EIGHTH REPORT

UN-AMERICAN ACTIVITIES IN CALIFORNIA

1955

CALIFORNIA LEGISLATURE

Eighth Report of the Senate Fact-Finding Committee On Un-American Activities 1955

MEMBERS OF THE COMMITTEE

SENATOR NATHAN F. COOMBS, *Vice Chairman*
SENATOR EARL D. DESMOND
SENATOR JOHN F. McCARTHY
SENATOR JOHN F. THOMPSON
SENATOR HUGH M. BURNS, *Chairman*

R. E. COMBS, *Counsel*
VERNICE PERHUS, *Secretary*
MARY E. HOPE, *Executive Secretary*
ELIZABETH W. NIELSEN, *Secretary*

Published by the
SENATE

LIEUTENANT GOVERNOR HAROLD J. POWERS
President of the Senate

BEN HULSE
President pro Tempore
JOSEPH A. BEEK
Secretary

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LETTER OF TRANSMITTAL

SENATE CHAMBER, STATE CAPITOL
SACRAMENTO, June 6, 1955

HON. HAROLD J. POWERS
President of the Senate, and Gentlemen of the Senate;
Senate Chamber, Sacramento, California

MR. PRESIDENT AND GENTLEMEN OF THE SENATE: Pursuant to Senate Resolution No. 127, which appears at page 3096 of the Senate Journal for May 25, 1953, the Senate Fact-Finding Committee on Un-American Activities was created and the following Members of the Senate were appointed to said committee by the Senate Committee on Rules:

Senator Nathan F. Coombs
Senator Earl D. Desmond
Senator John F. McCarthy
Senator John F. Thompson
Senator Hugh M. Burns

The committee herewith submits a report of its investigation, findings, and recommendations.

Respectfully submitted,

HUGH M. BURNS, *Chairman*
NATHAN F. COOMBS, *Vice Chairman*
EARL D. DESMOND
JOHN F. MCCARTHY
JOHN F. THOMPSON

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WESTMINSTER SCHOOL IMPROVEMENT ASSOCIATION

INTRODUCTION

The committee's attention was first directed to alleged subversive elements in the City of Westminster, California, when certain school officials contacted representatives of the committee in Sacramento, expressing suspicion that subversive influences were interfering with the educational system. This was during the latter part of 1953. Thereafter, the committee addressed a letter to some of the complainants informing them that "* * * If investigation discloses that the activity is of a local political character, we would be without jurisdiction. If, on the other hand, some subversive elements are discovered, we will take such action as the facts may warrant."

Accordingly, the committee was sent various newspaper clippings and other documentary material indicating that there was some basis for the suspicion and that further investigation should be made.

On April 24, 1954, additional detailed data was received—followed by documents which indicated that the charges and countercharges in Westminster and the adjacent vicinity had grown to such proportions that there was a real necessity to settle the matter, if possible. Aside from the matter of running the suspicions and rumors to the ground and determining whether or not they were based on fact, there now appeared to be such an atmosphere of confusion, suspicion and community tension in the City of Westminster that the committee was urged by several of its citizens to provide a forum whereby the matter could be thoroughly aired and settled once and for all. Certainly, by mid-April, 1954, the situation in Westminster was such that the school system was unquestionably affected.

Prime mover in the effort to uncover these alleged subversive influences in the schools was Mr. Lloyd W. Thomas, editor of a weekly paper, *The Westminster Herald.* His interest as a newspaper man was first aroused when the local school board fired one of its principals for indecent conduct. A petition by citizens prompted the board to investigate the conduct of its employee in the first instance, and in March, 1953, it held a hearing, received evidence and made the order which terminated his services. The individual thus discharged was supported and defended by persons suspected by Mr. Thomas of being subversive. After the case had terminated, this little group attacked the school board and sought to have them defeated at the election held in May, 1953. Unsuccessful in this attempt, they then formed an organization

known as *The Tri-City Advisory Committee* (comprising the cities of Westminster, Midwest City and Barber City) with a membership of 11 persons.

In January, 1954, Mr. Thomas got word that another organization, known as *The School Improvement Association,* had been launched. When he discovered that a meeting was to be held at the home of a Mr. Lyle Richards, he decided to attend and find out for himself what the movement was about and what the organization intended to accomplish. Not being accorded a very warm reception and feeling that he was being sidetracked, Thomas realized that apparently the new organization was not anxious to get any publicity in his paper. This served only to whet his curiosity and convince him that the organization had something it wished to conceal from public scrutiny. Persistence is a characteristic with which Mr. Thomas is abundantly endowed. Furthermore, it is almost an axiom that if one wants to arouse the zeal and curiosity of a newspaper man, the surest means is to convince him that he is being sidetracked from a newsworthy target.

As he delved deeper into the new organization, Thomas became interested in its dominant members. One of them had taken some part in the matter involving the discharged school principal, had played a part in the school board election, and appeared to be one of the principal figures in the newly-formed *School Improvement Association.* This was Mr. Albin Czerniawski.

Thomas looked up Czerniawski's background and discovered that he had been a member of the *Independent Progressive Party* in California. This prompted him to make inquiries of Czerniawski's friends, neighbors, business associates, and his colleagues in the *School Improvement Association.* Czerniawski, when he first learned that Thomas was engaged in probing into his past, became resentful and soon the affair had developed to a point where the supporters of Thomas, on the one hand, and the supporters of Czerniawski, on the other, gave rise to an almost unbelievable atmosphere of suspicion and hostility.

This was not abated when Mr. Thomas, in the issue of his paper for May 21, 1954, printed a photostatic reproduction of Czerniawski's registration in the *Independent Progressive Party,* together with a quotation from the fourth report of this committee to the effect that the *Independent Progressive Party* in this State was Communist dominated. In that connection it should be noted that Mr. Hugh Bryson, former state head of the *Independent Progressive Party,* was recently charged with having lied when he stated under oath that he was not a Communist, and ordered to stand trial for perjury.

The article from the Westminster Herald is as follows:

"Bare Affiliation of Improvement Man

"Threats, Dares and Punch to Editor Leads to Disclosure

"A slip backwards towards violence and secrecy took place last week at Paysen's Sundries where Albin Czerniawski came into the business place and caused a public disturbance, threatening the *Herald* editor with murder if the *Westminster Herald* continued to look into past possible activities of Czerniawski.

"With the death threat, Czerniawski without warning landed a blow to the jaw of the *Herald* editor. Printed alongside this article is a voter's affidavit of registration by Czerniawski into the *Independent Progressive Party.*

"The *Herald* takes the dare this week to print some inside information about this improvement association official who for some reason will provoke violence if an inquiry is made about him. Mr. Czerniawski opened himself to inquiry when he took an active part in the school affairs of this community; when he told the improvement association that 'we have got to meet secretly or the opposition will disrupt our meeting'; when he warned a free American newspaper of the results if there was any further investigating. Does that warning apply also to any other citizens of the community who dare question this man in the improvement association? Czerniawski holds position of assistant membership chairman of the improvement association.

"We are printing this above editor's note and the following data on the Independent Progressive Party, of which Czerniawski was a member as we would if we found strange affiliations with any public official.

"We believe that the schoolroom is a sensitive area wherein the minds are shaped toward the society in which we live. There is vital concern here, for we must preserve the integrity of the schools.

"The teachers and the officials maintain this integrity and the fact that they are entrusted with this duty gives a very proper right of inquiry into the organizations and persons with whom they associate.

"Likewise, citizenry who organize to 'advise' our schools, no doubt exerting pressure here and there, should also submit to inquiry as to associations of its members. From time immemorial, one's reputation has been determined in part by the company he keeps.

"Many good Americans have lost sight of vitally important questions in today's election. This has been brought about in agi-

tations that have in all too many cases greatly confused persons unwary of deceit, either knowingly or unknowingly.

"We do not know what the present political affiliations of this person are. We are not making any insinuations that he is of any particular belief but only presenting evidence and presenting comments of the State Committee on Un-American Activities in reference to the *Independent Progressive Party*. A. Czerniawski registered in 1948 into the Independent Progressive Party and following is the report of that committee on the IPP.

"The Un-American Activities Committee made the following statement of fact concerning un-American organizations including the *Independent Progressive Party*. This data is taken from the Fourth Report of the Un-American Activities in California, page 62.

> " 'Communists have no more use for parliamentary government than they have for capitalism. They seek to destroy both. The one basic goal of Communism is to eliminate capitalism and its parliamentary government, and replace them with a brutal, totalitarian police state under the dictatorship of the proletariat.'

"Wherever Red Fascism has snuffed out liberty and freedom, the first things to go were civil rights, capitalism and parliamentary government. Just as the Communists in America sneeringly and cynically take advantage of our freedoms and liberties, so do they pervert and corrupt our political and legislative process wherever possible.

> " 'The committee (on Un-American Activities in California) has discovered and reported repeatedly, that the Communists work incessantly to pervert and destroy every institution that does not fit into their pattern of revolutionary conspiracy. Nowhere has this Communist strategy been pursued more consistently and relentlessly than in the fields of politics and legislation.
>
> " 'The most recent consolidation of this Communist program of legislative and political activity through front organizations, has been the recent coalition of a series of Communist front organizations under the banner of the Third Party Movement to elect Henry Wallace President of the United States.
>
> " 'In California, the basic Communist front organizations in this coalition are the Progressive Citizens of America, Independent Progessive Party, California Legislative Conference, Communist-controlled trade unions in the C. I. O., the "Wallace Democrats" caucus in the Democratic Party, Progressive A. F. of L., and a student movement for Wallace, sponsored by American Youth for Democracy.

"'Behind a facade of specious promises of "peace, progress and prosperity," the Third Party movement has proceeded with mechanical precision, following every twist and turn of the Communist Party line on foreign affairs and domestic issues.

"'It has conducted its activities in such a manner as to stamp itself as an American tool of the international Communist conspiracy. Its policies, tactics and appeals fit the specifications for every type of Communist front organization described and classified in the entire report of this committee, and it follows the party "line" meticulously.

"'The Third Party movement to elect Henry Wallace is the creature of the Community Party. Its policies, programs, organization, structure, public relations, personnel and directing leadership have all followed and now follow the Communist Party pattern with unbroken monotony. Its key personnel are known Communists, fellow-travelers and veteran apologists for Soviet Russia and American Communism.

"'Hugh Bryson, state chairman of the Independent Progressive Party in California, is a Communist and a veteran of Communist conspiratorial activity in the Marine Cooks and Stewards Union, C. I. O.'"

Elsewhere in the same issue of the newspaper, this item appeared:

"An altercation last week between Albion Czerniawski and L. W. Thomas, *Herald* editor, has called for a clarification of the affair.

"Czerniawski came upon the *Herald* editor in Paysan's Sundries, voiced his objections of the *Herald* investigating his past. Czerniawski, who is proprietor of the A-C Hardware, told the newsman that he felt mad enough to kill him and without warning landed a blow to the publisher's jaw. Czerniawski then stepped back and threatened to kill the editor if the investigation was continued.

"The *Herald,* this week, is printing on page 3 a certain amount of information relative to subversive organizations. Also a photostatic copy of a document signed by Czerniawski.

"Even though there are some papers which consider it bad taste to mention the word Communist Party, we are carrying on page 3 of this issue comments of a state senatorial committee.

"Mr. Czerniawski's murder threat to the *Herald* editor is added reason to shed a little light on the subject in order to prove the integrity of the paper which Czerniawski may have placed in question.

"This paper has its choice of either knuckling down under this influential improvement association member, or take the challenge. The *Westminster Herald* does not compromise with threats.

"This paper has before been under attack for its freedom of the press by Czerniawski and his improvement association, who have attempted to stifle the press in such manner as to try to bring suit, force arrest of reporters for so-called covering 'public' meetings and has tried to confiscate film and records, without success.

"Czerniawski is assistant membership chairman of the School Improvement Association according to the West Orange County News and his membership headquarters is in his store."

Photostatic document reprinted in the *Westminster Herald,* which also carried the articles above quoted, was executed in Orange County on September 13, 1948, signed by Albin Czerniawski, 14151 Locust Street, Westminster, and was numbered 278328. He switched his political affiliation to the Democratic Party on September 7, 1950. As will be seen, there was some confusion concerning the exact language exchanged between the two men in the Westminster pharmacy immediately preceding the event described by Mr. Thomas. There is no question about his being struck in the face by Czerniawski, but here, too, the record becomes somewhat cloudy; Thomas describes the blow as "a punch in the jaw," and Czerniawski as "a slap in the face."

These matters are mentioned and the articles are cited to indicate the feeling that existed between the two principals. As local partisans took sides, the feeling naturally increased and since the population of Westminster is only about 1500, the newspaper publicity and the close personal contact between the inhabitants in this community resulted in a situation whereby almost everyone had become interested in the matter in one way or another by the time our public hearing opened on July 28, 1954.

The committee had been requested to hold an open hearing in April or May, but discovered that a local school board election had been set for May 21st, and, therefore, refused to hold any hearing or issue any statement until after the election had been held. We quote liberally from the transcript of the public hearing, together with documents submitted by the respective parties, in the hope that the situation will thereby be settled and the local tensions relaxed.

PUBLIC HEARING, LOS ANGELES, CALIFORNIA JULY 28, 1954

Several days prior to the beginning of the committee's inquiry into the Westminster matter, it had been listening to witnesses in a public hearing held in Room 115, California State Building, Los Angeles, California. At the conclusion of the other matters on the committee's program, it concluded by taking testimony from the witnesses from

Westminster, and in that connection the following introductory statement was made.

> "Mr. Combs: The next matter on the agenda, Mr. Chairman, is the Westminster matter, which is in an entirely separate category from the evidence which has been adduced before the committee up to this point. There were two or three witnesses that we expected to be here yesterday, but who were unable to attend, one by reason of illness and two by reason of the fact that they were not in the city. This last phase of the hearing will deal solely with the Westminster situation. As the chairman is aware, the committee began three or four or five months ago to receive letters and telephone calls from people residing in the Westminster area, charging that there were subversive influences that were having an adverse effect on the educational system and on the general community atmosphere in the Westminster area and immediate vicinity. The committee intended to go into the matter at an earlier date, but discovered that there was some kind of a local election in the city of Westminster, or in the school district, I am not clear which, and followed its consistent policy of staying out of any community political matters and therefore deferred the hearing until this time so that we would not intrude in the local political matters. An election was held in May, and while this subject is a little out of context of the hearing that has been conducted up to this point—I have talked to the people that I consider to be the principal witnesses on either side and told them if they preferred to have this hearing in executive session the committee would be happy to accommodate them. They both expressed a desire to have the committee hear the entire matter in open session. I wish to make it very clear to everyone here that the committee regards this as an exploratory hearing. It has sent no investigators into the Westminster area. The committee believed it would be most helpful if the leading actors on both sides came before the committee and testified under oath, and perhaps no further action will have to be taken. The committee's only jurisdiction is in connection with the alleged subversive matters. It has no jurisdiction to go into local political matters, or in the way the schools are conducted or with regard to the personalities on the school board, unless some subversive element is involved.
>
> "With that, Mr. Chairman, I would like to call to the stand Mr. Albin Czerniawski."

Mr. Czerniawski testified that he resided at 7181 Westminster Avenue, in Westminster, California, and had resided in that city

continuously since 1947. He stated that he was born in Canada and came to the United States by way of Detroit, Michigan, in 1924, and became a naturalized American citizen in February, 1930. He had resided in Long Beach during part of 1947 at 2316 Caspian Avenue, and in 1950 had resided at 1451 Locust Street in the city of Westminster.

Regarding his affiliation in a Communist front organization known as the *International Workers Order,* Mr. Czerniawski testified as follows:

"Question by Mr. Combs: Mr. Czerniawski, did you ever hear of an organization known as the *International Workers Order?*

"Answer: Yes, sir.

"Q. Were you ever affiliated with that organization?

"A. Yes, sir.

"Q. Or any of its branches?

"A. Yes, sir.

"Q. At what period of time?

"A. From 1936, right after the depression. I was out of work for a long time. As soon as I got back to work—during the depression I had lost all of my insurance. I didn't carry any insurance for myself or the family. Our insurance agent came to the door and solicited insurance. He told me what the rates were. It sounded very reasonable so I signed up. It was the *International Workers Order.* It was the Polish branch of the *International Workers Order.*

"Q. As a matter of fact, the *International Workers Order* is composed of what they call lodges, isn't it?

"A. That is right. It is a fraternal order.

"Q. It is composed of a group of various racial lodges?

"A. That is right.

"Q. Including of course Americans?

"A. That is right.

"Q. They have units of their organization all over the United States?

"A. That is right.

"Q. Go ahead.

"A. After I became a member I attended meetings maybe two or three times a year.

"Q. Where were the meetings held?

"A. At individual homes of the members.

"Q. At residences?

"A. At residences, that is right.

"Q. These meetings that were held at the residences were in the immediate vicinity of the area where you lived?

"A. That is right.

"Q. So that it was convenient to attend?

"A. That is right.

"Q. These people were friends of yours?

"A. No, not particularly. They were no friends of mine.

"Q. Did they become friends of yours as a result of attending the meetings?

"A. Acquaintances.

"Q. All right.

"A. I can truthfully say that at no time during any of those meetings was anything said against our Country, anything derogatory against our Country. After the second World War, our main purpose was to raise funds to help the orphans and widows in Poland because Poland was destroyed. The biggest percent of Poland was destroyed.

"Q. Do you have any relatives presently residing in Poland?

"A. I don't know of any, but I probably have because my folks came from there. In fact, they raised funds to buy farm machinery, farm tools, horses, and so forth. In fact I donated a hundred dollars toward the purchase of a horse in this Country, to ship a work horse to Poland.

"Q. When was that?

"A. That was four or five years ago.

"Q. Four or five years ago?

"A. Right after this World War, right after the war, about 1948.

"Q. About 1948?

"A. Something like that.

"Q. All right.

"A. Now I understand that organization is nonexistent.

"Q. That is, the *International Workers Order?*

"A. That is right. It is nonexistent. The New York State Insurance Board has taken it over.

"Q. The New York State Insurance Board has taken it over?

"A. That is right. It has disbanded.

"Q. How did you gain that information, Mr. Czerniawski?

"A. Well, I was sent that information from New York. Now I pay my insurance to the State of New York.

"Q. You pay your I. W. O. insurance premiums to the State of New York?

"A. That is right.

"Q. To the Insurance Commissioner in New York?

"A. Something like that.

"Q. He is the custodian of the I. W. O. in New York?

"A. I guess that is it. I don't know too much about it.

"Q. The head office of the *International Workers Order* was in New York, wasn't it?

"A. Yes.

"Q. So it would have jurisdiction over all of the subordinate units of the organizations throughout the Country?

"A. I suppose it would.

"Q. You don't know that?

"A. No.

"Q. You affiliated with that organization how long ago?

"A. 1936.

"Q. Your membership actually continues until the present time?

"A. That is right, sir.

"Q. With the exception that you just pay your premiums to the New York Insurance Commissioner?

"A. That is right. He sent me a bill and I sent a check.

"Q. But you never resigned from it or anything like that?

"A. No, I haven't.

"Q. You have never been expelled?

"A. No.

"Q. Do you still attend any meetings of the organization?

"A. Never.

"Q. Do you still maintain social contacts with the persons who were members and at whose homes you attended meetings?

"A. No, sir. For that matter I haven't seen any of the members for years, several years.

"Q. So you don't know whether they still belong or whether they are in the same category as you are or not?

"A. That is right. However I could name several other organizations I belong to also.

"Q. Let me ask a few more questions and after I have finished you can give us any organizational data you wish.

"A. Fine.

"Q. Were you affiliated from 1947 until 1952 or thereabouts with an organization known as the *American Polish Society?*

"A. No. I never heard of that organization.

"Q. You don't know anything about that at all?

"A. Not that society.

"Q. Do you know of a publication called *The Daily People's World?*

"A. I have heard of it, yes.

"Q. Did you ever subscribe to it?

"A. *The Daily People's World*—I think I did for a six-month period in 1946, I believe.

"Q. In 1946?

"A. Yes, sir.

"Q. For six months?

"A. Yes. It was a dollar. They asked for a dollar and they sent the publication for six months.

"Q. Did you subscribe to that through your contacts with the *International Workers Order?*

"A. No. Someone in the particular neighborhood came up to my place of business and asked me.

"Q. That was when you were residing where?

"A. One of my customers in Long Beach.

"Q. Did you yourself ever sell any subscriptions to the paper or persuade anyone to subscribe to it?

"A. Never.

"Q. You never did?

"A. Never.

"Q. You took it you say for six months?

"A. Yes.

"Q. Why did you cease taking it?

"A. I wasn't interested. There was nothing in it to interest me.

"Q. Did you know anything about its political character?

"A. What is that?

"Q. The political nature of the *Daily People's World?*

"A. Yes. I don't know that I can define it properly. It—

"Q. Was it an anti-Communist paper?

"A. No, I wouldn't say that.

"Q. Was it opposed to Communism?

"A. No, I wouldn't say it was opposed to Communism.

"Q. In other words, it seemed like there was nothing derogatory against our country there?

"A. No.

"Q. It was just a run-of-the-mill paper?

"A. That's the way I took it.

"Q. Did it seem to you to be fair and objective in its reporting?

"A. Well, I didn't study it enough.

"Q. You did not read it very closely?

"A. No, sir. I was busy many times it came in and it wound up in the wastebasket.

"Q. You threw it in the wastebasket?

"A. That's right.

"Q. But did you read it enough to form an opinion that it apparently was a run-of-the-mill newspaper?

"A. Well, I read the headlines in it, but that is about as far as it went.

"Q. You just read the headlines?

"A. Yes.

"Q. I think you could probably form a pretty good opinion from reading the headlines.

"A. Yes, I could.

"Q. And you did?

"A. Well, like I told you, there was nothing there that would interest me.

"Q. But you also testified I think that you found nothing derogatory in it.

"A. That's right, as much as I read.

"Q. Did you ever notice any mention in the paper of the Soviet Union or the countries behind the Iron Curtain, including Poland?

"A. I don't believe I did.

"Q. You don't believe you ever saw any mention of them?

"A. No.

"Q. Did you ever hear of a publication called *In Fact*, a magazine?

"A. Yes.

"Q. And did you ever subscribe to that?

"A. I did, sir.

"Q. Where were you living then?

"A. I lived in Westminster.

"Q. So that would be after 1947?

"A. That's right.

"Q. How did you happen to subscribe to that, Mr. Czerniawski?

"A. Some party asked me to donate a dollar to subscribe to the publication.

"Q. Do you remember who that person was?

"A. I don't believe I do.

"Q. Was it a neighbor of yours?

"A. No, it was not a neighbor. It was a party who lived, I believe, in Huntington Beach somewhere.

"Q. Someone who lived in Huntington Beach?

"A. That's right, when I joined the Progressive Party.

"Q. The *Independent Progressive Party?*

"A. The *Independent Progressive Party.* That was when they contacted me.

"Q. When did you join the *Independent Progressive Party?*

"A. Well, when Henry Wallace was running for President, I guess.

"Q. You were living where then?

"A. Westminster.

"Q. After you joined did somebody come to see you who was a member of the *Independent Progressive Party?*

"A. I suppose so.

"Q. And asked you to subscribe to *In Fact?*

"A. Yes, sir.

"Q. Which you did for a dollar?

"A. Yes, sir.

"Q. Who was the editor for that publication, if you know?

"A. I don't remember.

"Q. Was it a man named Seldes?

"A. That sounds familiar.

"Q. George Seldes?

"A. It sounds familiar, but I am not quite sure.

"Q. Did you read that magazine at all?

"A. Very seldom. I threw it in the wastebasket.

"Q. You threw it in the wastebasket, too?

"A. That is right. The reason I subscribed to these different ones, since I am in business I thought it would be advantageous as far as advertising is concerned, you know.

"Q. Advertising in the magazine do you mean?

"A. No. It would be good business when a customer asked me to donate or subscribe to something I generaly did.

"Q. Was the person who asked you to subscribe to the *People's World* one of your customers?

"A. Yes.

"Q. The person who asked you to subscribe to *In Fact* was one of your customers?

"A. That is right.

"Q. Had you known either of them in the *International Workers Order?*

"A. No.

"Q. But the second one you believed you had some contact with through the *Independent Progressive Party?*

"A. It must have been because they got my name from the list somehow, from the registration list.

"Q. I show you a photostatic copy of a document which purports to be an affidavit of registration and ask you if that is a correct facsimile of your signature, Mr. Czerniawski?

"A. It is, sir. I have seen it before.

"Q. Of course, you signed the original, did you not?

"A. That is right.

"Q. Mr. Czerniawski, did anybody ever solicit you to become a member of the Communist Party, ask you to join at any time?

"A. No, sir. I never would join.

"Q. You never joined the Communist Party?

"A. No, and I would never have joined if they asked me.

"Q. You never did join?

"A. I never did join.

"Q. Have you ever been a member of the *Communist Political Association?*

"A. I should say not.

"Q. Which was another name for the Communist Party. Have you ever been a member of any Communist front organization?

"A. Not that I know of.

"Q. Not that you know of?

"A. No, sir.

"Q. Did you know that the *International Workers Order* was designated by the United States Department of Justice as a Communist front?

"A. No, sir, I didn't.

"Q. Did you know that the Insurance Commissioner in the State of New York brought a lawsuit to prevent the organization from doing business on the ground that it was a Communist front and that the courts held that it was a Communist front?

"A. That I didn't know. I was not posted on it and I was not interested. I was busy working.

"Q. Did you know that the publication *In Fact* had been characterized as a pro-Communist publication and is now no longer published?

"A. That I didn't know either.

"Q. Did you know that the *Daily People's World* is the propaganda organ for the Communist Party of California?

"A. It probably is, but I am not too well informed on that, either.

"Q. When you say 'probably,' what do you mean?

"A. Well, as you have mentioned, that it is—it probably is. I don't know.

"Q. How long did your affiliation with the *Independent Progressive Party* continue?

"A. Just for that one election.

"Q. It ceased thereafter?

"A. That's right. I am a Democrat. I always have been, and I went back to the Democratic Party, but I felt at that particular time that Wallace would have been a better man.

"Q. The only reason we asked about the *Independent Progressive Party* is that it has been characterized not as being a Communist organization, but as being dominated by Communists at the top.

"A. I see.

"Q. There is some evidence, some of it before this committee, that the head of it in California, Hugh Bryson, chairman of the

Marine Cooks and Stewards Union in San Francisco, is a Communist Party member. Obviously the committee is interested in that, while it is not interested in the other political parties toward which no such accusation has been mentioned to my knowledge.

"A. That is the reason I joined the *Independent Progressive Party.*

"Q. Mr. Czerniawski, will you please describe the organization in Westminster if you know anything about it? By the way, do you still reside there?

"A. Yes, I do.

"Q. You are in the paint business there?

"A. I am in the hardware business.

"Q. Do you know of an organization known as the *Tri-City Advisory Committee,* are you familiar with that at all?

"A. No, sir, I am not.

"Q. You know nothing about it whatsoever?

"A. No, sir, not a thing.

"Q. Do you know anything about an organization known as the *School Improvement Association?*

"A. Yes, I do.

"Q. Would you mind describing in your own way to the committee what that is and how it started?

"A. I will give you what I know about it. I will tell you what I know about it. When the organization was formed I was asked to join. They told me what it was for. The school board at that time was going to float a big state loan.

"Q. It was interested in school matters?

"A. It was interested in school matters, that is right. They were going to float a big bond issue for new schools. We didn't need them at the present time. It would have affected our tax rates. I am a taxpayer, therefore I joined.

"Q. The organization was already in operation when you were asked to join it?

"A. That is right.

"Q. Do you know who was instrumental in starting it, or how long it had been in existence?

"A. I am not quite sure. Mr. Leonard Fry was the chairman of the organization. He asked me to join.

"Q. Is he here today?

"A. No. He had to work.

"Q. That was the *School Improvement Association,* was it?

"A. That is right.

"Q. Do you know a man by the name of Lyle Richards?

"A. Yes, sir.

"Q. Is he here today?

"A. No, sir.

"Q. Does the *School Improvement Association* still exist?

"A. Yes, sir, as far as I know it does.

"Q. Of what does its membership consist? Is it limited to the City of Westminster or is it spread over a larger area?

"A. It is limited to the Westminster School District.

"Q. Westminster is in Orange County?

"A. Yes, sir.

"Q. Where is it located with reference to the county seat?

"A. Santa Ana I understand is the county seat.

"Q. Yes.

"A. It is west of Santa Ana.

"Q. How far?

"A. About seven or eight miles.

"Q. You say the membership comprises people extending how far?

"A. The Westminster School District.

"Q. Does that include other cities in addition to Westminster?

"A. I don't believe so.

"Q. You don't believe so?

"A. No.

"Q. Did you attend meetings of this organization?

"A. You said other cities?

"Q. Yes.

"A. I don't know how you would define it. I said Westminster School District. It comprises Westminster, Barber City, Midway City and Sun Gardens, which are little county communities, but they are in the Westminster School District.

"Q. That explains it. In connection with your membership and participation in this organization, the *School Improvement Association,* have you been accused of being a Communist or belonging to a subversive organization?

"A. I have, sir.

"Q. When did that sort of activity originate?

"A. Well, it originated four or five years ago, but I tried to run it down. I have tried every possible way to run it down. However, I could not. It was one of these whispering campaigns.

"Q. Had you had similar experience before that time?

"A. No, sir.

"Q. While you were a member of the *International Workers Order?*

"A. No, sir.

"Q. Did anyone accuse you of belonging to a Communist dominated organization?

"A. No, sir. Then I went to the FBI in Santa Ana and told them that I was in business in Westminster, that I was a businessman there, that there was a rumor going around, a whispering campaign, that I was a Communist.

"Q. About when did you do this?

"A. About four years ago.

"Q. All right.

"A. I told them that if I was a Communist they would know about it, and I knew I wasn't, therefore I would like to have them give me a clearance of some kind that would show I was not a Communist.

"They said, 'Mr. Czerniawski, we are not authorized to give anyone clearance. If you were a Communist it would be none of our affair. If you were able to find out who started this rumor then they would be subject to civil suit; you could take them to a civil court.' I could not get any help there, and I started asking people about it.

"Q. You could not get any help for the reasons they explained to you?

"A. That is right.

"Q. They said they were not permitted by law to issue clearance?

"A. I don't know what the law was. I just went there.

"Q. I understand, but it was the natural thing to do.

"A. I asked the people in town where did they get the information. They all just clammed up and wouldn't tell me the start of it or what. So it went on.

"Q. What is the population of Westminster, roughly?

"A. I believe about 1,200, somewhere around there.

"Q. Proceed.

"A. It went on for years that way until this thing came up. I have a statement here from a party which I would like to show to you, saying that I was called a Communist by a certain party (handing document to counsel).

"Mr. Combs: Let the record show that the witness has handed to the committee a hand written document consisting of one page, written in ink, dated the 26th of July, 1954.

"The Witness: This incident happened on July 10th.

"Mr. Combs: Do you wish up to read this into the record?

"The Witness: Yes, sir.

"Mr. Combs: You do?

"The Witness: Yes, sir.

"Mr. Combs: It reads as follows: 'To Whom it May Concern: This is to certify that on May 10, 1954 I was in Paysan's Drug Store in Westminster and I heard a man call Mr. Czerniawski a Communist. Mr. Czerniawski slapped him. This fellow left and Mr. Czerniawski apologized to Mrs. Paysan. F. A. Wood, 7/26/54, 12362 Stanton Avenue, Garden Grove.'

"The Witness: Here is another one.

"Mr. Combs: Let the record show the witness handed to the committee a hand written document consisting of a folded sheet of about a page and three-quarters which contains handwriting in ink and in pencil. It is signed by Mrs. Mary Cleo Hyans of 2533 Jackson Street, Dominguez, Long Beach 10, California. It is dated May 11, 1954. Do you wish us to read this into the record also?

"The Witness: Yes, sir.

"Mr. Combs: It reads as follows: 'To whom it May Concern: On April 30, 1954, Mr. Lloyd Thomas and Mr. Edwards called on me and led me to believe that they were from some type of law enforcement and asked me about Mr. Albin Czerniawski's political standing. Also asked me if they ever had meetings in their home or ever had company and what they talked about. Also asked me about a locksmith who came to the store to see Mr. Czerniawski. I worked for Mr. Czerniawski from 1940 to 1941, about 18 months. I want to say I never worked for anyone as nice and thoughtful as Mr. and Mrs. Czerniawski, and new knew anyone more loyal to the U. S. A. than the Czerniawski family. I never heard them ever say anything against our government at any time. Mr. Thomas also asked me about their social life here in Dominguez.'

"It is signed by Mrs. Mary Cleo Hyans, 2533 Jackson Street, Dominguez, Long Beach 10, California.

"How many more do you have?

"The Witness: There aren't very many more, sir.

"Mr. Combs: Let the record show the witness has handed to the committee a single paged handwritten document in pencil, dated May 11, 1954, signed H. Taylor, addressed To Whom it May Concern.

" 'Mr. Lloyd Thomas and his partner called at our place of business and questioned us about the background of one Albin Czerniawski, as to whom his friends were etc. We could not give them very much information concerning Mr. Czerniawski as we knew nothing derogatory to his character, either political or otherwise. They went through all of the motions of taking a picture of our store.'

"It is signed by H. Taylor, 2652 Monroe Street, Dominguez.

"The Witness: Here is another one.

"Mr. Combs: The witness submits a typed document dated May 13, 1954. A single sheet of paper addressed to Mr. Albin Czerniawski, Westminster, California. It reads as follows:

" 'Dear Mr. Czerniawski: On April 30 inst. I was contacted by two gentlemen who tried to give the impression they were some type of law officials. On asking for identification I was handed a business card with the name of Lloyd Thomas of the *Westminster Herald.*

" 'At this time I told them that from 1939 to 1942 you and your family had been residents of this community; conducted a general merchandise business here, and to the best of my knowledge there had been no question as to your character and loyalty.

" 'Both my wife and I felt that you and Mrs. Czerniawski were hard working and energetic people who were community and civic minded.

" 'Sincerely, (signed) Walter K. Luck, 2672 Jackson, Long Beach 10, California.'

"The Witness: Now, here is one from a local man where I live in Westminster. It is more a letter of what my character is.

"Mr. Combs: The witness has handed the committee a document consisting of a single page which he says contains a statement as to his character certification. Is that right?

"The Witness: Yes, sir.

"Mr. Combs: Do you wish me to read it into the record?

"The Witness: Yes, sir.

"Mr. Combs: It reads as follows:

" '1392 Cedar Street, Westminster, California, Tuesday, July 27, 1954.

" 'To Whom it May Concern:

" 'I welcome this opportunity to make a very definite statement regarding the character and behavior of my friend and close neighbor, Albin Czerniawski.

"During the past eight years there have been but few days in which I have not met, talked, associated and done business with him. I can truthfully say that on each and every occasion he has conducted himself and his business in a clean, public spirited manner. The fact that he registered and voted the Independent Progressive ticket in a recent election now seems to denote a subversive character by a certain newspaper publisher.

" 'I learned today that my friend has been called to answer a charge that he is subversive. I am happy that we live in a country where such accusations may be made and where the accused is given the privilege of answering the charges. I trust his answers will fully exonerate him of the accusation.

"'Free elections (the true basis of our democracy) very correctly air the character of the candidates for election. The will of the majority should be accepted by the minority. The very fact that we have elections whereby we elect national, state, county, city—yes, even school trustees, is an acknowledgement that our present laws and officials are not perfect. Otherwise we would write the word finis on the last page of our law books and the officials would be elected for life terms. If the minority in some of our school elections were able to carry their defeat to their desired ends I am afraid the county would soon become engaged in countless little civil wars and rebellions.

"'Walter R. Pope.'

"Q. Now, Mr. Czerniawski, is that the extent of the documents you wanted to read?

"A. Except for derogatory statements in the newspapers, but they are quite lengthy.

"Q. Obviously we cannot read all these things into the record. If you wish to submit them to us we will be happy to attach them to your testimony. If you want to submit them for the record, you may do so.

"A. Yes, I will do that, too.

"Mr. Combs: Let the record show the witness has handed to the committee a folder containing newspaper tear sheets and clippings, all of which will be received and will be attached to the record in connection with the testimony of the witness.

"Q. Mr. Czerniawski, do you belong to any other organization in Westminster similar in character to this School Improvement Association?

"A. No, sir.

"Q. That is the only one you have ever been affiliated with in Westminster?

"A. No, sir, I belong to the Odd Fellows.

"Q. No, I didn't mean that. I mean similar to this citizens organization.

"A. No, sir. I belong to the *Independent Order of Foresters*—the Independent Order of Foresters.

"Q. I don't believe anybody has ever called that a front organization.

"A. I belonged to the Moose Lodge, and for several years I belonged to the St. Nipomotz Church Society.

"Q. You appreciate, Mr. Czerniawski, that there is a great difference between the organizations you have mentioned and organizations like the International Workers Order which has been characterized as a Communist organization over and over again?

"A. At the time I joined it it was not characterized as that.

"Q. When was it so characterized?

"A. I have no idea when it was. At that time it was an organization I joined for the insurance benefit. It did not have any insurance at that time. I had three little children, my wife and three little children. I thought if something happened to me that would be the best thing to do, to take out insurance, which in my estimation was very reasonable at that time and I could afford to carry it.

"I would like to also state that I have a son who was in service in World War II and in the Korean war. He received honorable discharges from both services. Now he is employed as an accountant.

"Q. I neglected to ask you in connection with your membership in the International Workers Order whether or not you received a publication of any kind, such as a paper or circular or anything from that organization?

"A. No, sir.

"Q. They published nothing to your knowledge?

"A. No, sir, not to my knowledge.

"Q. Of course the fact that the *Daily People's World* is a propaganda medium for the Communist Party of California would indicate that it had been subject to scrutiny and suspicion by a great many official agencies. Is that right?

"A. I suppose it would, but I would never subscribe to anything like that. This was the first time I was interested and I wanted to know what it was about. That is not the only paper I subscribed to. I subscribed to the *Press-Telegram,* a Long Beach paper, and I have for many years, and then the *Los Angeles Examiner.*

"Q. What about the *Westminster Herald?*

"A. I am sorry. I have not subscribed to that paper. However, I gave the *Westminster Herald* plenty of my business as far as printing goes, and I have ads in their paper.

"Mr. Combs: Unless you have something else to add, that is all. If you can think of anything else you want to testify about, you may do so.

"The Witness: I don't believe so."

TESTIMONY OF LLOYD W. THOMAS

Mr. Thomas was the next witness called to the stand and testified as follows:

"Question by Mr. Combs: Will you state your full name please?

"A. Lloyd W. Thomas.

"Q. Where do you reside?

"A. 8701 20th Street, Westminster.

"Q. How long have you resided at that address?

"A. Six years.

"Q. Your business is what?

"A. Newspaper publishing and printing.

"Q. What is the name of the newspaper?

"A. *Westminster Herald.*

"Q. And how long have you been publisher of that newspaper?

"A. I have been publisher with my father about two years. The paper has been in the family about nine and a half years.

"Q. Are you acquainted with the witness who preceded you, Mr. Czerniawski?

"A. Yes, sir.

"Q. How long have you known him?

"A. Since about 1947.

"Q. As a newspaper man, as a citizen, or in any other capacity for that matter, did you conduct any inquiry into the origin and nature of the *School Improvement Association* in Westminster?

"A. Yes, sir.

"Q. Did you endeavor to ascertain anything about the political affiliations and beliefs of Mr. Czerniawski?

"A. Yes.

"Q. How did you happen to do that?

"A. Having knowledge of his party membership, the *Independent Progressive Party,* and his affiliations with the *School Improvement Association,* I thought I should make some inquiry.

"Q. Was he then active in the organization to which I have referred, the *School Improvement Association?*

"A. Yes, sir.

"Q. He was?

"A. Yes.

"Q. Before you started this investigation did you know anything about his affiliation with the *International Workers Order?*

"A. No, sir.

"Q. Did you know anything about the fact that he had been a subscriber for a period of six months to the *Daily People's World?*

"A. Not before the investigation.

"Q. Did you ever independently develop that information, I mean on your own? Did you discover those facts?

"A. The information on the *Daily People's World* came from a former resident who came into my office and notified me of that fact.

"Q. About when did this occur?

"A. About three months ago.

"Q. Did you ascertain that he had belonged to the *International Workers Order?*

"A. I have heard reference to that, but I had no proof.

"Q. Before, during or after the period of your investigation?

"A. During my inquiry.

"Q. Your inquiry commenced about when, how long ago was it?

"A. I became the most curious beginning January 11, 1954.

"Q. Would you tell as briefly as you can, without omitting anything pertinent, the circumstances that led to your interest in Mr. Czerniawski and this organization?

"A. I had learned of a supposedly open and civic meeting to take place the night of January 11th at the home of Lyle Richards. I called Mr. Richards at 7.30 and told him I would like to attend.

"Q. Is Mr. Richards a resident of Westminster?

"A. Yes, sir. Mr. Richards is treasurer of the *Tri-City Improvement Association,* I believe.

"A Voice: Not the Tri-City.

"The Witness: Or the *School Improvement Association,* excuse me. Upon arrival at Mr. Richards' house at 7.50 p.m. he informed me that the meeting had been called off. However, later in the evening, about 9 o'clock, Mr. Edwards and I came across what we believed to be the same meeting in another person's house, in the home of Leonard Fry, later to be known as Chairman of the Improvement Association.

"Q. He is a resident of Westminster, and was at that time?

"A. Yes. Mr. Fry denied any knowledge of the meeting, of an organization, of any minutes or any officers or name of an organization when I inquired as to whether or not a meeting had transpired. Mr. Czerniawski was present at this meeting I mentioned.

"Q. Did you see him?

"A. Yes, sir. Later I inquired from Mr. Fry if the meetings were to continue and were they to be open to the public and the press. He said no. Having some knowledge of Mr. Czerniawski's past affiliation with the Independent Progressive Party, and that possibly he was now interested in the Improvement Association and in our local school affairs, and because the meeting was closed to the public and the press, Mr. Edwards and I took the liberty of listening in on the meeting from the attic of the Odd Fellows hall, inasmuch as we were barred from the meeting itself, although other reporters were allowed in.

