



CITY COUNCIL

March 4, 1952

Mr. O. Bowie Duckett
Munsey Building
Baltimore 2, Maryland

Dear Mr. Duckett:

The Un-American Activities Committee,
of the City Council, will hold a meeting Thursday,
March 6, 1952 at 2:00 P.M.

The Committee would appreciate very much if you could
find time to attend, and if possible bring your
investigators.

Sincerely,

C. Lyman Schueler, Chairman
Un-American Activities Committee

LF:dg

February 20, 1952

Honorable Arthur B. Price, President
City Council
City Hall
Baltimore 2, Maryland

Dear Arthur:

I am enclosing for your information copy of my letter of February 19th to Messrs. Friedel and Schueler and want you to know that this office stands ready to assist the City Council in the proposed survey in every possible way.

Very sincerely yours,

O. Bowie Duckett,
Special Assistant Attorney General.

OBD:t

enc.

The Sun 2-19-52

Councilmen Ask Two Probes: Of Reds In Industry, B.T.C.

City Councilmen last night called for two unrelated surveys—one of Communist infiltration into local industry, and the other of Baltimore Transit Company operations under the new management.

Even as the requests were made, a third member, Maxwell Alpert (D., Fourth) was lamenting the Council's lack of authority to enforce its decisions.

"We need more teeth," he said. "We can't enforce. We have to depend on resolutions."

Council resolutions are simply requests or expressions of the Council's feelings.

Councilmen Samuel N. Friedel (D., Fifth) and C. Lyman Schueler (D., Second) recommended an investigation of Reds in industry as a follow-up to a congressional probe.

House Group's Report

The House Un-American Activities Committee reported Saturday that its investigation in 1951 indicated that Communists have been "returning" to Baltimore defense industries.

Mr. Schueler wants the Council Labor Committee or a special committee to be appointed by Council President Arthur B. Price to "go into every angle and detail" of the situation.

To do this the investigating committee should have the co-operation of the American Federation of Labor, CIO, Brotherhood of Railway Trainmen and other labor groups, Mr. Schueler said. Then the Council-labor investigators could "go into plants" to see what the situation really is.

February 19, 1952

Honorable Samuel N. Friedel
Honorable C. Lyman Schueler
City Building
Room 2, Maryland

Messrs. Friedel and Schueler:

In further reference to my telephone conversation with Mr. Friedel, I want to assure you that this office stands ready and willing to assist both of you in every way in stopping the infiltration of Communists in local industries.

You undoubtedly know that in April 1951 the Board of Estimates authorized the employment of two Special Investigators for Baltimore City to assist in the enforcement of the Subversive Activities Act of 1949.

After competitive examination and screening the two selected were given a thorough schooling in investigative work by Army, Navy and Police Intelligence experts with the cooperation and assistance of the Attorney General, Police Commissioner, State's Attorney Sodaro and others familiar with this type of work. The two investigators have now been working full time in Baltimore for six months and have made many valuable contacts in addition to conducting investigations (some of which have been completed) of approximately two hundred persons suspected of belonging to Communist or Communist front organizations.

While the Ober Law expressly prohibits me from divulging the name of any resident accused of disloyalty without the permission of the Attorney General, I have many records here in my office and will be only too glad to discuss the proposed survey with you at your convenience when you can stop by the office.

Very sincerely yours,

O. Bowie Duckett,
Special Assistant Attorney General.

OBD:t

cc Honorable C. Lyman Schueler
Honorable Hall Hammond

JACOB J. EDELMAN

Lawyer, Munsey Building, Plaza 6160
Residence, 1614 Gwynns Falls Parkway
City Councilman, 4th District

E.P.
with Boykes
335 Munsey Bldg.

REPORTED AS:

American for Democratic Action (Official)
American Federation of Labor (Lawyer)
(Supporting Judge Sherbow's invalidation of the Ober Law 11/17/49)

Listed in the "Daily Worker" since 1949 in supporting Communist Party objectives and becoming an instrument of the Communist Party:

DW Friday	November 18, 1949	p.2
DW Tuesday	December 6, 1949	p.9
DW Wed.	November 8, 1950	p.5
DW Wed.	May 23, 1951	p.7
DW Wed.	June 6, 1951	p.8

The Maryland Association for Democratic Rights was affiliated with
The National Emergency Conference for Democratic Rights which is cited:

1. As a Communist front. (Special Committee on Un-American Activities, Report, March 29, 1944, pp. 48 and 102)
2. It will be remembered that during the days of the infamous Soviet-Nazi pact, the Communists built protective organizations known as the National Emergency Conference, the National Emergency Conference for Democratic Rights, which culminated in the National Federation for Constitutional Liberties. (California, Committee on Un-American Activities, Report 1948, pp. 112 and 327)
3. Cited as a Communist Front organization defending Communists, "After the dissolution of the American League for Peace and Democracy in February 1940, the Communist Party frantically organized a new series of front organizations. The National Emergency Conference for Democratic Rights was one of the new fronts and it was filled from top to bottom with veteran Communist Party liners." (California Committee on Un-American Activities, Report, 1948, pp. 112 and 327)
4. Cited as subversive and Un-American (Special Committee of the House Committee on Appropriations, Report, April 21, 1943, p. 3)

Listed as a member of the National Lawyers Guild.

Also cited as Communistid by:

1. Special Committee on Un-American Activities, Report, March 29, 1944 p. 149.
2. Congressional Committee on Un-American Activities, Report or National Lawyers Guild, House Report No. 3123, September 21, 1950 (originally released 9/17/50)
3. California Committee

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JACOB J. EDELMAN
LAWYER, MUNSEY BLDG. Fl. 6160
RESIDENCE, 1614 GWYNNS FALLS Pky.
CITY COUNCILMAN 4th. DISTRICT.

REPORTED AS:

AMERICANS FOR DEMOCRATIC ACTION _____ OFFICAL
AMERICAN FEDERATION OF LABOR _____ LAWYER
(SUPPORTING JUDGE SHERBOW'S INVALIDATION OF THE
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May 23, 1951, Daily Worker, page 7

Negroes Rights Issue in Baltimore Election, Jacob Edelman, one of the democratic members of the City Council for the Fourth District was the only candidate other than the Progressive Party candidate who spoke out for the relief of Willie McGee which undoubtedly helped him get re-elected. Edelman has maintained some independence although backed by the democratic machine. He has a liberal record with strong support from the I.L.G.W.V. and the A.C.W. In fact the only roll the entire labor movement played in the general election was limited to the support he got from these two unions.

Daily Worker, November 8, 1950, page 5

MAP PETITION DRIVE FOR BALTIMORE F.E.P.C. There were 100 delegates, sponsors and guests at the conference on fair employment practices here last week, adopted vigorously the Resolution "JOBS FOR NEGROES IN INDUSTRY", "ATTACK ON OUR LIVING STANDARDS", AND "INCREASED RELIEF". The group voted also to set up a permanent committee to "lead in the fight for job equality at home".

It was unanimously agreed that the new committee get to work shortly on a petition for a referendum on a city fair employment practice law, to be included on the April ballot for Mayor and City Council.

Referring to the absence of Mr. McKelden, Gertrude Seif, presiding, said: "Can this be the representative of Lincoln's party who runs away from such vital issues affecting all of Maryland and the nation? Governor Lane's written reply transmitted through Willis R. Jones is hardly more acceptable although it wishes our conference success it seems to specify little more than Mr. McKeldin's, what the candidate will do to insure fair employment practices".

A TELEGRAM FROM CITY COUNCILMAN EDELMAN (JACOB J) was read expressing support for the campaign for jobs for negroes in industry and promising action toward fair employment practices for all.

Speakers present were Linwood Koger.

Daily Worker, June 6, 1951

MARYLAND NOTABLES ASK MCCURRAN REPEAL. Repeal of the McCurran Act was urged by 29 leading citizens of Maryland, including clergyman, professors, physicians, civic leaders and artists, in an Open Letter to the Maryland members of Congress. The Open Letter stated that the McCurran Act 'is based on the undemocratic concept of guilt by association, and violates the principle upheld by our courts time and time again, that laws may punish for crimes committed, not for beliefs.' Signed by Jacob J. Edelman, * * * * * Ely Castleman * * * * * Karl Metzler * * * * * Louis Shub * * * .

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BALTIMORE CITY POLICE DEPARTMENT
POLICE HEADQUARTERS
BALTIMORE 2, MD.

ORGANIZATION: Maryland Association for Democratic Rights
Affiliated with the National Emergency Conference
for Democratic Rights

MEMBERSHIP:

✓ Franz Boas	✓ Dr. W Stull Holt
✓ Rev, Theodore P Ferris	✓ Mrs. Anne G Huppman
✓ Edna R Walls	✓ Owen Lattimore
✓ Albert Lions Jr.	✓ Mrs. Owen Lattimore
✓ Bert L Clark	✓ Claire Leighton
✓ I. Duke Avnet	✓ Ed. S Lewis
✓ Dr. Floyd Banks	✓ Charles W Mitzel
✓ Walter Bohanan	✓ Samuel R Morsell
✓ Gertude C Bussey	✓ Rev. Jos. S Nowak Jr.
✓ Martha Ann Chapman	✓ Charles B Olds
✓ Savilla Cogswell	Maizie Rappaport
✓ J. Marjorie Cook	✓ Leon Rubenstein
✓ Mrs. Henry E Corner	✓ C.A.B. Shreve
✓ Dorothy Currie	✓ H. Bowen Smith
✓ Fred D'Avila	Wm. F. Stark
✓ Carrington L Davis	✓ Mrs. Edmond S Donoho
✓ Jacob L. Edelman	✓ Dr. Leon Sachs
✓ Dr. Ernst Feise	✓ Dr. Henry E Sigerist
✓ Dr. Jonas Friedenwald	✓ Wm. Smith
✓ Helen Garvin	✓ Arthur K. Taylor
✓ Sarah Hartman	✓ Wm. F Cochran
✓ Sidney Hollander	

Smith Act Trials in Md.

Tuesday
March 11, 1952

FBI DIRECTOR TO BE CALLED IN RED TRIAL

Defense Also To Summon McGrath For Data On Wire-Tapping

In a little less than five hours of interrogation, a jury of nine men and three women yesterday was chosen in the Federal District Court here to try six defendants charged as conspirators to overthrow the United States Government by force and violence.

The trial here, going forward simultaneously with a similar case in California, was developed last year as part of a nation-wide Justice Department offensive which opened with the arrest of eleven "top level" Communist party leaders in New York.

As the selection of the twelve regular jurors and four alternates was completed, Harold Buchman, attorney for two of the defendants, let it be known that he intends to subpoena J. Howard McGrath, Attorney General, and J. Edgar Hoover, director of the Federal Bureau of Investigation, at some time during the trial.

Charges Wire-Tapping

Mr. Buchman said he wants the two high-ranking Government officials here to support his allegations that some of the evidence linked with the prosecution's case was obtained by means of wire-tapping.

In Federal courts, evidence so obtained has been ruled inadmissible.

Judge W. Calvin Chesnut, before whom the conspiracy trial is being conducted, declined to grant Mr. Buchman's renewed motion to suppress the evidence, but informed the attorney that he was free to call any witnesses of whatever rank in his attempt to challenge testimony as it develops.

The defense counsel indicated that he would attempt to determine in advance just when he would need Mr. McGrath and Mr. Hoover so as to minimize inconvenience to them. It was apparent that he does not expect to call them to the stand today.



DEFENDANTS IN CONSPIRACY TRIAL—The six persons who went on trial here yesterday on charges of conspiring to advocate overthrow of the Government pose outside Federal court.

They are (from left, standing) Maurice L. Braverman, Philip Frankfeld, George A. Meyers and Leroy H. Wood and (seated) Mrs. Regina Frankfeld and Mrs. Dorothy Rose Blumberg.

Six Are Charged

Charged with conspiring to teach and advocate the overthrow of the Government by force and violence and with organizing associations to further this alleged objective are:

Philip Frankfeld and his wife, Mrs. Regina Frankfeld; George A. Meyers, Leroy H. Wood, Mrs. Dorothy Rose Blumberg and Maurice L. Braverman, counsel for the Communist party in Maryland.

