same reason.

Mr. ARENS. Mrs. Goldberg, have you been in any way abused, mistreated, or discriminated against by this committee in the course of the proceedings here in which you have been a witness?

Mrs. GOLDBERG. No.

Mr. ARENS. You have been treated with respect and the courtesy due a lady?

Mrs. GOLDBERG. I have.

Mr. ARENS. That will be all. Thank you very much.

The witness is excused from her subpoena.

(Whereupon, at 11:20 a. m., a recess was taken, the subcommittee to reconvene upon the call of the chairman.)

SUBVERSIVE CONTROL OF DISTRIBUTIVE, PROCESSING, AND OFFICE WORKERS OF AMERICA

FRIDAY, MARCH 7, 1952

UNITED STATES SENATE,
SUBCOMMITTEE TO INVESTIGATE THE ADMINISTRATION
OF THE INTERNAL SECURITY ACT AND OTHER INTERNAL
LAWS, OF THE COMMITTEE ON THE JUDICIARY,
Washington, D. C.

The subcommittee met, pursuant to call, at 10:30 a. m., room 155, Senate Office Building, Senator Arthur V. Watkins, presiding.

Present: Senator Watkins.

Also present: Donald D. Connors, Jr., and Mitchell Carter, investigators.

Senator WATKINS. The subcommittee will be in session.

Do you have a witness to be sworn?

Mr. CARTER. Yes, Mrs. Moses and her son.

Senator WATKINS. Will you please raise your right hands?

Do you solemnly swear the testimony you are about to give in the matter now pending before this subcommittee of the Judiciary Committee of the United States Senate will be the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. MOSES. I do.

Mr. MOSES. I do.

Senator WATKINS. You may proceed.

TESTIMONY OF ANNA MOSES AND STANLEY MOSES, BROOKLYN, N. Y.

Mr. CONNORS. Mrs. Moses, would you please identify yourself by name, residence, and occupation?

Mrs. MOSES. I am Mrs. Anna Moses, and I reside at 700 Ocean Avenue, Brooklyn. I am president of the Almo Trading and Importing Company, Inc., located at 3 West Eighteenth Street, New York City.

Mr. CONNORS. Will you please identify yourself by name and residence, Mr. Moses?

Mr. MOSES. Stanley Moses, 700 Ocean Avenue, Brooklyn, N. Y.

Mr. CONNORS. You are the son of Mrs. Anna Moses, is that correct?

Mr. MOSES. Yes.

Mr. CONNORS. Mrs. Moses, what is the nature of the Almo Trading & Importing Co.?

Mrs. MOSES. We do importing of certain types of merchandise; it goes to houseware and restaurant supply houses. We are superwholesalers of small kitchen supplies for restaurants and we warehouse a lot of this merchandise for distribution throughout the United States.

Mr. CONNORS. How many employees do you have at the Almo Trading & Importing Co.?

Mrs. MOSES. Just the ones in the union.

Mr. CONNORS. The whole force?

Mrs. MOSES. About 15.

Mr. CONNORS. How many, if any, of these employees are members of a labor union?

Mrs. MOSES. Eight or nine.

Mr. CONNORS. What labor union are they members of?

Mrs. MOSES. The Distributive, Processing, and Office Workers of America.

Mr. CONNORS. That union is commonly called the DPOWA, is it not?

Mrs. MOSES. That is right.

Mr. CONNORS. Mrs. Moses, who is Winifred Norman?

Mrs. MOSES. She was one of the business agents of local 65.

Mr. CONNORS. Have you ever had occasion to have conversations with Winifred Norman?

Mrs. MOSES. Yes; 3 days before my husband died I had to go to the place of business and requested the shop steward to have a meeting, at which time Miss Winifred Norman was present.

Mr. CONNORS. What was the gist of any conversation you had with Winifred Norman at that time?

Mrs. MOSES. Our shipping had been considerably behind schedule, about 6 weeks behind schedule. We couldn't seem to get the men to work overtime. They had slowed down in their work in the regular normal working hours, business was quite bad, orders were being canceled, and my son came home and told me that the men refused to work because of the discharge of one of the men who was outside of our base crew.

I got there on Friday, and this meeting was scheduled for about 12:30. We had this meeting, and I explained what was happening. It seemed Miss Norman at the time wouldn't hear me out at all. When I explained the situation to her she seemed very much irritated by the request I was making.

