"Land of the Pilgrim's Pride"
1932 - 1933

AMERICAN CIVIL LIBERTIES UNION
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THE YEAR

An estimate of the sum total of repression over the year shows no change in volume over recent years, though some change in character. All those who have commented on the absence of disorder in the country in the face of three years of wholesale unemployment, wage reduction, and inadequate relief regard it as unexpected. Without going into causes, it is obvious that those who have borne the brunt of the depression have not responded by widespread movements of protest nor by strong class organization. Yet such opposition or protest movements as have developed among workers or farmers have been pretty generally attacked.

In the summer of 1932, a significant movement of resistance developed among the farmers in strikes against the sale of produce at ruinous prices and in organized pressure to stop emergency foreclosure sales. These movements among the farmers have not been paralleled by anything like such movements among the city working class, though strikes against wage cuts became more numerous in the spring of 1933. Wherever farmer or working class movements became militant governors either sent in troops or prosecutors brought charges, or both. Troops were called out in five states in a brief period in the spring of 1933,—an unprecedented record,—to quell farmer or workers' strikes.

The Communist Party maintained its militant activities among the working class, always at a high rate of casualties in arrests and police attacks. Hunger-marchers and unemployed demonstrators, usually under Communist leadership, showed a vigorous spirit of protest which was met by the authorities in many places with unwarranted violence.

Most conspicuous of all instances of repression of the last year was the routing of the Bonus Expeditionary Force at the national capital by calling out the army. No single event so strikingly violative of civil rights has been chargeable in recent years to the federal government,—in this case, to direct orders from President Hoover.

Since the advent of the new administration a changed and far more liberal attitude is apparent on the part of sev-
eral departments of the government and of the President. The treatment by the President of the Bonus Expeditionary Force recently encamped in Washington marks vividly a change in policy toward petitioners. The censorship exercised by the Post Office Department is apparently held in abeyance. The drive against aliens by the Department of Labor, high-handed and lawless under the previous administration, appears to have been wholly discontinued, although many cases and issues hanging over from the previous administration have not yet been disposed of.

WITH the enormous extension in power and control by the federal government under a rapidly developing regime of state capitalism, open attacks by employers on working-class rights are likely to be far less. Already the shift in initiative from private business to the government has checked them. That this unprecedented increase in state power has not been accompanied by suppression, as in other countries, is due obviously to the fact that there is no real opposition to suppress. It may be remarked that the United States is the only country in the world which has entered this transition from private to state capitalism without conflict.

State governments created by the change in administration at the fall election vary. Some are distinctly more liberal, others not. The passage of anti-injunction bills in many state legislatures and the defeat of such reactionary legislation as compulsory oaths of loyalty for school teachers show a better trend. In several states, however, governors have called out troops in strikes with slight, if any, justification. In Illinois, where warfare between two rival unions has produced for months the worst state of violence and repression in the country, the new governor has been unwilling to act except through military authority. Prosecutions for radical activities under state laws have been comparatively few. For the first time in years, no prisoners are serving terms in prison under criminal syndicalism or sedition laws.

Although on the whole a very considerable improvement in the attitude and activities of state and federal government officials may be noted, city and county officials continue
established repressive practices, dominated by the forces which control local politics. The record for the year is among the longest in recent history, as shown by the summary lists on pages 30 to 44.

The worst spots locally remain unchanged — the Los Angeles district, New Jersey industrial towns, the South wherever the issues of race conflict or radicalism arise, the unorganized coal fields, Pennsylvania industrial towns, Chicago and a few suburbs, industrial centers like Dearborn, Mich., Lawrence, Mass., and a score more, chiefly in the textile and needle trades.

Most conspicuously before the public are issues not arising this last year, but in the years previous—the struggle for the freedom of Tom Mooney and Warren K. Billings in California; the defense of the Scottsboro Negro boys; the release of the Centralia I. W. W. men; and the defense of the Kentucky miners. Around the Mooney and Scottsboro cases particularly, national—even international—campaigns have been developed, largely under Communist inspiration and leadership, but reaching effectively the press and large sections of the public.

The Civil Liberties Union, besides its routine work in response to every case put up to it, has concentrated during the year on the eight campaigns listed on page 27. Their variety indicates the wide front on which the Union's activities are now conducted and the degree of specialization which has been made possible by the growth of our committees. Local work by our committees and members has also expanded. Both these developments—of specialized and aggressive work on national problems, and intensive local work—have given the Union increased power in getting its job done, despite a membership and income necessarily falling in a time of depression. It is these activities, building up a greater resistance to repressive tactics and a public opinion against them which makes defense work less necessary, and which tend to establish in law or practice the gains we make.
THE U. S. Supreme Court dealt with only one major issue affecting civil liberty,—the conviction of the Negro boys at Scottsboro, Ala., in a trial involving not only race prejudice, mob atmosphere and unseemly haste, but denial of the primary rights of defendants. The reversal of the convictions marked a significant chapter in the history of the Supreme Court in dealing with criminal cases. The conviction was reversed on the ground that the trial court had not permitted the boys adequate defense by counsel. While the Civil Liberties Union took no direct part in the appeal to the Supreme Court, we have since aided by raising funds for the defense in charge of the International Labor Defense.

In the federal courts the only new issue affecting civil liberty which came to our attention arose in the District Court at New York where receivers for the Foltis-Fischer chain of restaurants applied for an injunction against striking employees despite the anti-injunction provisions of the recent federal act. The attorneys claimed that a receiver appointed by the federal court was not in the position of an ordinary employer and the act therefore did not apply to it. The Union aided by engaging counsel to contest this view, whereupon the application was withdrawn.

In the state courts the only significant decision from a supreme court was that in Ohio upholding the criminal syndicalism statute in the case of Paul Kassey, Akron rubber worker. The appeal was taken from a decision of Judge Walter B. Wanamaker holding the act unconstitutional. Kassey had been released and no further proceedings have been taken against him. He was charged merely with an utterance made in private conversation.

In New Jersey the Supreme Court (an intermediate court) on appeal reversed the conviction of a Communist under the sedition act. The trial court had not permitted him to affirm in testifying. Both the defendant and his witnesses declared themselves to be atheists. The trial court excluded the testimony of the witnesses, which the Supreme Court upheld, and reversed on the ground that the defendant should have had the right to affirm his testimony. The Civil Liberties Union, which helped carry the case up, has been endeavoring to get the state to appeal so that a ruling on this issue, on which the courts so differ, might be had from the highest court in New Jersey or even from the U. S. Supreme Court.
LAWS

THE Union pushed in Congress a series of bills affecting many aspects of civil liberty,—

1. To prohibit the tapping of telephone wires to obtain evidence in federal courts.

2. To repeal two sections of the war-time Espionage Act, one of which gives the Post Office Department power to bar "seditious matter" from the mails; the other is the section under which war prosecutions for opinion were brought.

3. To admit to citizenship alien conscientious objectors who refuse to bear arms.

4. To assure civil rights to American Indians on reservations through a series of bills.

5. To provide civil forms of government for the Virgin Islands and Samoa.

6. To help extend "freedom of the air" by requiring radio stations to put on both sides of controversial issues.

Bills aimed at restricting civil liberties were all defeated in Congress,—notably the so-called Dies bill greatly extending the grounds of deporting alien radicals, the Eslick bill resurrecting the crime of sedition by mere utterances or beliefs, and the press censorship bill proposed as an emergency measure by the State Department early in the Roosevelt administration. Passed by the House, this bill was so modified in the Senate as to be innocuous. As passed, it applies only to the protection of coded matter handled by a government department or foreign embassy.

Despite much effort it was impossible to get favorable action on any of the chief measures during the Hoover administration. The special session in the Roosevelt administration was too occupied with major economic issues to deal with these minor bills.

The only results achieved were (1) cutting out the appropriations for the work of tapping telephone wires to obtain evidence, effective July 1, 1933, and (2) the passage of a general bill affecting control of the radio, in which the Union managed to get a clause to extend freedom of the air by requiring radio stations putting on one side of a public issue also to give equal facilities to the other side. The bill was vetoed by President Hoover.
State Legislatures

The 38 state legislatures meeting in 1933 had before them for the first time since the passage of the federal anti-injunction act, bills to restrict similarly the powers of state courts, pushed by the National Committee on Labor Injunctions and the State Federations of Labor. Bills were passed in ten states. See page 15 for details.

In New York issues of censorship of books, the theatre, and movies arose, but achieved no direct result. In Massachusetts a bill to take away from the city authorities of Boston power of censorship over the theatres was defeated. Wisconsin saw a little flurry over a stringent bill against birth control information. The bill was defeated. In Pennsylvania a unique proposal, backed by organized religious interests, to license every magazine and periodical sold in the state, was beaten in the Senate after it passed the House, largely through the efforts of the Pennsylvania Civil Liberties Committee and the National Council on Freedom from Censorship. Efforts to repeal criminal syndicalism laws in Ohio, California, Michigan, and Pennsylvania yielded nothing except healthful agitation. In Connecticut a sweeping bill for the registration of all aliens, inspired by the then Commissioner of Immigration for the New England district, Mrs. Anna C. Tillinghast, was beaten when it came to hearing. The Union took an active part in its defeat and in later protesting to the Department of Labor against Mrs. Tillinghast’s unauthorized and improper activities. She was removed shortly after.

The D.A.R. continued to push its bill in a number of legislatures for compulsory oaths of loyalty from school teachers, not required from other public servants. It was beaten in all of them, although it got alarmingly far along toward passage in Delaware and New Jersey. Similar bills are already in effect in fifteen states. The Civil Liberties Union campaigned actively against the bills, enlisting the support of teachers’ organizations.

Political Prisoners

Mooney and Billings

Following Governor Rolph’s refusal to pardon Tom Mooney, efforts were made by the defense committee to bring him to trial on the old indictment pending against him since 1917. Mooney was originally indicted for the murder of eight of the ten victims of the Preparedness Day bomb, but all save one of the indictments was dismissed.
Judge Louis H. Ward of the Superior Court of San Francisco finally agreed that Mooney had a right to trial on the pending indictment and ordered it set for April, 1933. When the day of the trial arrived a demonstration in Mooney's behalf outside the court house prompted the judge to postpone it a month. The District Attorney refused to prosecute on the ground that he could not convict Mooney with perjured evidence. The Attorney General refused to appoint a special prosecutor.

When Mooney came into court in May, represented by Frank P. Walsh of New York and Leo Gallagher of Los Angeles, the stage was already set for a directed verdict of acquittal. Mooney pleaded for a trial on the old evidence together with the testimony of witnesses, but the judge held he was helpless in the light of the District Attorney's attitude. A directed verdict followed. Mooney's attorneys plan to carry the case by writ of habeas corpus to the U. S. Supreme Court as the only avenue left through which relief may still be had.

A mass movement for Mooney's freedom developed during the year, stimulated by his own Mooney Molders Defense Committee with headquarters in San Francisco. A National Free Mooney Congress was called in Chicago, April 30 to May 2, attended by over 1000 delegates, mainly from working-class organizations. A National Mooney Council of Action was there formed to carry on the agitation for his release and in behalf of "workers' rights and the rights of the Negro people." The Civil Liberties Union was represented at the Congress, on the preliminary committees and on the national committee elected at Chicago.

Two books appeared during the year on the Mooney-Billings case. One was the "suppressed" report of the Wickersham Commission, prepared by Prof. Zechariah Chafee, Jr., and attorneys Carl Stern and Walter Pollak of New York. It was privately published. The other was a journalist's very effective account, "What Happened in the Mooney Case," clearly and engagingly written by Ernest Jerome Hopkins, former San Francisco newspaper man.

The National Mooney-Billings Committee, organized by the Union, has kept up its work in cooperation with all the forces aiding the Mooney-Billings campaign.

**The Centralia Prisoners**

Of the eight members of the I.W.W. convicted in Centralia, Wash., in 1920, for resisting by arms an attack on their hall, four were still
imprisoned on 25 to 40 year sentences at the close of 1932. Two had gotten out on parole. One had died in prison, and one adjudged insane had been finally released as sane in 1930.

The parole of the Centralia men was a slight issue in the 1932 campaign for the governorship. Clarence D. Martin, Democratic candidate for governor, indicated that if elected he would parole the men. After taking office it was understood he would act after adjournment of the legislature. John Lamb was paroled in April, 1933, apparently without the governor’s intervention. Another, Bert Bland, was paroled early in June, and Britt Smith later in the month. Ray Becker remains in prison, refusing to accept parole.

Mrs. Adele Parker-Bennett of Seattle has represented the Union in the long and tedious moves for the liberation of these men, working in cooperation with the State Federation of Labor, the State Federation of Churches, and the various Centralia defense committees.

Scottsboro Boys

While the defense of the nine Scottsboro Negro boys charged with the rape of two white girls in the spring of 1931 is handled by the International Labor Defense, the Union has aided in raising funds because the case involves primarily the right to a fair trial. It has become a symbol throughout the world of “black justice” in the South. Legally, it has raised effectively for the first time the exclusion of Negroes from juries.

The Union raised by public advertisements and appeals a sum of over $2000 which it has transmitted to the defense attorneys for specific expenses both on the second trial in Decatur, Ala., in April, 1933 and for the appeal from that conviction.

Criminal Syndicalism and Sedition Prisoners

For the first time in years no prisoners are serving sentences under sedition or criminal syndicalism laws. In March, 1933, the last of the Pennsylvania sedition prisoners was freed by the Pardon Board. The last of the California Imperial Valley strike organizers was freed in February.

The criminal syndicalism cases brought in 1922 against the leaders of the then underground Communist Party and pending in the courts for ten years, were finally dismissed in February, 1933, on motion of the newly-elected Attorney General in Michigan, Patrick H. O’Brien, former chairman of the legal committee of the Detroit Civil Liberties Committee. No
previous attorney general apparently had the courage or inclination to move dismissal against opposition by "patriotic" societies. Bail of over $90,000 tied up for ten years was released.

Only a few indictments for criminal syndicalism or sedition were pending in May, 1933. Only two seem likely to be tried, and those are unique cases in Michigan brought against farmers resisting foreclosure sales.

In the South, where there are no criminal syndicalism or sedition laws, recourse was had in Atlanta to an ancient statute penalizing "incitement to insurrection" in order to reach Communists elsewhere commonly attacked under the sedition laws. This old statute, passed in 1866, was invoked in 1930 against six organizers of the unemployed. In the summer of 1932 a young Negro Communist organizer of the unemployed, Angelo Herndon, 19 years of age, a Cincinnati worker, was indicted under the same law and brought to trial. The cases against the others have not yet come to trial due to maneuvers on preliminary motions.