All except Braverman are professed Communists.

However, the *Daily Worker*, Communist newspaper, announced last week that Frankfeld had been ousted from the party for deviation from the policies of its national committee, and that Mrs. Frankfeld had been removed from all positions of "leadership."

Frankfeld is a former Maryland-
(Continued on Page 18, Column 1)

FBI CHIEF MAY BE SUBPOENAED

Defense Wants Wire-Tapping Data In Red Trial

(Continued from Page 30)

District of Columbia chairman for the Communists, but had been transferred to Cleveland as Ohio party chairman before his arrest last August by the FBI.

Meyers had taken over as Frankfeld's successor as Maryland-District of Columbia party leader and Wood headed party activities in Washington.

In anticipation that more than usual difficulty might be encountered in the selection of a jury, a total of 95 men and women had been called as talesmen yesterday, but only 48 were questioned before the jury box was filled and the four alternates named.

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Jurors Sworn In

Jurors sworn in after the defense had taken its seventeen peremptory strikes and the Government had exercised the same right in six instances were:

JAMES F. WHITESCARVER, 56, of 302 Tunbridge road, sales manager for a chemical firm.

JOHN A. MILLER, 59, of 6303 Mount Ridge road, a retired builder.

EDWARD T. BLAKE, SR., 61, of 1903 Hollins street, a machinist.

WINSTON R. BANBURY, 44, of 2635 Maisel street, a cable splicer.

ADAM STANLEY, 46, of 816 West Franklin street, a "gang leader" for a work group in a chemical plant.

CLARENCE S. BROWN, 53, of 926 West Franklin street, laborer for an importing company.

MRS. ANNA A. CROW, housewife, of 1015 Bentalou street.

MRS. GRACE A. SILVER, homemaker, of 4608 Belvieu avenue.

MISS IRMA K. SOEDER, 53, of North Monroe street, trust-company clerk.

G. STANLEY KRANZ, 51, of 610 Frederick road, clerk for a paint and hardware company.

SAMUEL COOPER, 58, of 3522 Old York road, newspaper route owner.

WILBERT JOSEPH JACKSON, 63, of 723 North Fulton avenue, cement finisher.

Four Alternates

Because of the unusually large number of defendants involved and because the trial is expected to be somewhat prolonged, Judge Chesnut allowed the selection of four alternate jurors instead of the usual two.

The alternates:

BERNARD O. BENNS, 50, of 2125 Druid Hill avenue, janitor.

MRS. EDITH IRENE JONES, housewife, of 2406 Halycon avenue.

MASTON T. BASS, 66, of 1523 East Chase street, barber shop owner.

WILLIE J. MOORE, 43, of 651 Cheraton road, watchman.

Three of the regular jurors and three of the alternates selected are Negroes.

On the basis of occupations listed on the official jury roll, seven of the sixteen regular jurors and alternates chosen fall into a "manual labor" category.

Claim Disproportion

In earlier motions, renewed yesterday, defense counsel had complained of the alleged disproportion of manual workers in the overall "jury array."

Among all those questioned yesterday only two were disqualified on the basis of firmly formed opinions in the case.

One, Joel M. Cloud, steamship company manager, told Judge Chesnut that "my mind is made up" and was excused.

Joseph L. Lau, 62, cashier for an investment banking firm, was excused by agreement of both sides when he testified that he did not feel he could be an impartial juror because "I have a son just back from Korea."

Two Others Excused

Although only two prospective jurors were disqualified in a technical sense, Judge Chesnut excused two others to whom the defense counsel objected. He explained that he took the step in view of the defense position and because the number of veniremen was far from exhausted.

One of these was John H. Leitch, 64, of 1536 Kingsway road, a buyer for a clothing firm, who said that "it appears to me that Communists believe in the overthrow of the Government by force and violence."

On further questioning by Bernard J. Flynn, United States district attorney, Mr. Leitch said he felt he could be open-minded in this case, but Judge Chesnut allowed him to be excused from service.

"Strongly Opposed"

Wendell H. Baker, 53, general manager of a dairy firm, was similarly excused after he pronounced himself "strongly opposed to communism" and devoted to the "American way of life."

Questioning revealed that Mr. Baker had taken a stand opposed to that held by Meyers, one of the defendants, in a City Council hearing about milk prices.

Judge Chesnut excused Mr. Baker, at the same time making it clear that he did not believe the dairy executive to have disqualified himself.

At least two other talesmen evoked defense opposition, but were not excused. Later, they were eliminated through the defense right of peremptory challenge.

Allowed 17 Strikes

Because he had ruled against the defense in these two instances, Judge Chesnut said he would grant them seventeen strikes instead of the fifteen first announced.

Throughout the questioning, conducted almost entirely by defense counsel, prospective jurors were asked whether they had read the works of Marx, Lenin and Stalin. Most said they had not.

The talesmen also were asked about whether they had read a series of articles by Herbert A. Philbrick which recently was published in *The Evening Sun*.

One man said he had "glanced at them," but all others denied having read the articles.

The consistent negative answers drew from Judge Chesnut this comment:

"It would appear that these articles were not the most popular ever published."

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1ST WITNESS TAKES STAND IN RED TRIAL

Ex-Communist Tells Of Frequent Meetings With Frankfeld

A witness who said he helped plan Communist infiltration of American armed forces and who had Moscow training took the stand yesterday to give the first testimony in the trial of six defendants charged with conspiring to advocate the overthrow of the Government by force and violence.

As the first Government witness, Paul Crouch, who withdrew from the Communist party ten years ago, told of holding "more than 100" party offices between 1926 and 1942.

It was at a party committee meeting in New York city on October 1, 1927, that he first met Philip Frankfeld, one of the six defendants, Mr. Crouch testified in the Federal District Court here.

Tells Of Moscow Trip

Questioned by Bernard J. Flynn, United States District attorney, Mr. Crouch said his own work at the time had dealt with plans for the infiltration of the armed forces and that he frequently met Frankfeld in connection with the activities of the Young Communists' League.

This testimony followed:

Question—Did you take the plans with you to Moscow?

Answer—Yes.

Q.—What was done about them?

A.—I gave the plans to officers of the Red Army. They were criticized and modified materially. Then a commission was formed to draw up detailed plans for the infiltration of all capitalist countries.

Describes Plan

Q.—What details were approved and brought back here to be put into operation in this country?

A.—We were to send a relatively small number of carefully selected people into the United States Army and Navy to establish cells, especially in the Panama Canal zone. And we were to place scores and hundreds in the National Guards

(Continued on Page 24, Column 3)

Ex-Communist First Witness In Conspiracy Trial Of Six

(Continued from Page 1)

and in the ROTC so that our members could become officers and have power when the time came for revolutionary action.

The witness said he first became interested in the Communist party when he was with the United States Army in Hawaii. Court-martialed in connection with his Communist activities there, Crouch said, he first was given a 40-year sentence in the Alcatraz Disciplinary Barracks.

Joined In Prison

It was while he was in prison in 1925 that he joined the Communist party, the witness went on to say, although he did not get his party card until two years later.

His sentence reduced to three years, Crouch at once became an active leader in the party, he testified, going on a nationwide speaking tour and taking part in conferences at both local and national levels.

Mr. Crouch, now a consultant with the Immigration and Naturalization Service in Washington, spent most of his time on the stand reading from pamphlets identified as the official "Program of the Communists International" and the "Program of the Young Communists International."

His testimony brought persistent objections from defense counsel who maintained that it dealt with matters antedating the period covered in the indictment.

Overrules Objections

Crouch testified, however, that he knew both booklets still are the recognized guide for Communist party members in the United States, and Judge W. Calvin Chesnut overruled all objections.

The material read by the witness, outlining revolutionary Communist doctrines, was in sharp conflict with the four defense opening statements which immediately preceded the introduction of testimony.

The defense statements not only asserted the innocence of the individuals charged, but contended that the Communist party in the United States does not contemplate the overthrow of the Government by force and violence.

Reserve Statements

Statements were made yesterday in behalf of Mr. Frankfeld, George A. Meyers, Mrs. Dorothy Rose Blumberg and Maurice L. Braverman.

Counsel for Mrs. Regina Frankfeld and for Leroy H. Wood, the other two defendants, reserved statements for later in the trial.

Throughout all the statements, including the opening remarks of Mr. Flynn, the writings of Marx and Lenin were called "Communist classics," and there was every evidence that they will be widely quoted as the trial progresses.

Harold Buchman, counsel for both Mr. and Mrs. Frankfeld—but speaking yesterday only in behalf of Mr. Frankfeld—admitted that the "classics" did mention force and violence.

He argued, however, that the writings should be judged in the framework of the time and place of their origin, and that it is "unrealistic" to charge present-day Americans on the basis of their pronouncements.

The lawyer emphasized that his client had never made any secret of the fact that "he believed in socialism," and that he went to Moscow because of that conviction.

Refs To "Socialism"

In almost every case, Mr. Buchman, like other defense counsel, used the word "socialism" to express the political philosophy of the defendants.

He contended that establishment of "socialism" in this country is not now of immediate interest to Mr. Frankfeld or his party. The true goal, Mr. Buchman said, is the preservation and extension of democracy.

George A. Meyers, who elected to represent himself in spite of the fact that he formerly had retained Mr. Buchman as counsel, found himself in frequent difficulties with the court as he attempted to expound his views to the jury.

Judge Chesnut stopped him first when Meyers started a description of the removal of the bodies of coal miners after accidents.

Warning Repeated

Reminding the defendant that he had himself chosen to proceed without counsel, Judge Chesnut insisted that Meyers confine himself to a statement of the evidence he expects to produce in his defense.

The warning frequently had to be repeated as Meyers went on

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(From Page 38)

with what was to some extent an autobiography. He denied that "I or my party" advocate violence, and said he had come to believe that "socialism is the only permanent solution to the evils that beset the working class."

His own experiences caused him to "lose all confidence in capitalism," Meyers told the jury.

Denies Charges

The real goals of "my party," Meyers declared, include an immediate end to the war in Korea, peaceful negotiation between the United States and Russia, and acceptance of the possibility of the coexistence of this nation and the Soviet Union.

He charged that he and others had been arrested by the Justice Department "to hide its own corruption"; that there is a "program of intimidation" seeking to suppress trade unions and to hold back the drive of the Negro for full citizenship, and that the real conspiracy is "against the Constitution and the Bill of Rights."

"A political party is on trial here," Mr. Meyers asserted.

Mr. Braverman, Baltimore attorney and counsel for the Communist party in Maryland, also represented himself. He denied categorically that he had ever attended a meeting in which anyone advocated violent overthrow of the Government.

"I emphatically deny these charges and will prove that all I have wanted was to improve and strengthen the democratic processes," the attorney said.

When Mr. Braverman started an attack upon the Smith, McCarran and Ober laws, Judge Chesnut stopped him with the question:

"Are you attempting to use this court as a political forum?"

"Views On Trial"

In reply, the defendant said:

"My political views are on trial here."

Mr. Braverman declared his belief in socialism, and said he thinks socialism eventually will come to this nation "as a higher form of democracy which will come about peacefully as the expression of the will of the majority of the people."

Carl Bassett, representing Mrs. Dorothy Rose Blumberg, told the jury he did not agree with all the views of the defendants, adding:

"The point is not what they say but whether they have the right to say it.

"Our position is that they didn't want to do the things with which they are charged, didn't try to do them and couldn't have done them anyway.

"Show What They Did"

"As to overt acts," he added, "we don't intend merely to maintain that these defendants thought they were protected by the Bill of Rights. We will go beyond that and show what they really did."

In conclusion, Mr. Bassett asserted that:

"The prosecution has said these people are defendants and that certain books will prove their guilt. The defense will show you that the real defendants are those books and the lives of these people will prove their innocence."

After the four defense spokesmen had been heard, Judge Chesnut addressed the jury:

"You have heard three hours of opening statements," Judge Chesnut said, "but not one word of evidence. I think it well for me to bring the real issues to your attention.

"The Government charges that the Communist party in the United States has been and is now a party with a revolutionary program which would take over the United States Government by force and violence as soon as possible.