"Q. Your effort to go to that meeting, the one you described as being held at the home of Mr. Fry, occurred when?

"A. The same night.

"Q. What was the date of the meeting at the other place?

"A. January 25th, I believe.

"Q. You say that that was open to other newspaper reporters?

"A. Yes, sir.

"Q. Was it open to the public?

"A. I had been told previously that it was closed to the public and to the press.

"Q. But members of the press were there?

"A. Yes, sir.

"Q. Did you see them?

"A. Yes, sir.

"Q. Who were they?

"A. The reporter of the *West County News,* a branch paper of the *Garden Grove News.*

"Q. Were there any other reporters present that you recognized?

"A. At later meetings Mr. Elmer Wells of the *Santa Ana Register* was present.

"Q. You saw those other newspaper representatives other than your own present at that meeting?

"A. Yes, sir.

"Q. Where were you all this time?

"A. I was in the attic, sir.

"Q. How did you manage to get into that location?

"A. Through the use of a key we entered the hall previous to the meeting.

"Q. How long previous to the meeting?

"A. At 6.30. The business took up about 8 o'clock.

"Q. You were there about an hour and a half before the meeting started?

"A. Yes, sir.

"Q. Who was with you, if anyone?

"A. Mr. Edwards and another chap named Merton Fugler.

"Q. He lives in Westminster, too?

"A. Yes, sir.

"Q. You went up to the attic for the purpose of ascertaining what went on at the meeting at which other reporters were present and at which you would not be admitted?

"A. That is right.

"Q. Were you there when the people began to come into the hall?

"A. Yes, sir.

"Q. Was there any physical facility in the ceiling of the building which enabled you to observe what transpired?

"A. I found a ventilating grill in the center of the ceiling.

"Q. Did you hear what went on?

"A. Very well.

"Q. Were you there during the entire time that the meeting lasted?

"A. Yes, sir.

"Q. Did you remain there until the last participant in the meeting had left the building?

"A. Yes, sir.

"Q. You then emerged from your place of concealment and left the premises, I take it?

"A. That is right.

"Q. Did you keep any written record or notes of what you saw and heard?

"A. Yes, we kept a running record of the meeting.

"Q. There were three of you there?

"A. Yes, sir.

"Q. It was a little uncomfortable, wasn't it?

"A. Yes.

"Q. How long did the meeting last?

"A. The meeting began at 8 o'clock and adjourned at 10, 11 and 11.30.

"Q. Mr. Thomas, did you attend subsequent meetings of the character?

"A. Yes, sir.

"Q. In the same way?

"A. In the same way.

"Q. With the same people?

"A. Yes, sir.

"Q. At the same place?

"A. Yes, sir.

"Q. In the same attic?

"A. Yes, sir.

"Q. Did you take notes on those subsequent occasions?

"A. That is right.

"Q. Are you able to tell us approximately when those subsequent meetings took place?

"A. February 8th, February 22d.

"Q. All of this year?

"A. Yes sir; and I believe March 22d.

"Q. Four meetings in all?

"A. Yes, sir.

"Q. Were other meetings held thereafter that time, after you attended the last one?

"A. Yes, sir.

"Q. Why didn't you attend those?

"A. We went in, sir, on two or three occasions, myself or Mr. or Mrs. Edwards who occasionally writes for our paper. On entering, the meetings were immediately adjourned.

"Q. You say you attended four of these attic meetings. You also testified that other meetings were held thereafter in the same place?

"A. Yes, sir, in the same place.

"Q. But you did not go up to the attic any more?

"A. No, sir.

"Q. Why not?

"A. We had been discovered, I believe around the fourth time, as being in the attic.

"Q. How did that occur?

"A. Through the dropping of a camera cable through the ventilator grill.

"Q. Were you taking pictures?

"A. Yes, sir.

"Q. What kind of equipment did you have?

"A. We had infrared, sir.

"Q. Did you develop the negatives?

"A. Yes, sir.

"Q. Were they clear?

"A. Fairly much.

"Q. What did you do with the developed negatives?

"A. They haven't been put to any use, sir.

"Q. Do you have them in your possession?

"A. Not with me, sir.

"Q. If the committee should require you to do so, or request you to do so, would you make them available to the committee?

"A. Absolutely.

"Q. To go on with this incident. You were discovered. You emerged from the attic. Then what happened?

"A. We were discovered in the attic. Mr. Czerniawski, I believe followed by Mr. Lyle Richards—Mr. Richards I believe was the first one up the ladder and broke through.

"Q. Up the ladder?

"A. Yes, sir. There is a ladder from the second floor to the attic. Mr. Richards was the first one to come through, breaking open the drop door, I believe with his head or shoulders. Two men were standing on the door. I believe he was followed by Mr. Czerniawski, who himself went through the attic with a large board in his hand. At that time I was endeavoring to put the

cameras and film and such under the eaves, thinking they would be safer there. The police were summoned.

"Q. By whom.

"A. The Orange County Sheriff's office by a member of their organization.

"Q. By that you mean a member of the organization meeting there?

"A. Yes, sir, the Improvement Association.

"Q. All right.

"A. They requested the Orange County Sheriffs to come to the meeting and place Mr. Edwards and I under arrest. Mr. Czerniawski also requested that the films and notes be confiscated, the films and notes that we took of a supposedly public meeting.

"Q. Were other newspaper reporters present at all of these meetings?

"A. Yes, I think reporters were present at all meetings, although occasionally they came in late.

"Q. You observed this yourself?

"A. Yes, sir.

"Q. Were you arrested?

"A. No, sir.

"Q. By the Sheriff's office?

"A. No, sir.

"Q. Were the notes and photographic equipment and the negatives confiscated by anyone?

"A. The sheriff's officers offered to take our films into custody. They were released to me two days later.

"Q. Was any criminal charge filed against you by anyone to your knowledge?

"A. No criminal charge and no attempt was made.

"Q. Was any civil suit filed to your knowledge?

"A. No, sir.

"Q. Were you ever placed under arrest?

"A. No, sir.

"Q. Was your equipment all returned to you, and your notes returned to you?

"A. Yes, sir.

"Q. Did you make any further attempts to conceal yourself in the attic to observe what happened at their meetings which were held in the same locale?

"A. No, sir.

"Q. Were other meetings held there?

"A. Yes, sir.

"Q. Were you told on subsequent occasions by anyone connected with the Improvement Association that you would not be admitted to these meetings, or any of them?

"A. Yes, sir. It became general knowledge.

"Q. The other members of the press would be admitted, but you were not welcome?

"A. That is right.

"Q. Was it put to you that you were not welcome or that you would not be permitted to attend?

"A. It was put that I could attend, but would not be welcome.

"Q. Do you have your notes with you, Mr. Thomas, that you took on any of those occasions?

"A. I have typewritten copies of the notes.

"Q. Do you have them with you presently?

"A. Yes, sir.

"Q. Will you submit them at this time to the committee?

"A. Yes, sir.

"Mr. Combs: Let the record show that the witness has handed to the committee a series of typewritten sheets ten and a half typewritten sheets, which have been identified by the witness as typed copies of the notes that were taken on the occasions that he attended these meetings at the times and places and in the manner heretofore described.

"Q. Mr. Thomas, do you desire to have these returned to you or may we keep them?

"A. The committee may keep them.

"Q. Thank you. Did you continue to investigate the personnel and the activities of the Improvement Association?

"A. Yes, sir.

"Q. You did that for the reason you have heretofore described, that you suspected it was engaged in some sort of a subversive activity, or had been infiltrated or was led by people with subversive records?

"A. Yes. I became interested and pressed the inquiry because of Mr. Czerniawski. He was assistant membership chairman and I presume now a membership chairman with headquarters at his store.

"Q. For this association?

"A. Yes, sir, and he is influential in the association. I had some knowledge of his past affiliations and I pressed the inquiry to determine the extent of possible subversive character existing in the membership.

"Q. As a newspaper man you were interested not only in the *Improvement Association,* but having discovered the *Independent*

Progressive Party affiliation, the *People's Daily World* subscription and the *International Workers Order* affiliation in the process of your work, it led you to suspect that the organization might have some kind of ulterior purpose, is that true?

"A. Either the organization or some of its membership who may have motives that would be beneficial to other organizations that they might be on too.

"Q. Did you investigate any other members or leaders of the organization except Mr. Czerniawski?

"A. To some extent, but not as fully.

"Q. What did you find in that connection?

"A. I believe a few minor details which cropped up, volunteered by people. We have not pressed them to the fullest extent though. What little we do have we have submitted to the committee.

"Q. You will make available this information on request, will you?

"A. Yes, sir.

"Q. What was the net result of your investigation and work, Mr. Thomas, to what conclusion did you come, if any?

"A. I believe that an organization representing itself to be a civic group attempting to work for the betterment of our schools and community should not have in it personnel or officers who are members or have had membership in organizations that are not akin to our American way of life. I believe that any trustees that have been sponsored by such an organization, that its membership should give this very serious consideration inasmuch as this group has membership in it that is affiliated with possible front organizations and has sought to gain control of the school board successfully.

"Q. Is there anything else you care to add, Mr. Thomas?

"A. My reasons for bringing this to the committee were first to present evidence of material given to our office, to bring to light any possible subversive character that existed in the committee, if such existed.

"Q. Do you mean the *Improvement Association?*

"A. That is right. Reference was made earlier today of our investigation in the Long Beach, Dominguez area. On one occasion Mr. Czerniawski said that we were claiming to have connections with the police force, or something.

"Q. Those statements were contained in the letters he submitted.

"A. On all occasions we submitted business cards, and on one or two occasions we were asked what would happen to the material if it came our way. We said it would be turned in to a government agency, but we were newspaper men.

"Q. You never identified yourselves or made an effort to represent yourselves, directly or indirectly, as having any official investigative capacity?

"A. No, sir. We were only interested where it would benefit the community.

"Q. You always submitted your business card on each and every occasion, which gave your occupation as a newspaper man?

"A. Yes, sir.

"Q. Do you have anything further to offer?

"A. I believe that is all I have.

"Mr. Combs: Thank you."

Mr. Ralph R. Edwards was called to the stand and stated that he resided at 14242 South Golden West Street in Westminster, had accompanied Mr. Thomas on the expeditions into the Odd Fellows Hall attic, and corroborated his testimony concerning the meetings held there in every respect.

Mr. Czerniawski was then recalled to the stand, briefly described the encounter in the Westminster drug store and was then questioned further concerning the *School Improvement Association* as follows:

"Question by Mr. Combs: Senator Burns inquired of another witness whether or not the Improvement Association was still functioning and holding meetings. Is it, to your knowledge?

"A. So far I think I did attend meetings.

"Q. I don't mean you, but does the organization still exist?

"A. As far as I know it does.

"Q. Are you still connected with it?

"A. Well, I haven't paid any dues for quite some time. I don't know whether I am or not.

"Q. Did you hold an office in the organization?

"A. I was elected at one of the meetings for membership chairman, but I told them I could not accept. I said I could not accept that position because I was busy in my store and could not devote the time. I said I would help in any way I could, but I would not take the office or job.

"Q. Were the meetings in the Odd Fellows Hall open or closed to the press?

"A. They were open to the public and the press.

"Q. They were open to the public and the press?

"A. That is right, sir, as far as I know.

"Q. Was it made clear to Mr. Thomas and Mr. Edwards that they were not welcome at the meeting?

"A. It was never mentioned to Mr. Thomas or Mr. Edwards as far as I know.

"Q. Could it have been mentioned to them without your knowledge?

"A. It probably could because we are not taking a very active part in the organization because I have my business to attend to. The only active part I took in the organization was to pay dues as a dues paying member.

"Q. The paper that was published by Mr. Thomas was not exactly friendly toward the improvement society, was it?

"A. No, it was not, sir. It was very biased.

"Q. So it would not be beyond the realm of logic or reason to say that the people representing that paper would be perhaps a little less welcome at your affairs than papers that were friendly toward your association?

"A. That is true enough. However, they were not excluded. They were welcome if they wanted to come, but they knew that we weren't very friendly toward them on this biased attitude.

"Q. They were not friendly toward you and you were not friendly toward them?

"A. That is right.

"Question by Chairman Burns: Mr. Czerniawski, in these notes I see a statement by member Fry in which he says, 'I agree and think that we should plan a constructive program keeping in mind our one aim, that of three men from our group elected to the board.'

"Was that the main reason why this organization was formed, this Improvement Association, to secure three members on the school board?

"A. As far as I know, our aim in organizing was to clean up the school district in that area. It wasn't run right.

"Q. According to your plan you intended to elect a majority of the members of the board?

"A. That is right.

"Q. Of the school board, is that right?

"A. That is right.

"Q. Your meeting was held January 25th. The election was held subsequently. What happened at the election. Did you secure three places on the board?

"A. Yes, by a great majority, a landslide you might say.

"Q. In other words, the main aim and objective of the organization was accomplished?

"A. That is right. We based our ideals on the truth. That is why the organization was successful in the election, because we based our aims on the truth only.

"Q. Did you promulgate your propaganda and information as you saw it?

"A. Yes.

"Q. What changes were made in the school administration since the election? Has any radical change been made? Have you changed principals or superintendents? What has happened?

"A. I think the school board could best answer that.

"Q. Is there a member of the school board here?

"A. Yes, sir.

"Q. Would he be willing to tell us something about it?

"A. I guess he would. We have Mr. LeRoy King and Mr. Schulzstad.

"Chairman Burns: That is all, Mr. Czerniawski."

Mr. LeRoy Carlin King was questioned and testified that he resided at 7742 Westminster Avenue in the City of Westminster, and testified as follows:

"Question by Chairman Burns: You are a member of the school board of the Westminster School District?

"A. That is right, sir.

"Q. You were elected at a special election, were you not?

"A. No. It was a regular election on the 21st of May.

"Q. You participated in the formation and activities of the *Tri-City Improvement Association,* did you not?

"A. I cannot say that I participated too much in the formation, but I did become a member of the organization, and I was sponsored by that organization.

"Q. In your judgment and in your opinion do you believe from what you know of the course of the organization and its works, that it was in any way subversive?

"A. I cannot by any stretch of the imagination picture any such thing.

"Q. You know of no Communist influence in its operation or in the conduct of its meetings?

"A. Not in any manner.

"Q. Will you briefly tell us what changes the school board has made since the new regime took over.

"A. As for changes I cannot think of any material ones. As a new member I was elected to the chairmanship of the board. One of my member candidates, Mrs. Genevieve Nashburn, was elected as clerk of the present board, the three of us being elected to complete it as a five-man board, according to past legislation, raising it from a three-man board to a five-man board.

"Q. It is a five-man board now?

"A. That is right.

"Q. Do you still have the same district superintendent?

"A. We still have the same district superintendent. We have the same assistant to the superintendent. We have the same principals in so far as I know. To the best of my knowledge we have about the same teaching staff with the possible exception of the usual, customary turnover. We have advocated no drastic changes or policies whatever as of the present time.

"Q. Has the district at the present time filed a request for state funds for any purposes?

"A. I cannot exactly tell you how that works. I know the program of the previous board in the election was an $80,000 bond issue. There was a state loan of some $625,000,000, I believe, which was on the ballot at the last election. Both issues were defeated.

"Q. At the present time probably there is no application for state funds for building purposes?

"A. Not to the best of my knowledge, no, sir.

"Chairman Burns: Do you have any questions, Mr. Combs?

"Mr. Combs: No, I have no questions.

"Chairman Burns: Thank you, Mr. King, unless you want to add something.

"The Witness: May I address a question to you, sir?

"Chairman Burns: Certainly.

"The Witness: On behalf of the school board, the present school board and the school district, it came to my attention some few days ago that an official or officials of the school district had requested this investigation also, and as chairman of the board am I entitled to know if some of my officials have questions?

"Chairman Burns: You want to know the individuals who requested that the committee investigate this matter?

"The Witness: Only insofar as it concerns the administration.

"Chairman Burns: For your information, Mr. King, the request came before you were a member of the board.

"The Witness: I see.

"Chairman Burns: I don't believe there would be any hesitancy on the part of the people who asked for the investigation to have their names disclosed, but I believe at this time for the benefit of all concerned I would withhold that information. I would advise you of this. There was no question about you or the other new members of the board from a personal standpoint, to the best of my recollection.

"Mr. Combs: There was none.

"Chairman Burns: It was a long time before the election, as Mr. Combs has said. The question why we delayed doing anything

about it at all was not to interfere with a local election of any kind. That has been the policy of this committee, not only as far as school boards are concerned, but in all elections. We don't want to step into a local political situation.

"The Witness: Thank you, sir.

"Chairman Burns: You are entirely welcome, and thank you. Does anyone else desire to be heard in this matter relating to Westminster?

"Mr. Reid: I do, sir.

The committee, pursuant to his request, agreed to hear the testimony of W. L. Reid, who took the stand and stated that he resided at 7851 10th Street in Westminister, was a sales representative, had lived in Westminster for three years and prior to that time resided in Garden Grove for approximately the same period of time. Mr. Reid further stated that he was one of the founders of the *School Improvement Association* and that Mr. Czerniawski became a member of it some time later.

He said, in response to an inquiry concerning the founders of the association, that it was founded by Leonard Fry and himself. He then testified as follows:

"Q. Did you hold any official position in the organization?

"A. No, I have not, other than just errand boy.

"Q. Did Mr. Fry?

"A. Yes. Mr. Fry was chairman of our *School Improvement Association.*

"Q. Actually when was it formed?

"A. I am not too good on dates.

"Q. Approximately as near as you can fix it?

"A. I could attach it to other happenings there and arrive at a fair date. I would say roughly six or eight months ago.

"Q. At whose residence was the organization meeting held?

"A. The first meeting was held at Mr. Fry's residence.

"Q. That was on what date?

"A. The organizational date.

"Q. Was that the date Mr. Thomas and Mr. Edwards came and inquired about attending the meeting?

"A. Mr. Thomas and Mr. Edwards came into the meeting right at the end of the meeting. We were serving refreshments.

"Q. This was the organizational meeting?

"A. Yes, sir.

"Q. Did they come in and look at the minutes?

"A. No. They were served coffee and cake. The meeting was over.

"Q. This was held in Mr. Fry's home?

"A. Yes.

"Q. Had the meeting theretofore been scheduled at some other place?

"A. Not to my knowledge.

"Q. Could it have been without your knowledge?

"A. I doubt it very much because Mr. Fry and I originated the meeting.

"Q. Did Mr. Thomas on that occasion inquire about the nature and purpose of the organization?

"A. Yes.

"Q. Did he discuss these matters with you?

"A. No—with Mr. Fry in my hearing.

"Q. You were present and you heard the conversation?

"A. Yes, sir.

"Q. Did he get information as to the nature and purpose of the movement?

"A. Yes, sir.

"Q. Was he subsequently informed by you or anybody else that he would not be welcome at your meetings?

"A. Yes, sir. He was told by Mr. Fry that he would not be welcome. The reason was because he made his stories up out of whole cloth.

"Q. He was antagonistic toward the organization, according to your view?

"A. That is right, definitely.

"Q. He published articles in the paper that were antagonistic toward the organization, or critical of it?

"A. Yes. It was not an organization at that time. However, in view of the general school controversy we thought his stand was antagonistic to our views.

"Q. Did you hold any closed meetings that were not open to the public?

"A. No, sir. We invited the press at all times. Any of the meetings I attended were also attended by newspaper reporters, either or both of the *Garden Grove News* or the *Santa Ana Register.*

"Q. You felt it was made clear to Mr. Thomas he was not welcome?

"A. He was not excluded.

"Q. What do you mean by excluded?

"A. He was merely told in view of the fact his articles were made up generally through imagination that he would not need to attend.

"Q. Did somebody meet him at the door and tell him that he could not come in or that he would not be welcome if he did come in?

"A. No, sir. He was brought in and served coffee and cake.

"Q. That is one occasion, but what about subsequent occasions?

"A. I think he attended meetings of the general membership after that. In fact we were not aware of his presence.

"Q. I understand, but at any meeting you ever held was he told in your presence or in your hearing that he would not be welcome?

"A. Except for the first organizational meeting, I never saw him at one of our meetings, so I could not say he was ever told.

"Q. But at the organizational meeting he was told he would not be welcome?

"A. He was told in view of his stand he would not be welcome, but he was not excluded.

"Q. Mr. Fry told him that?

"A. That is correct.

"Q. In your presence and in your hearing?

"A. That is right.

"Q. Was anyone else present on that occasion?

"A. I can't recall. The membership was there.

"Q. Did you attend the meetings held in the Odd Fellows Hall?

"A. One or two of them. I don't remember the dates particularly, I did not attend all of them. My work keeps me out a great deal during the night.

"Q. Were you present at any of the attic meetings?

"A. Apparently so. I didn't know it on that day—I wasn't there at the one at which he was discovered.

"Q. Does the organization still exist and function?

"A. More or less. It exists in this respect: We still have some money to raise to offset our campaign expenses.

"Q. Were they considerable.

"A. No. I would say—

"Q. It is not material. Did you wish to add anything else, Mr. Reid?

"A. Just that I would like to definitely insist that the *School Improvement Association* is not in any sense of the word a Communist front organization, has no affiliation with the organization, and that our membership lists were turned over to Bill Callan, Secretary of the Orange County Farmers, which is the only place where we could have any sort of a check. We have gone to great lengths to see that the organization is free of any taint.

"Q. Who turned the list over to them?

"A. We did.

"Q. What group is that again?

"A. I believe it is the Associated Farmers of Orange County.

"Q. They would have a list of your members?

"A. Yes. My wife and I spent several afternoons with him.

"Q. Where is his office?

"A. On North Los Angeles Street, approximately the 600 block, in Anaheim.

"Q. Anything else, Mr. Reid?

"A. That is all, sir."

Mr. Combs: "I have no further questions."

Chairman Burns: "For the benefit of those who came from Westminster, all of you, we appreciate your presence here today. As far as the official position of the committee is concerned, after going through the transcript we will make that known to those interested."

CONCLUSIONS

Within 30 days after the conclusion of the public hearing, the committee was receiving calls by reporters from newspapers in Orange County rather insistently demanding some expression of the committee concerning its official position regarding the hearing. These requests continued to such an extent that Senator Burns, in September, 1954, gave his own personal opinion to the effect that no evidence was produced at the hearing that would establish Communist Party membership on the part of Mr. Czerniawski nor prove that he was an active member in a subversive organization. Senator Burns made it clear that the opinion expressed was his own and not necessarily shared by other members of the committee.

Immediately after this expression, an article appeared in the *Santa Ana Register* dated September 16, 1954, which we deem it important to quote below for the purpose of indicating the attitude of this particular paper, or at least the reporter who wrote the article, toward the entire Westminster problem.

"Red Probe Suspects Given 'Clean Bill'

"Red-hunting Sen. Hugh M. Burns, chairman of the State Senate Committee on Un-American Activities, indicated yesterday that the *Westminster School Improvement Association* and Westminster hardware dealer, Albin Czerniawski will be cleared of subversive charges.

"However, Burns emphasized that the opinion is his own and not necessarily that of the two other members of the State's Red-probing Committee, Sen. Nathan Coombs of Napa County and Richard E. Combs, Chief Counsel.

"Burns added that he is basing his 'off-the-cuff' opinion on evidence heard at an 'exploratory hearing' held at Los Angeles last July to probe alleged infiltration into Westminster School District politics.

" 'I haven't had a chance to read the hearing transcript. But in my opinion, by the evidence presented, that group (The Westminster School Improvement Assn.) hasn't a thing to worry about being subversive.

" 'True, one of the fellows belonged to a Communist front organization, but that in itself doesn't make him a member of the Communist Party or active in any subversive group,' Burns declared.

"The Senator from Fresno explained that his work on the committee plus his senatorial duties along with having to earn a living, 'like anyone else,' is the reason for the delay of an opinion on the Westminster probe.

"However, he said, in view of the expressed interest in the Westminster situation he will do all he can to expedite an official opinion and get out a more detailed report soon as he can.

"Burns said that as far as he is concerned *Westminster School Improvement Assn.* had a right to organize in an effort to steer Westminster School District affairs if they were unhappy with the way things were going. 'And,' he added, 'there is no evidence to support in any way their being subversive.'

"Burns pointed out that the questions raised at the hearing was the possibility of Czerniawski being either an official or functionary in the group and also a member of the Communist Party.

> " 'About the only thing the hearing proved,' he declared, 'was that this man (Czerniawski) holds an insurance policy in the International Workers Order. But this is not evidence to support subversive charges.'

"Red infiltration into the school district's politics was alleged by Lloyd Thomas, 31, 'cloak and dagger' editor of the Westminster Weekly *Herald.* Thomas presented evidence which he charged implicates Czerniawski with the Communist Party. He also implied that the 52-year-old hardware dealer was the 'Red' link of the *Westminster School Improvement Assn.*

"Under oath Czerniawski admitted membership in the I. W. O., a group which has been cited as Communist-front. But he denied knowledge of its Communist affiliations and being a member of the Communist Party.

"Czerniawski also admitted he had subscribed to the *People's Daily World* and *In Fact,* both later identified as publications sympathetic to the Communist cause. But, he testified, he subscribed to each for six months, 'to please customers.'

"The hardware dealer testified he became the victim of a whispering campaign four years ago and it climaxed last May 10th when he slapped Thomas in the face for calling him a Communist.

"He told the Senate committee that he had joined the I. W. O. to take advantage of its insurance benefits at a time of economic difficulty. The group, he said, collected a hundred dollars to buy a horse for an impoverished Czech farmer, while he was a member.

"The I. W. O. was branded subversive two years ago and disbanded. Czerniawski testified his insurance is still in force, but it is now paid to the New York State Insurance Commissioner who took over the insurance end of the disbanded group.

"Thomas told the three-man state probing committee that he first became suspicious of subversion in Westminster School District policies when he learned that Czerniawski was a member of the School Improvement Association.

"The association backed three candidates which Thomas opposed editorially in the May election. The candidates, LeRoy King, Marshall D. Schulzstad and Mrs. Genevieve Mashburn, were elected to office in the biggest turnout of voters in Westminster history.

"Thomas also described how he came by the labels of 'cloak and dagger editor' and 'peek-a-boo editor.' His description, accompanied by hearty but somewhat stifled laughs from the senators and guffaws from the audience, involved how he was caught late in March eavesdropping on a meeting of the members of the Improvement Association.

"Thomas was caught in the attic of the I. O. O. F. hall in Westminster. With him were Ralph Edwards, 30, Westminster bean rancher, and a juvenile. They were caught with infrared photo equipment for taking photos undetected at night, binoculars and exhaustive notes.

"At the conclusion of his testimony the publisher admitted that thus far his investigation has produced no evidence of possible subversion other than Czerniawski's record, but that his probe would continue."

An examination of the transcript of this hearing does not indicate any description by Mr. Thomas of how he became known as a "cloak and dagger editor" or the "peek-a-boo editor." Neither were the members of the committee so discourteous as to laugh at his testimony concerning his experience in the attic when he endeavored to ascertain what was taking place at the meetings of the *School Improvement Association*. The transcript does not contain anything showing that Thomas presented any evidence which he charged would implicate Mr. Czerniawski with the Communist Party, nor did Senator Burns or anyone else connected with the committee give the individuals connected with the hearing a "clean bill." All of these things set forth in the article above, can be attributed neither to Senator Burns nor to anything that transpired at the hearing.

Mr. Thomas made it amply clear during his testimony, and the committee also wishes to emphasize that he conducted his investigation solely on his own initiative and at no time worked either for the committee or under its direction. He merely ascertained that he was not welcome at the organization of the *School Improvement Association* nor at any of its subsequent meetings, decided that something must be wrong, conducted an investigation entirely on his own, discovered

Czerniawski's involvement with the *Independent Progressive Party,* the *International Workers Order,* and the *Daily People's World* and concluded that the matter should be brought to the attention of the committee. Ordinarily this matter would not have been made the subject of a separate hearing without a detailed investigation initiated by the committee itself. Because of the relatively small size of the City of Westminster and the intense feeling created by the entire matter, and in consideration of the letters and telephonic requests received by the committee from parties representing both sides and asking for a public hearing, the committee decided that the matter should be explored when it was having a hearing on other subjects in Los Angeles.

It is quite obvious that no evidence was produced which would either establish the membership of Mr. Czerniawski in the Communist Party or his active participation as a member of a Communist-controlled organization. The fact remains, however, that he did subscribe to the Communist newspaper and to a pro-Communist magazine, that he affiliated with a "political" party which was also under the domination of the Communist Party in California, and that he continued his membership in one of the most potent Communist front organizations in the United States for a period of 18 years.

The *International Workers Order* has been operating in the United States since 1930. It is an insurance, fraternal and propaganda agency and during the first four years of Mr. Czerniawski's affiliation with it, was headed by Max Bedacht, ex-general secretary of the Communist Party of the United States, a former member of its National Executive Committee, a frequent visitor to the Soviet Union and an affiliate with innumerable Communist front organizations. As we pointed out in the 1951 report of this committee, Mr. Bedacht, himself, described the organization as follows:

> "Our main concern is that our proletarian fraternal organization, the *International Workers Order,* can make the workers class-conscious * * * this problem is of the greatest importance. It is one of the major problems of Communist leadership in all nonparty mass organizations.
>
> "The development of its members into militant trade unionists or Communists thus becomes a natural result of the correct functioning of the *International Workers Order.* * * * The Communists, rather, develop and lead struggles for immediate achievements because they are concerned with creating a revolution. * * * The Communists organize mass economic strikes by the workers themselves, mass picketing by the workers themselves, mass demonstrations by the workers themselves, mass defense by political strikes by the workers themselves. * * * The I. W. O. is an organization

that allows Communist leadership to drive its roots into the uncharted depths of the American working masses. * * * The building of the I. W. O. is therefore, one of the most important tasks of the Communist Party."

The I. W. O. has been used not only for the purpose of raising huge amounts of money for Communist purposes in this Country and for propagandizing, but it has also been used as a very important medium for the bringing together of racial minority groups and recruiting them into the Communist Party itself. It is extremely difficult to see, in view of the known fact that the organization was controlled by the Communist Party from top to bottom, was swarming with party members, that its meetings were held in an atmosphere of Marxism and Communist recruiting techniques, and that its very purpose was to introctrinate its members with Communism, how any person could be a member of it for a period of years without having some sort of an idea of its real nature.

Several years ago this committee received evidence of how the *International Workers Order* was being utilized in connection with a Communist technique for protecting its agents. Every *International Workers Order Lodge* in the United States had its own staff of physicians, and members of the organization were referred to these doctors not only for medical service but frequently for advice concerning political matters. These *International Workers Order* physicians cared for the health of the top-level party functionaries throughout the United States, and in the event one of them toppled over and died suddenly from a heart attack the *International Workers Order* would provide the ambulance, the physician, the mortuary, the death certificate, and the report of a cremation. In many instances governmental agencies were extremely skeptical and pondered the question of whether or not the known Communist agent was really deceased, or whether his death and cremation were reported to spring him loose for important underground activities.

Several years ago the committee also had a conference with the Insurance Commissioner of the State of California, produced evidence of the subversive nature of the *International Workers Order,* and the organization was not thereafter permitted to carry on an insurance business in this State. Simultaneously there was a case pending in the courts of New York, brought by the Insurance Commissioner of that State for the purpose of proving his allegations that the I. W. O. was in fact subversive and Communist-dominated. The court found in favor of the commissioner, and since the head office of the I. W. O. was in the State of New York, all of the members who remained in the organization after its subversive character had been printed many times in official publications, were told to send their contributions to the New York Corporation Commissioner.

In connection with the testimony of Mr. Czerniawski to the effect that he regards the organization simply as an insurance concern, it may be well to quote the remarks of Mr. Louis F. Budenz, a former member of the Communist National Committee of the United States and former editor of its New York Publication, *The Daily Worker.* In the March, 1951, issue of the *American Legion Magazine* Mr. Budenz wrote:

> "An I. W. O. lodge, indeed, cannot be distinguished in its political tone from a Communist Party branch. They look alike, talk alike and act alike. It was my function along with other Red leaders to visit I. W. O. lodges and give 'educational' talks there. These were nothing other than the straight-out Red incitations against the United States, always wrapped up in the current language laid down by Moscow. Many a night I was out talking to the I. W. O. members in exactly the same accents and the same intent as do the 'card-carrying' Red members.
>
> "I went into these lodge meetings as the official representative of the National Committee of the Communist Party, was introduced as one having Red authority, and laid down the law just as I did in party branches. When J. Edgar Hoover of the F. B. I. recently told the Senate Committee on Appropriations of the five hundred thousand 'Red sympathizers' aiding the subversive acts of the Soviet fifth column, he undoubtedly had these I. W. O. first in mind.
>
> "The indictment which could be drawn up against the I. W. O. as one of Stalin's leading agencies for subversion would be extensive and detailed. The continuance of 'language' groups and divisions in an 'insurance' set-up becomes increasingly artificial in the America of today. But in the I. W. O. it enabled a constant interweaving relationship with foreign agents from abroad, such as alleged seamen of Greek, Polish, Romanian and other nationalities. It is largely in order to facilitate the work of spying upon our defenses that fifteen nationalty groups, societies and general lodges have been maintained by I. W. O. on a national level.
>
> "Of course, there has been another reason for this preoccupation with 'language' groups, both in the I. W. O. and in the Communist Party itself. If the Reds could play upon the isolated feelings of many immigrants they would be able to use these people for alien purposes, just as they seek to turn the Negro against America and to make the Mexican-American feel that he is a member of a 'conquered' people. That is what caused the I. W. O. to advertise rather extensively in the Red-created Slav papers in this country. It was out of such financing, plus the recruiting from the I. W. O.,

that the Soviet fifth column was able to create so rapidly the *American-Slav Congress* when Moscow ordered such action.

"From my experience as a leading Communist, I can charge that every foreign language division within this 'fraternal' organization had an espionage apparatus of some sort operating within it. Perhaps the leader of all was the *Polonia Society,* the Polish section of the I. W. O., led by Boleslaw Gebert. This amazing Stalinist agent, who served as district leader of the Communist Party in the mid-west in the early thirties, and then became the underground director of Red infiltration into the steel and automobile unions, remained an alien in this country for fully 20 years. All efforts to deport him failed, and he stands out as one of the scores of Moscow espionage representatives who exercised extensive power in this country while disdaining American citizenship. To my personal knowledge Gebert not only obtained vital secrets pertaining to our military aircraft, but ran an extensive espionage ring."

The committee pointed out in 1951 that the I. W. O. then had 81 lodges in California, was licensed to conduct an insurance business in this State, and as of 1950 had 8,495 insurance certificates in force, $5,438,710 in insurance policies in force, and that it received $123,762.80 from its members in California alone. As we have stated, the committee produced evidence before the Insurance Commissioner of this state which led him to take action which prevents the I. W. O. from pursuing its activities within the borders of California.

The *Daily People's World* is the propaganda organ for the Communist Party on the Pacific Coast. Its principal office is located in San Francisco, and it maintains an extremely active branch office in Los Angeles. Until late in 1937 this publication was known as the *Western Worker,* and its masthead proclaimed that it was the official organ for the Communist Party, a section of the Communist International. When it changed its name to the *Daily People's World* the control, the editorial policy, the propaganda content, the assiduous following of the International Communist Party line remained identical. Its former editor in chief, Harrison George, has declared that the editorial policy of the publication was actually determined by the organizer for the Communist Party of California—Mr. William Schneiderman, who stands convicted for violation of the Smith Act. The paper, being designed for the sole purpose of carrying the party line and spreading Marxian propaganda, would obviously be worthless to the Communist apparatus unless its objectives were expressed in the columns of the paper with such clarity, such vehemence, and in such context that the effect would not be lost upon even the most casual reader.

No one could possibly scan even the headlines of this publication without instantly becoming aware of its character. Even the advertisements are couched in the unmistakable language of the Marxian left. Naturally, the *International Workers Order,* as well as all of the other numerous front organizations that are so important to the Communist organization are mentioned almost daily. The publication maintains a constant and vicious attack against the United States Department of Justice, the Federal Bureau of Investigation, the Immigration and Naturalization Service, all police agencies, all legislative committees investigating Communism, and sneering criticism of the foreign policy of the United States. At the same time the publication expresses profound sympathy for every Communist Party member, whether an espionage agent, a propagandist, a chronic joiner of front organizations, a fellow-traveler, or a rank and file member of the party, in case such an individual becomes the target for prosecution because of a violation of some established law. The Soviet Union and the satellite countries are constantly eulogized, and Red China occupies a place in the esteem of this publication only second to the Soviet Union. It is also a well established fact that all members of Communist front organizations, as well as all party members, are constantly urged to subscribe for the ***Daily People's World*** and to read it assiduously.

Until a few years ago the newspaper was openly delivered through the United States mail. In recent years, however, it is usually delivered in bundles by courier, and then picked up by its subscribers at a central location. This practice, of course, is in harmony with the party's decision to go underground and to take every means to protect the identity of its members with the exception of those Communists who are deliberately left on the surface and directed to handle the newspaper itself, the front organizations and the propaganda machinery. These individuals are considered expendable, and regard themselves as Communist martyrs. Thus the ***Daily People's World*** is not simply a liberal or progressive newspaper. Its contents are not couched in such language as would fool a grammer school student of ordinary common intelligence. The paper takes brazen pride in openly criticizing our government, extolling the Soviet Union and its satellite nations, and is so arrogantly pro-Communist in its content that the most cursory reading would reveal it for what it actually is: the propaganda medium for the Communist Party of the Pacific Coast.

The publication ***In Fact*** was known for years for its decidedly pro-Communist character. This committee has mentioned it in reports issued in 1943, 1948 and 1949. Its editor, George Seldes, wrote such insulting letters about and directly to J. Edgar Hoover that the latter was moved to reply in an exchange of personal correspondence that effetcively put

Mr. Seldes in his place. The magazine, defunct for several years, consistently carried the Communist Party line, gave every sort of aid and comfort to the Communist cause, and while not quite so obviously a propaganda medium as the *Daily People's World,* could not possibly be read with any degree of thoroughness without disclosing its sympathy toward Communism in this country.

The *Independent Progressive Party* in California was quickly captured by the Communists, and by the time the Wallace for President campaign had swung into high gear was being operated lock stock and barrel by the Communist Party of California. Time after time the committee in questioning witnesses throuhgout the State discovered that the leaders of the Communist Parties in various localities were identical with the leaders of the *Independent Progressive Party* in the same area. It is true, of course, that in the *Independent Progressive Party* there were many sincere liberals who, because of dissatisfaction with the two major political organizations registered as Independent Progressives and continued their affiliation until the true control of the I. P. P. became obvious. These people invariably resigned, many of them having given the benefit of their experience to various official agencies interested in the exposure of subversive activities. As has already been pointed out, the head of the I. P. P. in California since its inception was Hugh Bryson, president of the Marine Cooks and Stewards Union, and now under indictment for having falsely sworn that he was not a member of the Communist Party.

The Communist control of the *Independent Progressive Party* soon became so pronounced and so arrogant that it drove the sincere liberals from its ranks, leaving only a handful of the most fanatic. This exodus from the organization grew to such an extent that at the last state-wide political election in which *Independent Progressive Party* candidates were eligible to participate, the voting strength of the organization fell so far below the state requirement that it could not qualify as a political party in California.

Mr. Czerniawski stated to the committee positively and clearly that he had never joined the Communist Party. Whether the *International Workers Order* meetings that he attended created a predilection for publications and politics of a pro-Communist flavor we cannot tell. It is quite plain, however, that he did subscribe to the Communist newspaper; that he did subscribe to the pro-Communist publication *In Fact,* and that he did affiliate with the Communist-controlled *Independent Progressive Party.*

We then have a situation wherein, because of local interest in school affairs, attention became focused upon the personnel of the newly-created *School Improvement Association* in Westminster. Mr. Thomas,

obviously irked because he was not well received by the association and because he was told flatly that he would not be welcome at its meetings, stubbornly dug away at Czerniawski's record and found that he had, indeed, subscribed to Communist publications and joined two Communist-controlled organizations.

The committee prefers not to comment on the wisdom of Mr. Thomas' attic activities—any more than upon Mr. Czerniawski's motives in making his choice of reading material and affiliating with the *International Workers Order* and the *Independent Progressive Party*. The episode in the Westminster pharmacy seems to epitomize the personal characteristics of the two principals: Mr. Thomas' accusations against Mr. Czerniawski, and the latter's violent reaction thereto.

The committee can do no more than to recite the facts. We feel that the issues have been well clarified and, as Senator Burns stated in September, 1954, the *School Improvement Association* had a perfect right to organize and conduct any critical activity concerning the educational system in Westminster, or any school political activity it desired. There is no evidence that the organization engaged in any subversive activity whatever. As a public minded citizen and a newspaper editor, it was not unnatural for Mr. Thomas to interest himself both in the local educational problems, the *School Improvement Association,* and its personnel. Further, it is not unnatural for such a person to become concerned over possible subversive influences in the educational system of the community. Whether Mr. Thomas exercised the proper wisdom in so zealously pursuing his investigation, or whether he should have turned the matter over to some official agency, is a matter for the determination of anyone who reads the facts in the case. The same reasoning may be applied to Mr. Czerniawski's wisdom in making the affiliations and subscribing to the publications concerned which he testified. There was no proof produced by anyone to show that Mr. Czerniawski was a member of the Communist Party, and he stated under oath that he had never made such an affiliation.

As Senator Burns stated in his comment to the *Santa Ana Register* last September, the hearing was purely exploratory. In the event that further substantial evidence is developed showing any subversive activity on the part of any member of the *School Improvement Association* or in connection with the educational system of Westminster, the committee will stand ready to make such investigation or hold such hearing as the facts may warrant.