Herndon was tried in a prejudiced atmosphere, represented by two young colored lawyers, Benjamin Davis, Jr., and John H. Geer, retained by the International Labor Defense. Nothing was proved against him except the possession of Communist literature and membership in the Communist Party, neither of which is an offense under Georgia law. But he was nevertheless convicted and sentenced to prison for 18 to 20 years—the longest sentence in the country for beliefs since the war. He is held in prison in default of bail. The Civil Liberties Union is aiding in carrying his conviction up on appeal. A special pamphlet was published on the case.

ALIENS

Deportations

The policy of deporting alien radicals for political opinions and activities was considerably enlarged during the Hoover administration under pressure chiefly from the American Federation of Labor and other agencies spurred on by the depression to get aliens out of their jobs and to give preference to Americans. Although no provision of law justifies such a use of the deportation act, Secretary of Labor Doak publicly announced that as his policy.

It was applied not only to alien workers but to alien students in American colleges who were forbidden by a special order in August, 1932, to work for wages. Formidable protests from educational authorities did not make the department yield. The Civil Liberties Union endeavored to take
a test case into the courts, relying upon a decision of Judge Julian W. Mack of the Court of Appeals in New York. Although several clients were obtained, the Department in each case granted exemption, thus preventing legal action.

The deportation drive was particularly directed against members of left-wing trade unions affiliated with the Trade Union Unity League and through it with the Red Trade Union International at Moscow and the international Communist movement. Although the courts have sustained the Department in deporting members of such unions merely for their membership, the Department's policy in doing so did not develop until the last few years. The Union, believing that the courts might be persuaded to take a different view, took into court as a test case the deportation order against Frank Borich, secretary of the National Miners Union. The Federal District Court at Pittsburgh declined to interfere with the deportation on that ground or to consider irregularities in the proceedings alleged by the Union. On the advise of counsel that appeal would be hopeless, further contest was dropped.

The centers in the country where animus against alien radicals has resulted in the largest number of deportation cases are: the New England district, Detroit, Portland, Ore., and Los Angeles. No exceptional conditions in any of these communities warrant these rigorous activities.

In the New England district, the drive against alien radical leaders in left-wing unions was particularly vigorous, due doubtless to the ease with which employers found they could gain the cooperation of the Department of Labor. Edith Berkman, Lawrence textile strike leader, was released on bail because suffering from tuberculosis, and is maintained by her friends and the International Labor Defense in a private sanitarium.

So far as we know every alien ordered deported to a country where he would face persecution for his political views has been permitted to depart voluntarily at private expense to a country where he would be safe,—usually Soviet Russia in the case of Communists. This appears to be a fixed policy of the Department of Labor, following the protests aroused two years ago by the threatened deportation of Chinese Communists to China, where Communism is a capital offense.

When the new administration took office, the Civil Liberties Union put up at once to Secretary of Labor Frances Perkins all the issues which had arisen under the previous administration. Miss Perkins has taken them up with her new Commissioner General of Immigration, Daniel W.
MacCormack. She revoked an order issued by her predecessor for the fingerprinting of incoming aliens and abolished the secret service division of the Labor Department, responsible for much provocative activity in recent years.

Conferences with the officials of the Department of Labor indicate that the lawless practices condemned in the report of the Wickersham Commission will be abolished, that immigration inspectors responsible for them will be dismissed, and that the Department’s discretion in interpreting the law will be exercised to prevent the use of the Department’s machinery by those hostile to the employment of aliens, to left-wing strike leaders, and the use of the government’s machinery by any interested private forces.

The essential evils remain in the law. Whatever the Department may desire to do, the deportation policy has been firmly fixed by Congress, and only in a sweeping reorganization,—not only that proposed by the Wickersham Commission as to procedure, but in substance as it affects deportations for political opinions—is there any hope for relief.

**Aliens’ Rights**

So many issues affecting the civil rights of aliens arose that the Union decided to create a Committee on Aliens’ Civil Rights. This committee is devoting its chief attention to changes in administrative regulations and the laws affecting aliens, believing that the time has come for a thoroughgoing revision in the light of the exposures and recommendations in the Wickersham Commission report.

The lawless raids, arrests without warrants, and the activities of the secret service section which marked the régime of Secretary of Labor Doak, produced numerous cases. Startling among them was a raid without warrant on the spectators at a trial in a White Plains, N. Y., court house in which 42 persons were taken into custody in August, 1932, on suspicion of being in the country illegally. The judge cleared the court and took an adjournment while forty policemen rounded up most of the spectators who had gone out in the hall, taking them to immigration inspectors for questioning.

**Citizenship for Alien Pacifists**

Despite the decision of the Supreme Court in the Schwimmer and Macintosh cases denying citizenship to aliens who refuse to promise to bear arms, courts have admitted a few such applicants where exceptional considerations appear. In Ohio, Judge E. E. Everett of the Allen County Common Pleas bench, admitted to citizenship Professor and Mrs. John P.
Klassen, Mennonites. The Department of Labor announced it would appeal, but has not yet done so. The Union has urged that it let the decision stand.

The Department of Labor has sought to revoke the citizenship granted in Boston by Judge James A. Lowell to a young Norwegian minister, G. B. Bruvold, despite his refusal in open court to bear arms. The Department acted a year later to revoke his citizenship in the Vermont district where Bruvold had taken a parish. The Union engaged attorneys to contest the government's action and has succeeded so far in keeping it from coming to a hearing. The Department of Labor has been urged to drop the proceedings.

Among other naturalization cases, conspicuous was the refusal of the U. S. District Court at St. Louis to admit to citizenship a Socialist Labor Party editor because he advocated amending the constitution to abolish private property. The judge held that the sweeping changes advocated by the editor are "impossible short of revolution." Although the Civil Liberties Union endeavored to find grounds for appeal the record disclosed none. The record was based on a summary of evidence made up after the hearing.

A bill to overcome the Supreme Court decision against alien pacifists was reintroduced in Congress by Congressman Anthony J. Griffin of New York, but it has never gotten out of committee, due to the almost hysterical opposition of the D.A.R. and other patriotic societies.

LABOR

Strikes

Although strikes have naturally been fewer in a period of declining wages and great unemployment, the spring of 1933 saw an increase in strike activity, particularly in the textile industry, induced by wage-cuts.

Troops were called out without justification by the Governor of New Hampshire in the strike of the Amoskeag workers of Manchester, largest textile plant in the world. The Union sent in an agent, on whose report representations were made to the governor, and a report to the public. In South River, N. J., a strike of textile workers resulted in extreme measures of repression by company gunmen and police officials. The breaking up of a forbidden parade resulted in the killing of one small boy and the wounding of others. Many prosecutions followed. The Union aided the defense.

In Vermont, in a granite workers' strike at Barre, troops were sent in under pressure from employers and over the protests of merchants and even
the local post of the American Legion. The Civil Liberties Union sent an investigator into the district with considerable attendant publicity on the violations of strikers' rights by the troops. Legal action was forestalled by a settlement.

In High Point, N. C., a textile strike resulted in numerous arrests for picketing. The Union took charge of the defense and obtained the acquittal of all those strikers whom we represented.

The strikes in the coal mine fields marked Illinois, eastern Kentucky, Wilder, Tenn. and a small district in Ohio. The story of Illinois is told elsewhere.

A new development of the past year was the advent of strikes among farmers. In the summer of 1932 in the middle-west a widespread movement to stop produce from going to market at depressed prices resulted in calling out troops, battles between deputies and farmers, tear-gassing of picket lines and many arrests. The struggle of the farmers against foreclosure sales resulted in numerous prosecutions, notably in Iowa and Michigan. For the first time a criminal syndicalism law was invoked against farmers in Michigan prosecutions. The Civil Liberties Union is aiding in the defense of one case. In Iowa, a judge was taken from his court-room by a mob of angry farmers and maltreated. The district was at once put under martial law. The Union protested so extreme a measure and the subsequent high-handed behavior of the military authorities. Aid to the defense has been rendered.

The Illinois Coal Fields

In the summer of 1932 a struggle arose in the Illinois coal fields between leaders of the United Mine Workers and the rank-and-file membership over acceptance of the terms of a new contract with the operators. Two votes of the miners rejected a reduced wage, but the ballots in the second vote were mysteriously lost. When the officials then endeavored to put the contract into effect as an emergency measure, the rank and file revolted and called a strike.

The miners in the central field went out pretty solidly. Unable to reach the men in the southern field, they decided to go south and call them out. Thousands of them journeyed in ramshackle automobiles in August to Franklin County, where they were ambushed by deputy sheriffs. The procession was brutally attacked and routed. Getting no help from their officials,
the revolting miners formed a new union,—the Progressive Miners of America.

Since then warfare between the two unions has been bitter. Fifteen miners or sympathizers have been killed, scores beaten or wounded, hundreds prosecuted. State troops have been three times sent into the central field. In the southern field, all meetings were banned in three counties. Picket lines were smashed or forbidden. A reign of terrorism and lawlessness has existed over a large part of the area. Five southern counties are most explosive—Perry, Jackson, Franklin and Williamson, where the Progressive Miners have been generally outlawed; and in Saline County, where the Progressives are in control and the United Mine Workers are virtually outlawed.

The Chicago Civil Liberties Committee endeavored to enter this conflict in its early stages when troops were first sent in, but without effect. Offers of legal assistance were made. An investigator from Chicago went into the field to get the story first-hand. Nothing concerted was developed until May, 1933 when a special committee was formed of Chicago and St. Louis members of the Union, working with the national office and employing a paid secretary in St. Louis to develop a program of action. Repeated excursions were made to the coal fields for facts and in an effort to modify the tactics of the local officials. Representations were also made to Governor Horner. Failing to get either local or state action, the Union decided finally to carry the issue to the federal government, following a first-hand inquiry in June made by members of the Chicago and St. Louis committees with Roger N. Baldwin of the national office.

No more difficult task has confronted us in years than this. It has been made doubly difficult since it is not an issue of unionization but primarily of the rights of two unions to exist and conduct their propaganda in the same industrial field.

A detailed report on the struggle has been published in pamphlet form, together with a report made by the investigator of the Chicago Committee. Both of them are free to members.

The Kentucky Miners

Following the defeat of the Union's effort to get a federal injunction in May, 1932, to protect its expeditionary force of lawyers, clergymen, and professors, no further efforts have been made by any agency to get civil rights for miners in Harlan and Bell counties. The district remains
entirely closed to "outside agitators," and the ban on all union organization still holds. The Union dropped the appeal from denial of the injunction by the federal court because it became a purely academic issue. Suits brought by Arthur Garfield Hays and others for damages are not likely to be heard.

The scores of indictments under the criminal syndicalism law brought during the year and a half of actual struggle were dismissed. So too were all other indictments except for conspiracy to murder growing out of the shooting of two deputy sheriffs and a coal company clerk in Evarts, Ky., on May 5, 1931, where miners and mine-guards clashed. During the last year fifteen men have been tried. Five (making seven in all) have been sentenced to life imprisonment in trials filled with prejudice, appeals to the flag and patriotism, despite the fact that the miners were members of the conservative United Mine Workers Union and defended by counsel led by former U. S. Senator John M. Robsion. The General Defense Committee of the I. W. W. also enlisted counsel in the cases. Appeal was taken to the highest court in Kentucky which affirmed five of the seven life-term convictions. Application will be made to the Governor for pardon.

A suit against Bruce Crawford, Virginia editor, brought by the sheriff of Harlan county for defamation of character, and defended by the Civil Liberties Union, has been repeatedly postponed and probably will not be tried. Two suits against Harlan and Bell county officials brought through the Union for a group of visiting Commonwealth College instructors and students have been postponed and probably will not be tried. The visitors were deported and beaten.

The struggle in Kentucky for the present is over. The non-union employees are in full control of the district. The rights of labor to organize, strike, and picket or even communicate with outsiders concerning trade union organizations do not exist there.

**Labor Injunctions**

FOLLOWING the passage of the federal law limiting the powers of the federal courts to issue labor injunctions, and forbidding the use of "yellow-dog" contracts, the National Committee on Labor Injunctions, organized by the Union, directed its campaign to the enactment of similar laws by state legislatures. In 1931 Wisconsin passed the model state bill prepared by the Committee, and Pennsylvania adopted all but the section against "yellow-dog" contracts. With the passage of the "yellow-dog" contract provision in Pennsylvania this year, that state bears the distinction
of being the only great industrial state with anti-injunction legislation similar to the federal act.

In 1933 anti-injunction legislation was enacted in ten states—either the general provisions or the anti-"yellow-dog" bill, or both. The general bill in substance was passed in Colorado, Idaho, Indiana, Minnesota, Oregon, Utah, and Wyoming. The Maine legislature passed the general bill except for the "yellow-dog" contract. Two states enacted the "yellow-dog" feature of the model bill—Pennsylvania and California. Bills were introduced in 24 states. They were defeated in 14 states, in most cases in committee.

No test of the federal injunction law has yet arisen, nor have any of the state laws been tested. In the District of Columbia Supreme Court, a justice refused to grant an injunction sought by an employer, but the employer did not appeal. Two state supreme courts, Massachusetts and New Hampshire, have rendered adverse advisory opinions to the legislatures on the anti-injunction bills, following the established precedents.

The work of the National Committee on Labor Injunctions has been handled in the Union's office under the direction of Dr. Alexander Fleisher, volunteer secretary.

RIGHT OF ASSEMBLY

Police

In the sum total of issues affecting freedom of speech and assembly, the police play by far the largest part as agents of repression. Their role goes on practically unchanged. The same districts show the same behavior under pressure of the same local forces. The chief victims are, as they have been in recent years, Communists, unemployed demonstrators and hunger-marchers.

The Los Angeles district continues to present case after case arising from the activities of the notorious red squad, somewhat checked, we believe, by the aggressive campaign of damage suits and injunctions conducted by our Southern California Branch. The details appear in later pages in the report of the Southern California Branch.

The Chicago District has produced an extraordinary crop of police violence, also indicated in the local committee report later.

New Jersey industrial towns either ban altogether radical meetings and unemployed demonstrations or severely limit them. A special New Jersey
Civil Liberties Committee has been formed to combat the practices of the local officials in Jersey City, Rahway, Newark and Elizabeth, among other cities.

Reference to the list of "Issues Pending" and of the "Gains and Set-Backs" will show the outstanding cases which have arisen from police interference with speech and assembly.