"Second Issue"

"The second issue before you is whether these people are such officers in the Communist party as to be committed to this objective.

"The defendants deny both these issues of fact.

"This is not a trial about whether socialism is a wise economic theory, or whether communism, as an economic theory alone, is wise. It is not about whether the defendants have been humanitarian in their approach and have tried to better conditions of any class or race.

"This is not a political forum."

Yesterday's session opened with a presentation of the general nature of the Government's case by Mr. Flynn.

The prosecution attorney traced the history of the Communist party in the United States, and described its organization at national and local levels.

COPY

Baltimore Sun - Morning March 13, 1952

WITNESS TELLS WHY HE QUIT AS COMMUNIST

Testifies At Red Trial To Conviction Russia Sought A-Bomb

His conviction that Russia was plotting to "steal" atom-bomb secrets brought him to a final break with the Communist party, a prosecution witness testified yesterday in the trial of six men and women accused of conspiring to advocate the overthrow of the Government by force and violence.

Paul Crouch, who devoted seventeen years to the service of the Communist party in this country, said his belief in the espionage attempt was "the last straw," convincing him that the "evil" outweighed the "good" in which he formerly believed.

"It was a double-cross of the United States at the time the nations were supposed to be allies," Crouch said.

Cites 1941 Conference

Under crossexamination by Carl Bassett, counsel for one of the six defendants, Crouch launched into a long exposition of the results of the Soviet espionage plots, declaring that they extended to present danger to every major city in the United States and had caused the bloodshed in Korea.

Asked how he knew of such plots to "steal" the atomic secrets, Crouch said his suspicions were aroused by the extreme secrecy surrounding a Communist party conference in California in 1941.

Earlier, the witness had said the conference had been concerned with radiation laboratories and that his break with the party came after he had been directed "to take certain steps" in connection with those laboratories.

No Direct Answer

As the day's session drew to a close, Judge W. Calvin Chesnut, presiding in Federal District Court, put the final question to Crouch, who had been on the stand throughout the day.

"You knew, then, as early as 1942, about efforts of the Soviet Union to obtain atom bomb secrets

(Continued on Page 26, Column 3)

EX-RED TELLS WHY HE QUIT

Says He Believed Russians Plotted To Steal Secrets

(Continued from Page 38)

from the United States by what were—shall we say—'irregular' means?" Judge Chesnut inquired. Mr. Crouch gave no direct answer, launching again into his account of the "secret" conference. There the question rested for yesterday—the third day of the trial.

Crouch, the first and so far the only witness, will return to the stand for further crossexamination today.

Denies Information Pay

During the first hours of his crossexamination yesterday, the witness denied he had ever been paid to give information to an agency or a department of the United States Government.

What compensation he received Crouch said, was given to repay him for salary losses incurred when he left regular jobs to testify or conduct investigations for the Government.

So far as he could remember the witness added, his regular salary on various jobs over a period of several years was "somewhere between \$75 and \$100 a week."

Gets 'Expert' Witness Pay

His present salary as a consultant for the United States Immigration and Naturalization Service is \$110 a week, he said. During this trial, he continued, he is being paid as an "expert" witness and his railroad fare between here and Washington is provided by the Justice Department.

Crouch testified that he had been forced to borrow money from an employer in Miami, Fla., in order to pay for special protection for himself and his family "against secret police and assassins."

Asked whether he had "ever engaged in the practice of lying and perjuring yourself," Crouch replied:

"I have never perjured myself at any time either before, during or after my Communist party membership.

Admits He Was Misleading

"I cannot give a 'yes' or 'no' answer about lying because that is a matter of definition. While I was an active Communist party officer and teacher I did prepare material which was misleading."

Tuesday and again yesterday, Crouch repeatedly and at length had testified here that such force and violence its not only advocated, but considered inevitable.

James T. Wright, of defense counsel, asked:

Question—Then you tried to convince that board by reading excerpts from Communist literature that the party did not advocate violence?

Answer—I tried unsuccessfully.

Q.—And you are now trying to convince this court on the basis of other excerpts from literature that the opposite is true?

A.—I am here to answer questions and let the court and jury arrive at their own conclusions.

Q.—But you do want them to get a point of view different from that you tried to give the Nashville board?

A.—I wanted then to give a distorted and untrue picture. Now I want the judge and jury to get all the facts.

Tells Of 1933 Reprimand

Crouch said he first had "misgivings" about the Communist party as early as 1933 when he was reprimanded for not denouncing the late President Franklin Roosevelt in the columns of a union newspaper he was editing in Denver. He had been expected to brand Mr. Roosevelt as a reactionary, leading the nation into "fascism," Crouch said.

"I accepted this in silence because I still believed the ultimate good would justify any sacrifice," he explained.

Counsel for defense in the trial won a point yesterday morning when Judge Chesnut declined to admit in evidence at this time a sack of ten Communist "textbooks" based on the writings of Marx, Lenin and Stalin.

Cites Recent Writings

Judge Chesnut allowed the exhibits to be marked for identification so that they may be used later in the trial, but ruled against allowing their introduction at this time.

"Why go back to the writings of Lenin when yesterday we had readings from a Communist party program adopted at a much later date?" Judge Chesnut asked.

"It would only prolong the case and we would get into a philosophical discussion of what Lenin wrote in the Russian language many years ago. It would raise a false issue in this case.

"I want members of the jury to keep their attention focused on the issues of fact which are before them."

Defendants in the case are Philip Frankfeld and his wife, Mrs. Regina Frankfeld, George A. Meyers, Leroy H. Wood, Mrs. Dorothy Rose Blumberg and Maurice L. Braverman.

Throughout his testimony, Mr. Crouch has linked Philip Frankfeld as a national as well as a regional leader in the Communist party of America.

At the end of yesterday's session he had not mentioned the name of the other defendants.

COPY

Red Trial Jury Hears Further Explanation Of Party Views

With another former Communist on the stand as the second witness, Federal court jurors trying six defendants on charges of conspiring to violate the Smith Act yesterday were led further toward mastery of a primer of Marxist phraseology.

Through John Lautner, who said he was expelled from the Communist party in 1950, the Government introduced one very long and several short quotations from *The Daily Worker*, as well as excerpts from a number of "text-books" which the witness said are used in teaching party members basic Marxist-Leninist doctrines.

The documentary evidence was offered by Bernard J. Flynn, United States District Attorney, in support of the Government's contention that the defendants, following Communist party lines, conspired to teach and advocate the overthrow of the Government of the United States by force and violence.

Six On Trial

On trial are Philip Frankfeld and his wife, Mrs. Regina Frankfeld, George A. Meyers, Leroy H. Wood, Mrs. Dorothy Rose Blumberg and Maurice L. Braverman.

In relatively brief testimony before the reading of the documents began, John Lautner identified himself as Hungarian-born, a naturalized citizen of the United States, and a bricklayer by trade.

He said he had been a member of the Communist party from 1929 until his expulsion in 1950; that he had attended Communist schools, held offices of national and regional importance in the party and had

Red 'Democracy' In Action

Communists use the term "democratic"—but sometimes they combine it with the word "centralism."

When asked by Federal Judge W. Calvin Chesnut to define the expression "democratic centralism," as the Communist party uses it, John Lautner, a Government witness at the Smith Act trial, replied yesterday:

"Within the party, democratic centralism means that officers are elected at all levels; that a period of discussion of policy is permitted, and that after a decision is reached there cannot be two views within the party.

"Members in conflict with the policy adopted can be expelled."

conducted instruction courses of his own.

Lautner, questioned by Mr. Flynn, said he had served in the armed forces of the United States between 1942 and 1945 and had returned to civilian life to find the Communists in this country "in a turmoil."

It was in explanation of this "turmoil" that three full pages of *The Daily Worker* were read to the judge and the jury by Frederick

(Continued on Page 25, Column 1)

RED DOCTRINES ARE TOLD JURY

2d Ex-Communist Witness Is Queried On Terms

(Continued from Page 38)

J. Green, Jr., assistant district attorney.

The issue of the newspaper, which is the official Communist organ in this country, was dated May 24, 1945, and contained a detailed statement of party differences which later that year led to the expulsion of Earl Browder as party leader in the United States.

The article read is known as the "Jacques Duclos letter," written by a French Communist leader in protest against the Communist Political Association which for a period of about twelve months replaced the original Communist party in the United States.

Formed in 1944

The Communist Political Association, the Duclos letter explained, was formed in 1944 after Browder had led in the dissolution of the Communist Party of America.

Browder, Duclos said, had been in error in his interpretation of the meaning of agreements reached by President Roosevelt, Prime Minister Churchill, and Premier Stalin at Tehran in 1943.

As an aftermath of the Duclos letter, Lautner testified, a special Communist convention was called in the Summer of 1945, the old Communist Party of America reconstituted along its original revolutionary lines, and Browder ousted as leader.

Since Duclos had particularly attacked what he called the "notorious revisionism" of Browder, Judge W. Calvin Chesnut, presiding at the trial, suggested that the jury be given a definition of "revisionism."

Explains Term

As known to Communist party members, Lautner said, revisionism means "deviation from the basic concepts of Marxism and Leninism."

The court turned then to Communist party definitions of the words "proletariat" and "bourgeois," frequently heard during the last three days of testimony.

"The proletariat," said Mr. Lautner, "is that section of society that owns nothing but its mental powers and its working capacity. It is propertyless."

"The bourgeois is the owning class."

Earlier in the day, before Paul Crouch, the Government's first witness, had completed his testimony, the court had had occasion to explore the party meaning of the expression "Aesopian language," as used in the writing of V. I. Lenin.

Said Mr. Crouch:

"Aesopian language contains words which are clear in meaning to Marxists but which can't be used against them in court. They have a disguised meaning which is clear to party members. They were used by Lenin, he said, 'with an eye to Tsarist censorship.'"

Crouch, who withdrew from the Communist party in 1942, said he himself had used "Aesopian language" when he tried to persuade a Tennessee elections board that the party did not advocate the over-

throw of the United States Government by force and violence.

The effort, he had testified Wednesday, was not successful and he did not get his name on the ticket as a Communist candidate for the Senate.

In a final cross-examination of Crouch, Paul Bassett, one of the defense counsel asked:

Question—You say you decided to quit the Communist party when you became convinced that Russian spies were plotting to "steal" atomic secrets in California in 1941?

Answer—Yes, that was the last straw.

Q.—Do you not know that it is a matter of common knowledge that the first successful work with nuclear fission did not take place until 1942, and that that work was done in Chicago, not in radiation laboratories at the University of California?

A.—The first successful work was done in Chicago, perhaps, but preliminary work was being done in California.

Q.—Can you name professor in California who was convicted of espionage?

A.—I think the statute of limitations had expired.

Asks About Report

Q.—Did you report what you knew of espionage to the Federal Bureau of Investigation?

A.—Yes, in great detail.

Q.—In what year?

A.—In 1948, 1949, 1950, 1951 and 1952.

Q.—Did you ever testify under oath about visiting a psychiatrist in connection with mental disorders?

Judge Chesnut sustained Mr. Flynn's objection to this question and the inquiry went unanswered.

EX-RED TELLS OF PLANS FOR U.S. REVOLT

Says Communist Strategy Encourages 'Secession' Of Negroes

Communist strategy in the United States encourages "secession" of Southern Negroes to form a "nation within a nation," a Government witness testified yesterday in the Federal Court trial of six defendants on conspiracy charges.

The witness, third former Communist called by the prosecution, was William Odell Nowell, Georgian-born Negro who told of being trained as a Communist leader both in this country and in Russia.

Defining the Soviet conception of the term "self-determination," Mr. Nowell said the theory was applied especially to Negroes living in the "so-called Black Belt" in the United States.

Attended School In Russia

The Communist party, the witness said, proposed to use the "doctrine" to divide the nation and to teach the "right of secession" to Negroes who represent the majority of the population in the "Black Belt."

"We were taught," Nowell continued, "that such an action might set off the proletarian revolution or so weaken the nation that it could be carried out successfully with the co-operation of the industrial communities of other sections."

Later in his testimony, Nowell declared that the "Negro people were to be used virtually as pawns to put over the proletarian revolution and establish the proletarian dictatorship in the United States."