The shop steward at the time said he couldn't get the men to work and the men wouldn't cooperate at all. Miss Norman, at the time when I told her that the men wouldn't cooperate, she said she wasn't interested in management's point of view, she was interested in labor.

I went on to tell her that without management there would be no labor. She said they weren't interested at all.

Mr. CONNORS. Did she say at that time that her objective was to drive small businesses out of existence?

Mrs. MOSES. What she said to me at the time was, "Small businesses are a pain in the neck," words along that line, that small business really was a pain in the neck, and they weren't interested in it at all.

Mr. CONNORS. Did she amplify that statement by saying that her purpose was to drive small businesses out of existence in order to further the destruction of the capitalistic system?

Mrs. MOSES. She didn't say it in so many words, but the answer that she had given me was that small business was a pain in the neck; she may have meant anything by it at the time.

Mr. CONNORS. To the best of your knowledge, is Winifred Norman a member of the Communist Party?

Mrs. MOSES. I have no way of knowing.

Mr. CONNORS. Has she ever been described to you as a Communist?

Mrs. MOSES. No one has ever spoken to me about it.

Mr. CONNORS. What other organizers of the DPOWA do you do business with?

Mrs. MOSES. One Henry Hamilton, who has taken over Miss Norman's job.

Mr. CONNORS. What have been your experiences with Mr. Henry Hamilton?

Mrs. MOSES. Every time I had cause for complaint he came down. Sometimes they let you talk, and sometimes you can't even get a word in. In July I had called up the veterans' training program to have them send down a young man so that he can learn our business and be assistant to our buyer. After he was there for about a week it seems that Mr. Hamilton approached me and said that he was taking away a union job.

Mr. CONNORS. Who was this young man?

Mrs. MOSES. Irving Bien. Mr. Hamilton said that he was taking away a union job. I explained to him that this man was there as an assistant buyer and not as an ordinary clerk. The man who had the position assisting our buyer was really a man who was keeping the perpetual inventory and the jobs, the name of the jobs, were quite unlike each other. They confronted Mr. Bien, and he explained what his duties were to be there.

Mr. CONNORS. That was a conversation between who?

Mrs. MOSES. Mr. Hamilton and Mr. Bien in my office.

Mr. CONNORS. Yes.

Mrs. MOSES. He said he had to join the union.

Mr. CONNORS. Mr. Hamilton said that?

Mrs. MOSES. To Mr. Bien. Mr. Bien said he didn't think he was union material. He felt that his was going to be a position in an executive capacity.

Mr. CONNORS. Was that correct?

Mrs. MOSES. Yes; it was. Mr. Bien then said to Mr. Hamilton, "What methods do you people use to make people join your union?"

Mr. Hamilton answered him, "We use all and any methods."

Mr. CONNORS. Did he amplify that statement, Mrs. Moses?

Mrs. MOSES. Yes. Then he said to Mr. Bien, "If necessary we use physical violence."

Mr. CONNORS. That was Mr. Hamilton's statement to Mr. Bien?

Mrs. MOSES. That is right.

Mr. CONNORS. What else, if anything, transpired at that time?

Mrs. MOSES. The meeting terminated then. Mr. Hamilton left. Mr. Bien said to me at that time, "Do you permit him to speak like that in your office?"

I said, "The threat was made to you, why don't you do something about it?"

Mr. Bien walked out, and that evening he said good night to me, and that was the end of the story.

Mr. CONNORS. What else transpired with regard to this incident?

Mrs. MOSES. He came in the next morning and said he would have to leave because he was afraid to stay with us for fear of physical injury.

Mr. CONNORS. To himself?

Mrs. MOSES. To himself and to his family.

Mr. CONNORS. Now, Mr. Bien was a veteran, is that correct?

Mrs. MOSES. That is right.

Mr. CONNORS. And you obtained his services through the Veterans' Administration?

Mrs. MOSES. That is right.

Mr. CONNORS. Who is Esther Lanow, L-a-n-o-w?

Mrs. MOSES. She was a girl who was employed in our office.

Mr. CONNORS. Will you tell the committee what transpired with respect to Esther Lanow?

Mrs. MOSES. Well, she seemed to be an agitator and was creating a lot of trouble when I got there.

Mr. CONNORS. What do you mean "when I got there"?