The tendency of the police to specialize their efforts through "radical" or "red" squads has been combated by the Union in recent months. Local committees all over the country have been asked to investigate their activities and to bring pressure to abolish them. The squad in New York City has already been abandoned. Noteworthy is the recent move in Boston by the police to finger-print and photograph all Communists arrested, whether acquitted or not. The rule applies only to Communists. The Union is seeking a test case to upset it.

In a few cities the Union has moved to overcome unwarranted police bans by seeking injunctions. An injunction was obtained in Gary, Ind., forbidding police interference with meetings on private property. An injunction was sought, but is not yet obtained, in Richmond, Ind.

The Election Campaign

During the presidential campaign of 1932, the usual crop of cases arose, though fewer, involving interference with Communist street meetings and in a few cases with indoor meetings. A few Socialist meetings were also broken up or prohibited.

An unusual issue marked the campaign in a number of metropolitan cities where Communists, acting under what they conceived to be party directions, attacked rival working-class political street meetings in order to "expose the misleaders." Some of the interference took the form of physical assaults, concerted heckling, and demonstrations which broke up meetings completely or resulted in calling the police. Complaints made to the Union in New York and to a lesser extent from other cities prompted the creation of a special committee headed by Prof. William L. Nunn, which heard numerous witnesses. The established facts were then presented to the Communist leaders who disavowed any intention of breaking up meetings or committing physical assaults, but who insisted on the right to heckle. The committee's report endeavored to lay down a policy which would recognize the right of heckling and at the same time keep it within bounds. The Communist Party issued private instructions through its apparatus to re-
strain overzealous party members, and with considerable, though incomplete success. What the Union desired was a public statement repudiating such tactics. In the March "Communist" the secretary of the Party admitted that such a statement should have been made. No complaints of such tactics have come to the Union since the campaign.

ISSUES also arose in the campaign, notably in Lewiston, Maine and New York City, around the decisions of election officials denying the right to vote to those receiving public relief. In New York City the indigent inmates of certain institutions were deprived of that right. The Union took one case in New York into the courts and lost, the Appellate Division holding that the man had not legally established residence at the institution. In Maine pressure from our friends resulted in permitting those on relief to vote.

MINORITY parties experienced difficulty in getting on the ballot in a few states. In Louisiana, Oklahoma, Florida, and Nevada neither the Communists nor Socialists got on the ballot. In California, Kansas, Mississippi, Nebraska, North Carolina, and South Carolina, the Communists were not on it, and in Idaho the Socialists were not. Some of the difficulties are inherent in the election laws; others were due to error; and in two states to decisions either of the courts or secretary of state that the minority party could not qualify.

To help overcome these obstacles, the Union consulted Prof. Joseph P. Harris of the University of Washington, author of a model election bill prepared for the National Municipal League. He drafted two provisions for use in campaigns for fairer laws—one like the English and Canadian systems permitting nominations by petition but requiring a deposit of funds, forfeited if the party does not obtain a fixed minimum percentage of votes.

The other proposal follows the excellent Wisconsin law on nominations by petition. A mimeographed pamphlet, "Minority Parties on the Ballot," containing the proposals, was prepared and distributed by the Union.

OFFICIAL LAWLESSNESS

UNLIKE a year ago, mob violence declined almost to the vanishing point. The record the year before was almost the longest in recent history. Apparently the forces which organized mob violence against unemployed demonstrators, Communists and strikers were less powerful or less easily excited. One case however stands out,—that of the seizure of
six fruit-strike leaders in the Vacaville, Cal. jail by a masked mob of forty men, who took them out, painted their faces red, beat and deported them. Despite demands by the Civil Liberties Union and other agencies, officials refused to order an investigation. It was charged that the crime was committed by leading citizens, many of them members of the Vacaville American Legion.

Gunmen in strikes have spotted their victims as usual. The president of the United Mine Workers local at Wilder, Tenn., Barney Graham, was shot and killed on the streets by company gunmen. The secretary of the High Point, N. C. Central Labor Union and another man were kidnapped and flogged by three armed youths. In New York City gunmen invaded and shot up the headquarters of the Furriers' Union, wounding several. These are only three well-known instances out of a probably larger number not reported.

Lawlessness by officials armed with the authority of law has marked every large strike, and occasionally unemployed demonstrations. Most conspicuous was the eviction of the Bonus Expeditionary Force from Washington in the summer of 1932 on the order of the District Commissioners and President Hoover. Federal troops were called upon to clean out the camps in the dead of night with the use of tear-gas on men, women and children. It was the most shocking single incident of the abuse of official power against unarmed and peaceful citizens in recent history. Protests sent to the President by 41 well-known citizens, acting through the A. C. L. U., were characterized by his secretary as a "tissue of misrepresentation of facts," and refused delivery.

Local police and sheriffs are the chief irresponsible armed agents of the law. Scores of cases were reported—notably in Chicago, on the part of the Los Angeles red squad, and by the St. Louis police in attacking a demonstration at the City Hall in July 1932, where four demonstrators were wounded by police and a score injured by clubs.

The Third Degree

A small committee of New York lawyers, headed by Dorothy Kenyon, endeavored to arouse other agencies to establish cooperatively a bureau to investigate charges of the use of third degree methods. Conferences were held with judges, prosecutors, bar association officials, and professors of law. The project has not yet crystallized.

In an endeavor to advise local committees throughout the country as
to what steps to take to minimize the third degree, the Union has consulted the experts who prepared the report for the Wickersham Commission. A document prepared by them suggesting the more helpful lines of action on this difficult problem is in preparation.

CENSORSHIP

The Union's activities against advance censorship of the theatre, books, radio, and movies, was handled by the National Council on Freedom from Censorship, organized by the Union two years ago. All cases and legislative campaigns affecting this special field are directed by the Council.

The Union's position on censorship is that the only public control properly exercised should be by criminal prosecution with trial by jury. Even in such cases, the Union has aided the defense where satisfied that the book or theatrical performance was not in fact "obscene."

Although the new law affecting the importation of printed matter from abroad and requiring jury trials to determine alleged obscenity or sedition has worked on the whole well, a number of cases have arisen. The Council is endeavoring to get a test case of a novel "The Story-Teller's Holiday"; two wood block prints by noted English artists, also pending; and "Storm," a volume of short stories, on which action will be taken shortly. The right to import the Decameron of Boccaccio and "Married Love" by Dr. Marie Stopes was upheld in a court case in Minneapolis. "Contraception," also by Dr. Stopes, was approved for importation by the federal court at New York. Russian posters imported by Corliss Lamont were held up for many weeks by the Customs Bureau, allegedly because one of them depicted an imitation dollar bill. They were finally released without court action.

Censorship by the Post Office Department has been comparatively slight. In the summer of 1932, the Department barred from the mails two issues of the American Freeman, weekly publication of the Haldeman-Julius Company because of an article entitled "Why Don't the Workers Raise Hell?" Attacks on the Hoover administration were alleged by the publisher to be the real reason for action, although the Post Office Department denied it. The Civil Liberties Union, acting for the publisher, sued in the New York courts for the right to mail the barred issues, Arthur Garfield Hays representing Haldeman-Julius. The District Court upheld the Post Office Department and was sustained on appeal by the Circuit Court of Appeals. Publication was not later interfered with.

Several cases involving alleged discrimination by the Post Office
Department in withholding second class mail privileges of small radical papers were reported to the Union. Efforts have been made with the Post Office Department to overcome unjustified restrictions.

A bill to determine the alleged obscenity or sedition of matter barred from the mails in precisely the same way as matter imported from abroad, will be introduced in the next session of Congress. The Council has held up the bill until chances for passage seemed brighter.

When a bill amending the Federal Radio Act was before Congress in the Hoover administration, the Council succeeded in writing into it a provision that stations putting on one side of a public controversy should give equal facilities to opponents. The bill as finally passed restricted that provision to matters to be voted on at elections. President Hoover vetoed the bill. This too will be pushed in the next session of Congress.

A number of cases of discrimination against speakers over the radio because of their views were reported, notably that of the Rev. Herman J. Hahn at Buffalo, prevented from giving a scheduled address in a series because he refused to modify his remarks about taxing wealth. The Union also intervened in behalf of the Rev. Robert P. Shuler of Los Angeles, radio evangelist, whose station license was ordered revoked by the Federal Radio Commission. Morris L. Ernst, acting for the Union, filed an amicus curiae brief in the Supreme Court of the United States asking for a re-hearing on Shuler’s appeal, but without success.

The censorship of moving pictures was tackled only in New York State, which with Pennsylvania, appears to be the most strict. The monthly reports of the motion picture censors were collected for 1932 and early 1933 and published in a booklet “What Shocked the Censors” with an analysis and introduction. The material is to be used in a campaign to abolish the censorship by showing up the absurdity of the cuts.

In state legislatures in New York, Massachusetts and Pennsylvania, the Council was active either in promoting or defeating bills. In New York a bill to abolish moving picture censorship was killed. A bill putting responsibility primarily on publishers, not book sellers, in prosecutions for the sale of alleged obscene books passed the Assembly, but was killed in the Senate.

In Massachusetts a bill to take away from Boston city officials the power to censor theatrical performances was killed in committee for the second time. In Pennsylvania a bill for licensing all magazines circulated in the state was killed, partly through the efforts of the Council, after passing the House.
FREEDOM IN SCHOOLS AND COLLEGES

THE Committee on Academic Freedom was called upon to deal primarily with issues arising in the colleges, not in the public schools. Cases cropped up all over the country affecting college teachers and students expressing pacifist, liberal or radical views. Most conspicuous among them were the repeated issues which arose at City College, New York, involving student liberal organizations, student papers and student protest meetings. The Union has urged on the Board the abolition of a unique rule controlling student opinion and organization.

Other issues in the colleges which arose throughout the country, acted upon by the Union through the Board of Directors or the Committee on Academic Freedom, were:

1. The dismissal of Leo Gallagher, instructor in the Southwestern School of Law in Los Angeles, for his activities as counsel for the International Labor Defense and the Southern California Branch of the American Civil Liberties Union.

2. The imposition of loyalty oaths on students entering the University of Pittsburgh.

3. The dismissal of Dr. John C. Granberry and three other professors from the faculty of the Texas Technological College for liberal views.

4. A ruling at Syracuse University requiring students to sign an agreement to accept dismissal without charge or hearing.

5. A threat of prosecution against the editors of the DAILY HERALD, student paper at Brown University, Providence, R. I., for publishing an anti-war pledge.

Other cases arising in colleges in which the Union did not act, either for lack of sufficient information or because not requested to do so were:

1. The refusal of Columbia University to renew the teaching contract of Donald Henderson, instructor of economics, against which a one day student strike was staged.

2. The refusal of Northwestern University to renew the contract of Dr. James M. Yard, Director of Religion, presumably because of his liberal views and activities.

3. The dismissal of Dr. K. E. Barnhart from Birmingham Southern College for reasons of "economy."
(4) The dismissal of Prof. Ira Latimer from LeMoyne College (colored), Memphis, for his public activities.

(5) The suspension of two students at the University of Maryland for refusing to take compulsory military training. This case was taken to the courts where the students were sustained by the judge of the Superior Court who was later reversed by the Court of Appeals.

(6) Enforced resignations of seven of the staff of the Williams College Quarterly for publishing an article deemed by the Dean to be not in “good taste.”

IN THE public schools issues of freedom of opinion arose conspicuously in New York City where the Board of Education showed a determination to get rid of independent-minded teachers who protested the Board’s policies of retrenchment or discipline. Teachers suspected of radical or pacifist views were singled out. Several were transferred to less desirable positions. Others were suspended; two permanently dismissed. The Union aided in getting their cases before the Board and in providing legal counsel.

Other incidents arising in the public schools on which the Union acted were: demotion of a teacher at the Inglewood, California public school for his Socialist beliefs; refusal to renew a teaching certificate to a South Dakota public school teacher charged by the American Legion with being an atheist and Communist; the ban against a League for Industrial Democracy chapter in the East Denver High School.

IN THE legislatures issues affecting freedom of teaching arose in the campaign of the D.A.R. to exact from public school teachers oaths of loyalty not required of other public servants. All such bills were defeated in nine states through efforts of the Union and teachers’ agencies. The states were: Delaware, Kansas, Maryland, New Jersey, New York, Pennsylvania, Texas, New Mexico, Vermont.

In the Illinois legislature an extraordinary bill came close to passage, revoking the tax exemption of all educational institutions “permitting the teaching of seditious matter.” It passed one house and was defeated in the other through the efforts of leading educational authorities. The Union’s members in Illinois also aided.
LYNCHINGS

LYNCHINGS for the calendar year 1932 numbered ten,—all Negroes in the South, except one white man, Walter Merrick, taken from jail and lynched in Princeton, Kentucky. The Civil Liberties Union does not deal with lynchings of Negroes since the Advancement Association and other agencies devote their attention to them.

In the Merrick lynching case, the Union at once offered a reward of $500 for the arrest and conviction of any member of the mob. After repeated appeals to the Governor, the state offered an additional reward of $200. The rewards did not yield any information. After pressing the Kentucky officials for almost a year to act against the jailer who offered no resistance to the mob, a petition was filed in May, 1933, demanding that the jailer be removed on the plain showing of fact without hearing, as required by Kentucky law. The Governor suspended the jailer, whose wife, however, was then appointed to the job by the county judge. The jailer applied for reinstatement. The Governor, over the Union's protests, granted it. The Union was represented in these proceedings by Grover Sales, Louisville attorney, and by John W. Taylor of Princeton, Kentucky, detective, who volunteered his services.

EXTRADITION

THE Union has not ordinarily intervened in extradition cases because few of them involve issues of civil rights. However when the state of Georgia sought to extradite from New Jersey Robert Elliott Burns, author of "I'm A Fugitive From a Chain Gang," the Union furnished him counsel and organized the hearing before the governor. This action was taken because of the "cruel and unusual punishments" exposed in Georgia chain gangs and because the state of Georgia had failed to keep its promise to release Burns after he had once before voluntarily returned. Arthur Garfield Hays, general counsel for the Union, handled the hearing for it, aided by former Judge Harry V. Osborne of Newark, who generously volunteered his services, as of course did Mr. Hays. The governor at once denied the demand for extradition.

The Burns extradition case aroused widespread interest in the Georgia chain gang system, as did the book and film. Efforts were made by the Union through agencies in Atlanta to get a legislative inquiry into a penal system without chain gangs. Although considerable interest was aroused, the legislature adjourned without taking action.
AMERICAN COLONIES

The neglected issues of civil liberties in American colonies prompted the Union to publish in 1933 a pamphlet, "Civil Liberties in American Colonies," setting forth the facts, with recommendations for congressional action and changes in administration. The program will be taken up in the general session of Congress in 1933 with the possible backing of the administration. The Department of Interior has backed a bill for civil government for the Virgin Islands, debated in a recent session of Congress. The Civil Liberties Union urged even more local autonomy than recommended in the administration bill.