Questioned by Frederick J. Green, Jr., assistant United States district attorney, Nowell told of attending a Communist party school in Russia for a period of about fifteen months, beginning in the early Fall of 1931.

Says Frankfeld Was There

He said Philip Frankfeld, one of the six defendants in the conspiracy trial here, was a member of the party which made the trip to attend sessions of the Lenin Institute.

The witness said students at the Institute were instructed in revolutionary methods, including means of capturing a city as "an example of how to capture a government."

They were taught, he added, how to set up barricades, sever lines of communication and transportation, and how to combine guerrilla warfare with "main" military operations.

COPY

Y MORNING, MARCH 18, 1952

EX-RED TELLS REVOLT PLAN

Says Strategy Encourages 'Secession' Of Negroes

(Continued from Page 32)

were given target and sniping practice and were trained in how to dismantle, reassemble and repair major weapons of "capitalist" nations.

Left Party At End Of 1936

"We were told that we were being taught these things so that at an opportune time we would be able to use these means to overthrow our own Government and take power," Nowell declared.

The witness, who said he left the Communist party at the end of 1936, said he now is employed as an analyst of subversive activities by the Immigration and Naturalization Services, and in that capacity is aware of present policies of the Communist party.

Through his work as an analyst, Nowell said, he knows that the party still maintains its "self-determination doctrine" in reference to Negroes in the "Black Belt."

"Is the purpose of this teaching to aid in the violent revolution and establish the proletarian dictatorship?" Mr. Green asked.

Third To Identify Frankfeld

"Yes," the witness replied. "The Communist party exploits many legitimate grievances of the Negro people to serve its own special interests."

Nowell was the third Government witness to identify Mr. Frankfeld as a member of the Communist party.

The other defendants, charged with conspiring to teach and advocate the overthrow of the Government by force and violence, are: Mrs. Regina Frankfeld, George A. Meyers, Leroy H. Wood and Maurice L. Braverman.

At the close of yesterday's testimony none but Mr. Frankfeld had

been brought directly into the testimony.

On crossexamination by Harold Buchman, of defense counsel, Nowell said his salary with the Immigration and Naturalization Services is \$4,500 a year.

Anti-Communist Speeches

The interrogation continued:

Question—as an analyst of subversive activities did you ever analyze the subversive activities of the Ku Klux Klan?

Answer—I have in its relation to the Communist party and the mutual assistance they give each other. There is a specific relationship between all extremist movements.

Q.—After you left the Communist party did you make public anti-Communist speeches?

A.—Yes, after 1939.

Q.—Were these public meetings conducted by Gerald L. K. Smith?

A.—I believe he sponsored some of the meetings.

Question Unanswered

Q.—Wasn't Gerald L. K. Smith connected with some organization at that time?

Judge W. Calvin Chesnut, presiding at the trial at this point sustained a Government objection, leaving the question unanswered.

(In the years before the United States entered World War II, Mr. Smith was one of the leaders of a movement known at that time as "The Christian Front.")

After Nowell testified that he had worked for some time in a social welfare department of a Detroit automobile manufacturing plant, Mr. Buchman asked:

"Did you at that time act as a Labor spy for the company?"

Government Objects

When the Government objected to the question, Judge Chesnut said:

"Do you feel, Mr. Buchman, that you must ask the question in that form? It seems quite unnecessary to be apparently offensive to the witness."

Mr. Buchman withdrew the question.

In the closing half hour of yesterday's session, a fourth former Communist was called to the stand as a Government witness.

He was Charles W. Nicodemus,

of Allegany county, who said he joined the party in 1937 and left it in 1946.

Nicodemus testified that he had worked in a "textile unit" of the party while he was employed by the Cellanese Corporation of America. Only preliminary questions were put to the witness before the court adjourned until 10 A.M. today.

COPY

March 20, 1952

THE SUN, BALTIMORE, THURSDAY



MRS. MARY STALCUP MARKWARD
RED TRIAL WITNESS—Living as Communist, she worked for FBI.

6 DEFENDANTS IDENTIFIED AS RED OFFICIALS

Housewife Tells Of Meet- ings; Says Braver- man Was Teacher

All of the six defendants being tried on charges of Communist conspiracy were members of the party's governing body in Maryland in September of 1949, a major Government witness testified in United States District Court yesterday.

The witness was Mrs. Mary Stalcup Markward, a young Virginia housewife who said she had worked within the Communist party as an undercover agent for the FBI from early 1943 until late 1949.

Mrs. Markward, who previously has testified about Communist activities in Maryland before a House investigating committee, said the six men and women on trial here had been members of the district committee, or main policy-making body, of District 4 of the Communist party of America at the time she attended the last meeting.

Party Offices Listed

In addition to being district committee members, the witness stated, the defendants also held party offices as follows:

Philip Frankfeld was district chairman; Mrs. Regina Frankfeld was organizational secretary; George A. Meyers was labor secretary; Leroy H. Wood was party secretary for the city of Washington, D.C., and acting party chairman there.

Mrs. Markward said she was not altogether certain as to the office held at that time by Mrs. Dorothy Rose Blumberg, but that she believed Mrs. Blumberg was treasurer.

Also Names Braverman

Maurice L. Braverman, the sixth defendant, was counsel for the party at the time she attended the last meeting, the witness added. In earlier testimony, however, she had stated that Braverman taught a class for white-collar party members who received special "security" protection from the party in order to protect their jobs.

The class, Mrs. Markward explained, was based on Marxist-Leninist "classics" and was conducted in the Braverman home.

It was organized, she added, for white-collar workers employed in "sensitive" places and whose membership in the party could not be known publicly.

The slender, fragile young woman was on the stand for almost four hours yesterday. Dressed in a dark suit and wearing a tiny blue straw hat with a feather, she answered questions readily and at times spoke so rapidly that Judge W. Calvin Chesnut, presiding, could not catch all her replies.

Defense objections to the direc-

(Continued on Page 24, Column 3)

6 DEFENDANTS CALLED REDS

Undercover Agent Tells Of Baltimore Meetings

(Continued from Page 38)

tion of her eyes during a part of her testimony provoked one of the few incidents which have marked the eight-day-old trial.

As Mrs. Markward started to reply to a question on cross-examination, Mr. Braverman objected:

"I ask that the court instruct the witness not to look at and be coached by Government counsel."

"Men In The Back Row"

Bernard J. Flynn, United States district attorney, at once expressed his "resentment" of the observation. Before the court could rule, George A. Meyers, acting as his own counsel, was on his feet.

"I am not referring to Mr. Flynn," Meyers said, "but to the men in the back row." (The row of chairs immediately behind counsel in the case.)

These men were not identified in testimony, but court observers understood them to be representatives either of the FBI or of the Justice Department.

Judge Chesnut was able at this point to interrupt the exchanges.

"Quite Out Of Order"

"These comments are not called for," Judge Chesnut said. "Mr. Braverman's remark was quite out of order and was an unnecessary reflection upon the United States district attorney."

"I hope there will be no repetition. This trial has been relatively free of such things up to the present time."

During her recounting of many Communist party meetings at various levels between 1943 and 1949, Mrs. Markward went into some detail about a "practice" gathering for training in "secret" sessions which was held on Callow avenue here in March, 1949.

The meeting, she told the court, was called as an example of how the party would function under "extreme security" conditions. The security measures, she had explained, were mapped to enable the party to continue its actions "illegally" if it should ever be suppressed.

Carried Sealed Orders

"We went to this meeting under sealed orders," Mrs. Markward said. "The only one in my party from Washington who had the orders was Leroy Wood."

"When we got to Baltimore we stopped the car to open the orders, then went to a place across the street and about a block away from the house where the meeting was to be held."

"It was a little early for the meeting, so we went to Pennsylvania Station to get something to eat. We were severely criticized for this. Others were criticized for being late and still others for walking around and around the block where the meeting was held so as not to arrive too early."

Told How To Meet

Mrs. Markward said that at this practice meeting false names for members were used for the first time and members were told to substitute "sister" or "brother" for the traditional "comrade" greeting.

She added that party members at this same training session were instructed to meet in the most "respectable" hotels instead of in working-class neighborhoods. Leaders, she testified, were told to gather in parks, restaurants or automobiles and "appear to be doing what any normal American citizen might be doing."

Among the defendants on trial on charges to teach and advocate the overthrow of the Government by force and violence only Mrs. Frankfeld was absent from the Callow avenue meeting, the witness declared.

"Security" Emphasized

Mrs. Markward told also of another party meeting in 1949 in which "particular emphasis" was given to security measures. At that gathering, she recounted, Mr. Frankfeld spoke of the trial of national Communist leaders in New York and said all security must be "tightened."

"He told us," Mrs. Markward said, "that we shouldn't say anything that couldn't be published on page one of the *Times-Herald*."

"He also said that a careful record was being kept of persons testifying against party members. These, he declared, would all come to trial under the Communist party after the revolution."

Mrs. Markward, 30, said she was a "beautician" in Washington when she first was approached in 1943 by an agent of the Federal Bureau of Investigation. She was unmarried at the time.

Not Told Why Chosen

A telephone conversation with the FBI representative was followed by a visit from him at her home, the witness added.

On cross-examination by James T. Wright, of defense counsel, Mrs. Markward was asked:

Question—Why were you chosen out of the thousands of persons in Washington?

Answer—I was not told why I was chosen. The representative expressed to me that as a citizen I might be willing to undertake this type of activity as a patriotic service to my country.

Reported Every Meeting

Q.—How often did you make reports to the FBI?

A.—I reported on every meeting I attended, but the time depended upon a great many circumstances.

Q.—Were you paid by the FBI?

A.—Yes.

Q.—How much have you received?

A.—I have no clear recollection of the amount. I offered to do the work without pay, but the FBI wanted to pay something for services and expenses.

Q.—Was the amount you were paid dependent upon the nature and number of the reports you made?

A.—It was never discussed.

Also Paid By Communists

Q.—What was the largest amount you ever received from the FBI at any one time?

A.—The largest was \$180. That was in 1949.

Mrs. Markward testified that during two months of 1945 and during most of 1946 she also was paid \$20

a week as a functionary of the Communist party.

As a party member, she added, she was expected to get new recruits, but as a matter of fact she enrolled only two party members during her association with the organization.

Asked about how an individual joins the Communist party, the witness said:

"When I joined, if you had 50 cents and agreed with any part of the platform, you could join. That is all changed. By 1949 all new members had to have at least two party sponsors familiar with their backgrounds, especially as to anti-labor or anti-Communist activities."

Husband Joined Party

Mrs. Markward said she married not long after she began working for the FBI and that her husband subsequently served more than two years with the armed forces. He also joined the Communist party after his discharge, the witness added.

The step was taken, Mrs. Markward explained, both because of pressure on her from the party and as a result of talks with FBI representatives.

Her work with the party was temporarily interrupted by the birth of her daughter, now 4½ years old, Mrs. Markward said, and later by her own serious illness. That illness was so severe, she testified, that after October, 1949, she was unable to go on with party work. She paid her last dues in January, 1950, Mrs. Markward said.

During her direct examination by Mr. Flynn, Mrs. Markward said she "very definitely" believes the Communist party advocates the overthrow of the Government by force and violence.

COPY

*Morning Sun -
Thursday March 20, 1952*

Shown an advertisement disavowing such tenets published by the party in Washington in 1947, the witness said on cross-examination:

"What they said they didn't do at that time doesn't mean that they actually didn't do those things."

Yesterday's final witness was Robert A. Benner, an employe of the Bethlehem Steel Company's

Sparrows Point plant from 1927 until 1949. His residence, Benner

said, now is in Los Angeles, Cal. Benner said a "fellow worker"

asked him to join the Communist party to do "undercover work for

"Uncle Sam" and that he actually did join the party in 1945.

COPY**Tells Court
6 Were At
Red Parley**

All six of the defendants in the Communist conspiracy trial in Federal Court here were named Tuesday by an ex-Communist as having attended the convention of District 4 of the Communist party at Finnish Hall, Baltimore, in 1948.

The witness, fifth to be put on the stand by the Government in the current case, identified himself as Charles M. Craig, 2300 block West North avenue.