Mrs. MOSES. Two weeks after my husband died I came down to the business to take over, and there seemed to be particular resentment to my getting there and taking over. I held a meeting with all of the employees at the time, and I told them that things would be just as they have been, and we will try to make the business work, and it will be to everyone's benefit, and I would appreciate any cooperation they would give me because I knew very little, if anything, about the business.

Mr. CONNORS. But you were determined to keep the business alive after your husband died?

Mrs. MOSES. Indeed I was.

Mr. CONNER. What did Esther Lanow do by way of agitation?

Mrs. MOSES. Well, she would go downstairs in the shipping department and she and the shop steward and the rest of the people would put their heads together and have little conferences. There was one other girl up there with her whose name was Joan Lowenheim, L-o-w-e-n-h-e-i-m, who seemed time and again to create a situation in the office that made it unpleasant to live with by definitely working against me instead of for the business. She finally left of her own accord, and she said she had been ill and was forced to leave.

A short time after, my daughter, my son, and several other people had seen her in the neighborhood.

Mr. CONNORS. This is Miss Lowenheim?

Mrs. MOSES. Miss Lanow. Apparently she had been working in some other place in the neighborhood.

Mr. CONNORS. Did you receive any letters from Miss Lanow after she left your employ?

Mrs. MOSES. None at all. Two of the employees in our place, one who had worked there 15 years except for a break in the Army, and one who was there for about 8 years, received threatening letters because they wouldn't get in with some of the ideas that the other union members had, they weren't entirely in accord with them.

These two fellows, when they tried to get everyone to join, were threatened if they didn't join that they, too, would have a hard time of it. Their families were threatened over the phone. Mr. Moses finally told them to join up, which they did. It seemed to me up

until the time I got there they weren't fully in accord with the ideas of the union, and they wouldn't get in on these meetings and whatever else the union demanded of them.

So this one, Henry Mace, M-a-c-e, and this Joseph Russo, R-u-s-s-o, had received some threatening letters.

Mr. MOSES. They received those letters when we were some weeks behind in delivering our merchandise, and the union was slowing up to the point where if we didn't get our orders out it would be a loss in business. We had several salesmen work on Saturday to get these orders out. When it came to voting for working overtime, these two apparently didn't work overtime.

Mrs. MOSES. They voted not to.

Mr. MOSES. Apparently they didn't because they received letters to the effect that they were not in line with the policy of those who wanted them to vote as they did.

Mr. CONNORS. In other words, the majority of the employees voted not to work overtime?

Mr. MOSES. Apparently those two did.

Mr. CONNORS. In order to expedite the processing of the orders?

Mr. MOSES. That is right.

Mr. CONNORS. Have you any idea who wrote the letters which they received?

Mrs. MOSES. They were written in our office, because I matched them up with the machines in our office, and it was the same colored paper that we had in the office. Henry Mace let me read the letter, and I wanted to keep it, and he refused to let me keep it because he was afraid. Then when I requested the letter again he told me he had lost it.

Mr. CONNORS. Who normally worked on the typewriter on which these letters were typed?

Mrs. MOSES. Esther Lanow worked on that typewriter; she was upstairs, and Joan Lowenheim. Once in a while our bookkeeper worked on that typewriter, but most of the time Miss Lanow.

Mr. CONNORS. Do you have any reason to believe that Miss Lanow wrote those letters?

Mrs. MOSES. I have no reason to know, but according to the way she acted, anything could have happened. Joan Lowenheim, any time I had a meeting about orders slowing up, overages to customers and mishandling of merchandise, she used to come down there and always set up a defense for these men, and I questioned her how she knew what was going on if she worked upstairs and had no way of seeing what these men were doing.

After she had gone on her vacation it seemed to me that she was in arrears with her union dues for about 23 weeks, and she told me she wasn't coming back to work. Of course, I never knew what her standing was in the union as far as her dues were concerned.

One day the union called up and asked if she was there. I said, "No." They said that she couldn't work there any longer anyway, because she hadn't paid up her dues. Apparently she was no longer a member of the union.

Mr. CONNORS. Did she seem to have a sympathetic attitude toward the union when she worked with you?

Mrs. MOSES. Very much so.

Mr. MOSES. At first she refused to join the union, but once she joined she was a wholehearted member.

Mrs. MOSES. My husband said we would have to close down the business if we continued at that rate.

Mr. CONNORS. Who is Cleveland Robinson?

