"LAND of the FREE"

The Story of the Fight for
Civil Liberty 1934-35.

"So ya believe in the Constitution, do ya?"

American Civil Liberties Union
Metropolis Bldg., 31 Union Sq., West
New York City

June, 1935.
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Review of the Year

(To June, 1935)

Of all the many-sided aspects of civil liberty the attack on workers' rights not only took first place during the year, as it does every year, but it far outdistanced any other aspect. Issues of lynching, suppression of Negro rights, censorship, the gags on teaching, freedom for left political parties, all stacked up as far less important either in the number of attacks reported or in their seriousness.

The resistance of employers to trade union organization, encouraged by the assumed rights of collective bargaining laid down in the NIRA and by the creation of the National Labor Board, resulted in a crop of strikes unparalleled in the violence which marked the efforts to break them.

The Administration's attempts to check this employer offensive against labor were effective only in minor strikes. In the larger strikes, or where issues of collective bargaining affected powerful interests, the government either openly aided the employers, as in the San Francisco general strike and the discharge of a Newspaper Guild member on a Hearst paper, or so terminated the strike by the appointment of boards of mediation that the employers were in effect victors.

In these struggles scores of workers were killed and wounded on picket lines, hundreds arrested, hundreds more attacked by gunmen or vigilantes, who made their appearance openly for the first time in years, and scores imprisoned. The participation of Communists or radicals of other schools in many of the larger strikes enabled the employers to pin on the strikers the Moscow label, even where the strike was led, as almost all of them were, by bonafide A. F. of L. unions.

Widespread disillusionment, particularly among workers and the middle-class, over the New Deal's failure to improve their lot, gave rise to two strong movements,—one, to organize middle-class
unrest in programs for "sharing the wealth" and "social justice"; the other, a determined campaign to outlaw the "reds" and thus put down working-class revolt.

When it became apparent after the elections in November, 1934, in which the New Deal was overwhelmingly supported, that the administration was turning to the right, and popular unrest therefore became greater, an extraordinary campaign developed, led by the professional patriotic societies, the Chamber of Commerce of the United States and the Hearst press, for gag bills in Congress and the state legislatures. Attacks upon progressive and liberal organizations, upon teachers and students suspected of radical sympathies became rife throughout the country.

The inspiration for this drive is evidently to be found in the San Francisco general strike in the summer of 1934, which created a state of mind bordering on hysteria among the propertied classes up and down the Pacific Coast. The participation of Communists in that strike, though it was led by A. F. of L. unions, alarmed the "patriots" into a belief that revolutionary forces were spreading and were likely to break out in effective mass revolt at any time. For the first time since the anti-radical delirium of 1919 and '20, this attack on anti-capitalist forces under the cloak of protecting the government from advocacies of its overthrow assumed really formidable proportions.

A vigorous resistance was at once organized by the Civil Liberties Union and a score of other agencies all over the country, determined to stop the drive for gag legislation in Congress and in the states. Recruits sprang up everywhere spontaneously, and the forces aroused were unexpectedly strong. The result was that up to June 1st the net damages were a few teachers' loyalty oath bills passed by state legislatures; the enactment for the first time of bills barring from the ballot in four states parties which advocate "force or violence", "sedition or treason", and a few weak sedition bills. In Congress a determined group of progressives in the House blocked the bills sponsored by the Committee on un-American Activities and backed unanimously by the patriotic societies and the Chamber of Commerce. Throughout the country, the American Federation of Labor, the liberal press, religious organizations, the
American League Against War and Fascism, college liberal clubs and, on the Pacific Coast, the Epics in California and the Commonwealth Builders in Washington, all were aroused to vigorous resistance.

A striking example of the forces in conflict over these issues of repression was furnished by the attempted deportation of John Strachey, British author and lecturer. Spurred into action by the Hearst press and the patriotic societies, the Department of Labor moved to deport him, evidently feeling that public sentiment would be favorable. Instead the press, even conservative newspapers all over the country, at once defended Strachey's right to speak on the platform as freely as in his books, and scored the Department. Except for the Hearst and McFadden publications, newspaper condemnation of the Department's proceeding was almost unanimous. Scores of organizations and individuals sent in their protests. Proceedings were dropped and Mr. Strachey sailed home on the day he had planned.

It was evident from this attempt, as from the efforts to pass gag bills in the legislatures, that the patriotic societies, even when united with the Chamber of Commerce, the Hearst press, the Elks and others, are capable of stirring up a lot of trouble, but at present are incapable of overcoming, except in rare instances, the resistance aroused against them.

The effect of the New Deal on the exercise of civil liberties has been felt primarily in the relations between capital and labor. The conclusion to be drawn from two years of experience with federal mediation is the obvious one that where unions are strong, they gain their rights, where they are weak, they do not. The decisions of the National Labor Board under the chairmanship of Lloyd Garrison and Francis Biddle stood out in the maze of compromise as the only forthright declarations of labor's rights to organize and bargain collectively. Even so, the attempts of the board to secure enforcement of its decisions were without effective result.

In the general strike at San Francisco in the summer of 1934, precipitated by a struggle of the longshoremen against the em-
ployers, the federal government came out squarely on the side of the employers, with General Hugh Johnson in the lead and Secretary of Labor Perkins bringing up the rear. Not a move was made by federal or local officials when vigilantes, taking advantage of the hysteria created by the newspaper red scare, attacked and demolished workers' headquarters and turned over to the police hundreds of strikers.

In the struggle of agricultural laborers for the right to organize, the federal government sent in mediators, but did nothing to check the extraordinary violence of the land-owners in Imperial Valley, Cal., the onion fields of Hardin County, Ohio, the truck gardens of southern New Jersey, or among the share-croppers of eastern Arkansas.

The Department of Labor, acting under rigid deportation laws, has played a role incompatible with the liberal professions of the Secretary of Labor and in sharp contrast with the tolerant attitude of the first year of New Deal policy. The Department's agents have frequently been used as strike-breakers by arresting aliens among workers on strike. While lawless methods have been generally discontinued and while the severity of the law has been softened in many cases by administrative discretion, on the whole the treatment of aliens has stiffened. This is doubtless due, not to the inclination of the top officials but to the ceaseless pressure on the Department by the organized anti-alien forces of the country, which is not counter-balanced by strong organized support of a policy of tolerance or of change in the harsh laws.

Other federal departments show considerable improvement. The post office has not censored a single publication on political grounds. The Customs Bureau has admitted from abroad publications which were excluded until the courts were given the right a few years ago to pass upon their admissability. Judge Woolsey's decision admitting James Joyce's "Ulysses" marked a milestone in progress toward sanity.

Issues arose occasionally in the colonies,—the Philippines, Virgin Islands and Puerto Rico,—but in the absence of any settled policy of colonial administration, it is impossible to expect that natives will be unrestricted in the exercise of political rights.
The rights of American Indians have been considerably extended under the legislation adopted a year ago, applying to all the tribes except those in Oklahoma, and permitting them to restore ancient tribal autonomy. Most of the abuses commonly complained of a few years ago in the Indian Service have been abolished.

The Supreme Court of the United States handed down five decisions of significance to the defenders of civil liberty, as will be noted on page 10. While the Mooney and Scottsboro decisions were encouraging, those affecting more general principles were disheartening. The court ended the struggle for legal exemption of college students objecting to compulsory military training; and it sustained the exclusion of Negroes from Democratic primaries in the south, which in effect disfranchises them.

The areas of the country where civil rights continue most constantly to be denied are unchanged, because the forces of repression still control;—California, pretty much as a whole; western Pennsylvania in both coal and steel towns, though with some slight improvement in the steel district; the whole rural cotton-growing south, and among southern cities, particularly Birmingham and Atlanta; the eastern shore of Maryland and the industrial towns of New Jersey.

Inquiries by the Union, answered by eighty correspondents in forty-five states in May 1935, as to whether conditions are better or worse in the exercise of civil rights, brought responses showing both more activity by minority movements and more attempts at repression. Comparing present conditions with a year ago, the majority of correspondents thought them unchanged. But of those who reported change, more expressed belief that minority movements are freer to conduct their propaganda.

Describing local agencies of repression and attacks upon minority movements, our correspondents credited the American Legion with taking the lead in this patriotic job. Local Chambers of Com-
merce came second but quite a way behind; the DAR pulled up third; with the Hearst press and the Elks making only a fairly respectable showing.

THE record of the year presented in the following pages shows that things are looking up as regards labor injunctions and censorship of plays and books. The considerable decrease in lynchings is also to be noted. Things are worse as regards mob violence by vigilantes in strikes, the suppression of demonstrations of the unemployed by local police, and attacks upon teachers and student organizations with liberal or radical connections.

On practically all the issues and cases described in this report, the Civil Liberties Union has worked either through the national office or local committees. On the whole it has been the toughest year's work in the fifteen years of the Union's history. The pressure of a great variety of issues was upon us constantly. Additions were made to the staff particularly to counter the gag bills in Congress and the legislatures. A vast amount of material was published and widely distributed. In the face of these added burdens, the Union's income, due to the depression, was considerably cut, though the membership increased slightly. A few of our friends left us in sharp disagreement over defense of the rights of Communists to carry on their agitation. These defections, all on the Pacific Coast, were due to the unreasoning state of mind which followed the San Francisco general strike. A few friends parted company with us over our defense of the rights of German-American Nazis to conduct their propaganda, though most members responded to a little leaflet on that subject with high commendation.

Closer cooperation was established with other forces through a successful Conference on "Civil Liberties Under the New Deal" held for two days in Washington in December. It rallied the forces backing congressional legislation against censorship and for larger liberties for aliens, trade unions, Negroes, agricultural workers and tenant farmers. Another conference in which the Civil Liberties Union participated was held in Tennessee in May, the "All Southern Conference for Civil and Trade Union Rights".
In the campaign against the gag bills mass meetings were held all over the country either under the auspices of the Civil Liberties Union or under joint auspices in which the Union participated. Radio programs over national networks were secured on four occasions,—two on the California terrorism after the general strike; another, a memorial to Justice Oliver Wendell Holmes, and one a broadcast from the Conference on Civil Liberties at Washington. These courtesies were extended both by the Columbia and National Broadcasting Companies.

The depression continues of course to create an atmosphere in which resort to gag measures is only too quick. The determination of employers to keep the labor movement in check, and passionate opposition to Communism (but to Fascism only in words) conspire to provoke attack upon all symptoms of working-class militancy, and all heresy to capitalism.

At a few points tension is a little easier. A few gains have been made in fields where class struggle is not at issue. But the inroads on the right to carry on propaganda for economic and political change, based upon increased working-class power, are constant. Only the resistance of forces aroused by the sharp attack of reaction accounts for comparative success in withstanding the worst of repressive drives in years. But the defenders of civil liberty are still too few and disunited to guarantee the maintenance of those practices of free agitation under which peaceful progress alone advances. Only as the forces seeking change build strong political and economic movements can they successfully repel attack.

Meanwhile the struggle for the historic liberties to agitate without restraint is carried on by special middle-class and working-class agencies whose growing unity is the hope of holding back the ceaseless onslaught of the defenders of the status quo.
Record for the Year

1934-35

Courts

The Supreme Court of the United States handed down during the year five significant decisions affecting civil liberty, three of them in cases of international repute,—those of Tom Mooney, the Scottsboro boys and Angelo Herndon, Negro Communist. A fourth case involved the right of college students opposed to military training on conscientious grounds to be exempted, and the fifth, the right of Negroes to vote in Democratic primaries. Of the five decisions, two were favorable to the claims of civil liberties, the Mooney and Scottsboro, and three adverse. The five cases constituted a larger number of major civil liberties issues before the court than in many years.

The case of Tom Mooney came before the Supreme Court on application for a writ of habeas corpus prepared by his attorney, John F. Finerty of Washington. The court denied the writ but pointed out the means by which relief might be obtained in the California courts, and, failing there, indicated that the Supreme Court would take jurisdiction.

The appeal of the Scottsboro boys came before the Supreme Court from the convictions of two of the nine in the Alabama courts, sustained by the State Supreme Court. The cases were presented to the court by attorneys Walter Pollak and Osmond K. Fraenkel, retained by the International Labor Defense, and Samuel S. Leibowitz of New York, retained by the American Scottsboro Committee. The court reversed the convictions on the ground that no Negroes had been called on the jury panels which indicted or tried the boys.

The case of Angelo Herndon came before the court on a conviction from Atlanta for incitement to insurrection, sustained by the State Supreme Court. Herndon was a young Negro Communist who was organizing the unemployed, black and white, when ar-
rested. His attorney, Whitney North Seymour, retained by the International Labor Defense, argued that the statute as applied in Herndon's case violated his rights under the federal Constitution and that no "clear and present danger" of an overt act had been shown. The court refused to take jurisdiction by a six to three decision on the ground that the federal question had not been properly raised in the courts below. Justice Cardozo wrote the dissenting opinion.

The military training case involved two students, Albert W. Hamilton and W. Alonzo Reynolds, Jr. at the University of California at Los Angeles, both Methodists, who claimed exemption on the ground of their religious opposition to war. Their case was presented by John Beardsley of Los Angeles, long chairman of the Southern California Branch of the Union. The California courts held that the university was right in compelling them to take the military training course as a part of their education. The Supreme Court sustained that view in a sweeping decision which affirmed in principle the right of the state to exact from any citizen such service as it desires to impose. The case ends the campaign to secure legal exemption for conscientious objectors where either law or college regulations require it.

The right of the Democratic Party in Texas to exclude Negroes from its primaries was affirmed by the Supreme Court in a decision announced on the same day as the Scottsboro case. Under the terms of the decision, the Democratic Party is able in effect to disfranchise Negroes. Previous attempts to do so by legislative action had been upset by the Supreme Court, but a political party as a private organization was held beyond the reach of interference in determining its own membership.

In the state supreme courts only four decisions affecting civil liberty were handed down,—one, of considerable importance, in Pennsylvania where a statute requiring jury trials for violations of injunctions was upheld, the first such decision in the United States; another in Arkansas where the court denied relief to a sharecropper dispossessed by a landlord in a suit brought jointly
by the Civil Liberties Union and the Tenant Farmers’ Union; another in Indiana where the Supreme Court held that a newspaper, the Wabash Plain Dealer, cited for contempt, had not obstructed the administration of justice by criticizing a court decision; and one in Michigan where a conviction of two men for displaying a red flag at a children’s summer camp was reversed and a new trial ordered, though the law itself was sustained as constitutional despite the decision of the United States Supreme Court invalidating a similar California statute.

**Laws**

**In Congress**

Not in years have so many gag bills been pushed in Congress and the state legislatures as in the sessions beginning in January, 1935. The pressure for such legislation, backed by all the patriotic societies, the American Legion, the Chamber of Commerce of the United States, the Order of Elks and the Hearst and McFadden press, was stimulated by disillusionment over New Deal policies and the fear on the part of propertied interests that unrest among workers and farmers might take on menacing forms.

For the first time in years patriotic and commercial organizations united on a common program of federal legislation, which was also sponsored by a special committee of Congress appointed to investigate Nazi and un-American activities. That committee recommended substantially the legislation which has been long advocated by patriotic societies. The Chamber of Commerce of the United States distributed widely throughout the country a propaganda pamphlet on “Subversive Activities”, advocating sedition acts, exclusion of all Communist publications from the mails, tightening of the deportation laws, making criminal any incitement to disaffection among soldiers and sailors, and reestablishment of a federal secret political police, notorious in the days of Attorneys General Palmer and Daugherty.

A strong defensive movement was at once organized by the American Civil Liberties Union and other agencies which had co-
operated in a Conference on Civil Liberties at Washington early in December. That conference had planned to introduce in Congress a number of bills to weaken repressive forces. Instead, its energies were largely turned to defensive action against the flood of gag bills in Congress and the states. Strong newspaper support was enlisted and the drive was checked. Not one of the gag bills has made sufficient headway in Congress to be in danger of passage.

Some legislation advocated by the Conference on Civil Liberties at Washington was finally introduced in Congress with a view to later action. The bills were:

1. To liberalize control of radio programs and to promote free speech on the air;
2. To provide asylum for political refugees from foreign tyrannies;
3. To substitute jury trials for the bureaucratic post office censorship.