STILL MEMBER IN 1949

Craig, a Negro, described himself as maintenance supervisor for a housing project. He said he joined the Communist party in 1943 and was still a member in 1949.

Craig declared that, almost simultaneous with becoming a member of the Communist party, he communicated with the Federal Bureau of Investigation with an offer to supply information which he obtained from within the party. He explained that he was motivated by patriotism in thus offering to serve as an espionage agent.

The defendants who attended the 1948 convention, according to Craig, were Philip Frankfeld, district chairman of the Communist Party; Mrs. Regina Frankfeld, his wife; Mrs. Dorothy Rose Blumberg; Maurice L. Braverman; Leroy H. Wood, and George A. Meyers.

The witness said he did not remember the positions held by any of the witnesses at the convention, with the exception of Frankfeld, who was convention chairman.

WITH REGIONAL UNIT

Craig testified that when he first joined the Communist Party he became a member of a regional unit known as the Fred Douglass Club.

He said that Mrs. Blumberg, one of the defendants, attended meetings of the club as an official of Baltimore headquarters of the Communist party.

Questioned by U. S. District Attorney Bernard J. Flynn, Craig

Continued on Page 2, Column 6.

**6 At Red Parley,
Court Is Told**

Continued from Page 1.

said he understood that Mrs. Blumberg was the district secretary of the Communist party.

TELLS OF CONVENTION

Craig said he attended the district convention of the Communist party in 1944 as a representative of his club. He said the meeting was held in a hall at Cathedral and Preston streets and he stated that Mrs. Blumberg and Braverman both attended that convention.

The purpose of the convention, he said, was to change the name of the party organization from that of Communist party to the Communist Political Association.

He identified Mrs. Blumberg as "a representative from the main office" of the party.

The witness mentioned other meetings of Communist units.

The witness testified that Mrs. Blumberg attended various other meetings of Communist party units and that Braverman attended some social functions of the club of which he was a member.

Both Braverman and Mrs. Blumberg attended the 1945 party convention in Finnish Hall on Ponca street, Highlandtown, Craig declared.

District Attorney Flynn showed him a copy of a publication which Craig identified as the District Four monthly newspaper of the Communist party, "On the Home Front."

READS NAMES

Mr. Flynn then read to the witness several first names and initials which he said appeared in the publication, apparently being listed as having obtained subscriptions to the Communist weekly newspaper, the Daily Worker.

Judge W. Calvin Chesnut inquired why only the first names and initials of last names were used, rather than the full name of the individual. Craig replied:

"That was for security reasons. Some people had jobs and would have been blackballed if it were known that they were Communists. That was a general custom."

NAMES 'MAURICE B.'

Over many objections by defense counsel and after much discussion, Craig identified "Maurice B." in the paper as Braverman.

In July, 1948, the witness said, he was a member of a Communist unit known as the Tom Paine Club. Replying to a question from the Bench, the witness said he joined that club after changing his residence. He said Mrs. Blumberg and Mrs. Frankfeld were members of the Tom Paine Club.

... LINDSAY DIES

17

THURSDAY EVENING, MARCH 20, 1952

Prosecution Rests In Red Plot Trial

Bank Official Identifies Signatures Of 5 Defendants

The prosecution's case against six persons accused of conspiring to teach and advocate overthrow of the Government was closed Thursday morning.

The last Government witness was an official of the Equitable Trust Company, Frank Barnickol.

He identified signature cards of Philip Frankfeld, Frankfeld's wife, Regina, George A. Meyers, Mrs. Dorothy Rose Blumberg and Leroy H. Wood, all defendants in the conspiracy case.

FUNDS ON DEPOSIT

Mr. Barnickol said all had been authorized at various times to draw checks on Communist Party funds on deposit with the bank.

In 1949, he testified, Frankfeld, his wife and Meyers were authorized to write checks, and no change was made until February 20, 1952, when Meyers and Wood were authorized to sign checks.

Preceding the final witness for the prosecution, Robert A. Benner, a steel worker and undercover agent for the Department of Justice, was cross-examined briefly by Maurice Braverman, attorney and one of the defendants. Braverman is conducting his own defense.

ATTENDED CLASSES

Benner said he had attended classes taught by Frankfeld at which he "gathered" that force and violence were advocated in the overthrow of the Government.

The classes, he said, were in "Soviet history."

The Government closed its case after a little more than eight days of testimony in which numerous witnesses identified the defendants and testified they had conspired against the Government.

Following completion of the Government's case, attorneys told Judge W. Calvin Chesnut they wished to file motions, and the jury was excused until Monday morning.

HOUSEWIFE TESTIFIES

Wednesday's testimony by Mrs. Stallcup Markward, a Chesterbrook (Va.) housewife, and Benner, former employee at the Sparrows Point yard of the Bethlehem Steel Corporation here, also made these points:

That party policy called for concentrating its organization and recruiting efforts in the steel industry in and around Baltimore.

That party officials held a series of "practice alerts" in which they moved clandestinely to meetings as they would have to do in case the party is forced underground.

Mrs. Markward and Benner said they were recruited by the FBI and asked to join the party and report its activities to Government agents.

Mrs. Markward became one of the leading figures in the party after she joined it in Washington, and at one time occupied a paid position as secretary in the party headquarters in the capital.

It was Mrs. Markward who identified Braverman as leader in the secret "white collar" clique within the party.

IDENTIFIED AS TEACHER

Benner further identified Braverman as a teacher in a party class which the witness attended.

Mrs. Markward described Meyers as the leader of the effort to organize Communist activities in the Baltimore steel industry.

Both witnesses also connected other defendants with various party activities.

'WILLFUL' CONTEMPT LAID TO RED

Meyers Refuses Queries On Identities; Court Action Deferred

Judge W. Calvin Chesnut yesterday held a defendant in the Communist conspiracy trial in "deliberate, willful" contempt of court for refusing to answer a series of questions about the identity of Communist party members.

The ruling was entered against George A. Meyers, first of the six defendants called to the stand, and court action was deferred, Judge Chesnut said, in order "not to embarrass your defense."

"I shall take the matter up later on, of course, at an appropriate time," the judge added.

Meyers, who was chairman of the Communist party in Maryland and the District of Columbia at the time of his arrest on the conspiracy charge, had steadfastly refused to answer some of the questions put to him during cross-examination by Bernard J. Flynn, United States attorney.

Asked About "Clubs"

Although most of the questions had to do with what Meyers called the "naming of names," at least one was directed toward Communist party organization, particularly about the existence of so-called party "clubs" in industries or neighborhoods.

Meyers declared himself willing to identify "elected officers" of the party, but as the other questions were propounded, he insisted:

"It goes against the grain to come here and give the names of people who might be subjected to black-listing or persecution. It is against my traditions as a trade unionist to divulge the names of members of any organization which is under attack. It goes against the grain to come here and give testimony which the FBI would like to have."

Although Meyers's exact words varied slightly as the questions were put to him, the phrase "against the grain" was frequently repeated, and the reasons for his refusal to testify did not change.

As the defendant persisted in his refusal to answer, and declared that "it is not my job here to

(Continued on Page 19, Column 1)

MEYERS HELD IN CONTEMPT

But Judge At Red-Plot Trial Defers Court Action

(Continued from Page 32)

give names of party members," Judge Chesnut warned:

"It is your present job to be a witness and answer questions properly put to you."

Defense Objects

Harold Buchman, of defense counsel, objected to the Government's insistence on the line of questioning, claiming that the motive was to "harass the witness and compel him to surrender his principles."

Judge Chesnut replied:

"Is it your idea that a witness can decline to answer questions in this court because he says it's 'not his job' or 'goes against the grain?'"

Mr. Buchman did not press his objections.

Before the noon recess, Judge Chesnut advised Meyers to reflect upon the stand he had taken and to consult with counsel during the lunch hour.

Immediately after the court resumed its session, Mr. Flynn returned to his questions and Mr. Meyers to his refusals to answer.

Jury Is Removed

Judge Chesnut then had the jury removed from the courtroom and asked defense counsel if they could offer any reason why the witness should not be held in contempt.

Maurice L. Braverman, attorney and another of the defendants, argued without success that Meyers was protected by the First Amendment to the Constitution, and Mr. Buchman admitted that refusal to answer proper questions "obviously is contempt."

Judge Chesnut, addressing Meyers, reminded him of earlier warnings and advice to consult counsel, and added:

"By your refusal to answer questions you are in deliberate, willful contempt of this court. Do you understand that?"

Discipline Mentioned

"I have heard Your Honor say it," Meyers replied.

"You understand," Judge Chesnut continued, "that it will subject you to the discipline of this court?"

"I understand," the defendant said.

Judge Chesnut cited a recent case in the United States Court of Appeals in the Second Circuit, which he said involved the same issue and which led to a prison sentence for the witness ruled in contempt.

Still addressing Meyers, the Judge commented:

"In my more than twenty years on the bench I have never heard a witness take the position you have taken. It would mean that a witness would have the right to declare what is to be the law of the land.

Advice By Judge

"I advise you again to think of the seriousness of what you are doing. In effect, it is the obstruction of justice. The grounds you give for refusal to answer are not to be tolerated legally. You take a position in defiance of the law of your country."

"I don't take disciplinary action now because I do not wish to embarrass your defense in this case."

The questions Meyers refused to answer included:

1. When, where and who was present when you were elected to a district office?
2. Who were members of the District Committee of the Communist party in Maryland and Washington in January, 1952?
3. What positions has Maurice L. Braverman held in the Communist party?
4. Name Communist party clubs now in existence in this district and tell where they are located.
5. Who were the officers of the textile club in Cumberland when you first joined the party?
6. Was Braverman a member of the Communist party?
7. Did you attend classes on Marxism-Leninism taught by Braverman?
8. Did you see Braverman at a Communist party meeting at the Willard Hotel in Washington in April, 1949?

Meyers Defends Stand

As Flynn completed his renewal of questions previously asked but unanswered, Meyers returned to the defense of his position. On this occasion he added that even the "grandchildren of informers" in labor disputes in Western Maryland still are "pointed out."

The defendant denied that he was acting under orders of the Communist party in refusing to answer the question, declaring that his stand represented his own personal position.

In testimony not involving the refusal to answer questions, Meyers declared that members of the Communist party would fight to defend the United States against attack, even if the attacker were Russia.

He added, however, that "such a war is completely out of the scope of possibility because the Soviet Union is Socialist and any Socialist government is one of peace."

Defense Witness Called

Meyers said he believes the policies of the United States "tend toward imperialism," especially with regard to the action in Korea.

After Meyers left the stand yesterday, the defense called Dr. Herbert Aptheker, of New York, who said he is a member of the Communist party, a teacher, lecturer and writer. Dr. Aptheker's testimony will be resumed this morning.

Besides Meyers and Braverman, defendants in the case are Philip Frankfeld, Mrs. Regina Frankfeld, Mrs. Dorothy Rose Blumberg and Leroy H. Wood.

All are under indictment on charges of conspiring to teach and advocate the overthrow of the Government of the United States.

WITNESS RAPS CONVICTION OF TOP U.S. REDS

Teacher Calls Verdict 'Notable Miscarriage Of Justice'

The conspiracy conviction of Eugene Dennis and other national Communist leaders was called a "notable miscarriage of justice" by a defense witness testifying yesterday in the trial of six men and women under similar indictment in Federal Court here.

Dr. Herbert Aptheker, writer, teacher, lecturer and editor, added his belief that "vindication will come, and not too late, either."

Dr. Aptheker, a member of the Communist party for the last thirteen years, spent most of yesterday on the stand, interpreting party policy and objectives in a defense move to refute the testimony given by Government witnesses earlier in the thirteen-day-old trial.

"I Represent The Party"

Characterized by defense counsel as a distinguished scholar, the witness said he had represented the Communist party in many public debates in college and other institutions.

"I represent the party now and I do so very proudly indeed," Dr. Aptheker went on to say.

"Are you here at the request of the Communist party?" Judge W. Calvin Chesnut, presiding, wanted to know.