THE CASE OF DORIS BRIN WALKER

On January 18, 1955, the Supreme Court of the State of California rendered a decision which is so far reaching in its effect and which so clarifies the law in this State regarding the broad aspects of Communist activities in general and the right and duty of an employer to discharge a Communist employee in particular, that the committee feels warranted in dealing with this decision at some length. In addition, some of the organizations and individuals mentioned in the body of the decision have long been familiar to the committee, and we will endeavor to indicate something of the nature of the intricate, carefully planned, interlocking aspects of the Communist strategy in this State to insinuate of its members in some of our most sensitive and strategic positions.

The Cutter Laboratories, Inc., is situated in Berkeley and engaged in producing vaccines, serums, antitoxins, blood plasma and antibiotics for both civilian and military use and for both domestic and foreign consumption. During World War II the laboratories were supplying huge quantities of its products to our armed forces, and, since it was peculiarly vulnerable to sabotage, was operated under the strictest security measures imposed by federal authorities.

In February, 1944, the Bio-Lab Union Local 225, *United Office and Professional Workers of America, CIO,* was recognized by the laboratories pursuant to a National Labor Relations Board election.

The history of this union is positively fascinating. It was originally known as the *Union of Technical Men.* Its founder, Marcel Scherer, was a New York Communist of such ability as an industrial chemist and of such unusual devotion to the Communist Party that he was sent to Moscow for special training at the Lenin Institute for sabotage and espionage specialists. He lost no time in launching this technicians union upon returning to the United States. It was Communist inspired, created and operated—having been conceived, as has been seen, in Moscow. The organization grew rapidly and soon changed its name to the *International Federation of Architects, Engineers, Chemists and Technicians.* Its membership comprised the various technical categories denoted by its title, together with nuclear physicists, draftsmen, aeronautical engineers and other types of scientific personnel. In 1939 it instituted Chapter 25 at Berkeley, California.

In its 1945 report, our committee described this organization in considerable detail: how it infiltrated its nuclear physicist members throughout our secret A-bomb project at the University of California; how a committee informant attended meetings of this Berkeley Chap-

ter 25, FAECT and heard its scientific members formulate plans to evade FBI detection and heard some of them express a longing for a Soviet United States of America; how this Moscow-created agency sifted its Communist members throughout our laboratories, shipyards, aircraft factories and secret defense projects.

The attorney for the Berkeley Chapter 25, FAECT was Bertram Edises—also attorney for Mrs. Doris Brin Walker, the principal figure in this case.

Shortly after it was publicly exposed by this committee, Chapter 25, FAECT changed its number to 225, and then unobtrusively merged with the *United Office and Professional Workers of America.* Thus this Local 225, with which the Cutter Laboratories became involved in 1946, was nothing more nor less than the old Moscow-conceived Local 25, FAECT with a new number, a new name, with the same complexion and even the same attorney. It may appropriately be noted in passing that Bertram Edises was unceremoniously pegged for a Communist Party member by no less an authority than the *Daily People's World.*

These facts concerning the FAECT and its metamorphosis into Bio-Lab Union 225 of the *United Office and Professional Workers of America* are not mentioned in the Supreme Court decision, although the court did state that the UOPWA was ousted from the CIO in 1950 because of its alleged Communist-dominated character.

This case arose because Cutter Laboratories discharged Doris Brin Walker, charging that she was believed to be a Communist Party member, and also because she deliberately lied on her application for a job with the laboratories.

Mrs. Walker attended the University of California at Berkeley where she made an outstanding scholastic record. During her undergraduate years she was elected to Phi Beta Kappa, top scholarship society, and in law school her excellence earned her an editorial post on the *California Law Review.* Having graduated, passed the Bar examination and been admitted to practice, Mrs. Walker was appointed enforcement attorney with the San Francisco Office of Price Administration in 1942, a position she held until 1944. During that period her boss was former Congressman Robert L. Condon, who became chief enforcement attorney for the OPA in Northern California in 1942. He was also associated with Bertram Edises' law office in 1947. Edises, the attorney for Mrs. Walker and her union, had served in Washington as enforcement officer for the National Labor Relations Board—having resigned from that position in July, 1941. Both Edises and his partner, Treuhaft, had been associated in San Francisco with the firm of Gladstein, Grossman, Margolis & Sawyer. So had Mrs. Walker. Gladstein is known chiefly for his defense of Communists and Grossman has been a high Communist functionary for many years.

These matters were not mentioned by the court, but we feel that they are vital to a proper understanding of the patient planning, the long-range strategy, the interlocking aspects of Communist technique in infiltrating and controlling our most strategic institutions. Go back and re-read this amazing background; for if we only printed a report of a dozen pages we could justify it easily by this one example. Let us now analyze it in summary:

WALKER, MRS. DORIS BRIN

1942—Graduated from University of California School of Jurisprudence.
1942-1944—Appointed enforcement attorney in San Francisco.
1944-1945—Worked for Gladstein, Grossman, Sawyer & Edises to handle labor cases.
1946—Worked at manual labor in a cannery as organizer for the Communist-dominated Food, Tobacco and Agricultural Workers of America.
1946, October—Employed by Cutter Laboratories, Inc., Berkeley, California.
1949, October 6th—Fired by Cutter Laboratories because of alleged Communist Party membership and for making deliberate misstatements in her application for employment.

CONDON, ROBERT L.

1938—Graduated from University of California School of Jurisprudence.
1938-1942—Attorney for National Labor Relations Board.
1942—Chief OPA enforcement attorney for Northern California.
1947—Associated with the law firm of Edises and Treuhaft in Oakland.
1953—As a member of Congress, barred from attending atomic bomb tests on basis of FBI information furnished to Atomic Energy Commission.

EDISES, BERTRAM

1931—Graduated from University of California, Berkeley.
1937—Attorney for National Labor Relations Board at Salinas, California.
1941—Resigned as supervisor of National Labor Relations Board Enforcement Division in Washington, D. C., to become associated with the San Francisco firm of Gladstein, Grossman, Margolis and Sawyer.
1944—Elected as alternate member of the Communist State Committee of California.
1947—Member, Oakland law firm of Edises, Treuhaft and Condon.

TREUHAFT, ROBERT

1942—Hearing Commissioner, Office of Price Administration, San Francisco.
1946—Attorney with Gladstein, Grossman, Sawyer and Edises, San Francisco.
1951, July 1st—Speaker at Communist meeting, Oakland, California.

TREUHAFT, MRS. ROBERT

1943—Employed by the Office of Price Administration as an investigator in the Enforcement Division, San Francisco.
1944-1945—Financial Director, Communist School, Oakland.
1951—Invoked Fifth Amendment before this committee in San Francisco in September, 1951, when questioned about her Communist affiliations.

Upon being discharged by her employer, Cutter Laboratories, Mrs. Doris Brin Walker and her union took the matter up with an abritration board. A hearing was duly held at which Mrs. Walker steadfastly refused to answer any questions concerning her membership in the Communist Party—one of the express reasons why she had been fired. Prompted by her counsel, Edises, Mrs. Walker's reasons were expressed as follows:

"Mr. Edises: Do you wish to explain your reasons for refusing to answer?

"The Witness: Yes, it's very simple. I consider it a question of an absolutely unwarranted invasion into my private beliefs, and I know that it is nothing but a—the whole question is nothing but a red herring to obscure the real issue in the case."

(Appellant's petition for hearing by the Supreme Court, 1 Civil No. 15223, pages 33, 34.)

In commenting on this matter the chairman of the arbitration board declared:

"We have come to a conclusion: That we consider this question (of Mrs. Walker's Communist affiliation) to be material. The objection is overruled, but we want to couple the ruling with a statement of the board: That we will not instruct the witness to answer if she does not care to answer the question, and she is at liberty to answer it or not to answer it as she chooses. If she should refuse, her refusal to answer will stand in the record, and as in any case, the failure of a party to produce evidence justifies the fact-finding board in drawing inferences from it. What inferences we will draw from the refusal we have not determined now, and we will let that await final determination of the case.

"Do you want to answer the question?

"The Witness: No, I do not, Mr. Arbitrator.

"The Chairman: All right." (*Ibid.*, page 15.)

The board then concluded from Mrs. Walker's refusal to answer any questions concerning her Communist affiliations and activities that she was a member of the Communist Party. It, nevertheless, ordered her reinstated for other reasons. Cutter Laboratories appealed to the superior court, where Judge Edward Molkenbuhr sustained the board's findings. Then Judge Raymond Peters of the First District Court of Appeal wrote an opinion upholding the decision of Judge Molkenbuhr. The matter was then submitted to the State Supreme Court, which reversed the decisions by the inferior tribunals and found, in effect, that a private firm has not only the right but the duty to discharge a Communist employee—and that any contractual provision which would operate to prevent such an action is contrary to public policy and therefore void. This decision was written by Justice Schauer and concurred in by Justices Shenk, Edmonds and Spence. Justice Roger Traynor prepared the minority dissenting opinion which was shared by Chief Justice Gibson and Justice Carter.

This decision will produce such a clarifying effect in California that we quote liberally from its pertinent sections. The committee thus

makes this vital case, in its essential elements, available to the public. Otherwise it would only be accessible to such lawyers as are interested in reading decisions of this character.

MISREPRESENTATIONS TO GAIN EMPLOYMENT

When Mrs. Walker applied for a job at the Cutter Laboratories she deliberately made a series of false statements and misrepresentations. She filled out a personnel questionnaire and under the heading "Education" she concealed her attendance at law school, her law degree and her admission to practice law in California. Under the heading "Previous Employment" she concealed her entire previous employment record and showed a false employment as file clerk for six or eight months in 1939 by a John Trip, attorney, which the company later discovered to be a fictitious name. Mrs. Walker also gave a dentist (Dr. William R. Berke) and a lawyer (Francis McTernan) in San Francisco as references, but at her request their letters of recommendation to the company did not reveal her subterfuge.

It was pointed out in appellant's petition to the Supreme Court that "Francis McTernan is the brother of John Trip McTernan, with whom petitioner (Mrs. Walker) was closely associated while employed by the OPA and whose first and middle names made up the fictitious employer, 'John Trip'." This was admitted by Mrs. Walker. (Appellant's petition for a hearing by the Supreme Court, *op. cit.*, page 8.)

> The petition continued: "John Trip McTernan is listed in the Fourth Report of the Joint Fact-Finding Committee of the California Legislature on Un-American Activities in California as having entertained members of the Communist Party and prominent Soviet leaders in his home. (Company exhibit No. 13.) Dr. William R. Berke is listed in a schedule of classes of the California Labor (Communist) School reprinted at pages 428-432 of the fifth report of this committee as being an instructor in a course at that school entitled, 'The Soviets—Fact and Myth. Everyday life in the Soviet Union. How the Soviets look at the world.'
>
> "While these circumstances of association might have little significance standing alone, their combination with the admitted facts that both Mr. Francis McTernan and Dr. Berke, at considerable personal risk, cooperated and conspired with petitioner (Mrs. Walker) in practicing deliberate deception for the purpose of establishing petitioner as an employee in a vital defense plant leads to but one conclusion, namely, *that petitioner's mission was to secure a position at the Cutter plant and in the union with the purpose and intent of 'strengthening the party' and using her position to further the Communist Party's program of 'sabotage,*

force, violence, and the like'.'' (*Ibid.*, pages 8, 9.) (Committee's italics.)

No sooner had Mrs. Walker landed the job in the label department of the laboratories at $160 a month, than she plunged into union activities. In quick succession she became chairman of the plant unit, a member of the CIO State Executive Board, and by 1949, was president of the union, which had units in several other plants in the East Bay area. In her capacity as shop foreman, executive board member of Local 225, and especially as chief shop steward, Mrs. Walker had access to all parts of the Cutter plant. By concealing her brilliant academic background, her status as an attorney, her experience with the OPA and her affiliation with the Gladstein firm, this woman posed as a cannery worker and rank and file union member; with her talents it was childishly simple for her to rise to a position of influence and prestige in this offshoot of the Moscow-hatched union of scientists whose counsel was a Communist official.

In commenting on Mrs. Walker's refusal to answer questions concerning her Communist membership on the ground that they were ''unwarranted invasions into my private beliefs,'' the Supreme Court declared: ''The evidence as to her Communist membership and acceptance of party principles, with all the implications that flow therefrom, thus stands unchallenged and uncontradicted by her and clearly supports the board's finding that the company honestly and sincerely believed her to be a knowing and deliberately acting Communist.'' (Supreme Court decision, *op. cit.*, page 821.)

The Supreme Court also made some extensive comment concerning the shop-worn claim that to interfere with the Communist Party or any of its members who also belonged to labor unions is to make an unwarranted inquiry into a person's political affiliations. The Supreme Court's decision on this phase of the matter was as follows:

> ''It was further found by the board that the company's 1947 investigation of Mrs. Walker indicated that she was a Communist and also disclosed most of the omissions and falsifications in her application for employment, that a 'strong case' had been made out that in 1948 the company learned of her cannery activities and of the cannery hearings and that there was 'at least a general indifference on the part of the company about Doris Walker's activities until the autumn of 1949 and a specific indifference about obvious * * * clues to her background.' The company stated that the reason they did not discharge Mrs. Walker in 1947 was because of a desire to 'lean over backward' rather than to be accused of harassing union officials and because company attorneys ad-

vised that there was at that time insufficient evidence to support a discharge.

"Under the provisions of the collective bargaining agreement in effect when Mrs. Walker was discharged, the company had agreed not to interfere with, restrain or coerce employees or discriminate against them because of *membership or lawful activity* in the union. It further agreed that, except for personnel reductions for lack of work or to effect economies, it would not discharge an employee 'except for just cause.' Both the union and the company also agreed that they will not discriminate against 'a present or prospective employee or member because of race, color, creed, national origin, religious belief, or union affiliation;' formerly 'political' as well as 'religious belief' was listed in this contract provision, but by negotiation the word 'political' was amended out of the agreement. The board held that although removal of the word 'political' seemed to authorize the practice of discrimination because of 'political belief,' 'we are unable to conclude' that the company's agreement not to discriminate because of union activity and not to discharge except for just cause were thereby limited or modified 'in such a way as to dispose of this dispute.' *In this connection it is to be noted that the old hoax that the Communist Party is but a political party has been effectively exposed, as is hereinafter shown in some detail.* (Committee's italics.)

"The company at the board hearings advanced two grounds as the basis for discharging Mrs. Walker: 'The omissions and falsifications in the application for employment and membership in the Communist Party with the full implications of dedication to sabotage, force, violence and the like, which party membership is believed to entail.' Although finding that the company 'honestly believed all of these things,' and that the 'accuracy of those beliefs is established in the record,' the board further found that the company had not satisfactorily explained the delay of two years (from 1947 to 1949) in asserting the grounds for discharge presented to the board and that such grounds were therefore stale. Finally, it was found by the board that the reasons assigned by the company were not its real reasons for discharging Mrs. Walker, and that actually the discharge, which occurred during wage negotiations, was 'retaliatory in nature' and 'interfered, restrained and coerced an employee because of participation as an officer and negotiator on behalf of the union in a wage negotiation.' As already stated, the board's award, based on the above findings, was that the company's discharge of Mrs. Walker violated the collective bargaining contract provisions against discrimination *because of*

union activity and against discharging *except for just cause,* and that she is entitled to reinstatement and to limited back pay. The company failed to comply with the award, the union petitioned the superior court for its confirmation, and the company asked the court that it be vacated."

(See Code Civ. Proc., Sections 1287, 1288.)

After a hearing the trial court confirmed the award, and this appeal by the company followed:

"Section 1288 of the Code of Civil Procedure provides, so far as here material, that 'in either of the following cases the superior court * * * must make an order vacating the award, upon the application of any party to the arbitration: * * *

" '(b) Where the arbitrators exceeded their powers. * * * '

"As ground for reversal the company contends, among other things and as it contended before the trial court in seeking vacation of the award, that an arbitration award which directs that a member of the Communist Party who is dedicated to that party's program of 'sabotage, force, violence and the like' be reinstated to employment in a plant which produces antibiotics used by both the military and civilians is against public policy, as expressed in both federal and state laws, is therefore illegal and void and will not be enforced by the courts. *With this contention we agree.* (Committee's italics.)

"In the case of *Loving and Evans* v. *Blick* (1949), 33 Cal. 2d 603 (204P. 2d 23), this court reversed a judgment confirming an arbitrator's award of a disputed sum owing under a building contract where it appeared that only one of the partners of the contracting firm was licensed as required by statute, and that neither the other party nor the partnership held such a license. After referring to the principles that (p. 607) 'a contract made contrary to the terms of a law designed for the protection of the public and prescribing a penalty for the violation thereof is illegal and void, and no action may be brought to enforce such contract' and that (p. 609) 'ordinarily with respect to arbitration proceedings "the merits of the controversy between the parties are not subject to judicial review" (citation) and that "arbitrators are not bound by strict adherence to legal procedure and to the rules on the admission of evidence expected in judicial trials," ' it was held (p. 610) that the 'power of the arbitrator to determine the rights of the parties is dependent upon the existence of a valid contract under which such rights might arise.' That 'section 1281 of the Code of Civil Procedure, providing for submission to arbitration of "any controversy * * * which arises out of a contract," does not contemplate that the

parties may provide for the arbitration of controversies arising out of contracts which are expressly declared by law to be illegal and against the public policy of the state,' that (p. 611) 'an unlawful transaction cannot be given legal vitality by the arbitration process,' that (p. 614) 'the only evidence before the trial court showed without contradiction that the contract upon which the award was based was illegal and void because of respondent's failure to comply with the licensing requirements, and that therefore the court had erred in confirming the award. And in *Franklin* v. *Nat C. Goldston Agency* (1949), 33 Cal. 2d 628, 630-633 (204P. 2d 37), a judgment confirming an arbitration award in favor of unlicensed contractors was likewise reversed upon the ground that the basic contract was illegal because in violation of the statutes and of 'the public policy of this State.'

"It is at once apparent that the controversy now before us presents an even stronger case for refusal to confirm the award than was involved in the *Loving and Evans* and in the *Franklin* cases. There the illegality was held to exist in the contracts upon which the awards were based, while *here the very award itself is illegal in that it orders reinstatement as an employee of one whose dedication to and active support of Communist principles and practices stands proved and unchallenged in the record. As is hereinafter shown, the true implications of knowing membership in and support of the Communist Party are no longer open to doubt, and the long overworked party line theme that Communism is but a political activity has been exposed as a false and fraudulent strategem designed particularly as a device for securing, in the free nations having government by law, legal support for the 'party' in carrying on to the end of its illegal objectives.* (Committee's italics.)

"The Congress of the United States, in adopting the Internal Security Act of 1950, declared the dangers of the Communist movement in the following terms (Act of Sept. 23, 1950, Ch. 1024, Title I, Sec. 2, 64 Stats. 987; 50 U. S. C. A. Sec. 781):

" 'As a result of evidence adduced before various committees of the Senate and House of Representatives, the Congress finds that—: (1) There exists a world Communist movement which in its origin, its development, and its present practice, is a world-wide revolutionary movement whose purpose it is, by treachery, deceit, infiltration into other groups (governmental and otherwise), espionage, sabotage, terrorism, and any other means deemed necessary, to establish a Communist totalitarian dictatorship in the countries throughout the world through the medium of a world-wide Communist organization.

" '(2) The establishment of a totalitarian dictatorship in any country results in the suppression of all opposition to the party in power, the subordination of the rights of individuals to the state, the denial of fundamental rights and liberties which are characteristic of a representative form of government, such as freedom of speech, of the press, of assembly and of religious worship, and results in the maintenance of control over the people through fear, terrorism, and brutality. * * *

" '(9) In the United States those individuals who knowingly and wilfully participate in the world Communist movement, when they so participate, in effect re-dedicate their allegiance to the foreign country in which is vested the direction and control of the world Communist movement. * * *

" '(15) The Communist movement in the United States is an organization numbering thousands of adherents, rigidly and ruthlessly disciplined. Awaiting and seeking to advance a movement when the United States may be so far extended by foreign engagements, so far divided in counsel, or so far in industrial or financial straits, that overthrow of the government may seem possible of achievement, it seeks converts far and wide by an extensive system of schooling and indoctrination. Such preparations by Communist organizations in other countries have aided in supplanting existing governments. The Communist organization in the United States, pursuing its stated objectives, the recent successes of Communist methods in other countries, and the nature and control of the world Communist movement itself, present a clear and present danger to the security of the United States and to the existence of free American institutions, and make it necessary that Congress, in order to provide for the common defense, to preserve the sovereignty of the United States as an independent nation, and to guarantee to each state a republican form of government, enact appropriate legislation recognizing the existence of such world-wide conspiracy and designed to prevent it from accomplishing its purpose in the United States.'

"And in the Smith Act (Act of June 25, 1948, Ch. 645, 62 Stats. 808; 18 U. S. C. A. Sec. 2385), it was provided that 'whoever knowingly or wilfully advocates, abets, advises, or teaches the * * * overthrowing or destroying the Government of the United States or * * * of any state * * * by force or violence, or * * * whoever organizes or helps or attempts to organize any society, group, or assembly of persons who * * * encourage the overthrow or destruction of any such government by force or violence; or becomes

or is a member of, or affiliates with, any such * * * assembly of persons, knowing the purposes thereof' is guilty of a crime.

"More recently, in adopting the Communist Control Act of 1954 (Public Law 637, Ch. 886, approved August 24, 1954), our Congress further expressed its, and necessitates our, awareness of the true nature of the party program and methods in these findings of fact:

" 'Sec. 2. The Congress hereby finds and declares that the Communist Party of the United States, although purportedly a political party, is in fact an instrumentality of a conspiracy to overthrow the government of the United States. It constitutes an authoritarian dictatorship within a republic, demanding for itself the rights and privileges accorded to political parties, but denying to all others the liberties guaranteed by the Constitution. Unlike political parties, which evolve their policies and programs through public means, by the reconciliation of a wide variety of individual views, and submit those policies and programs to the electorate at large for approval or disapproval, the policies and programs of the Communist Party are secretly prescribed for it by the foreign leaders of the world Communist movement. Its members have no part in determining its goals, and are not permitted to voice dissent to party objectives. Unlike members of political parties, members of the Communist Party are recruited for indoctrination with respect to its objectives and methods, and are organized, instructed, and disciplined to carry into action slavishly the assignments given them by their hierarchial chieftans. Unlike political parties, the Communist Party acknowledges no constitutional or statutory limitations upon its conduct or upon that of its members. The Communist Party is relatively small numerically, and gives scant indication of capacity ever to attain its ends by lawful political means. The peril inherent in its operation arises not from its numbers, but from its failure to acknowledge any limitation as to the nature of its activities, and its dedication to the proposition that the present constitutional government of the United Sates ultimately must be brought to ruin by any available means, including resort to force and violence. Holding that doctrine, its role as the agency of a hostile foreign power renders its existence a clear present and continuing danger to the security of the United States. It is the means whereby individuals are seduced into the services of the world Communist movement, trained to do its bidding, and directed and controlled in the conspiratorial performance of their revolutionary services. Therefore, the Communist Party should be outlawed.'

"A similar awareness was shown by the President of the United States in his State of the Union message delivered before a joint session of the Senate and House of Representatives on January 7, 1954 (100 Congressional Record 62, H. Doc. 251), wherein he declared, 'The subversive character of the Communist Party in the United States has been clearly demonstrated in many ways, including court proceedings. We should recognize by law a fact that is plain to all thoughtful citizens—that we are dealing here with action akin to treason—that when a citizen knowingly participates in the Communist conspiracy he no longer holds allegiance to the United States.'

"And in this State the courts have recognized that the type of activity found by the board here to have been engaged in by Mrs. Walker—i.e., membership 'in the Communist Party with the full implications of dedication to sabotage, force, violence and the like, which party membership is believed to entail'—constitutes a violation of the California Criminal Syndicalism Act (Pen. Code, Secs. 11400-11402, formerly Deering's Gen. Laws, Act 8428; see People v. McCormick (1951), 102 Cal. App. 2d Supp. 954, 962 (228 P. 2d 349); People v. Chambers (1937), 22 Cal. App. 2d 687, 709-713, (72 P. 2d 746).

"The Legislature of California itself has found as fact, and has so declared in Sec. 1027.5 of the Government Code, that '* * * (a) There exists a world-wide revolutionary movement to establish a totalitarian dictatorship based upon force and violence rather than upon law.

" '(d) Within the boundaries of the State of California there are active disciplined Communist organizations presently functioning for the primary purpose of advancing the objectives of the world Communist movement, which organizations promulgate, advocate, and adhere to the precepts of the principles and doctrines of the world Communism movement. These Communist organizations are characterized by identification of their programs, policies, and objectives with those of the world Communist movement, and they regularly and consistently cooperate with and endeavor to carry into execution programs, policies and objectives substantially identical to programs, policies, and objectives as such world Communism movement. * * *

" 'There is a clear and present danger, which the Legislature of the State of California finds is great and imminent, that in order to advance the program, policies and objectives of the world Communism movement, Communist organizations in the State of California and their members will engage in concerted effort to ham-

per, restrict, interfere with, impede, or nullify the efforts of the state and the public agencies of the state to comply with and enforce the laws of the State of California * * * '

"Further evidencing the implications of membership in the Communist Party and the policy of the state in respect thereto, the Legislature has declared that (Gov. Code, Sec. 1028): 'It shall be sufficient cause for the dismissal of any public employee when such public employee advocates or is knowingly a member of the Communist Party or of an organization which during the time of his membership he knows advocates overthrow of the government of the United States or of any state by force or violence.' (See also *Board of Education* v. *Wilkinson* (1954) 125 Cal. App. 2d 100 (270 P. 2d 82).

"*A private employer, particularly one largely engaged in supplying manufactured products to the government, to its armed forces, and to retailers for distribution through hospitals and doctors to the public at large, should not be required by state action through its courts (see* Shelley *v.* Kraemer *(1948), 344 U. S. 1 (68 S. Ct. 836, 92 L. Ed. 1161, 3 A. L. R. 2d 441;* Hurd *v.* Hodge *(1948)), 334 U. S. 24, 68 S. Ct. 847, 92 L. Ed. 1187) to retain in or restore to employment a person who would not be entitled to state employment and who is known to have dedicated herself to the service of a foreign power and to the practice of sabotage to the end of overthrowing our government.* (Committee's italics.)

"Graphically depictive of the nature of the Communist conspiracy and of the extremes to which it is prepared to resort are the following statements by Mr. Justice Jackson, concurring in *Dennis* v. *United States* (1951), 341 U. S. 494, 564-565, 71 S. Ct. 857, 95 L. Ed. 1137, 1191), 'The Communist Party, nevertheless, does not seek its strength primarily in numbers. Its aim is a relatively small party whose strength is in selected, dedicated, indoctrinated, and rigidly disciplined members. From established policy it tolerates no deviation and no debate. It seeks members that are, or may be, secreted in strategic posts in transportation, communications, industry, government, and especially in labor unions where it can compel employers to accept and retain its members. It also seeks to infiltrate and control organizations of professional and other groups. Through these placements in positions of power it seeks a leverage over society that will make up in power of coercion what it lacks in power of persuasion.

" 'The Communists have no scruples against sabotage, terrorism, assassination, or mob disorder; but violence is not with them, as with the anarchists, an end in itself. The Communist Party advo-

cates force only when prudent and profitable. Their strategy of stealth precludes premature or uncoordinated outbursts of violence, except, of course, when the blame will be placed on shoulders other than their own. They resort to violence as to truth, not as a principle but as an expedient. Force or violence, as they would resort to it, may never be necessary, because infiltration and deception may be enough.

" 'Force would be utilized by the Communist Party not to destroy government but for its capture. The Communist recognizes that an established government in control of modern technology cannot be overthrown by force until it is about ready to fall of its own weight. Concerted uprising, therefore, is to await that contingency and revolution is seen, not as a sudden episode but as the consummation of a long process.'

"Other instances of recognition by the courts of the clear and present danger to this Country and to its institutions presented by the Communist Party and its adherents may be found in the decisions upholding the provisions of the Labor Management Relations Act of 1947, also known as the Taft-Hartley Act (Act, June 23, 1947, Ch. 120, Sec. 1, et seq.; 61 Stats. 136 et seq.; 29 U. S. C. A. Sec. 141 et seq.), which deny the privilege of being chosen as exclusive bargaining agent to a union whose officers have not filed with the National Labor Relations Board their affidavits denying membership or affiliation with the Communist Party and denying belief in the overthrow of the United States Government by force (see *American Communications Assn., C. I. O.* v. *Douds* (1950), 339 U. S. 382, 70 S. Ct. 674, 94 L. Ed. 925; *National Maritime Union of America* v. *Herzog* (D. C., 1948), 78 F. Supp. 146, affirmed 334 U. S. 854, 68 S. Ct. 1529, 92 L. Ed. 1776; *Inland Steel Co.* v. *National Labor Relations Board,* C. C. A. 7, 1948, 170 F. 2d 247, 264-267, affirmed 339 U. S. 382, 70 S. Ct. 674, 94 L. Ed. 925), as well as in cases sustaining other legislation or congressional inquiry directed at exposing and controlling Communist activities in this Country. (See *Lawson* v. *United States,* C. C. A., D. C., 1949, 176 F. 2d 49, certiorari denied, 339 U. S. 934, 70 S. Ct. 663, 94 L. Ed. 1352; *United States* v. *Dennis,* C. C. A., 2, 1950, 183 F. 2d 201, 212-213, affirmed, *Dennis* v. *United States,* 1951, supra, 341 U. S. 494, 71 S. Ct. 857, 95 L. Ed. 1137; *Barsky* v. *United States,* C. C. A., D. C., 1948, 167 F. 2d 241, 247, certiorari denied, 334 U. S. 843, 68 S. Ct. 1511, 92 L. Ed. 1767; *Galvan* v. *Press,* 1953, 347 U. S. 552, 529, 74 S. Ct. 737, 98 L. Ed. 911). In the *Douds* case, supra, the court pointed out that before enacting the Taft-Hartley Act 'Congress had a great mass of material before it which tended to show that Communists and others proscribed by the

statute had infiltrated union organizations not to support and further trade union objectives, including the advocacy of change by democratic methods, but to make them a device by which commerce and industry might be disrupted when the dictates of political policy required such action.' (P. 389 of 339 U. S.)

"Also relevant are the following comments of the court in *Garner* v. *Board of Public Works,* 1950, 98 Cal App. 2d 493, 498, 220 P. 2d 958, affirmed, 1951, 341 U. S. 716, 71 S. Ct. 909, 95 L. Ed. 1317, in upholding an ordinance requiring a loyalty oath for municipal employees: 'One of the foundation stones of private business is that the employee must be loyal to his employer. Loyalty is implicit in the contract of hiring. No private business can long succeed without the conscientious, undivided support of its employees. The man or woman who denies allegiance to his employment is, and should be, soon separated from it * * * and, so long as the employment continues, every employer has the right at any time to ask his employee to declare his loyalty.' To the same effect is the holding in *National Labor Relations Board* v. *International Brotherhood of Electrical Workers,* 1953, 346 U. S. 464, 472, 74 S. Ct. 172, 98 L. Ed. 195, 'there is no more elemental cause for discharge of an employee than disloyalty to his employer.' (See also *National Labor Relations Board* v. *Jones and Laughlin Steel Corp.,* 1937, 301 U. S. 1, 45-46, 57 S. Ct. 615, 81 L. Ed. 893, 108 A. L. R. 1352; *RKO Radio Pictures, Inc.* v. *Jarrico,* 1945, 128 Cal. App. 2d, 274 P. 2d 928). From the array of congressional and legislative findings which have been quoted above, *if not from the common knowledge of mankind, it must be accepted as conclusively established that a member of the Communist Party cannot be loyal to his private employer as against any directive of his Communist master.* (Committee's italics.)

"We are of the view, further, that the type of activity engaged in by the employee here—membership in the Communist Party and sustained participation in its activities—is one which as a matter of public policy the company should not be held to have waived by its failure to discharge her earlier than it did. In the first place, it is an established principle that parties cannot be estopped from relying on defenses based on considerations of public policy, such as illegal contracts. In the second place, the employee's party membership was not shown or even asserted by her to have been an instance of past error but appears, rather, to have been the studied and calculated choice of a person of some intellectual attainment, and to have been persisted in on an active and devoted basis even at the time of the board hearings. Thus

an entirely adequate ground for refusing to employ her (whether by original refusal to hire or by discharge) was a continuing one which was available to the employer at any time during its existence. *In this connection it may also be noted that the employer had not only the right to protect itself and its customers against the clear and present danger of continuing a Communist Party member in its employ, but also the duty to take such action as it deemed wise to preserve order in its plant and to protect its other employees, both union and nonunion, against the same danger and the possibility of 'sabotage, force, violence and the like.'* (Committee's italics.)

"The company properly stated in its notice of discharge as related above, 'the nature of our company's business requires more than the usual precaution against sabotage and subversion. Upon a disclosure that any employee is a member of the Communist Party * * * we conceive it to be the responsibility of management to take action.' Knowing the facts which the company knew, it is difficult to conceive of any tenable defense which it could make, or which would be entertained in this court, as against an action for damages in a personal injury or wrongful death case arising from the wilful adulteration of any of its products by Mrs. Walker if it continued her in its employ and she should thereafter take that means of party activity. *That acts of sabotage by Communists are reasonably to be expected at any time such acts may be directed by the party leader is not open to question, as has already been shown.* (Committee's italics.)

"The fact that the company was not specifically obliged by any governmental regulation to discharge Mrs. Walker affects in no wise its right to do so or the impelling public policy which militates against the order for her reinstatement; in this country, built as it has been on the initiative and self-reliance of its citizens, the Government is expected to step in only where the employer has failed or is unable to act for himself, and he is not obligated to await a governmental decree before taking steps to protect himself or to exercise his right to discharge employees who upon the established facts are dedicated to be disloyal to him, to be likewise disloyal to the American labor union they may purport to serve, and who constitute a continuing risk to both the employing company and the public depending upon the company's products.

"This is not the first time that this court has been called upon to recognize and give specific effect to the public policy where its duty in the premises is clear. (Citing authorities.)

"Lastly, in the light of the undisputed evidence and of the specific findings of fact made by the arbitration board, it clearly appears that the conclusional finding that Mrs. Walker was discharged because of her labor union activities is untenable. We have here an exemplification of that which Justice Jackson (in *Dennis* v. *United States,* 1941, supra, 341 U. S. 494, 564, 71 S. Ct. 857, 95 L. Ed. 1137, 1191) so clearly envisaged when he said of the Communist Party: 'From established policy it tolerates no deviation and no debate. It seeks members that are, or may be secreted in strategic posts in * * * industry * * * and especially in labor unions where it can compel employers to accept and retain its members,' and of that to which the court referred when it stated in *American Communications Assn., C. I. O.* v. *Douds,* 1950, supra, 339 U. S. 382, 389, 70 S. Ct. 674, 94 L. Ed. 925: 'Congress (in enacting the Taft-Hartley Act) had a great mass of material before it which tended to show that Communists and others proscribed by the statute had infiltrated union organizations not to support and further trade union objectives * * * but to make them a device by which commerce and industry might be disrupted * * * .' The issue of labor union activity herein is manifestly a false one, a subterfuge injected not to promote the cause of American labor but to further the Communist Party line. Mrs. Walker, as a Communist, was not at any time nor in any of her activities truly serving the cause of an American labor union or the interests of an American laboring man; she was but doing the bidding and serving the cause of her foreign master who 'tolerates no deviation and no debate.' Her activities, therefore, upon any reasonable view of the evidence and the specific findings of fact, were not in truth union labor activities but were Communist Party activities.

"Of no small significance in this connection is the fact that at the arbitration board hearing Mrs. Walker was asked, and she refused to answer the question, 'isn't it a fact, Mrs. Walker * * * that the reason why you sought employment * * * in Cutter Laboratories was because you felt and believed, and had it in mind, that obtaining that employment at that plant you could more actively and more effectively carry on the program and the activities of the Communist Party?' It is, we think, indisputable that if Mrs. Walker sought and obtained employment at Cutter Laboratories so that she 'could more actively and more effectively carry on the program and the activities of the Communist Party,' her reinstatement in that employment would serve no cause save that of the Communist conspiracy. *The courts of this Country by*

making such an order would be but aiding toward destruction of the government they are sworn to uphold. The contract between Cutter Laboratories and the Bio-Lab Union cannot be construed, and will not be enforced, to protect activities by a Communist on behalf of her party whether in the guise of unionism or otherwise.'' (Committee's italics.)

WILKINSON AND EISENBERG CASES

In September and October, 1952, this committee held hearings in Los Angeles relative to certain employees of the Housing Authority of that city. Two of the witnesses who were subpenaed to testify were Jean Benson Wilkinson, a teacher in the East Los Angeles Girls Vocational High School, and Frances Eisenberg, an officer in the Los Angeles Federation of Teachers, Local 430, and also a teacher in the Los Angeles school system. Each of the witnesses was questioned concerning alleged Communist Party activities and affiliations, and each invoked the Fifth Amendment and refused to answer any questions concerning this subject. The Los Angeles City Board of Education promptly moved to discharge both of these employees, and they resorted to the courts for reinstatement.

In rendering a decision in the *Wilkinson* case the California District Court of Appeals held (*Board of Education* v. *Wilkinson*, 125 Cal. App. 2d 100, 106-107) that the school board had a perfect right to discharge any teacher or other employee who refused to answer questions propounded by this committee concerning her Communist affiliations. The opinion, in part, is as follows:

> "In the life-and-death struggle into which our people have been plunged by the monstrous conspiracy called Communism, it is becoming more and more apparent that it is essential for the continuance of our national life that we know who is for us and who is against us. This is no time to allow any person who would destroy us, our liberties, our religious convictions, and our government to be employed in any branch of that government—'to bite the hand that feeds it.' The men and women of America who pay their salaries have a right to know whether or not any of their employees are Communists."

In passing upon the action of Mrs. Eisenberg, the court also upheld the right of the Los Angeles City Board of Education to discharge a teacher who refused to answer questions put by this committee concerning Communist activities and affiliations (129 A.C.A. 868, at page 877). In discussing the resolution whereby this committee was created, and which prescribes its scope of authority, the court said:

> "The Legislature having determined, as did the Los Angeles Board of Education, that the infiltration of Communism is detrimental to the general welfare, it did the next logical thing by sending out, as its emissaries, committees to ascertain the extent of the

detriment caused and likely to be caused by advocates or prowlers for Communism. There is nothing un-American in such action. It is done to protect the United States and every subdivision thereof. No attempt is made to bridle free speech. The resolution means no more than 'stand up and be counted.' It makes no interdiction against any person's saying whatever he desires to say. It is designed to give the Legislature a knowledge of social conditions prevailing in California whereby to make laws intelligently. * * *''

The committee has seen fit to set forth these recent legal decisions not only for the purpose of dispelling a great deal of Communist propaganda nonsense concerning the power of the State Legislature and the propriety of its committee inquiring into Communist activities throughout the State, and not only to widely disseminate these decisions and make them available to the public and the press, but also to counteract a great deal of false information constantly being spread among deluded progressives and fellow-travelers by that well known little group of attorneys in this State who have been known to this committee for almost 16 years for their constant loyalty and devotion to members of the Communist Party and to the Communist Party itself. These attorneys, many of whom have been identified as party members, are responsible for a widespread dissemination of utter nonsense concerning the true state of the law in these matters and who are constantly exhorting their clients and their followers to defy constituted authority. The committee trusts that these decisions, hereby made available through the medium of this report, may effectively counteract such propaganda.

The recital of these facts whereby Doris Walker—brilliant, capable, dedicated—used her talents for the purpose of furthering the cause of international Communism, is literally packed with grim warning. This girl plunged into the Communist conspiracy immediately upon graduating from the law school of the state university. She emerged from that institution as a fanatic representative of a group pledged to undermine our government and to pervert our way of life. Why, indeed, was she selected to worm her way into the particular concern for which she worked? Why was she designated to emerge as the leader of a union which had been conceived at the Lenin School?

We are reminded of a similar case that occurred a few years ago in California. It came to our attention that a former editor of the *Daily People's World* had disappeared from public view. He had left his home in San Francisco and literally vanished into thin air. An investigation disclosed that he had obtained a position as a telegraph operator for one of our great railroad systems, and in this sensitive position had been assigned to various locations that were clearing centers for large movements of freight. The position was obtained by the use of a cover organ-

ization, the giving of fictitious information, and a use of strategem and device to insure employment in this particular capacity much as Doris Walker concealed material facts from her employer in order to land the desired job. In the case of the telegraph dispatcher it is quite obvious that any sudden movement of vast quantities of strategic materials, such as molybdenum, uranium ore, tanks, airplane parts, or other critical supplies, would provide information of enormous potential value to a potential enemy. Since much of our critical ore and metal is produced by a union that was expelled from the C. I. O. for alleged Communist infiltration and control, the *United Mine, Mill and Smelter Workers of America,* and since the *International Federation of Architects, Engineers, Chemists and Technicians* had sent their members into the factories, laboratories and technical research projects from one end of the Country to the other, the *Doris Brin Walker* case is simply a repetition bringing the well known Communist technique of penetrating sensitive areas down to date and nailing it home through a sweeping decision of our State Supreme Court.

In another section of this report the committee sets forth its experiences in hearings in connection with an investigation of the infiltration by Communists into our public utilities. From the *Cutter Laboratory* case we can learn a most important lesson. We can learn that members of the Communist Party are not directed to carry on their conspiratorial work and to send their members into our most sensitive institutions from a love of power or in hope of monetary profit. On the contrary, these people are prompted by far more dangerous motives. If they were motivated by elements of greed for power or money, it would be a relatively simple matter to handle the problem. One man who had been a member of the party in this country for 17 years hammered home the point that all Communists he had ever known originally entered the party in the mistaken belief that through it they had found a medium for the solving of all of the maladjustments and social illnesses that affected civilization. When we find people like Julius and Ethel Rosenberg who go to their death in the electric chair, convicted traitors to their country, and grimly refuse to reveal anything about the persons with whom they were associated in their traitorous enterprise, then we begin to realize the true danger with which we are confronted. This is nothing new in history. There is nothing new about fanatics who are willing to make any sacrifice for the principles in which they believe and for the cause to which they are dedicated. When the Christian martyrs were clawed to death by wild beasts in the Roman arenas and sang hymns as they were actually dying, we simply saw another manifestation of this characteristic.