The Union opposed the Wagner Labor Disputes Bill on the ground that its tendencies to compulsory arbitration endangered the right to strike. The Union's position was based upon the record of federal mediation during the past two years. Criticism by members and friends of the Union prompted the Board of Directors to take a referendum of the National Committee and the branches, who expressed such sharp differences in an almost evenly divided vote that the board rescinded its opposition. The Union took no position on the bill. Attempts were made to amend the Agricultural Adjustment Act to include sharecroppers and tenant-farmers within its provisions.

In the States

In the state legislatures the drive of the patriotic and commercial organizations was even more determined than in Congress. Chief among the proposals was that to take off the ballot parties which advocate "force and violence", "sedition or treason", backed chiefly by the American Legion. This bill passed in four states before
opposition could be organized,—Indiana, Delaware, Arkansas and Tennessee. It will be tested in the courts.

Bills compelling teachers to take special oaths of loyalty to the Constitution, already in effect in fourteen states, were passed in six more, backed by the DAR and allied agencies,—Arizona, Georgia, Michigan, New Jersey, Texas and Vermont. Bills were passed also in Delaware and Maryland but vetoed by the governors. A sedition bill, more drastic in its provisions than any in effect, was proposed in Michigan by patriotic and commercial interests, and finally passed, but in emasculated form. A sedition bill also passed in Georgia but was vetoed by the governor. Attempts to repeal sedition and criminal syndicalism laws, made in several states, mustered strong minority votes, and got considerable public notice.

In New Jersey, a so-called anti-Nazi bill, to penalize propagandists stirring up race or religious hatred, was passed by the legislature after being defeated the year before. The bill is so sweeping in its provisions that it doubtless will be declared unconstitutional when tested in the courts.

The Union opposed in New York State an extradition bill which so amended the law that it would permit persons to be extradited even if they were not in the demanding state at the time of the offense. The governor vetoed it.

The Union joined other organizations in fighting unsuccessfully the anti-nudist bill in New York State, which makes nudity among three or more persons of opposite sexes, even in private, a crime. Bills for the sterilization of habitual criminals were also opposed by the Union as a form of "cruel and unusual punishment", and unsound because crime is not hereditary.

In the campaign of opposition to all these repressive measures, the Union had to enlist special services. Attorneys were employed in Washington and New York to follow legislation, to arrange hearings, to write briefs and memoranda and to arouse sentiment. Many other agencies cooperated. A monster mass meeting was held at Madison Square Garden, New York, on April 3rd under
Lawless troops driving back peaceful textile strike pickets at Saylesville, R. I., Sept. 1934.
the auspices of the American Civil Liberties Union and the League Against War and Fascism to oppose the gag bills. Among the speakers were two members of Congress, a Protestant bishop and a leader in the American Federation of Labor. Similar meetings on state legislation were held all over the country.

In a Pittsburgh, Pa. school, where a meeting of the League Against War and Fascism had been arranged with Ella Reeve Bloor as a speaker, the board rescinded its permit, and only by considerable pressure by the Pittsburgh Civil Liberties Committee and support by the newspapers was the meeting permitted to go on.

In New Orleans and Cincinnati, meetings under Communist auspices held in the public schools aroused a little flurry of protest, but despite threatened interference both were held. Isaac Heller, New Orleans attorney for the Union and a member of the school board, rendered effective service in preventing discrimination in the use of the schools against organizations enlisting mixed white and colored audiences.

Labor's Rights

The resistance of employers to trade union organization produced a long record of violence, greater because of the extension of the efforts of workers in newly organized industries to win union recognition. The list of those killed and wounded on picket lines, beaten, arrested and prosecuted was longer than in the first year of the NRA. Outstanding among the larger strikes for records of violence were the general strike in San Francisco in the summer of 1934, the national textile strike in September, and the strikes of automobile workers in Toledo and of teamsters in Minneapolis.

When the San Francisco general strike was turned by a press onslaught into a red conspiracy made in Moscow, as a cloak for vigilante violence in smashing it, the Union at once organized nation-wide protests and offered rewards for the arrest and conviction of any members of the lawless bands. The San Francisco branch of the Union got up a mass meeting and a large petition of protest; the national office enlisted distinguished lawyers in denun-
ciation of the terrorism; two nation-wide programs on radio hook-ups were organized; and the legal services of the San Francisco branch were engaged to bring damage suits against the cities and counties where the headquarters of working-class organizations were destroyed. Judgments were later obtained in the courts against the city of Richmond and the city and county of San Francisco. Most of the suits are yet to be tried.

The hysteria aroused by the attack on reds was so great on the Coast, extending from Seattle to Los Angeles, that many habitual defenders of civil liberties were intimidated into silence. Some of the members of the Union in that area resigned, having suddenly discovered that they could not go so far as to defend civil rights for Communists. The San Francisco branch was reorganized for more effective work with a salaried director in charge (see report on page 69).

In the national textile strike, the Union offered the services of its attorneys in textile centers, some of whom were called upon; protested the action of governors in calling out troops, and particularly the extraordinary order, withdrawn after liberal protests, by Governor Green of Rhode Island to round up every "known Communist" and the unprecedented action of Governor Talmadge of Georgia in herding arrested textile workers into a hastily improvised concentration camp; and assumed the defense of Powers Hapgood, a member of our national committee, arrested at Fitchburg, Mass. for picketing under a blanket injunction against strike activities. He was arrested, found guilty of "contempt" and served a ten-day sentence.

When the strike at the Toledo Auto-Lite plant produced an injunction and the citation for contempt of Louis F. Budenz, an organizer, the Union sent Arthur Garfield Hays to Toledo to handle the defense. Mr. Hays succeeded in having the injunction held practically in abeyance while the strike lasted.

The Union was called upon for extended service in cases arising out of the struggles of a new union in the anthracite coal fields, the United Anthracite Miners of Pennsylvania. On the appeal of a case under the Pennsylvania injunction law, the services of Francis
Mr. Biddle generously volunteered to argue the issue of the right to jury trials. Later, when the union was enjoined from carrying on a strike against the Glen Alden Co. the C.L.U. lawyers assisted in preparing the defense. Attacks by the state police, called in for strike duty, were so numerous and violent, that the Union organized a Commission of Inquiry headed by Arthur Garfield Hays, to go to Wilkes Barre to get the facts. The Commission held a one-day hearing, issued its findings and submitted the testimony to the Governor with an urgent appeal that the lawlessness of the state police be at once curbed and third-degree practices controlled.

Service was also rendered during the year to the defense of the Newspaper Guild strikers against an injunction obtained by the Newark, N. J. "Ledger"; to the I.W.W. whose peaceful picket lines in a series of strikes in Cleveland, Ohio, were brutally attacked by the police; to the National Association of Substitute Post Office Employees in a case arising in St. Louis involving discharges for union activity, and taken on appeal to the Department in Washington; and to John Donovan, organizer of the NRA section of the American Federation of Government Employees, who was discharged by General Johnson for organizing activity. The Union enlisted the services of attorney John F. Finerty of Washington, member of our national committee, who secured Mr. Donovan's reinstatement by order of the National Labor Board.

Local committees of the Union were active in their own districts on scores of cases involving labor's rights to organize, strike and picket. Their reports on pages 55 to 76 tell the story.

Labor Injunctions

Very few injunctions have been issued by federal courts since the passage of the Norris-LaGuardia Act. None of them has succeeded in getting to the Supreme Court. One issued in New York State against members of the International Association of Bridge, Structural and Ornamental Iron Workers Union went up to the Circuit Court of Appeals where the act was upheld. The Supreme Court declined to review it. In Illinois an injunction was
issued at the instance of the Laclede Steel Co. against the Amalgamated Association of Iron, Steel, and Tin Workers. The Civil Liberties Union aided the attorneys for the union in getting the injunction modified, and when that was done, an appeal seemed unwise.

In the states, injunction laws modeled on the Norris-LaGuardia Act were passed in New York, North Dakota and Maryland, bringing the number of states with such laws up to fourteen. A test of the Pennsylvania law providing for jury trials for contempt was taken to the Supreme Court of the state which sustained it, the first such decision in the United States. The case was argued by Francis Biddle of Philadelphia, retained by the Civil Liberties Union, and in the lower appellate court, also by E. C. Marianelli, attorney for the United Anthracite Miners Union.

The Union participated in contesting injunctions brought in Newark against the employees of the Newark Ledger; in Sisseton, S. D. against members of the United Farmers League, where the injunction was vacated; and in Wilkes Barre, Pa. where the United Anthracite Miners were enjoined from carrying on a strike in violation of what the court held to be a contract. The Union also participated through the New York City Committee in testing injunctions in Brooklyn and the Bronx, where they have long been notorious weapons in the hands of employers against strikers. The new New York laws will make such injunctions impossible.

**Picketing**

Most of the violence against strikers took place on picket lines, especially where mass picketing occurred as in the national textile strike. While peaceful picketing exists in law in most states, in practice it is almost always subject to interference by injunction, police or private agents of the employers—and quite regardless of the conduct of strikers.

The Union was involved in defending the right to picket in and out of the courts, both through the national office and local branches. Both A. F. of L. and independent unions were our "clients."
In Jersey City where high-handed policing is notorious, the courts finally dismissed the convictions of Corliss Lamont and Alfred Bingham, sent in by the Union to aid pickets of the Furniture Workers Industrial Union who had been arbitrarily ordered off the streets. Picketing was resumed and the police order rescinded after widespread public agitation.

In Summit, N. J. a ban on picketing against the United Shoe and Leather Workers Union by the mayor was contested by the Union in the courts. An application for an injunction restraining city officials and police was denied. Picketers sent into Summit by the Union—among them Quincy Howe of the Board of Directors—were arrested and discharged. Suits against the mayor and the chief of police for false arrest may be brought.

Prohibition by Mayor Fred E. Lewis of Allentown, Pa. against picketing by "outsiders" during an organizing campaign of the Amalgamated Clothing Workers of America was protested by the Union. A planned court test was prevented when charges were withdrawn by the city attorney and arrests discontinued.

During the national textile strike in September, peaceful picketing was widely attacked by local police and national guardsmen. Concentration camps were set up in Georgia. In New England in a number of towns, among them Dighton, Easthampton and Fitchburg, all in Massachusetts, plants were closed by barbed wire entanglements and protected by machine guns. In Honea Path, S. C., so-called "loyal" workers who were deputized, fired on picketing workers and killed nine of them. Although efforts were made by the Union in cooperation with the United Textile Workers to prosecute the assailants, the authorities could not be induced to act. In Passaic, N. J. picketing before plants allegedly not on strike was forbidden.

Farm Strikes

The lack of provision in federal law for intervention in strikes of farm laborers and in attacks on tenant farmers gave agricultural conflict a character different from the usual industrial strikes where federal mediation played a conspicuous role. The land-
Unprovoked attack on picketers by deputies in the Seabrook Farm strike, southern New Jersey, July 1934.
owners could ride rough-shod over the rights of tenants or laborers without fear of outside interference. Violence unrestrained by the authorities marked every major conflict. The federal government sent in mediators to explore solutions in most of the areas, but wholly without results. General Pelham D. Glassford, sent into the Imperial Valley, California, was himself threatened with violence by the gunmen hired by the land-owners.

Although tenant farmers and sharecroppers throughout the south have been suffering extraordinary hardships under the cotton acreage reduction plan, in only one district did they form a strong organization to protect themselves. In eastern Arkansas, black and white sharecroppers formed the Southern Tenant Farmers' Union with help from a group of Socialists enlisted by Norman Thomas. As soon as strength developed, the leaders of the organization were subjected to attack, which grew finally into a virtual reign of terror, making open organization practically impossible. Speakers were taken for rides, assaulted, meetings were broken up by armed men, leaders were arrested, lawyers and organizers were threatened by violence and several prosecutions were instituted.

The Union aided in the defense of Ward Rodgers, a young Socialist and former theological student, charged with criminal anarchy for language used in a speech. He was convicted and has appealed. The Union joined the Tenants' Union in a suit in the Arkansas courts to test the right of sharecroppers to participate in the federal subsidies paid under the cotton acreage reduction act. Attorney C. T. Carpenter of Marked Tree handled the case, taking it to the Supreme Court of the state, which decided that sharecroppers had no claim on the funds. Efforts to get the Department of Agriculture to act either by investigating or providing for a division of planters' subsidies with tenants, which the law seemed to require, met only with repeated refusals. Finally a Mrs. Mary Connor Myers, an attorney, was sent to Arkansas, investigated and reported. Her report, however, remained a department secret despite efforts of senators and congressmen to make it public. The Tenants' Union has been temporarily driven into an underground movement over a large part of the eastern Arkansas area by the violence of the planters and their armed agents.
Four strikes of farm laborers on large truck farms marked the year,—in Imperial Valley, Cal., at the Seabrook Farms in Bridgeton, N. J., in the Hardin County, Ohio, onion fields, and at Salinas, Cal., in the lettuce fields. All these strikes were attacked by armed violence; numerous arrests were made; picket lines smashed. Red scares were aroused in Imperial Valley, and at Bridgeton, based on the leadership of the strikes by the Agricultural and Cannery Workers Industrial Union, led by Communists. Full advantage was taken of that fact to serve the employers’ interests in defeating the strikes. In a later strike in Imperial Valley in February, the same violence was visited on A.F. of L. leaders who had taken over the task of organization. Two of them were killed by gunmen.

The Union aided in Imperial Valley by sending in attorney Ernest Besig in June. He was assaulted and run out. In the Bridgeton, N. J. strike legal service was rendered by attorneys for the Union, and investigators were sent in who reported the facts widely in the press and magazine articles. William O’Donnell, one of the strike leaders, was convicted for disorderly conduct for “abusive” language at a strike meeting. He conducted a spectacular hunger-strike in jail, and was finally released largely by the efforts of our Camden, N. J. attorney, Milton C. Nurick.

In the Hardin County, Ohio onion strike against wages of 15 cents an hour, Okey Odell, leader of the Agricultural Workers’ Union, an A. F. of L. affiliate, was kidnapped by vigilantes from deputies’ barracks where he was being held for questioning, beaten, and warned to leave. He returned to his home and, armed with a gun, challenged the vigilantes to attack him again. He was arrested and several months later convicted on a charge of “pointing a firearm”. The case is being appealed.

The Union offered a reward of $1,000 for information leading to the arrest of his kidnappers. The grand jury, however, refused to indict any of the 67 persons identified by Odell as his assailants. Appeals by the Union to the federal government to intervene under the Lindbergh Kidnapping Act were rejected. A conciliator of the Labor Department was sent in but failed to settle the strike. Attorneys from Toledo retained by the Union rendered constant service to the dozens of strikers arrested on various charges. The defense was later taken over by the Toledo Central Labor Council.
A strike of lettuce-pickers at Salinas, Cal. by the Filipino Labor Union, an independent local group, was smashed with all the vigilante violence used in other strikes against Communists. Bunkhouses of the strikers, holding men, women and children were fired on and later burned. That same night some forty strikers were arrested and charged with "inciting to riot". Where independent growers settled with the union, the workers were driven from the fields by vigilantes with clubs. The Northern California Branch of the Union investigated and offered a reward of $1,000 for the arrest of any of the lawless vigilantes. No indictments resulted. When the strike was crushed, the charges against the workers were dropped.

The left-wing farmers movement under the auspices of the Agricultural and Cannery Workers Industrial Union and the United Farmers League, has borne the brunt of the struggle during the year for the right of farm laborers to organize. The criminal syndicalism prosecution at Sacramento, brought in the summer of 1934 on the heels of the San Francisco strike, was inspired at bottom by a determination to destroy that union in California.

The Union is backing a resolution introduced by Rep. Thomas R. Amlie of Wisconsin for a congressional investigation of the living and working conditions of sharecroppers and agricultural workers. Such an investigation, it is urged, would bring before the public the shocking violations of the rights of the forgotten farm worker.

Sedition Prosecutions

A CROP of criminal syndicalism and sedition cases, unparalleled in recent years, marked the drive of reactionaries against demonstrations of the unemployed and organizations of workers in left-wing unions. Criminal anarchy, criminal syndicalism and sedition laws were invoked in Arkansas, California, Illinois, Iowa, Oregon, and California; and in Georgia an insurrection statute was used in the same way.