The witness replied that he was in Baltimore at the request of George A. Meyers, one of the defendants. Meyers, chairman of the party in Maryland and the District of Columbia, Tuesday afternoon was held in contempt of court for refusing to answer questions identifying party members and describing some party activities.

Wording Explored

It was on cross-examination by Frederick J. Green, Jr., assistant United States attorney, that Dr. Aptheker expressed his feeling about the conviction of the top-level Communist leaders charged with conspiring to teach and advocate the overthrow of the Government by force and violence.

Mr. Green first had explored the wording of the constitution of the Communist party of the United States, in which the writers had said members advocating the use of force and violence would be subject to expulsion.

Question by Mr. Green—Is this
(Continued on Page 28, Column 1)

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RED CRITICIZES CONVICTIONS

Assails Verdict On Top U.S. Communist Leaders

(Continued from Page 40)

section of the constitution enforced?

Answer—It most certainly is enforced.

Q.—Has the party expelled persons who advocated force and violence?

A.—To my knowledge it has. I believe that even happened once here in Maryland.

Q.—Has the party always done so?

A.—Yes.

Q.—Has Eugene Dennis been expelled?

A.—No. On the contrary.

Q.—Wasn't he found guilty of conspiring to teach and advocate the overthrow of the Government by force and violence?

A.—He was found guilty.

Others Mentioned

Mr. Green proceeded with the same line of interrogation in connection with other party leaders convicted with Dennis. The witness' general reply was:

A.—They were all found guilty in one case. They were not guilty in my opinion or in the opinion of the Communist party, which enforces party rules.

Q.—Doesn't the party give credit to the findings of the courts of the United States?

A.—There have been miscarriages of justice as long as there have been courts. They have occurred through history. That is why there are appeals.

"I believe this to have been a notable miscarriage of justice and that the verdict of guilty was erroneous. I further believe that vindication will come, and not too late, either."

Letter Cited

Mr. Green introduced a copy of the *Daily Worker*, Communist party newspaper, containing a letter written by Dr. Aptheker on the subject of the charges brought against the national party leaders.

Replying to defense objections, the attorney said he offered the issue of September 21, 1948, to show "possible bias against the courts" on the part of the witness.

The heading on the letter was read as: "Give Them a Trial and Shoot Them" and in the body of the letter referred to the "frame-up character of the entire proceedings." Also within the communication was a quotation which included again the expression:

"Give them a fair trial and shoot them at sunrise."

Teaches Without Pay

Dr. Aptheker, who said he teaches in the Jefferson School of Social Sciences in New York without remuneration, was obviously an ardent advocate of the policies and objectives of the Communist.

He spoke frequently and with emotion of "my party." Asked whether he had an interest in the case now before the court, he replied:

"I have a profound interest. I am a Communist. The Communist party is my party and its views in my opinion have been distorted and based upon this is the prosecution's case. . . ."

Judge Chesnut halted the answer with the admonition that the witness' last few words constituted an "improper comment."

In Army 4 Years

Dr. Aptheker, then giving direct testimony under the questioning of Carl Bassett, of defense counsel, started the answer again.

"Everything in the democratic way of life, the defense of freedom, the defense of peace . . . everything that I value more than I value my life I think is involved here," he said.

Questioned about the four years he spent in the armed forces of the United States between 1942 and 1946, Dr. Aptheker said he had continued to consider himself a member of the Communist party while he was in the Army.

"Did you engage in Communist activities while you were in the Army," Mr. Green asked.

"Yes, I did, because I fought fascism."

Defines Fascism

Earlier the witness had defined a Fascist government as a "bestial, brutal, open, naked, profoundly racial, chauvanistic rule," usually by a small minority which crushed the will of the people.

The great single contribution of the Communist party, he said, had been its resistance to fascism, under which, he added, "hundreds of thousands of the greatest people in the world were murdered."

During the several hours of his testimony, Dr. Aptheker denied that the Communist party does or ever has advocated the violent overthrow of the Government.

Further, he denied that its leaders used what had been described by Government witnesses as "Aesopian language," or words with a special meaning for members of the party.

"No Peculiar Meanings"

"There are no peculiar meanings for words in the party," the witness asserted.

Dr. Aptheker declared that communism is not inconsistent with democracy or with the Constitution of the United States.

With reference to what has been called "self-determination" for Negroes in the South, the witness declared the doctrine does not call for a separate Negro republic in the so-called "black belt," and is not "a slogan for immediate action or realization."

Both testified that Mr. Braverman had the reputation of being a peaceable, law-abiding citizen; that they had never seen him do anything against the "peace and order" of the country, and had never seen him do anything "inconsistent with being a good citizen."

Besides Mr. Meyers and Mr. Braverman, defendants in the case are Philip Frankfeld, Mrs. Regina Frankfeld, Mrs. Dorothy Rose Blumberg, and Leroy H. Wood.

Before court adjourned yesterday, the defense informed Judge Chesnut that it expected to call only "a very few more witnesses at the most."

COPY

Y MORNING, APRIL 1, 1952

CONSPIRACY CASE GOES TO JURORS TODAY

Judge Chesnut To Give Final Instructions On Communism Charges

The Communist conspiracy case today will be placed in the hands of a Federal court jury which yesterday heard six hours of argument by counsel and which this morning will receive final instructions from Judge W. Calvin Chesnut.

In the last few minutes of yesterday's long session, Harold Buchman, of defense counsel, moved for a mistrial on the basis of a Government declaration that the Communist party in the United States is directed from Moscow.

Mr. Buchman claimed that there had been no evidence in the trial to support the charge, made by Bernard J. Flynn, United States attorney, in his closing remarks to the jury.

Motion Overruled

Judge Chesnut overruled the motion with the comment that he believed Mr. Flynn's concluding statement to have been "quite proper" in the light of other statements made during the day.

In seven addresses to the jury yesterday, the prosecution and defense underscored their divergent theories of the case in which six men and women are charged with conspiring to teach and advocate the overthrow of the Government by force and violence.

Much of the evidence presented during the last three weeks was reviewed, with the Government asking the jury to find all six defendants guilty under the Smith Act, and the defense arguing for their acquittal.

Difference Explained

The fundamental difference between the two sides in the case has been the prosecution's contention that the Communist party does in fact seek the violent overthrow of the Government; and the defense's insistence that the party seeks "revolution" only in the sense of social change by legal means, without resort to violence unless forced to defend itself from elements opposing change.

In support of its position, the

(Continued on Page 20, Column 5)

CONSPIRACY DATA FINISHED

Jury To Get Communist-Case Instructions Today

Red Books In Jail

Eighteen books by Stalin, Lenin, Karl Marx, Engels, Earl Browder and other Communist authors were left on a window ledge in downtown Baltimore yesterday and were turned over to police to await their owner. A 15-year-old boy found them.

(Continued from Page 32)

Government had introduced many documents, some of them characterized as "Communist classics" as written or interpreted by Marx, Lenin, Engels and Stalin.

It has been a consistent defense argument, reiterated yesterday, that excerpts from the writings were taken from context and read to the jury, with resulting distortion of meaning.

"Distinction" Marked

Frederick J. Green, Jr., assistant United States attorney, argued yesterday that the "Marxist-Leninist classics" reflect the "long range strategy" of the Communist party, as distinct from the "short range tactics" of dealing with immediate social problems in the United States.

The "classics" and other writings show, Mr. Green insisted, that the ultimate aim of the party is violent overthrow of this Government as speedily as circumstances will permit.

Carl Bassett, defense attorney for Mrs. Dorothy Rose Blumberg, repeated an oft-stated defense proposition that "books are on trial here," adding that an entire book cannot be judged by an excerpt.

Defense Counsel "Warns"

Warning of what he called the dangers of repressive legislation, Mr. Bassett said:

"Let those who are concerned over what communism may do to democracy be very sure that, in opposing communism, they do no damage to the very democracy they profess to defend."

In the successive arguments from five defense counsel, reference was made to the fact that some Government witnesses were "informers" who once had been party members but now are "professional witnesses."

On the other side of the issue, Government counsel called Philip Frankfeld and George A. Meyers, two of the defendants, "professional revolutionists."

Braverman's Statement

Maurice L. Braverman, another defendant, representing himself before the court, declared that "the civil rights of all of us are on trial, including the right to listen and to accept or reject ideas presented to us."

Like other defense counsel, Mr. Braverman insisted that the Government had failed to produce evidence in support of its indictment.

"The Government," he said, "aware that the party does not teach and advocate force and violence, resorted to the 'gimmick' of charging conspiracy, a classic weapon used for hundreds of years against people who advocate progress."

He charged that most Government witnesses had been motivated by "fear, hate, revenge or desire for money" while "parading as patriots."

Intimidation Suggested

Braverman added that he was on trial because he had represented the Communist party as an attorney and because "powerful interests want to silence the party and intimidate lawyers who would defend it."

As the day's arguments continued, James T. Wright presented the defense plea for Leroy H. Wood; George A. Meyers spoke in his own behalf, and Mr. Buchman summed up the case in the interests of Philip Frankfeld and Mrs. Regina Frankfeld.

In his closing argument for the Government, Mr. Flynn cited evidence purporting to describe secret meetings of party members here and in Washington.

"Why Secret Meetings?"

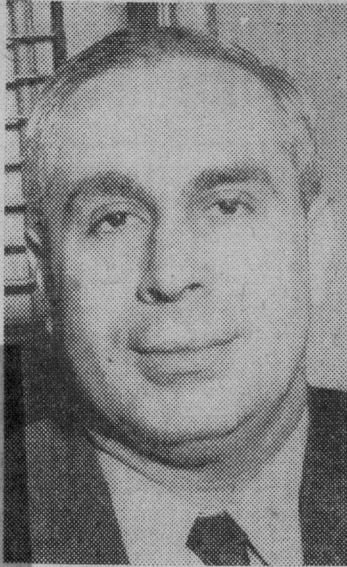
"If this was just a nice, quiet, peaceful political party trying to help the downtrodden, why the secret meetings? Why plans to go underground, as you have heard in evidence? Why did members go to school in Moscow?"

"The Communist party has been gnawing at the vitals of our Government for many years. It is directed from Moscow and carried out for the benefit of the Soviet Union.

"It is nothing to be smiled about. I am afraid we have been smiling too long."

COPY

THE SUN, BALTIMORE, WEDNESDAY MORNING, APRIL 2, 1952



PHILIP FRANKFELD



MRS. PHILIP FRANKFELD



GEORGE A. MEYERS



MAURICE BRAVERMAN



MRS. DOROTHY ROSE BLUMBERG



LEROY H. WOOD

GUILTY IN COMMUNIST-PLOT TRIAL—These are the persons convicted in Federal Court yesterday.

The Sun, Baltimore, Wednesday
Morning April 3, 1952

PAGE 34

FOUR MEN, TWO WOMEN FOUND GUILTY BY JURY IN COMMUNIST TRIAL HERE

Sentence Deferred By Judge Chesnut Pending Probation Report As Government Gets First Conviction Of Lower Echelon Reds

Within less than three hours after the issue was put in its hands, a Federal Court jury yesterday found guilty all six defendants charged as Communists with conspiring to teach and advocate the overthrow of the Government by force and violence.

The trial was the Government's first successful attempt to convict lower echelon Communist party members of the conspiracy charge. Judge W. Calvin Chesnut deferred sentence until Friday morning to allow time for the preparation and study of a report by John F. Landis, chief probation officer of the court.

The Smith Act, under which the four men and two women were indicted, authorizes a maximum penalty after conviction of five years' imprisonment or a \$10,000 fine, or both.

Asks Maximum Penalty

In response to a question from the bench, Bernard J. Flynn, United States district attorney, declared he believed the guilt of each defendant to be equal and asked for the imposition of the maximum penalty upon all.

Meanwhile, pending sentence, the court allowed continuation of bail set for the defendants at the time of their arrest.

The six, and the amounts of the continued bail are: Philip Frankfeld, \$20,000; Mrs. Dorothy Rose Blumberg, \$17,500; George A. Meyers, \$15,000; Leroy H. Wood, \$15,000; Mrs. Regina Frankfeld, \$10,000, and Maurice L. Braverman, \$5,000.