Doris Walker sacrificed her legal training, sacrificed her opportunity to make for herself a reputation as a capable attorney, and preferred instead to live a life of secrecy and of subterfuge; to attend to the conspiratorial business of undermining our country and to achieve that end she did not hesitate to lie, misrepresent, and to employ every ruse and artifice for the purpose of gaining her subversive objective. So it is with the other members of the Communist Party, fanaticized and dedicated as they are, and who will never hesitate to make any sacrifice demanded of them for the purpose of worming their way into the heart of a public utility, a critical labor union, a university, a high school, or in positions of influence on newspapers, in the employ of our tax exempt foundations, in our laboratories, in the employ of our state, county or municipal governments, or in any other position which the party considers of strategic use in its relentless campaign to destroy the American form of government and plant a ruthless dictatorship in its place.

COMMUNIST INFILTRATION OF THE MEDICAL PROFESSION

On Monday, December 6, 1954, the committee met in the State Building at Los Angeles to conduct a public hearing concerning Communist infiltration of the Los Angeles County Medical Association. For almost a week the committee heard the testimony of more than 30 witnesses and received in evidence hundreds of documentary exhibits.

Heretofore the committee has refrained from burdening its reports with a verbatim repetition of the entire transcript of any hearing. In its 1951 report the committee considered the evidence received in the case of the murder of Everitt Hudson to be of such importance that very little of the testimony was omitted from the report. In this investigation and hearing concerning Communist infiltration of the medical profession in the southern part of the State, the committee believes that it cannot possibly do justice to the subject without presenting the transcript of the hearing almost verbatim. The public can then see for itself that at these hearings the witnesses are not insulted or browbeaten; that their civil liberties are not invaded; that they are treated with uniform courtesy and consideration by the committee, and that the insults, vituperation, abuses and smearing usually come from the witnesses rather than from the committee—as the Communists, their propaganda experts and party sympathizers, together with a growing legion of self-appointed guardians of our civil liberties would have the public believe. Furthermore, the committee believes that those who read this portion of its report cannot help but draw logical inferences from the startling contrast between the group of witnesses comprising officers of the Los Angeles County Medical Association, who testified frankly and fully, and the group of witnesses which followed and comprised those concerning whom the committee had already amassed considerable evidence of subversive affiliation or activity. It will also be manifest that the witnesses who identified persons known to them as Communist Party members had never seen each other until the time they took the witness stand to give their testimony, and that there was not the slightest chance of collusion or pre-arrangement between them. We also wish to make it very clear that the testimony of those witnesses who identified Communist Party members simply corroborated evidence which had been in the possession of the committee for a period of several years.

As will be seen, the committee did not initiate this investigation and hearing. It was intiated by the Los Angeles County Medical Association itself, which became alarmed at evidences that it was being infil-

trated by subversive elements. When some of the responsible officers of the association actually attended Communist front meetings and saw for themselves what transpired, they determined to ask the California Senate Committee on Un-American Activities to undertake an investigation and to hold a hearing. The committee, realizing the nature of the organization concerned, endeavored at all times to conduct the investigation and hearing in a manner commensurate with the dignity and status of the medical profession. As we have observed in other reports, techniques of investigation and conduct of hearings are governed largely by the circumstances involved. We prefer to hold no public hearings concerning infiltration of teachers organizations or educational institutions. When the problem becomes so critical that a public hearing is the only means of getting at the facts and endeavoring to remedy the situation, then the committee has no alternative. It realizes, however, that the educational field is one of great sensitivity, and it prefers that the educational administrators on all levels handle the problem themselves. An entirely different technique is indicated in the investigation of the Communist Party itself, its front organizations, its propaganda media, and its underground operations. A still different approach is indicated in many of the other phases of the ceaseless job of developing the true facts concerning subversive activities in this State.

The committee was especially fortunate in this instance in having the services of Mrs. Ruth Drader, who had been acting as an undercover agent for the committee during a period of approximately four years preceding the date of the hearing. As will be seen from her testimony, Mrs. Drader, under an assumed name, managed to work her way into positions of responsibility in several Communist front organizations. From these points of vantage she rendered regular written reports to the committee concerning the many meetings which she attended and the names of people she observed actually operating these Communist fronts during the entire period of her employment.

OFFICERS OF THE LOS ANGELES COUNTY MEDICAL ASSOCIATION

Following is an account of the testimony from officers and representatives of the Los Angeles County Medical Association who appeared and testified before the committee on December 6 and 7, 1954, together with testimony received from the deans of medical schools in Los Angeles universities, and the testimony of Dr. Nathaniel Bercovitz, a medical missionary to China, whose revelations to the committee concerning his experience with Communists proved extremely enlightening and pertinent. The hearing commenced on Monday, December 6, 1954, with a statement by Senator Burns, the committee chairman.

"Chairman Burns: The committee will please come to order. As a preface to this hearing today, and which will probably be continued during the week, it is pursuant to a request made upon the committee by officials of the Los Angeles County Medical Society to conduct an inquiry into certain activities that were a subject of suspicion by several leaders of the medical profession in this county. The committee has known, of course, and all investigative bodies of this kind have known for a long time, that the professions have been a keen objective of the Communist Party.

"Men in professional life hold a position of respect and influence in the communities in which they reside, and any intellectual group, as well as other organized groups, are to be used to further the interests of subversive organizations such as the Communist Party.

"The committee, pursuant to this request, has conducted, over a period of a year or more, an inquiry into infiltration by the party into professional endeavors in this county. This hearing, we hope, will end this inquiry and complete the efforts of our committee in securing all of the information relating to the activities of the Communist Party that we can as far as the medical profession is concerned.

"Today and tomorrow we have, in the main, as witnesses prominent physicians and surgeons of Los Angeles, and, following their testimony, we are asking individuals to come and give us the benefit of their information that may be involved in furthering the work of the Communist leadership as far as the medical profession is concerned. We have had professional investigators working and towards the end of the week we will hear their testimony.

"I think that I should impress upon you and for the benefit of the gentlemen of the press that are here that, merely because the committee has conducted its inquiry and is in the process of conducting it, we are at the present time accusing no individual of any wrongdoing and, because of the fact that we have asked individuals to appear before us is no indication of their wrongdoing; and I have repeatedly attempted to impress this upon the public mind for the reason that there has been stigma attached to individuals appearing before this committee and giving it the benefit of their knowledge and their ideas.

"I think that is all that the chairman wishes to say except that present here today is a working majority of the Senate Committee on Un-American Activities, and present are Senator Jack McCarthy of Marin County, residence, San Rafael; Senator Jack Thompson of Santa Clara County, and whose residence is in San Jose; the executive secretary of the committee, Mrs. Mary E. Hope; counsel for the committee, Mr. R. E. Combs, and Sergeant-at-Arms of the Senate, Mr. Joseph Nolan.

"With these remarks, I will declare the committee ready to conduct its business for the day.

"Mr. Combs: Mr. Chairman and Members of the Committee, I wish to point out that all of the witnesses who will testify throughout this session will do so under subpena. There will be no volunteer witnesses. And, by way of prefacing the more detailed portions of the evidence, I wish to read into the record now a statement issued by William Z. Foster as head of the Communist Party of the United States, which appeared in the official publication of the National Committee of the Communist Party of the United States, a publication called *The Communist,* published in September, 1938, in which he removes any possible lingering doubt about the purposes of the Communist Party of this Country to infiltrate and insinuate its members into strategic professions, in not only the professions but in particular the medical profession. And I think it is appropriate to read this basic declaration by the head of the Communist Party of the United States into the record before calling the first witness. The material which, as I said, was taken from the September, 1938, issue of the magazine, *The Communist,* at page 805 and following pages, reads as follows:

" 'In late years, and particularly during our recent big recruiting campaign, an appreciable number of professionals, doctors, dentists, lawyers, engineers, teachers, actors, etc., have joined our party, notably in the New York area.

" 'In drawing professionals into the party, care should be exercised to select only those individuals who show by practical work that they definitely understand the party line, are prepared to put it into effect, and especially display a thorough readiness to accept party discipline. It is not enough that professionals should support our general struggle for democracy and peace; they must also accept the socialist principles of our party. There must be selective recruiting far more than in the case of miners, longshoremen, railroad workers, etc. General party units which proceed upon the basis of mass recruitment of lawyers, or of drawing doctors into the party on a large scale, have a wrong policy.'

"Here, again, is the familiar Communist emphasis on quality rather than quantity of professional members. Foster continued:

" 'There must be special attention paid to the Marxian education of professionals entering our party. This should have the definite goal of thoroughly communizing their outlook and reorienting their previous intellectual training so that its full value may be utilized in a revolutionary sense by our party and the masses.

" 'Communist professionals also have the very important task of advancing and even revolutionizing the techniques and theories of their respective professions. They must take up the intellectual cudgels against the reactionaries on all fronts. Thus, our teachers must write new textbooks and rewrite history from the Marxian viewpoint; our scientists must organize more effectively the battle of the materialists

against the idealists in every branch of science; our doctors must introduce new methods into medicine; the American Medical Association is not only reactionary politically but also medically; our lawyers must challenge prevalent musty capitalist legal conceptions and rewrite our legal history; our writers must bring forward class-struggle themes in literature and the theater, etc. In short, our Communist professionals must develop a powerful Marxist-Leninist ideological front against the reactionaries and their Trotzkyite-Lovestoneite stooges in every field of artistic and intellectual endeavor.'

"There was some criticism of the statement made by Mr. Foster to the effect that the American Medical Association was reactionary both politically and professionally and, after he had been criticized and questioned concerning that conclusion, he inserted another article in *The Communist* magazine for December, 1938, at page 1137, in which he said:

" 'As Communists, we cannot allow ourselves to be tied in such a narrow and reactionary conception of medicine as that of the A. M. A. We are interested not only in developing health work in the sense of improving and extending the art of healing, but, above all, in the prevention of sickness by literally building up the people's health. A people's health program is quite a different thing from the medical guide-like policy of the A. M. A. Hence, we must be the champions, especially our physician comrades, in fighting for all the political, economic, educational and technical measures necessary to advance a true people's health program. And, in the measure that we do this, we are bound to find ourselves more or less in opposition to the A. M. A. policy on various fronts, not only political and social but also medical.

" 'We do not have to wait until after the revolution to begin supporting these broader principles of a people's health program. Their realization here and now, so far as possible, is a major task of the democratic front, and we should try to educate the movement to that effect. When we grasp more clearly the nature of such a broad people's health program and begin to work seriously for its realization, then, as we encounter the A. M. A.'s hostile attitude, we will have no difficulty in understanding that the A. M. A., under its present leadership and policies, is reactionary not only politically, but also medically.'

"That appeared in the official publication of the Communist Party of the United States in December, 1938.

"Now, Mr. Chairman and Members of the Committee, we have asked members of the medical association to appear here this morning and testify and to identify certain documents. And I also wish to state that, in conjunction with the initial phases of the investigation which the committee conducted pursuant to the request the association made, we

asked several members of the profession to attend what we considered to be Communist-dominated meetings, which they have done, and today and tomorrow we will receive some of the testimony along those lines.

"The present president of the Los Angeles County Medical Association, Dr. J. Phillip Sampson, one of the gentlemen who signed the letter requesting this hearing, is present and I would like to ask him to come forward at this time.

TESTIMONY OF J. PHILLIP SAMPSON, M.D.

"Chairman Burns: Will you state your full name and address, please?

"The Witness: My name is John Phillip Sampson; I am a physician and surgeon, M.D.; my office address is 2200 Santa Monica Boulevard; my home address is 1961 Mandeville Canyon, West Los Angeles.

"Question (By Mr. Combs): Doctor Sampson, I hand you what purports to be a copy of a resolution adopted by the Los Angeles County Medical Association and which bears the date June 1, 1953, and ask you if you will kindly identify this for me if you can.

"Answer: Yes. This is a resolution that was passed by the Los Angeles County Medical Association.

"Q. On the date that it bears?

"A. On the date that it bears.

"Q. Would you mind reading it into the record, please?

"A. Yes, sir.

" 'Resolution. WHEREAS, The principles of medical ethics of the American Medical Association contain the following guiding principles for its members, which become a vital prerequisite to original membership and continued membership in the American Medical Association and the Los Angeles County Medical Association:

" '1. * * * Conducting himself with propriety in his profession and in all the actions of his life.

" '2. Every physician should aid in safeguarding the profession against admission to it of those who are deficient in moral character * * *

" '3. A physician should expose without fear or favor incompetent or corrupt, dishonest or unethical conduct on the part of members of the profession.

" '4. They should bear their part in enforcing the laws of the community and in sustaining the institutions that advance the interests of humanity; and

" 'WHEREAS, Membership in the Communist Party precludes a free exercise of these principles and in fact is diametrically opposed to any of them; therefore be it

" '*Resolved,* That it is the expressed view of the Council of the Los Angeles County Medical Association that any member of the Communist Party cannot act in a manner to accord with the letter or the spirit of the principles of medical ethics of the American Medical Association and that membership in the Communist Party is incompatible with membership in the Los Angeles County Medical Association; and be it further

" '*Resolved,* That this resolution shall not be applicable to any individual who has unequivocally demonstrated a total severance with the Communist Party and its objectives.'

"It is dated June 1, 1953. That was adopted by unanimous vote and is in effect at the present time.

"Mr. Combs: I would like to introduce this document as Exhibit No. 1.

"Chairman Burns: It will be admitted as Committee Exhibit No. 1.

"Q. (By Mr. Combs): Dr. Sampson, you are the duly elected, qualified and acting president of the Los Angeles County Medical Association, are you not?

"A. I am.

"Q. And you will continue to hold that office until the latter part of this month?

"A. Until January 1st.

"Q. And then you will be succeeded by whom?

"A. Dr. Ewing Turner.

"Q. Who is present?

"A. He is present.

"Q. Dr. Sampson, as president, you are familiar with the requests to this committee to conduct an investigation?

"A. I am familiar with the requests made.

"Q. I hand you two letters, one dated December 12, 1953, and the other dated January 13, 1954, and ask you if you will identify those for me, please?

"A. The first one, that was written on December 12, 1953, was written to R. E. Combs, Chief Counsel, California Senate Committee on Un-American Activities, 415 West Race Street, Visalia, California, and it was signed by Paul D. Foster, M.D., President, Verne C. Crowl, M.D., Vice President, and Ewing L. Turner, M.D., Secretary-Treasurer. Do you wish me to read the letter?

"Q. If you will, please.

"A. 'Dear Mr. Combs: Recognizing the deep responsibility of the medical profession in fields vitally important to the national welfare, such as civilian defense, atomic research, and other equally important phases of this subject, the Los Angeles County Medical Association respectfully requests the assistance of the California Senate Committee

on Un-American Activities. This association would appreciate an investigation by your committee to determine the extent of infiltration into the ranks of the profession by persons whose loyalty toward the United States is questionable.

" 'We offer our full cooperation in this project, and you may be sure that we will assist you in every possible way should this request be granted.

" 'Signed for the Los Angeles County Medical Association by the Executive Committee.' And it is signed by the executives whose names I have read.

"Q. The second letter, which is a repetition of the first, was dated in 1954 because new officers had taken office?

"A. That is right.

"Q. And that was addressed to whom?

"A. That was addressed to Senator Hugh M. Burns, California State Senate, Equitable Building, Fresno, California.

"Q. And is a repetition of the other letter?

"A. And is a repetition of the previous letter. It was sent by Mr. K. C. Young, who is the secretary of our organization, at my request and at the request of Dr. Turner and of Dr. Clair Cosgrove, who has since passed away and who was vice president at that time.

"Mr. Combs: I ask that these letters be introduced into evidence as Exhibits 2 and 3.

"Chairman Burns: They will be admitted.

"Q. (By Mr. Combs): Dr. Sampson, the Office of the Los Angeles County Medical Association is located at 1925 Wilshire Boulevard, is that correct?

"A. At 1925.

"Q. Going back to the inception of the concern, which was expressed by you and other members of the medical profession concerning the infiltration of that profession by suspected members of the Communist Party, would you mind giving us in your own way, and as a broad background, the nature of the inception of your concern? That is, what I mean by that is whether or not you discussed with other members of your profession the things which gave impetus to your concern and which ultimately led up to the writing of the letters last referred to?

"A. The medical profession has been increasingly aware of the fact that there are Communists in the United States both from the press and from the various reports of the various committees that have been meeting all over, Senate committees and the House of Representatives committees that have been holding investigations. And it has been stated at one time and another among groups of us that the Communist Party was becoming particularly active in southern California, and that, while all professions were targets for their endeavors, the medical

profession was the leading one. It was our wish to clean our skirts completely and to be sure that there were no Communists in our group and, if there were Communists in our group, to expose them so that all might know who they were. We wanted to be as good Americans as we could and for this reason we requested Senator Burns to conduct this research into our organization.

"Q. Is it your conviction that the Communist Party has used the technique in placing its members in the medical profession by employing so-called front organizations that are Communist-dominated actually but pose as progressive or liberal or non-Communist organizations?

"A. That has come to my attention. It goes a little deeper than that. They organize in a little community of small area, get a few doctors together, and then say, 'we've got to do something to help these poor people here.' It is put entirely on that kind of a basis. And then, finally, after they select the men that they wish to work on, then it goes more deeply than that.

"Q. Are you familiar in a general way with a slate of members of your profession that endeavor to gain political control of the organization?

"A. Yes, I am.

"Q. Do you remember that board?

"A. I do remember that board.

"Q. It was two years ago, wasn't it?

"A. It was three years ago.

"Q. And are you acquainted in general terms with the situation at Cedars of Lebanon Hospital which resulted in the discharge of three members of the medical profession in Los Angeles County who had refused to answer questions put to them by the House Committee on Un-American Activities?

"A. I remember that; yes.

"Q. Are you familiar in a general way, Dr. Sampson, with the propaganda and pressure that was whipped up in behalf of those three gentlemen?

"A. I am.

"Q. Were they or any of them members of the Los Angeles County Medical Association?

"A. Yes, they were members of our organization.

"Q. And did that also give you concern as to others who might be in a similar situation?

"A. It gave us grave concern; that is correct.

"Q. You are familiar with the hearing conducted by the House Committee on Un-American Activities in October, 1952, generally?

"A. Yes.

"Q. And have you paid any attention to the number of witnesses who were doctors in Los Angeles County who, when asked whether or not they were members of the Communist Party invoked the Fifth Amendment?

"A. I remember there were a number of them.

"Q. Actually, there were 16. If I read their names to you, do you think you could identify them?

"A. I think I could identify the majority of them.

"Q. Alexander Pennes?

"A. Yes.

"Q. Joseph Hittelman?

"A. Yes.

"Q. Simson Marcus?

"A. Yes.

"Q. Morris R. Feder?

"A. Yes.

"Q. Harold Koppelman?

"A. Yes.

"Q. Jack Nedelman?

"A. That is correct. I know him.

"Q. Milton Lester?

"A. Yes.

"Q. Samuel J. Sperling?

"A. Yes.

"Q. Walter Kempler?

"A. Yes.

"Q. Jacob S. Bruckman?

"A. I don't know him.

"Q. Thomas L. Perry, Jr.?

"A. Yes.

"Q. Gordon Rosenbloom?

"A. Yes.

"Q. Benjamin M. Lieberman?

"A. Yes.

"Q. Frederick G. Reynolds?

"A. Yes.

"Q. Bertram L. Roberts?

"A. Yes.

"Q. Oscar Elkins?

"A. No; I don't know him.

"Q. Oner B. Barker, Jr.?

"A. Yes.

"Q. Do you know whether Dr. Thomas L. Perry had anything to do with an organization commonly known as AIMS, which is the association of internes and medical students?

"A. There was some discussion of that which is back in my memory.

"Q. You made no effort to make any detailed investigation of it?

"A. No.

"Q. Did you hear me read the statement made by William Z. Foster, head of the Communist Party of the United States, in connection with the importance to the party of placing members in the medical profession?

"A. I heard you make that statement.

"Q. Would it, in your opinion, add to the ability of the Communist Party to attract additional material for eventual recruiting into the party by placing on the directorate of an apparently non-Communist organization men who have the prestige and the standing in their community of members of the medical profession?

"A. Oh, definitely; there is no question about that; and their propaganda for the party is quite obvious; also, the intimate relationship of the doctor with the family and with people in general.

"Q. For example, if a member of the Communist Party were straying from the paths of Americanism and rectitude, his evaluation by a fellow scientist would be of value to the party?

"A. That is correct.

"Q. Are you aware of the fact that the relationship of attorney and client, which, of course, is protected by law, of priest and penitent and of physician and patient, affords a rather unique medium for the preservation of secrecy in the conduct of Communist Party propaganda?

"A. Yes; very much so. Is that called a privileged communication?

"Q. That is a privilege that exists between those three groups.

"A. I might state I think the most important thing that you said in this Foster excerpt that you read was that we do not need to wait for the revolution to have doctors change their attitude. I wish to emphasize that.

"Q. And you also remember that he said that great mass infiltration was not the thing, expressing the desire for quality rather than quantity?

"A. Yes.

"Q. And the committee has pointed out that it has found no mass infiltration on the university level or in the educational field but, obviously, a workman who erects a building designed to smash the atom, if he may be a member of the Communist Party, is relatively unimportant, but the man who operates the mechanism itself that produces the atom is of enormous importance.

"A. Yes.

"Q. Now, Dr. Sampson, did you, yourself, ever attend any meetings of so-called front organizations?

"A. Not to my knowledge.

"Q. You know that other members of your profession have?

"A. They have told me they have.

"Q. And have you discussed with them their views and the things they observed at these meetings?

"A. Yes, I have.

"Q. And that was done during your tenure as president?

"A. It was during my tenure as president, yes, sir.

"Q. Mr. Combs: I think that is all.

"Q. (By Senator McCarthy): Doctor, can you tell me the names of some of these organizations that some of your associates have attended?

"A. I don't remember the names of them but they told me that they had been to meetings and that they were names that were listed, and that is as far as I can tell you. I wish to make one statement if I may, that the Los Angeles County Medical Association and I as president wish to do everything in our power to help you in this investigation.

"Mr. Combs: And I wish to point out that you certainly have. May Dr. Sampson be excused?

"Chairman Burns: Yes.

"Mr. Combs: Dr. Ewing Turner, please.

TESTIMONY OF DR. EWING TURNER, M.D.

"Chairman Burns: Will you give your name and address?

"The Witness: My name is Ewing L. Turner, M.D., business address, 1930 Wilshire Boulevard. Home address, 5700 Hill Oak Drive.

"Q. (By Mr. Combs): Dr. Turner, you are the president-elect of the Los Angeles County Medical Association, are you not?

"A. That is correct.

"Q. And you will assume office on the first of January, 1955?

"A. Correct.

"Q. And prior to your election as president you served two consecutive terms as secretary-treasurer?

"A. That is right, secretary-treasurer.

"Q. Did the association ever publish a bulletin of any kind?

"A. Yes, we have a bulletin that is published every two weeks.

"Q. And that goes to all members of the association, does it?

"A. Right.

"Q. Did you ever have any official connection with that publication?

"A. Yes, I have been editor for the past two years.

"Q. You were present and heard the testimony of the witness who preceded you, Dr. Sampson?

"A. Yes, sir.

"Q. If I were to ask you the same questions concerning the general background of the matters that led to the writing of the letters requesting this investigation and hearing, would your answers be substantially the same?

"A. Yes.

"Q. Did you, yourself, Dr. Turner, ever attend any meetings of any so-called Communist front organizations?

"A. No; I have not.

"Q. Are you familiar with the incident at the Cedars of Lebanon Hospital which resulted in the discharge of the three doctors?

"A. Yes, I recall that.

"Q. And you are familiar with the hearings held here by the House Committee involving 16 doctors whose names I read into the record?

"A. Yes, sir.

"Q. Dr. Turner, would you mind giving the committee the benefit of your own views concerning the problem and the reasons for your concern and your attitude as president-elect of the association about the situation?

"A. I would like to say, first, that I am quite sure that the majority of our membership of 6,200 doctors are very patriotic good American citizens and I am also quite sure that there is no mass infiltration of our profession nor will there be if we have anything to do about it; and I am also just as sure that there are probably a few, perhaps a handful, perhaps a dozen, who come within the category heretofore mentioned. We have no idea of the exact number. But the thing that concerns me is not with the number that we have but with the fact that these men are doctors of medicine and that they do have a tremendous influence not only among their own confreres but with the public because of the intimate contact all physicians have with patients. Those are the things that are bothering me. In addition, I might say that, having been secretary for two years, I think all of you gentlemen on the committee know the secretary of any organization is the man who hears all the laudatory comments about the organization and he is also the fellow who gets all the complaints. If there is any criticism about anything it is the secretary of an organization who usually hears about it. And during my tenure of office for two terms as secretary I have had numerous telephone calls about this particular problem from people who were worried about this doctor or that doctor or this group or that group. Those are the things that first brought this to my mind some two years ago. In addition, we had a little difficulty in the organization one time when we passed this resolution that was read a little

earlier, stating that it was unethical for a physician to be associated with one of these subversive groups. There was lots of criticism that came to me as secretary from various people in the association about that. At another time we attempted to change our by-laws. That was about a year ago. In our by-law change we incorporated the prerequisite for membership of the signing of a loyalty oath, which many organizations have throughout the county and which none of us take exception to and which none of us have any compunction about signing, but there were letters published by a certain group objecting rather strenuously to a number of the changes in the by-laws. And among those changes the one thing that seemed to get the biggest comment was the signing of the loyalty oath as a prerequisite for membership in the Los Angeles County Medical Association. That rather startled some of us in the official family of the association because I can assure you gentlemen that in our board of trustees, consisting of seven very able, very patriotic gentlemen, and our council, consisting of 41 good and true doctors, there is not one single man that has any of these feelings of subversion or questionable loyalty. It is because of this background that the thing seemed to me to be important and that is the reason that I was happy to be a signator.

"Q. May I interrupt you? (At this point Dr. J. Philip Sampson, the previous witness, rose from the audience and was about to leave the room.) Dr. Sampson, are you now or have you ever been a member of the Communist Party?

"A. Dr. Sampson: Hell, no.

"Q. Do you have any feeling of resentment by being asked to declare yourself in that respect?

"A. Dr. Sampson: No, sir. The only resentment I have is that it is necessary for you to ask that question.

"Q. Will you continue, Dr. Turner.

"A. (By Dr. Turner): I was just saying I was very happy to be a signator to the request to you, Senator Burns, for the committee to come and help us find this handful of men who are of questionable loyalty, and we are very happy, as Dr. Sampson has just said, to give you every cooperation in this effort.

"Q. Which you certainly have, as I said before. I think that is all. Well, one other question. Are you familiar in a general way with the Association of Internes and Medical Students?

"A. I don't know very much about it other than just a few things that I heard.

"Q. I show you a booklet entitled *For Immediate Release. Leftist Minority Woos Future Doctors. A Behind-the-Scenes Look at the Association of Internes and Medical Students,* and ask you if you have

seen that before or are familiar with its contents or have read it or any part of it.

"A. I read this when it was printed.

"Q. Did it have a rather wide circulation among the members of the medical profession in this part of the country?

"A. Very wide.

"Q. It is in the nature of an exposé of the Communist control of this particular organization, isn't it?

"A. Correct.

"Q. In your view was that a salutary thing to do so that the organization could be shown for what it was?

"A. Yes, certainly.

"Q. I believe that is all except for the other question. Are you now or have you ever been a member of the Communist Party or of the Communist Political Association?

"A. I am not, have never been and will not be.

"Q. (By Senator Thompson): Doctor, was there any open opposition to the resolution which was heretofore mentioned?

"A. Open opposition in that letters were circulated and a lot of talking was done by members who didn't want the resolution adopted.

"Q. That is, particularly on the loyalty oath?

"A. Yes, sir.

"Q. Did you keep any written record of those who were in opposition to that?

"A. One letter that was sent out in October of last year had some 50 signatures on it. These signators were not complaining about any one item in the by-law changes but they were complaining about a number of things which they thought were not quite the way they should be. But, as I also mentioned, one of the longest paragraphs in their opposition to the by-law changes concerned this particular phase of it.

"Q. Do you believe that was brought about by certain individuals in a small group within your organization?

"A. I would certainly feel so, although I would hasten to add that I don't know and I certainly would be the last man to suggest that the 50 signators were all members of a subversive group.

"Q. Do you believe that all organizations, such as this, whether it be a professional organization or not, should take a loyalty oath?

"A. Yes, I do.

"Q. Do you believe members of county committees should take a loyalty oath?

"A. I certainly do.

"Senator Thompson: Thank you.

"Mr. Combs: That is all. Thank you very much, Dr. Turner.

"Dr. Alesen, please.

TESTIMONY OF DR. LEWIS ALBERT ALESEN, M.D.

"Chairman Burns: Will you state your full name and address?

"The Witness: Lewis A. Alesen. I practice at 1401 South Hope Street and I live at 124 South Las Palmas Avenue, Los Angeles.

"Q. (By Mr. Combs): Dr. Alesen, have you ever held any official position in the California State Medical Association or Society?

"A. Yes, sir, I was its president in the year 1952-1953.

"Q. That comprised the entire State of California?

"A. Yes, sir.

"Q. Did you ever hold any official position in the Los Angeles County Medical Association?

"A. I have, sir. In 1933-1934 I was a counsellor representing the Physicians and Surgeons Club and I was a counsellor in the old District No. 1 from 1937 to 1941 and in 1943 I was secretary-treasurer and in 1944 I was president of the Los Angeles County Medical Association.

"Q. Have you ever been a member of the Communist Party or the Communist Political Association?

"A. No, sir.

"Q. And are not affiliated with any of those organizations?

"A. No, sir.

"Q. Dr. Alesen, it is my understanding and correct me if I am in error, that you have devoted a considerable part of your time to research in sociological affairs and economics in general and that you have also devoted considerable of your time and talent to making public addresses to medical bodies and other groups, is that correct?

"A. I have. That is correct.

"Q. Have you ever addressed any of those groups on the general subject of Communism?

"A. I have in a very general way, yes, sir.

"Q. And you are, of course, well equipped with a basic understanding of Americanism doctrines and the effort of the Communist organization in this country to place its members in the most strategical and desirable positions from their standpoint?

"A. I have attempted to equip myself.

"Q. Have you had concern about the incidence of Communist infiltration in the medical profession in this part of the State?

"A. Very much so.

"Q. And since when did that concern manifest itself?

"A. All during my tour of duty as secretary-treasurer and later as president of the Los Angeles County Medical Association I, of course, from time to time kept hearing recurring stories and rumors about some infiltration but I believe the most significant manifestation was probably in the year 1949 when there was a specific attempt on the part of some of our physician members to participate actively in the election of counsellors in that fall term.

"Q. As counsellors of the Los Angeles County Medical Association?

"A. Yes, sir.

"Q. In looking over the people behind that effort did any of the names have any particular significance to you?

"A. They did. While I couldn't identify the names of those individuals as members of the Communist Party I did recognize them as what might be called 'liberal' in the accepted term.

"Q. So that in your view at least there was a concerted effort by that particular group to gain political control of the association?

"A. There was.

"Q. With what success did that effort meet?

"A. As I recall a poll from 18 to 20 percent of the total number of votes cast.

"Q. Was it a rather solid group of 'progressive' or 'liberal' members of your profession that were engaged in this attempt?

"A. To the best of my knowledge that is so.

"Q. Did you later come into possession of any facts that accelerated that concern? Were you familiar for example with the expulsion of the three doctors from the Cedars of Lebanon Hospital?

"A. I was.

"Q. Did you have a general feeling as to their reputation, as to whether or not they were radical or conservative or affiliated with Communist front organizations or whether they might be suspected party members?

"A. I did.

"Q. And what was that feeling?

"A. That they most certainly were very radical in their general concepts and in their public expressions.

"Q. Who were they?

"A. Dr. Murray Abowitz and a Dr. Lippman and a Dr. Pennes. Please note I am not testifying that these individuals were, are or ever have been members of the Communist Party.

"Q. That is clearly understood. Did you, yourself, ever attend any meetings of so-called front organizations?

"A. Not to my knowledge.

"Q. Are you familiar in any way with an organization known as the *Association of Internes and Medical Students?*

"A. Yes. I have watched that organization through the years developed however by another student organization. For example, there was an article in *Medical Economics* in 1950 entitled 'Leftist Minority Woos Future Doctors.' It is a pretty good documentation of this and in this article are to be found mention of names, dates and places.

"Q. Dr. Alesen, would you mind opening that booklet and going through it page by page and picture by picture, there are pictures in it, are there not?

"A. Yes, sir.

"Q. And will you give the committee the benefit of your analysis of the material. Not all of it but in general.

"A. I think the important fact is a statement here on the first page 'AIMS is the offspring of the 1941 wedlock of the Interne Council of America and the Association of Medical Students.' Then I think it is important also that this organization has published or did until recently, a publication called *The Interne*. Also that from time to time some members of this organization have participated in student conferences in foreign countries. For example, in 1949 there was the festival in Budapest. This is recounted on page 5. This was sponsored by the *World Federation of Democratic Youth*. At that time Dr. Sheppard C. Thierman, an interne at Kings County Hospital, Brooklyn, who was then AIMS vice president, helped make the arrangements for American medical students who wished to attend. Apparently the whole tone of this organization AIMS follows the typical Communist Party line from start to finish, criticizing of course all conservative viewpoints as being reactionary, stupid and otherwise unprogressive. I am using my own language. As you go through this you will find on page 8 'Web of Affiliations. Among recent officers of the Association of Internes and Medical Students and among editorial-board members of the association's publication *The Interne* a number have been cited as sponsors of or participants in the activities of one or more of the following organizations and publications.' These organizations are listed some 18 or 20 in number and it is not necessary to repeat them, but I think they ought to be read into the record. I do not know what the present status of the organization is. I haven't followed it recently but it is my impression that probably it still has some appeal.

"Q. There was a chapter at U. S. C. years ago, was there not?

"A. Yes, sir.

"Mr. Combs: I want to make it clear that it no longer exists at that institution and was eradicated largely by the university itself. I would like to have this introduced in evidence and I think in consonance with Dr. Alesen's suggestion, the names of the organizations he mentioned should be read into the record because they are names that have appeared in reports of this committee during its entire existence of nearly

16 years. So I think it would be well to read these. They are as follows. On page 8: *American Committee for Democracy and Intellectual Freedom, American Committee to Save Refugees, American Friends of Spanish Democracy,* Champion which is a publication, *Citizens Committee for Harry Bridges, Civil Rights Congress,* which as the committee knows is the legal arm of the Communist Party and active in Los Angeles at the present time, *Coordinating Committee to Lift the Embargo, Council for Pan-American Democracy, Friends of the Abraham Lincoln Brigade* which was the military arm of the Communist Party that fought in the Spanish revolution, *International Union of Students, Jefferson School of Social Science* which is comparable to the *California Labor School* in California, *Joint Anti-Fascist Refugee Committee, League of American Writers* which the committee investigated in 1943, *National Committee to Win the Peace, National Council of American-Soviet Friendship, National Federation for Constitutional Liberties,* New Masses which is a publication, *North American Committee to Aid Spanish Democracy, Reichstag Fire Trial Anniversary Committee, School for Democracy,* Science and Society, *Spanish Refugee Relief Campaign,* and *World Federation of Democratic Youth,* which you mentioned, Dr. Alesen, in connection with one of the photographs showing an officer of AIMS, Sheppard C. Thierman, marching and immediately behind him is a large picture of Stalin, isn't it?

"A. Yes, sir.

"Q. Marching in the Communist-sponsored *World Youth and Student Festival* held last summer in Budapest, Hungary. Did you know anything, Dr. Alesen, about the activities of AIMS in California?

"A. No. I really did not except on hearsay and that was very vague.

"Q. You had heard there was a chapter at U. S. C.?

"A. Yes.

"Q. You don't know whether there was one at U. C. L. A. at any time, do you?

"A. I never heard of there being one.

"Mr. Combs: I ask that this be received in evidence as the exhibit next in order, I think Exhibit No. 4.

"Q. I hand you a photostatic document. I frankly don't know whether you can identify this or not because I have never asked you at any time about it, it is called Progressive Notes. I ask you if you have ever seen that or the original of it before?

"A. I have seen a copy of this but not the original. I could not identify it, Mr. Combs.

"Q. Dr. Alesen, you have read the Communist Manifesto, have you not?

"A. Yes.

"Q. Would you mind describing for the benefit of the committee and its records the basic objective of the Communist Party? I mean not

from an ideological standpoint, but from the standpoint of endeavoring to place its members in professions like the medical profession, the teaching profession, the legal profession?

"A. May I have a little time for that?

"Q. You may.

"A. Of course, you recall that Friedrich Engels and Karl Marx wrote the *Manifesto* in 1848 and they stated that through the nations of the world the battle for democracy would take place in different stages and different manners, depending upon the degree of advancement of the nation in which the revolution was proceeding. They stated also that in the most intelligently equipped countries the revolution must take a pattern following upon definite steps. First, there will be an abolition of all property in land and application of all rents of land to public purposes; second, by the adoption of a progressive or graduated income tax. The third was gift and inheritance tax. The fourth step was the confiscation of all property. The fifth was the control of all finance by a central bank with national capital and a federal charter. The sixth was the central control of communications and transportation. The seventh was a gradual increase in the lines of production and distribution owned by the state and, further, a development of the land and soil in accordance with the common plan. The next step was the development of land or agriculture. Step number nine was the gradual abolition between the characteristics of city and country life, and number ten was the step of free public education and schools for all children.

"If I had time, I would like to outline a few of the degrees in which we have adopted their program in America today. I would like your permission to make a few general statements concerning the philosophy of Communism. May I present a definition or two?

"Q. Surely.

"A. Collectivism, by dictionary definition, is a broad general term indicating the ownership of production and distribution by a group, that is, by the state, in contravention to private ownership of distribution, which is the characteristic of the materialist system. Collectivism encourages the individual to deny and reject responsibilities for himself and to transfer that responsibility to the group. So defined, collectivism includes Naziism, Fascism, Communism, Socialism, State Socialism, New Dealism, and any and all other forms of paternalism in which the individual is encouraged to deny and to reject responsibility for himself and transfer that responsibility to the group. So I think Communism is a violent form of collectivism of revolutionary form, and we must be very careful lest we adopt a completely totallitarian view by our educational system. A moment ago Mr. Combs read a statement by Mr. Foster of the Communist Party and he charged the

medical profession with being reactionary. I wonder if Mr. Foster knows that all of the primitive societies of man were, in effect, collectivistic in nature and did in fact present a basis practically of characteristics which he so proudly boasts as being fundamental in Communist Russia. The American mound builders were collectivists. When Mr. Foster talks about reactionism as a matter of fact he is advocating a complete advocacy of freedom.

"I would like to take a further moment if I may and introduce a phase which I think has been neglected which I call a biologic phase of the subject. If you recall, about eight hundred million years ago your ancestors and mine were pleasuring around in a single-celled amoeba and during the past eight hundred million years nature has done a good job and the process still continues in spite of man's efforts to stop. She has proceeded in three ways: first of all, individual preeminence. Second, individual responsibility. Nature insists upon individual reward, there is no exception to that in the animal societies. Either she insists upon a very rigid restriction of the uses of the amoeba or she uses the amoeba to act as a policeman to protect the individual from the group or against his fellows. You will find this of course, that the whole collectivist thesis is fundamentally wrong because it presumes that the individual is unable to do anything for himself and the state is glorified and the individual is held in scorn.

"Q. Dr. Alesen, you have pointed out and I think certainly very eloquently, the close relationship between Communism as a most violent form of collective organization and certain other forms that are a bit more gentle in their approach. In your opinion and based of course on your reading and analysis of the problem, do you believe that the Communist Party would adopt some other forms of collectivism as a temporary expedient in ultimately gaining its complete objective?

"A. I am sure that, as witness their point seven which provides for a gradual increase in the control of the means of production and distribution by the state and the development of the soil according to a specific program. According to Mr. Willis Stone we now have in America 88 federal corporations, some 2,500 bureaus, about 10 international cartels, all doing business in competition with the private American citizen. Mr. Stone estimates if we could reach these enterprises and denationalize them, we could save the taxpayer at least half the federal budget.

"Q. If it were possible to organize all of the doctors in the United States into one single group it wouldn't be necessary to recruit all members of the party; then the concentrated party could be focused on a little handful that ruled the organization from the top. Isn't that correct?

"A. That is correct. But if there be such entities as rulers from the top, those individuals who are selected to hold the offices are usually pretty solid citizens and I am not casting any bouquets at myself, and they are pretty good Americans.

"Q. Are you aware of any so-called front organizations by name in Los Angeles County through which in your opinion the Communists have been or are now operating?

"A. Yes.

"Q. Did you ever hear of the medical division of the *Arts, Sciences and Professions Council?*

"A. Yes, sir.

"Q. Would that be one of them?

"A. It would.

"Q. Did you ever hear of an organization known as the *Civil Rights Congress?*

"A. I have.

"Q. Would that be one of them?

"A. It would.

"Q. Did you ever hear of the *International Workers Order?*

"A. I have.

"Q. Would that be one of them?

"A. It would.

"Q. Can you name any other?

"A. Offhand, I can't.

"Mr. Combs: I think that is all.

"Q. (By Senator McCarthy): Dr. Alesen, as president of the State Medical Society have you found that this situation exists in other places in California?

"A. I can't answer that very well, Senator McCarthy. I have been very closely connected with the Los Angeles Association. No other instance has come to my attention.

"Mr. Combs: May Dr. Alesen be excused?

"A. May I make one further statement for the record?

"Q. Yes.

"A. I should like to introduce a statement defining the ideal economy, and I would like to define the ideal economic state as a condition in which there are available to every individual living within it the greatest abundance of goods and services at prices the individual can afford to pay and in an environment in which he is stimulated to produce to his utmost to distribute and exchange particularly the products of his brain and to accumulate for his own independence.

"Mr. Combs: Thank you very much, doctor.

TESTIMONY OF DR. JOSEPH MANUEL de los REYES, M.D.