A similar bill for the civil government of Samoa to replace Navy rule passed the Senate but was beaten in the House on the ground of the slight additional cost. The bill will be reintroduced.

In the Philippines issues continue to arise around the activities of the Communist movement and its affiliated organizations, involving censorship of the mails, outlawing of meetings in certain provinces, customs regulations against imported literature, and the appeal in sedition cases in which peasants' and workers' leaders were convicted. When the Philippine Supreme Court upheld the convictions, plans were made through the Civil Liberties Union to appeal to the U. S. Supreme Court. Not having an official transcript of the record in English, the lawyers could not move within the time limit. An appeal was made to the new Governor-General, former Mayor Frank Murphy of Detroit, by the Civil Liberties Union, to review the convictions for the purpose of extending clemency.

AMERICAN INDIANS

A PROGRAM of bills designed to extend the civil rights of American Indians was developed by the Union's special Committee on Indians' Civil Rights headed by Nathan Margold, New York lawyer. Most of the bills were introduced in the Senate, but did not come out of committee.

In order to gain the greatest possible backing for these bills by friends of the Indian, the Union's Committee called an all-day conference in Washington in January, 1933, attended by officials of the Indian Bureau and by representatives of practically all organizations interested in the Indian, and by a number of Indians themselves. Complete agreement was reached on every essential point,—the abolition of the land allotment system which has destroyed primitive Indian communal life, the creation of Indian tribal councils on reservations with large control of tribal affairs, the incorporation
of one tribe as a model for others and as a means for minimizing government control, and repeal of ancient laws controlling communication between Indian tribes and outsiders.

The committee issued a pamphlet, "Indian Primer," giving the essential facts about the condition of American Indians in relation to the government, with special reference to civil rights.

Mr. Margold, chairman of the committee, was appointed by the new Secretary of the Interior to be solicitor of the department, where he will have much to do with redrafting and pushing the proposed bills. Prof. Jay B. Nash of New York University has succeeded Mr. Margold as chairman of the committee.

THE PROFESSIONAL PATRIOTS

The peak of the efforts of the professional patriots to outlaw Communism and its sympathizers was reached in the investigations of the so-called "Fish Committee" appointed by Congress in 1930 at a time of hysteria aroused by the publication of forged Soviet documents. During the year a little group in Congress endeavored to carry through the committee's program for a more drastic deportation act, a federal sedition act, a revival of the discredited spy system in the Department of Justice, and closing of mails to all Communist publications. Only the deportation bill got anywhere. It passed the House but died in the Senate. The Union published a pamphlet "Still the Fish Committee Nonsense" quoting leading newspapers to offset the bills and the attacks on the Union repeatedly made from the committee's report.

The Woman Patriot Corporation of Boston and Washington, composed of members of the D.A.R. and ladies of like mind, created an international incident when they protested the admission to the U. S. of Prof. Albert Einstein on the ground that he was identified with near-Communist movements. Professor Einstein is a pacifist and Socialist. The State Department forwarded the ladies' observations to the consul in Berlin who put Professor Einstein through an uncomfortable inquisition into his views. The whole procedure was condemned by the press and public-spirited citizens.

The Illinois department of the American Legion distinguished itself by adopting a report listing scores of prominent citizens as subversive because of their connections with the Civil Liberties Union and thereby with Communism. The old method of proving the case by interlocking directorates was used. The report was widely condemned.
The main work of the Union has been centered during the year on the eight campaigns indicated below. These were adopted by the Board as the essential issues. Most of them are handled by special committees. These committees are a new development in the work of the Union, formed to enlist more members working on specific problems, and to specialize our functions.

The variety of issues tackled by the Union is well illustrated in this program. In itself it is sufficient answer to those who charge us with being merely "defenders of radicals." The reports under each specific head indicate the work done.

1. Country-wide campaign in the larger cities to set aside special places in parks or on the streets where public meetings may be held without permit. This is the only way to avoid constant interference with meetings.

2. National campaign against the Department of Labor's illegal raids on aliens, on deportations for opinion and on anti-alien legislation,—notably the Dies bill for the deportation of Communists as such; protection of alien political refugees in the United States; admission of alien pacifists to citizenship.

3. National campaign against the Post Office censorship, censorship of the radio, and the tapping of telephone wires to obtain evidence.

4. Campaign for state anti-injunction laws modeled on the federal law, in the 38 state legislatures meeting in 1933.


6. Campaign against the unprecedented array of laws and regulations restricting freedom in education, both in schools and colleges.

7. National campaign against third degree, directed to specific remedies in law.

8. Civil rights for American Indians through passage of bills pending in Congress.
"LAND OF THE PILGRIM'S PRIDE"

THE ISSUES PENDING

(June, 1933)

MOST of the following cases involve the participation of the Civil Liberties Union. Some are included because they relate directly to our job.

In the Courts on Appeal

U. S. Supreme Court

1. Possible appeal to U. S. Supreme Court for Philippine Communist leaders convicted of sedition; and plea to the Governor-General for pardon.

2. Contemplated appeal to U. S. Supreme Court to release Tom Mooney on a writ of habeas corpus.

State Supreme or Appellate Courts

3. Appeal to Maryland Supreme Court against appeals court's reversal of a decision reinstating Ennis Coale, student dismissed from University of Maryland for refusing compulsory military training.

4. Appeal to Nebraska Supreme Court of $250 fine for contempt of court, imposed on Harry Lux, organizer of Farmers' Holiday Association, for leading resistance to a mortgage sale.

5. Appeal in Colorado against conviction and fine of Charles Guynn of Denver for "vagrancy," following demonstration against a "Jim Crow" bathing edict.

6. Appeal of sixteen persons convicted of conspiracy to riot following meeting at Minneapolis City Hall in November, 1932.

7. Appeal at Salt Lake City of sixteen persons convicted of conspiracy to riot following fight at a foreclosure sale.

8. Appeal against convictions on disorderly conduct charges of five strikers in Paterson, N. J., arrested in 1931 for picketing.

9. Appeal against fine imposed on Charles Lee Smith, president of American Association for the Advancement of Atheism, for speaking on New York street without permit.

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Awaiting Trial

*Strike Cases*

1. Trial of a company gunman on charge of killing Barney Graham, United Mine Workers' district president in Wilder, Tenn.

2. Seven Communists indicted in Franklin county, Ill., for criminal syndicalism in 1931 coal strike.

3. Scores of miners and sympathizers arrested in the conflict in Illinois coal-fields, and held on various charges.


5. Three workers held for unlawful assembly and resisting an officer in Flint (Mich.) automobile strike, 1930.

6. Three men charged with kidnapping and flogging secretary of High Point (N. C.) Central Labor Union and another man.

7. Appeals of the last two of seven Kentucky miners sentenced to life imprisonment in the Evarts battle of May 5, 1931; and of William Burnett, miner, serving three years on charge of shooting deputy sheriff when deputies attacked miners.

8. Appeal against the convictions of eleven striking nut-pickers in St. Louis, Mo. charged with "disturbance of the peace" for peaceful picketing.

9. Appeal in cases of seventy strikers arrested in Amoskeag textile strike in Manchester, N. H.

*Communist Activities; and Unemployed Demonstrations:*

10. Isadore Katzowitz for "defiling U. S. flag" at meeting in Monticello, N. Y., broken up by American Legionnaires. Accused of using flag to wipe off tomato thrown by Legionnaire.

11. Twenty-two persons arrested in Norfolk, Va., under "move on" ordinance and another ordinance prohibiting public meetings without permit.

12. Government suit to void citizenship of Paul F. Ortner of Phoenix, Ariz., on ground that in 1915, when he was naturalized, he was already attached to principles of Communism.
13. Two Negro Communists in Chicago, charged with inciting to riot for heckling a Republican rally.

14. Trial of six Communist organizers in Atlanta, Ga., on charges of inciting to insurrection.

15. New trial for Nick Grozinski on charge of assault with intent to kill police captain injured when Chicago police attacked Humboldt Park demonstrators in January, 1933.


17. Appeal from convictions of three hunger-marchers arrested in Wilmington, Del., last December and given jail sentences and fines.

18. Appeal from convictions of two Communists in Birmingham, Ala., for attempting a May Day meeting.

19. Appeal in cases of June Croll and Mark Lieberman, arrested in hunger-march in Lawrence, Mass., convicted of speaking without permit, disturbance of peace, assaulting policeman.

20. Appeal from jail sentence of eighteen persons convicted of rioting at Minneapolis City Hall, November, 1932.

21. Appeal in Indiana against "rioting" convictions of four unemployed workers sentenced to ninety days after police and American Legion broke up unemployed meeting.

22. Motion for new trial for Angelo Herndon, nineteen-year-old Negro Unemployed Council organizer, convicted in Atlanta, Ga., of attempting to incite insurrection under ancient law, and serving 18-to-20-year sentence.

23. Retrial of Haywood Patterson, one of the Scottsboro (Ala.) Negroes, recently convicted a second time.

24. Trial in Juvenile Court, Decatur, Ala., of Roy Wright and Eugene Williams, Scottsboro defendants not convicted.

25. Twenty-two Iowa farmers, indicted for conspiracy for participation in riot at Primghar when they protested against foreclosure sale.

26. New trial for thirteen Tampa (Fla.) cigar-makers serving terms ranging from one to ten years for "rioting" when police broke up street meeting.

Miscellaneous
27. Seven farmers in Bad Axe, Mich., on criminal syndicalism charges for opposing foreclosure sale; four farmers in White Cloud, Mich., for criminal syndicalism, carrying concealed weapons, resisting an officer at another sale.

28. Eleven Nebraska farmers on various charges for opposing mortgage sale.

29. Revocation of citizenship of Rev. G. B. Bruvold of Vermont, Norwegian-born Methodist minister, naturalized despite his refusal to bear arms.

30. Decision pending in Wayne County (Ind.) Circuit Court on petition for injunction by A.C.L.U. to restrain mayor of Richmond, and police department from interfering with International Labor Defense and Unemployed Council meetings.

31. Third petition for citizenship in case of Rebecca Shelley, denied naturalization for refusing to bear arms. American-born, she lost her citizenship through marriage to a German.

Damage Suits Handled by A. C. L. U. and Branches:

Kentucky Strike

1. Against Pineville (Ky.) officials in behalf of five visitors from Commonwealth College, Arkansas, deported and flogged in April, 1932.


Los Angeles District

3. Against Police Captain W. F. Hynes of Los Angeles and six members of his Red Squad, and the Better America Federation, for raid on John Reed Club in Hollywood and mutilation of murals. Suit also filed against city of Los Angeles to recover damages for this destruction.

4. Against Los Angeles Herald and Los Angeles Times for alleged libel in publishing grand jury committee charges that the Southern California Branch of the Civil Liberties Union was a branch of the Communist International in Russia.

5. Against Police Chief Steckel of Los Angeles, Captain Hynes, and
others for beating up Leo Gallagher, A.C.L.U. attorney, when he appeared before City Council in February.

6. In behalf of the Friends of the Soviet Union, against Mayor Porter of Los Angeles, the Police Commissioner, Chief Steckel, Captain Hynes, the Red Squad, and the American Legion, for breaking up meeting in Polytechnic High School last April.

7. Against Mayor Porter, Captain Hynes, the Red Squad, and Police Commission for breaking up banquet of Workers' United Front Election Campaign Committee.

8. Against American Legionnaires and policemen, by William Busick, California chairman of Socialist party, for assault when pulled from rostrum in college auditorium in Glendale, Calif.

9. Against Los Angeles Times for alleged libel, in behalf of Leo Gallagher, attorney.

10. In behalf of Smith Robinson, Negro, against Los Angeles cafe proprietor for refusing to serve him food.

11. Against Mayor Porter of Los Angeles, Chief Steckel, Captain Hynes, and Red Squad, in behalf of Lawrence Ross and others for arrest on suspicion of criminal syndicalism and being jailed without charges.

12. Against Mayor Porter, Police Commission, Chief Steckel, and Captain Hynes in behalf of Ida Rothstein, for unlawful search of her personal effects.


14. Against San Bernardino (Calif.) police chief for breaking up meeting of Communist candidates.

15. Case of Paul Stein and Louis Shapiro against Captain Hynes and Los Angeles Red Squad for beating them.

16. In behalf of Paul Stern and six others against Mayor Porter of Los Angeles, Captain Hynes, and Red Squad, for arrest on suspicion of criminal syndicalism and being jailed without charges.

Chicago District

17. Against Chicago policemen in behalf of Julius Hauser, 16-year-old honor student, for beating following arrest at street meeting.
18. Against Harry A. Jung, professional patriot, Chicago, for libel against John Haynes Holmes and Karl Borders.

19. Against village of Melrose Park, Ill., and against James Bronze, policeman, in behalf of eight persons shot down by machine-gun fire on May 6, 1932.


21. Suits against Denver restaurant proprietor and cashier for ordering Frank Crosswaith, Negro Socialist organizer, to eat in kitchen.

**Miscellaneous**

22. In behalf of families of men killed at Columbine mine in Colorado in 1928 coal strike.

23. Against Pittston, Pa., magistrate and police chief for $50,000 in behalf of International Bible Institute students, arrested in 1931 for distributing copies of the Golden Age, a magazine, and charged with circulating seditious literature. Handled by International Bible Institute.

24. Against St. Louis (Mo.) police for brutality toward unemployed arrested in City Hall riot last July.

25. Suits against the sheriff and deputies at Marion, N. C., who shot and killed textile strikers in 1929.

**Political Prisoners**

1. New pardon application to Governor Rolph of California in behalf of Tom Mooney; and similar application in behalf of Warren Billings when Mooney has been freed.


**Political Deportations**

1. Frank Borich of Pittsburgh, secretary of National Miners' Union, because of membership in a union remotely affiliated with Communist International.

2. Tom Adams Andonoff, held in jail in Detroit for a year on excessive
bail of $25,000, recently reduced, on charge of "association with Communist Party." Habeas corpus denied.

3. Edith Berkman, National Textile Workers' Union organizer, suffering with tuberculosis in a Massachusetts sanitarium, ordered deported on ground that she is a Communist.

4. June Croll, organizer for same union in Lawrence, Mass., held by Providence (R. I.) immigration officials following raid on N.T.W.U. meeting, though she claims American birth.