No Action On Contempt

Mr. Flynn had argued for a "substantial increase in bail if bail is allowed at all," but Judge Chesnut granted the continuation in response to defense pleas that less than three full days will elapse between the verdict and the sentencing.

Still awaiting action by Judge Chesnut is the contempt-of-court citation entered last week against Meyers after he refused to answer a series of questions involving the names of members of the Communist party and some Communist party activities.

Before adjournment yesterday.
(Continued on Page 20, Column 2)

6 Defendants Found Guilty At Communist Trial Here

(Continued from Page 34)

Judge Chesnut told counsel that he was not sure that action on the citation should be taken by some other member of the bench.

"It is agreeable to me," the jurist said, "to have another judge hear the issue by way of an 'information' filed by the United States attorney.

"In all my years on the bench I have never found it necessary to cite anyone for contempt or even to threaten to do so. In this case, however, I felt it necessary in order to protect the interests of all litigants before this court."

Judge Chesnut then instructed Meyers to appear before him at 2 P.M. today, advising the defendant at the same time to obtain counsel. During the trial, which lasted three weeks and two days, Meyers had elected to represent himself.

Reads 28-Page Charge

When Government offices closed late yesterday, all the defendants except Mr. Frankfeld had arranged continuation of bail. Until Mr. Frankfeld's bondsman could be reached, the defendant was held in the detention rooms of the office of the United States marshal.

The case, which originated at the district level of the Communist party after the conviction in New York of eleven national party leaders, reached the jury of three women and nine men at 12.10 P.M. yesterday.

Throughout the morning session the jury had listened to a 28-page charge read by Judge Chesnut on propositions of law involved in the trial.

Exceptions By Buchman

Harold Buchman, of defense counsel, offered numerous exceptions to the instructions as prepared by Judge Chesnut, objecting especially to the fact that the jurist had failed to include in his charge about 60 of a total of 94 special proposals put forth by the defense last week.

The jury was sent from the courtroom while Mr. Buchman argued in behalf of his exceptions. In the end, Judge Chesnut made only three brief changes in the original charge.

As the jury began its deliberations, Judge Chesnut discharged the four alternate jurors who had listened to all testimony throughout the trial. The usual number of alternates had been doubled as a special precaution because of the expected duration of the case.

Judge Thanks Alternates

After thanking the alternates, Judge Chesnut altered one word in John Milton's famous quotation, remarking to the four that:

"They also serve who only 'sit' and wait."

Court recessed immediately after the regular jurors left the room, with counsel and defendants excused until word should be received that a verdict was ready.

That word came at 3 P.M., and ten minutes later, James F. Whitescarver, foreman, was announcing the verdicts of guilty in response to questions from the clerk.

"We Find Him (Or Her) Guilty"

Each defendant was named, and in each instance, Mr. Whitescarver replied:

"We find him (or her) guilty."

The six on trial heard the verdict without a noticeable change of expression, although Mrs. Frankfeld colored slightly and moistened her lips.

James T. Wright, attorney for Wood, asked that the jury be polled and each announced concurrence in the verdict.

"Are you ready for sentence?" Judge Chesnut asked defense counsel at the completion of the poll.

Judge Suggests Delay

After the defense announced itself ready, it was Judge Chesnut himself who suggested that the court might benefit by having before it the report of the probation officer in connection with each defendant.

Mr. Flynn did not oppose the move, although he remarked that he did not believe the report "would add much" to the information already before the court.

After some hesitation and a whispered conference, defense counsel took advantage of the court's offer to delay sentence while awaiting the probation report.

"Domestic Tranquility"

In his charge to the jury, Judge Chesnut read the language of the Smith Act, adding:

"This act has recently been held valid and constitutional by the Supreme Court of the United States. Its obvious purpose is to protect

COPY

existing government, not from change by peaceable, lawful and constitutional means but from change by violence, revolution and terrorism.

"It seeks to preserve and insure in the United States that domestic tranquility which is mentioned in the preamble of our Constitution as one of the reasons for its adoption."

He pointed out that the Smith Act is not violated unless the persons charged have acted "willfully and knowingly and with specific intent" to transgress its provisions.

Charged With Conspiracy

"These defendants," Judge Chesnut went on to say, "are not indicted for a violation of the Smith Act but for a conspiracy to violate the act."

"That is to say, it is not alleged in the indictment that the defendants have actually committed violations of the act, but only that they agreed or conspired to do so, and, as I have said, a conspiracy to violate a statute of the United States is itself a definite and certain crime even though the actual violation is not consummated."

Judge Chesnut had instructed the jury that conspiracy, under the law, means an agreement of two or more persons to commit an unlawful act.

Explains Conspiracy

"Conspiracy to commit such an act is itself a crime even though the act itself is not actually committed," he explained, "provided that some one or more of the persons who agree to commit the crime have done some so-called 'overt' act toward carrying out the crime."

In connection with the Government's contention that the Communist party does in fact advocate or teach the duty and necessity of overthrowing the Government of the United States by force and violence, Judge Chesnut told the jury:

"... It is not necessary for the Government to show that any open armed conflict has heretofore actually occurred or has been attempted to accomplish the ultimate objective, but only that the objective in fact exists and is intended to be accomplished as speedily as circumstances would permit."

"Clear And Present Danger"

On the further legal question as to whether the alleged conspiracy constitutes a "clear and present danger" to the Government, Judge Chesnut instructed the jury in these words:

"If you find that the Government's contention with respect to the advocated use of force and violence by the Communist party to accomplish a revolutionary change from capitalism to socialism is established to your satisfaction beyond a reasonable doubt, and that it is the intention of the party to accomplish such a revolution as speedily as circumstances will permit, that situation constitutes a clear and present danger which justifies the application of the Smith Act."

Explains Law To Jury

"The existence of such a highly organized conspiracy with rigidly disciplined members subject to call when leaders feel that the time has become opportune for action, accompanied with the nature of world conditions, similar uprisings in other countries and the touch-and-go nature of our relations with countries with whom such ideological doctrines were attuned constitute a clear and present danger."

Judge Chesnut added that this finding is a matter of law with which the jury need not be concerned.

"I refer to it here," he explained, "as did the Supreme Court of the United States in a recent case, to indicate to you that the First Amendment of the Constitution with regard to the right of free speech does not of itself authorize the teaching of overthrow of the Government by force and violence."

COPY

BALTIMORE MORNING SUN APRIL 8, 1952

BAIL SET FOR SIX IN RED CASE HERE

Court Fixes Amounts From
\$10,000 To \$20,000

Judge W. Calvin Chesnut yesterday admitted to bail each of the six defendants convicted last week of conspiring as Communists to teach and advocate the overthrow of the Government by force and violence.

However, George A. Meyers, one of the six, must complete a 30-day sentence for contempt of court before he becomes eligible for release under the \$20,000 bail set in his case.

The other defendants and the bail set:

Philip Frankfeld, \$20,000; Leroy H. Wood, Mrs. Dorothy Rose Blumberg and Maurice L. Braverman, \$15,000 each; Mrs. Regina Frankfeld, \$10,000.

Allowed Pending Appeal

Defense attorneys late yesterday were attempting to reach bondsmen to effect the release of all but Meyers. Bail was allowed by Judge Chesnut pending an appeal taken by the six to the United States Court of Appeals for the Fourth Circuit.

All the defendants have been in the Baltimore City Jail since sentence was pronounced last Friday morning.

COPY

THE BALTIMORE MORNING SUN PAPER
THURSDAY JUNE, 5, 1952

Six Communists' Appeal Date Set

Richmond, Va., June 4 (AP)—The appeals of six persons convicted in Baltimore of being Communist conspirators will be heard July 1 at Asheville, N.C., the Federal Court of Appeals for the Fourth Circuit announced here today.

The six are Mr. and Mrs. Philip Frankfeld, George A. Meyers, Mrs. Dorothy Rose Blumberg, Leroy H. Wood and Maurice L. Braverman. They were found guilty of subversive Communist activity in Maryland and the District of Columbia and were sentenced to from two to five years in prison and fined \$1,000 each.

They are the first of the so-called "second-level" party affiliates to be convicted and sentenced. Five are acknowledged party district leaders. The sixth, Braverman, served as a party attorney and attended their meetings.


They were convicted under the Smith Act, which carries a maximum penalty of five years and \$10,000 fine.

AMNESTY TRUMPET

Monthly News Letter Devoted To The American Tradition Of Amnesty For All Political Prisoners

No. 2

DECEMBER 1953



Supreme Court Justice Hugo Black, Dissenting Opinion in the first Smith Act case:

"At the outset I want to emphasize what the crime involved in this case is, and what it is not. These petitioners are not charged with an attempt to overthrow the government. They were not charged with non-verbal acts of any kind designed to overthrow the government. They were not even charged with saying or writing anything designed to overthrow the government. The charge was that they agreed to assemble and talk and publish certain ideas at a later date. The indictment is that they conspired to organize the Communist Party and to use speech or newspapers and other publications in the future to teach and advocate the forcible overthrow of the government. No matter how it is worded, this is a virulent form of prior censorship of speech and press, which I believe the First Amendment forbids. I would hold Section 3 of the Smith Act authorizing this prior restraint unconstitutional on its face and as applied."

HARRY S. TRUMAN BROADCAST
11/17/53:

"...It is now evident that the present administration has fully embraced, for political advantages, McCarthyism. The Senator from Wis-

ATTENTION! NEW YORK, NEW
JERSEY & CONNECTICUT
FRIENDS OF AMNESTY
CHRISTMAS AMNESTY RALLY
Thurs. Eve. Dec. 17
7.45 p.m.
Manhattan Plaza
66 East 4th St.
N.Y.C.

AMNESTY -- AN AMERICAN TRADITION

On Dec. 23, 1921, the White House in Washington, D.C. announced that Eugene V. Debs and 23 other political prisoners had been granted Christmas amnesty by the President.

Debs was then the leading Socialist in this country, serving a 10-year jail term for opposing the entry of the U.S. into World War I; those freed with him were also in prison for their anti-war views.

The President who granted amnesty was a Republican, Warren G. Harding. The times seemed hardly favorable to winning such victories. Labor unions were under sharp attack; just a year earlier several thousand foreign-born Americans had been rounded up in the infamous Palmer Raids, and many of them imprisoned or deported.

Today another Republican sits in the White House. Dwight D. Eisenhower has the presidential power to grant amnesty to today's political prisoners, among them the men and women now serving prison sentences under the Smith Act, many of whom are national leaders of the Communist Party.

* * *

Amnesty--the freeing or pardoning of a prisoner for a past offense, has been granted by presidents of the United States as far back as Thomas Jefferson, who freed the victims of the Alien and Sedition Acts when he came to the Presidency in 1800.

Debs' pardon was not the last of those granted to World War I political prisoners. The last of them were amnestied by President Coolidge (another Republican) in 1924.

Amnesty has also been granted by governors for sentences under state laws, notably in the famous Haymarket case, where Illinois Governor John P. Altgeld pardoned the four remaining victims in 1893, and when California's Governor Olsen pardoned Tom Mooney in 1936 after he had served 20 years of a life sentence in a notorious labor frame-up case likewise dating back to World War I.

* * *

But while amnesty is GRANTED by the President, or a governor, history shows that it must always be WON--BY THE PEOPLE.

In each of the cases mentioned above, broad sections of the American people raised the demand for amnesty, and they were by no means limited to persons sharing the views for which those in prison had been jailed.

(cont. next page)

consin is important only in that his name has taken on a dictionary meaning in the world. And that meaning is the corruption of truth, the abandonment of our historical devotion to fair play.

It is the abandonment of 'due process' of law. It is the use of the big lie and the unfounded accusation against any citizen in the name of Americanism and security. It is the rise to power of the demagogue who lives on untruth; it is the spread of fear and the destruction of faith in every level of our society.

My friends, this is not a partisan matter. This horrible cancer is eating at the vitals of America and it can destroy the great edifice of freedom..."