"Q. (By Mr. Combs): Will you state your full name, please Dr. Reyes, and your address?

"A. Joseph Manuel de los Reyes. My office address is 2010 Wilshire Boulevard. I am a doctor of medicine. My home address is 1405 East Mountain Street in Glendale, California.

"Q. Doctor, is it customary to address you as Dr. Reyes, or de los Reyes?

"A. The real name is de los Reyes, but I have been called all kinds of names.

"Q. Dr. de los Reyes, have you held any positions in the Los Angeles County Medical Association?

"A. I have, sir.

"Q. And what are those positions?

"A. Since 1945, a member of the Council of the Los Angeles County Medical Association. In 1954, vice president of the Los Angeles County Medical Association. In other words, I am vice president now. My term of office will expire January 1st.

"Q. Have you had anything to do with the public relations department of the association?

"A. Yes, sir. I have been chairman of the public relations department committee of the Los Angeles County Medical Association.

"Q. During what years?

"A. That was 1947 and 1948, if I remember correctly.

"Q. During the time that the House Committee on Un-American Activities held its meetings in Los Angeles, was there some effort to propagandize against those hearings on the part of some of those who were called before the committee?

"A. There was.

"Q. And did the medical association through you take any steps to counteract that propaganda?

"A. I made a public statement that the Los Angeles County Medical Association would welcome any investigation of its members regarding their patriotism and whether they belonged to any subversive organizations.

"Q. Dr. de los Reyes, you yourself have had considerable practical experience in the counter-Communist cause and you have had experience not only here but in Cuba, I understand, in combatting Communist infiltration and, in addition, you attended, did you not, one or more meetings in Los Angeles of alleged front organizations?

"A. That is right, sir.

"Q. Would you mind describing for us, please, your experiences in Cuba so far as Communism is concerned.

"A. If I won't bore the committee, when I graduated from Jefferson Medical College in Philadelphia I went down to Cuba. At that time, of course, Cuba was in the midst of a depression. Although we didn't suffer the depression here until 1929, the depression really started in Latin America in 1923. At that time there was an effort made to indoctrinate the students at the National University by creating riots and revolution. It was thought, and justly so, that it was more or less an effort on the part of the Socialist movement down there. Later on, infiltration of the school there took place and the medical profession found itself in the precarious position of having the Legislature of Cuba pass laws that would have been inimical to the welfare of the people of Cuba and also the medical profession. Due to the fact that the doctors there would have been socialized and that their payments for their services, etc., would be subjected to a paternal form of government, the Medical Association of Cuba threatened to call a strike. In other words, threatened to use the same methods that are so common to the Socialists and Communists and the government still persisted in socializing the medical profession of Cuba. We went on strike. I was practicing medicine there and for 48 hours we refused to do any of our usual work or sign any death certificates except we saw everybody that needed medical attention whether emergency or otherwise. The flood of telegrams and letters and the howls of the people of Cuba were such that they forgot anything about laws and the individual dignity of the Cuban people, not only in the medical profession but the rest of the population, was saved, I believe, by the drastic action taken by the medical profession of Cuba. I was part and parcel of it and I was proud that I did so. I had been rather interested in some of the teachings and some of the propaganda that had been going in Latin America because down there it started earlier than it started in the United States, at least it was more open. And I read quite a bit about what Karl Marx had to say and I came upon one of his utterances which stated the keystone of the arch of the socialistic state is the socialization of medicine. You have heard the other doctors here, you Senators, and what they said pertaining to the infiltration and the socialization of medicine. Lenin taught it; Stalin taught it; and it has been epitomized by the Communists throughout the world, the fact that if they gain control of the medical profession in any nation, they have taken a tremendous step toward the totalitarian form of government of that country.

I was in Guatemala in 1931 and saw what they were doing there. Gentlemen, you have to remember that in those countries not like the United States we have no middle class. There is the poor peon and the person that has something and you cannot by a process of revolution

change the peon into an educated individual any more than you can go ahead and change the educated individual into a peon. They at that time were propagandizing the people there and some of our so-called leaders in this country and even the wife of the President of the United States came down there to a political meeting in Mexico and tried in a subtle manner to pull for the election of a gentleman that rightfully or wrongfully had the stigma of being a Socialist in Mexico. While I was in Guatemala and while I was in Honduras I saw what they were trying to do to those people down there. This thing that happened in Guatemala wasn't just a conspiracy of the moment. This thing had roots years and years ago, especially when we in the United States were foolish enough to recognize Russia, the worst atheistic, criminal dictatorship the world has ever seen. My father went to school in this country but I was born in Cuba. I became an American citizen by choice because I considered it the greatest and finest country in the world. But I began to see the American people were indolent and didn't realize the danger, and still there are many that do not, and it is necessary for us in the professions, some of us that perhaps take interest in community life, to try and explain things to the people of the United States. In 1934, I started practicing in Los Angeles. In 1936, I was approached to join in the war in Spain. We started in 1936 a speaker's bureau in the Los Angeles County Medical Association of which I was one of the founders, and we undertook to explain to the people what the medical profession meant in the United States; what we had in mind when we took the Hippocratic oath. Some time later when I became chairman of that speaker's bureau, I took it upon myself and the men that were with me to explain to the people what socialization of medicine in the United States would mean and for that we were vilified and our characters were assassinated until Last year I was called the 'Joe McCarthy' of the medical profession of Los Angeles and I don't mean, you, Senator. We have in Los Angeles County a little group that, for some reason or other, believe that we have to be changed; that the medical profession in the United States is a trust and they came out with all kinds of propaganda. And it will be necessary for some of us to take the brunt of the matter and explain it so that perhaps the people of America will realize what is going on. We have tried to talk to them about the medical profession, about our country and what it means. When you find them telling you about segregation and about discrimination because of race, creed and color, it makes me laugh. Here I am, a Latin American by birth and I have found no discrimination anywhere. On the contrary, everywhere I have been accepted. Sure, I may have some detractors, who has not? I belong to 12 different hospitals in the county. I have been on the executive

board of one of the largest hospitals here. I am vice president of the Los Angeles County Medical Association. Does that mean that the medical profession has discriminated? I have taken care of white and black and I have never seen that discrimination that the Communist Party and the front organizations say exists in Los Angeles County. I have never seen it. Probably there is, we wouldn't be human if there weren't; however, I haven't seen it. As chairman of a committee of the Los Angeles County Medical Association it is my duty to talk to men who apply for membership in the association. My duty is to talk to them about ethics and organization and what it means to be a member of the Los Angeles County Medical Association. And, gentlemen, I always make it a point, when a man is not American born or if he isn't a white man, to be the first to shake his hand. I am the first one who comes up and shakes his hand; then I personally interview the man and tell him that we welcome him in the Los Angeles County Medical Association and we welcome him with open arms if he applies for membership. Maybe I am speaking too long.

"Q. Not at all. Do you have any more to say?

"A. Go ahead with your questions.

"Q. Dr. de los Reyes, in addition to the things you have mentioned, which certainly gives you a stature of practical experience in this field, you became aware of the fact that the Los Angeles County Medical Association had been selected as a target for infiltration by the Communists, did you not?

"A. That is right.

"Q. About how long ago did you become aware of that fact?

"A. In 1936, when the doctors were propagandized.

"Q. When you were asked to join with the group that was fighting in the Spanish Revolution, was that the *Abraham Lincoln Brigade?*

"A. That is right.

"Q. Comprised for the most part of Communists who were sent to Spain to fight in behalf of the Communists?

"A. So I understand.

"Q. Which, of course, you declined?

"A. Very much so.

"Q. Since that time have you taken it upon yourself to actually go to and attend some of the so-called front meetings in the city of Los Angeles?

"A. I have, sir. However, because I was pretty well known and my utterances were such that I was called a very rabid anti-Communist, I am sure I was never *persona grata* in some of the meetings I attended.

"Q. Will you give me the names of the organizations whose meetings you attended?

"A. Yes. I attended one of the *Arts and Sciences Council* meetings.

"Q. The *Arts, Sciences and Professions?*

"A. Yes, that is what I mean.

"Q. And did you attend one that was held at the Clark Hotel?

"A. I did.

"Q. Was that the *Arts, Sciences and Professions* meeting you have mentioned?

"A. No, that was the Los Angeles Chapter of the *National Lawyers Guild.*

"Q. Did you go there alone or with someone else?

"A. I went with a doctor.

"Q. That was held in the Clark Hotel on what date?

"A. July 31st, 1951.

"Q. About what time did you enter the place of the meeting?

"A. Sometime about noon—just before noon.

"Q. Was it a luncheon meeting?

"A. It was a luncheon meeting.

"Q. Attended by approximately how many people?

"A. I don't know exactly the actual number, but I imagine perhaps 35 or 40.

"Q. At that meeting was there any written propaganda material distributed?

"A. Yes, sir.

"Q. Do you have some of it with you?

"A. I do. It is a little booklet called *Yours for a Genuine Brotherhood.*

"Q. Will you turn to the first page, please, Dr. de los Reyes, and you will see there a list of the sponsors.

"A. That is right.

"Q. Do you recognize any of those people as being present at the meeting?

"A. No, but I was told that a reporter from the *People's World* was there.

"Q. What was his name?

"A. Donald C. Wheeldon.

"Q. His name appears second from the last in column two of the list of sponsors, does it not?

"A. That is right. However, I don't know the gentleman.

"Q. You don't know whether he was there or not but you were told he was present?

"A. Yes. And he signed this booklet, or at least his name is there.

"Q. Before you had lunch did you present a ticket or did you buy a ticket for the lunch, or just how did you work that part of it.

"A. This other doctor and I decided that the best way for us not to be kicked out in case our names were mentioned or we were recognized,

was to buy the tickets immediately or pay for our luncheon and then we had a right to stay and eat lunch, and that is what we did, much to the chagrin of the waiter, who did not want to take our money.

"Q. Prior to the time you sat down to the lunch, were you and the other doctor who accompanied you seated alone at a table or were there other people seated at the table with you?

"A. Everybody was milling around and they came over to talk to us.

"Q. So you would hear what was being said?

"A. Yes.

"Q. And you talked to some of the people?

"A. That is correct.

"Q. What was your general impression of the tenor of the meeting —what kind of a meeting was it?

"A. The tenor of the meeting was exactly what the speakers later on expounded; it was the same thing you find anywhere you go to socialistic or Communist meetings and, between you and I, I see very little difference between Socialists and Communists. They had the little book I mentioned all ready and spoke about racial discrimination, how hospitals were not allowing colored individuals to have the same rights that white people had; that because of the fact that they were of that race they would have discrimination in these different hospitals; and after they talked about things like that, then they began to say this was the time to go ahead and do something. That suits could be brought against these hospitals; that the penal code and civil code of the State of California and also the Federal Government prohibited discrimination and that they should make test cases of this; that they should go and put pressure also on the Community Chest and see that these hospitals that allegedly were resorting to discrimination should not receive any money collected by the Community Chest. That delegations and individuals and also groups should visit these hospitals, etc., and so on.

"Q. And that meeting was attended by representatives of the *Arts, Sciences and Professions Council?*

"A. And the *National Lawyers Guild.* There was one man I knew that belonged to the *Arts, Sciences and Professions Council.*

"Q. Do you remember his name?

"A. Dr. Thomas Perry.

"Q. And he spoke, did he?

"A. That is right.

"Q. How long did the meeting last, Doctor?

"A. The same as the usual meeting lasts—an hour to an hour and a half. I also have here a copy of a letter that was sent under the signature of Dr. Louis Robinson, D.D.S., Chairman of the *Medical Divi-*

sion, Arts, Sciences and Professions Council, 130 South Robertson, Suite No. 4, Beverly Hills, California. This is called the 'End-Discrimination Committee.' It is also signed by Wilbert Z. Gordon, Executive Secretary of the Medical Division. This is a letter that was sent to different hospitals and medical groups here in Los Angeles and there was a questionnaire asking questions about discrimination, segregation, and so forth.

"Q. That letter was sent by the *Arts, Sciences and Professions Council Medical Division* to the various hospitals in Los Angeles for the purpose of making a survey to determine the extent of racial discrimination?

"A. That is correct.

"Q. Some of the hospitals, according to the statements in this booklet, ignored the questionnaire, did they not?

"A. That is correct. At least, so the book says.

"Q. And it lists the hospitals beginning on page 11, you will note, Doctor, in alphabetical order in the chapter headed "Hospitals"?

"A. That is correct.

"Q. Barlow Sanatorium, California Lutheran Hospital, Cedars of Lebanon Hospital, Culver City Hospital, Eye and Ear Hospital, Glendale Sanitarium and Hospital—that hospital, incidentally, failed to respond to the questionnaire; so did the Eye and Ear Hospital and the Culver City Hospital, and so did the Cedars of Lebanon Hospital and so did the California Lutheran Hospital—the Barlow Sanatorium apparently sent the questionnaire back. And the next was the Harbor General Hospital and they ignored the questionnaire.

"A. That is right.

"Q. The Hollywood Presbyterian Hospital declined to fill out the questionnaire; the Hospital of the Good Samaritan also ignored the questionnaire; the Huntington Memorial Hospital took a similar attitude, and the Japanese Hospital of Los Angeles also did.

"A. If I might interject——

"Q. Yes.

"A. Here is supposed to be a racial minority. These people are supposed to be working for these poor people, but here is a Japanese Hospital and they refuse to answer because they realized where it came from.

"Q. Then the Long Beach Hospital took similar action; then the Los Angeles Children's Hospital—while the statement is not made categorically that they did reply, I assume they did. Then the Los Angeles General Hospital with 3,865 beds replied but said no information could be given. The Los Angeles Sanatorium at Duarte replied to the questionnaire. The Methodist Hospital of Southern California declined to

reply. The Orthopedic Hospital did reply apparently, so did the Physicians and Surgeons Hospital in Glendale. The Queen of the Angels Hospital declined to reply, and so did the Santa Fe Coastline Hospital, and so did the Santa Monica Hospital and the Seaside Memorial Hospital in Long Beach, and the St. Johns Hospital at Santa Monica; St. Josephs Hospital did reply, so did St. Luke's Hospital, and St. Mary's Long Beach Hospital replied. St. Vincent's Hospital declined to reply; Temple Hospital did; White Memorial Hospital did not, nor did some of the medical groups set forth on page 25 and the medical and dental schools. The University of Southern California School for Medicine declined to fill out the questionnaire and the University of Southern California School of Dentistry did supply information. Then the conclusions and proposals of the *Arts, Sciences and Professions Council* are set forth on pages 38 and 39 of the pamphlet. Do you intend to submit your pamphlet in evidence as an exhibit, Doctor?

"A. Yes, sir, and this letter also.

"Mr. Combs: May these be marked exhibits next in order, these two exhibits?

"Chairman Burns: Yes, Exhibits 5 and 6. This one will be marked as Exhibit 5 and the questionnaire as Exhibit 6.

"Q. (By Mr. Combs): Doctor, did you attend any other meetings of any other organizations that were alleged to be Communist fronts?

"A. I attended one. The other one that I attended was the *Science and Professions.*

"Q. When was that meeting held?

"A. Approximately two years ago, I don't remember the date.

"Q. And do you remember where the meeting occurred?

"A. It occurred in that church on Eighth Street.

"Q. The Unitarian?

"A. That is right.

"Q. Dr. Fritchman's church?

"A. That is correct

"Q. Was he there when you attended?

"A. I didn't see him, I don't know him.

"Q. Have you heard of him?

"A. Yes, quite a bit.

"Q. Will you describe that meeting, please.

"A. The meeting, if I remember correctly, was to honor the members of the medical profession that were colored and again the gist of the whole thing was similar to what this one was that I attended at the Clark Hotel; that, although many men of the colored race had been badly treated due to the fact we have so much discrimination in this country, that they had been allowed to become prominent because of the subjugation and the discrimination that has taken place in the

United States regarding other races and minorities. And so it went on and on. Dr. Murray Abowitz was the presiding officer.

"Q. He was mentioned this morning as having been expelled from the Cedars of Lebanon Hospital because of his refusal to answer questions about his Communist affiliations.

"A. Yes. Dr. Thomas Perry was also in that meeting.

"Q. Did he speak on the second occasion?

"A. He did. I have a few notes here. The thing that he brought out besides the discrimination, and so forth, and the gist of it was that suits should be instituted because this was a wonderful opportunity to show the people what the Negroes and the Mexican-Americans—I don't know why he said Mexican-Americans instead of Latin Americans—had to undergo under the society in which we live. So they threatened court action to bar tax exemption to hospitals who discriminated, breach of contract suits, if I understand that correctly. It was that if a patient came in and was put in a two-bed room, or was changed or didn't receive the attention they were supposed to receive, they could bring this to court; that the civil and criminal courts of the State of California and the Federal Government prohibit racial discrimination and they should bring suits in courts so that the people in the State of California and the Nation should know what was going on and, naturally, by implication, if they were the ones that brought this suit, they were the ones that were the guardians of the freedom and nondiscrimination of people. The pressure against the Community Chest was that the Community Chest was to refuse to give any money to any hospital that practiced any discrimination; that individual and group delegations should go to the hospitals and protest; that the members of the staffs of those hospitals should be contacted and the opinions of the men or women that were contacted should be made known to them so that they could bring pressure on the staffs of those hospitals; that they should play up this discrimination in every possible way through public meetings and letters, to keep the public informed of what was going on so that the people would be aroused and the people would take appropriate measures to end such actions on the part of the hospitals of Los Angeles County.

"Q. Dr. de los Reyes, did you make any determination as to the character of the first meeting you attended—basically, what kind of an organization did you conclude it was?

"A. Well, after seeing the tone of their conversation and the utterances of the speakers and having seen the same thing in the tropics, and other things I have attended here similar to that and after seeing what has happened in the foreign relations of this country when we sent the so-called brain boys down to Latin America to try to socialize them, I came to the conclusion they were inimical to the welfare of this Nation,

and that they were, if not part and parcel of, at least were the willing tools of that criminal conspiracy, atheistic in nature, known as the Communist Party.

"Q. And that is true of each of the organizations you have attended, or each of the meetings, is it?

"A. That is right.

"Q. Dr. de los Reyes, I want to ask you now the same questions I have asked the other witnesses. Are you now or have you ever been a member of the Communist Party?

"A. No, sir.

"Mr. Combs: Thank you, that is all.

"Q. (By Chairman Burns): Doctor, are colored physicians admitted to the staffs of the various Los Angeles hospitals?

"A. I can say this, that in the California Lutheran Hospital where I do most of my work, I know at least one colored doctor who is there. Dr. King and Dr. Robinson are two colored doctors. I never heard anybody, at least not in my presence during the three years I was a member of the executive committee of that hospital, cast any aspersions on either one of those doctors or say anything pertaining to their color.

"Q. And the same policy was followed as to admittance of the patients, was it?

"A. That is right. I have had colored patients at the California Hospital and we have colored nurses and student nurses at that hospital.

"Q. Are nonwhite physicians admitted to membership in the Los Angeles County Medical Association?

"A. Yes, sir. I mentioned a few minutes ago that whenever we have a meeting and when they come in I as chairman make it a point to welcome them as chairman of the committee into the membership of the Los Angeles County Medical Association. As a matter of fact, one of the doctors here, Dr. Alsberge, was the first man to propose that we should have one colored gentleman because of the fact for some particular reason that these doctors of Latin American extraction and some of the colored doctors perhaps might feel that they were not welcome and that we would have difficulty in trying to get them to join us and attend our meetings, but we elected overwhelmingly and unanimously a member of the colored race to the House of Delegates of the California Medical Association, which is the ruling body of the state medical association.

"Q. (By Senator Thompson): Doctor, is there any discrimination whatsoever because of race, color or creed in the Los Angeles County Medical Association?

"A. No, sir, and I am a living example of that. I belong to the consulting surgical staffs here of hospitals that are predominantly Jewish

and hospitals that are Protestant and Catholic. On the contrary, everywhere I have gone the hand of friendship has been extended to me.

"Q. Doctor, can you tell me what percentage of physicians and surgeons belong to the Los Angeles County Medical Association?

"A. We have 6,200 members. I understand there are about 2,000 other M.D.'s in the county that do not belong to the Los Angeles County Medical Association.

"Q. Is there any reason why they don't belong?

"A. I spoke twice, as the Chairman of the Speakers Bureau of the Los Angeles County Medical Association, to groups of colored doctors here in the city and I propounded that question, and some of them were frank to say that they thought the white doctors would discriminate, and I made it a point to tell them, if they would send in their applications I would be the first one to shake their hands when they entered. I spoke to the auxiliary of the colored groups, which is composed of the wives of the colored doctors, and I welcomed them. And I spoke to the president of the Women's Auxiliary of the Los Angeles County Medical Association and told them to extend an invitation to these girls to come in and join, and many of them have.

"Q. Doctor, are you saying that the greater percentage of the people that do not belong to the association are of different color?

"A. No, sir. We don't have so very many colored doctors. I would be guessing, but I would say that perhaps we have about a hundred or maybe a hundred and twenty. We have I think about 40 or 50 of them that are members of the Los Angeles County Medical Association, that is, of the Latin-American doctors. The booklet says 'Mexican-American'—I can't understand that. We have the Latin-American Association here and they put me on their board of directors. There are about 75 to 80 doctors in there. I daresay about 45 to 50 of them or probably more than that belong to the Los Angeles County Medical Association. So I would say that a large percentage of those that do not belong to the Los Angeles County Medical Association are American doctors.

"Q. I will ask you this: to what do you attribute the basic reason these people do not belong to the association?

"A. I attribute it to some of the people that come to this country or perhaps come from the south; for example, it would have been easy for me to take the same attitude. I was a foreigner here in this country and it would have been easy for me to carry a chip on my shoulder and say I won't do anything because they won't accept me. But it is up to us, and I have tried and I know the other officers of the association and those who succeeded me and those who preceded me have tried to explain to them that such a thing does not exist here in this country.

Perhaps in rare instances, yes, but on the whole I am convinced it does not exist. Perhaps it is because some of them feel an inferiority attitude, that some of them have been propagandized and some of them have been told from sources they consider reliable that such things exist. That is the only way I can explain it because every time they apply I am the first one to go and welcome them and the same thing happens with the other officers of the Los Angeles County Medical Association.

"Q. Doctor, would you say it was just as easy for one of the so-called minority groups to gain admittance to medical schools as Americans?

"A. May I answer that in this way, Senator? We have in this country a large percentage of boys that want to study medicine. Frankly, I don't think that we have enough medical facilities available for those that want to study medicine. Remember, the day of philanthropy is gone. Taxation is so onerous that nobody has any money except to pay taxes and perhaps to live. Private medical schools, unless some relief is given to them, are on the way out and only state institutions will be the ones that will exist. Suppose we have in the United States 30,000 individuals who want to study medicine, and there are two colored medical schools in the United States, and out of the 30,000 we have say 5,000 or 6,000 of them that are class A students, students that are either Phi Beta Kappa or its equivalent. It is only just for those medical schools to pick the men that have the best marks. Say the percentage there of Latin-Americans may be only 100 and maybe only one or two of those are class A, and the same thing with the colored doctors; for example, my medical school in the east, Jefferson, is the second largest in the United States. I have been contacted many times regarding men that have applied from the west coast, especially California. And it was my duty to not only see as to the moral fitness and capabilities of the student, but to contact the medical school and see about his grades. I had to do so as a double check and I know that Jefferson every year gets between 5,000 and 6,000 applicants, and out of the 5,000 or 6,000 they take in about 140 to 150. Some years 160 to 170.

"Q. It would be based upon their character, grades, and so on, and nothing as to their race, color or creed?

"A. No, sir, not that I know of. I would be the first one to condemn such practice.

"Chairman Burns: Thank you very much, Doctor.

"A. May I make a statement, Senator?

"Chairman Burns: Yes.

"A. I can't understand, gentlemen, and I say it with all sincerity without any secret evasion in my mind whatever, why, in a country

like ours, the greatest country on earth and this is not a flag waving speech, anyone who has lived in the United States, that believes in the traditions, that has inherited some of the direct patrimony and acquired the rights and privileges and at the same time the bounties of this country, can believe that we can substitute something for Americanism. How can they for one minute try to substitute something that is inimical to the dignity of a man or a woman, something that we know is atheistic and, if a man has any intelligence or a woman, he must believe in a Supreme Being? How could anyone who calls himself an American believe in something like that? Unless we have an aroused citizenry, unless we tell the people of the United States what it is all about, we cannot hope to stem the tide of Communism. In 1950, members of the association made over 140 speeches in the County of Los Angeles and other counties nearby, and our theme was we did not want socialized medicine. Remember what Karl Marx said, that there must be special attention paid to the education of professionals entering the party. And remember what Kanin said, that, 'the truth is always there. Man has not lost it. He has lost himself.' As for me, gentlemen, I am happy to take a loyalty oath at any time. I can only say I wish every American had the opportunity to visit other countries like I have and see what dictatorship does and see the barbaric attitude of those who want to supplant Americanism. Thank you, gentlemen.

TESTIMONY OF DR. CHESTER L. ROBERTS, M.D.

"Chairman Burns: Will you state your full name and address, please?

"The Witness: My name is Chester L. Roberts; I am a doctor of medicine. My office address is 606 North Brand Boulevard in Glendale, California. My home address is 2231 Hollister Terrace in Glendale.

"Q. (By Mr. Combs): Are you a member of the Los Angeles County Medical Association?

"A. I am.

"Q. You have been a member of that association for about how long?

"A. Since 1941.

"Q. As a matter of fact, you were in charge of the Glendale branch of the association, were you not, at one time?

"A. During 1950 and 1951, I was secretary-treasurer of the Glendale branch, and during 1952, I was president of the Glendale branch.

"Q. Have you ever done any work as a consultant to the Glendale Police Department?

"A. Yes, sir.

"Q. For about how long?

"A. For about eight or nine years.

"Q. Were you here this morning?

"A. Yes, sir.

"Q. Have you heard all the witnesses who preceded you?

"A. Yes, sir.

"Q. Have you ever been a member of the Communist Party or a member of the Communist Political Association?

"A. No, sir.

"Q. You never have been?

"A. No, sir.

"Q. Doctor, did you become aware as the other witnesses testified they became aware of a threat of infiltration by Communists in the Los Angeles County Medical Association?

"A. Yes, I did.

"Q. When did you first become aware of that threat?

"A. About three years ago.

"Q. Would you mind describing for the committee in general terms how that condition came about?

"A. For a good many years I had been a very close personal friend of Dr. Alsberge and I had known of his activities in exposing Communists in the profession of medicine and I have gone to meetings as an observer at his request to help him in any way I could. I felt the least I could do was to assist him in any way that I could with a problem that I felt personally was my fight as well as his and every other doctor in the profession.

"Q. Dr. Alsberge's office is in Glendale also, is it not?

"A. Yes, sir.

"Q. Did you at his request attend any meetings?

"A. Yes, I did.

"Q. Which was the first one that you attended?

"A. The first one was at Larchmont Hall.

"Q. Where is that located?

"A. 118 North Larchmont in Los Angeles, on February 25, 1952.

"Q. What was the nature of the meeting?

"A. The meeting was devoted primarily to talks by Dr. Pennes, Dr. Abowitz and Dr. Lippman who had been dropped from the staff of the Cedars of Lebanon Hospital.

"Q. What was the tenor of their remarks?

"A. They were, of course, very much upset. They thought they were being discriminated against and were warning the entire audience of somewhere between 500 and 600 that these things having started in Poland, the same situation was beginning to take place in this Country and that something had to be done about it right away.

"Q. Were there other speakers?

"A. Yes, there were several. Stella Rugetti was chairman; Sylvia Miller was co-chairman and they both spoke briefly.

"Q. Along the same lines?

"A. Yes, indeed. Reverend Turpeau, a negro Methodist minister, also spoke.

"Q. Along the same line?

"A. Yes.

"Q. Was that an evening meeting?

"A. Yes, it was.

"Q. And commenced about 7 o'clock in the evening, did it?

"A. Either 7 or 8, I don't recall.

"Q. And continued for about how long?

"A. Oh, two hours—or two and a half hours, I believe.

"Q. In referring to the revolution in Poland, was anything said about the revolution in the United States?

"A. From notes that the other doctor and I made at the time, and our mutual perusal of them afterwards——

"Q. Do you have them in front of you?

"A. Yes. Dr. Pennes first addressed the meeting and traced the persecution of famous men through history, Socrates, Galileo, and so forth, stating their names were remembered yet those of their persecutors were forgotten. And that the same would be true in the case of the three doctors from Cedars; that this action of Cedars was a continuation of the action begun years ago. Dr. Pennes stated that three years ago a meeting of a group of physicians against the Burns bill were disrupted by a Red-baiting attack by an emissary of the medical association; that following this, these reactionary physicians, with the help of a vicious smear sheet, *Alert,* attacked Drs. Hittelman and Robinson; that, in spite of this vicious attack, Drs. Hittelman and Robinson received a good vote in the association elections. Then Dr. Pennes stated that the attack was being carried on by the Lay Board instituted by the same vicious smear artists. Dr. Pennes also declared that the only basis of his removal from the staff was the mention of his name at the un-American committee hearing.

"Q. Did he use that term 'un-American committee?'

"A. I believe he did.

"Q. Referring to the House Committee on Un-American Activities?

"A. Yes. Dr. Abowitz was asked if he had attended a meeting of the *Arts, Sciences and Professions Council* at the home of Dr. Alexander Pennes, that caused his dismissal from St. Joseph's Hospital, where he had been considered the most important doctor on the staff and subsequently his dismissal from Cedars; that following this, he went to see Mr. Hahn at the bank and was told that the board could discharge a

doctor if they didn't like the way he combed his hair. It was further stated that the three doctors, Drs. Pennes, Abowitz and Lippman, were told, so he said, that they had the right to appeal to the Los Angeles County Medical Association and to the State Association and finally to the American Medical Association; that, however, the three doctors, stated Dr. Pennes, had information that the Lay Board had already talked with the medical association and the association had committed itself to upholding the Lay Board and, therefore, an appeal would be useless. Dr. Pennes stated that the medical staff was shocked and dismayed by the actions of the Lay Board, but, however, they were pressured into supporting the board. An example of pressure that he gave us was, he said one doctor, who had been a staff member for 14 years, signed a letter on behalf of the three doctors and since then, for the three weeks preceding this meeting, he had been unable to get his patients committed to the hospital. Dr. Pennes stated that letters to the Lay Board were ignored and that a petition, signed by at least 10 prominent staff members, would be required but that it would be impossible to secure, due to reprisals. His closing statement was, 'Cedars belongs to you. It is a community hospital and doesn't belong to the Lay Board.'

"Q. Were there other speakers?

"A. Yes. Dr. Murray Abowitz spoke next. He was introduced as a member of Cedars' staff for 14 years and as chairman of the ASP (*Arts, Sciences and Professions Council*) Medical Division. Dr. Abowitz claimed that the spontaneous wave of protests had so swamped the Cedars switchboard that extra help was required to handle all the calls and mail; that since then, he said, it was impossible to talk to Weisberger unless first cleared by the FBI.

"Q. Weisberger was the medical director at the Cedars of Lebanon Hospital or at least an official there, was he?

"A. Yes, he was. He said that letters of sympathy had been received from Dr. Goodman of the University of Utah School of Pharmacy, Dr. Alan Butler of Harvard Department of Pediatrics and Ernest Boas, head of the Physicians Forum. He further said that the Los Angeles Board of Rabbis were given the facts of the case and expressed sympathy, yet, when they attempted to see Ben Meyer, they were refused admittance, according to Dr. Abowitz. Dr. Abowitz further stated, 'the medical staff, with few exceptions, are behind us. Pressure is keeping them from actively supporting us. A number of contributors to the Cedars Research Fund have withdrawn their contributions until we are reinstated. Expectant mothers are cancelling their hospital reservations at Cedars in protest.' He also stated that 200 of Cedars' staff members held a meeting at the Beverly Wilshire Hotel recently and, almost without exception, they deplored conditions at Cedars and promised to write

letters. Then his closing statements were, 'this must be a group fight. Focal point of rebellion against Cedars is a rebellion against the human incineration of Germany, the McCarthyites and the Tenneys.' He stated that, 'our government has brought the infamous Nazi, Dr. Schreiber, over here from Germany and placed him in charge of research in an air force hospital. He was responsible for the mass murder of thousands of Jews, yet he is honored by our government and we three are dismissed from Cedars.' He further stated, 'Fifteen people in Los Angeles are being prosecuted for the books they read and what they think. Things have gone far enough.'

"Q. Did he point out that he had been identified by witnesses under oath as a Communist Party member?

"A. No.

"Q. He didn't make that statement?

"A. No.

"Q. Were there other speakers?

"A. The third doctor, who was dismissed from the Cedars of Lebanon Hospital, was Dr. Richard Lippman, who was interested as a two-times winner of the Guggenheim Fellowship, and it was also announced that on that day he received a two-year research grant from the National Health Foundation. Dr. Lippman was a very vituperative speaker. He said that the loyalty boards, oaths and un-American committees had affected every field of science. He said, 'we have drifted into a position the same as science in Germany under Hitler. Because U. C. L. A. has a loyalty check the medical school is unable to attract any outstanding men for their staff. Dr. White was cleared by the FBI after a long delay but the board of regents felt that the delay in clearance was sufficient reason to drop his name from the roster. Many years ago, Dr. White registered, only once, as an I. P. P.' He stated that continued un-American hearings and the persecution by Cedars is a studied program to insure the passage of the loyalty oath bill by the 1953 Legislature. 'Why did they pick we three for persecution? We were especially vulnerable because, one, Dr. Abowitz was questioned by the Un-American Committee; two, Dr. Pennes was mentioned before the committee as having permitted a meeting to be held in his home; three, and I was called to examine a Communist, Bernadette Doyle, in Los Angeles County Jail. Is it a crime to examine a Communist? A doctor is not supposed to look into the political or religious beliefs of his patients. Dr. Abowitz has been very active in the fight for health insurance. We have all spoken for peace. We all had a part in the preparation of a statistical survey on racial discrimination in Los Angeles hospitals. There are the reasons we have been attacked. If they succed in keeping us out of Cedars, you will be under attack next.' Then he sat down amid a roar of applause.

"Q. Did anyone else speak, Doctor?

"A. Sylvia Miller got up and announced that Dr. Linus Pauling was not able to be present due to illness, but he sent a message expressing hope for victory in this fight. Then Reverend Turpeau stated that with the help of the *Arts, Sciences and Professions booklet, Yours for a Genuine Brotherhood,* he had been able to do away with all racial discrimination in the local Methodist Hospital; that, in appreciation for this help, he and his entire congregation would support the three doctors in their fight against Cedars.

"Mr. Combs: The other two doctors have already been identified. At this point I wish to make it clear for our record that Dr. Alexander Pennes was identified as a member of the Communist Party of Los Angeles County before the House Committee on Un-American Activities in October, 1952, on page 4120 of the transcript, and at that point he took refuge by invoking the Fifth Amendment to the Constitution of the United States.

"Q. Does that complete your notes of the Larchmont Hall Meeting?

"A. Except I have this booklet that was distributed.

"Q. That was distributed at the meeting?

"A. Yes.

"Mr. Combs: To identify it, Mr. Chairman and Members of the Committee, it is a folder entitled, *Cedars Shame,* and sets forth some material about Drs. Abowitz, Lippman and Pennes and was issued by the *Committee for Medical Freedom,* 3757 Wilshire Boulevard, Los Angeles, California. May we introduce this as an exhibit? We offer it as an exhibit to be marked the next exhibit in order.

"Chairman Burns: It will be admitted as Exhibit No. 7.

"Q. (By Mr. Combs): Did you also attend a meeting which was in the nature of a testimonial dinner for the Reverend Stephen Fritchman?

"A. Yes, I did.

"Q. What was the date of that meeting?

"A. April 10th, 1954.

"Q. Did you go alone or with someone else?

"A. I went with Dr. Marden Alsberge at his request as an observer.

"Q. And did you also take notes during or immediately after attending that meeting?

"A. Yes, I did.

"Q. Where was it held?

"A. It was held at the Park Manor, 607 Southwestern, Los Angeles.

"Q. What time did you and Dr. Alsberge go to the meeting, about?

"A. Shortly before 7 p.m.

"Q. And you left at when?

"A. It was pretty late, I guess 11 or 11.30.

"Q. About how many people were present?

"A. I should judge roughly a thousand.

"Q. It was a very large meeting?

"A. Yes, indeed.

"Q. Men and women both?

"A. Yes, sir.

"Q. Was it a dinner meeting?

"A. Yes, it was.

"Q. And were you admitted by ticket?

"A. Yes, we were.

"Q. Do you have a copy of, or a replica of the ticket with you?

"A. Yes, I do.

"Q. May I see it, please?

"A. Yes.

"Q. I notice that on this ticket it reads as follows: 'Stephen H. Fritchman Testimonal Dinner. Saturday, April 10, 1954, 7 p.m. Park Manor, 607 South Western, Los Angeles, California. Sponsor: *Community Medical Foundation.*' Do you know what that is?

"A. The *Community Medical Foundation,* I understand, is an organization which sponsors the *Community Medical Center.*

"Q. And what is the *Community Medical Center?*

"A. It is a medical center where care is given to people in that area.

"Q. Is it in the nature of a clinic?

"A. Yes, I have some data on that.

"Q. It says (the ticket) 'Donation, $5—no collection,' and on this ticket is a number. This one happens to be No. 1553. Just what were the mechanics by which you gained admission to the meeting?

"A. The tickets were obtained and, when we went to the door, our tickets were checked by number and our names were asked, and the name was opposite the number of the ticket, so there could be no slip-up, and the tickets were not just handed in. They were stopped and checked off and our names were requested.

"Q. In other words, as I understand it, when you would walk up with a ticket such as this, you were stopped at the door and you presented your ticket?

"A. Yes, they took it.

"Q. And retained the same?

"A. Yes, sir.

"Q. And then you were asked your name and, when you gave your name, they had a master sheet on which they checked your name and made sure that the proper number was opposite the name, is that it?

"A. That is true.

"Q. And that is the mechanics by which you were admitted?

"A. Yes, sir.

"Q. You and Dr. Alsberge went in together, did you?

"A. Yes, sir, we did.

"Q. And sat together during the entire evening?

"A. Yes, sir.

"Q. May we introduce this as an exhibit?

"A. Yes, sir.

"Mr. Combs: I offer this as Exhibit No. 8.

"Chairman Burns: It will be admitted as Exhibit No. 8.

"Q. (By Mr. Combs): Referring to your notes, doctor, would you mind telling us what took place at that meeting?

"A. The tenor of the meeting was eulogies of Mr. Fritchman.

"Q. He is the pastor of the First Unitarian Church in Los Angeles, is he not?

"A. Yes, sir, and discussing the *Community Medical Center*. The dinner was sponsored by the *Community Medical Center*. They introduced several people from the head table. There were a lot of introductions and statements, and so on. Mrs. Rose Boyd, who was seated at the head table, was introduced as the coordinator of the dinner which was given by the *Community Medical Center*.

"Q. Do you know anything about Rose Boyd, who she is?

"A. I did not until I went to the meeting.

"Q. Continue, please.

"A. As I say, she was introduced as the coordinator of the dinner which was given by the *Community Medical Center* honoring Mr. Fritchman for his services as a member of the board of the *Community Medical Foundation,* which, incidentally, runs the *Community Medical Center*. There were statements by many men a few of which I have notes on. Rabbi Winaker, from either Santa Monica or Pacific Palisades, gave a very vituperative talk, eulogizing Mr. Fritchman and criticizing our government in many ways. One of the statements that aroused a lot of laughter was when he said, 'In America today a person is either being roasted by inquisitors or frozen out of jobs.' Then Rev. G. L. Hayes advocated Mr. Fritchman as a suitable man for nomination for President of the United States, again amid deafening applause. Mr. Stephen Fritchman, after replying to the eulogies, stated that he hoped that if a member of the FBI was present in the audience, that he had at least paid for his dinner.

"Q. Did that provoke gaiety and merriment also?

"A. Yes, indeed. Another quote we have here by Mr. Fritchman is that he hoped to see our taxes spent for government-financed hospitals for all people instead of hydrogen bomb hysteria. The tenor of the evening regarding the remarks by many, many speakers, little short

talks, was that there were disparaging remarks regarding the FBI and the "witch-hunt" committees, the manner in which our government is run and the judgment shown in the administration of government functions. For about an hour, roughly, Rose Boyd alternating with Herman Waldman read congratulatory messages, and so forth, one would read one then the other would read another one as a dialogue. One was from San Francisco; one of them was from Dr. Richard E. Weinerman from Pasadena, in appreciation, and congratulations from Linus Pauling. And there were congratulatory messages from Reuben Burrough, Cedric Belfrage, W. C. DuBois and Rockwell Kent; and also a message from the president of Local 6 of the International Longshoremens Union of San Francisco.

"Q. May I interrupt you there? Rockwell Kent, of course, is a very noted artist and president of an organization which has been legally defined as a Communist front, a very, very big one, the *International Workers Order,* which will identify Rockwell Kent, who is often confused with Norman Rockwell, the man who makes the covers for the *Saturday Evening Post.*

"A. Among the introductions and speakers, Kenneth Hartford was introduced as an officer—I don't remember whether it was business director or executive officer of the *Community Medical Center*—and he outlined the operations of the center and stated that there were 18,000 patient visits per year. Also that the election of officers would be held at the next membership meeting. Dr. Milton Z. London who, incidentally, was seated at the head table, was introduced as the vice president of the board of the *Community Medical Foundation* and as chief of staff of the *Community Medical Center.* Dr. P. Price Cobbs was introduced as a member of the board of the *Community Medical Foundation,* and Rose Rosenburg spoke. She praised Mr. Fritchman and his great help to all liberal organizations. She praised him specifically for backing the *Community Medical Foundation* because it gave health care to foreign born and others; also on his stand in behalf of some of those under threat of deportation.

"Q. Was that the extent of the notes that you took?

"A. Except on some of the people who were introduced at the table or identified for me.

"Q. Will you tell me who they are, please?