In Illinois, A. J. Muste, head of the American Workers Party, was arrested at Belleville in June 1934 for having in his possession literature which the authorities regarded as seditious. He was held under the Illinois sedition law. The prosecution was later dropped on representations by the St. Louis Civil Liberties Committee.
At Hillsboro, Ill. fourteen leaders of the unemployed, all but two of them local men, were arrested and indicted under the sedition law for participation in unemployed demonstrations. When the case came up for trial, the prosecution offered dismissal of the sedition charge on pleas of guilty to a minor offense with probation. The defendants accepted it.

In West Virginia, a young Socialist organizer, Stanley Glass, who helped lead a strike at Parkersburg, was held under the West Virginia "Redman's Act", the equivalent of a sedition law. The grand jury, however, refused to indict him.

In Arkansas, organization of sharecroppers in the eastern part of the state was marked by the prosecution of Ward Rodgers, a young Socialist and former theological student, who in a speech was charged with using language violating the criminal anarchy law. He was convicted and sentenced to six months. He appealed. His case has gone over until fall.

In the western part of the state, demonstrations of the unemployed at Fort Smith brought two prosecutions; one for "barratry" (inciting litigation) against Claude Williams, a Socialist preacher who had been ousted from his church for championship of workers and the unemployed; and the other for criminal anarchy against Horace Bryan of the staff of Commonwealth College. Both were convicted in the lower courts. Their appeals have gone over until fall. A special committee was organized by the Civil Liberties Union and the Tenant Farmers Defense Committee to furnish bonds.

Eight persons were indicted in Oregon for criminal syndicalism in the wave of anti-red hysteria which swept the coast after the longshoremen's strike. To date, five have been convicted and three are awaiting trial. The convictions are being appealed by the International Labor Defense. The eight men were indicted for speeches or, in one case, for selling Communist pamphlets and the "Moscow News".

In Kelso, Wash., two alleged Communists were arrested and indicted on a charge of criminal syndicalism. One was acquitted and the other is awaiting trial.
Four unemployed organizers in Iowa were arrested and charged with sedition. An A.C.L.U. attorney is defending them. The state apparently does not want to push the prosecution since the cases have not been brought to trial after more than six months.

The most noteworthy of all prosecutions under criminal syndicalism laws during the year was that at Sacramento, Cal. where hysterical attacks on radicals followed the San Francisco general strike in July 1934. Leaders of the Agricultural and Cannery Workers Union and of the local Workers' School were indicted, in effect for membership in the Communist Party, and were tried in one of the longest political trials on record, beginning in November and closing in April.

They were defended by the International Labor Defense, which retained Leo Gallagher of Los Angeles as attorney, and by the Non-Partisan Labor Defense, representing one of the defendants, which retained Albert Goldman of Chicago. The San Francisco Civil Liberties Committee endeavored to serve both defense groups impartially. A united front was attempted, but became impracticable. Of the seventeen persons tried, eight were convicted and sentenced to terms of one to fourteen years. Two of the defendants were recommended by the jury for probation, but they refused to apply for it and were sentenced to prison. The convictions will be appealed. All the defendants are serving their sentences. The trials were marked by attendance of the most notorious red-baiters on the Coast and the constant stimulation of anti-radical prejudice by the Hearst and reactionary press.

An unusual prosecution arose in the Virgin Islands, which the Union is aiding on appeal to the United States courts through Morris L. Ernst, who volunteered his services, taking a trip to the Islands for the purpose. Judge T. Weber Wilson, a southerner, prosecuted, tried and sentenced a Negro government employee, one Leonard W. McIntosh, charged with misappropriating government property. The judge went ahead with the case even after the District Attorney entered a nolle pros on the ground that no criminal act was involved. The case typifies the long-standing conflict between American officials and natives, particularly when the official happens to be a southerner.
Political Prisoners

THOSE convicted of political or other offenses where either political or economic views were involved or prejudice against race or opinion played a large part and who are now serving prison terms of a year or more are:

1. Tom Mooney and Warren K. Billings in California, serving the nineteenth year of life sentences.

2. Ray Becker, last of the Centralia men in the State of Washington, who refuses a parole and whom the governor refuses to pardon.

3. K. Y. Hendricks, the only one of the Gastonia, N. C. defendants apprehended, serving a five-year sentence.

4. The eight defendants in the Sacramento criminal syndicalism cases, whose convictions are on appeal.

5. The nine Scottsboro boys held in prison in Alabama for new trials.

6. The eight defendants in the Oklahoma City federal conspiracy case against unemployed demonstrators.

In addition, a number who may shortly be classified as political prisoners stand convicted with their cases on appeal in the courts.

These figures are exclusive of a large number of prisoners, commonly classified as "political" by the International Labor Defense and other agencies defending working-class prisoners on any charges growing out of their political or industrial activities. In this inclusive sense, 83 prisoners are listed as serving a year or more.

In New York City the cases arising in the courts involving the political or industrial views or activities of defendants, have become so numerous that a Political Prisoners' Bail Fund was established during the year to make easier the prompt bailing of such persons without paying the high premiums exacted by professional bondsmen. Bonding companies generally refuse to write bail in such cases. The Civil Liberties Union has endorsed the Bail Fund. Its chairman is Roger Baldwin.
ATTACKS upon demonstrations of the unemployed were numerous all over the country. So fearful have the authorities become of demonstrations at relief stations that in most of the larger cities police are constantly on duty at all stations to prevent what they are pleased to call "disorder". In most cities, despite admitted abuses in relief, channels for presenting grievances in orderly fashion are wholly lacking. Recognition of the rights of "clients" to organize and deal collectively and of relief-workers to form associations to protect their wages and conditions of work is rare. Due to this prevalent employer attitude of the relief authorities, protests and demonstrations are inevitable.

The most violent attack upon unemployed demonstrators took place at Albany, N. Y. on October 31, when truck-loads of the jobless from New York and the western part of the state attempted to enter the city. The police, lined up on the bridge at the city's entrance, stopped the trucks, ordered the demonstrators out and beat them brutally. They were turned back to spend the night in the cold by the roadside. Over a score were arrested. Lawyers representing them summoned the whole caravan as witnesses, and thus brought them into the city the next day under the protection of subpoenas. The unemployed convention to which they were delegates was held.

Governor Lehman, then out of the city, was urged at once by the Civil Liberties Union to denounce the Albany police for interfering with the right of petition to the Governor. He disavowed responsibility, but expressed his willingness to see the demonstrators in Albany or in New York. No action whatever could be obtained from the Mayor of Albany, nor any commitment as to future policy. An attorney for the Civil Liberties Union cooperated with the defense of the cases in court, all of which were dismissed on the extraordinary condition that the victims of assaults would not sue the police.

In Gallup, N. M. in April 1935, when attempts were made to evict unemployed miners from their homes, arrested when they refused to get out, the miners surrounded a courtroom where one
case was scheduled for trial. They were refused admission. The sheriff, endeavoring to take the prisoner out a rear way to jail, was rushed by the crowd, curious to learn what was happening. Tear gas was thrown to disperse them. The gas blew back upon the sheriffs. They then pulled out their guns and shot. The sheriff and two of the miners were instantly killed.

At once a reign of police terror began. Over 600 arrests were made. Attorney A. L. Wirin of the Southern California Branch of the Union hastened to New Mexico, and took charge of the cases. He succeeded in effecting the release of most of those held. The number was finally reduced to forty-eight and then to ten, now held for trial on charges of murder, merely for their presence in the crowd.

Unique among prosecutions for unemployment demonstrations was a case brought by the federal authorities at Oklahoma City under the federal conspiracy law. Fifteen hundred jobless demonstrators had gone to the relief offices to protest inadequate relief. Getting no satisfaction, they went to the commissary in an attempt, it was charged, to raid it. They were dispersed, and no damage was done. For this affair, fourteen persons were tried on the charge of conspiracy to seize federal property, the first such use of the conspiracy statute in history. Eight were convicted and sentenced to terms of 12 to 18 months in the penitentiary. They are serving sentences, though an appeal will be taken.

While the defendants were on trial, friends engaged in their defense sent postal cards and petitions to the judge and district attorney demanding their release, as is customary in cases handled by the International Labor Defense. For this, fourteen among them were indicted under the same conspiracy statute for "obstructing justice". The cases are yet to be tried. Efforts to get Attorney General Cummings to dismiss this unprecedented indictment have been unsuccessful, due to the determination of the local district attorney and judge to prosecute.

A demonstration of the unemployed in Plant City, Fla. in August protesting alleged discrimination by the local F.E.R.A. administration was broken up by members of the American Legion
and police. Several of the unemployed were convicted for disorderly conduct. E. L. Bryan, Tampa attorney acting for the Union, appealed one of the cases as a test, but could not secure a reversal.

Threats were made by officials in some states that the unemployed would be denied the right to vote under old pauper laws applied in years past to inmates of almshouses. President Roosevelt denounced the proposal. So far as the Union is informed, no attempt was made actually to disfranchise the unemployed except in Maine, and there the attempt was successfully contested by representatives of the Union.

A pamphlet "What Rights for the Unemployed?" was published by the Union, detailing the attacks upon them, and widely distributed to relief officials.

**Freedom of Assemblage**

INTERFERENCE by the police or city authorities with meetings on public streets or in parks has been less frequent outside the demonstrations of the unemployed. Even so it is frequent enough. The days of national demonstrations by radicals were marked by fewer clashes with the police or by prohibitions of parades or outdoor meetings. May 1, 1935 was freer of casualties than any May Day in years, and the demonstrations were larger. Only in a few cities in the south, and in Worcester, Mass. were parades prohibited. Memorial Day, now utilized as a "national youth day" against war and fascism, was marked by more trouble because of the opposition of authorities to this unfamiliar celebration of a day commonly reserved for war veterans. In six cities parade permits were refused—Chicago, Detroit, Hartford, Conn., Paterson and Newark, N. J. and Worcester, Mass. The Union endeavored unsuccessfully to move the authorities. In other cities threatened refusals were overcome.

Most of the cases of interference have involved anti-war or anti-Fascist demonstrations. The Communist and Socialist Parties have reported fewer difficulties than in recent years with public political meetings.
Outstanding among the cases aided by the Union was the defense of demonstrators arrested at a demonstration against the German cruiser "Karlsruhe" at Charlestown, Mass., conducted by anti-Fascist groups and participated in by students from Harvard and Massachusetts Institute of Technology. The police attacked the demonstration with great brutality. Eleven persons arrested were convicted of disorderly conduct, despite the fact that all the disorder was on the side of the police. The convictions were sustained on appeal. Small fines were imposed but the defendants chose jail to paying the fines. A searching report on the police brutality was made by the Harvard Liberal Club and published in pamphlet form.

A demonstration in Harvard Square and in Harvard Yard by anti-Fascists against the presence of Ernest Hanfstaengel, Nazi official and Harvard alumnus, at the time of the Harvard Commencement in June, resulted in arrests. President Conant of Harvard declined to prosecute those arrested in the Yard, though they had chained themselves to a grandstand and interrupted exercises. Seven arrested for attempting to speak in the square were convicted of disorderly conduct and were serving sentences of six months when urgent pleas by the Civil Liberties Union and other organizations brought pardons from Gov. Ely.

In Bridgeport, Conn., a demonstration conducted by the American League Against War and Fascism to protest the presence of a German consul at a concert, was broken up by the police with considerable brutality. Three of those arrested were convicted of disorderly conduct. The Civil Liberties Union, which was appealed to, investigated the affair and concluded that the police were within their rights in stopping a demonstration so close as to interfere with the concert, though scoring their brutality. The case revealed arbitrary administration of a city ordinance requiring permits. Efforts are being made to repeal it.

In Cleveland, Ohio, the mayor, Chamber of Commerce and "patriotic" organizations, annoyed by Communist-led demonstrations, sought to move the historic free-speech forum on the Public Square, memorial to Tom Johnson, down to the lake front. The mayor's orders against public meetings in the Square were defied. At
one of them two newspaper reporters were arrested, obviously by error. The resulting publicity and the opposition of many groups defeated the proposal.

In Union City, N. J. where German-American Nazis are active, an injunction was issued prohibiting all public meetings, both of pro-Nazis and Communists, on the ground that they would lead to disorder. The injunction applied to both public and private meeting places. Arthur Garfield Hays, representing the Union, joined the attorney for the Friends of New Germany and successfully contested the injunction. A similar ban was put into effect in Elizabeth, N. J. and successfully fought.

In the steel towns around Pittsburgh steel workers have long been prohibited from holding meetings to organize unions. These towns have been virtually closed, as are many other company-controlled towns in the United States, against bona-fide labor organizations. In Aliquippa in the summer of 1934, the ban was broken by the Amalgamated Association of Iron, Steel and Tin Workers, who brought in Mrs. Gifford Pinchot as speaker. Mrs. Pinchot's appearance quite upset the local dictators. Huge mass meetings were held. They resulted in a drive by the Amalgamated Association which opened up most of these closed towns. The Civil Liberties Union cooperated by sending in an attorney and with publicity.

Challenging a police ban in Wilmington, Del. on outdoor meetings of the Socialist Party, the Civil Liberties Union offered legal services for a court test of the prohibition. A test case is planned.

The use of school buildings for public meetings continued to arouse issues of discrimination against left-wing organizations. In New York City, the Board of Education adopted a rule denying the schools to them, and ordering agents of the Board to stop any meetings where prohibited doctrines are advocated. Only one incident has since occurred involving a talk on birth control before a parents' association.

In San Diego, Cal. the Board of Education denied the use of a school building to a meeting sponsored by the Civil Liberties Union.
A mandamus was consequently sought by the Southern California Branch to compel the granting of a permit. The trial of the suit occupied a month involving many witnesses for the Union, and all its publications. The judge decided in favor of the school board's unrestricted discretion to grant or refuse permits, although California law appears to be plain to the contrary. An appeal is being taken.

**Police Repression**

Most of the repressive activity charged to the police is covered under other heads—the unemployed, strikes and freedom of assemblage. Outside these chief aspects of police interference with the rights of agitation, issues constantly arise affecting distribution of radical literature, and brutality to prisoners.

In Passaic, N. J. an attempt of police to prohibit the distribution on the streets of handbills and leaflets was challenged by appeals from convictions in the courts. The regulation was finally knocked out. The same issue has arisen in Los Angeles where the constitutional question is also being tested out by our branch.

A jail sentence of six months against Otto Popovich, Communist, for distribution of anti-Nazi leaflets in Queens, N. Y. is being taken to the Appelate Division of the Supreme Court. Convicted originally before a magistrate of German extraction, Popovich was given ten days for distributing leaflets without a permit and six months for disorderly conduct.

In Birmingham, Ala. and in outlying industrial towns, an extraordinary ordinance has become in the last two years the chief means of police control of radical activity. The ordinance prohibits the possession of more than one copy of a radical publication even though it may go legally through the mails. Under this unique ordinance, drafted by the Director of Public Safety, numerous arrests have been made and convictions obtained. Efforts are being made to test its constitutionality in the higher courts.

In Jersey City, N. J. the "disorderly persons" statute has been applied by the police as a method of harassing citizens. The common practice is to pick up any likely looking suspects and hold
them incomunicado for several days. One man, a resident of Jersey City, was so outraged by repeated arrests that he finally appeared on the streets carrying a big sandwich sign with his name and address. He was let alone.

Cases of police brutality to prisoners have been frequently reported to the Union but are always difficult to prove. Efforts were made to combat third-degree practices in whatever type of case they arose, where the evidence was clear. No case got so far as recovery of damages or prosecution of a police officer. Complaints to police heads failed to result in disciplinary action even when the facts were proved. But publicity and protest doubtless have some restraining effect on extreme methods.

Aliens

Despite the presumed liberalism of the administration of the Department of Labor affecting aliens, the laws themselves are so rigid that the Department has little discretion in refusing admission of aliens proscribed by law, or in deporting those found to hold views denounced by the statute. Although criticism of the Department is sharp for severity in its decisions, attacks from the reactionaries for failure to effect more deportations are even more bitter. The Department is caught between two fires.