5. Samuel Paul, Greek at Providence, R. I., ordered deported as Communist.

6. Frederick Thompson, instructor in Duluth (Minn.) Labor College, because of I. W. W. membership and a conviction for criminal syndicalism.

7. Paul Martinove, Czecho-Slovak, held in Cleveland as a Communist, which he denies.

8. James Evans and Charles Vuitch, held following raid on Hunger March Committee headquarters in Uniontown, Pa., in December, 1932. Petitions for habeas corpus pending.

9. Vincent Kemenovitch, National Miners' Union organizer held in Pennsylvania on ground of membership in union.

10. Michael Marevich, N. M. U. member, held in Pittsburgh on like charge.

11. Jacob Shaffer, Russian, and Raoul Garza, Mexican, held in San Antonio, Tex., after immigration authorities, led by stool-pigeon, raided an Unemployed Council dinner.

12. Oscar Larsen, held in Salt Lake City, after arrest for hunger march activities.
GAINS

In the Courts

Federal:

1. Reversal by the U. S. Supreme Court of the original Scottsboro convictions.

2. U. S. Supreme Court decision holding that the mere fiat of a Governor declaring martial law is not binding when used for such a purpose as shutting down oil-wells.

3. Decision of U. S. District Judge Gunnar Nordbye of Minneapolis that Boccaccio's "Decameron," and Dr. Marie Stopes' "Married Love" are not obscene and can be imported into the United States.

4. Decision of Federal District Judge James Lowell at Boston refusing extradition to Virginia of a Negro charged with murder, on the ground of exclusion of Negroes from juries.

5. Decision by the Circuit Court of Appeals at Seattle, Wash., that an alien ordered deported to Russia must be released in thirty days, because deportation, in the absence of diplomatic relations is impossible.

6. The permanent federal injunction against enforcement of the Michigan alien registration law.

State Supreme or Appellate Courts:

7. Acquittal on appeal of workers arrested in Los Angeles for resistance to police raiders of a meeting in a private home.

8. The Florida Supreme Court decision granting new trials for the thirteen Tampa cigar workers serving long sentences in connection with a riot at a meeting when they were alleged to have attacked police.

9. Reversal by the Superior Court at Lawrence, Mass., of the conviction of William Z. Foster for holding a prohibited meeting.

10. Acquittal on appeal of Harry Cohen, Federated Press Correspondent, convicted of vagrancy for addressing an Unemployed Council meeting in Denver.

Local Trial Courts

Communist Activities: and Unemployed Demonstrations

11. Dismissal by the State's Attorney on appeal against the conviction of two members of the Hartford, Conn., Association of Unemployed for
“ LAND OF THE PILGRIM’S PRIDE”

“breach of peace,” and “attempting to make a public speech.”

12. Acquittal of the Philadelphia 1932 May Day demonstrators indicted for inciting to riot, riot, and assault and battery, and suspension of sentences of the few convicted.


14. Dismissal of Communists arrested in Charleston, West Va., for speaking on private property.

15. Acquittal of officials of the Richmond, Va., Unemployed Council ordered arrested by the Mayor for their activities.

16. Dismissal by a police magistrate at Newark, N. J. of three Communists arrested for distributing radical literature, the court holding that leaflets containing matter of public interest are not subject to permit regulations.

17. Discharge of 58 workers charged with riot and inciting to riot at a Melrose Park, Ill., demonstration in May 1932.

18. Dismissal by district attorney before trial of the sedition charges against two young Communist League members for distributing literature at a military camp near Denver in 1931.

19. Parole of all but one of the demonstrators convicted at the St. Louis, Mo., July 1, 1932 City Hall “riot.”

Against Lawless Officials or Mobs

20. Granting of an injunction by a Superior Court Judge restraining the Mayor, Police Chief, Police Commission, and the Red Squad of Los Angeles from interfering with holding a banquet and meeting by the Workers United Front Election Campaign Committee.

21. Granting of an injunction to the Workers Election Committee of Los Angeles, permitting them to hold the first meeting in downtown Los Angeles.

22. A permanent injunction at Gary, Ind., restraining the Mayor and police from interfering with meetings of the International Labor Defense and Unemployed Council.

23. Conviction by the Long Beach, Calif., Superior Court of 15 Klansmen for invading a private home where a Communist meeting was being held, and binding those present with ropes and kidnapping them.
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**Strike Cases**

24. Dismissal of all criminal syndicalism indictments by the Bell County, Ky., Circuit Court against Theodore Dreiser, his party, and others in the Kentucky mine strike of 1931-32.

25. Acquittal and dismissal of three Kentucky miners charged with conspiracy to commit murder in connection with the May 1931, Evarts shooting.

26. Acquittal of two men tried without justification for killing a man and a woman in Kincaid, Ill., in a battle between deputy sheriffs and miners.

27. Granting of parole by the trial judge to two prisoners serving sentences for their part in the 1931 skirmish between strikers and strike-breakers at Wildwood, Pa.

28. Acquittal of five of the workers indicted in connection with the South River (N. J.) dress strike in September, 1932, when private detectives and deputies clashed with strikers and sympathizers, resulting in the killing of a nine-year old boy and the wounding of another boy and two deputies.

29. In Pennsylvania, parole of Alfred Hoffman, hosiery union organizer, serving a two-year sentence on charges growing out of a strike at Stroudsburg.

**Miscellaneous**


31. Acquittal of Tom Mooney by the Superior Court, San Francisco, Calif., on an old murder indictment pending against him since 1917.

32. Admission to citizenship by Judge E. E. Everett, Allen County Common Pleas Court, Lima, Ohio, of a Mennonite, who refused to bear arms.

33. Mandamus writ granted by Superior Court Judge Joseph N. Ulman temporarily reinstating Ennis Coale, Methodist student, dismissed from the University of Maryland for refusing to attend a compulsory military training course.

34. The freeing of three University of Pittsburgh students arrested in 1932 for planning a demonstration against Major General Douglas MacArthur as Commencement speaker, the judge rebuking the University authorities for causing the arrests.
35. Release of ten workers arrested in a police raid on a private home in Fairfield, Ala., charged with holding a public meeting without permit. One section of the ordinance under which they were tried was declared unconstitutional.

**Administrative Action**

1. Changed attitude of Washington, D.C., police and government officials in handling the Bonus Marchers on their recent visit.

2. Action by the State Department in stopping the grilling by the Royal Italian Consular Agency at Yonkers, N. Y. of Italian-born Americans concerning their political beliefs.

3. Voluntary departure allowed by Department of Labor to all aliens facing persecution for political beliefs in their own lands.


5. Refusal of Governor Comstock of Michigan to extradite Jesse Crawford, also a fugitive from a Georgia chain gang.

6. Final release by the Governor of Indiana of Theodore Luesse, Communist, after serving almost a year out of five hundred possible days for non-payment of fine.

7. Release of the last three political prisoners in Pennsylvania held on sedition charges.

8. Parole of all of the Centralia I.W.W. prisoners but one, who refuses to accept parole.

9. Final release of Carl Sklar, Russian, last of the Imperial Valley prisoners in California.

10. Parole of all but one of the prisoners convicted in connection with the Pennsylvania coal strike of 1931, and the reduction of the term of the one prisoner still held.


12. Order of Seattle City Council setting aside downtown areas for open forums where no permit for speaking is required.
LOSSES

In the Courts:

Federal

1. Refusal of U. S. Supreme Court to review the Federal Radio Commissioner's revocation of the station license of the Rev. R. P. Shuler, Los Angeles evangelist.

2. Refusal of U. S. Supreme Court to review the case of August Yokinen, Communist, ordered deported.


4. Decision in federal district court of Newark, N. J., in favor of Police Chief Cornelius J. O'Neill and other members of the Bayonne police department in the suit brought by Paul Brown, Unemployed Council representative, for false arrest and assault.

State Supreme or Appellate Courts:

5. Affirmation by Philippine Supreme Court of the convictions of Philippine Communist leaders.

6. Affirmation by the Kentucky Court of Appeals of the life sentences imposed on 5 miners convicted of conspiracy to commit murder in connection with 1931-32 Kentucky coal strike.

7. Reversal by the Maryland Court of Appeals of Superior Court Judge Joseph N. Ulman's ruling temporarily reinstating Ennis Coale, dismissed from the University of Maryland for refusing compulsory military training.

8. Disfranchisement by decision of the Appellate Court of seventy-nine workers employed by the Salvation Army at New York, because they had not legally established a residence, although all were residents.

9. Decision of the N. J. Supreme Court upholding barring atheist witnesses, but reversing sedition conviction of Samuel Levine, Communist, because he was not allowed to affirm his own testimony.

10. Decision of the Ohio Supreme Court upholding the criminal syndicalism law, previously held unconstitutional by Common Pleas Judge Wanamaker in the case of Paul Kassey.
Local Trial Courts

Strike Cases


12. Indictments in the South River, N. J. dress strike of 1932 of twenty-seven persons, eight of whom have so far been convicted, when private detectives and deputies clashed with strikers and sympathizers, resulting in slaying a nine-year old boy, and wounding another boy and two deputies; and the exoneration of the deputies held for the fatal shooting.


14. A city court decision in New York in favor of a patrolman sued for $3,000 damages by Carol Weiss King, attorney, for false arrest in a 1928 textile workers' strike.

15. Convictions of eleven nut-pickers on strike in St. Louis, Mo., charged with "general disturbance of peace," for peaceful picketing.

Communist Activities; and Unemployed Demonstrations

16. Sentence of 18-20 years imposed on Angelo Herndon, nineteen-year old Negro Communist at Atlanta, Ga., convicted of "attempting to incite insurrection" merely for possessing Communist literature and holding meetings of blacks and whites.

17. Conviction of three Wilmington, Delaware hunger marchers arrested in December, 1932.

18. Two Communists convicted in Birmingham, Ala., for attempting a May Day meeting.

19. Conviction of Charles Guynn on vagrancy charges in connection with a demonstration of whites and Negroes last summer in Denver, in protest against a "Jim Crow" bathing edict.

20. Conviction of four unemployed at Gary, Ind., on "riot" charges when police and American Legion brutally broke up their meeting in March.

21. The ten-day sentence and $10 fine given those arrested in Pittsburgh for demonstrating on May Day.
22. Conviction by Municipal Court Judge Fred B. Wright of the eighteen charged with rioting when demonstrators clashed with police in front of Minneapolis City Hall, the police using violence to subdue crowd.

Miscellaneous

23. Conviction of Charles Smith, New York atheist, for holding a street meeting without a permit.

24. Conviction of Haywood Patterson, one of the Scottsboro boys granted new trial by the U. S. Supreme Court, at his second trial.

25. Discharge of habeas corpus writ in the case of Frank Borich, Secretary of the National Miners' Union, held for deportation in Pittsburgh solely for his membership in the union.

26. Conviction by Municipal Judge Thurmond Clarke, Los Angeles, in the case of the four boys and two girls now serving six months in jail for staging a "Free Tom Mooney" demonstration at the Olympic Games last summer.

27. Convictions of five Alabama share croppers in connection with the December, 1932 shooting affray between Negro share croppers and officers.

28. Acquittal and reinstatement of the Nassau County, N. Y. deputies and detectives tried for the third degree killing of Hyman Stark, gangster.

29. The large number arrested in Norfolk, Va., under the "move on" ordinance, and another ordinance prohibiting public meetings and demonstrations without a permit from the city manager.

Official Lawlessness and Mob Violence

1. Eviction of the Bonus Expeditionary Force from Washington, D.C. last summer by calling out the army to clean out their camps in the dead of night with the use of tear gas on men, women, and children.

2. Jail at Vacaville, Calif., broken into by a masked mob of 40 men in December who took out six fruit strike leaders, painted their faces red, and beat and deported them.

3. Police violence in dispersing the St. Louis Unemployed demonstration in July, 1932, when police bullets wounded four, who denied they were participating in the demonstration, and when more than a score were injured by police clubs.

4. Shooting of Levon Carlock, nineteen-year old Negro of Memphis,
Tenn., by six policemen after he had been arrested on the charge of rape.

5. Kidnapping and flogging of I. M. Ritchie, secretary of the High Point, N. C. Central Labor Union and another man by three armed boys now out on bail.

6. Killing of Barney Graham, President of United Mine Workers at Wilder, Tenn., by Jack “Shorty” Green, company gunman, who is out on bond, awaiting trial.

7. Innumerable instances of beating of prisoners by Chicago police, and unwarranted interference and brutality in breaking up demonstrations.

8. Continuing brutality and lawlessness on the part of Los Angeles police Captain W. F. Hynes and his Red Squad.

**Administrative Action**

1. Raid by police and federal immigration inspectors on a meeting of the National Textile Workers Union at Providence, R. I., when June Croll, organizer, was arrested without warrant and held for deportation.

2. Raid by federal authorities under leadership of a stool-pigeon at San Antonio, Texas, of an Unemployed Council dinner, when a Mexican and Russian were held for deportation.

*(Other deportation cases, previously reported, appear under “Issues Pending”)*
COMMITTEES, PUBLICATIONS, FINANCES

Board of Directors and National Committee

The National Committee, which acts as an advisory board in directing the Union's general policies, now numbers sixty-eight. The committee suffered the loss by death of Prof. Ernst Freund of the Law School of the University of Chicago, long a member of the committee, and of David Wallerstein of the Philadelphia bar, one of the most active and devoted attorneys serving the cause of civil liberty. The term of Arthur LeSueur, Minneapolis attorney, expired.

The Board of Directors, the legal directing body of the corporation meeting weekly in New York in active charge of the Union's affairs, was added to during the year by the election of John Chamberlain, author; Quincy Howe, editor of "The Living Age"; Henry T. Hunt, attorney and chairman of the National Mooney-Billings Committee; Dr. Ira A. Reid of the staff of the National Urban League; W. Charles Poletti, attorney, and Elmer Rice, playwright. The Board of Directors lost by resignation Miss Anna Rochester, who was unable to attend meetings, and Prof. Harry Elmer Barnes, who moved from New York City.

The Union suffered a great loss in the death of Forrest Bailey, co-director since 1925. Mr. Bailey was taken ill in the spring of 1932 and from the early summer was confined to his home by a complication of illnesses of which he died on March 3, 1933. Coming to the staff in 1925 when Mr. Baldwin took two years leave of absence, he directed the affairs of the Union alone until 1928 when Mr. Baldwin rejoined the staff, sharing with him jointly until his illness the direction of the work.

Local Committees

The activities of local committees in centers where issues are numerous increased considerably during the year. The reports of the Los Angeles Branch, which has maintained uninterrupted work since 1923, and of the Pennsylvania Committee are given in full. The other reports are condensed from letters from local secretaries.