"A. These people were either introduced to me or identified for me at the meeting. Dr. and Mrs. Murray Abowitz, Mrs. Rose Waldman, who, incidentally, was introduced to me, Leah London and Milton London, Ben Margolis, Louis Gardner, Dr. Leo Bigelman, P. Price Cobbs, Dr. Koppleman, Dr. Thomas Perry, Robert Schmorlitz, Adrian Scott, Gale Sondergaard and Herbert Biberman, and on the last one I

have on my list is Dr. Marvin Sure, who was an optometrist in my home town of Glendale.

"Q. Do you know him personally?

"A. I know who he is.

"Q. Doctor, was there any literature or material of a printed nature distributed at the Fritchman testimonial dinner?

"A. Just these two pamphlets were passed out to us. One of them was handed to me.

"Mr. Combs: The first one the doctor has handed to me is entitled, *Teamwork for Health, Consumer-Controlled Through the Community Medical Foundation, a Nonprofit California Corporation, 1236 South Lake Street, Los Angeles.* I ask that it be introduced, Mr. Chairman, as Exhibit No. 9.

"Chairman Burns: It will be so received.

"Mr. Combs: And the next document which the witness has handed me is a folder on green paper entitled *Comumnity Medical Foundation, 1236 South Lake Street, Los Angeles 6, California,* and when unfolded, on the inside, it says, 'For you and your family: a comprehensive medical-surgical hospital plan.'

"I ask that this be introduced in evidence as Exhibit No. 10.

"Chairman Burns: It will be so admitted.

"Q. (By Mr. Combs): Do you have anything else to add, Doctor?

"A. No, sir.

"Q. Then let me ask you this question, or did I ask you whether or not you have ever been a member of the Communist Party?

"A. Yes, you did.

"Q. And your answer was in the negative?

"A. Yes, sir, in the negative.

"Q. What was your conclusion as to the character of those two meetings you attended and concerning which you took notes which you have read into the record?

"A. Frankly, I was shocked. I had understood from Dr. Alsberge in the years that I had known him that there had been some Communist education in the Medical Association, but I had never realized that it could be possible in this country, that people could fall so far away from Americanism and get so much support from large groups of people, and it was the surprise of my life.

"Q. You were shocked because of what you saw and heard at these two meetings?

"A. Yes, indeed.

"Q. Did you form any conclusion as to whether they were or were not Communist-dominated or sympathetic toward Communism?

"A. There was no question about that in my mind.

"Q. And that was true as to each of the meetings?

"A. Yes, indeed.

"Mr. Combs: I believe that is all, Mr. Chairman.

"Q. (By Chairman Burns): Do you know, Doctor, whether or not Dr. Abowitz was reinstated to the Cedars of Lebanon staff?

"A. I don't know.

"Q. (By Senator Thompson): Doctor, you said there were a thousand people at this last meeting, or approximately that?

"A. Yes, sir.

"Q. Were the people that attended all along the same lines or were a good many of them there because of some influence?

"A. That I do not know. I know they were very sympathetic and that the jibes against the government and against the FBI and against the way things are done in this country as a whole were very well supported by their applause.

"Chairman Burns: Thank you very much for your kind assistance and help.

TESTIMONY OF DR. BEN FREES, M.D.

"Q. (By Mr. Combs): Your address, Doctor?

"A. 629 South Westlake, Los Angeles.

"Q. Dr. Frees, you are a physician and a surgeon, are you not?

"A. Yes, sir.

"Q. And a member of the Los Angeles County Medical Association?

"A. Yes, sir.

"Q. How long have you been affiliated with that association?

"A. Since 1916.

"Q. Have you ever held any offices in it?

"A. Yes, sir.

"Q. Would you tell us what they were?

"A. I was elected president of the Los Angeles County Medical Association in 1949. I was elected chairman of the board of trustees in 1953. I was re-elected for the year 1954, and I am still serving as chairman of the board of trustees.

"Q. How many members comprise the board of trustees?

"A. Nine.

"Q. Would you describe briefly the duties of the board?

"A. The Board of Trustees of the Los Angeles County Medical Association have full charge of the finances of the association. The ruling bodies of the county medical association consist of a board of trustees of nine and a council of some 40. The council have to do with public relations and policy, but they have nothing to do with the running of the business end of the Los Angeles County Medical Association; that is entirely in the hands of the board of trustees.

"Q. Dr. Frees, you are aware generally, are you not, of the fact that this committee received a letter signed by the officers of the association in 1953 and a similar letter in 1954, requesting this committee to conduct an investigation concerning the alleged Communist infiltration of the medical profession in Los Angeles County?

"A. Yes, sir.

"Q. Are you aware of the general background existing within the association which led to the writing of those letters?

"A. Yes, I am.

"Q. Would you tell us about that, please?

"A. About 1949, the year of my presidency, there was a question that arose in all professional circles of the loyalty oath. The State Medical Society was contemplating the passage of some sort of a demand that all officers serving in the State Medical Association should take a loyalty oath.

"The Los Angeles County Medical Association began to discuss the same subject, so that in 1949 we contemplated legislation to pass such a rule in our by-laws. The question was known generally by the membership, the 6,000 doctors, and it was being discussed. Along about May of 1949, a letter came into circulation and it was called to my attention as president that a meeting was to be held by a committee—that the meeting was in the Hollywood Women's Club. This circular letter was signed by a great number of doctors, many of whom were friends of mine, and others whom I did not know. It was sponsored under a committee called the *Emergency Medical Committee for the Defense of Professional Licensure.* Several doctors talked to me. They gave me the impression that this was a movement against loyalty oaths and that the group was looked upon as being representative of the leftist element, and that it was the feeling that I should go to this meeting. Therefore, we gathered a group of the top men who had held office in the Los Angeles County Medical Association and we attended that meeting.

"First of all, I would like to say that we had difficulty in finding out where the meeting was to be held, because the manager of the women's club called by telephone and said that the board of directors had met and that they were going to refuse this meeting.

"Q. Did she give any reason?

"A. Yes. She gave the reason that it was such a meeting which pertained to the leftist feelings and was against the good of the new Women's Club of Hollywood. Later on, we received a telephone call that the meeting would be held, that they had signed a statement and that they were bound by the signed agreement whereby they had given the hall. So I did attend that meeting. I went with a number of others. That is the first meeting of any sort of this nature that I have ever attended. I certainly had my eyes opened.

"Q. Dr. Frees, during your attendance at the meeting, or shortly thereafter, did you make any notes as to what transpired generally?

"A. Do you mean of the meeting?

"Q. Yes.

"A. No specific notes.

"Q. In general terms, to the best of your recollection, can you give us the character of the meeting and why you gathered the impressions you did concerning it?

"A. The character was all sorts of propaganda of why a professional man should never take an oath. It got into free thought, free speech, free everything. Loyalty to our country was certainly displaced by a feeling that our country amounted to very little. One could not sit there and hear the speeches made by various speakers and not feel that your loyalty to your country was something that had gotten to be a very bitter end when people would utter the kind of language stated there.

"One of our members attempted to get the floor and speak, but had great difficulty. He finally did vault the platform. We backed him up and he did make a rebuttal speech to the group there that night.

"Q. Who was this doctor?

"A. That was Marden Alsberge.

"Q. Did he make some statements refuting the remarks of the speakers who had preceded him?

"A. In no uncertain terms and with considerable applause by the few of us who were there.

"Q. About how many people attended that meeting?

"A. I would say that the hall was about half filled.

"Q. What was its capacity?

"A. I think several hundred.

"Q. Did you attend any other meeting of a similar nature?

"A. No, that was the only meeting that I attended.

"Q. Did your experience at that meeting indicate to you that there was some sort of a serious problem confronting the association?

"A. Very much so.

"Q. You then were in favor, I take it, of the invitation extended to the committee to conduct an investigation and make the results of it available to the association?

"A. Particularly brought about by the fact that occurred in May, then the following November we held an election at the County Medical Association for the officers for the ensuing year, 1950. From the floor there were nominated two men whose names were prominent at this meeting that I attended. Following the nomination of these two doctors to hold positions of councilmen in our own society, literature was mailed to all of the members of the association asking us to vote for these two men. In this group of names sponsoring these two candidates

I found the names of the same men, many of whom had been at the meeting.

"Q. Which indicated to you a pattern of infiltration?

"A. Which indicated to me that it was much more serious than I had anticipated.

"Q. What was the result of that threat at infiltration?

"A. After the votes were counted, practically 20 percent of the votes of the entire organization voted for these two men.

"Q. Did that serve to solidify the resistance and the effort to ascertain the seriousness of the infiltration?

"A. It was then felt that this could not be combatted by the association itself and that we had to ask for help.

"Q. This was early in 1950?

"A. This election was early in 1950, that is correct.

"Q. Did you discuss the problem with other members of the association?

"A. Yes, sir.

"Q. Have you been discussing that matter since the time you first attended the meeting?

"A. Yes, sir.

"Q. The discussions are still in progress, are they?

"A. Still in progress.

"Q. Do you have anything else to add, Doctor?

"A. I don't think I have.

"Mr. Combs: That is all.

"Chairman Burns: May I ask you, Doctor, about the time that this meeting was held, the *Emergency Medical Committee for the Defense of Professional Licensure, is that right?*

"A. Professional Licensure.

"Q. Was that about the time we were having legislation presented in the Legislature providing for loyalty oaths to those licensed under the Department of Professional and Vocational Standards?

"A. Yes, sir, that is the same time.

"Q. The leadership at the meeting were in protest to the passage of that legislation and were attempting to implement some opposition to it. Was that discussed at the meeting?

"A. It was.

"Chairman Burns: Does anyone have any questions?

"Mr. Combs: Yes, sir. Doctor Frees, let me ask you the question we have asked of all witnesses. Are you now or have you ever been a member of the Communist Party or the Communist Political Association?

"A. Emphatically, no.

"Mr. Combs: Thank you, sir.

"Chairman Burns: Thank you, Doctor, you may be excused.

TESTIMONY OF DR. NATHANIEL BERCOVITZ, M.D.

"Q. (By Mr. Combs): Let us have your name and address, please.

"A. Dr. Nathaniel Bercovitz, 536 Avenue 64, Pasadena.

"Q. Dr. Bercovitz, you are a physician and surgeon, licensed to practice your professions in California?

"A. That is right.

"Q. Do you have any affiliation with any medical group or organizations in the State?

"A. I am a member of the Los Angeles County Medical Association.

"Q. And you have been for how long?

"A. I have been for a number of years.

"Q. Did you spend any time in the Far East?

"A. I spent a number of years in China.

"Q. What part of China?

"A. On the island of Hainan in South China.

"Q. Would you set dates that your tenure commenced and terminated?

"A. I first went out in 1915 and was officially released by the Communists in May, 1953.

"Q. You were released by the Communists when?

"A. In April, 1953.

"Q. Where were you when you were released?

"A. I was in Hainan at that time.

"Q. You were doing work as a medical missionary?

"A. That is correct.

"Q. Under the auspices of what organization?

"A. The Presbyterian Board of Foreign Missions.

"Q. Would you briefly describe what your duties were in Hainan, just what you did?

"A. I was superintendent of the American Presbyterian Hospital in the city of Hoi How on the island of Hainan. This is a 180-bed hospital which is conducted by the Presbyterial Mission. I had been superintendent of that hospital for a great many years. I was also chief of surgery there.

"Q. During the period of your residence on the island of Hainan did you notice any evidence of Communist indoctrination on the part of the residents of that island? Take it from the time you first went there, and if you will trace for us any developing incidents of obvious Communist indoctrination or affiliation that came to your attention?

"A. When I first went there in 1915, of course there were no Communists, but following the Russian Revolution in 1917, Russians began moving into China. About 1921, the Communist Party of China had organized. They quickly spread their organization throughout all of China. They reached the island of Hainan in the latter part of 1922.

Then they began to indoctrinate the people there. By 1925, they had made great progress, especially among young people.

"Of course, you understand that there had been the Revolution of 1911, when the empire was overthrown and the republic started. The country was in disorder. The Chinese did not quite know what it was all about. The Communists told them that this was the real revolution that they had been looking for, and they said they had all of the answers to Chinese troubles. A great many people believed them. By 1925, they almost took over China.

"We had to get out a couple of times by order of the American government because of the disorders. If it had not been for Chiang Kai-shek defeating them they would have taken over China in 1927. They were defeated, but they were not crushed because they escaped into the jungles and the mountains of Hainan, down in the tropics there. They were fugitives for a number of years, but kept on working in the underground.

"As you know, the Communists swept through China in 1948-49, and by the end of 1949 they had come to the tip of the peninsula just opposite Hainan. All China had been taken except Hainan Island, and, of course, Formosa.

"We were getting ready to leave for home on our usual furlough when the Communists made a surprise landing in April, 1950. Communists who had been hiding in the mountains durings these years came out and took over. The present governor of Hainan is the same man who led the Communists as a young man back in 1925. Of course, once they took over they really took over.

"Q. By force, of course?

"A. Oh, yes, by force.

"Q. Dr. Bercovitz, you say that after the first attempt to take over China, the unsuccessful attempt, the members of the Communist organization went underground, fled and sought refuge in the jungle country of Hainan?

"A. That is right.

"Q. They remained dormant, under cover and in hiding until April, 1950, when they emerged and administered the *coup de grace* and by force conquered the final vestige of resistance remaining in China, which was Hainan?

"A. That is right.

"Q. At that time were you still medical superintendent of the hospital?

"A. I was still medical superintendent of the hospital.

"Q. How many people comprised the medical staff?

"A. About 125 employees, altogether, in the hospital.

"Q. What was your evaluation of them as to fundamental loyalty and opposition to Communists?

"A. I always felt that they were against Communism.

"Q. From their activities and your conversation and your intercourse with them intimately from day to day, you had an opportunity to make that evaluation, did you not?

"A. That is right.

"Q. Was that your feeling about all of your medical staff?

"A. I felt that way about all of the staff because I had been pretty much on the lookout myself for any who might be disloyal because I was afraid of what they might do to the rest of the staff.

"Q. There was a natural religious atmosphere to your institution?

"A. Oh, yes.

"Q. Had that also permeated through the members of your staff, as far as you could tell?

"A. Pretty much, yes.

"Q. Certainly antithetical to atheistic ideology?

"A. Absolutely.

"Q. In April, 1950, what happened so far as your staff was concerned?

"A. When the Communists took over, naturally everyone was pretty much agitated about it, including members of the staff and the employees. It was then I got some rather unpleasant surprises.

"Q. Would you describe them?

"A. I found there had been among the members of the staff that I considered perfectly loyal and against Communism, and who had even taken a leading part in the religious exercises of the church and the hospital, I found several of those had been Communist agents, working underground in the hospital.

"Q. All the time?

"A. All the time.

"Q. How long had those men been members of your medical staff?

"A. One of the men I know of had been a member for at least a dozen years. The woman who was the leader among the women under the Communists had been there for 14 or 15 years in the hospital—or I will take that back—longer than that. She had been there about 18 years.

"Q. They had conducted themselves with such cleverness and guile that despite the fact you were their medical superintendent they completely fooled you?

"A. Yes. The woman was one of the deaconesses in the church. The man I just mentioned was always a very enthusiastic singer in the choir. I had no reason to think he was anything but anti-Communist.

"Q. They gave you that impression, both of them?

"A. Yes, both of them, very much so.

"Q. What was their attitude toward you immediately prior to their emergence as underground Communist agents, one of friendliness and intimacy?

"A. Until they emerged as underground Communists there was no relation at all. I could not tell any difference between them and the others.

"Q. What was their attitude afterwards?

"A. They completely changed. It changed very soon after the Communists came and were in the saddle. They had been having communications secretly with the Communists. Within a few days, the Communist leaders came in and met with them and before long we could see what was going on in the hospital.

"Q. In other words, during the period you afterward discovered, after they took over, that they had been in contact and operating with the Communist organization constantly?

"A. Yes, right along.

"Q. So that the preparations had been carefully laid when the blow fell and it was relatively simple for Communist forces to take over?

"A. Absolutely.

"Q. What happened to you personally?

"A. At first, while the Communist government was getting itself organized, nothing happened; but very soon the government clamped down on the hospital. Before long they took over and we were put under house arrest.

"These people who had been in the underground, of course, were the leaders in the hospital. It was a terrible thing to see because having been in the hospital these years they naturally knew everything about everybody on the staff. They knew all about the hospital. Knowing that a great many of the staff members were anti-Communist, they, of course, put those anti-Communist people on the staff. They had these people who were telling on them. There was really a reign of terror in the hospital. These folks who had been in the underground were the leaders as soon as the Communists took over.

"Q. They actually operated a reign of terror as you described it. That existed in the hospital from that time on?

"A. Absolutely.

"Q. You were under house arrest in the hospital?

"A. Yes.

"Q. Or in your residence?

"A. No. They put us out of our residence and gave my wife and me a couple of rooms in the hospital, where we stayed. We were there 35 months after the Communists came.

"Q. 35 months?

"A. Yes. That gave me a chance to see quite a bit about it. Even though we were under house arrest I saw a great deal of what went on.

"Q. Would you mind describing what took place during that period of time, Doctor?

"A. Once the Communists took over, the main interest was to see that none of the staff was allowed to leave the hospital. They had to continue. The government forced them to work on. There was no voluntary resigning. Once in a job they were frozen there. That is apparently the pattern of Communists wherever they go.

"Q. No freedom of individual choice?

"A. No freedom of individual choice as to where you are to work. Then the government fixes wages or the salaries. That was altogether fixed by the government, with no chance of protest.

"Then they carried on a reign of terror in the hospital. They intimidated the hospital staff so much that they were living in a constant terror of being arrested. Several members were arrested and put in prison and never heard from again. That is the thing they were afraid of. Day or night they could never tell when some of the secret police would come and question them. Two o'clock in the morning was a favorite time for waking people up and asking them to come to the police station to answer questions.

"Q. By the secret police?

"A. By the secret police. So they had the entire staff intimidated. Another thing they did, which was extremely interesting from my standpoint, was the indoctrination. From the day they took over the hospital, that very afternoon, they began intensive indoctrination of the staff. They broke them up into little groups or cells of 10 to 15. Day after day, after the hospital work was over, they had to sit and study one of the books on Communism, attend lectures on Communism. And till the day we were finally released that was kept up.

"Q. There was no choice about that?

"A. No.

"Q. As far as the individual was concerned?

"A. No. They had to attend. They had to write papers and pass examinations. It was an endless thing, this indoctrination.

"The attempt of the Communists is to mold people to their way of thinking. Once in control there is absolutely no chance of individual choice or liberty. From the time a child is born the state practically takes over.

"The children of the staff were sent to Communist schools, but the important thing about the staff, the entire staff of doctors and nurses and their employees, was that there was absolutely no choice, no indi-

vidual choice. If they wanted to leave or if they wanted a change of occupation, there was no choice at all. They had to carry on and do just what the government told them to do.

"Q. You certainly saw the Communists rule by force and terror at first hand, then, didn't you?

"A. I saw it at first hand and it was a terrible thing.

"Q. Dr. Bercovitz, have you made any study of the pattern of Communist techniques and activities in other parts of the world?

"A. No, I haven't.

"Q. To see whether or not they parallel the techniques that you observed personally at Hainan?

"A. My only study has been by observation and by talking to some people who have been in other parts of the world and who know something about Communism. The pattern seems to be the same everywhere. There seems to be very little variation. I think they got their orders probably from Russia because everything had the Russian taint to it. After the Communists took over at Hainan there were a great many Russians there. They came as advisers, but actually they were telling the people what to do. I think the pattern is the same everywhere they go, from what I have read and from what I have heard from talking to a few people. I should say the pattern is the same everywhere, and if they came here it would be the same.

"Q. Are you personally acquainted with Dr. Ben Frees who preceded you on the stand?

"A. I am, sir.

"Q. How long have you known him?

"A. I think I first met him in 1910.

"Q. Have you discussed this problem from time to time?

"A. We have talked things over.

"Q. You are aware in general terms of the concern of the officers of the Los Angeles County Medical Association regarding the threat of Communist infiltration of their organization?

"A. Yes, sir.

"Q. Basing your answer to this question, Dr. Bercovitz, on your experiences with Communist technique in the hospital where you worked, would it be possible for numerous members of the Communist Party to operate in the same manner and with the same technique in a body like the Los Angeles County Medical Association?

"A. I think it would be, sir.

"Q. Of course, you consider that extremely serious, as I understand your testimony?

"A. I consider it extremely serious.

"Q. Do you believe proper steps should be taken to combat it?

"A. I think so, yes.

"Q. Have you ever been a member of the Communist Party or the Communist Political Association?

"A. I have not.

"Q. Do you have any personal feeling of resentment or hostility toward us for asking you that question?

"A. Not at all. I think it is a fair question.

"Q. Do you have anything else which you can contribute to us, Dr. Bercovitz?

"A. I don't think so, except that I am very glad that there is a group looking into this.

"Mr. Combs: Thank you, that is all.

"Chairman Burns: Doctor, after the taking over of your hospital did the indoctrination of your staff and the other methods of intimidation, did that change the accepted medical practices in an attempt to bring the practice of medicine as it was carried out under a different aspect or different method of any kind?

"A. Perhaps I can answer that by saying that when the Communists took over the hospital the superintendent of the hospital was a Communist and I don't think he was ever in a hospital before. He was a good Communist. That is the reason he was chosen for the job. His principal job was to see that Communism was spread through the staff of the hospital and to see that nothing was done contrary to the principles of Communism.

"Q. Did he have a medical education?

"A. No, I don't think he had ever been in a hospital before. In addition to that, they had as assistant superintendent a doctor. They chose one of the staff unwillingly—he had no choice, but they said he was to be assistant superintendent in charge of medical work. That is the way they ran the hospital. He had absolutely no power at all in the way of administration. All that he could do was run the medical end of things as best he could. Of course, I was out of circulation, so I don't know much about the quality of the work, but from little things I gathered the quality of the work dropped.

"The Chinese are basically individualists. They are freedom loving people. This was a terrible thing for the rank and file of the people to take. They never had been under anything like that before. I understand that the medical work, the quality, certainly went down. We were running a good hospital there. It was not a good hospital after that.

"Furthermore, I found out that as far as the preferential treatment in the hospital was concerned—there were other hospitals in Hoi How at that time and they combined them into our hospital. If you belonged to the Communist Party or if you were employed by the government or were in their family you would be assured of fairly good treatment, but

if you were an ordinary person it was very difficult to get good treatment.

"Q. (By Mr. Combs): Suppose you were a notorious anti-Communist, what kind of treatment would you get if you had an appendectomy to be performed?

"A. You probably wouldn't get that far. They executed a number of people when they took over. We will never know the number. I have seen in the newspapers they estimate from fourteen to fifteen million people were executed at the time the Communists took over. I think that is conservative if anything. In the Island of Hainan any number of prominent people were executed because they were anti-Communists.

"Q. Are you aware, Doctor, that some of the propaganda that emanates from the front organizations alleged to be controlled by Communists in this city, and particularly in which there is a strong nucleus of physicians, that that propaganda is based largely on alleged discrimination in our hospitals? Certainly, from what you have said, the discrimination exercised by Communists in the hospital with which you were familiar amounted to mass murder, didn't it?

"A. That is right.

"Q. Instead of leaving a capable medical superintendent in charge of the hospital, after the Communists took over they removed him and put in a nonmedical Communist?

"A. That is exactly what happened.

"Q. (By Senator Thompson): When they took over were they more interested in medical problems than in the other problems that they came across?

"A. The first thing with Communists is what they call political science. That takes precedence over everything else. They wanted good medicine, but above all they wanted to be sure they had good Communists.

"Q. You mentioned something about the Chinese being individualists. Do you believe as a whole the Chinese are really in sympathy with the Communists, the Chinese people?

"A. I don't think so. Frankly, Communism in China is like it is everywhere else. It is a minority rule. I don't believe that there are more than three or four million actual party members in China out of a population of over 500,000,000. But they have seized control. They have control of the army. They have control of all bureaus. They have complete control of the government. They are holding the rest practically as slaves.

"Q. Then it holds true, Doctor, that a very small minority can do a great deal of damage?

"A. That is right. That is it exactly. That is where the danger comes in.

"Senator Thompson: Thank you, Doctor.

"Chairman Burns: Thank you very much, Doctor. You are excused.

TESTIMONY OF DR. EUGENE F. HOFFMAN, M.D.

"Chairman Burns: Give us your name and address, please.

"The Witness: Eugene F. Hoffman, 2212 West Third Street, Los Angeles 57.

"Q. (By Mr. Combs): Dr. Hoffman, you are a licensed physician and surgeon in California?

"A. That is correct, sir.

"Q. How long have you been a member of the medical profession?

"A. Do you mean the society?

"Q. No, your profession. How long have you been licensed?

"A. I was licensed in 1933-1932.

"Q. And you have practiced continuously since that time?

"A. Yes, sir.

"Q. How long have you been a member of the Los Angeles County Medical Association?

"A. Since 1935.

"Q. Have you ever held any office or offices in the association?

"A. Yes, sir.

"Q. What were they?

"A. I am on the council at the present time. I have just completed my sixth year and I have been re-elected for another three years.

"Q. That is the council that was mentioned by Dr. Frees?

"A. That is correct, sir, the policy-making body.

"Q. Have you been out of the state recently?

"A. Yes. I just returned from the interim session of the American Medical Association in Miami.

"Q. How long were you there, Doctor?

"A. From last week, Sunday, until last week, Thursday morning.

"Q. Did you perform any official duties or hold any official position with regard to that convention?

"A. Yes, I was a member of the House of Delegates as a delegate from California and also chairman of the Reference Committee on the reports of the secretary and the Board of Trustees.

"Q. As a result of your official status at the convention and the nature of your duties there that you have just described, are you able to tell us, in general terms of course, your understanding of the attitude of the American Medical Association toward Communism and Communist infiltration among its members?

"A. Yes. I think they have a very definite policy. It is best expressed in their *Principles of Ethics*—I think it is Chapter 8—generally, it says

that a physician must uphold the laws of his community and be concerned with the things that make a good citizen.

"Q. Have you any reason to believe that the Los Angeles County Medical Association and the Los Angeles County medical profession in general have any need for apprehension concerning its members who may be Communists, or with Communist infiltration in general?

"A. Yes. I think we have a very definite problem here.

"Q. How long have you been aware of that problem?

"A. Since about 1948 or 1949, five or six years, sir.

"Q. Would you mind giving us the reasons for your concern?

"A. The Council of the Los Angeles County Medical Association decided to discuss the feasibility of an oath of allegiance or oath of loyalty to the country as a prerequisite for membership, and asked that all officers and members of the society take this oath. Immediately there was a furor raised. Letters were written. Meetings were held. A lot of broad accusations were made of discrimination and that type of thing.

"Q. Did you become sufficiently concerned with the seriousness of the problem to make it your business to attend one or more alleged front meetings yourself?

"A. Yes. I attended a meeting at the Larchmont Hall in February of 1952, in the latter part of February, around the 20th or 25th, something like that.

"Q. Did you go alone to that meeting, doctor, or did you go with others?

"A. No, I went with Dr. Alsberge.

"Q. Dr. Marden Alsberge?

"A. That is correct.

"Q. Did you remain during the entire course of the meeting?

"A. That is correct, sir.

"Q. Would you give us the benefit of your general impressions as to the nature of the meeting and its implications?

"A. Principally and basically the meeting was called to protest the discharge of three of the doctors from the Cedars of Lebanon Hospital here in the city. These three men were discharged from the staff. There was a great deal of discussion and comparison with these men with some of the early scientists like Galileo and that group, and how they were being discriminated against because they had attended a meeting of a so-called radical group. One man said the reason he was being discriminated against was because there was a meeting at his house. I think another one said he had attended a prisoner as his physician who was held here in the city, and he was being discriminated against because he had administered, in line of professional duty, to the particular

prisoner. I don't remember the name of the prisoner, but I think the name was mentioned at that time.

"Q. It has been mentioned here in testimony yesterday, doctor. It was Bernadette Doyle.

"A. Yes. Thank you.

"Q. Did you attend any other meetings?

"A. That is the only one I attended, sir.

"Q. Are you aware as a member of the Council that the Los Angeles County Medical Association requested this committee to conduct an investigation concerning the alleged infiltration by Communists and to hold this meeting?

"A. Yes, sir.

"Q. Are you in accord with that attitude on the part of the association?

"A. Very definitely. I think it is a definite threat.

"Q. You believe there is a definite and serious problem to be handled?

"A. Yes, sir, definitely.

"Q. Have you, yourself, doctor, ever been a member of the Communist Party or of the Communist Political Association?

"A. No, sir.

"Mr. Combs: I think that is all.

"Senator Thompson: No questions.

"Mr. Combs: Thank you very much, doctor.

TESTIMONY OF DR. E. VINCENT ASKEY, M.D.

"Q. (By Mr. Combs): Your name?

"A. My name is E. Vincent Askey.

"Q. Your residence address is?

"A. 757 Malcolm, Los Angeles. My office is at 2210 West Third Street.

"Q. You are a duly licensed physician and surgeon in California, are you not?

"A. I am, sir.

"Q. How long have you been so licensed?

"A. I was licensed in 1923.

"Q. Have you practiced your profession in California since that time.

"A. Ever since.

"Q. Have you ever held an office in the California State Medical Association?

"A. Yes, I have held several offices. I was First Speaker of the House of Delegates for several years. Then I was Speaker, and then I was President of the California Medical Association.

"Q. In what year?

"A. In the years of 1948 to 1949.

"Q. Have you ever held any office in the Los Angeles County Medical Association?

"A. I have.

"Q. What were they?

"A. I was the secretary-treasurer. Then I was a member of the Board of Trustees. I was chairman of that board. Then I was President of the Los Angeles County Medical Association.

"Q. What year?

"A. I was president in 1943.

"Q. Have you ever held any position in the Los Angeles City Board of Education?

"A. Yes, sir, I was member and president one year.

"Q. What year were you president?

"A. I think 1940 to 1941.

"Q. Have you recently been out of the State, Doctor?

"A. I just returned last week.

"Q. What was the reason for your absence?

"A. I was at a meeting of the American Medical Association held in Miami, Florida.

"Q. How long were you there?

"A. I arrived on Thursday, a week ago this last Thursday, and I was there 10 days.

"Q. Did you participate in any of the activities of the meeting there in any official capacity?

"A. Yes, sir. I am First Speaker of the House of Delegates to the American Medical Association; I presided at part of their meetings.

"Q. At any of the deliberations or activities of the convention was the matter of Communism in the association discussed?

"A. Yes, if you will qualify the word Communism, although everybody understood that was what we meant. Let me qualify that by saying that there was a resolution brought in on the house in which it was suggested that the American Medical Association deny membership to any doctor who is discharged or denied medical service because of being a security risk. This was understood to mean Communism and its ilk. If you will allow me, if I may, to tell you the disposition of that—

"Q. I wish you would.

"A. The reference committee that considered this resolution brought three recommendations which were adopted. They stated that, first,

since this resolution only referred to those who were deferred or discharged from military duty that it was not broad enough and only took in a segment of our profession. They felt that such consideration should be given to all doctors of medicine and all members of the American Medical Association. Secondly, that a change of our constitution would be necessary, and were this resolution adopted it would require laying on the table for one year.

"Thirdly, that after all it was entirely unnecessary because for many years, if not from the very establishment of the American Medical Association, our principles of ethics have stated definitely that all members are hereby called upon to give allegiance to and support the laws of our country and to the needs of humanity. This report of the committee therefore stated they felt such a resolution was unnecessary in view of the fact the tenets of the American Medical Association have always been for the support of our government. That was the disposition that was made, sir.

"Q. Dr. Askey, going back to your tenure as President of the Los Angeles City Board of Education. That was in 1937 to 1943?

"A. I served six years, 1937 to 1943.

"Q. During that period of time did you have any practical experience with Communism?

"A. If you call it practical. It was very disturbing.

"Q. Here is what I mean by practical, Dr. Askey: did you have any contact or experience during that period of time with an organization called the *Worker's Alliance*?

"A. I certainly did.

"Q. Did you have any contact or experience with another organization called the *State, County and Municipal Workers of America*?

"A. I don't remember the exact name, but I can tell you this, that *Workers Alliance* representatives, and great crowds of them were in our board meeting rooms, caused disturbances many times. As president, many times I almost had to have them removed from the room. I remember one time a certain Mr. Harry Bridges had come to town. He had requested the use of one of our high schools for a speech, which I objected to very strenuously. I wish I knew the man. I could not point him out, but as I left the meeting one of the men that I believe stated that he was a member of the *Worker's Alliance* told me that I would be the second man in Los Angeles to be put against the fence and shot by the Communists, of which I was very proud.

"Q. The Communist Party was a little more arrogant and imposing in those days than it has been since. Is that true?

"A. I imagine so. They didn't mince any words at that time.

"Q. Were you aware of the nature of the *Worker's Alliance* at that time, and its control?

"A. Only partially. I had no proof of it except from their actions and the type of thing and the statements of several members to me, that I would be defeated at my next election because the Communist Party was going to oppose me. I asked them if that were true, these people who were talking to me, and they assured me it was. Right then I told them I would give them some information, that I had decided not to run again, but since they said they were going to defeat me, I certainly would. I was elected by the greatest majority cast in that election in 1941.

"Q. By reason of your experiences with the *Worker's Alliance* at that time, were you able to form any conviction concerning their activities on behalf of the people who were unemployed or on relief?

"A. I don't know exactly what your question means.

"Q. Let me make it more explicit. The *Worker's Alliance,* according to hearings held by this committee in 1941, 1942 and 1943, was found to be headed by a man named Alexander Noral, who was identified by many witnesses as a member of the Communist Party. In 1940, he was on the presidential electorate slate as an avid Communist, which, of course, was quite persuasive concerning at least this top officer of the *Worker's Alliance.* The organization which ostensibly functioned as a union had for one of its express purposes the relief of people who were unemployed. I am simply inquiring of you, Dr. Askey, whether or not you have any personal information as to the activities of the *Worker's Alliance* in that connection?

"A. Yes, I do, now that you call it to my attention. I remember at one time at a board of education meeting there was a group present, at which time, in view of the needs of the group, there was furnished to these families who were apparently working under state relief, or the *Worker's Alliance* type, shoes and other articles of clothing. The *Worker's Alliance* protested strongly to the board of education that these shoes furnished to them were repaired shoes and that they wanted to be given the finest shoes and the newest shoes because here they were being given shoes that were repaired. I examined some of the shoes. They were better than those I was wearing at the time. It seems to me they were just stirring up all sorts of trouble trying to foment trouble in every possible governmental board. I was told that the board of education was only one of the governmental boards at which these turmoils and troubles were started by similar groups. I became very alarmed at it at that time, sir.

"Q. Since then, Dr. Askey, have you endeavored to keep yourself generally informed concerning the functions and activities of the Communists in this area?

"A. I have. I may tell you why I was so upset a little later. An old professor of mine told me when I started to practice medicine,

he said, 'Align yourself with your organized profession and take on the duties of your Country as a citizen.' That was Dr. David Reissman of Philadelphia. I have always valued him as a friend and great adviser. As I have told you, I started as a member of my association, and later as an officer. I took up my duties as a citizen on the board of education, and other activities. I found that in the medical profession there were men who did not seem to have the ideals and the love for my Country. In 1949, at the meeting which Dr. Frees and the other gentleman have testified about, I was told about it and asked to go. I was so upset because it was in regard to professional license in the State, objections by men who held licenses in our profession in California, who were objecting to the loyalty oath and felt it was the establishment of Naziism in our Country.

"I have never seen any reason why a person should not say that he loved something. I think it is pretty generally understood that if you love your wife you don't object if she asks you if you love her. Nor do I see why I should object to saying I am loyal to my Country, or I love her.

"That was the reason I was interested in this meeting. I went with the other gentlemen and I was astounded to see there a doctor of medicine as chairman of the meeting. I saw a member of the clergy who spoke. I saw a member of the dental profession who spoke. I saw an attorney. They all spoke and stated—I can give you the ones who said it. The clergyman, Rabbi Cohn, stated that he had been in Germany and had seen the development of Naziism and the rules and laws of Naziism could not compare with the terrible rules and laws of our country. Such a thing is ridiculous to me, *but it showed me that the professions of our State were infiltrated with a terribly disloyal group of individuals.* (Committee's italics.) I saw a doctor as chairman. I saw another doctor get up, by the name of Perry. This is the thing I was going to tell you that disturbed me. He stated his forefathers came over on the Mayflower.

"Q. That was Thomas Perry?

"A. That was Thomas Perry. What disturbed me, my ancestors came over here and my great-grandmother's name was Perry and I was afraid he might be some relation of mine. (Laughter.) Anyway, I was greatly disturbed at that meeting. That was one of the reasons why I have been interested in it, sir.

"Q. Dr. Askey, are you aware of the fact that the committee was invited and asked to conduct this investigation?

"A. I am, sir.

"Q. Did that have your support?

"A. It had my support entirely, although I wasn't a member of the council and did not have an opportunity to vote on it, but I am very greatly in favor of it, sir.

"Q. Did you attend any other meetings besides the ones you have described?

"A. No. That was the only one, sir.

"Q. Have you discussed with your colleagues in the profession meetings other than the one you described which were attended by them?

"A. Yes, I have.

"Q. At considerable length?

"A. Yes.

"Q. As a result of your conversations with them, as a result of your personal experiences with the *Worker's Alliance* and Communist pressure groups that you have alluded to as president of the Board of Education and a member of it, and as a result of your experience as a member of the American Medical Association, all of these things, what is your opinion concerning the seriousness of the threatened infiltration of the association, that is, the Los Angeles County Medical Association, by Communists?

"A. I think it is very, very dangerous. I think perhaps it has great dangers because I fear that they have gone undercover more. And, as Dr. Bercovitz—whom I never met until this morning—told you, that even those whom he was sure of he found out later were working against him. I wonder whether or not some of the men that I am certain of may not be doing the same thing.

"As a representative of my profession of medicine and following the dictates of the American Medical Association that we support our Government, I feel it is my duty that we go to every extent and find out if there is such a danger and if there is to combat it.

"*We don't believe in any witch hunt, whatsoever. We believe that the great majority of doctors are loyal to our Country as evidenced by peace time and especially their war records, and we stand ready to help you gentlemen. You, being a state organization and committee, have the facilities by which you can take these things up without any question of witch hunting in any way. We want it through the organization, the official committee of our State. They should and I believe will take care of this matter. That is why I am here.* (Committee's italics.)

"Q. Have you ever been a member of the Communist Party or Communist Political Association, Dr. Askey?

"A. Never and I never intend to be. I am very happy to tell you that.

"Mr. Combs: I think that is all, Mr. Chairman.

"Chairman Burns: No questions.

"Mr. Combs: Thank you, Dr. Askey.

TESTIMONY OF DR. SIDNEY KOLODNY, M.D.

"Q. (By Mr. Combs): Your name is Sidney Kolodny?

"A. That is correct.

"Q. You spell your last name K-o-l-o-d-n-y?

"A. That is correct.

"Q. You are a physician and surgeon?

"A. Yes, sir.

"Q. You are licensed to practice your profession in California?

"A. Yes, sir.

"Q. How long have you been so licensed, Doctor?

"A. Since 1945.

"Q. What is your medical field, Dr. Kolodny?

"A. Obstetrics and gynecology.

"Q. Are you on the staff of any hospital or clinic?

"A. Yes, sir.

"Q. Would you name them, please?

"A. Queen of Angels, Temple Hospital, Cedars of Lebanon Hospital.

"Q. Did you ever do any work or were you ever on the staff of a clinic in Los Angeles known as the *Community Medical Center?*

"A. Yes, sir.

"Q. When did you start working in conjunction with that center?

"A. November, 1947.

"Q. Your association with it continued until when?

"A. Until November, 1953.

"Q. Did you form any general opinion concerning the political character of the medical staff of the *Community Medical Center* during the period that you were associated there?

"A. Yes, sir.

"Q. Would you mind telling the committee what that opinion was?

"A. It is my opinion that most of the members of the medical staff were sympathetic toward left wing organizations.

"Chairman Burns: They cannot hear you.

"Mr. Combs: The answer was that his opinion of the members of the staff was that they were sympathetic toward left wing organizations.

"Q. By left wing organizations would you include the Communist Party?

"A. Yes, sir.

"Q. Did you see copies of the *Daily People's World* occasionally in the physical building where the center is located?

"A. Yes, I did.

"Q. Your conclusions concerning the political nature of a large group of the staff members was drawn from your conversations with them?

"A. It is just a general impression.

"Q. It is just a general impression? Were you ever asked to sign any petitions of a political nature while you were there?

"A. Yes, sir.

"Q. Would you mind telling us what they were?

"A. I was asked to sign petitions in support of the Rosenbergs and the Rosenberg trial.

"Q. In favor of the Rosenbergs?

"A. Yes. When three doctors were expelled from the staff of the Cedars of Lebanon there was a petition circulated to reinstate the doctors. I was requested to sign that petition, too.

"Q. You were requested to sign a petition on behalf of the three doctors at the Cedars of Lebanon Hospital?

"The reporters at the table are gesticulating that they cannot hear what you say, Doctor. Were there any other petitions?

"A. Several years ago, there was a petition in favor of Harry Bridges. I don't know the exact nature of the petition.

"Q. In connection with the attempt at deportation of Harry Bridges?

"A. That is correct.

"Q. Did you or did you not consent to sign any of those petitions?

"A. I did not consent.

"Q. Why did you terminate your association at the Community Medical Center?

"A. I terminated my association primarily because I didn't agree with the political ideas. And, secondly, I did not feel that I wanted to continue there because they had decreased the return financially in my position.

"Q. For financial reasons?

"A. That is correct.

"Q. You said you were on the staff of the Queen of Angels Hospital in Los Angeles. That is a Catholic institution, a Catholic hospital, isn't it?

"A. Yes, sir.

"Q. Were you a member of the staff at that hospital, the Queen of Angels Hospital, in October, 1950?

"A. Yes, sir.