General Council of the Presbyterian Church in the U.S.A., 11/3/53:

"Treason and dissent are being confused. The shrine of conscience and private judgment, which God alone has a right to enter, is being invaded. Un-American attitudes towards ideas and books are becoming current. Attacks are being made upon citizens of integrity and social passion which are utterly alien to our democratic tradition... There is something still more serious. A great many people, within and without our government, approach the problem of communism in a pure-

The Haymarket victims had the support of such diverse figures as author William Dean Howells, philanthropist Robert G. Ingersoll, and Abolitionist John Brown. Among those who petitioned President Harding for amnesty for the Socialist Debs were his Farmer-Labor opponent Parley P. Christenson, his trade union opponent Samuel Gompers, and Harding's own attorney-general, Harry Daugherty.

* * *

Today, as Smith Act arrests strike at widening sections of the American people--no longer just at Communist Party leaders but at rank-and-file Communists--trade unionists, house-wives and professionals, more and more people realize that the thought-control Smith Act under which these people are being arrested (not for what they have done or even for what they have said or written, but for what THEY MIGHT SOME DAY INTEND TO DO, THINK OR WRITE)--that this Smith Act can menace all degrees of political dissent in this country, no matter how mild.

We believe the political climate of our country has begun to change, and will continue to change with increasing rapidity. We believe that some of the statements we print elsewhere in this newsletter show that fear and acquiescence are giving way to courage and resistance.

We believe that more and more Americans are understanding that a fight for amnesty for the Smith Act prisoners is a blow against further encroachment on the rights and freedoms of ALL Americans, whatever their political beliefs, a vital part of the fight against McCarthyism.

We urge you to join in that fight by asking for--
AMNESTY FOR POLITICAL PRISONERS NOW--BEFORE CHRISTMAS!

AMNESTY 'ROUND THE WORLD

Victorious struggles for amnesty are taking place in many lands today, even in countries under fascist regimes.

Newspaper dispatches datelined Nov. 11 carried

CHRISTMAS CARD ORDER BLANK

Personal Christmas cards, with matching envelopes
@ 10¢ each, \$1.00 per doz., \$8.00 per 100

Christmas postcards to President Eisenhower
@ 5 for 10¢, 100 for \$1.75

National Committee for Amnesty for Smith Act Victims
667 Madison Avenue, Room 611 New York 21, N.Y.

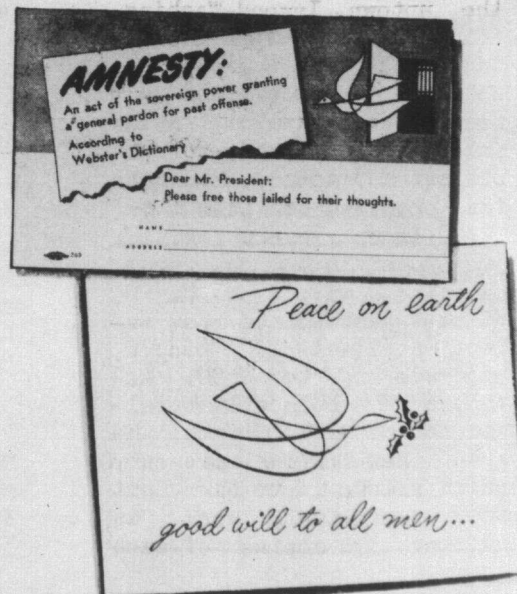
Enclosed please find \$_____ for which please send me:

- ___ Personal Christmas cards
- ___ Christmas postcards to the President

NAME _____

ADDRESS _____

CITY _____ ZONE _____ STATE _____



ly negative way. Communism which is at bottom a secular religious faith, of great vitality, is thus being dealt with as an exclusively police problem."

SPECIAL

The N.Y. meeting protesting the murderous attack on Smith Act defendant Robert Thompson launched the Xmas amnesty campaign. A meeting scheduled for Dec. 6 in New Haven will be reported in our next issue... Chicago friends of amnesty should contact Rev. William T. Baird.

P.O. Box 5735, Chicago 80, Ill. (note change from address given in last newsletter)... Smith Act prisoner Irving Potash celebrates his 51st birthday in Leavenworth Penitentiary on Dec. 15th... Chicago also reports 8000 brochures calling for amnesty just off the press, is distributing 1000 copies of AMNESTY TRUMPET each month and ordering Xmas cards.....

Detroit is distributing 750 copies of AMNESTY TRUMPET and hopes to have an Amnesty Committee going soon. Inquiries should go to Mrs. Esther Shapiro, 2334 Elmhurst, Detroit, Mich... One day's recent Natl. office mail carried inquiries and contributions from South Bend, Ind. St. Paul, Minn., and Oklahoma and Australia...

The Amnesty Committee in the uptown, Inwood-Washington Heights area of Manhattan, N. Y. C., believes in working for amnesty on a neighborhood basis, urges friends to put this principle into action throughout the country. It plans its THIRD Amnesty party for Jan. 9th (after the holiday furor has died down); on the basis of past performance they expect at least 100 people, proceeds up to \$400. Although the bulk will be given to the Natl. Office, the group has its own treasury which allows it to carry out such consistent work as mailing 350 copies of each

news that Argentine dictator Peron was planning to grant amnesty to political prisoners, both in his own jails and to exiles abroad. Last year Spanish dictator Franco was compelled by widespread popular pressure to amnesty many of the leaders of protest strikes which had occurred in Barcelona and other Spanish cities.

In Nov. 1952 the regime of former Egyptian King Farouk released hundreds of political prisoners. The great poet and opponent of the present Turkish government, Nazim Hikmet, was first reprieved from a death sentence and later released from life imprisonment. Pablo Neruda, famous Chilean poet and for years a refugee from his homeland, has been permitted to return to his own country.

General amnesties for certain classes of prisoners have likewise been recently declared in Great Britain, The USSR, Greece, Hungary, Rumania. In France the young sailor Henry Martin, jailed on a 30-year sentence for protesting the war in Indo-China, was freed after a vigorous amnesty campaign.

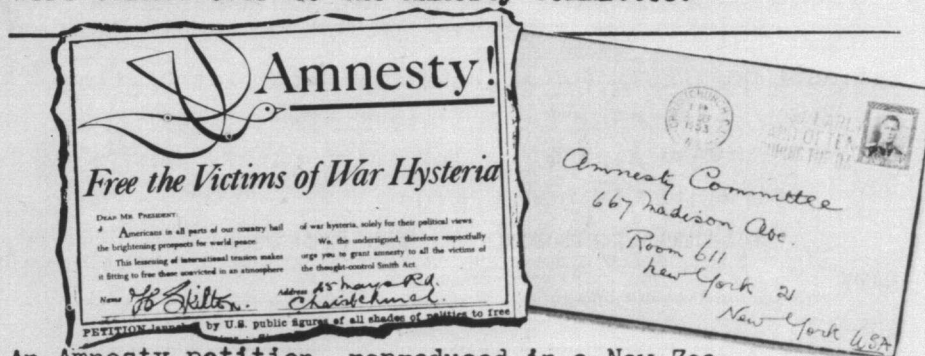
If such victories can be won in countries with the most varied forms of government and regimes of every political hue, surely we in the U.S. can also successfully wage A FIGHT FOR AMNESTY!

NEW YORK RALLY LAUNCHES CHRISTMAS AMNESTY DRIVE

Six days after the violent attack on Smith Act prisoner Robert Thompson which nearly cost him his life an overflow audience of 600 gathered at a protest rally held in New York under the auspices of the Veterans of the Abraham Lincoln Brigade (Thompson was an officer of the Brigade which fought in defense of the Spanish Republic against dictator Franco in 1937-39).

Another Spanish war veteran, Irving Weissman (a Smith Act Pittsburgh defendant whose case is now on appeal) keynoted the meeting, which was also addressed by Dr. Edward K. Barsky, chairman of the National Committee for Amnesty for Smith Act Victims. The speakers stressed that the attack on Thompson was the result of the increasing brutalization which derived from McCarthyism, and that it called for a fight for amnesty as part of the rising tide of resistance to witch-hunting and hysteria.

The enthusiastic audience bought over 1000 printed postcards to send to President Eisenhower protesting the attack on Thompson. All proceeds of the meeting were turned over to the Amnesty Committee.



AMNESTY TRUMPET, ordering
Amnesty Christmas cards, etc.

Let's hear from other such
groups!...

The Exec. Board of the
California Fed. of Young
Democrats at its October
meeting went on record as
calling for repeal of the
Smith Act... So did the an-
nual convention of the In-
ternational Woodworkers of
America (CIO), re-affirming
its earlier position... 3
more Smith Act arrests in
Pittsburgh bring the total
up to 109...

Smith Act prisoner Carl
Winter, serving a 5-year
sentence, was recently trans-
ferred from Lewisburg, Pa.
to the Federal prison at
Milan, Michigan for the dur-
ation of the Detroit Smith
Act trial, in which his wife,
Mrs. Helen Winter is a defen-
dant. The temporary transfer
was granted because of Mrs.
Winter's serious ill-health,
to permit him to assist in
preparing her defense. But
his fight to be permanently
transferred to Milan, just
30 miles from his home, will
continue ...



"The New Statesmanship"
Fitzpatrick - St. Louis
Post-Dispatch

ROBERT THOMPSON TRANSFERRED FROM HOSPITAL TO CITY JAIL

Robert Thompson, Smith Act defendant who was vio-
lently attacked on Oct. 23, was transferred from Belle-
vue Hospital to the Tombs City Jail barely 4 weeks af-
ter the near-fatal assault in the N.Y. West St. prison.

Thompson survived only through a long and deli-
cate brain operation. Doctors say he needs prolonged
convalescent care, including rest, sunshine and good
food, none of which are available in the Tombs, where
Thompson is being held in "solitary" confinement, for
his own "protection", Federal officials say.

The Natl. Amnesty Committee urges support to the
efforts being made to have Thompson transferred to a
hospital or nursing home; although pointing out that
the Federal Government bears full responsibility for
preventing any further such attacks, whether against
Thompson or any other Smith Act prisoner, it urges a
heightened campaign for amnesty for political prisoners
as the best guarantee that such attacks against them
will not take place.

If you believe in amnesty for political
prisoners, send Christmas cards to the
Smith Act victims to let them know where
you stand:

Dorothy Rose Blumberg
Box A, Alderson, West Va.

Maurice Braverman
20423, Lewisburg, Pa.

Benjamin J. Davis
PMB 8454, Terre Haute, Ind.

Eugene Dennis
PMB 71488, Atlanta, Ga.

Philip Frankfeld
73247, Atlanta, Ga.

Regina Frankfeld
Box A, Alderson, West Va.

John Gates
PMB 71487, Atlanta, Ga.

Gus Hall
PMB 68051, Leavenworth, Kansas

George Meyers
21428 Petersburg, Va.

Irving Potash
PMB 67769, Leavenworth, Kansas

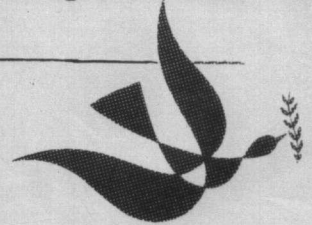
Jacob Stachel
PMB 8659, Danbury, Conn.

Robert Thompson
The Tombs, New York City

John Williamson
PMB 19353, Lewisburg, Pa.

Carl Winter
PMB 19349, Lewisburg, Pa.

Roy Wood
9634 Ashland, Ky.



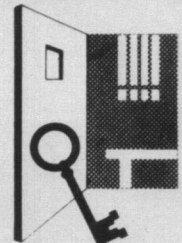
Edward K. Barsky, M.D., Chairman,
National Committee to Win Amnesty for Smith Act Victims
667 Madison Avenue, Room 611,
New York 21, New York.

I enclose \$_____ to help finance the Christmas Amnesty Campaign.
Please send me more information about your Committee.

Name _____

Address _____

City _____ Zone _____ State _____



The Families Committee
of the
Baltimore Smith Act Victims

cordially invite you to

a.

RECEPTION

in honor of

MAE WILLIAMSON,
Wife of John Williamson,
one of the original Foley
Square Smith Act Defendants

on

Saturday, December 19,

at

Nine o'clock p. m.

at the home of
Mrs. Alice Meyers,
Nelmar Apts. D-3
Whitelock & Brookfield Ave.
Baltimore, Maryland

*
No Admission Charge