This was clearly demonstrated when deportation proceedings were instituted against John Strachey, British author and lecturer, well known as an exponent of Communism. Pushed into action by the professional patriotic organizations, the Department moved to deport him just two weeks before he was scheduled anyhow to leave the United States. The case attracted international attention. It was the first deportation proceeding started in thirty years against an alien visitor. The case raised the new legal issue as to whether an alien who calls himself a Communist necessarily subscribes to the views rendering an alien deportable. The proceedings were based entirely upon Mr. Strachey’s writings in books or magazine articles.

The widespread criticism of the action doubtless was responsible for inducing the Department to drop the proceeding at Mr.
Strachey's request just before he was scheduled to sail. The American Civil Liberties Union had taken charge of his defense. Arthur Garfield Hays of New York and Edgar Bernhard of Chicago volunteered their services to represent Mr. Strachey in the hearings held in Chicago in March. Two unusual features were the fact that newspaper reporters were admitted and a stenographic transcript was furnished to counsel. An abstract of the hearings has been published by the Union in pamphlet form.

Although the Department of Labor generally grants voluntary departure to aliens who if deported to their own countries would face prison or death, one such case got by the Department. The alien, a native of Jugoslavia, was saved from further persecution only by friends who took him off the boat in France.

Attempts to use deportation as a weapon against strikers are common. In the San Francisco general strike in July 1934, vigilantes who arrested hundreds of workers sought to bring charges against aliens among them. Similarly in the textile strike, efforts were made to single out aliens and to put pressure on the Department of Labor to deport them. Commissioner General of Immigration Daniel W. MacCormack reports the results of these attempts as follows:

"We find that most of those arrested as radicals are native born or naturalized citizens. I might mention the results of our investigations following arrests by police authorities in the course of recent labor troubles in San Francisco, Oxnard, California, Rhode Island, and Worcester, Massachusetts.

"In these four communities, a total of 448 persons were arrested. Three hundred and thirty were found to be, indisputably, citizens of the United States, and 118 to be aliens. Of these 118, 14 were found to be deportable, and of the 14 only one subject to deportation as a Communist or as a person who advocates or believes in the overthrow of the Government of the United States by force or violence.

"These data are of course inadequate for any firm conclusions but they at least serve to raise a question as to whether we must not
look to our native rather than to our foreign born in connection with this matter of radical agitation."

A case similar to those of the strikes of 1934 arose in Hackensack, N. J. in the spring of 1935 when immigration agents actually took aliens pointed out by employers off a picket line in employers' trucks and locked them up for questioning. The local head of the Immigration Service disavowed any connection with the act, and promised to discipline the agents. The incident shows how easily the Immigration Service is used by employers for their own private ends.

Where complaints of illegal activity have been made by the Union to the Commissioner General of Immigration at Washington, they have always been acted upon promptly, and where substantiated by investigation, action taken. One such instance by immigration agents was the harassment of the subscribers to "Man", an anarchist periodical published in San Francisco. Apparently the theory was that any subscriber was likely to be an alien holding anarchist beliefs.

The Union took into the courts of the District of Columbia one case of an alien, a Canadian, Henry Dodd Linklater, who had been refused a certificate of registry by the Department, although such a certificate seemed to our attorneys mandatory. The courts of the District sustained the Department of Labor in holding that its power was discretionary.

No exclusions of aliens on the ground of radical beliefs took place during the year, so far as our records show. Emma Goldman was denied permission to re-enter the country after her first trip. Kanju Kato, head of the Council of Japanese Trade Unions, was denied a visa by the State Department when he proposed to come to the United States under auspices which were suspected of having Communist connections, but was admitted when the Methodist Federation for Social Service sponsored him. German refugees are admitted to the United States in small numbers, usually on temporary permits, provided they do not belong to the classes proscribed by law. Even Willi Munzenberg, former Communist member of the Reichstag, was permitted to come to the United States for a brief visit on private business.
Vigilantes wreck workers' headquarters in breaking the San Francisco general strike, July, 1934.
Lynching and Mob Violence

Lynchings in 1934 dropped from 25 of the previous year to 14. In 1935 up to June 1st, five lynchings are reported. In all of the cases Negroes were the victims. Most shocking among them was the lynching of a young Negro, Claude Neal, at Marianna, Fla. in October. Neal had been accused of murdering a white woman, and had been taken across the state line by the authorities into Georgia where he was seized by a mob and brought back to be lynched. Attempts by the Union and others to get Attorney General Cummings to take jurisdiction under the Lindbergh kidnapping law were unsuccessful. The Attorney General’s office held that although the kidnapping law was amended to include kidnapping “for ransom or otherwise” it did not include such cases.

A few weeks after the Claude Neal lynching, another young Negro was dragged from jail at Franklinton, Louisiana, and killed. His conviction for murder had just been reversed by the state Supreme Court and the mob feared that at a new trial he would be acquitted.

A near lynching was prevented by the courageous action of Governor Hill McAlister of Tennessee in January when a mob sought to take from the courthouse at Shelbyville a Negro who was on trial. State troops sent in by the Governor managed to get him away, though two of the mob were killed in doing so. The mob later burned down the courthouse. The Union congratulated the Governor on his vigorous action to prevent lynching.

The bill to put the federal government behind the prosecution of lynchers when state officials fail to act was pushed in the Senate where it was again introduced by Senators Costigan and Wagner. The Civil Liberties Union cooperated in the campaign directed by the National Association for the Advancement of Colored People. Widespread support was aroused but the bill was beaten in the Senate by a filibuster of southern senators.

Mob violence during the year took the form chiefly of raids by bands of vigilantes on meetings of radical workers and kidnap-
ping and assaults upon leaders. The worst of the outbreaks of mob violence marked the conclusion of the San Francisco general strike in the summer of 1934, when the newspapers by concerted action painted it as a Communist conspiracy to overthrow the government. Under the impact of the hysteria aroused, bands of vigilantes smashed workers' halls, rounded up those found there and turned them over to the police. The Civil Liberties Union countered with suits for damages against city and county. Two of them have been won.

In the Imperial Valley, Cal., the record of vigilante attacks continued, although the organization work among the farm laborers was under auspices of an A. F. of L. not a radical union. Two of the A. F. of L. leaders were killed. No outside investigator or organizer is safe in the valley. James Rorty, representing the New York Post, was forcibly taken from the Valley by the sheriff and armed deputies over the state line into Arizona.

In Florida, an organizer for the Citrus Workers Union, Frank Norman, a resident of Lakeland, was seized by armed men, thrown into an automobile and has never since been heard from. It is assumed he was murdered, as such threats had been made. Efforts by the Union and others to arouse the authorities to investigate were unavailing.

In the industrial center of Racine, Wis., the "best" people conducted guerrilla warfare for some months against radical organizers of the unemployed. Workers' headquarters were pillaged by vigilantes, outdoor meetings were broken up, and at midday on one of the city's main streets, Sam Herman, Communist leader, was kidnapped and beaten. He escaped by leaping from the moving car. When he charged that the police were implicated, he was arrested for criminal libel and later convicted. His case is on appeal.

Clever detective work by the American League Against War and Fascism in Milwaukee resulted in conclusive evidence that Nick Bins, a Racine tough, had done the kidnapping at the instigation of the local Chamber of Commerce. Wide publicity forced Bins' arrest but he was acquitted in a trial in which employers publicly defended him. The exposure with protests by the Union, by local
labor unions, the Socialist Party and others put a stop to the terror-
ization of left-wingers.

In the Arkansas sharecroppers struggle to organize, planters re-
sorted to vigilante action to break up meetings and to intimidate
or assault speakers and attorneys for the Union. Lucien Koch and
Bob Reed of Commonwealth College speaking for the Union at a
church meeting of Negroes and whites, were taken from the plat-
form by vigilantes, "pistol whipped", carried off in an automobile
and threatened with lynching. Attorney C. T. Carpenter of Marked
Tree, who has rendered valiant service to the Union, faced an armed
mob at his home one midnight, who demanded he come with them.
When the crowd saw the attorney was armed, they left. Leaders
among the Negroes and white sharecroppers have been assaulted,
their homes shot into. They have had to flee for their lives.

The most startling assault by vigilantes on radical leaders was
the seizure in May of Robert Minor, well-known Communist, and
David Levinson, attorney, on the streets of Gallup, N. M. in front
of the leading hotel. They had gone to Gallup to arrange for the
defense of miners prosecuted for a riot in which the sheriff and
two miners had been killed. They were taken in automobiles by
a hooded band far into the desert, beaten and left. While they
were still in a hospital recovering from injuries, the authorities
pronounced the kidnapping a hoax to get publicity for the defense.

The Civil Liberties Union and other agencies immediately en-
deavored to get the Attorney General of the United States to inter-
vene on the ground that they had been taken into federal territory
on an Indian reservation. The Attorney General refused to act,
holding that federal jurisdiction was not clear. The newly organ-
ized New Mexico Civil Liberties Committee then urged the gov-
ernor to act. He ordered the Attorney General to call a special
grand jury to go into the kidnapping, which has not yet met. The
Civil Liberties Union, with other organizations, is opposing the
grand jury set-up. No assurance is given that it will be confined
to investigating the kidnapping and it might thus prejudice the
defense of the riot cases. Jurors can be drawn only from the
county in which the kidnapping occurred, where political control
appears to be on the side of the kidnappers.
The Ku Klux Klan now and then appeared in various guises,—some the old Klan, others, as in Birmingham, Ala., the "White Legion", or in Atlanta, the "Men of Justice". In Birmingham and Atlanta lawless action has been directed against local or outside organizers who attempt to bring blacks and whites together. In Birmingham, Communist organizers when detected have on several occasions been "taken for a ride". In Atlanta mob action was threatened if the League for Industrial Democracy attempted to hold its lecture series without segregating blacks and whites. The series was abandoned.

At Van Etten, N. Y. in the summer of 1934, a children's camp conducted by Finnish workers was raided by the Ku Klux Klan who destroyed the main hall and beat many young boy and girl students. After publicity and demands to the Governor for protection, the camp was not disturbed again.

Censorship

While control of books, movies, plays and periodicals still continues in bureaucratic hands in many parts of the country, the issues arising during the year were comparatively few. The change in the law affecting the exclusion of seditious or obscene matter from abroad to put control in the hands of judges and juries, has freed for admission to the United States practically every book bearing the imprint of an established publisher. Following the admission of James Joyce's "Ulysses" by Judge Woolsey in the federal court at New York, the Customs Bureau released the last of the books held, "The Story Teller's Holiday" by George Moore. Notable was the appointment as literary adviser to the Customs Bureau of Huntington Cairns, a liberal Baltimore attorney.

When a representative of the American Birth Control League sought to bring into the country "Rhythm", endorsed by the Catholic Church, contraceptive booklets endorsed by the League, and contraceptive materials, the Customs Bureau admitted only the first. Proceedings have been instituted against the contraceptive materials, but counsel for the League have been notified that the U. S. District Attorney will not proceed against the pamphlets. It is fair to assume that they will be released shortly.
The Bureau, acting apparently under pressure from the Catholic Church, banned the Czechoslovakian film "Ecstasy". Offers of the Council to fight the matter in the courts were refused by the importer.

In the courts in the New York District, books seized as obscene on complaints by the Vice Society have been cleared when they bore the imprint of a responsible publisher. Flaubert's "November", hailed before a magistrate's court in New York as obscene, was cleared.

The Post Office Department has not excluded a single book, pamphlet or periodical under the very stringent law which permits the Solicitor alone to exclude anything he holds seditious or obscene. Postmaster General Farley, however, prepared and had introduced in Congress a bill far more menacing than any censorship yet exercised by the Post Office Department. Under its terms prosecutions would be brought against recipients of prohibited matter, and not confined as now to the senders. Thus convictions could be far more easily obtained in parts of the country where juries are more easily swayed by prejudice than in the urban centers where publications are usually mailed. The bill has been held up by strong protests from many quarters. The Workers Age, organ of the Communist Opposition group, which had previously been excluded and which the Civil Liberties Union had taken into the courts, was finally admitted to second-class mailing privileges.

The drive for clean movies, sponsored by church organizations, which looked for a time as if it were headed toward strengthening censorship by public agencies, was confined entirely to methods of boycott. While the movement for federal or state control of movies has been checked, it has been impossible to get support for the repeal of the movie censorship laws in effect in six states, and in Massachusetts on Sundays. The New York State Board which had furnished the Civil Liberties Union copies of its deletions, refused to do so after the Union published its cuts with critical comment.
Newsreels, not subject to state censorships, have been “cleaned” by police industrial squads in Chicago and Detroit of all matter that would allegedly stir “industrial unrest”. Several cities, notably Atlanta and Birmingham, exercise their own censorship or “supervision” over all pictures shown. The attitude of distributors and producers who fear reprisals has made it impossible for the National Council on Freedom from Censorship, unit of the A.C.L.U. to secure a court test of the constitutionality of state or local censorships. All offers of assistance in fighting against cuts or suppression have been refused by the industry. As a result of this apathy, no legal guarantees against censorship, such as have been built up in book cases, have been established for motion pictures.

A special committee of the Union on radio censorship, headed by Bethuel M. Webster, Jr., former counsel for the Radio Commission, has plugged away during the year on proposals to liberalize the whole radio set-up. Members of the committee appeared before the Federal Communications Commission at Washington, advancing a plan under which controversial questions would have the same rights on the air as political candidates; time would be set aside for educational and controversial programs; stations would be freed of responsibility under the libel and slander laws for programs on public affairs, and an investigation would be made by a special commission of the whole problem of the reassignment and use of wave lengths. Nothing has yet come of the proposals except their effect in terms of agitation. Bills have been prepared embodying these recommendations and introduced in Congress. The Committee assisted in the preparation of a pamphlet “Freedom on the Air” by James Rorty. Miss Minna Kassner, New York attorney, volunteered her services to collect all the instances of censorship by radio station managers. It will be published in pamphlet form.

The Union’s suggestion made to Mayor LaGuardia that the New York City municipal radio station, WNYC, set aside hours for uncensored discussion of public issues was rejected. The proposal was made after several cases of censorship by the municipal station of “controversial” material had been called to the Union’s attention.
Complaints have been made to the Federal Communications Commission at Washington when unwarranted instances of censorship by station managers have been called to the Union's attention. One such case, amusingly enough, was that of Hamilton Fish, Jr., member of Congress, prevented by station WHN, New York, from delivering an address because he had not sent his manuscript in time. The real reason apparently was fear of criticism if Mr. Fish attacked the Administration. The Union offered its services to Mr. Fish at once. He accepted them, although he was blind to the point stressed by the Union in offering to help an advocate of repressing others.

Boston came across in traditional style when the mayor refused to permit the play "Within the Gates" to be shown. For good measure he forbade reading of the play in any licensed hall and the sale of the book by bookstores. Attempts by the Massachusetts Civil Liberties Committee and others to combat the ban were unsuccessful.

"Waiting for Lefty", a popular strike play, ran into trouble in a number of cities. Boston barred it for profanity until the profane lines were cut out. Philadelphia and New Haven took a crack at it, but later permitted it to be shown. Newark police blocked a performance, with a spectacular riot squad raid on a hall when the curtain was about to go up. Nine persons were arrested. After newspaper criticism and a mass meeting of protest the police reversed themselves completely and the play was permitted to go on in the Y. M. H. A. The Civil Liberties Union attorneys handled the defense of those arrested.

New York's theatres were threatened by Commissioner of Licenses Paul Moss who, having been successful in banning from newsstand sales some sixty cheap borderline publications, turned his attention to cleaning up the stage. He drew up a code of morals governing speech and dress, and sent it to each theatre with a threat to revoke its license unless the code was obeyed. A delegation organized by the National Council representing theatre owners, actors, and dramatists, pointed out that he has no authority to promulgate such a code but were unable to convince him to with-
draw it. However, when the rules were generally ignored, the Commissioner did not test his power in the courts, though he did badger a few of the burlesque shows.

Nudists had a difficult year of it. A law, protested vigorously by the National Council on Freedom from Censorship as a violation of privacy, made a misdemeanor of the practice of nudism in New York State. The constitutionality of the law will be tested. A similar bill failed to pass in Michigan. In the courts, The Nudist, organ of the International Nudist Conference, was found obscene in a Bronx magistrate's court. The case is being carried to the Court of Appeals where it will be argued in the fall.