Mrs. MOSES. He is vice president of local 65.

Mr. CONNORS. Local 65 of DPOWA?

Mrs. MOSES. That is right.

Mr. CONNORS. What dealings, if any, have you had with Cleveland Robinson?

Mrs. MOSES. I have had considerable trouble with orders being misdirected and overages and all. Mr. Hamilton came down several times after I had called him to try to straighten out conditions. It seemed that the men objected to me because I wanted them to do a day's work. They said that when Mr. Moses was alive it was a lot easier down there; no one ever told them what to do.

I told them, "Well, maybe because of that the business hadn't made money over a period of years, and if we kept on that kind of program we would have no business." Mr. Robinson had seemed to run into conflict with the shop steward.

Mr. CONNORS. Who was the shop steward at that time?

Mrs. MOSES. Nathan Sherman, S-h-e-r-m-a-n. In order for me to expedite shipping the latter part of March or thereabouts, Mr. Sherman came to me and said if I appointed him foreman of the shop, even though he was shop steward, he might be able to expedite shipping in there.

Mr. CONNORS. This was in 1951?

Mrs. MOSES. 1951. He had asked me for a \$10 increase. I told him the business couldn't afford to pay a \$10 increase but I would give him \$5 out of my own pocket every week and the business would give him \$5 increase. After several weeks I noticed there was no change, and I approached him several times, and he said to me, "Anything I do here I want money for."

I said, "Just what kind of money do you want?"

He said, "If I do any extra things, I want money for it."

Of course, I didn't give him any extra money except the \$5 that the business gave him and the \$5 out of my own pocket. For instance, the men would take brand new cartons three times a week and fill them up with rubbish. I noticed it several times until one day after very many months I went there and looked at the cartons and found they were ours; they had our name on them.

I walked in there and told the shop steward about the conditions and said it was a costly thing to us, we had to save as much as we possibly could, and he said to me that, well, what could he do about it. He didn't want to stick his neck out, this man was his fellow worker. I made the man take the cartons back down to the basement, empty them, and put the rubbish into sacks and put the cartons aside.

Mr. CONNORS. Those were cartons which you normally use to ship out orders?

Mrs. MOSES. Yes, new cartons. I explained all this to Mr. Hamilton, and Mr. Hamilton tried to get Mr. Sherman to give me better

cooperation, but it seemed like a futile thing. In September he came back from his vacation—

Mr. CONNORS. 1951?

Mrs. MOSES. 1951. During the 3 weeks that he was away there seemed to be a little more unity in the shipping department. Then I had decided that I wasn't going to keep him as foreman any longer and appointed a man who really should have been the foreman because of his seniority over a period of 15 years, this Henry Mace.

The day he got back I walked in to tell him that I didn't want him as foreman any longer. He said he had already heard it. I said, "I have nothing more to tell you if you already heard what has transpired." So at the end of that week the \$5 I had given him out of my pocket, I stopped that, but the \$5 of the payroll, I couldn't take that back because once you gave him an increase that had to stand.

Mr. CONNORS. Yes.

Mrs. MOSES. Again operations became very, very slow in there; orders weren't going forth, and I went back there several times, and I told him about that. He seemed to have little meetings of his own continually, and I told him, "Why do you always have to go off with these men and whisper?"

He said, "How do you know what I am talking about?"

I said, "It's quite apparent here because of the stoppage what you are talking about."

He told me then if I was looking for trouble he would give me plenty of it and more than I had bargained for.

Mr. CONNORS. What did he mean by that, Mrs. Moses?

Mrs. MOSES. I have no way of knowing what he meant, but whatever it was it seemed like a very great threat.

Mr. CONNORS. Did anything come out of the threat?

Mr. MOSES. I went and called the union immediately and told them. I asked Mr. Hamilton's secretary to have Mr. Hamilton come down. Mr. Hamilton didn't show up for several days. About that time Nat Sherman came to the front office, and he told Stanley to call the union, and I told him I had already contacted the union, and he talked very loudly, and he turned back to go into the shipping department, and Stanley called him once and twice and three times, and he raised his voice, because he thought Nat hadn't heard him.

He turned around and said, "Who do you think you are hollering at?"

Stanley said, "I am not hollering at anybody. I thought you didn't hear me."

With that he said, "If I had you outside, I would stretch you out."

Mr. CONNORS. Mr. Sherman said that to your son?