"Q. Are you aware, or were you aware at that time of a charge leveled against the hospital by the *Community Medical Center* and by the medical division of an organization known as the *Arts, Sciences and Professions Council* and by a publication known as the *Daily People's World,* all of which alleged racial discrimination against a colored woman who was a patient in the hospital?

"A. Yes, sir.

"Q. You are familiar with that?

"A. Yes, sir.

"Q. You were directly involved in that?

"A. Yes, I was.

"Q. To some extent, were you not?

"A. That is correct.

"Q. How long have you been a member of the staff at Queens?

"A. Since 1945.

"Q. Continuously?

"A. Yes, sir.

"Q. Have you ever seen any evidence of any racial discrimination or prejudice at that hospital?

"A. No, sir.

"Q. Never? Have you seen in any hospital at which you have ever practiced, or with which you have ever been connected, which had a greater tolerance or greater lack of discrimination because of race, color, creed, or any other reason than Queens?

"A. No, sir, I have not.

"Q. Is it your opinion that Queens was outstanding in that respect?

"A. Yes, sir, it was.

"Q. In your opinion it was?

"A. Yes, it was.

"Q. I show you now a sheet from a publication called *The California Eagle,* published in Los Angeles, the edition of Thursday, November 9, 1950. I call your attention specifically to an article which appears on page 4, columns 2 and 3, and ask you if you are generally familiar with that particular article?

"A. Yes, sir.

"Q. You are?

"A. Yes, sir.

"Q. Have you read it before?

"A. I read it several years ago.

"Q. Would you mind glancing at it now and refreshing your memory, please. You have read that article?

"A. Yes, sir.

"Q. Is there any basic truth to the allegations of discrimination set forth in that article?

"A. No, sir.

"Q. Is it untrue?

"A. It is untrue.

"Q. I next show you a photostatic reproduction of an issue of the *Daily People's World* for October 31, 1950, page 2, under the by-line of Virginia Gardner and ask you if you have seen that article before? Your name is mentioned in it.

"A. I remember that very well, sir.

"Q. You remember it very well, do you not?

"A. Yes, sir.

"Q. Is there any basic truth to the allegations concerning discrimination set forth in that article?

"A. No, sir.

"Q. None, whatsoever?

"A. No, sir.

"Q. Do you know that of your own knowledge?

"A. Yes, sir.

"Q. Because you were the doctor who was directly involved in this particular matter, were you not?

"A. That is correct, sir.

"Q. And that is simply a fabrication, and the allegation of discrimination is made without any foundation whatever?

"A. Yes.

"Mr. Combs: Mr. Chairman, I dislike to take time to do this but I think it is sufficiently important to do so. There are two columns of the article in the *Daily People's World* which should be read into the transcript at this point, otherwise it will be attached as an exhibit and will not fit into the continuity of the testimony of this witness.

"Chairman Burns: Very well.

"Mr. Combs: It reads as follows: 'Los Angeles, October 30. A protest against most undemocratic discrimination and personal abuse practiced upon a patient for reasons of race was made to the Queen of Angels Hospital by the *Medical Division of the Arts, Sciences and Professions Council.*

" 'ASP's investigation of the case of Mrs. Lois Rambo, wife of Jerome Rambo, a nego, was undertaken in connection with a study of discrimination in the Los Angeles hospitals and medical schools.

" 'In letters dated October 25 and released today, ASP addressed protests not only to the hospital but to a physician, Dr. Sidney M. Kolodny'——your middle initial is 'M', isn't it?

"The witness: Yes, sir.

"Mr. Combs (continuing: '——and to the Community Medical Center, with which the physician is associated.

" 'The center was urged to investigate the mistreatment of Mrs. Rambo and institute disciplinary proceedings against Dr. Kolodny for his failure to support her in her protests against discriminatory treatment.

" 'At first placed in a semiprivate room along with another white mother, Mrs. Rambo, after the birth of her baby, was removed to

another floor, apparently when it was learned that her husband was a negro.

" 'Because the room to which she was moved was outside the maternity ward, Mrs. Rambo was not able to have her baby for nursing. Only after persistent demands that she be placed where she could nurse the child, was she removed, this time to a room which she shared with a negro mother.

" 'Unnerved by the mental anguish of separation from her newborn infant, the mother found herself unable to nurse her child and was removed by her husband to the family home after three days.

" 'The ASP Medical Division, under signature of Dr. Murray Abowitz, acting executive secretary, told Queen of Angels Hospital that ASP was deeply shocked to learn that your institution basing itself upon the principles of brotherly love, had permitted such treatment of Mrs. Rambo.

" 'The patient, the letter declared, was at first denied the right to nurse her child, and was reviled and insulted by sisters, nurses, physicians and a priest.

" 'Declaring such treatment a violation of the very Christian virtues which you profess, ASP medical men called on the hospital to correct this wrongful act by an open apology to Mr. and Mrs. Rambo and to pledge that no further discrimination or segregation would be practiced against any minority group.

" 'Dr. Kolodny was taken to task by the ASP Medical Division for his part in Mrs. Rambo's experience. Second only to the hospital's guilt was his failure to support a patient at a time of need, ASP said. The letter to Dr. Kolodny continued:

" ' "Not only did you fail to support her, but according to the patient's own words, you participated in the current of abuse and invective that was hurled at her."

" 'Dr. Kolodny was urged to apologize openly and sincerely to Mrs. Rambo. The Community Medical Center, 5501 South Broadway, the Medical Division of ASP declared, it is inexcusable for such treatment to be accorded a patient because of her marriage to a Negro individual. It is doubly regrettable that a physician associated with the progressive institution in the community should behave in the manner that has been reported concerning Dr. Kolodny.'

"Q. When you read that, Dr. Kolodny, what was your reaction?

"A. I was flabbergasted.

"Q. Why?

"A. Because the accusations were entirely untrue.

"Q. You were the doctor directly involved?

"A. Yes, I was.

"Q. So, of course you would know.

"A. That is right.

"Q. You already have said that that particular hospital was outstanding for its lack of discrimination or segregation?

"A. That is correct.

"Q. Would you amplify that for us, please?

"A. Yes. During the years I have been in practice in Los Angeles I have never had difficulty getting a bed for a patient at the Queen of Angels Hospital regardless of the patient's race, color or creed. I was never asked what the patient's color was at the time of admission. The patient was just admitted routinely.

"Q. Like anybody else?

"A. Yes, sir.

"Q. And was not shown any abuse or favoritism one way or another?

"A. That is correct.

"Q. What is the reason you attribute to this kind of a statement?

"A. I imagine it was used as propaganda.

"Q. I will ask you the question I have asked the other witnesses, Dr. Kolodny. Are you now or have you ever been a member of the Communist Party or Communist Political Association?

"A. No, sir.

"Q. You never have?

"A. No, sir.

"Q. You have never belonged to any subversive organizations of any kind so far as you know?

"A. No, sir.

"Q. We are very grateful to you, Dr. Kolodny, for coming here and testifying. You requested that you be excused early. I have no further questions, unless you have something to add.

"A. No, sir, I have nothing further to add.

"Chairman Burns: On behalf of the committee, Doctor, we express our sincere appreciation. You have done a good public service. I know this has been a demand on your time.

"Mr. Combs: May Dr. Kolodny be excused?

"Chairman Burns: Yes, you may be excused."

TESTIMONY OF DR. JACK FLASHER, M.D.

"Chairman Burns: Are you ready with Dr. Flasher, Mr. Marshall?

"Mr. Marshall: My name is Daniel G. Marshall. I am an attorney, 1151 South Broadway, Richmond 79392.

"Mr. Combs: Mr. Marshall, may I have a word with you about your client before he testifies?

(Short interruption at this point.)

"Mr. Marshall: I have a motion to address to the committee first, Mr. Combs.

"Mr. Combs: All right.

"Mr. Marshall: Senator Burns, my client was served with a committee subpena on Sunday afternoon. He reached me by telephone sometime Sunday night. He wanted to consult with me with respect to his rights when he appears as a witness before this committee. His office is in an outlying section or sections of the community. My office is downtown. I was occupied with other matters. We found it impossible to get together for a conference until today, shortly before lunch. In the limited time at our disposal I feel that I have not had adequate time to properly advise the doctor of his legal and constitutional rights. Consequently, I ask the committee at this time to move the doctor's appearance over until tomorrow afternoon or Thursday afternoon so that I may have an opportunity to advise him properly and so that he will have, as I am sure the committee will want him to have, an adequate opportunity to consult counsel.

"Mr. Combs: Where was your client served?

"Mr. Marshall: He tells me he was served in the Statler Hotel.

"Mr. Combs: In my room by me, Dr. Flasher?

"Dr. Flasher: Yes.

"Mr. Combs: You requested that this time be set as the time and place for your appearance, and we accommodated the witness, Mr. Marshall, to that extent. We have also changed our schedule at your request, as I think you will of course substantiate, for two or three clients, arranging our schedule to suit the convenience of your clients.

"Mr. Marshall: Counsel, you have accommodated several of my clients in their appearance before the committee to accommodate their professional commitment schedule.

"Mr. Combs: Yes.

"Mr. Marshall: You realize you began to serve the subpenas the latter part of last week. The doctors schedule appointments many times a week ahead.

"Mr. Combs: That is why we have tried to accommodate you.

"Mr. Marshall: That situation applies to this witness, but more importantly by reason of the fact that he was only served Sunday, he has not had adequate opportunity to confer with counsel. There are grave and important questions involving the career of the witness, on which he should have ample time to consult counsel. I don't feel that I have been able to adequately advise him of his rights before this committee, which are matters which require extended discussion and consideration. In all fairness to this witness I wish that the committee would not propel or project him into the witness chair with the limited

help, the insignificant help that his counsel is able to give him in a brief conference over the lunch table this noon.

"Mr. Combs: Would it help you if he came in tomorrow morning?

"Chairman Burns: We are pretty well booked up for the afternoon.

"Mr. Marshall: Later on in the morning, perhaps 11.30?

"Chairman Burns: That is all right. Your request will be granted, Dr. Flasher, to appear at 11.30 tomorrow morning.

"Mr. Marshall: Thank you, sir.

"Mr. Combs: You are welcome. I would like to see you with your client for just a moment.

"Mr. Marshall: You stay over there Dr. Flasher, while I talk to Mr. Combs.

(Postponement of the testimony of Dr. Jack Flasher, M.D.)

AMERICAN BAR PRESIDENT SUPPORTS DOCTORS

TESTIMONY OF GEORGE W. NILSSON, ESQ.

"Q. (By Mr. Combs) Would you state your full name and address, please?

"A. George W. Nilsson. I am at 510 West Sixth Street, Los Angeles, California.

"Q. You are an attorney at law?

"A. I am.

"Q. Duly licensed and admitted to the Bar of the State of California?

"A. I am.

"Q. How long have you been practicing in California, Mr. Nilsson?

"A. I was admitted in 1923, I moved over here in June, 1924.

"Q. I take it you must be a member of the California State Bar?

"A. I am.

"Q. You are a member of the American Bar Association?

"A. Yes, sir.

"Q. How long have you been a member of the American Bar Association, Mr. Nilsson?

"A. Since 1919, right after I came back from World War I.

"Q. Who is the present National President of the American Bar Association?

"A. Loyd Wright of Los Angeles.

"Q. Did Mr. Wright communicate with you approximately a week or 10 days ago and tell you that he had talked to me?

"A. Yes, sir.

"Q. Would you mind giving us the substance of his conversation in that regard with you?

"A. He asked if I would appear here on his behalf and make a statement to this committee.

"Q. On his behalf as what?

"A. As President of the American Bar Association, and in my position as a member of the standing committee on American citizenship of the American Bar Association.

"Q. Have you ever held any offices in the American Bar Association?

"A. Never an office. This is my third term on the Standing Committee on American Citizenship. I have worked with the committee since it was organized about 1920 or 1921. I was a member in 1929 and again in 1930. Mr. Loyd Wright just appointed me for a three-year term.

"Q. As the duly authorized representative and spokesman for the President of the American Bar Association, would you kindly make the statement that you have referred to?

"A. Yes, sir. In Article I of the Constitution of the American Bar Association, the first objective of that association is stated to be:

> " ' * * * To uphold and defend the Constitution of the United States and to maintain representative government; * * *.'

"At the close of World War I the American Bar Association realized the dangers of Communism and therefore, during 1920 or 1921, created the Committee on American Citizenship. Its duties are set forth as follows:

> " 'This committee shall have jurisdiction of all questions in the field of American citizenship and of the American form of government with respect to public education and understanding of both the privileges and the responsibilities thereof.'

"At the meeting of the House of Delegates of the American Bar Association on September 22, 1950, there was created a special committee to study Communism.

"The report of that committee was presented to the mid-winter meeting of the House of Delegates in February, 1951, and after lengthy debate it was adopted including certain resolutions the first of which is as follows:

> " '*Be it now resolved,* That the American Bar Association, proceeding only in the manner provided in its constitution and by-laws, expels from its membership any and every individual who is a member of the Communist Party of the United States, or who advocates Marxism-Leninism, and
>
> " '*Be it further resolved,* That this resolution be referred immediately by the president of the association to an appropriate committee of the association for prompt action.'

"The second resolution contained the following:

> " '*Be it resolved,* That Resolution I be referred to all state and local bar associations with the recommendation that they expel from their membership any and every individual who is a member of the Communist Party of the United States or who advocates Marxism-Leninism.
>
> " '*Be it further resolved,* That a copy of this report be sent to all state and local bar association in the United States for the information of the members thereof.'

"The committee then prepared a lengthy supplement, entitled: ***Brief on Communism; Marxism-Leninism. Its Aims, Purposes, Objectives and Practices,*** which was submitted to the meeting of the House of Delegates of the association, held September 18, 1951, duly adopted; and thereafter printed and widely distributed.

"I have here and I hand you a copy of that brief. Later on that brief, together with the original report of February, 1951, were bound into one volume and published. I don't have an extra copy, but I will secure it for you.

"Mr. Combs: Thank you, sir. May we keep this and introduce it in evidence?

"The witness: Yes, sir.

"Chairman Burns: It will be admitted as the committee's exhibit next in order.

"The Witness: The printed document including the two reports was printed and distributed.

"President Loyd Wright asked me to congratulate the medical association on its activities to expel from its membership any individual who is a member of the Communist Party, or who advocates Communism or follows the Communist Party line.

"Q. (By Mr. Combs): Mr. Nilsson, I hand you the October, 1954, issue of the *Journal of the State Bar of California,* it being Volume 29, Nos. 4 and 5. I direct your attention to the matter which commences on page 349 and to the following pages and ask if you will examine them briefly, please?

"A. I have already examined it.

"Q. You are familiar with it?

"A. I have a copy of it in my office.

"Q. In that article the work of a special committee of the California State Bar is described with recommendations concerning members of the State Bar Association who were found to be members of the Communist Party.

"A. Yes. May I correct that? Instead of being an article, it is a reprint of the report by the committee to the Board of Governors of the State Bar of California.

"Q. Thank you. It advocates a similar action as that taken by the American Bar Association.

"A. They advocate the amendment of our law under which the bar acts because we cannot act without authority and they are recommending three amendments to the section of the Business and Professions Code which will take care of the situation.

"Q. That will be presented to the Legislature this coming session?

"A. Yes, sir.

"Mr. Combs: Mr. Chairman, I think this issue of the *State Bar Journal* should also be received in connection with the testimony of this witness.

"Chairman Burns: It will be admitted.

"Mr. Combs: I think that is all, Mr. Nilsson, unless some member of the committee has a question.

"Chairman Burns: Thank you very much, Mr. Nilsson.

MEDICAL SCHOOL DEANS TESTIFY

TESTIMONY OF DEAN WALTER E. McPHERSON

"Chairman Burns: Would you give your name and address to the reporter?

"The Witness: Walter E. McPherson, M-c-P-h-e-r-s-o-n. My office address is 312 North Boyle, Venice.

"Q. (By Mr. Combs): You are a physician and surgeon?

"A. Yes, sir.

"Q. When were you licensed?

"A. I was licensed in California in 1924.

"Q. Do you have any official position in any medical school or educational institution?

"A. I am the Dean of the School of Medicine at the College of Medical Evangelists.

"Q. Located where?

"A. Part of the school is located at Loma Linda, California, in San Bernardino County, and part of it is in Los Angeles.

"Q. Are you affiliated with the Los Angeles County Medical Association?

"A. Yes, sir.

"Q. And you have been for how long?

"A. I have been a member of the Los Angeles County Medical Association since 1936.

"Q. You and I had a telephone conversation sometime ago as a result of a conference which you had theretofore, or a conversation, with the president of the Los Angeles County Medical Association. Is that not correct?

"A. That is correct.

"Q. Dr. Sampson?

"A. That is correct.

"Q. You telephoned me and offered to come to this hearing and testify concerning the attitude of your institution regarding this problem.

"A. That is correct.

"Q. Would you mind doing so, please?

"A. To state it briefly, it would be this: that the philosophy of Communism would be so completely antagonistic and in opposition to the idealism and to the principles and to the objectives of the school that I represent.

"Q. Do you have any opinion individually concerning the danger of infiltration by Communist doctors in the medical profession?

"A. I know relatively little about it.

"Q. What is your opinion?

"A. I just assume from what I hear there are some who have such opinions.

"Q. What is your attitude concerning it?

"A. Would you state that again?

"A. Yes. What is your personal attitude concerning the alleged attempts on the part of Communist doctors to infiltrate the medical profession?

"A. Well, I think it would be detrimental to the medical profession to permit such infiltration.

"Q. You have had no difficulty in your medical school in this connection at all?

"A. No, sir.

"Q. I take it that you are alert to see that no infiltration exists?

"A. We would certainly attempt to prevent it in every way possible.

"Mr. Combs: That is all. Do you have any questions?

"Chairman Burns: Thank you very much, Dr. McPherson, you may be excused.

TESTIMONY OF DR. STAFFORD L. WARREN, M.D.

"Chairman Burns: Will you give your name and address to the reporter?

"The Witness: I am Stafford L. Warren, M.D.; my home address is 141 Tigertail, Los Angeles 49. I was licensed to practice in this State upon graduation in 1923. I have been away and returned to the State as Dean of the School of Medicine, February 1, 1947.

"Q. (By Mr. Combs): Dr. Warren, you have been Dean of the Medical School at U. C. L. A. since that time?

"A. Yes, sir.

"Q. And now are?

"A. Yes, sir.

"Q. You had a conversation with Dr. Sampson also?

"A. Yes, sir.

"Q. Did you telephone to me?

"A. Yes, sir.

"Q. Did you express your willingness, your desire to cooperate with the committee in coming here today and discussing the matters with which we are concerned?

"A. You are quite right.

"Q. Doctor, I direct your attention to an article which appeared in the *Los Angeles Times* on October 14, 1954, page 26, Part 1, which is

is headed, 'Defense Expert Warns of Radioactive Attack.' The subhead says, 'Accidental Release of Particles From Subs Could Be First Stage, U. C. L. A. Dean Declares.' Have you read that article?

"A. Yes, sir.

"Q. You made the remarks attributed to you in it?

"A. Somewhat differently, but never mind because the content is the same.

"Q. Basically it is accurate?

"A. Yes.

"Q. Do you hold any position in connection with the California Civilian Defense Agency?

"A. Yes, sir. I am chairman of the Radiological Safety Services Advisory Committee to the Disaster Council.

"Q. You have held that position how long?

"A. About five years.

"Q. Do you have any connection with the national defense on a national level?

"A. Yes, sir.

"Q. Advisory, or in what capacity?

"A. I am a member of the Medical Advisory Committee in the FCDA.

"Q. What is the FCDA?

"A. Federal Civil Defense Administration.

"Q. From personal observation or reading or from any source, have you become aware of the danger of infiltration in the medical profession, or in any profession for that matter, by Communists?

"A. My awareness goes back to the Manhattan District program during the war where it was vital that portions of the medical profession and other agencies who participated in the atom bomb program be thoroughly documented as loyal citizens of the country.

"Q. Because of the delicate and strategic nature of the work they were doing?

"A. That is right, because of the top secret nature of the work.

"Q. Assuming, Dean Warren, that in Southern California doctors who are members of the Communist Party are, by the nature of the type of work with which they are entrusted, given access to emergency defense plans or the detection of radioactive gas, or other matters of great strategic importance, what would be the danger to the country in the event the information thus received was relayed to unauthorized personnel?

"A. It could be very dangerous in two categories. One would be the transferral of such information to the enemy, which would give away our plans for defense. I consider these just as important as the military plans for attack. I think the reason is obvious.

"Q. Yes.

"A. The other is that in case of attack we would be vulnerable to sabotage from within in the place we would least expect it. This could be exceedingly harmful and jeopardize the lives of a large number of our people.

"Q. In your opinion would it be particularly true of the medical profession or legal profession for that matter, because of the statutory protection given to communications between attorney and client or physician and patient?

"A. Well, I think the two professions you have mentioned have the trust of the people from almost the beginning of time and as a result, certain professional privileges have arisen which enable the lawyer and the doctor to protect their clients, if you might term it that. If Communists were to utilize this privilege to the detriment of our national safety, I think it would be exceedingly bad.

"Q. Doctor, are you familiar to any extent with the precautions taken by the California Civil Defense Authority to protect itself against infiltration by subversive physicians, if any such attempts have been made?

"A. Yes, sir.

"Q. Would you describe what those are for us?

"A. The men who are on the Medical and Radiological Defense Advisory Committees have had to fill out forms and be fingerprinted and photographed. This material was subject to an FBI screening, although the major screening was done by the protective forces of the State. Also, the professional members of the committee were well aware of their responsibilities and the hazards of subversive influences and we had our own screening.

"Q. What facilities did you use for that purpose?

"A. Perhaps the knowledge some of us had about the records of some of the men who were recommended for the committee members. Most of these were men who were cleared for top secret and secret government programs. I think this state has a large number of men available who participated in these programs during the war.

"Q. You are aware, I take it, that the University of California and the other universities in the State—perhaps not all of them, 100 percent, but the overwhelming majority of them, the largest ones, entered into a cooperative arrangement with this committee several years ago for the purpose of protecting the several institutions against Communist infiltration. Are you aware of that?

"A. Yes, sir.

"Q. You are aware that this plan is in operation at U. C. L. A.?

"A. Yes, sir.

"Q. Are you in accord with that plan?

"A. Yes, sir. I am under instructions, according to the Regent's regulation put into effect during the war, not to employ anyone who is a member of the Communist Party.

"Q. That directive by the Regents has been in effect ever since?

"A. Yes, sir. I have followed that literally.

"Q. I am sure you have. I will ask you the question we have asked the other witnesses. I think I overlooked it in the case of the witness who preceded you.

"Has Dr. McPherson gone? I will ask the question now: Are you now or have you ever been a member of the Communist Party, Dean McPherson?

"Dean McPherson: No, sir.

"Q. (By Mr. Combs): Have you ever been a member of the Communist Party, Dean Warren?

"A. No, sir.

"Mr. Combs: I think that is all unless there are any questions by members of the committee.

"Chairman Burns: That is all, thank you very much, Dean Warren.

"Is there anyone present under subpena? Inasmuch as we have excused Dr. Flasher from appearing this afternoon, it has changed our schedule. We tried to accommodate a busy physician. We have nothing further to come before us this afternoon. The committee will stand in recess until 9.30 a.m. tomorrow morning.

COMMUNIST FRONTS AND THEIR MEMBERS

The next group of witnesses comprised persons who, according to the committee's information, possessed certain knowledge concerning the Medical Division of the *Arts, Sciences and Professions Council* or other organizations described by some of the preceding witnesses.

It will be noted that these witnesses were treated precisely the same as those who had already testified. They were asked the same type of general qualifying question. They were asked the same identical questions concerning Communist affiliation. They were allowed every possible latitude. Many will undoubtedly insist that the committee indulged these witnesses far beyond all reason. As will be seen from the transcript that follows, they and their counsel were extended every possible courtesy and favor. The committee suffered through long propaganda speeches, frequent resorts to sarcastic taunts and cheap theatrics—all without objection.

We believe this record speaks for itself; so clearly, so eloquently, in such unmistakable terms that its implications cannot possibly be lost to those readers who approach the subject without prejudice. Some of the witnesses in this category, characterized by Dr. Thomas L. Perry, had been mentioned by others as having participated in so-called left-wing meetings. Every opportunity was given each witness to declare his attitude toward Communism and to state, as had the witnesses who preceded them, that they were not members of the Communist Party. Their responses and their attitudes must speak for themselves.

We have already discussed the Fifth Amendment to the Federal Constitution at some length in our 1953 report. Since the publication of that report, our courts, both those of California as well as the federal tribunals, have given the added strength of judicial opinion to the views we then expressed. To invoke the protection of the Fifth Amendment is to admit a consciousness of possible guilt. No one is entitled to invoke it because he does not wish to answer for personal scruples, because of matters of principle, or merely because he wishes to protect others. He must be sincerely convinced that a truthful answer or answers will subject him to a criminal prosecution.

Up to this point in the hearing not one of the witnesses invoked the Fifth Amendment—and the reason is plain. None of them were Communists. None had been affiliated with Communist front organizations. None of them had, by individual freedom of choice, pursued a deliberate course of conduct that would make them afraid to answer the questions.

TESTIMONY OF DR. THOMAS L. PERRY, M.D.

"Chairman Burns: Will Dr. Perry please come forward? Is your client ready, Mr. Marshall?

"Mr. Marshall: Yes, Senator. I don't like to be fussy about details, but as the Senator is aware, there probably will be occasions when my client will wish to consult with me. I would like the record to show that the counsel table is immediately next to the bench where the committee is sitting, and the witness will be sitting within a couple of feet of the committee with the sound amplifier and I am much apprehensive that it will interfere with our ability to consult quickly and effectively. May I suggest that some other arrangement be made so that we can consult better as we go along. I suggest that the table be moved down to the lower level.

"Chairman Burns: I don't think that is practical. (Short interruption while the witness stand is moved to accommodate the witness and his counsel.)

"Q. (By Mr. Combs): Dr. Perry, have you been sworn?

"A. Yes, I have.

"Q. Did you give the reporter your residence and professional address?

"A. No, I haven't yet, do you want me to now?

"Q. Will you do so, please.

"A. My name is Thomas L. Perry, M.D.; my office address is 212 South Gale Drive, Beverly Hills. My residence is 11831 Chaparal Street, Los Angeles.

"Q. You are a licensed physician and surgeon? You have practiced your profession in California for a number of years?

"A. Yes, I have.

"Q. When were you licensed, Dr. Perry?

"A. I was licensed in California in 1946 as I recall. I had my medical training actually in two places. I started at the University of Oxford Medical School at England. I was a Rhodes Scholar there. I completed my medical training at the Harvard Medical School. I received my medical degree in 1942. I have had considerable advanced training since then. I was first intern in medicine at the Roosevelt Hospital in New York City. I practiced medicine for three years in the Army. I saw two years active service in combat in the 3d Army in France and Germany. After the war I had 15 months pediatric training at the New York Hospital in New York City. I was later pediatric resident and later pediatric fellow at the Los Angeles Children's Hospital.

"Q. Pediatrics is your field?

"A. I am a diplomate of the American Board of Pediatrics. I have published a number of scientific papers on pediatric subjects.

"Q. You received a telephone message that came for you a little earlier?

"A. I received it about 30 seconds before this session began. I had no chance to call.

"Q. I wanted to make sure you got it.

"A. Thank you.

"Q. Your counsel requested in view of the message that you be called out of order and put on as the first witness, so you are.

"A. I see.

"Q. Dr. Perry, did you ever hear of an organization known as the *Association of Internes and Medical Students?*

"A. Mr. Combs and Senators: I think in answering that question I would have to preface my remarks by saying that I respectfully feel that this is the kind of question which should not be asked of me or other witnesses. Actually the effect of this question is to instill a reign of terror in the medical profession to frighten doctors out of what they think, of having any independence of view. I think this is the sort of question that has been asked in the various McCarthy hearings taking place throughout the Country.

"As an American of old standing, because my people have been in this country a long time, and I was brought up in the traditions of Jefferson, Lincoln and Franklin Roosevelt, I believe that it is terribly important that political freedoms, the right of free speech, and freedom of thought, the right to say what you think and talk to other people and associate with people, that it is terribly important and I can't be a party to any attempt to destroy these political freedoms in America with its Democratic traditions. I spent much time in the Army fighting Nazis. I will be the last person in the world to cooperate in any way with any attempt to encourage Nazi methods in America. I think we have gone too far in that direction already. This would be one of the grounds for my refusal to answer such question.

"The second ground is this. I feel that this question actually is an invasion of my right to speak and my right to be silent, of my right to freely associate with persons or organizations, or not to associate with persons or organizations. This right has been established for me, for everybody in this room, and all American citizens through great struggle. It is contained in the First Amendment to the Bill of Rights and in Article I, Section 9 of the Constitution of the State of California. I would certainly feel myself disloyal to the traditions of America if I did not claim the privileges of these provisions of the Federal and State Constitutions.

"In addition to that, I think this question is designed to submit me to the danger of an unwarranted and entirely false prosecution of an alleged violation of federal or state laws. I would certainly also rely

on that provision which has long existed in English law and in American law which was designed specifically for the protection of people who are innocent and which in no way implies guilt of any sort, namely, the provision that no person can be forced to be a witness aginst himself, which is contained in the Fifth Amendment to the Bill of Rights and in Article I, Section 13, of the Constitution of this State.

"I think particularly in a week like this, which I think is Bill of Rights week, that every person has a special obligation to defend these sections of our State and Federal Constitutions which are designed to preserve the liberty for which our ancestors in the Revolutionary War fought.

"These are among the reasons that I do not feel that I can answer your question, and I respectfully decline to answer it for these reasons.

"My attorney advises me that I have additional grounds for a refusal to answer this question. Of course, I am not a lawyer and I am not very familiar with these proceedings.

"Q. You have a competent attorney.

"A. I certainly do and I am glad to have him here. I would like to give you additional reasons because I think they are important. I think this question is an attempt to deprive me of my rights to earn a livelihood, and my liberty and property, without due process of law, to deny me equal protection of the laws. It is contrary to the Fourteenth Amendment to the Bill of Rights, and to Article I, Section 13 of the Constitution of this State.

"I want to emphasize the attempt to deprive me of my livelihood. I was called a couple of years ago before the House Un-American Activities Committee. I understand that the intent of that committee and one of the intents of this committee is to deprive any doctor who is a person of principle, who stands up for what he believes and says what he believes to be true, who tries hard to bring good health to the people of the community, it is an attempt to deprive him of his livelihood. As a result of my refusal to give up the constitutional rights when called before a like un-American activities committee two years ago, I was fired from the staff of the Children's Hospital in Los Angeles. I had been the leading pediatrician there for six years, and very active. The attempt was to deprive me of my livelihood. I was not hurt so much as my patients. I was treating children with tuberculosis, the charity cases at the hospital. For six years I have been engaged in active research in the treatment of tuberculosis in children. When I was discharged from the Children's Hospital the special tuberculosis clinic was closed down. Tuberculosis research was stopped. Charity patients for whom I cared were told that 'Dr. Perry is no longer here. Nobody is interested in you folks. Go find a doctor at some other hospital wherever you can.' I think it is extremely

bad that these people were hurt. Actually, the health of the people is being hurt by investigations like this. The health of the people is being hurt by what a few leaders of the county medical society, who certainly do not represent the majority of the members of the county society in what they are doing, they are actually lessening the quality of medical care that comes to the people in Los Angeles. This community happens to have a lot of tuberculosis. Tuberculosis can be a very serious disease in children. I think it is disgraceful that my services, which were given free, without any charge, are denied to people simply because I am a man of principle, and I will not participate in any attempt to destroy the Constitution. This is an enlargement of this particular provision.

"Also I would like to state several grounds which my attorney calls attention to. First of all, that this committee sits without lawful authority and it has exceeded its valid powers in asking the type of questions it has been asking here the past few days.

"It is my opinion this inquisition is the result of complicity between the federal agencies and this committee to deprive me of constitutional rights under the Fifth Amendment and to compel me to expose myself to false prosecution of alleged violation of the law.

"Finally, the question has no materiality or pertinency to any lawful power of the committee.

"These are among my reasons for refusing to answer this question.

"My attorney points out additional grounds. I did not realize how complicated the law is.

"Also I refuse to answer the question because I feel this hearing is being conducted solely in the interests of and at the request of a private, nongovernmental group or organization, namely, a small clique—not the whole, but a small clique of the leadership of the Los Angeles County Medical Society for particular and peculiar purposes of this small leadership of the Los Angeles County Medical Society to establish a criterion for membership in the county society and for the purpose of laying the ground work for legislation to be introduced in Sacramento after the first of the year.

"From reading the papers I understand that the Los Angeles County Medical Society leadership, and certain people in the California State Medical Association, plan to introduce a bill in the Legislature, to deny the right to practice to any doctor who stands up for his constitutional rights before a committee such as this, or in any way participates in activities or holds beliefs which are counter to those of this little clique on the county medical society. I think it is important to point this out to you Senators, because the effect of any such legislation which would substitute political conformity for professional competence as the main basis for the right to practice medicine can only harm people in the community. As soon as a doctor has to agree with the beliefs

of the right wing reactionary, pro-Tenney, Gerald L. K. Smith group in the county medical society, and your training and excellence and devotion to patients and ability to cure and prevent diseases is not important, then inevitably the quality of medical care that people in this community get will decrease. You just can't have good doctors if they first have to have political conformity and ability is secondary.

"I think the health of the people in Los Angeles and throughout the State is extremely important. As a physician I feel I have a real moral obligation to my patients and the people in the community to do everything possible to improve the health of the people in Los Angeles. I would argue very, very strongly against such legislation and against this attempt to lay the groundwork for such legislation.

"Finally, my attorney points out that this action of the Los Angeles County Medical Society in calling your committee to Los Angeles and telling you who they want called as witnesses is in violation of the Sherman-Clayton Act.

"Q. Is that all?

"A. I am afraid it was a long-winded answer, but sometimes I am long winded with my patients.

"Q. I didn't mean to infer that you were long winded.

"A. Those are my grounds.

"Q. Those are your reasons?

"A. Yes.

"Q. Included in them, of course, is your invoking of the Fifth Amendment to the Constitution of the United States?

"A. I would like to re-emphasize the manner in which I invoked the amendment.

"Q. You have already answered the question. If you wish to invoke it, all right.

"A. I would like to say, Mr. Combs, it is important for people to understand the use of the Fifth Amendment in no way implies guilt, that this amendment was originated in English law as a result of religious persecution which took place in Europe in the Middle Ages, to protect innocent people, and the use of the Fifth Amendment to not bear witness against one's self is an important part of our law and rights, and the use of this is the thing which a person who is innocent does to protect himself. I know very well I am thoroughly innocent of any crime. I know that it is my obligation as a patriotic citizen to bring out the facts that the Fifth Amendment is not something that guilty people hide behind, but is something that innocent people use for their protection and the protection of everybody else in the community.

"Q. Then you do invoke the Fifth Amendment?

"A. I certainly do.

"Q. You referred to an appearance before the House Committee on Un-American Activities. Do you recall you were there identified by one of the witnesses as a member of the Communist Party?

"A. I think my answer to that question, Mr. Combs, that the record of those hearings—and you can get a transcript by writing to the Fedderal Government—would stand.

"Q. We have already done that, Dr. Perry. Mr. Marshall, for the sake of your client in the event he is anxious to leave and I might add for the sake of the committee also in the interests of time, may we have a stipulation that in the event your client is asked questions concerning his affiliation with or attendance at meetings of organizations that have been characterized as subversive by either the federal agencies of the Federal Government, or agencies of the State Government, that his objections which have just been placed in the record will be deemed applicable to each and all of such questions?

"Mr. Marshall: The doctor will answer your inquiry.

"The Witness: I would rather answer or state my grounds on individual questions rather than making such a stipulation.

"Mr. Combs: You are in no hurry?

"A. The call has been made. It was a patient and another doctor will take care of it.

"Q. Then we have lots of time?

"A. Surely.

"Chairman Burns: Mr. Combs, I would like the reporter to read back the last question that was asked. I think it was did he ever hear of the *Association of Internes and Medical Students.*

"(Whereupon the question referred to was read by the reporter.)

"Chairman Burns: In that question, doctor, which is merely a question as to something which you may or may not have heard of, do you believe that in answering it yes or no it will incriminate you in any way?

"The Witness: Senator Burns, I think I recall a similar type of question two years ago when I was called before the House Committee on Un-American Activities. It is my understanding that the intent and the meaning of the Fifth Amendment, or that provision of the Fifth Amendment which provides that a person may not be forced to bear witness against himself, and that use of the privilege against self incrimination in no way implies guilt, that the sense of this amendment requires that I not answer any such question, and to answer such a question would of itself violate the rights against self incrimination which are given me by this amendment to the Bill of Rights.

"Chairman Burns: The chair rules that you are wrong, that we do not hold such views, and the reasons stated by you in refusing to answer such questions are insufficient. The chair instructs you to answer this

question. Did you ever hear of an organization known as the *Association of Internes and Medical Students?*

"Mr. Marshall: Senator Burns, will it be stipulated that the answer which this witness gave to this question when it was first propounded may be deemed to be his answer to the questions now propounded to him by you and by this reference it will be deemed to be incorporated in toto.

"Chairman Burns: So stipulated. Go ahead.

"Mr. Combs: The record will show that the stipulation has been made, is that correct?

"Chairman Burns: That is correct.

"Mr. Marshall: Do you want to add something else, doctor?

"Mr. Combs: Is that satisfactory to you, Dr. Perry?

"The Witness: Yes, it is.

"Chairman Burns: You also further stipulate, Mr. Marshall, in the event questions are propounded to the witness and he refuses to answer them that the same instructions and the same reasons stand, that he has been given an instruction to answer them for the reasons stated and that the excuses he furnishes are insufficient in the judgment of the committee?

"Mr. Marshall: Let's see if I understand it. Are you asking me to stipulate, Senator, that in each case where the witness claims his constitutional privilege that it will be deemed in each of those instances that the committee has instructed him to answer? We will so stipulate.

"Mr. Combs: And his reasons for refusing to answer are the same as heretofore given.

"Mr. Marshall: Yes. And that his reasons for refusing to answer and his grounds of privilege will be deemed to have been incorporated by him by this reference in each instance.

"Mr. Combs: So stipulated. Is that satisfactory to you, Dr. Perry?

"Dr. Perry: These stipulations are confusing to a medical man, but if it is all right with my attorney who happens to be a very good man it is all right with me.

"Q. (By Mr. Combs): Have you ever been a member of the Communist Party or the Communist Political Association?

"A. My answer to this question is as follows: I would refuse to answer the question on the grounds as follows: first of all that this is a typical question for a McCarthyite committee like yours to ask in order to strike terror into the American people, to scare the American people from saying what they think about issues, from talking freely with their neighbors, from voting the way they want. As a patriotic American citizen I feel it is absolutely incumbent upon me to oppose every attempt to bring Fascism into this country, which is the objective result

of questions like this asked by your committee and other committees, and its inevitable result, unless people fight against it, of an inquisition such as you are holding here in Los Angeles this week.

"I believe very, very strongly in the democratic traditions of America. I am sworn in my own conscience to uphold that. I will never do anything to destroy the things which my ancestors fought for in this country. I want to see a country which was founded by the ideals of Tom Paine, by Abraham Lincoln and by Franklin D. Roosevelt. I don't want to see an America that is a replica of Nazi Germany. I am not cooperating with your committee or any other committee which attempts to impose Fascism in America. I think this is the intent of committees like yours. This is the primary moral reason for which I will not answer this question or any other question of a similar nature.

"Secondly, I would like to state this question violates my rights of freedom to speak, freedom to be silent, freedom to associate with people and organizations, or not to associate with people or organizations, which is contained in the First Amendment to the Bill of Rights, and is contained in Article I, Section 9, of the California State Constitution.

"I will further refuse to answer the question because it is a very deliberate attempt to expose me to the danger of a groundless and false prosecution for alleged violation of federal or state law. Consequently I avail myself of the constitutional right intended for the protection of the innocent. I will emphasize again 'intended for.' It was intended for the protection of the innocent and from whose use no inference at all of guilt can be drawn.

"I now claim the privilege contained in the Fifth Amendment of the Bill of Rights, which provides that you cannot compel me to be a witness against myself, and of the similar provision contained in Article I, Section 13 of the Constitution of this State.

"I tried to make this clear in the beginning. It is important for people to realize—I don't mean to drag out, to draw out these proceedings, but I believe the people in this room, the people who may read about these proceedings in the press, should be reminded of the provisions in the Bill of Rights. They are our history, they are English history. Many countries in Europe have struggled to provide these privileges so that there will be religious and political freedom in our Country, and the rights of the people can be protected. I certainly will not go along with you Senators in any attempt at all to destroy these privileges. I think it would be very much better if you Senators were using your time to investigate something else.

"Mr. Combs: Mr. Marshal, we did not object to your client giving his reasons for refusing to answer questions which were pertinent, but we ask you to admonish him. We did not ask him to advise the com-

mittee how to conduct its affairs, which borders a little on the impertinent. This portion of his answer is completely nonresponsive. While we are willing to let him give any legitimate reasons for refusing to answer a question, we do not wish him to embark on a lecture to the committee as to how to conduct its affairs. The committee has been conducting these hearings for almost 16 years and should know something about how they are operated.

"Mr. Marshall: The witness realizes that he is here today in the role of a citizen called upon by this committee to come here and answer questions. He felt, no doubt, that an additional reason for his position is that the the time of the committee could better be given to other important matters.

"Mr. Combs: I think that is a decision for the committee to make and not this witness.

"Q. Have you concluded, Dr. Perry?

"A. Yes, I have concluded my answer to the question.

"Q. Have you ever been a member of the Los Angeles County Medical Association?

"A. No, I have not been a member of the Los Angeles County Medical Association.

"Q. You have no hesitancy in answering that question?

"A. No, I don't. I applied for membership several years ago. I happen to have extremely excellent professional qualifications. I have all of the high medical qualifications required for membership. My application was turned down after——

"Q. When was it turned down?