**Freedom in Schools and Colleges.**

BEGINNING early in the year the Hearst press and the patriotic societies kicked up a great furore about radicalism in the schools. The attack was directed against teachers, particularly college professors suspected of sympathy with Soviet Russia or Communism (not Fascism!) and to the passage in the legislatures of the D.A.R. compulsory teachers' loyalty oath bill.

The casualties as a result of this drive on the colleges have been surprisingly few and the resistance remarkable. More damaging has been the undefined intimidation of many liberal-minded teachers who have not dared raise their voices in behalf of minority causes, and many not for themselves. College presidents have spoken up courageously at legislative hearings and in the press, to insist upon freedom of teaching and to oppose oaths of loyalty.

The reactionary attack resulted in legislative investigations of university "radicalism" at the University of Chicago and at the University of Wisconsin. Neither of them produced any evidence to support the charges.

The new drive for teachers' oaths of loyalty bills won its first victory in the special session of the New York legislature in the summer of 1934. Although Governor Lehman had vetoed a bill passed in the regular session, chiefly on the ground that it might
apply to private schools, he signed the other with a provision which applied to them explicitly. Opposition could not be effectively mobilized during school vacations. Efforts were at once made by the Civil Liberties Union to organize a campaign for repeal. A special committee was formed composed of educators and representatives of parent, teacher and civic organizations. A repeal bill was introduced and a hearing held but the bill was not even reported out.

Meanwhile in other legislatures loyalty oath bills were being pushed by both the Legion and the D.A.R. Up to June 1st, the 1935 legislative sessions had added six bills to the fourteen already in effect,—Arizona, Georgia, Michigan, New Jersey, Texas and Vermont. In New York, New Jersey and Michigan, they apply to private schools receiving tax exemption as well as to public schools, and in New Jersey to aliens as well as citizens. Loyalty oath bills were vetoed by the Governors of Delaware and Maryland.

Teachers dismissed for their views whose cases were handled in part by the Academic Freedom Committee of the Union, included Prof. James M. Shields, principal of a high school at Winston Salem, N. C., dismissed as a result of his book "Just Plain Larnin"; Victor Jewett, a teacher of social sciences in the Junior High School at Eureka, Cal., charged with teaching "Communistic doctrines"; Granville Hicks at Rensselaer Polytechnic Institute, Troy, N. Y., well-known Marxist critic, dropped for reasons of "retrenchment"; and Dr. Leinhard Bergel, dropped from the New Jersey State College for Women for "incompetency".

Two representatives of the Union, Dr. Harry Elmer Barnes of Auburn and Warren Winkelstein of Syracuse, investigated the dismissal of Prof. Hicks, even though the college administration declined to confer with them. Sufficient evidence was obtained to make it clear that retrenchment hit him because of his well-known radical views. A representative of the Union has been attending all of the lengthy hearings in the case of Dr. Bergel involving the issue of his anti-Nazi views as opposed to the pro-Nazi views of the head of the German department.
One unusual case of a teacher was successfully defended by the Union. James J. Stewart, a young high school teacher in Indiana County, Pa., was denied his permanent teaching certificate because the county superintendent charged him with unpatriotic utterances in class. The local school board upheld the teacher against the superintendent. Mr. Stewart appealed to the State Commissioner of Education who delayed action for many months. He caused the certificate to be granted just as attorney Lewis G. Adler of Harrisburg, acting for the Pennsylvania Civil Liberties Committee, was about to go into court for a mandamus.

The Pennsylvania legislature undertook an investigation of charges of improper dismissal of teachers at the University of Pittsburgh by Chancellor Bowman. The inquiry was prompted by the dismissal in June, 1934 of Dr. Ralph E. Turner, associate professor of history, because of his activities for labor legislation. The chancellor had been soundly drubbed by the American Association of University Professors, which probed the facts. Former professors let out came from all over the country to testify. The Union enabled one of them to return. The legislative committee had not reported up to early June.

Other teachers aided by the Committee were Eugene Howard at Muskegon, Michigan, who was demoted for "teaching his own ideas in class"; Dr. Winslow N. Hallett, discharged from Cedar Crest College, Allentown, Pa., for his pro-labor sympathies and activities; Vernon L. Booker, an instructor in a F.E.R.A. evening class at Bangor, Maine, accused of teaching Communism and later engaged at Brewer on condition that he should not teach such subjects; and two teachers at Valhalla, N. Y. dismissed without charge for an attempt to petition the Board of Education for restoration of the salary cut two years ago.

Students opposed to war and fascism ran into difficulties in many colleges, particularly with demonstrations conducted by the National Student League and the Student League for Industrial Democracy.

At the University of Wisconsin in May 1935 "patriotic" athletes broke up a student peace meeting under the auspices of the
student L.I.D. and threw four persons, including the L.I.D. field organizer, into the lake. A protest mass meeting was largely attended, addressed among others by President Glenn Frank.

At Michigan State Agricultural College at Lansing, a student anti-war meeting on April 12th, held off the campus, addressed by the Rev. H. P. Marley of Ann Arbor, chairman of the Ann Arbor Civil Liberties Committee, was broken up by student rowdies from the R.O.T.C., encouraged by the dean. They took Mr. Marley and four students and dumped them into a river. Attempts to bring damage suits were unsuccessful.

Twenty-one New York City College students were suspended for disorderly conduct at a meeting to welcome Italian Fascist students in the fall of 1934. At Connecticut State College, a unique rule of the trustees forbidding even the discussion of compulsory military training on the campus was challenged by students at an off-campus meeting. College rowdies attacked student leaders of the anti-war movement and ducked them in the lake or assaulted them. Efforts by our Academic Freedom Committee to get the trustees to rescind the rule were fruitless. Five students at the University of Southern California at Los Angeles were suspended for alleged radical activities but later reinstated on intervention by our Los Angeles Branch. Six students were expelled late in May 1935 from the Medical Center College of Columbia University for anti-war activities. Protests to Columbia University authorities were unavailing. Court action is contemplated.

The national student anti-war strike on April 12th in colleges and high schools was marked by numerous cases all over the country of suspensions of students, prohibitions of meetings, assaults by R.O.T.C. students on the demonstrators, and, in a few cases, of arrests for handbill distribution.

The issue of compulsory military training in colleges was taken at last to the Supreme Court of the United States in a case involving two students at the University of California at Los Angeles, both Methodists and both conscientiously opposed to war and military training. The Supreme Court in a sweeping decision denied their
right to exemption, and thus ended the effort in the colleges to get legal recognition for those who refuse military training. John Beardsley, until recently chairman of the Union's Southern California Branch, argued the case in the U. S. Supreme Court.

At Louisiana State University, the private property of Huey Long, student editors of "Reveille", the college paper, were expelled for articles critical of the senator. They declined the services of the Union to take the issue into the courts.

The two resident labor colleges in the south, Commonwealth College at Mena, Ark. and the Highlander Folk School at Monteagle, Tenn., were subjected to attacks by self-styled patriots. Commonwealth College was the object of a legislative investigation, prompted by the participation of some of its staff in the sharecroppers' struggle. The committee lamely reported that the college "needed watching", but recommended no action. The American Legion in Chattanooga publicly attacked the Highlander Folk as "subversive" and threatened investigation and "action".

The Professional Patriots

NOT in years have the self-styled patriotic organizations been so active or united as on the campaigns to outlaw by federal and state legislation all advocacies of what they conceive to be the "overthrow of government by force and violence." The country has been flooded with propaganda put out by the American Legion, the Chamber of Commerce of the United States, the Order of Elks, the D.A.R. and the agencies specializing in red-baiting. The Hearst and McFadden publications have been their chief press agents.

The Civil Liberties Union is still one of the favorite targets of their propaganda, on the theory that defense of Communists' rights to agitate implies agreement with Communist purposes. The American Legion distributes widely the 1931 report of the Congressional Committee headed by Hamilton Fish, Jr. to "Investigate Communist Activities in the United States" and the report on "Communist Propaganda in America" made by President Green of the A. F. of L. to the Secretary of State in 1934. In both of these the Union is portrayed as a tool of Communists. The "Red Net-
work", a "Who's Who of Radicalism", by a Mrs. Elizabeth Dilling, despite its absurdity in including as reds such persons as Mrs. Eleanor Roosevelt, Mayor LaGuardia, Mahatma Gandhi and Ramsay MacDonald, is taken seriously by the hundreds of sheriffs and chiefs of police to whom it evidently has been sent. All the present and former officers and committeemen of the Civil Liberties Union are of course included.

The Union's report for last year, "Liberty Under the New Deal" was paid the compliment of being reprinted in facsimile, with appropriate italics, to demonstrate to the satisfaction of the patriotic mind our seditious character. The source of publication was anonymous.

A favorite form of attack on the New Deal brain-trusters is to identify them with the Civil Liberties Union and thus with Moscow. America First, Inc., an organization heard from briefly last fall, engaged in this attack. Hamilton Fish, Jr. varied it by attacking as "socialists" those members of the Administration who belong to the Union. The Commissioner of Indian Affairs, John Collier, was badgered by a congressional committee for his forthright defense of the Union, to which opponents had "charged" he belonged.

These attacks have been countered chiefly by publicity. The Hearst propaganda has been fought by a boycott and by demonstrations in colleges and the leading cities. The Union sponsored with the League Against War and Fascism a huge mass meeting against the "patriotic" drive, held in Madison Square Garden in April. A pamphlet analyzing and answering the common sources of attacks on the Union is being widely distributed.

More serious in its tendency than the fervent propaganda of these Fascist-minded agencies is the resort to drilling with arms. In Cleveland, Cincinnati, Hollywood and other cities, local posts of the Legion or local officials have announced their armed preparations against subversive movements by drilling private contingents. The United States government cooperated in this ominous business by turning over to the Legion, through an act of Congress in 1934, 75,000 army rifles of an "obsolete type".
The anti-radical obsessions of the patriotic mind flared up in a unique case in the Blissville Post 727 of the American Legion in New York City, when one Legionnaire charged a fellow-member, Paul H. Crosbie, with "conduct unbecoming a Legion member" by joining the Communist Party. Crosbie was exonerated by a post committee who found nothing incompatible with good Legion conduct in his political beliefs. Thereupon the state committee of the Legion ordered all posts to expel known Communists. The local post refused to obey what it regarded as an unlawful order. Crosbie's accuser thereupon resigned. The Union aided Crosbie by furnishing him as attorney a fellow-Legionnaire. Contrary to popular impression, a considerable number of Legionnaires are members of the Union.

One libel suit for damages against a local patrioteering outfit was ended during the year with a judgment against the Industrial Defense Association of Boston in favor of Amkino, a Russian-American film distributing agency.
AMONG the scores of issues and cases put up to the Union, the Board of Directors selected as a program of main activity the following points. Continuous work was carried on to realize this program. It still goes on. The results achieved during the year on these issues are indicated in the body of the report.

1. Continuous defense of labor's rights to organize, strike and picket and to bargain collectively without interference; opposition to legal recognition of company-controlled unions, to compulsory arbitration, and to martial law in strikes. Prosecution of vigilantes and other lawless elements attacking strikers' rights.

2. Defense of the right of the unemployed to organize, demonstrate and petition without interference or penalties; opposition to withdrawal of their right to vote; maintaining the right of relief workers to organize and protest without penalty.

3. Changes in the immigration and deportation laws to end all restrictions merely because of political opinions; to admit and protect genuine political refugees; and in citizenship proceedings to remove tests of aliens' views not imposed on citizens.

4. Greater freedom of the air by radio by setting aside time for public discussion free of station managers' control; by requiring equal facilities for all sides of controversial topics.

5. Change in the bureaucratic Post Office censorship through a bill in Congress requiring trial by jury for excluded matter, as now required in the Customs service concerning material imported from abroad.

6. Opposition to any federal censorship of motion pictures; abolition of the censorship boards in six states, leaving sole control of movies to public opinion and, in extreme cases, criminal prosecution.

7. Campaign for state labor injunction laws modeled on the federal act and those adopted by ten states.
8. Aid in campaigns for the release of political prisoners, and against all prosecutions under sedition and criminal syndicalism laws.

9. Further efforts in all larger cities to set aside special places in parks or on the streets where public meetings may be held without permit.

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

11. Aid in the campaign against lynching; and in the struggle for Negroes' civil rights.

12. Extension to all American Indians of their rights to self-government and tribal ownership of land.

13. Civil forms of government for American colonies to replace naval rule, with control by natives over all essential services.
Local Committees

All of the local committees which have been organized for some years continued their activities, varying considerably in the amount of work done,—some fortunately because of lack of local issues, others because of inability to raise the funds or enlist the services to conduct the work. Reports from those most active are given here.

A new committee was formed during the year in New Mexico, following the Gallup riot in April, with Prof. Michael Shepard as chairman and Miss Katharine Gay as secretary. Headquarters are in Santa Fe. A committee was also formed in Buffalo,—the Erie County Civil Liberties Committee, with Miss C. I. Claflin, secretary.

Ann Arbor Civil Liberties Committee.

The committee contested attempted interference by the city authorities of Ann Arbor with street meetings by radical students. One meeting in October, under the auspices of the Communist Party, resulted in arrests but no prosecutions. While the students were under arrest, the police capitulated and allowed the meeting to go on. The arrested students were released. A threat by the mayor to introduce an ordinance restricting free speech on the streets was not carried out.

The committee carried on an active campaign against three bills in the legislature,—one for teachers' loyalty oaths; another barring radical parties from the ballot, and the third, a sedition bill, finally passed in emasculated form. The loyalty oath bill passed overwhelmingly. The ballot bill was defeated.

When the British author and lecturer, John Strachey, was scheduled to speak on the University of Michigan campus under student auspices, the University authorities suddenly withdrew permission, allegedly because of the nature of the club sponsoring the meeting. A protest meeting was then held, addressed among others, by the chairman of the Ann Arbor Civil Liberties Committee. Faculty members refused to speak up. The Strachey lecture was given off the campus.
On the national student anti-war day, April 12th, the chairman of the Ann Arbor committee was booked to speak at a meeting at Michigan State College in Lansing. College officials branded the meeting as red and forced it off the campus. "Patriotic" students, led by R.O.T.C. leaders and encouraged by a college official, broke up the meeting, seized five of the participants, including the chairman of the Ann Arbor committee, and rushed them half a mile to a river where they were ducked. Although legal action was promptly planned, it could not be carried out because of the pre-occupation of the committee with the legislative campaign and the difficulty of securing interested local counsel. Protests from all over the state, however, poured in on the college authorities and the State Board of Agriculture.

Chicago Civil Liberties Committee

The committee took on new vigor in the early fall of 1934 with the appointment of Hugh B. Miller as full-time secretary, handling the great variety of issues in the Chicago area and throughout the state. Mr. Miller resigned in April to complete his law studies in California and was succeeded by James E. Curry, a practicing lawyer. The national office has aided the Chicago Committee expand its work and support by matching receipts over several lean periods. The committee works against the obstacle of having almost no newspaper support in a city dominated by the reactionary Tribune and the Hearst press.

The issues in the Chicago area tackled during the year covered police attacks on jobless demonstrations, raids on workers' halls, attacks on mixed bathing in public parks by Negroes and whites, loyalty oaths for teachers, deportation cases and gag legislation.

The most serious of the cases affecting the unemployed was the prosecution of six demonstrators charged with conspiracy to kill police officers. They were proved not even to have been near the scene of the attack, but were held responsible nevertheless. Sentenced to terms up to ten years they have appealed. The committee aided in reducing bail and is aiding the appeal.
Lawless raids on trade union halls and offices by the State’s Attorney’s men have been protested time and again. An inquiry is being conducted to devise means of combating the raids. The police staged a brutal raid on the West Side Workers Forum in January. Thirty persons attending a dance were arrested; some were beaten. The furnishings of the place were smashed. The committee is undertaking damage suits against the city on behalf of the victims.

Police lawlessly broke up bathing parties in the parks of white and colored persons, though the law does not tolerate segregation. The Park Board reversed the police. An unprovoked attack by police on the mourners at a Negro funeral led to the committee’s bringing charges against the police.