Mrs. MOSES. Yes. I said, "Don't threaten anybody around here. We have had too many threats by this time, and I don't like it."

Mr. CONNORS. May I interrupt at that point?

Mr. MOSES, can you add anything to the description of that same incident?

Mr. MOSES. No, I can't. He was pretty excited at the time, and I think he just let his emotions run away with him. I don't know whether he really meant it in any sense of the word, but I am sure he just was pretty excited about the whole thing.

Mr. CONNORS. Did you have any subsequent difficulties with him?

Mrs. MOSES. Mr. Hamilton came down. We had a meeting that evening, and he was very adamant in his actions. Previous to that time I walked in there several times with some of the other people. There was Herbert Norvodoff. I told him several times of the work stoppage in there, and they used to go upstairs on the second floor and sit there. They told the elevator operator, the freight elevator operator, to let them know when I was coming.

The first and second time it seemed to me it was my imagination when he let them know that I was coming by clanging the doors and wouldn't let me out of the elevator. The third time I kind of got the idea of what was transpiring. When I got there before he could let them know, there were four men sitting having a fine time.

I asked them if they had anything to do, and they said they were waiting for the elevator. I said to the elevator operator, "Did they ring the bell?"

He said, "No; if they rang I would have come for them."

They went downstairs, and then I went over to the man that runs the freight elevator. I said, "Up until now I thought that you just didn't want me to ride in this elevator, but I see now that when I was coming you tried to inform them."

He said then that they told him, his very own words, "They told me to 'lay chickie' for them." In other words, kind of notify them when I was coming. I told him then, "You are not paying their salaries; I am. Don't you ever dare do that again."

I notified the building management, and they told him never to do anything like that again; that he had no business with the people working there.

Mr. CONNORS. Is the elevator operator paid by you or the building management?

Mrs. MOSES. By the building. This same Norvodoff, when I spoke to him he called me a ———— liar. I told him then that I was going to get him out of there. He said, "You can't get me out of here even if you wanted to, because I belong to the union."

The shop steward didn't try to stop him from talking to me that way; he just smiled.

Mr. CONNORS. What has been the usual attitude of the shop steward?

Mrs. MOSES. He was one to let everything go the way it was going. He never tried to stop the men.

Mr. CONNORS. Is that Nathan Sherman?

Mrs. MOSES. Nathan Sherman.

Mr. CONNORS. Is he still shop steward?

Mrs. MOSES. Yes.

Mr. CONNORS. Over how long a period?

Mrs. MOSES. I don't think he is shop steward now, at least they told me he wasn't.

Mr. CONNORS. Do you take up your grievances with the shop steward?

Mrs. MOSES. Apparently you are supposed to, but after that even when he was supposed to have been friendly he would say, "Mrs. Moses, what can I do about it?"

When he was made foreman he was supposed to see the men didn't smoke and that they did their work, and he was the one that did smoke,

feeling, I suppose, that he could get away with all these things, because most of the men think they have the union behind them and they try to do anything they like.

Mr. CONNORS. Who is shop steward at the present time?

Mrs. MOSES. I have no way of knowing. Mr. Hamilton told me somebody else is shop steward from a different shop. Then one time one of the men that was out on sick leave, his wife called and said he was ill. When he came in the third day after I asked him how he was feeling, and he said he wasn't sick; his father was sick.

I told him, "Why don't you and your wife get together on your lies?"

He resented that, and he used vile language. The shop steward was there and smiled and didn't try to stop him.

Mr. CONNORS. Was that Mr. Sherman?

Mrs. MOSES. It was Mr. Sherman. Then I contacted Mr. Hamilton and we had a meeting that night, and I think it lasted after hours for about 2 or 3 hours, and Mr. Hamilton walked out in the front office, and said, "I guess we have things settled now."

I said, "No, we haven't; I want Mr. Nat Sherman out of here. He has threatened me and threatened my son. He just simply seems to have a chip on his shoulder and won't let the men cooperate; for example, having these little meetings all through the day and shipping again is falling off."

Then I notified the union by registered letter that I wanted him brought up on charges of insubordination.

Mr. CONNORS. You notified Mr. Robinson?

Mrs. MOSES. I notified Mr. Hamilton that I wanted Nat brought up on charges of insubordination.

Mr. CONNORS. What was the result of that request?

Mrs. MOSES. Then the attorneys of the union notified me that I hadn't given them proper notice.