Southern California Branch

The last twelve months marked the tenth year of the activities of the Southern California Branch of the American Civil Liberties
Union. The forces of repression here, including the Red Squad of the Police Department, Better America Federation and American Legion, have been unusually active this year in Los Angeles and other Southern California cities.

Following the same tactics as those used in previous years they have prevented many meetings of radicals and have arrested numerous people and held them in jail on "suspicion of criminal syndicalism," but no actual prosecutions under the Criminal Syndicalism Law have taken place.

William Z. Foster and James W. Ford, presidential and vice-presidential candidates of the Communist Party, were prevented from speaking in Los Angeles. Both were arrested and held in jail, later being released without charges. Lawrence Ross was prevented from reading on the radio a speech written by Ford and was also arrested. The Southern California Branch of the A.C.L.U. sought an injunction in the Superior Court to forestall police interference with its Foster meeting, but it was denied. Capt. Hynes of the Red Squad intimidated the hall manager, who refused to allow the meeting. Those who came were turned away.

Peter Panagopoulos was arrested at the Workers' Book store and indicted on two counts of criminal syndicalism by the Los Angeles County Grand Jury, but the case never came to trial. He was at the time under deportation charges, and was granted voluntary departure in May, 1933.

The most flagrant case of the prevention of a meeting was on April 22, 1933, when the Friends of the Soviet Union were prevented from holding a meeting in Polytechnic High School auditorium, by the combined efforts of the police and about thirty-five members of the American Legion. They turned off the lights shortly after the meeting started and forced the audience out of the hall by creating a disturbance.

THE Southern California Branch has adopted a more aggressive policy against the police this year. For the first time the Communists, who have been the most repressed among radicals, have consented to become parties to aggressive court action against those depriving them of their constitutional rights.

In August, 1932, the Friends of the Soviet Union, through our attorneys, applied in federal court for a writ enjoining the police from interfering with a meeting scheduled at Cooperative Center. Judge Harry Hollzer granted the order and, although it was only temporary, they continued to hold meetings without interference from that time on.
Judge Emmett H. Wilson of the Superior Court, Los Angeles County, was asked for a similar injunction to prevent the police from breaking up meetings of the Communist Party candidates for city offices and for the recognition of Soviet Russia, and granted four such injunctions.

When the John Reed Club of Hollywood was invaded by police in January, their murals destroyed and the audience dispersed, damage suits were instituted against the police, members of the Better America Federation, and city officials, including the Mayor.

Altogether twenty such suits for injunction and damages have been started by our attorneys. These include cases of unlawful search and seizure, as well as prevention of meetings, false arrest, discrimination against Negroes, and beating up of people under arrest. These suits will shortly come to trial.

The appellate department of the Superior Court, in reversing the case of a group of Communists who were meeting in a private home and who were charged with assault upon the police who broke up the meeting, severely rebuked the Red Squad for arresting people and breaking up meetings under the cloak of criminal syndicalism, and failing to prosecute them under the criminal syndicalism statute.

In Long Beach the Ku Klux Klan flared into action in November when the home of David Milder was invaded and his family and friends severely beaten. Fifteen members of the Klan were indicted by the Grand Jury and later convicted in Superior Court. The judge sentenced them to six months and to pay a fine of $250 each. Although they served only seventy-seven days of that time and were then paroled, the conviction seems to have had a wholesome effect on Klan activities, as no further outrages of this kind have occurred.

The dismissal of Leo Gallagher as professor from the Southwestern University Law School faculty after ten years' service was due to his defense of radicals in the courts. At the time of his dismissal he was defending six young people arrested and charged with disturbing the peace for running around the stadium track at the Olympic Games displaying "Free Tom Mooney" banners. Dean McNitt of the law school said in an interview: "I observed the conduct of the trial of the accused Olympic disturbers and reported back to the President." Pressure was brought to bear upon the university to reinstate Mr. Gallagher but to no avail.

The more aggressive policy of the Union in recent months is already hav-
ing effect upon the free speech situation here. Several large and successful meetings of radicals have been held in the center of the city without interference by the Red Squad. We are credibly informed that the City Attorney's office has instructed Capt. Hynes to obey the law hereafter. We are not persuaded however that the reactionary forces which have ruled Los Angeles for many years have decided to abandon the persecution of radicals. The latest tactic of the Red Squad is to beat people up without actually arresting them. In every such instance we propose to file damage suits against the police, and hope to make it so uncomfortable for them that they will cease this method of terrorism too. We are also trying to induce both the federal and city authorities to take criminal action against police and other lawless elements.

CLINTON J. TAFT,
Director

Pennsylvania Civil Liberties Committee

1. Sedition Act Prosecutions:

No new prosecutions developed. No prisoners are in jail under the act for the first time in years. After a vigorous court campaign against the law, the Pennsylvania committee has brought its enforcement to a standstill.

An important victory was the commutation of the two-to-four year sentence of Israel Lazar. He was released from Eastern Penitentiary February 1st by action of the State Pardon Board and Governor Pinchot. He had served a little over a quarter of his minimum term. Counsel in the successful proceedings at Harrisburg was Ira Jewell Williams, Jr. of the Philadelphia Bar. He also, in collaboration with Walter Biddle Saul and Ira Jewell Williams, Sr. tried to carry the conviction of Lazar to the United States Supreme Court, but the attempt failed for lack of a substantial federal question. Lazar, a Communist, was convicted for delivering a soap-box speech in the 1928 Presidential campaign.

John Adams (serving thirteen months in the Huntington Reformatory), and Harry Roth (serving one year in the Delaware County Jail) were also released in the early part of 1933 on parole after successful efforts made by counsel, Allen S. Olmsted, 2nd, in their behalf. They had both been convicted for speeches delivered in Media in 1932.

2. 1933 Legislative Campaign:

The 1933 session of the Pennsylvania General Assembly passed only one bill on the civil liberties program: the anti-yellow-dog contract bill which was signed by Governor Pinchot May 24. The successful passage of this
measure stood out as the only important victory of liberal and labor forces; the whole session being characterized as one of the most reactionary on record. With its enactment, Pennsylvania completed a structure of injunction law which brings the state to an equality with the federal act. Injunction and contempt of court bills were enacted and signed in the 1931 session.

The Civil Liberties Committee, the chief protagonist of this anti-yellow dog contract bill, also introduced and campaigned against insuperable odds, for a program of legislation to abolish the coal and iron police, repeal the sedition act, place deputy sheriffs under control and payment by the counties, amend the Conspiracy Act of 1891 so as to include union representatives within its meaning, provide for official investigation of company towns, place greater control over the state police, and expose labor spies.

Two bills against civil liberty were defeated: a teachers' allegiance oath bill, effectively killed by the Committee in cooperation with the Women's International League for Peace and Freedom; and a licensing act for magazines which would have set up a one-man censorship. This measure was stopped in its rapid progress by the Committee in cooperation with the National Council on Freedom from Censorship.

3. Freedom of Assemblage in Philadelphia:

One of the outstanding achievements in Pennsylvania was the successful restoration of the right of free assembly in the city of Philadelphia. With the advent of a new administration in January, 1932, freedom of assembly on the plazas adjacent to the City Hall was closed to all soap-boxers, demonstrations and protest meetings. Reyburn Plaza, near the City Hall, was also refused. On May 1, 1932, two bloody riots took place when members of the Unemployed Councils attempted to march to the City Hall from squares distant from the center of the city. Police broke up the marches with a brutality that broke all records in the city. A score or more were arrested and held on charges of assault and battery, rioting, etc. The Committee took charge of the defense in cooperation with the International Labor Defense, with Francis Fisher Kane and Isidore Katz for the Civil Liberties Committee, and David Levinson and W. Vincent Mullan for the I.L.D.

Painstaking preparation during the summer of 1932 resulted in a smashing court victory in the fall over the testimony of the police. Only one of the defendants was sentenced to 30 days—and his case was appealed. The trials of the so-called May Day rioters proved the turning point in the attitude of the city authorities, and subsequently Reyburn Plaza was opened to demonstrations and protest meetings. Since then the Plaza has been freely utilized
by all left-wing groups. On May Day, 1933, Philadelphia reversed its record of the year before. Orderly and peaceful parades and meetings were held in all parts of the city, including the downtown section and Reyburn Plaza.

4. Important Cases:

(1) Deportation of Frank Borich, Secretary of the National Miners' Union. Borich, arrested in a raid on the office of the National Miners' Union in Pittsburgh, March 31, 1932, was ordered deported by the Immigration Department for mere membership in an "organization which seeks to overthrow the government by force and violence." The Committee, in cooperation with the International Labor Defense, sought to free Borich on a writ of habeas corpus in the federal District Court at Pittsburgh, but this was refused by Judge Robert M. Gibson on April 6, 1933. Further appeal was then dropped as useless and negotiations opened to obtain cancellation of the deportation order by the new Commissioner General of Immigration.

(2) Alfred Hoffman, organizer for the Full Fashioned Hosiery Workers Union; sentenced to a two-year term in the Monroe County jail on "conspiracy" charges growing out of a hosiery strike at Stroudsburg. His case was appealed to the Superior Court which upheld conviction and ruled that the act of 1891 which protects strikers from common law conspiracy did not extend to a labor union organizer. The Committee published an exhaustive report on "The Case of Alfred Hoffman" and campaigned and cooperated with the Hosiery Union for his freedom. In June, 1932, after serving about four months of his two-year term, Hoffman was released by action of the State Pardon Board.

(3) Injunction Test, Cambria County: Repeated efforts to have Judge John H. McCann of Cambria County render a decision on the constitutionality of the 1931 injunction law proved futile. The injunction was issued in violation of the terms of the new act, and the constitutionality of the new act was challenged by lawyers acting for the Hughes Coal Company, whose employes, members of the United Mine Workers of America, had gone out on strike.

(4) Allegiance Oath at University of Pittsburgh: The Committee challenged the imposition of an oath of allegiance upon all University of Pittsburgh students at the opening of the academic year, 1932-1933. It also offered to test the action of the University authorities in the courts. When a number of pacifist students refused to sign the oath, the University backed down from its position and did not attempt to oust them.
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(5) Release of Tom Myerscough and Robert Young, National Miners' Union leaders in the bituminous coal strike of 1931-32. The men were released on parole, September 24, 1932, from the Allegheny County Workhouse through the efforts of counsel for the Committee, Jacob Margolis of Pittsburgh. Myerscough and Young were arrested in Wildwood, Pa., in a riot with deputy sheriffs. Paroles were granted, and nearly a year taken off their terms by Judge Frank P. Patterson over the strenuous objections of the District Attorney.

(6) Strike Prisoners at Allegheny County Workhouse: Of the nine prisoners at the Workhouse, serving varying terms on convictions arising out of the 1931-32 bituminous coal strike, the Committee's efforts resulted in the parole of two: Mrs. Anna Rasefske, serving 18 months, and Mike Sklorski, serving 3 to 6 years; and in reduction of the term of Edward Sherwood from 3 to 6 years to 2½ years.

The death of David Wallerstein, Dec. 2, 1932, was an irreparable loss to the Committee of the leading attorney in all our work in eastern Pennsylvania. About one hundred and fifty people attended a meeting in memory of Mr. Wallerstein in the Auditorium of the Society for Ethical Culture on December 20, with Dr. William Draper Lewis presiding. Speakers were Prof. Felix E. Shelling, Allen S. Olmsted, 2nd, John W. Edelman, Roger N. Baldwin and J. Prentice Murphy. A Memorial Fund was created later to enable the Committee to complete some of the tasks in which Mr. Wallerstein was most deeply engaged.

Allan G. Harper,
Secretary

New York City Committee

THE New York City Civil Liberties Committee, under the chairmanship of Miss Florina Lasker, has conducted a vigorous year's work, chiefly on issues of the policing of street meetings and picket lines and of academic freedom arising in the public schools and City College.

Under Police Commissioner Mulrooney conflicts between the police and demonstrators on the streets were few. His successor, Commissioner James S. Bolan, states that he will follow the same policy. Despite the general freedom of assembly in New York City, the police have on a number of occasions broken up Communist meetings, unemployed demonstrations and picket lines. Each case has been taken up with the Department with a view
to disciplining the officers violating instructions and to preventing a repetition.

The so-called "red squad" of the Police Department was abolished by Commissioner Bolan, as was the so-called "industrial squad." The only special department of the police now dealing with any issue of civil liberty is the "criminal alien squad." The Committee is urging the abolition of this special squad, too.

After the higher courts decided that atheists might speak on New York streets, without the permit required for religious meetings, the Board of Aldermen amended the law to include atheists. A test case involving Charles Lee Smith, president of the American Association for the Advancement of Atheism, is now in the courts, handled by an attorney for the committee.

The conflict between public school teachers and the Board of Education over the activities of teachers protesting against overcrowding, reduction of wages and false economies resulted in charges against teachers which aroused both the teaching profession and the public. A sub-committee on Academic Freedom was created for the particular purpose of handling such cases. Attorneys' services were given free to teachers,—so far without obtaining the reinstatement of any teachers transferred, suspended or dismissed.

The Committee also endeavored to contest the special loyalty pledge required of all graduating high-school students, but without succeeding in getting a test case in court.

The disciplinary action taken by the Board of Education indicates clearly that as a matter of policy the Board is attempting to remove from the school system all those teachers who have the courage to voice their opinions openly on such questions as salary reductions, the rights of unemployed teachers, and over-crowding in the schools. The recent dismissal of several teachers who publicly expressed criticism of the policies adopted by the Board of Education threatens the security of all teachers who voice their disagreement with official policies. The Committee has served notice on the Board that it will support all such teachers by action with the higher educational authorities, and in the courts where possible.

A similar issue arose in City College through restrictions on independent student activities. Discrimination against radicals or pacifists is common under a rule which prohibits all unauthorized meetings, publications and organizations. The Union has sought to contest disciplinary action against students and to have the rule rescinded.
The Ann Arbor Civil Liberties Committee found occasion to act on only one issue—the right of students to sell radical literature on the streets. The committee's efforts resulted in stopping police interference.

The Chicago Civil Liberties Committee has maintained an office and employed a secretary, Thomas McKenna, who devotes his entire time for a very modest compensation. The Committee has confronted a police administration, which, while apparently responsive at the top, has produced an unusual crop of lawless violations of civil rights. Over 300 examples are cited by the committee in a printed report for the year 1932. The committee has contested the brutality and lawlessness of the police by filing suits, by endeavors to get the higher-ups to adopt measures to stop them.