The committee was among the first to protest against refusal to permit Rev. Charles E. Coughlin’s use of Soldiers’ Field for a meeting of the National Union for Social Justice.

A move by the Chicago School Board to establish oaths of loyalty for school teachers was protested by the committee, which helped organize the opposition at public hearings. The threatened oath rule was not put into effect, but action to the same end is being urged on the legislature by the “patriotic” forces.

The student anti-war strike in Chicago on April 12th produced a crop of arrests, suspensions and beatings. At Englewood High School, the valedictorian of the graduating class was suspended and his honors threatened; at Hyde Park High School, a meeting of the Student Forum was dispersed; at Tuley High School, Medill Junior College, Wright Junior College, and Crane Technical High School, several arrests and suspensions were made prior to the time of the strike.

At Crane three boys were summoned individually to the office of the principal, and there turned over to a group of students known as the “Flying Squad” for the purpose of forcing them to give information about their confederates. The “Flying Squad” took them one at a time to an improvised “torture chamber” in the engine room where they carried on such third degree methods as
pulling hair, lashing, threatening to hang, and sticking with pins. The full details of this almost unbelievable cruelty appeared in the daily newspapers. The committee took a firm stand against such brutality. A committee called upon Superintendent Bogan. He assured the committee that he would take immediate action against the school officials involved, and assured the boys that they could return to school the following Monday without fear for their physical safety. On the following Tuesday, one of the boys was again assaulted by a crowd of young ruffians including at least two members of the "Flying Squad". The boy was confined to his bed for two weeks. A suit is being started against all of the school officials involved. The "Flying Squad" has been abolished.

Deportation cases in the Chicago district were few. The committee aided in the defense of John Strachey, British author and lecturer. Attorney Edgar Bernhard of the executive committee, volunteered his services to represent Mr. Strachey at the hearing. Bond was furnished by Prof. Lovett. Two cases of German anti-Nazis were contested, with the committee's assistance.

In Illinois outside Chicago, the committee aided the defense of the unemployed demonstrators indicted for sedition at Hillsboro, and protested to the governor the sheriff's tear gas attack on Norman Thomas' meeting at Taylorville. Constant work has been carried on in the legislative campaigns against the teachers' oath bill, and for repeal of the sedition law and the enactment of a labor injunction bill.

Cincinnati Branch

The work of the Cincinnati Branch of the American Civil Liberties Union has consisted largely in assisting the national office by arousing local action on federal legislation. Local issues of civil liberty are fortunately few.

We protested to the Board of County Commissioners against refusal to permit the Pen and Hammer Club to hold a meeting in Memorial Hall at which Michael Gold was to speak. We also protested to the Board of Education for refusing to allow the use
of a school auditorium for a meeting by the Communist Party. When it was discovered that the Ohio law is mandatory in such cases, the Board was compelled to rescind this refusal.

Early in 1935 we assisted in the formation of the Cincinnati League for Democratic Action, composed of progressive organizations and individuals, in order to bring concerted action against the passage of state and federal gag legislation. Several such bills proposed in the Ohio House and Senate were killed in committee because of the large number of protests. We endeavored unsuccessfully to secure the repeal of the Ohio criminal syndicalism law, and put ourselves on record in support of the anti-injunction bill sponsored by the A. F. of L.

MARY D. BRITE, Secretary

Massachusetts Civil Liberties Committee

The Committee decided not to introduce again in the legislature the so-called Parks Bill which for several years has been pushed. This bill would set aside places in public parks throughout the state in which meetings might be held without police permits. The occasion for the bill is the frequent interference by the police with meetings on Boston Common. Inquiry showed that the line-up in the Senate, where the bill has previously been defeated, was unchanged.

The Committee aided the Massachusetts State Federation of Labor in pushing the labor injunction bill, twice passed previously by the House, only to be defeated in the Senate.

In the spring of 1935 the mayor prohibited the play "Within the Gates" by Sean O'Casey, which had had a notable reception in New York. The play was opposed by a few religious leaders as obscene and sacrilegious. The mayor not only forbade the play but any reading from it in public, and also the sale of the book. Efforts to have a reading of the play in a public place were unsuccessful until Prof. Harry Dana of Cambridge managed to do so over the radio, and later in a private gathering. Boston bookstores today will not sell the book.
In recent months the Massachusetts Civil Liberties Committee has reorganized its directing group, with a young attorney as secretary, chiefly for the purpose of tackling both in the courts and legislature, the long-standing issues of Boston's censorship.

**New Jersey Civil Liberties Committee.**

The issues of civil liberty in New Jersey, particularly in the industrial towns near New York, are many and constant. Practically every strike involves attacks by police or courts upon picketing. Scores of such cases arose during the year, marked by sweeping injunctions and lawless police action.

In the southern part of the state where large truck farms are located, a strike of agricultural laborers at Bridgeton resulted in brutal attacks on picket lines and numerous arrests. The communities where trouble most frequently arises are Newark, Jersey City, Union City, and less often nowadays, Passaic and Paterson.

The large German population in the cities along the Hudson River has yielded an exceptional issue in the activities of pro-Nazi German-American organizations. Their rights to meet and parade have been attacked by police and injunctions. The New Jersey legislature in 1935 passed a bill, unique in American history, aimed at pro-Nazi propaganda by making it a crime to advocate in speech or in print doctrines stirring up racial or religious strife.

In all these issues, the New Jersey Civil Liberties Committee has been active, particularly through its attorneys. A. J. Isserman of Newark, chief counsel, has rendered continuous volunteer service in a score of cases, particularly those involving arrests and injunctions in picketing cases, in strikes in Newark, Jersey City, Summit, Boonton, Elizabeth and Union City. As a result of constant hammering, the chancellors in New Jersey have somewhat restricted the issuance of injunctions. Several of them have taken a position against further ex-parte injunctions.

Conspicuous among the strike cases which arose during the year were those of the editorial employees of the *Newark Ledger*, against whom finally an unusually sweeping injunction was aimed.
So great was the protest and resistance that the injunction was in effect held in abeyance until the strike was won.

A strike in the summer of 1934 by employees of the Miller Furniture Co. in Jersey City attracted national attention when the Civil Liberties Union sent in Corliss Lamont and Alfred Bingham to join the pickets who were systematically arrested by the police. They too were arrested, were convicted and appealed. The state later dropped the cases. When public pressure on the Jersey City authorities got formidable picketing was finally allowed. An attempt to pass a city ordinance to prohibit carrying banners or signs on the streets was defeated. On one occasion the Jersey City police attempted to prevent the use of a private hall for unemployed protest meetings. An injunction suit was filed against the police, and they promptly reversed their stand without waiting for the court to act.

In Newark the police have long been notorious for attacks on reds and pickets. The department maintains a "red squad", specializing in these activities. Although police did not interfere with the pickets of the Newark Ledger, they did interfere with many others and with radical demonstrators. A permit was denied for a parade on May 30th by demonstrators in the National Youth Day Against War. Four were arrested when they attempted to parade.

"Waiting for Lefty", a strike play, was prohibited by the police before it started. Nine of the audience were arrested and held for "unlawful assembly!" The cases have gone over to fall, but strong public protest has resulted in withdrawal of the police ban and a scheduled performance at the YMHA.

Attorneys for the committee participated in the many cases which arose during the strike of agricultural workers at Bridgeton. At Summit, where a shoe-workers' union was on strike, an injunction was sought to restrain the mayor and police from interfering with pickets, but so far without result. Similar action was taken at Boonton.

The committee endeavored to defeat the teachers' loyalty oath bill in the legislature without success, and also the bill aimed at Nazi propaganda. Court tests of both bills are planned. Aid was
given the State Federation of Labor toward the passage of a labor injunction bill modeled on the Norris-LaGuardia act, which has twice failed in previous legislatures.

Two police third degree cases arose in Newark,—one, Angelo Blanco, finally released on a writ of habeas corpus without charges, and the other, Henry Jordan, who was made falsely to confess to twenty-two crimes. Evidence was found to be insufficient to take action contemplated against the police.

The committee also participated in bringing before the trustees of Rutgers University the dismissal of Prof. Leinhard Bergel, teacher of German, who charged that the head of his department, a pro-Nazi, had dropped him for his anti-Nazi views. The trustees have undertaken an investigation.

N. Y. City Civil Liberties Committee

THE New York City Committee has been confronted with an extraordinary variety of issues. It was found desirable to create two new special committees—one on Police Administration with Osmond K. Fraenkel as chairman, and one on Rights of the Unemployed with Victor S. Gettner as chairman.

Issues Involving the Police

Following a series of conflicts with Mayor LaGuardia over picketing, "red baiting" and the policing of primaries, General John F. O'Ryan resigned in September 1934 as Police Commissioner. Our Committee had labored with the Commissioner on many and varied issues of civil liberties without success. General O'Ryan clearly manifested the disregard of a military man for civil rights. Strong opposition voiced by our committee and others brought about revocation of a police order issued shortly before Commissioner O'Ryan's resignation, requiring labor unions to obtain identification papers for their representatives in order "to eliminate racketeers".

Lewis J. Valentine, formerly chief inspector, appointed as General O'Ryan's successor, was urged at once by our committee to declare his policy on peaceful and orderly mass picketing; the right to picket by all groups; on discrimination in granting parade per-
mits; abandonment of the recently created "rifle squad"; and the activities of the Bureau of Criminal Alien Investigation. He was urged to take action to curb increasing police lawlessness particularly by disciplinary proceedings against police officers complained of. The new Commissioner showed an understanding and cooperative attitude but did not commit himself. His attention was later called to the illegal arrests for the distribution of non-commercial pamphlets in the streets. A protest was also sent asking for an investigation of the violent breaking up by detectives of a demonstration of anti-Fascists, largely college and high school students, on Columbus Day outside the Yankee Stadium where visiting Italian athletes were regarded as agents of Italian Fascism. Particular protest was made against detailing plain clothes men to "preserve order" at public demonstrations. Several protests were also lodged against violent interference by the police with peaceful demonstrations by the unemployed.

Where we have been able to check with the police prior to a demonstration, parade or meeting we have received satisfactory cooperation. But where we have complained of police brutality or lawlessness, disciplinary action has not been taken even when hearings were held and the evidence supported our charges.

The Commissioner has so far declined to take any action limiting the activities of the "criminal alien squad". He has, however, on several occasions emphasized the fact that "red-baiting is out". On the whole the conduct of the police department under Commissioner Valentine is a great improvement over recent administrations. Mass picketing is generally permitted; the police have orders not to interfere with peaceful picketing in non-labor disputes; permits for parades are not unduly restricted; police lawlessness is discouraged, although it is to be noted that some months ago the Commissioner issued orders to the police to "muss up" crooks and gunmen.

Meetings on City Hall Plaza

Immediately upon taking office Mayor LaGuardia adopted the general policy of granting permits for public meetings and demonstrations on the City Hall Plaza which is under the control
of the Mayor's office. That policy, however, was reversed last November. We have protested this decision and will continue efforts to have it revoked, especially in view of the frequent exceptions made in favor of groups other than radicals.

Meetings in Parks

Commissioner of Parks Moses recently acted favorably on our proposal to set aside designated places in parks for holding public meetings. However, none of the places suggested to Commissioner Moses is included in the list of ten places made available.

Rights of the Unemployed

Action to protect relief workers' rights to organize was frequent. Mr. Gettner served as counsel on several occasions for a group of relief workers arrested on charges of disorderly conduct. He also represented relief workers discharged for union activity at hearings held by the local relief administration.

Protests were also sent to the relief authorities against discrimination and discharge of relief workers because of organization activities. Conferences were also held by Mr. Gettner with relief officials to consider complaints.

Following refusal of relief officials to accord emergency employees the right of organization and collective bargaining the sub-committee on the Rights of the Unemployed investigated the legal aspects. Its report declared our support through legal services of "the right of individuals on work relief to organize for any purpose for which industrial workers might organize and to make demands and take such steps to enforce such demands, including strikes, as ordinary employees might take for the improvement of their working conditions, hours of work and amount of compensation." Copies of this report were sent to officials of the state and local relief administrators with whom conferences were subsequently held.

When the Mayor's Committee on Unemployment Relief and the Aldermanic Committee for the investigation of relief were formed, our sub-committee, through Mr. Gettner, offered to aid both
in securing evidence on discrimination by the relief administration. The Aldermanic Committee ended its investigation without touching this subject, but the Mayor's committee accepted our cooperation. The report of the Mayor's committee reached the same conclusions as our sub-committee and recommended the establishment of tribunals for hearings. No tribunals have, however, been established, nor have relief workers discharged for organization activity been reinstated.

**Academic Freedom**

The special Committee on Academic Freedom has continued its work under the chairmanship of Reinhold Niebuhr, with Herbert D. David as secretary. Mr. David has taken the major responsibility for the Committee's work. It has handled increasing numbers of cases in colleges and schools—attacks upon teacher tenure and suppression of student activities. Numerous complaints from teachers in the public schools indicate clearly a determination to discipline teachers expressing unpopular views or who criticize policies of the school system. At City, Hunter and Brooklyn Colleges, as well as at various city high schools, students regarded as radicals by the authorities have been suspended or expelled.

This attitude is disclosed in statements made by Supt. William J. O'Shea in his annual report shortly before his retirement, and in statements made by Dr. Harold G. Campbell, his successor. Dr. O'Shea sweepingly denounced "radical" teachers, calling for their dismissal. Dr. Niebuhr, chairman of our committee, addressed an open letter to Dr. O'Shea voicing a protest against his "undemocratic conception of American education—a conception which has again and again been translated into action and resulted in restricting the American rights of both teachers and students." An open letter was also sent to Dr. Campbell challenging his position on teachers or pupils who spread "subversive doctrines".

We have likewise recorded our opposition to action taken last December by the Board of Examiners to keep out of the school system so-called disloyal or radical teachers. Upon request of Dr. George J. Ryan, President of the Board of Education, this Board
formulated tests of teaching candidates, consisting of questions based on "loyalty" and political beliefs.

A protest was sent to the Board of Education on its recent policy of denying use of school buildings for "meetings of organizations that advocate the overthrow of government of the United States and to organizations whose responsibility has not been established." Dr. Ryan later announced that he would send "investigators" to all meetings held in school buildings with power to stop any "seditious" discussion on the spot. Legal services were offered to any organization whose meetings might be censored. This Committee also announced its readiness to test in court the right of the School Board to discriminate against "radical" or other organizations.

At the request of teacher and parent organizations, representatives of our Committee have been present at recent meetings of the Board of Education. Their reports indicate that the policy of the Board is to suppress expression of any dissenting opinion by teacher or citizen groups. This attitude culminated in a disturbance at an open Board of Education meeting in March, when the Board denied a hearing to parents and others who had petitioned about the need for new school buildings, more teachers and smaller classes. A police riot squad aided the numerous patrolmen present to suppress any attempt to be heard. A similar disturbance occurred at a Board meeting last November, when the Teachers Anti-War League was denied a hearing, although it had long in advance requested it. Our representations to the Board, urging a democratic policy, have produced no results.

The Committee has investigated many charges of violation of academic freedom by the teachers. Investigation has also been made of complaints from students in city high schools and colleges. Numerous letters of protest have been sent to the Board of Education and the Board of Higher Education. In only a few cases has such pressure been effective.

One successful effort was the granting of a diploma to Mitchell Berenson, student of a Brooklyn high school, denied his diploma after he had taken a leading part in protests against conditions in
the lunch-room. Authorities charged first that his work was incomplete; later, that the boy defended lying. Berenson was granted the diploma only after attorney Osmond K. Fraenkel went into court to secure an order compelling its issuance. Before court action could be taken, the principal agreed to give Berenson his diploma, provided he give written assurance that he had no faith in lying! He did.

Another successful case handled by Mr. Fraenkel resulted in a salary increase for Alice Citron, a public school teacher. The Appellate Division held that she had not been granted a proper hearing by the Board of Superintendents. Miss Citron contended that she was summoned to appear before the board on one count, and was denied her salary increase on another. The Board of Education was reversed.

Five Hunter College students were indefinitely suspended for taking part in the student anti-war strike in April. Disciplinary action was also taken against a number of students in city high schools for participating in the same strike and refusing to sign a pledge to refrain from such activity. Protests were sent by our committee to the school authorities. Several suspended students were readmitted. Final action on other cases is pending.