Mr. CONNORS. Who were those attorneys?

Mrs. MOSES. Rabinowitz, Shapiro—I haven't the exact names, I misplaced a copy of the letter.

Mr. CONNORS. Was Mr. Neuberger, N-e-u-b-e-r-g-e-r, one of them?

Mrs. MOSES. I think he was. They sent me a letter and said that I hadn't given them proper notice, and again we sent a registered letter and told them that I wanted Nat brought up on charges for arbitration, charges of insubordination, and I wanted it brought up before arbitration. I notified the New York State Arbitration Board, and I received a letter in return by a Mr. Stark, who mentioned six different people whom I can choose three of the six as arbitrators to represent Almo Trading Co.

Mr. CONNORS. Yes.

Mrs. MOSES. They appointed one Mr. Bernard Lamport, L-a-m-p-o-r-t.

Mr. CONNORS. Spell the first name?

Mrs. MOSES. B-e-r-n-a-r-d. They had set the arbitration, the date for arbitration, and I believe the union requested a postponement, and then Mr. Hamilton came to me and said that he expected everything was going to be all right if I dropped my charges, which I did. I notified the New York State Arbitration Board, addressing my letter to Mr. Stark.

Mr. CONNORS. That you were going to drop the charge?

Mrs. MOSES. That I was going to drop the charge, and I think we can settle it in an amicable way. It wasn't very many weeks afterward when the thing started all over again. I wrote to Mr. Stark and told him I wanted to resume arbitration on Mr. Sherman.

Mr. CONNORS. What was the union's reaction to that?

Mrs. MOSES. Mr. Hamilton brought Mr. Robinson down prior to my resuming the charges, and Mr. Robinson sat there and said that the men had it much easier before with Mr. Moses, and they refused to have the working conditions changed there by my trying to get more work out of them because that is how they were used to working, and that is how they wanted to work. He seemed to remonstrate with Mr. Sherman for the way he had acted toward me.

I told him of the many times they had used vile names toward me, I could hear it around the shipping room. He said he didn't want people using vile names to a lady or calling a lady vile names; that they had to cooperate with me because if the business went broke they would be out of jobs and for them to try and see what they could do.

Mr. CONNORS. Who said this?

Mrs. MOSES. Mr. Robinson.

Mr. MOSES. He also asked Mr. Sherman why he doesn't quit. He said, "I won't because they want me to."

Mrs. MOSES. Mr. Robinson said that if he don't want to quit we can't make him because he is a member of the union, and with that they walked out.

Mr. CONNORS. Mr. Robinson at that time was what?

Mrs. MOSES. Vice president of the union. I still refused to drop my charges. I went down two different times when the meetings were scheduled for arbitration. The union failed to send any representative down there. I believe Mr. Hamilton was supposed to come down. Mr. Lamport called him up, he said that he had violated the contract because they were supposed to send someone down when anything was in for arbitration; that if he didn't come down, why, then he would give me the decision and the thing would have to go to the supreme court.

I don't recall what-all else he told him on the telephone, and then he promised they would come the third time. When the meeting was scheduled for the third time they called me up and they asked me to drop the charges, and I refused to drop the charges. On a Thursday evening before closing time Mr. Robinson called me up and said—he identified himself over the telephone—and said, "Mrs. Moses, if you win the mediation the men won't cooperate with you, and if you lose you can't do business at this address any longer. You won't be able to do business at 3 West Eighteenth Street."

Mr. CONNORS. Who was this speaking to you?

Mrs. MOSES. Cleveland Robinson. I told him I wasn't afraid. During that week it seemed like every day, morning and afternoon, somebody else from the shipping department would come into the front office and insist on having meetings with me. One Sam Edison came out and said to me, "Mrs. Moses, we want to know what you are going to do about dropping your charges?" And I said, "I don't intend to."

Mr. CONNORS. This was Sam Edison?

Mrs. MOSES. Yes.

Mr. MOSES. He stayed about an hour late one night.

Mrs. MOSES. Trying to badger me into dropping charges.

Mr. CONNORS. Who was Sam Edison?

Mrs. MOSES. He is one of the men in our shipping department.

Mr. CONNORS. One of your employees?

Mrs. MOSES. That is right. He was a member of the union when he came into our employ and we didn't know about it. Mr. Moses, when he was there a period of 9 months, wanted to let him go, but he came in and said he had a sick wife and couldn't afford to lose his job. He was in there apparently unionizing as many as he could.