The larger part of the cases handled by the committee dealt with attacks on radicals for "distributing Communist literature," arrests of persons attending open-air radical meetings and raids without warrants on headquarters of the unemployed. Beatings, third-degree and terrorist tactics by individual policemen were reported in over fifty cases.

In addition, the Chicago Committee took hold of the violations of civil liberties in the Illinois coal strike. Miss Hannah Morris was sent into the district as an investigator to get a first-hand report. Participation in legal defense was offered to the Progressive Miners of America whose meetings were prohibited or broken up in the southern field. Representations were made to the Governor concerning the use of troops in the central field. The committee sent three representatives,—Prof. James M. Yard, the Rev. Raymond Sanford and Thomas McKenna,—into the coal fields in June, 1933 to determine the exact conditions as a basis for putting the issues to the governor and to the federal government. Prof. Robert Morss Lovett made several trips to St. Louis for conferences with members of the St. Louis Committee and the Progressive Miners.

Those interested in further details may get a printed report free from the Chicago Civil Liberties Committee, 160 North LaSalle St., Chicago.

In Cincinnati the policy of the city administration in affording freedom of speech and assembly to minority groups has avoided any conflict whatever. The committee has aided the New York office in national campaigns.

The Detroit Branch continued to work upon emergency issues as they arose, although most of the cases in the courts were handled by counsel for the International Labor Defense. The work of the committee was
crippled by not having available an active secretary. The committee aided in the campaign for a labor injunction bill in the legislature and for the repeal of the criminal syndicalism act, as well as on many national issues.

The Maryland Civil Liberties Committee aided in two significant court cases—the change of venue for a Negro, Yuel Lee, charged with murder, and in the case of a University of Maryland student suspended for not taking military training.

The Massachusetts Civil Liberties Committee maintained its work on a basis of volunteer efforts save for two months work by Harold Rotzel, particularly in connection with free speech in Lawrence and in preparation for a campaign in the legislature, later handled by Miss Myriam Sieve. The committee continued its effort to pass the so-called “parks bill,” which would require local officials to set aside without permits areas in public parks for free speech. The bill passed the House, as it has before, and was defeated again in the Senate.

The committee aided the Massachusetts Federation of Labor in its effort to pass an anti-injunction bill and also backed the bill to take away from Boston city officials the power of censorship over the theatre. The bill was not reported from the committee.

Attorneys for the committee aided in numerous cases arising in the courts as a result of the arrests of radical street speakers and of aliens held for deportation. Boston is unique in a special order of the police for the finger-printing and photographing of Communists arrested, whether acquitted or not. The order specifies Communists alone. The committee's attorneys have offered to take a test case into the courts. Open issues of censorship have been few, but the censorship of books, Sunday movies, and theatres remains unchanged.

Efforts to remove the ban on radical meetings on Lawrence Common have so far proved unavailing. Plans for test meetings have in each case fallen through.

John S. Codman, who has for many years been chairman of the committee, asked to be relieved of those duties. George E. Roewer has succeeded him.

The St. Louis Committee has been active chiefly on two issues,—the conflict between the police and unemployed demonstrators, and the strike of the coal miners in Illinois.
In July, 1932, the police brutally attacked an unemployed demonstration at the City Hall, firing into a crowd and wounding demonstrators. Several scores of arrests were made. The demonstrators were sentenced to jail. The Committee aided the local International Labor Defense in getting bond and in arranging counsel. Protests were lodged with the city authorities and efforts were made for better future regulations.

The warfare in the Illinois coal fields between rival unions with outbreaks of violence and complete denial of civil rights in certain counties enlisted the committee's efforts. A special committee was formed to work with the national office and with the Chicago Civil Liberties Committee. Several visits were made to the coal fields to get first hand facts. Meetings were held with representatives of both unions,—the United Mine Workers of America and the Progressive Miners. Despite all efforts neither local nor state officials were responsive to the representations made to end the violence and lawlessness.

In a strike of nut-pickers, chiefly Negroes, in the spring of 1933, the Committee aided counsel in contesting in the courts actions brought against the strikers for minor offenses on picket lines.
The following pamphlets and leaflets were published by the Union, either directly or by its affiliated national organizations or committees, in the year ending June, 1933.

The Case of Reed Harris: A complete account of the expulsion and reinstatement by Columbia Univ. of the editor of a student paper for criticism of university affairs. (Mimeographed.)

Civil Liberties in American Colonies: A survey of American forms of control, restrictions of civil liberties, and proposed remedies.

Civil Rights for American Indians: The first program of bills in Congress to establish civil rights for American Indians. (Mimeographed.)

Indian Primer: Answers to questions commonly asked about Indians and their civil rights; with proposed remedies and map.

Minority Parties on the Ballot; a survey of restrictions with proposed bill. (Mimeographed.)

Open Letter to Judge Sullivan: Reply to Governor Rolph's advisor in denying Mooney's pardon, prepared by attorney Aaron Sapiro. (Mimeographed.)

The Ban on Miners' Rights in the Illinois Coal Fields: The story of the struggle up to early spring of 1933. (Mimeographed.)

The Struggle for Civil Liberties in the Illinois Coal Fields: with map showing areas of conflict.

Sweet Land of Liberty, 1931-32. The year's record of the work of the Civil Liberties Union up to June, 1932.

Twenty Years for Free Speech: A young Negro Communist organizer sentenced in Atlanta to 18 to 20 years solely for organizing black and white workers in an unemployed council.

What Shocked the Censor: A complete record of the eliminations in films ordered by the New York State motion picture censors for 1932 and the first three months of 1933, with an introductory analysis.

The Union promoted the sales of the following new books and pamphlets:

Convicting the Innocent, by Prof. Edwin M. Borchard. A study of cases of unjustified convictions, with proposal for public indemnity to victims. Yale University Press, 1932.
"LAND OF THE PILGRIM'S PRIDE"


What Happened in the Mooney Case, by Ernest Jerome Hopkins. The best story and analysis of the whole Mooney-Billings case from beginning to end, by a newspaper man who was on the spot at the time. Harcourt, Brace & Co. 1932.


Theodore Schroeder, leading free speech attorney in the decade before the war, put at our disposal a supply of his books for sale at reduced prices, which the Union distributed free to leading libraries and has advertised widely.

The books are Constitutional Free Speech, 1919; Free Speech Anthology, 1909; Free Speech for Radicals, 1906 to 1915; Obscene Literature and Constitutional Law, 1911.

Periodical Publications

The Civil Liberties Quarterly, with a summary of the chief events, has been issued regularly, sent free to all union members.

The Arbitrator, a monthly published by William Floyd, takes a page of notes on civil liberties issues contributed by the Union's office.

Weekly press releases go out to several hundred newspapers and periodicals all over the country and to friends interested to keep up with current happenings.

The monthly Bulletin for Action telling our friends all over the country on what issues to act continues to go free to a mailing list of about 350 individuals and organizations.

With the discontinuance of our own law bulletins, the International Juridical Association, an organization of lawyers interested in labor and civil liberties cases, has gotten out a monthly printed bulletin edited by Carol King, who formerly prepared our bulletins.
Bail Funds

The Bail Fund administered by the Civil Liberties Union for the American Fund for Public Service has been liquidated, except for ten cases on which bonds totalling $16,000 are outstanding. No new bail has been written.

The National Bail Fund, organized by the Union in 1920, and since operating under independent trustees, was able to repay the depositors in full upon the release of bail put up in the Michigan criminal syndicalism cases ten years ago.

Finances

Receipts

The financial report in the following pages covers the fiscal year ending January 31, 1933, not like the rest of the report, the year up to June. The fiscal year for the first time showed a substantial drop in receipts in both operating and special funds. The effects of the depression began to be felt only at the beginning of that fiscal year. The year preceding had shown the largest income in the Union's history.

The drop in the operating fund during the year was over twenty per cent, from approximately $24,000 the year before to $19,689. Special funds dropped even more—from receipts from our members of $14,400 the year before to $7,353. The drop in total income from all sources in the two years was from $46,700 to $27,000. But in the previous year $8,000 had been granted by the American Fund for Public Service for special projects and should be regarded as exceptional. The total drop in receipts is properly figured as from $38,700 to $27,000, or almost thirty per cent. But judged by the average of previous years, not by the high receipts of 1931 to 1932, the drop is in fact only about fifteen per cent.

The total number of contributors in all funds also declined, from 3600 the year before to 2900. Of these, 400 were contributors to special funds, not members of the Union. The membership dropped from 3200 to about 2500. Some of this is accounted for by increased local activities by our affiliated groups, many of whose members pay their dues now to the locals rather than to the national office. That number, although only estimated, doubtless increased in the last year.

One large gift was received for special funds—$1000 from Miss Florina Lasker in behalf of her mother's estate. Mrs. Margaret DeSilver continues to give to the operating fund the amount ($1200) given by her husband, Albert DeSilver, before his death. Miss Gladys Deutsch continues her gen-
erous contribution of $1000 a year to the operating fund. From the Christian Social Justice Fund $500 was contributed toward ordinary expenses; an anonymous donor contributed $1000 to general and special funds.

Outside these large contributions the 2500 members paid dues of one to five hundred dollars to make up the operating fund receipts of $19,689, averaging $8 each. The following shows the distribution of receipts from members:

5 at $500 to $1200; 6 from $200 to $500; 18 from $100 to $200; 47 from $50 to $100; 100 from $25 to $50; 320 from $10 to $25; 1900 from $1 to $10.

The Union came into possession during the year of the proceeds from the bequest of Miss Mary McMurtrie of Philadelphia. The board decided to hold the property in a separate fund and to draw on the cash balances for special needs only, not for the overhead expenses of the Union. Such a fund ought properly to make possible work which we could otherwise not do.

The expenditures during the fiscal year are listed on page 60.

Expenditures

Expenditures for the ordinary operations of the Union decreased in accordance with our decreased income, from $25,300 the year before to $20,500. Even so, the expenditures were $800 more than the receipts. The deficit was taken from a balance of the previous year. By error the financial report of the previous year had shown a deficit in the operating fund which is explained on page 60.

Expenditures in special funds were also cut greatly in accordance with receipts, from a total of $23,300 the year before, including $8000 from the American Fund for Public Service, to $9100. Since this expenditure was almost $2000 in excess of receipts the deficit was made up by drawing upon a balance from the previous year.

The income and expenditures of the Union since the close of the fiscal year on January 31st have been maintained at about the same level. For special work such as emergency campaigns, aid to local committees and defense of cases in court, the McMurtrie estate fund is fortunately at hand to draw upon in these days of restricted income. Membership dues alone are relied upon to continue the Union's regular work. Our members have responded loyally and generously to the limit of their ability. We have been fortunate in being able to maintain our staff unimpaired and without cutting the modest salaries. Much additional work has been made possible by the devoted regular service of numerous volunteers.
TREASURER'S REPORT

Operating Fund

Balance from 1931 ................................... $4,006.06

INCOME:

Contributions .......................................... $19,310.02
Literature sales ........................................ 20.39
News service .......................................... 33.20
Interest on balances and investments ............ 275.00
Miscellaneous .......................................... 50.50

$19,689.11

EXPENDITURES:

Executive salaries ..................................... $ 4,066.66
Office salaries ......................................... 7,025.11
Postage .................................................. 1,987.16
Rent and light .......................................... 1,776.16
Stationery and printing ................................ 1,608.26
Printing of literature .................................. 1,319.60
Telephone .............................................. 561.21
Telegrams and messengers ............................. 286.74
Bookkeeping and auditing ............................ 573.63
Multigraphing and mailing service .................. 362.95
Washington office ..................................... 292.73
Office supplies ........................................ 201.69
Expenses of meetings .................................. 110.38
Newspapers and clippings ............................. 108.74
Depreciation of equipment ........................... 67.03
Outside work .......................................... 52.05
Miscellaneous .......................................... 89.39

$20,489.49

Deficit for the year ..................................... $ 800.38

Deficits in Censorship, Injunction and Mooney-Bil- lings Funds charged off ............................. 2,988.36

$3,788.74

Balance at the close of year ........................ $217.32

NOTE: By error last year's report showed a slight deficit in the operating fund, although the auditor's balance sheet showed the large balance above. The error was due to improperly taking off the account from the auditor's figures.

The deficits charged against the operating fund balance above are not so shown on the auditor's balance sheet this year because they were charged off after the close of the fiscal year.
Special Funds

1. Summary

This table shows total receipts and disbursements in all special funds outside the Operating Fund. The detailed accounts of each activity are given later. This page will make clear the operations as a whole.

<table>
<thead>
<tr>
<th>Income</th>
<th>Expenditures</th>
</tr>
</thead>
<tbody>
<tr>
<td>Special funds for defense</td>
<td>$4,995.43</td>
</tr>
<tr>
<td>Censorship Fund</td>
<td>625.70</td>
</tr>
<tr>
<td>Book Fund</td>
<td>354.17</td>
</tr>
<tr>
<td>Injunction Fund</td>
<td>344.00</td>
</tr>
<tr>
<td>Mooney-Billings campaign</td>
<td>269.00</td>
</tr>
</tbody>
</table>

$6,588.30 $8,384.34*

*Deficit met from special and operating funds balances.

2. Detailed Accounts, Special Funds

These are treated in two groups; first, special fund accounts, and second, trust funds. All the accounts show total receipts and expenditures to January 31, 1933. The deficits shown in three accounts totalling about $3,000 were met from the balance shown in the Operating Fund.

I. SPECIAL FUNDS

Mooney-Billings Fund

This fund is under the control of the National Mooney-Billings Committee. Only restricted appeals are made in order not to conflict with the general appeals for funds made by Mooney's own committee in California.

Deficit from 1931 .................................. $656.55

ReceiPts:
Contributions,—with pamphlet sales .................. $269.00

Expenditures:
For clippings, telegrams, telephone, literature, stationery .................................. 238.79
Loan to the New York Mooney Committee .... 50.00
Postage ........................................... 45.30
For editorial work .................................. 25.00

$359.09

Deficit for year ........................................... $90.09
Deficit at close of year .............................. 746.64
Censorship Fund

This account covers the expenses of the National Council on Freedom from Censorship, organized by the Union in March, 1931, conducting its work from the Union's office. The Council started with the balance of the fund of the Mary Ware Dennett Defense Committee, which was turned over by the Committee for this purpose.