Most serious of the student cases was that last fall against students of City College who took part in a demonstration against visiting Italian students. Dean Gotschall, after a thorough investigation, issued a report which showed sympathetic understanding of the problem and recommended mild disciplinary action. The faculty disregarded his recommendations and voted to expel twenty-one boys. They appealed to the Board of Higher Education. Hearings were held before the Executive Committee of that body at which Mr. Fraenkel and attorneys recommended by other organizations represented the students. On May 21st the Board of Higher Education unanimously sustained the expulsions.

The excessive punishment of the students makes clear the need for complete revision of the rules and regulations of the colleges under the Board of Higher Education. Existing rules inevitably
lead to maximum repression of student opinion and to unfair and unjust control of student activities.

Bills to amend the Education Law and the by-laws of the Board of Education to protect teachers' rights were sponsored by the committee in the 1935 legislature, drafted by Harry M. Edelstein with the assistance of other attorneys. Only one of them passed, guaranteeing the right of a discharged school teacher to appeal to the courts. Under previous law appeal lay only to the Commissioner of Education.

Legal Committee

Counsel was furnished to persons arrested for distributing literature or picketing. A recent decision of the Court of Appeals in a case handled by us affirmed the right to picket in consumers strikes. The court however, held that a remedy in such cases must first be sought from municipal authorities.

A court test was made of the constitutionality of the ordinance requiring permits for religious meetings in public places, after it had been amended to include atheists. Atheists, unlike ministers, had not been required to obtain permits, the courts holding that atheist meetings were not "religious". The constitutionality of the amended ordinance, specifically including them, was upheld.

Acknowledgements

The work of our committee has been carried on without an executive secretary since the departure last fall of A. L. Wirin, who from May 1934 served in that capacity. Thanks to the active cooperation of our members, it has been possible to carry on our activities without the services of a regular secretary.

FLORINA LASKER, Chairman
Northern California Branch

The Northern California Branch of the Union was reorganized during the summer and fall of 1934 under the direction of Chester Williams and Ernest Besig of Los Angeles, with the invaluable cooperation of Austin Lewis, long its chairman. Reorganization was made necessary by the host of cases which arose at the conclusion of the San Francisco general strike in the summer of 1934. Conference with officials of the I.L.D. divided the responsibility for handling many cases. The Union took over the civil suits for damages in the vigilante raids and the I.L.D. the defense of those arrested or held for deportation.

Most of the damage suits are still to be tried. Three completed have resulted in damages for the plaintiffs. In one case a judgment against the City of Richmond yielded $300 to the plaintiff for a vigilante raid; in another the city and county of San Francisco were ordered to pay $173 to the I.W.W. for damages to their hall; in Berkeley, the Finnish Comrades' Club got a judgment of $4742 against the city.

Dr. George P. Hedley became director of the branch on the first of the year and devoted his energies primarily to legislation and the defense of the Sacramento criminal syndicalism cases then being tried. Bail for some of the prisoners was raised by Civil Liberties Union members. Members of the committee attended sessions of the trial in Sacramento. A fund of over $600 was raised for the defense, and divided between the I. L. D. and the Non-Partisan Labor Defense on a ratio agreed upon by all the groups.

The legislative campaign against gag bills which flooded the California legislature occupied much of the time of the director and many members of the committee. So too did the efforts for repeal of the criminal syndicalism law. Dr. Hedley conducted the hearing before the Judiciary Committee on the repeal bill and members of the committee spoke against the bill. Dr. Hedley resigned in April because of differences with the executive committee in regard to policy.

The committee aided in the defense of eighteen students held for distributing handbills in connection with the anti-war strike at
the University of California in April. The charges against the students were dismissed. Austin Lewis, attorney for the committee, has also handled two deportation cases against Italians charged with being anarchists, Dominic Sallitto and Vincent Ferrerro. The cases are still pending.

The committee has engaged in a wide variety of activities calling for building up of public support and protest, both in connection with legislation and the cases arising out of the general strike. Over 40,000 pieces of literature were distributed. Six thousand sets of legislative recommendations were sent out. Twenty-five hundred petitions for the repeal of the criminal syndicalist law were circulated. The director and members spoke before over fifty public gatherings to arouse interest in the Sacramento defense and in the legislative campaign.

Investigation and public reports were made by officers of the committee in numerous cases. Investigations of the strike violence in the San Francisco area appeared in part in the "Nation" and was the basis of a report on "vigilantism" by the Federal Council of Churches. The material was presented to the Departments of Labor and Justice. Vigilantism in San Jose was also investigated. So too was the Amador County mine strike and a strike at the Crockett Sugar Refinery, where rights of workers were violated.

The committee's representatives also lodged complaints with educational authorities in connection with the suspension or expulsion of students at the University of California at Los Angeles, San Jose State College and Los Angeles Junior College.

The membership of the Northern California Committee, after reorganization, grew rapidly totalling now over 1,000, with receipts outside the Sacramento Defense Fund of $2300 up to the end of May.

_Pennsylvania Civil Liberties Committee_

The Pennsylvania Committee, since the resignation of its employed secretary, has carried on with volunteer service a considerably restricted activity. Cases outside Philadelphia and Pittsburgh requiring legal service are handled through the national office.
Legislative work is handled by the Pennsylvania Security League which maintains an effective lobby at Harrisburg, to which the Union has contributed.

Issues arising in Philadelphia and Pittsburgh are fortunately fewer than formerly. The local committees act when emergencies confront them.

The separate treasury of the Pennsylvania Committee was discontinued during the year, the national office paying off its outstanding obligations.

**Portland (Ore.) Civil Liberties Committee.**

The committee has been active during the year on deportation cases, convictions under the criminal syndicalism law and a campaign against repressive bills in the legislature.

The committee aided in the defense of Oscar Mannisto, held for deportation to Finland, charged with belonging to an organization proscribed by the immigration statute. Aid was also given in the case of Mr. and Mrs. Christ Reinis and their daughter Alma, a Latvian family held for deportation for alleged Communist activities. Both these cases were handled primarily by the local International Labor Defense.

An extraordinary deportation case arose involving a German-born civil engineer, based upon his conviction fourteen years ago of forgery. Walter Baer, married and with American-born children, a resident of the United States since nine years of age, had lived an exemplary life for the past fourteen years. His connection with activities for the unemployed led to his arrest. No radical, he is in politics a Republican. He has held positions in the local Republican organization and has voted, assuming that he was a citizen by virtue of service in the army. With the help of the Portland committee, his case has been taken into the federal district court. Efforts to get the Governor of Oregon to pardon him for his offense so that he could not be held by the immigration authorities were unsuccessful.

The committee is aiding the appeal from a conviction under the criminal syndicalism law of a young man, Kyle Pugh at Med-
ford, Ore., sentenced to five years in state prison. Gus Solomon, an attorney representing the Portland committee, has petitioned for the right to submit a brief as amicus curiae.

During the session of the state legislature, the committee engaged actively in the campaign against the teachers' oath law, which was defeated.

A special committee has recently been organized to help protect the rights of lumber workers in the strike now affecting the industry in the Pacific Northwest.

R. W. Anderson, 
Chairman.

**St. Louis Committee**

The St. Louis Committee continued its legal services when any local cases arose. It also cooperated in the defense of the miners indicted for sedition at Hillsboro, Ill. Its representatives succeeded in persuading the district attorney at Belleville, Ill. to dismiss a sedition charge against A. J. Muste, head of the Workers Party, who had been arrested for possessing "seditious" literature.

Dale Johnson, until recently secretary of the committee, organized a delegation to oppose passage by the legislature of the American Legion bill to bar from the ballot parties held to advocate certain doctrines. Newspaper support was enlisted. The bill was killed.

**Seattle Civil Liberties Committee.**

The Seattle committee, being incompletely organized, did not conduct during the year regular committee work, but its members aided upon call in half a dozen cases. The committee has recently been reorganized and has already begun to function actively.

Committee members helped organize public support for the defense of Max Farrar, one of two criminal syndicalism defendants, members of the Communist Party. Tried at Kelso, he was acquitted. The other defendant will not be tried before fall. Members of
the committee have also cooperated with the local International Labor Defense in contesting deportation cases.

An attorney for the committee represented one Charles Block, arrested by the police "red squad" near a city high school for distributing handbills advertising the National Youth Day against War on May 30th. Protests have been lodged with the president of the University of Washington for refusing to allow the Student League Against War and Fascism to meet on the campus.

Committee members backed the campaigns for the repeal of the criminal syndicalism law by the legislature, and for making military drill in colleges optional, abolishing it in high schools. The criminal syndicalism repeal, which got to the floor of the House, mustered twenty-seven votes against seventy-two, the best showing such a repeal measure has made in any legislature. Representative Michael B. Smith, a member of the committee, sponsored the repeal.

**Southern California Branch**

**Imperial Valley**

THE work of the twelfth year of the Southern California Branch of the Union started with a serious situation in the Imperial Valley, where frequent clashes have occurred in recent years between capital and labor on the agricultural field. General Pelham D. Glassford, federal conciliator for the Imperial Valley, left the valley on June 24, 1934, declaring:

"After more than two months of observation and investigation in Imperial Valley, it is my conviction that a group of growers have exploited a 'Communist' hysteria for the advancement of their own interests; that they have welcomed labor agitation which they could brand as 'red', as a means of sustaining supremacy by mob rule, thereby preserving what is so essential to their profits—cheap labor; that they have succeeded in drawing into their conspiracy certain county officials who have become the principal tools of their machine."

When the lettuce crop was being harvested in February 1935, another strike occurred involving A. F. of L. unions this time, in-
stead of the Cannery and Agricultural Workers Industrial Union which was active during the trouble a year ago. The Shippers and Growers Association followed the usual tactics in crushing the strike—that is, they employed thugs as strike-breakers, arming them with guns and the authority of deputy sheriffs. Two unarmed A. F. of L. pickets were shot to death one day in an attack made by the gunmen strike-breakers.

Employers' violence is unquestionably in the saddle in this area and will doubtless maintain its stranglehold upon the valley as long as the state and federal governments refuse to intervene. James Rorty, well-known author, entered the valley last February as the representative of the New York Evening Post and the Nation. He was making an investigation into labor conditions, but before he had been in the valley many hours he was grabbed by the sheriff, thrown into jail overnight and the next day deported across the Arizona border by a convoy of valley officials who made it plain to him that he must stay out. That is substantially the treatment accorded many persons who have gone into Imperial Valley intent upon learning what was happening there and communicating the facts.

Legislation

After serving eight months in the national office, attorney A. L. Wirin returned to California last November to become counsel for the Southern California Branch. This was a matter of great satisfaction to our committee, as Mr. Wirin had rendered distinguished service previous to going to New York.

One of the first pieces of work which he undertook was at Sacramento during the legislative session which began in January. Mr. Wirin and attorney Ernest Besig spent the latter part of January in Sacramento drafting a series of bills intended to safeguard civil liberties. These bills were introduced by friendly members of the lower house. During a part of the legislative session we have kept a representative at the capitol, devoting his time to mobilizing speakers for hearings on civil liberties measures, and helping oppose repressive legislation sponsored by the American Legion, the Elks and the Chamber of Commerce.
Colleges and Schools

Last fall academic freedom in the University of California at Los Angeles became an issue when five student leaders were suspended by Provost Moore because of alleged radical activities on the campus. One of these students appealed to the Southern California Branch for assistance. A campaign was carried on resulting in the final reinstatement of all five students. The issue flared up again, however, in April when a student strike against war was planned. Threats were made by so-called vigilante groups at the University against the students sponsoring the strike, but the strike passed on April 12 without serious clashes. Several arrests were made at the Pasadena Junior College and the Los Angeles Junior College previous to April 12th because of handbill distribution by students promoting the strike. Attorney John Packard appeared for the Pasadena Junior College students and secured a dismissal of the case. One student from the Los Angeles Junior College, however, was found guilty on another count and fined $50 or twenty-five days in jail. The fine was paid by friends.

A suit to compel the San Diego Board of Education to open the schools under the state Civic Center Act to meetings by organizations like the A.C.L.U. was tried early in 1935, lasting a month. The judge finally decided the case in favor of the school board's discretion to grant or refuse permits. The judge is a leading Legionnaire. The case will be appealed.

Other cases now in course of litigation are (1) against police officers of Long Beach for holding a minor in jail many hours incommunicado for the alleged distribution of Communist literature on one of the battleships of the Pacific Fleet; (2) a mandamus action against the Los Angeles City Council to grant May Day parade permits, and (3) old suits involving individuals and organizations, due to come to trial shortly.

Summary

Civil liberties in Southern California are somewhat better than for some years. There has been a noticeable change, especially in Los Angeles. Not long ago private homes were invaded by the
Red Squad, wholesale arrests of radicals were made on suspicion of criminal syndicalism, breaking up of peaceful meetings was a common occurrence, and the right to picket was often denied by the police. But these violations of civil rights have now largely ceased. The most frequent cases of late have been under the Los Angeles city ordinance which prohibits distribution of handbills. The constitutionality of this ordinance is about to be tested in the appeal of the case of Miss Seema Matlin, tried under the ordinance for distribution of literature against war and fascism and sentenced to fifty days or a $30 fine.

William F. Hynes, for many years the notorious head of the Red Squad, has been on leave of absence from the city most of the year. His place has been taken by Lieutenant Luke Lane, under whom the Red Squad’s behavior has been much less objectionable. Few cases of beating up of people by the Red Squad have come to our attention in recent months. On April 12th they are said to have blackjacked two girls at the Los Angeles Junior College, but with that notable exception have conducted themselves without complaint. Chief James Davis, head of the Police Department of Los Angeles, however, is one of the principal local red-baiters. He is also an official in the newly-formed Hollywood Hussars, a civilian military organization which drills with arms for the purpose of meeting "emergencies" such as the suppression of "subversive" elements.

Egged on by the Hearst press, the agencies of reaction have been unusually active in California. But citizens awakened by Upton Sinclair’s Epic movement, the Utopians and other progressive elements have strengthened the forces working for civil rights and have successfully combated much of the anti-red hysteria. Our Southern California Branch has taken steps this year to organize local groups in Santa Barbara, San Diego and Long Beach.

Clinton J. Taft,
Director
Committees, Publications, Finances

National Committee and Board of Directors

The National Committee, controlling the policies of the Union, now totals sixty-nine members. The committee lost by death during the year Fremont Older of San Francisco, who was also a vice-chairman of the Union, and by resignation William S. U'Ren of Portland, Ore., and Father John A. Ryan of Washington, D. C. New members elected to the committee are Heywood Broun, John Dos Passos, and Rt. Rev. Edward L. Parsons, Episcopal Bishop of California, who was elected both to the committee and the vice-chairmanship in place of Fremont Older.

Changes in the Board of Directors included the resignation of Ira de A. Reid and Harry Elmer Barnes because of removal from the city, and the election of Osmond K. Fraenkel and Raymond L. Wise, attorneys.

Officers and Staff

With the exception of the election of Bishop Parsons to replace the late Fremont Older as vice chairman, the officers of the Union were unchanged. A. L. Wirin of Los Angeles, who had joined the staff at the national office as counsel, returned to Los Angeles toward the close of 1934 to resume work as counsel for the Southern California branch. His leaving has crippled the office staff, for it has not yet been found possible to obtain the full-time services of as competent and devoted a lawyer at a salary the Union can afford. Emergency arrangements have been substituted, with the part-time services of an attorney, Samuel Paul Puner, especially for the legislative campaign, and with another attorney at Washington, Frederick A. Ballard, engaged in part-time work on Congressional legislation. The publicity work at the national office continues in charge of Clifton R. Read.

The Union's offices were moved on February 1, 1935, from 100 Fifth Avenue where they had been located for thirteen years, to 31 Union Square because of lack of suitable space in that building upon expiration of our lease. The new quarters are better arranged for privacy and appropriately look out upon the historic free speech forum of New York.
"LAND OF THE FREE"

Publications
(from June 1934 to June 1935)

Pamphlets

THE ATTEMPTED DEPORTATION OF JOHN STRACHEY. Abstract of the proceedings before the District Director of Immigration at Chicago. (40 pages.)