The day Mr. Moses let him go, the afternoon of that day or the following Monday, around noon time, a lot of people came into our place and created such a rumpus that the girls in the office hid under the desks, they were so terribly frightened.

Mr. CONNORS. About what period of time was this, Mrs. Moses?

Mrs. MOSES. November 1950, or October. I think it was October.

Mr. CONNORS. Have you ever had occasion to call for police protection against any demonstrations in or about your premises?

Mrs. MOSES. About that time one of the men employed in our place of business called the police, and by the time the police did get there they were cleared out. But there was a buyer in from Tampa, Fla., and he was in my office, and it seemed like one of the men came into the office and got him by the shoulder and wanted to know who he was.

He said, "Why do you want to know who I am?"

The man said, "I want to know whether you are Mr. Moses."

He told him, "No, I am Mr. Louis Wohl, of Tampa, Fla."

Mr. MOSES. Several people were threatened in the place, those who weren't members in the union. It just so happened that those who were in the union were out to lunch and that evidently identified those in the shipping department. I wasn't there, but I understand that there were 50 or 60 people that came into the place.

Mr. CONNORS. Let me see if I understand this correctly. In October or November of 1950, 50 or 60 people came into and upon your premises and threatened Mr. Moses?

Mrs. MOSES. Mr. Moses wasn't there at the time, he was out of his office. He didn't come in until later in the day.

Mr. CONNORS. I see.

Mrs. MOSES. But they came in when Mr. Moses came back. Mr. Wohl told him what had transpired when he was there. He came in on a buying trip.

Mr. CONNORS. Mr. Wohl?

Mrs. MOSES. That is right, from Florida.

Mr. CONNORS. Were any of the people who staged this demonstration identified?

Mrs. MOSES. No. The people who were members of the union at that time, or who we had learned were members of the union at that time, were out to lunch. While they were out to lunch, this demonstration took place.

Mr. CONNORS. This demonstration was staged by people who were not employees of the Almo Trading Co.?

Mrs. MOSES. That is right.

Mr. CONNORS. But you don't know who these people were?

Mrs. MOSES. I wasn't there at the time.

Mr. MOSES. They said, these people who broke in, that we would have to take Sam Edison as a worker, and they threatened several people.

Mr. CONNORS. That is, the people who staged the demonstration told the management of the Almo Trading & Importing Co. that they would have to take back Sam Edison as an employee of the Almo Trading Co.?

Mr. MOSES. That is right, and they threatened several people who were there at that time.

Mr. CONNORS. Mrs. Moses, I lay before you a copy of a document and ask you if you can identify that document?

Mrs. MOSES. Yes, I can identify it, it is part of our union contract.

Mr. CONNORS. It is part of the contract you have now with DPOWA, is that correct?

Mrs. MOSES. That is right.

Mr. CONNORS. And this portion of the contract specifies that the employees shall have one half day holiday on May Day for the purpose of participating in the union demonstration, is that correct?

Mrs. MOSES. That is right.

Mr. CONNORS. Has that been a clause in your contract for some time?

Mrs. MOSES. Well, our contract was originally drawn with that clause in it.

Mr. CONNORS. When was that contract originally drawn?

Mr. MOSES. November 21, 1949. I think that should be 1949 also, when they broke in.

Mrs. MOSES. Yes; 1949 instead of 1950.

Mr. CONNORS. So that the Almo Trading & Importing Co. has been represented for bargaining purposes by the DPOWA since——

Mrs. MOSES. November 1949.

Mr. CONNORS. Mrs. Moses or Mr. Moses, have you any further information to furnish the subcommittee with respect to the impact that DPOWA has had upon the business of the Almo Trading & Importing Co.?

Mrs. MOSES. Well, with the new bargaining that was coming up, our contract came up for renegotiation, and they sent us by registered mail, I think 4 to 6 weeks in advance of our contract for us to start bargaining with them.

Mr. MOSES. Four to six weeks from the expiration date of the contract?

Mrs. MOSES. That is right. The men always wanted to have meetings and, of course, I told them that we have lots of time and I don't see why we had to start so long in advance. Well, about 2 or 3 weeks before the expiration date of the contract again they came in every single day and wanted to know what I was going to do about it.