Deficit from 1931 .......................................... $ 650.15

<table>
<thead>
<tr>
<th>RECEIPTS:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Contributions</td>
<td>$625.70</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>EXPENDITURES:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Salary of secretary</td>
<td>$535.15</td>
</tr>
<tr>
<td>Postage</td>
<td>272.50</td>
</tr>
<tr>
<td>Printing</td>
<td>252.08</td>
</tr>
<tr>
<td>Telegrams, telephone, miscellaneous</td>
<td>235.39</td>
</tr>
<tr>
<td>Mailing and addressing</td>
<td>154.70</td>
</tr>
<tr>
<td>Expenses in legal cases</td>
<td>104.25</td>
</tr>
<tr>
<td></td>
<td>$1,554.07</td>
</tr>
</tbody>
</table>

Deficit for year ...................................... $ 928.37
Deficit at close of year ................................ 1,578.52

Injunction Fund

This account covers the work of the National Committee on Labor Injunctions, organized by the Union.

Deficit from 1931 ........................................ $282.20

<table>
<thead>
<tr>
<th>RECEIPTS:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Contributions</td>
<td>$344.00</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>EXPENDITURES:</th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Printing</td>
<td>204.33</td>
</tr>
<tr>
<td>Postage</td>
<td>161.51</td>
</tr>
<tr>
<td>Traveling expenses of volunteer secretary from Philadelphia</td>
<td>104.73</td>
</tr>
<tr>
<td>Salaries</td>
<td>91.60</td>
</tr>
<tr>
<td>Telegrams and telephones</td>
<td>89.02</td>
</tr>
<tr>
<td>Expenses, New Jersey and Pennsylvania campaigns</td>
<td>44.50</td>
</tr>
<tr>
<td>Mailing and addressing</td>
<td>13.65</td>
</tr>
<tr>
<td>Miscellaneous</td>
<td>9.66</td>
</tr>
<tr>
<td>Clippings</td>
<td>6.00</td>
</tr>
<tr>
<td></td>
<td>$725.00</td>
</tr>
</tbody>
</table>

Deficit for year ....................................... $381.00
Deficit at close of year ................................ 663.20
Book Fund

This fund represents receipts from sales of books.

Balance, 1931 .............................................. $126.13

RECEIPTS:

Sales ................................................. $354.17

EXPENDITURES:

For books purchased ................................. 288.69

Balance for year ..................................... $ 65.48

Balance at close of year .......................... 191.61

Funds for Defense

This is the general account of funds contributed for defense in the courts outside of gifts toward specific cases. All the money came in response to appeals to our own members, except for $105 balance from the Emergency Case Fund, closed out during the year previous.

Balance from 1931 ...................................... $2,832.27

RECEIPTS:

Contributions ...................................... $4,995.43

EXPENDITURES:

1. Kentucky miners' strike; legal action, suits, publicity, and traveling expenses of party of lawyers and others ...................... $2,745.14

2. Attorneys' fees and expenses in contesting revocation of citizenship of Rev. G. B. Bruvold, Vt. .......................... 280.03

3. Attorneys' fees and expenses in defense of W. G. Binkley, organizer, Danville, Va. on charge of "treason" ....................... 257.00

4. Appeal in the Hullen Socialist citizenship case, California .......................... 183.98

5. Attorneys' fee and expenses in the incitement to insurrection cases, Georgia .................. 174.44

6. Attorneys' fees and expenses for handling local civil liberties cases, St. Louis .......... 160.00

7. Attorneys' fees and expenses in damage suit against Bruce Crawford ...................... 140.00

8. Lawyers' fees and expenses for release of Wildwood, Pa. coal strike prisoners...... 125.00
9. Legal expenses in damage suits against Bayonne, N. J. police ................. 125.00
10. Defense of strikers at High Point, N. C. .... 114.52
11. Appeal against denial of citizenship to a Bulgarian radical editor, St. Louis ............... 102.01
12. For attorneys' fees and expenses in handling local civil liberties cases, Chicago ............. 100.00
14. Lawyers' expenses in connection with cases arising out of expulsion of bonus army, Washington, D. C. ...................... 68.75
15. Defense of strikers at South River, N. J. .... 60.00
16. Legal expenses in defense of members of Unemployed Councils arrested for holding meetings, White Plains, N. Y. ............... 56.00
17. Attorneys' fee and expenses in deportation case against Edith Berkman, Boston ............. 50.00
18. Test of Richmond, Ind., street meeting ordinance ........................................ 50.00
19. Miscellaneous, in amounts less than $50; Robert Elliott Burns, fugitive from Georgia chain gang, Reed Harris, expelled from Columbia University, Guido Serio and William Murdoch, deportation cases, Charles Lee Smith, atheist street meeting case, etc.; also incidental office expenses in connection with cases ........................................ 559.63

$5,421.49

Deficit for year .......................................................... $ 417.06
Balance at close of year .................................................. 2,415.21
**II. TRUST FUNDS**

**McMurtrie Estate**

The bequest to the Union by Miss Mary McMurtrie of Philadelphia is held as a trust fund for special uses outside our ordinary operations. In accordance with Miss McMurtrie's wishes, both principal and interest are drawn upon.

<table>
<thead>
<tr>
<th>ESTATE PRINCIPAL</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Gross amount of bequest</strong></td>
</tr>
<tr>
<td>$64,056.07</td>
</tr>
<tr>
<td><strong>Estate expenses and taxes</strong></td>
</tr>
<tr>
<td>$7,828.36</td>
</tr>
<tr>
<td><strong>Loss on sale of real estate and securities</strong></td>
</tr>
<tr>
<td>6,892.73</td>
</tr>
<tr>
<td><strong>Balance of estate</strong></td>
</tr>
<tr>
<td>$47,334.98</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>RECEIPTS:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Income to Jan. 31, 1933</td>
</tr>
<tr>
<td>$1,673.81</td>
</tr>
<tr>
<td><strong>Total</strong></td>
</tr>
<tr>
<td>$49,008.79</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>EXPENDITURES:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Pennsylvania Civil Liberties Committee</td>
</tr>
<tr>
<td>$1,250.00</td>
</tr>
<tr>
<td>Defense cases handled by Union</td>
</tr>
<tr>
<td>736.67</td>
</tr>
<tr>
<td>Forrest Bailey expenses</td>
</tr>
<tr>
<td>150.00</td>
</tr>
<tr>
<td>Mass. Civil Liberties Committee</td>
</tr>
<tr>
<td>100.00</td>
</tr>
<tr>
<td>Distribution to libraries of books of Theodore</td>
</tr>
<tr>
<td>Schroeder</td>
</tr>
<tr>
<td>100.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
</tr>
<tr>
<td>$2,336.67</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>BALANCE</th>
</tr>
</thead>
<tbody>
<tr>
<td>$46,672.12</td>
</tr>
</tbody>
</table>

This balance is represented by bonds, stock and equity in real estate at estimated market value at time of appraisal. The actual balance in cash on hand as of January 31, was $12,757.58.
Revolving Loan Fund

This fund was put at the disposal of the Union by the American Fund for Public Service, to be loaned out for defense and other emergencies until funds could be collected from other sources.

Principal, Feb. 1, 1932 .......................................... $3,343.13
Interest on loans ................................................. 6.26

Loans outstanding, Jan. 31, 1933 ....................... $2,938.30
Bank balance ...................................................... 411.09

New loans made in 1932:
- American Fund for Public Service .................. $250.00
- General Defense Committee ......................... 500.00
- New York Tom Mooney Defense Committee .... 50.00
- Minneapolis Branch, International Labor Defense 40.00

Loans outstanding, Jan. 31, 1933:
- International Labor Defense, national office ... $1,518.30
- International Labor Defense, Philadelphia office 450.00
- International Labor Defense, Boston office .... 50.00
- International Labor Defense, Minneapolis office 40.00
- American Fund for Public Service ................. 150.00
- New York Tom Mooney Defense Committee .. 30.00
- Pennsylvania Civil Liberties Committee ...... 250.00
- For the Philippine sedition cases .............. 450.00

$2,938.30

Principal, February 1, 1932 .............................. $3,349.39
Loans outstanding February 1, 1933 .......... 2,938.30
Cash in bank .................................................. 411.09 $3,349.39

Trust Fund Under Deed of Gift

Security held in trust under deed of gift is represented by a $1,000.00 bond of the Great Northern Power Company bearing interest at 5% and maturing February 1, 1935. The income from this bond accrues to the donor until his death.
Balance Sheet, January 31, 1933

**Assets**

**Current Funds:**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash</td>
<td>$266.08</td>
</tr>
<tr>
<td>Accounts receivable (largely doubtful of collection)</td>
<td>$374.40</td>
</tr>
<tr>
<td>Accrued interest receivable</td>
<td>$98.54</td>
</tr>
<tr>
<td>Furniture and equipment—Depreciated value</td>
<td>$404.31</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$1,143.33</td>
</tr>
<tr>
<td>Less bank overdraft</td>
<td>$338.45</td>
</tr>
<tr>
<td><strong>Total after less bank overdraft</strong></td>
<td>$804.88</td>
</tr>
</tbody>
</table>

**General Reserve Fund Investments, at Cost—Schedule 1**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash</td>
<td>$12,757.58</td>
</tr>
<tr>
<td>Loans receivable</td>
<td>$100.00</td>
</tr>
<tr>
<td>Investments, book value—Schedule 1</td>
<td>$34,199.19</td>
</tr>
<tr>
<td>Accrued interest receivable</td>
<td>$215.33</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$47,272.12</td>
</tr>
</tbody>
</table>

**McMurtrie Fund:**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash</td>
<td>$12,757.58</td>
</tr>
<tr>
<td>Loans receivable</td>
<td>$100.00</td>
</tr>
<tr>
<td>Investments, book value—Schedule 1</td>
<td>$34,199.19</td>
</tr>
<tr>
<td>Accrued interest receivable</td>
<td>$215.33</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$47,272.12</td>
</tr>
</tbody>
</table>

**Revolving Loan Fund:**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cash</td>
<td>$411.09</td>
</tr>
<tr>
<td>Loans receivable (largely doubtful of collection)</td>
<td>$2,938.30</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$3,349.39</td>
</tr>
</tbody>
</table>

**Security Held in Trust Under Deed of Gift—Schedule 1**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total</strong></td>
<td>$1,000.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$57,426.39</td>
</tr>
</tbody>
</table>
LIABILITIES

CURRENT FUND LIABILITIES AND RESERVES:

Accounts payable .......................... $1,047.33
Operating fund surplus ..................... 3,205.68

Total ........................................ $4,253.01
Special funds deficit—Net ................. 3,448.13 $ 804.88

GENERAL RESERVE FUND RESERVE ............... 5,000.00

McMURTRIE FUND LIABILITY AND RESERVE:

Salary payable .............................. $ 600.00
Fund reserve ................................. 46,672.12 47,272.12

REVOLVING LOAN FUND RESERVE ............... 3,349.39

TRUST FUND UNDER DEED OF GIFT RESERVE .. 1,000.00

TOTAL ...................................... $57,426.39

Certificate

American Civil Liberties Union, Inc.

We have audited the accounts of the American Civil Liberties Union for the year ending Jan. 31, 1933, and in our opinion the accompanying balance sheet sets forth the Union’s financial condition at Jan. 31, 1933.

HASKINS & SELLS
New York, April 3, 1933

NOTE:—A complete copy of the auditor’s report will be sent to any contributor who requests it. It is not printed in full here because it is too technical to be understood without the explanations given in this report. The operating and special fund accounts given here are all taken from the auditor’s report.

The Union’s financial methods and accounting are endorsed by the National Information Bureau, 215 Fourth Avenue, New York City, an agency formed to advise contributors.
"LAND OF THE PILGRIM'S PRIDE"

OFFICERS

HARRY F. WARD, chairman; HELEN PHELPS STOKES, JAMES H. MAURER and FREMONT OLDER, vice-chairmen; B. W. HUEBSCl, treasurer; ROGER N. BALDWIN, director; ARTHUR GARFIELD HAYS and MORRIS L. ERNST, counsel; LUCILLE B. MILNER, secretary; EDMUND D. CAMPBELL, Washington counsel.

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JOHN CHAMBERLAIN
ROBERT W. DUNN
MORRIS L. ERNST
W ALTER FRANK
ARTHUR GARFIELD HAYS
JOHN HAYNES HOLMES
QUINCY HOWE
B. W. HUEBSCl
HENRY T. HUNT
DOROTHY KENYON
CORLISS LAMONT

LUCILLE B. MILNER
WILLIAM L. NUNn
FRANK L. PALMER
AMOS R. PINCHOT
W. CHARLES POLETTI
ELIOT D. PRATT
IRA A. REID
ELMER RICE
ROGER WILLIAM RIIS
WILLIAM B. SPOFFORD
HARRY F. WARD

NATIONAL COMMITTEE

Judge Charles F. Amidon
Judge George W. Anderson
Dr. Harry Elmer Barnes
Rev. Herbert S. Bigelow
Prof. Edwin M. Borchard
Dr. Richard C. Cabot
John S. Codman
Clarence Darrow
Prof. John Dewey
Dr. James H. Dillard
Robert W. Dunn
Sherwood Eddy
Elizabeth Glendower Evans
John F. Finerty
Elizabeth Gurley Flynn
Walter Frank
Prof. Felix Frankfurter
Kate Crane Gartz
Norman Hapgood
Powers Hapgood

Hubert C. Herring
Morris Hillquit
Rev. John Haynes Holmes
Frederic C. Howe
James Weldon Johnson
Dr. George W. Kirchwey
Dr. John A. Lapp
Agnes Brown Leach
Dr. Henry R. Linville
Prof. Robert Morss Lovett
Mary E. McDowell
Anne Martin
Prof. Alexander Meiklejohn
Prof. Henry R. Mussey
A. J. Muste
Prof. Walter Nelles
Prof. William L. Nunn
Julia S. O'Connor Parker
William Pickens
Amos Pinchot

Jeannette Rankin
Prof. Edward A. Ross
Dean Elbert Russell
Rev. John A. Ryan
John Nevin Sayre
Rt. Rev. William Scarlett
Joseph Schlossberg
Vida D. Scudder
Rabbi Abba Hillel Silver
John F. Sinclair
Prof. Clarence R. Skinner
Norman M. Thomas
Edward D. Tittmann
Millie R. Trumbull
William S. U'Ren
Oswald Garrison Villard
B. Charney Vladeck
George P. West
Peter Witt
L. Hollingsworth Wood
"LAND OF THE PILGRIM'S PRIDE"

LOCAL COMMITTEES

ANN ARBOR BRANCH, 110 N. State St., Ann Arbor, Mich.
Rev. Harold P. Marley, chairman

CHICAGO CIVIL LIBERTIES COMMITTEE, INC., 160 N. LaSalle St., Chicago
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