JURY TRIALS ON CHARGES OF VIOLATING INJUNCTIONS. Concurring opinion of Justice George W. Maxey of the Supreme Court of Pennsylvania. (16 pages.)

LIBERTY UNDER THE NEW DEAL. The year's work of the Civil Liberties Union from June 1933 to June 1934. (64 pages.)

SEDITION IN ILLINOIS. Fourteen men on trial at Hillsboro, Ill. for conducting unemployed demonstrations. The first sedition trials in Illinois for fifteen years. (8 pages.)

SHALL WE DEFEND FREE SPEECH FOR NAZIS IN AMERICA? (4 pages.)

SHIRTS! A survey of the new "Shirt" organizations in the United States seeking a Fascist dictatorship. (32 pages.)

SO THIS IS FREE SPEECH! News pictures taken during 1933-34 in labor and farm strikes, in unemployed demonstrations, showing violent attacks by police and troops in making arrests and in dispersing assemblages. (16 pages.)

WHAT RIGHTS FOR THE UNEMPLOYED? A summary of the attacks on the rights of the unemployed to organize, demonstrate and petition. (20 pages.)

WHO ADVOCATES VIOLENCE? A survey of the facts. (6 pages.)

Mimeographed Material

Address by Secretary of Interior Harold L. Ickes before the Associated Press, April 22, 1935, dealing with free speech and free press. (16 pages.)

A PROPOSAL TO PROMOTE PUBLIC DISCUSSION OVER THE RADIO. Remarks by Bethuel M. Webster, former counsel for the Federal Radio Commission on behalf of the Radio Committee of the A.C.L.U. at the special hearings in Washington before the Broadcast Division of the New Communications Commission on the proposal to allocate 25% of all radio frequencies to non-commercial educational stations. (8 pages.)
General Memoranda on Legislation in Congress and States

Minutes of the Conference On Civil Liberties Under the New Deal, to discuss proposals for legislation in Congress. (65 pages.)

Special Oaths of Loyalty for School Teachers. Memorandum on fact and arguments against those laws, with particular reference to New York State. (16 pages.)

Sedition, Criminal Syndicalism, and Criminal Anarchy Laws. Their nature and operation; the arguments against them. (67 pages.)

Reprints

Cooperative College Government, by Henry Noble MacCracken, president of Vassar College. Address delivered before the National Student Federation, Boston, Mass. Dec. 28, 1934. (4 pages.)

Fascism, reprinted for the A.C.L.U. by the Christian Social Justice Fund of Baltimore, Md. (32 pages.)


What Justice Holmes Stood For, editorial, St. Louis Post Dispatch, March 8, 1935.

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 prepared 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. Members of the Union who so desire get these bulletins for $1.50 a year, (or free to members paying dues of $10 and over).

The Union has aided financially in the publication of the bulletins of the International Juridical Association, an organization of lawyers interested in labor and civil liberties cases, ably edited. It is a practical service to lawyers all over the country. Subscription is $1.00 a year.

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Finances

THE effects of the depression on the income of the Union were marked in 1934 by a drop of over $1,000 from the year before and by increased expenditures due to the burden of added cases and campaigns. A deficit of $1,400 in operating expenses was met by transfers to the McMurtrie Fund of campaign expenses previously borne by the operating fund. The budget of the Union for ordinary overhead still remains approximately what it has been for some years—between $19,000 and $20,000.

Funds to handle court cases and campaigns outside ordinary receipts brought in $4,400 from members and friends. In addition $2,600 was spent from the McMurtrie Fund, a bequest, on these cases and on aid to local committees which were unable to finance themselves. The principal of the McMurtrie Fund was drawn upon for a total of a little over $4,000. Without it and the special contributions, the Union would be unable to handle a large part of its necessary court cases and campaigns. Expenditures for these purposes totalled almost $7,000.

Without a large amount of volunteer legal service and the efforts of members of the local and national committees, it would be impossible to conduct the Union's many-sided work on so modest a budget.

The number of members has increased slightly to a total of about 2700. In addition 335 who have not paid dues since 1933 are carried on the rolls; and 700 contributors to special funds who are not members of the Union. The total number of members and supporters is therefore about 3700.

The contributions of members of the Union to the Operating Fund are made up as follows:

- 1 contributor at $1,200; 2 at $1,000; 4 between $500 and $1,000; 31, $50 to $100; and 69, $25 to $50. 390 members contribute $10 to $25 ($25 being the upper limit of fixed dues) and 2133 contribute dues of $1 to $10.

The Union has made a special effort during the year to enlist more members at $10 in order to provide a more solid base of support.
than is afforded by larger contributions, whose loss is keenly felt in case of death or withdrawal. Mrs. Margaret DeSilver generously continues the annual contribution of $1,200 made by her late husband, Albert DeSilver, former director of the Union; the Misses Deutsch and an anonymous donor, $1,000 each. Eliot Pratt and Florina Lasker contributed $1,000 each, divided between overhead expenses and special cases and campaigns.
# Treasurer's Report

Operating Fund

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Balance from 1933</td>
<td>$881.93</td>
</tr>
<tr>
<td>Deficits in Censorship and Injunction Funds, previously charged off, paid by McMurtrie Fund</td>
<td>$926.47</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$1,808.40</td>
</tr>
</tbody>
</table>

**INCOME:**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Contributions</td>
<td>$17,927.86</td>
</tr>
<tr>
<td>Literature sales</td>
<td>$77.95</td>
</tr>
<tr>
<td>Interest income</td>
<td>$403.78</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$18,409.59</td>
</tr>
</tbody>
</table>

**EXPENDITURES:**

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Executive salaries</td>
<td>$4,200.00</td>
</tr>
<tr>
<td>Office salaries</td>
<td>$5,871.62</td>
</tr>
<tr>
<td>Rent and light</td>
<td>$1,833.64</td>
</tr>
<tr>
<td>Stationery and printing</td>
<td>$1,133.39</td>
</tr>
<tr>
<td>Pamphlets and literature</td>
<td>$1,348.80</td>
</tr>
<tr>
<td>Postage</td>
<td>$1,741.64</td>
</tr>
<tr>
<td>Telephone</td>
<td>$822.54</td>
</tr>
<tr>
<td>Telegrams and messengers</td>
<td>$337.23</td>
</tr>
<tr>
<td>Bookkeeping and auditing for 1933 and 1934</td>
<td>$660.00</td>
</tr>
<tr>
<td>Multigraphing, mailing and outside work</td>
<td>$279.73</td>
</tr>
<tr>
<td>Office supplies and expenses</td>
<td>$448.27</td>
</tr>
<tr>
<td>Meetings and dinners</td>
<td>$107.02</td>
</tr>
<tr>
<td>Newspapers and clippings</td>
<td>$355.68</td>
</tr>
<tr>
<td>Washington representative</td>
<td>$155.08</td>
</tr>
<tr>
<td>Advertising and publicity</td>
<td>$58.52</td>
</tr>
<tr>
<td>Repairs to equipment</td>
<td>$75.00</td>
</tr>
<tr>
<td>Depreciation of equipment</td>
<td>$94.61</td>
</tr>
<tr>
<td>Binding records</td>
<td>$72.75</td>
</tr>
<tr>
<td>Traveling</td>
<td>$139.09</td>
</tr>
<tr>
<td>Miscellaneous expenses</td>
<td>$62.55</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>$19,797.14</td>
</tr>
</tbody>
</table>

Deficit for the year ..................................... $1,387.55

Surplus at close of the year .................................. $420.85
Special Funds

1. Summary

This table shows total receipts and disbursements in all special funds outside the Operating Fund, including $2753 taken from the McMurtrie Fund. The detailed accounts of each activity are given later. This table 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 in court</td>
<td>$5,106.11</td>
</tr>
<tr>
<td>Aid to local committees</td>
<td>1,835.60</td>
</tr>
<tr>
<td>Censorship fund</td>
<td>305.28</td>
</tr>
<tr>
<td>Injunction Fund</td>
<td>474.91</td>
</tr>
<tr>
<td>Mooney-Billings fund</td>
<td>235.69</td>
</tr>
<tr>
<td>Book fund</td>
<td>151.50</td>
</tr>
</tbody>
</table>

Total: $8,109.09 $8,024.06

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, 1935. The deficits in two accounts totalling $926.47 which last year were met from the balance in the Operating Fund were transferred to the McMurtrie Fund, as better able to meet them.

I. SPECIAL FUNDS

Mooney-Billings Fund

Balance from 1933 ........................................... $ 76.29

RECEIPTS:
Contributions, with pamphlet sales ...............$113.59
From McMurtrie Fund to cancel loan to Tom Mooney Council of Action ............... 122.10

$235.69

EXPENDITURES:
Cancellation of loan ....................................$122.10
Postage, printing and work on special appeal .... 163.96
Telegrams ............................................... 4.50

$290.56

Deficit for the year ..................................... 54.87

Balance at close of the year ......................... 21.42
**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.

**Receipts:**

Taken from special fund receipts .................................. $305.28

**Expenditures:**

- Pamphlet “Order on the Air” ........................................... $154.00
- Traveling expenses, legislative hearing and memorandum on radio censorship .............................................. 75.72
- Stationery, postage, clerical work .................................. 61.85
- Clippings, telephone, telegrams .................................... 13.71

Total expenditures ....................................................... $305.28

**Injunction Fund**

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

**Receipts:**

From contributions .................................................... $98.00

**Expenditures:**

- Attorneys’ expenses for hearings and secretary’s traveling expenses ......................................................... $225.23
- Stationery and printing .............................................. 79.13
- Postage ........................................................................ 71.35
- Clerical help .................................................................. 51.60
- Clippings, telegrams, telephone ................................... 47.60

Total expenditures ......................................................... $474.91

Deficit, met from McMurrtrie Fund .................................... $376.91
Book Fund

This fund represents receipts from sales of books.

Balance, 1933 ........................................ $ 85.04

Receipts:

Sales .................................................. $151.50

Expenditures:

For books purchased ................................. 79.06

Surplus for the year ................................. 72.44

Balance at close of the year ........................ $157.48

Funds for Defense and Aid to Local Committees

This is the general account of funds contributed for defense in the courts both for specific and undesignated cases. In addition, funds for the same purpose were taken from the McMurtrie Fund. Included in it also are contributions made by the national office to local committees.

Balance from 1933 ........................................ $2,648.52

Receipts:

Contributions from friends ......................... $4,337.47

Contributions from McMurtrie Fund .............. 2,604.24

Total ................................................... $6,941.71

Expenditures:

Court Cases

1. Investigation and activities in connection with San Jose, Cal. lynchings ........................................ $ 786.43
2. United Anthracite Miners injunction case ........ 415.30
3. For cases of censorship of radio, stage, books ...... 395.28
4. Arkansas sharecroppers suit in the courts .......... 297.65
5. For the Scottsboro, Ala. defense .................. 247.30
6. Picketing cases, New Jersey ....................... 232.92
7. Defense of Bridgeton, N. J. farm strikers ............ 214.86

85
8. Hillsboro, Ill. sedition case ........................................ 211.98
9. Passaic, N. J. distribution of leaflets test case .............. 186.75
10. Appeal from conviction of Angelo Herndon, Atlanta, Ga. 194.33
11. Suit to test rights of alien, H. D. Linklater, D. C. courts 130.26
12. Defense of farm strikers, Hardin Co., Ohio ..................... 126.63
16. Defense of demonstrators against cruiser "Karlsruhe", Charlestown, Mass. ........................................ 89.73
17. Free speech fight in closed Pennsylvania steel towns .. 85.89
18. Attack on injunction against farmers, Sisseton, S. D. .. 66.25
19. Proceedings to dismiss sedition indictment against A. J. Muste, Belleville, Ill. ........................................... 50.00
20. Miscellaneous cases under $50 .................................. 512.35
21. Miscellaneous expenses for above cases,—clippings, telegrams, stationery, outside work, postage .................. 360.61

$4,826.84

**Aid to Local Committees**

1. New York City Committee, clerical work, printing and stationery, court costs and other expenses .................. $ 748.15
   Academic Freedom: pamphlet and court costs .................. 490.23
2. Chicago Civil Liberties Committee .............................. 625.00
3. Philadelphia Civil Liberties Committee ......................... 27.08
4. New Jersey Civil Liberties Committee ......................... 56.95
5. Massachusetts Civil Liberties Committee ...................... 100.00

$2,047.41

Balance for the year ............................................... $  67.46
Balance at close of the year ..................................... $2,715.98

_This balance consisted largely of funds held for specific cases._
II. TRUST FUNDS

McMurtrie Estate

Balance, 1933, book value .............................................. $41,375.20

RECEIPTS:
Interest on investments .............................................. $ 894.67
Refund, bail bonds ...................................................... 76.88

$ 971.55

EXPENDITURES:
Estate expenses .......................................................... $ 158.15
Loss on sale of securities .............................................. 50.00
Safekeeping fee ........................................................... 10.00
Check tax .................................................................. 1.74

$219.89
For special fund expenditures as shown above .................. 2,753.34
For Washington Conference on Civil Liberties ................. 1,060.95
Payment for extra administrative work ......................... 600.00
For injunction campaign .............................................. 349.91
International Juridical Ass’n. Bulletin ................................ 100.00
For special investigation in the south .............................. 60.00

$4,924.20

Total expenditures ...................................................... $ 5,144.09
Decrease in fund for the year ........................................ $ 4,172.54
Balance at close of the year ........................................ $37,202.66

Revolving Loan Fund

Principal, Feb. 1, 1934:
Loans outstanding ....................................................... $700.00
Cash in bank ............................................................... 411.09

$1,111.09
Loans to International Labor Defense written off as
uncollectible ................................................................ 670.00
Balance, cash in bank Feb. 1, 1935 ................................. $ 441.09
**Balance Sheet, January 31, 1935**

**Current Assets:**
- Cash on hand and in banks: $7,737.51
- Accounts receivable, doubtful of collection: 374.40
- Loans receivable: 75.00

**Total Current Assets:** $8,186.91

**Investments:**
- Stocks, bonds, mortgages and real estate at book value: $34,901.89

**Fixed Assets:**
- Furniture and equipment at depreciated value: 270.23

**Other Assets:**
- Prepaid expenses: 155.67

**Total Assets:** $43,514.70

**Liabilities and Net Worth:**
- Accounts payable: 174.30
- Deferred contributions: 374.00
- Operating and General Reserve: $5,420.85
- Trust Funds Reserve: 37,545.55

Net Worth (subject to adjustment for difference between book value and market value of investments): 42,966.40

**Total Liabilities and Net Worth:** $43,514.70
CERTIFICATE

American Civil Liberties Union, Inc.

We have audited the accounts of the American Civil Liberties Union, Inc. for the year ending January 31, 1935, and, in our opinion, the accompanying Balance Sheet correctly sets forth the Union’s financial condition as of January 31, 1935.

COOPERATIVE LEAGUE ACCOUNTING BUREAU.

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.
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MARY VAN KLEECK
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Clarence Darrow
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Dr. James H. Dillard
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John F. Finerty
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L. Hollingsworth Wood
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91
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Committee on Aliens' Civil Rights
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National Council on Freedom From Censorship
Prof. Hatcher Hughes, chairman
Clifton R. Read, Mrs. Mildred Unger, secretaries

National Mooney-Billings Committee
Henry T. Hunt, chairman
Roger N. Baldwin, secretary
Associate membership with subscription to Quarterly Bulletin and annual review—one dollar.

All pamphlets in addition—two dollars a year.

Publicity service—free to interested periodicals and writers and contributors of $10 and over. To others—one dollar and fifty cents a year.

The services of lawyers, correspondents, writers, speakers and investigators are invited anywhere in the United States. Contributions in any amount always welcomed and needed.

Friends who are making provisions in their wills for aid to public causes will please note that bequests either for general or special work for civil liberties should be drafted to refer to the American Civil Liberties Union, Inc., a corporation organized under the laws of New York State with headquarters in New York City.

AMERICAN CIVIL LIBERTIES UNION,
Metropolis Bldg.
New York City Date

I suggest you send copies of this story of your year's work to the following likely to be interested:

Comments or suggestions regarding the Union's work—

(Signed)  
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City