I said, "I have up until January 31, 1952, midnight, to give them a new contract, and February 1 they will know where they stand." They would call me in for meetings practically every day, and I told them that I couldn't afford to let them have meetings on my time as they had always been doing, because these meetings would last an hour or two.

They said, "You can deduct it from our salaries." Of course, this one morning this man came in and said, "The men want a meeting immediately." It was about 9:15 in the morning, and I said, "They

will have to wait until I am able to get in there." I went in there at about 10:30 and I said, "I cannot afford to have meetings on my time."

Sam Edison said to take off as much time as they would spend. I told them again that I was sure we would reach some sort of understanding as far as the contract went. At the end of the week when I docked them the 20 minutes, they all seemed to be disturbed by it. They seemed to resent the whole picture after that and said that if I didn't come to terms with them they would strike.

Mr. Hamilton told me the men simply wanted to strike.

Mr. CONNORS. They wanted to strike?

Mrs. MOSES. They wanted to strike. He was trying to keep them from striking because it wasn't a good thing for the business, and he didn't think it would be very wise. I told him we couldn't afford to have a strike because I would have to close the business down.

Mr. CONNORS. Did the strike ever occur?

Mrs. MOSES. January 31 or a few days before they said they weren't coming back to work, and one of the billing-machine operators was a member of the union and went over and told my bookkeeper that they will permit her to come in and get their salaries but she couldn't otherwise because she might get hurt. She told me that.

I asked the billing clerk what they meant by that, and she said, "I simply don't want Esther to get hurt in case there is a strike."

Mr. CONNORS. Esther Lanow?

Mrs. MOSES. Esther Sandhaus, S-a-n-d-h-a-u-s. I told her that she didn't have to be afraid of getting hurt. She told me that the men were going to strike, they weren't going to come in. I called the police department then and told them that I heard they were going to call a strike in my place and I wanted police protection because the bookkeeper had been threatened.

The next morning I, my daughter, and son came in about a quarter of 8 in the morning so if anything happened we would be able to get our bearings. At about 20 after 8 the man who usually opens up came in. He has been there about 15 years or more. I said to him then, "I thought you people were going to call a strike?"

He said, "No; we decided we wouldn't but to go to work."

Mr. CONNORS. Did you get the police protection?

Mrs. MOSES. They sent down a Sergeant Shulter. He came in, and I told him what our situation was. I told him that time and again we had been threatened. He said why didn't we contact them. I said we were afraid to contact the police or anybody else because we knew that we would be threatened again and people would slow up, and we couldn't afford all that. We were afraid of what the repercussions might be.

They went to work, and again Mr. Hamilton came down with an attorney, and they had the contract settled. I told them then that we were paying $6\frac{1}{2}$ percent on their welfare fund and my business couldn't stand to have the welfare fund up another $3\frac{1}{2}$ percent, which would make it 10 percent.

Mr. CONNORS. Did they ask for that increase of $3\frac{1}{2}$ percent?

Mr. MOSES. Yes. My attorney said we wouldn't settle under any circumstances with that 10-percent clause in there which would be toward their welfare fund.

Mr. CONNORS. Does that 10 percent come out of their salary?

Mrs. MOSES. Out of the business, out of Almo Trading & Importing Co.

Mr. CONNORS. You pay into the welfare fund 10 percent of each employee's salary every week?

Mrs. MOSES. That is right. He did ask for a postponement of our 3½ cents until April 1 because we had lost considerable money during the year, and we had to give them a \$4 increase, which they called a cost-of-living increase.

Mr. CONNORS. \$4 a week?

Mrs. MOSES. \$4 a week, each man.

Mr. CONNORS. You have recited two occasions on which you have had to request police protection. Have there been any other occasions?

Mrs. MOSES. That is just the one time. No, I never contacted the police; I was always afraid of what might happen after that.

Mr. CONNORS. From the union, you mean?

Mrs. MOSES. That is right.

Mr. CONNORS. Mrs. Moses, you are appearing here in response to a subpoena, are you not?

Mrs. MOSES. Yes; I am.

Mr. CONNORS. Mr. Moses, you are appearing here in response to a subpoena, are you not?

Mr. MOSES. Yes; I am.

Mr. CONNORS. The subcommittee wants to express its appreciation for your appearance, and you will both be released from your subpoenas.

(Whereupon, at 11:45 a. m., the subcommittee was recessed subject to call.)

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