"A. It was turned down approximately in the summer of 1953, after a delay of some 18 months in processing my application. I was given no reason for being turned down. All letters sent by me to the County Medical Society asking for a reason for refusal have never been given the courtesy of a reply.

"Q. Have you ever been a member of an organization known as the *Civil Rights Congress?*

"A. My answer to that question, Mr. Combs, would be that I decline to answer the question for the grounds previously stated. I am not taking the time by going into that. I think that is sufficiently clear.

"Q. Thank you. Have you ever been a member of the *Medical Division of the Arts, Sciences and Professions Council?*

"A. I would adopt as my answer the grounds previously stated and decline to answer this question.

"Q. Have you ever been a member of the *Young Communist League?*

"A. I would give you the same declination to answer on the grounds previously stated.

"Q. Is it not a fact that while a student at the University of California you were active in, or an officer of an organization known as the *Association of Internes and Medical Students?*

"A. I am afraid that some of your sleuths have given you incorrect information, Mr. Combs. I have never been a student at the University of Southern California. I was a member of the faculty at the University of Southern California.

"Q. What year?

"A. I was a member of the faculty—you will have to excuse my not remembering the exact dates.

"Q. Approximately?

"A. Approximately 1948 to 1952. That is very rough. I have never been a student there. I was a student at the Harvard Medical School.

"I might add incidentally as a result of the work of this top clique of the County Medical Society, I was discharged from the faculty of the University of Southern California without reason because the dean thanked me for the extremely good service I had given and said I was one of the finest teachers that they had.

"Q. Dean Raulston?

"A. That is right. He was sorry to lose me. I had been teaching medical students pediatrics. I enjoyed it and had a lot to offer them. The effect of an inquisition like this is apparently to decrease the standards of medical education in Los Angeles. As long as the faculties of our medical schools like U. S. C. and U. C. L. A. School of Medicine —there is a reign of terror and nobody dares express medical views they think, and they are not likely to get as good a medical education as I did at Harvard, which has a good medical tradition. In the U. C. L. A. Medical School, whose Dean testified here yesterday, I believe this reign of terror is likely to inhibit the quality of medical research. In a community with four or five million people we need good medical schools where citizens can be taught well to be excellent doctors and where good research is turned out. One of the great lacks in Los Angeles is that our medical schools are not having a better program and turning out more research men of the type of good medical research that is done outside of Los Angeles. Our community needs to be producing real advance and medical knowledge to help the people. By dismissal from the faculty of the University of Southern California for being a man of principle is exactly the sort of thing which will result in less well qualified doctors being turned out by U. S. C. Medical School. I would like to see good doctors turned out by all medical schools in Los Angeles.

"Q. Is that your answer to the question?

"A. Would you repeat the question? I am afraid in my answer—

"Q. Have you forgotten it?

"A. Not that I have forgotten it, but I may have lost sight of the individual words. Unfortunately, I am used to talking to mothers and fathers about behavior problems of children. I am sometimes long winded.

"Q. You are used to talking in other organizations, are you not? For example, at the membership convention of the *Arts, Sciences and Professions Council* at Stanley Hall, December 2, 1950, at which you were a featured speaker?

"A. You are asking a couple of questions. May we take them one at a time?

"Q. You gave us a long winded answer to the last question. Now you don't remember exactly what it was.

"A. I would specifically request that you repeat the last question and go on to the next one.

"Mr. Combs: I think I am satisfied with your answer.

"Mr. Marshall: Wait a minute. For the record, the witness wants to make sure he claimed his constitutional privilege. We started out on the question: was this while you were a student at U. S. C., were you a member of such-and-such?

"Mr. Combs: Member of officer of the *Association of Internes and Medical Students.*

"Mr. Marshall: The witness answered the question as to whether or not he was a student.

"Mr. Combs: He said he was a member of the faculty.

"Mr. Marshall: Yes, he said he was a member of the faculty. Is the rest of the question still pending?

"Chairman Burns: It has not been answered.

"The Witness: You see, that is what I wanted to know. It is a compound question.

"Mr. Combs: Would you answer it now?

"Mr. Marshall: Shall we break it down?

"Mr. Combs: No. I will reframe it. It can be answered very simply.

"Q. While you were at U. S. C. as a member of the faculty, or in any other capacity, were you a member of an organization known as the *Association of Internes and Medical Students?*

"A. I decline to answer this question. I believe you understand what these grounds are.

"Q. I understand perfectly.

"A. All right.

"Q. Were you at one time national president of the *Association of Internes and Medical Students?*

"A. I would decline to answer the question on the same grounds.

"Q. I hand you now what purports to be a photostatic copy of an article entitled, *AIMS at U. S. C.* by Joyce Fielding, Corresponding Editor, it being entitled 'Progress Notes.' It is only two pages. Will you tell me whether or not you can testify from your own knowledge if the material contained therein is substantially correct?

"A. Mr. Combs, I have glanced over this photostat that you have handed me. In my opinion this is simply another question, but for the information of the audience here it is a photostat of an article about the formation of a chapter of *AIMS* at the Southern California Medical School. It seems to me it is another question dealing with an organization.

"As I mentioned before, I feel that the First Amendment gives me the right, and every citizen the right, not to discuss affiliations with organizations or individuals. I would decline to answer on those grounds, and on the other grounds previously stated.

"Mr. Marshall: Mr. Combs, will you identify the document for the record?

"Mr. Combs: I did. It is entitled *'Progress Notes,' AIMS at U. S. C.* by Joyce Fielding, Corresponding Editor.

"Mr. Marshall: Thank you.

"Mr. Combs: It is a page from a publication which I understand was issued by *AIMS*. Do you know whether or not that is true? Was there such a publication?

"A. I think this is another modification of a question previously asked. I refuse to answer on the grounds previously stated. As you see, I have been given excellent legal instruction by my attorney.

"Chairman Burns: That is a good answer.

"Mr. Marshall: Was that remark for the record, Senator?

"Chairman Burns: I will make it so. I think your client is afraid to answer anything.

"The Witness: Senator Burns, I would respectfully like to say I don't think that this is a fair characterization of me. There are a lot of things I would like to talk about. For instance, one of the things which was brought out, one of the heinous crimes I was accused of committing by one of the county medical association sleuths the other day was that I took active part in combating discrimination in the hospitals of this community. I would be happy to say that I feel that there is a lot of discrimination against Negroes, Mexican-Americans and Jews in our hospitals, both discrimination against doctors and nurses of these minority groups, but particularly against patients. I have no hesitation in telling you I am strongly opposed to it and I think that every doctor has a moral obligation to fight against such discrimination.

"Chairman Burns: Are you now on the staffs of any hospitals that practice discrimination?

"The Witness: I think my answer to this, Senator Burns, would be: in any hospital staff where I serve, where discrimination against patients or doctors comes to my attention, I would do everything in my power to fight against it. I think it is extremely important that segregation of negro patients apart from white patients, which is practiced in a number of the leading Los Angeles hospitals today, should be ended. If the leadership of the county medical society would spend more time working to end this discrimination I think they would be doing a real service to the community. Discrimination is not only entirely out of tradition—

"Chairman Burns: Just a moment, please. Mr. Marshall, I don't like to be rude to any witness before this committee. The question was simply: Doctor, have you been a member of a staff of any hospital that you know of that practices discrimination? The answer is either yes or no. If you don't want to answer, say, 'I refuse to answer on the grounds previously stated,' and get on with the business.

"Mr. Marshall: In my opinion the question, with all due respect to you, Senator, would not be a question to which the privileges would attach. Moreover, it is asked in such a way as in my humble judgment would call for an answer which the witness must respectfully give to you, being satisfied that you were in search of information on the subject. He did answer the question. He will be happy to give you his views on the subject of discrimination in the hospitals, in medical facilities of this kind, if you care to examine him further.

"Charman Burns: I will say that I agree with his views on discrimination, but that is not the question. The question was has he ever been a member of any staff of any hospital in Los Angeles which practices discrimination among the patients? That is simple.

"Mr. Marshall: That calls for a matter of personal knowledge.

"Chairman Burns: That's what I want to know about.

"Mr. Marshall: Hospitals to which he was attached may have practiced discrimination, but I think you can tell from the tenor of the answer of the witness that if he ever came across any instance of it he would object most heatedly. He agrees with you that discrimination is wrong and that segregation in the care of persons needing medical and hospital facilities in this community ought to stop, but it has not stopped.

"Chairman Burns: It still does not answer the question. If he doesn't want to answer the question, he may say so, it is all right. I am not making an issue out of it. I thought we were going to have an instance or a specific case of some hospital practicing discrimination.

"The Witness: I will give you an example.

"Chairman Burns: No, I don't want an example.

"The Witness: You have asked the question.

"Chairman Burns: I want to know if you were ever a member of any hospital staff that you know of that practiced discrimination? Let's have that first.

"The Witness: Look, Senator Burns, it seems to me that if you are interested in knowing factual information about hospitals where discriminatory practices have taken place and are taking place, I would certainly be glad to give you the information. I am not an expert on it. I know some of it.

"If, on the other hand, the purpose of your question is to ask me on what hospital staffs, or of what hospital staffs am I now a member, with two things in mind: one, to bring public pressure to bear on these hospital staffs, or, secondly, with the intent which I feel is obvious in your mind of trying to get me fired from additional hospital staffs, as an un-American activities committee was successful in doing, I cannot go along with it.

"If you are honestly interested in knowing about discrimination in hospitals, in doing something to end it, because this is in accord with the wonderful decision of the Supreme Court ending segregation in the schools—it is necessary for the health of all of us. When one group in the population is discriminated against healthwise, the health of all people suffer.

"Chairman Burns: We don't want a lecture, Doctor, you are giving us a lecture.

"The Witness: If you are honestly interested in doing something about discrimination I will be glad to help you and be glad to give you information. If you are not honestly interested in this and are simply trying to find a way to blacklist me additionally, how can I go along with your plans?

"Chairman Burns: We object to the witness sitting in judgment on the activities of the committee. We are here to gather information but you don't want to give it to us.

"The Witness: If you are interested in evidence on discrimination there is a good pamphlet called *For a Better Brotherhood,* which is a survey of discriminatory practices in the hospitals of Los Angeles. It includes a statement about the case of Mrs. Rambo.

"Q. (By Mr. Combs): Isn't that entitled *Yours for a Better Brotherhood?*

"A. I think that is the correct title. I haven't read it for a number of years.

"Q. By whom was it issued?

"A. I don't mean to continue fencing with you, Mr. Combs.

"Q. You opened it up. I didn't.

"A. I think that is a provocative question. I will have to decline to answer on the grounds I have given to a number of other questions.

"Q. I was sure you would, Doctor. We have a copy of it and it will be testified to fully by other witnesses later on.

"A. It should be made public. It is something the public should read.

"Q. It will be made public by all means.

"A. Incidentally, I think Dr. Kolodny, who was a witness before you yesterday, testified there was no discrimination at the Queen of Angels Hospital. This pamphlet, according to my remembrance, contains the case of Mrs. Rambo, who was segregated and was very badly hurt by the discrimination which took place and still, incidentally, takes place at the Queen of Angels Hospital. Negro patients are not allowed to be placed in the same room with white patients at the Queen of Angels Hospital today. I believe there are other hospitals where this goes on. All of us should work to end that.

"Chairman Burns: Was Mrs. Rambo a negro?

"The Witness: Incidentally, I think Dr. Kolodny stated there was no discrimination. A suit was filed by Mrs. Rambo against Queen of Angels Hospital and the Queen of Angels Hospital, recognizing that they had discriminated and that they were practicing discrimination, settled out of court for the statutory minimum.

"Q. (By Mr. Combs): Which was that?

"A. I understand that this statutory minimum is $100 and the cost of the suit.

"Q. Do you have any personal knowledge of the Rambo incident?

"A. Senators, and Mr. Combs——

"Q. The question was whether or not you have any personal knowledge of the Rambo incident?

"A. The answer is that my knowledge of the Rambo incident is gained from reading the accounts of the case; my attorney informed me this morning that a suit was pressed by another attorney in this town.

"Q. That is all hearsay as far as you are concerned?

"Mr. Marshall: I don't think the court record is hearsay, Mr. Combs.

"Mr. Combs: He testified you told him.

"Mr. Marshall: That is right.

"Mr. Combs: That, of course, is hearsay, isn't it?

"Mr. Marshall: Yes—it is kind of silly hearsay.

"Mr. Combs: I think so, too, I agree with you.

"Mr. Marshall: I could send over and get a certified copy of the proceedings or you could subpena the file, why don't you do that?

It is *Rambo v. Queen of Angels.* Send a subpena over, they will bring the file over and it will show what I have stated to you.

"Mr. Combs: My question was whether or not your client had any personal knowledge.

"Mr. Marshall: He was not actually there, he never gave any such impression.

"Mr. Combs: I know he was not. I am going to ask Dr. Perry about a series of meetings with the dates. It is completely immaterial to me, as long as you have enough time, to say whether or not you want to go into these in great detail or whether you invoke the stipulation that has heretofore been made.

"Mr. Marshall: May I suggest you show the questions to the witness if you have a long list.

"Mr. Combs: If I showed the questions to you—

"The Witness: No, thanks.

"Mr. Combs: I have no such savage intent.

"Mr. Marshall: If you have a long list of meetings and dates and lump them together and let him have it with one blast we may save some time.

"Mr. Combs: I cannot lump them together, but in an effort to save time I will go down the list of 10, I think, Mr. Marshall.

"Mr. Marshall: Just 10?

"Mr. Combs: Yes.

"The Witness: May I consult with counsel?

"Mr. Marshall: The witness agrees with counsel he should not be shotgunned.

"The Witness: I don't want to be blasted off here.

"Mr. Combs: You are in no danger.

"Mr. Marshall: Let's take the first question, one shot at a time.

"Mr. Combs: I think that is better.

"Q. Is it not a fact that on the second day of December in 1950 you were the featured speaker at the membership convention of the *Arts, Sciences and Professions Council* in Los Angeles?

"A. I think my answer to that question would be that I decline to answer the question on the grounds which I previously stated.

"Q. Is it not a fact that on the twelfth of August, 1951, at 9620 Monte Mar Drive, which was the residence—well, I won't name him. Strike the question. On that date, were you not a speaker at a meeting of the *Medical Division of the Arts, Sciences and Professions Council* at 9620 Monte Mar Drive and that the subject of your address was, 'Yours for a Genuine Brotherhood?'

"A. I would decline to answer the question on the grounds previously stated.

"Q. Which is the name of the publication to which you referred here a moment ago.

"A. You have informed me that this is the name of the pamphlet I referred to.

"Q. You said, *For a Genuine Brotherhood,* and I corrected you and said it was, *Yours for a Genuine Brotherhood,* and you said it was correct.

"A. I said I thought it probably was correct, but it was a number of years since I read the pamphlet. I am sure you are more recently familiar with it.

"Q. Is it not a fact that on the seventeenth day of August, 1951, at 7410 Sunset Boulevard, you spoke before a meeting of the *Medical Division of the Arts, Sciences and Professions Council?*

"A. In response to this question I cannot help but say, Mr. Combs, that it seems as if these leading members of the county medical society have been devoting a great deal of their time to counter-espionage. If they would put in more time taking care of patients and toward trying to take an active stand fighting smog, which is the major menace to the health of the community, and toward fighting discrimination as talked about before, I think they would better spend their time, but I would refuse to answer the question on the grounds previously stated.

"Q. Is it not a fact that on the twenty-fifth day of February, 1952, you attended and spoke at a meeting of an organization known as *The Committee for Medical Freedom?*

"A. I am not quite familiar with all these different names of organizations. Is this the committee which came to the defense of the three doctors who were fired from the Cedars of Lebanon Hospital because of their principled stand on various issues? It is my recollection that there was a committee which attempted not only to defend the rights of these doctors, but particularly to defend the interests of the people in the community. It is my recollection that the nephritis clinic for treating charity patients with kidney disease was discontinued at the Cedars of Lebanon Hospital as the result of the dismissal of one of these doctors, and, as a result, people with kidney diseases were turned loose to find care as best they could. As I recall, the committee was active in an effort to try to get this unwarranted firing by the Cedars of Lebanon Hospital reversed.

"Q. Do you recall whether or not you attended such a meeting as I have described on the dates I have mentioned?

"A. Mr. Combs, I will decline to answer this question as I did the previous ones on the grounds already given.

"Q. Is it not a fact that on the twenty-seventh day of February, 1952, you attended a meeting of the *Medical Division of the Arts, Sciences and Professions Council* at a residence located at 109 North Highland Avenue in the City of Los Angeles?

"A. I think this is a similar question to those previously asked me and I would decline to answer on the grounds previously given.

"Q. Is it not a fact that on the fourteenth day of June, 1952, you attended a meeting of the *Arts, Sciences and Professions Council Equal Rights Conference* at the Alexandria Hotel in Los Angeles?

"A. You keep asking about the *Arts, Sciences and Professions Council;* I would still have to give you the same declination to answer for the same reasons previously outlined.

"Q. Did you attend a meeting at the Alexandria Hotel last Saturday?

"Mr. Marshall: Was there a meeting conducted there, and if so, what is the name of the organization?

"Q. By Mr. Combs: *Citizens Committee to Preserve American Freedoms* attended by approximately 450 people.

"A. I imagine with a title like *Citizens Committee to Preserve American Freedoms* it would definitely be considered subversive by your committee, so I would therefore have to refuse to answer on the grounds previously stated.

"Q. And that is your answer?

"A. That is my answer.

"Q. Is it not a fact that on the sixteenth day of January, 1953, you attended a meeting of the *Medical Division of the Arts, Sciences and Division Council* at 1406 South St. Andrews Place in Los Angeles, at which time you were a speaker?

"A. I would have to decline to answer on the grounds previously stated. I again admire the wonderful sleuthing of the county medical association. You people should really employ them for your committee.

"Q. Do you know actually that that information came from the county medical association, Dr. Perry, or are you trying to be facetious? You have no personal knowledge—

"A. No.

"Q. —of any kind about where this information came from, have you, really?

"A. Mr. Combs, I certainly don't intend to be facetious—if you will excuse me for smiling or laughing sometimes—because the repetition of questions gets to the point where it is really humorous. I intend no facetiousness toward this committee. It is my belief that this small clique of mis-leaders, and I use the term advisedly, in the county medical society, the people who don't have the backing of the great majority of the county medical society, that they are actually responsible for calling your committee down to Los Angeles this week, that they are planning the entire affair, they told you exactly what they want you to do, that they do it for their own selfish interests.

"Q. That is your belief?

"A. That is my belief.

"Q. Do you have any evidence as to that?

"A. From reading the newspapers I couldn't help but see that it was announced, that this whole thing was planned by the county medical society, that it was planned by them for at least a year, and they requested you to come down here.

"Q. The letter of request we introduced into evidence, but if you will attend some of the subsequent sessions here you will readily see how completely erroneous your assumption is—that the facts that are being set forth in these meetings came to us from many so-called counter-espionage units of the county medical association, which we intend to prove, at least to our satisfaction——

"Mr. Marshall: I was here at part of the session. I thought I heard a couple of witnesses telling you about the medical society officers attending meetings, and they were testifying about it.

"The Witness: I read the *Los Angeles Times* for yesterday morning. It states that Dr. J. de los Reyes, who I believe is vice president of the county medical association—I think he calls himself the Senator Joseph McCarthy of the medical association—he testified he, himself, personally heard me give a talk about the importance of fighting discrimination in medicine. As a result of reading these accounts in the newspaper—I haven't attended any hearings up to now, and I haven't seen the official transcript, but I think everybody in the community can't help from feeling that actually these few mis-leaders of the county medical society have been at least been doing some of the sleuthing.

"Q. (By Mr. Combs): There is no question about attending those meetings, but those are not included on any of the dates I have questioned you about, and I won't refer to any matters that will come before the committee from now on. I anticipate the meeting will be covered in great detail.

"A. I see.

"Q. I asked you about the meeting of January 16th. On February 7, 1953, is it not a fact that you attended a meeting sponsored by an organization known as the *Committee for the Protection of Foreign Born* at Park Manor here in Los Angeles, and that you spoke there on that occasion?

"A. I would have to answer as I did to one previous question, that the *Committee for the Protection of the Foreign Born,* in the eyes of a committee like yours, or of any McCarthy committee, must be an extremely subversive organization. It is my feeling that Mexican-Americans and Americans of various sorts in the eyes of people who have the beliefs that Senator McCarthy does, that these people have

no rights, that the foreign born have no rights, any American, even if it were someone like myself whose ancestors came over here on the Mayflower, any American who stands up for the rights of the foreign born or the Braceros who come to California and are exploited on the farms in the Central Valley, must be subversive. Therefore, I would certainly have to decline to answer this question about attending a meeting for the protection of the foreign born on the grounds previously stated.

"Q. Do you know if that was included in the list of organizations declared by the Attorney General of the United States to be subversive?

"A. My counsel informs me the best evidence is the list of the Attorney General.

"Q. I asked if you knew?

"A. My answer is I don't know. I don't follow these things. I am a practicing pediatrician. But knowing what I know about your un-American committee, I would assume you consider it and I would not take any chance of subjecting myself to prosecution by answering it.

"Q. We don't want your assumption, Dr. Perry. The question was whether or not you know. Would you answer, please.

"A. I am not a legal expert, I don't know personally.

"Q. That is right.

"A. Whether it is on the list or not, but I am sure you could find out or I could find out if I wanted, but my reasonable assumption, and in protecting myself I have to make reasonable assumptions, that it probably is listed or will be if it is not listed now; that any committee which wants to protect the rights of any minority group in this country would be certainly listed by your committee and similar committees as subversive; and I would certainly not answer any questions which you might ask me about it.

"Q. For the reasons you have already given?

"A. That is correct.

"Mr. Combs: That is all.

"Mr. Marshall: Is that all, sir?

"Mr. Combs: That is all.

"The Witness: Am I excused?

"Chairman Burns: You are excused.

TESTIMONY OF DR. JACK FLASHER, M.D.

The testimony of the next witness, Dr. Flasher, is of particular interest. It tells a story, half hidden, discernible more from what the witness refused to say than by what little testimony was elicited from him. His demeanor on the witness stand and the circumstances under

which he appeared—all of these elements combined to place this witness somewhat apart from many of the others.

"Q. (By Mr. Combs) : Your name is Jack Flasher?

"A. That is true.

"Q. F-l-a-s-h-e-r?

"A. That is true.

"Q. You are a physician and surgeon licensed to practice your profession in California?

"A. Yes, I am.

"Q. Dr. Flasher, where did you take your medical degree?

"A. University of Minnesota.

"Q. You were born in 1919, were you not?

"A. That is true.

"Q. How long have you practiced in California, approximately?

"A. I have been here approximately seven years.

"Q. Would you give the reporter your professional and residence addresses, please?

"A. My residence is 652 Bienveneda, Pacific Palisades. My principal office is 15247 Sunset Boulevard, Pacific Palisades.

"Q. Dr. Flasher, do you have with you any notes which you took at any prior conference that you and I had?

"Mr. Marshall: Just a moment. May I have that question read? (Question read.)

"The Witness: I decline to answer on the ground that I now claim the privilege contained in the Fifth Amendment of the Bill of Rights which provides that you cannot compel me to be a witness against myself, and Article I, Section 13 of the Constitution of this State.

"Mr. Combs: Mr. Marshall, will it be stipulated in other questions which I may ask your client concerning his affiliation with or his attendance at meetings of organizations that have been described by the official federal or state agencies as subversive, that the same objections will be deemed to apply?

"Mr. Marshall: It will be so stipulated if it will also be understood that the witness will be understood to have declined to answer upon certain additional constitutional grounds which I shall read very briefly.

"Mr. Combs: And directed to answer by the chairman?

"Mr. Marshall: And directed to answer by the chairman.

"Chairman Burns: Would you read them, please?

"Mr. Marshall: The additional grounds upon which the witness will decline to answer the questions in the category which you have described are, that he claims: the protection accorded him by the First Amendment of the Bill of Rights, and Article I, Section 9 of the Constitution of this State; and he claims the privileges and rights

accorded him by the Fourth Amendment of the Bill of Rights and Article I, Section 19 of the Constitution of this State; in addition to likewise claiming the privileges and rights accorded to him by Article I, Section 13 of the Constitution of this State; and the Fourteenth Amendment of the Bill of Rights, and Article I, Section 13 of the Constitution of this State.

"Mr. Combs: Mr. Marshall, I am going to ask a category of questions which I don't believe would be covered by your stipulation. I just say that in all fairness because I want to go into a matter that I don't believe you intended your stipulation to cover.

"Q. Dr. Flasher, is it not a fact that you and I had a conference in my room at the Hotel Statler a few days ago?

"A. I decline to answer on the grounds of all the previous constitutional guarantees.

"Q. Is it not a fact that you came to my room at the Statler pursuant to a telephone conversation which you made to me?

"A. I decline to answer upon the same grounds.

"Q. Is it not a fact that as a result of our conference there you told me that if I asked you under oath at this hearing whether or not you were now or had ever been a member of the Communist Party, your answer would be no?

"A. I decline to answer upon the same grounds.

"Q. Is it not a further fact that at that conference, after we had lunch downstairs and had returned to the room and there was no one else present but you and me, that I agreed with you that I would not ask you to give us the names of any other persons except yourself, but I would merely ask you whether or not you had attended certain meetings of a certain organization, and you agreed that you would do that providing I would give you a copy of the questions that I intended to ask you, and that I did give you a copy of the questions which you took with you, and that I retained a copy. I now hand you my handwritten questions, the ones which I retained, and ask you whether or not that is not a full, true and correct copy of the same identical questions that I gave you on that occasion. I will read them into the record, Counsel, so that you won't have to copy them at this time.

"Mr. Marshall: I just wanted to make a note. I hand the document back to Counsel.

"The Witness: I decline to answer upon the same grounds.

"Mr. Combs: I now wish to read the questions into the record.

> " 'Question No. 1: Basic information. I have already asked that question concerning the medical background of the witness and his practice in California.

" 'My second question: Did you ever hear of *ASP, Arts, Sciences and Professions Council?*

" 'Third question: Did you ever affiliate with the *Arts, Sciences and Professions Council?* Then a note—50-51.

" 'The next question: Card dues, Medical Division.

" 'Fourth question: Meetings attended, where held, specific meetings and subject matter.

" 'Fifth question: Now a member of the *Arts, Sciences and Professions Council.* Stopped paying dues as of January 1, 1952. Why did he quit? Because of two reasons: "I was afraid that continued affiliation with an organization regarded as subversive by some agencies would be detrimental to me."

" 'Six: Did you suspect some of the leaders of the Arts, Sciences and Professions Council might be Communists ideologically? "Yes, I think some of the leaders may have been Communists, ideologically."

" 'Seven: Did you form this opinion from what was said at the meetings attended by them? "Yes."

" 'Eight: Did you ever join the Communist Party or the American Youth for Democracy, the Young Communist League or the Communist Political Association? I have no indication in my notes as to what the witness told me he would answer, but I am positive in my recollection that he said his answer would be no to each and all of those questions.'

"Q. Is it not a further fact, Dr. Flasher, that after that conference was held you telephoned me and said you had discussed the matter with a person whose name you did not give, but you said he was a progressive attorney, but you were not then sure whether or not you could go through with your understanding with me?

"A. I decline to answer upon the same grounds.

"Mr. Combs: That is all.

"Mr. Marshall: Is the witness excused, Mr. Combs?

"Mr. Combs: Yes.

STIPULATION COVERING TESTIMONY OF DR. MORRIS R. FEDER, M.D.

"Chairman Burns: Is Mr. Marshall in the room?

"Mr. Marshall: Yes, sir.

"Chairman Burns: The witness we were going to have is gone?

"Mr. Marshall: Yes.

"Chairman Burns: May I refer to the agreement that we had, Mr. Marshall?

"Mr. Marshall: Yes. Will you state it, Mr. Combs?

"Mr. Combs: Let the record show that immediately after the last witness, Dr. Jack Flasher, had finished his testimony, Mr. Daniel Marshall and I had a discussion concerning the call of another of his clients, Dr. Morris R. Feder, a physician; that Dr. Feder received an emergency call and had to leave; that I agreed with his attorney, Mr. Marshall, on a stipulation which provides that if I would ask Dr. Feder on the stand under oath if he were now or had ever been a member of the Communist Party, and asked him questions concerning his membership in or attendance at meetings of an organization described as subversive by any state or federal agency, that he would decline to answer each and all of such questions by invoking the Fifth Amendment to the Constitution of the United States and for such other reasons as may be detailed in the record by his counsel, Mr. Marshall. Does that cover it?

Mr. Marshall: It covers it, Counsel. It will be so stipulated. The additional grounds for declining to answer the questions in the category which you have described are as follows: the First Amendment of the Bill of Rights, Article I, Section 9 of the Constitution of this State; the Fourth Amendment of the Bill of Rights, and Article I, Section 19, of the California Constitution; Fifth Amendment of the Bill of Rights in its provision that a person cannot be compelled to be a witness against himself, and Article I, Section 13, of the Constitution of this State; the additional grounds are the Fourteenth Amendment to the Bill of Rights, and Article I, Section 13, of the Constitution of this State.

"Mr. Combs: Now, the first question I would have asked the witness consists of the statement which appears in the Los Angeles County Medical Association Directory to the effect that he is engaged in general practice, that he graduated from the U. S. C. Medical School in 1935, and that he was born in 1910, that he was licensed to practice his profession in California in 1935, that he resides at 421 North Soto Street, Los Angeles 33, that he is engaged in general practice. Will that be so stipulated, Mr. Marshall?

"Mr. Marshall: It will be so stipulated, subject to the limitations on biographical and other data of the witness.

"Mr. Combs: Very well.

"Mr. Marshall: I don't know what school he graduated from, but I assume you got it out of the Medical Directory?

"Mr. Combs: I got it out of the Medical Directory, which has his picture in connection with the article.

"Mr. Marshall: He has a very handsome face.

"Mr. Combs: Yes.

"Mr. Marshall: Will you stipulate to that?

"Mr. Combs: Yes. He is a very nice looking fellow. The next question is whether or not he is now or has ever been a member of the Communist Party?

"Mr. Marshall: His response would be——

"Mr. Combs: His response would be that he declines to answer for the reasons heretofore given.

"Mr. Marshall: So stipulated.

"Mr. Combs: The next question is whether or not he has ever been an officer in the *American Peace Crusade?*

"Mr. Marshall: The same declination upon the stipulated grounds.

"Mr. Combs: The next question is whether or not he has been a financial contributor to an organization known as the *Civil Rights Congress?*

"Mr. Marshall: The same declination, the same grounds and the same stipulation.

"Mr. Combs: The next question is whether or not he was identified as a member of the Communist Party by a witness before the House Committee on Un-American Activities?

"Mr. Marshall: Same declination, same grounds, same stipulation.

"Mr. Combs: The next question is whether or not he is a member of the *Medical Division of the Arts, Sciences and Professions Council?*

"Mr. Marshall: Same declination, same grounds, same stipulation.

"Mr. Combs: The next question would be whether or not he is now and for several years past has been a subscriber to a publication known as the *Daily People's World?*

"Mr. Marshall: Same declination, same grounds, same stipulation.

"Mr. Combs: The next series of questions would be as follows: is it not a fact that he attended a meeting of the *Arts, Sciences and Professions Council, Medical Division* on September 7, 1951, at 109 North Highland Avenue, Los Angeles?

"Mr. Marshall: Same declination, same grounds, same stipulation.

"Mr. Combs: Which in fact was the residence of the witness, Dr. Morris Feder, Mr. Marshall?

"Mr. Marshall: Same declination, same grounds, same stipulation.

"Mr. Combs: Is it not a fact that he attended a meeting of the *Arts, Sciences and Professions Council, Medical Division,* which was held in his home at the same address, 109 North Highland Avenue, on the 20th day of January, 1952?

"Mr. Marshall: Same declination, same grounds, same stipulation.

"Mr. Combs: Is it not a fact that he also attended in his home a meeting of the *Arts, Sciences and Professions Council, Medical Division,* on the 27th day of February, 1952?

"Mr. Marshall: Same declination, same grounds, same stipulation.

"Mr. Combs: Is it not a final fact that on the fourth day of May, 1952, he attended a Constitutional Rights Dinner at the Hollywood Athletic Club, sponsored by the *Arts, Sciences and Professions Council,* at which William Schneiderman, the convicted Organizer for the 13th District of the Communist Party of the United States, and Ben Dobbs, a Communist functionary, were honored guests?

"Mr. Marshall: Same declination, same grounds, same stipulation.

"Mr. Combs: That is all.

"Mr. Marshall: May the witness be excused?

"Mr. Combs: The witness may be excused.

"Chairman Burns: Are you coming back this afternoon?

"Mr. Marshall: It would depend on the schedule of witnesses.

"Mr. Combs: Don't you have other witnesses?

"Mr. Marshall: Yes, I do.

"Chairman Burns: The committee will stand in recess to the hour of 1.30 this afternoon.

TESTIMONY OF MARTIN HALL

"Q. (By Chairman Burns): Is Mr. Marshall your counsel?

"A. That is right.

"Chairman Burns: Let the record show that the witness has as his counsel, Mr. Marshall. Would you give your name and address, please?

"Mr. Marshall: Daniel G. Marshall, 1151 South Broadway.

"Chairman Burns: Mr. Hall, will you state your full name and address.

"A. My name is Martin Hall, I live at 966⅛ Palm Avenue, Los Angeles 46.

"Q. (By Mr. Combs): Los Angeles?

"A. Los Angeles.

"Q. Are you a native of Germany, Mr. Hall?

"A. That is right.

"Q. How long have you resided in the United States?

"A. Since 1937.

"Q. Are you an American citizen?

"A. Correct.

"Q. By naturalization?

"A. Yes.

"Q. When were you naturalized?

"A. In 1945, in Los Angeles.

"Q. Were you ever known by any other name than Martin Hall?

"A. Yes. My original name is a different one because I changed my name legally, by order of the Cook County Court in Chicago in 1938.

"Q. Was your name originally Karl Adolph Herman Jacobs?

"A. Carl Adolph Rudolph Herman.

"Q. Pardon?

"A. Carl Adolph Rudolph Herman Jacobs.

"Q. Thank you.

"A. I would like to explain why I have changed my name, if I may.

"Q. Surely.

"A. I was coming to this Country as a refugee from Hitler Germany as a result of my opposition to the policies of Hitler. When I arrived here I still had some close relatives living in Germany. Of course, I was very eager to protect them from the kind of persecution that was going on at the time. My parents were living there, and the family of my wife. It did not help the family of my wife. My wife was Jewish. The whole family was wiped out, but I at least saved my parents. This is the reason I changed my name legally, in order to protect these people who were close to me.

"Q. In what part of Germany did they reside?

"A. My parents resided at Thuringa, which is in the middle part of Germany.

"Q. Do you have a daughter named Ruth Anna?

"A. Yes.

"Q. Born in Berlin September 20, 1927?

"A. Yes.

"Q. She came to the United States in 1948?

"A. Pardon me. Would you repeat the question, please?

"Q. I asked if you had a daughter by the name of Ruth Anna who was born in Berlin, Germany, September 20, 1927, and who came to this Country in 1948. I think you answered the first part of the question.

"A. That is correct, yes.

"Q. She did come here about 1948?

"A. Yes.

"Q. Thank you. She was a student at U. C. L. A. for a time, was she not?

"A. Yes, she has been.

"Q. Mr. Hall, how long have you resided in California?

"A. I believe since 1940.

"Q. Continuously?

"A. Yes.

"Q. You were instrumental in assisting in getting your daughter out of East Germany into the United States?

"A. Yes. I might elaborate on that. When we left, that is, when my wife and I left Germany, we had to leave in a hurry, so to speak. Our daughter, who was very small then, she was about six years old, was living with my parents at that time. Of course, as soon as we had left

Germany, we were trying to get her out. It was the Gestapo who prevented her from getting out under the argument that anyone who was opposed to Hitler wasn't fit to be born. For many years we didn't know she was alive. When the war was over we finally made contact. It was very difficult, and through the American Consul in Berlin we started proceedings to get her eventually into this Country.

"Q. In what part of East Germany did she reside?

"A. She lived in Thuringa, the same part I was born and where my parents lived.

"Q. Thuringa?

"A. Yes.

"Q. You were in Germany in 1923, were you not?

"A. Well, I am afraid I will have to refuse to answer this question, gentlemen, because in the first place I feel this has nothing obviously to do with the stated purpose of these hearings, which, according to the statements of your counsel and other members, and according to the press, is an investigation into the so-called Communist infiltration into the medical profession. I don't know what this has to do with whether in the year 1923 I was in Germany or any place else. I think this is a question that is probably leading up to some other questions which I think I have a perfect right to refuse to answer on the following grounds: in the first place, I believe that this is an invasion of my rights to speak or to remain silent, to associate with whomever I want to or not to associate, of what I have been doing in the past, of my right to make a living in whatever profession I make a living. I think it is irrelevant to this hearing. I think it is also an invasion of my rights insofar as it might endanger me by leading to some groundless prosecution.

"In this case I would like to say that having watched many of these hearings, not only the hearings of this committee, but some others, too, I think that any such question reaching way back 20 or 30 years in the personal history of a witness who ostensibly is called to testify about something going on now, are always asked for the purpose of trying to either smear that person or trying to lay the groundwork for some unjustified prosecution.

"For this reason I feel that I have to invoke the Fifth Amendment, not because that I have done anything that I shouldn't do, or not because of my guilt of any crime, because I know I am not, but because you cannot force me under the Fifth Amendment and under Article I, Section 13, of the Constitution of this State of California, to be in any case or under any circumstances a witness against myself.

"Q. (By Chairman Burns): How long did you say you had been in this Country?

"A. For 14 years—no, excuse me. I will have to figure it out. Since 1937. That is 17 years.

"Q. You came to this Country 17 years ago as a refugee from Hitler Germany?

"A. Right.

"Q. Now you are attending a constituted governmental meeting and telling them how to run things, taking over and instructing us as to our duties?

"A. No, sir. I am not instructing you.

"Q. Mr. Hall, you have learned very rapidly under the tutelage of someone—I have no idea of who they are—but you have learned very rapidly how to run this Country. I resent your sitting there after coming over here as a refugee and getting asylum in this Country and telling a duly constituted body how to run its affairs.

"A. Senator, with all respect——

"Q. Your reasons for refusing to answer the question are deemed insufficient and you are instructed to answer the question as to whether or not you were in Germany in a certain year, and which in no way can incriminate you.

"A. I am afraid, Senator, I have to respectfully decline to answer this question on the grounds given, and also on the additional grounds that this is an attempt to deprive me of my right to earn my livelihood, and my liberty and property without due process of law, and to deny me equal protection of the law; it is contrary to the Fourth Amendment to the Bill of Rights and Article I, Section 13, of the Constitution of this State, the privileges of which I hereby claim.

"May I add that I have in no way attempted to tell you or this committee how to run their business because it is not my business to tell you. But under the circumstances to which I am exposed, as are the other witnesses before this committee, I have no choice, and I believe I have excellent counsel, but to invoke these protections under the Constitution.

"Since you have referred to my citizenship I would like to say this, and I would like to say it in all sincerity, Senator: I, too, believe this sincerely. This citizenship of the United States means a very great deal to me and I will tell you why. I was driven out of my native country because I was opposed, and I had to oppose in good conscience what was going on then under the Hitler regime. I lived for years, and believe me they were not light years, as a man without a country. I will be grateful forever to the United States for giving me not only asylum, but citizenship. But I also remember that the judge, when he gave me citizenship, in the speech which he made to me right here in Los Angeles, said, 'Let me congratulate you now as new citizens of this Country. Let nobody ever tell you that you have any less

rights than any other citizen in the United States because this is a free country.' I still believe it is. I don't believe that you can infer from what I have said in any way that I was trying to be either disrespectful to the committee or telling you how to run your business. This citizenship means so much to me.

"Q. Did the judge also tell you you were permitted to defy constitutional bodies and were permitted to refuse to answer questions before a properly constituted authority?

"A. I can't recall whether the judge said anything about this, but I would like to say this——

"Q. You have answered the question.

"A. He told me this——

"Q. I don't want all of this rigamarolle. You have been through it a couple of times.

"Mr. Marshall: No, Senator. He wants to finish his answer.

"Chairman Burns: The answer is finished. He said he didn't remember. That's good enough.

"The Witness: No, but I would like to finish.

"Mr. Marshall: For the sake of the record, Senator, I want the witness to have an opportunity to fully answer the question.

"Chairman Burns: He fully answered it to my satisfaction.

"Mr. Marshall: Do you want to withdraw the question?

"Chairman Burns: I am not going to withdraw anything, Counsel.

"Mr. Marshall: May he not finish?

"Chairman Burns: The question is finished. I have said it satisfied me. Let's let it go at that.

"Mr. Marshall: The witness says he is not finished, but we will move along as on the others.

"Chairman Burns: He will read over the same rigamarolle.

"Mr. Marshall: It is not the same.

"Chairman Burns: The witness says he doesn't remember. That is good enough for me.

"Mr. Marshall: This is not rigamarolle, Senator.

"Chairman Burns: I have one more question to ask here. The other question I had in mind I forgot, so go ahead.

"Q. (By Mr. Combs): Mr. Hall, let me ask you this question. Is it not a fact that while you were in Germany in 1923, you were a member of the National Executive Board of an organization operated by the Communist Party of Germany known as Kostufra, K-o-s-t-u-f-r-a?

"Mr. Marshall: Would you spell the name again?

"Mr. Combs: K-o-s-t-u-f-r-a.

"Mr. Marshall: How do you pronounce it?

"Mr. Combs: 'Kostufra,' I presume. That is the phonetic pronunciation.

"The Witness: I am afraid I have to respectfully decline to answer this on the same grounds given before.

"Q. (By Mr. Combs): Is it not true that in 1924 you became a member of the *Young Communist League* in Germany?

"A. I have to decline this answer on the same grounds.

"Mr. Marshall: Mr. Combs, for the sake of the record, will it be deemed in addition to all the grounds of constitutional privilege claimed by the witness, that in all questions heretofore asked of him that he has also asserted his privilege under Article I, Section 13, of the Constitution of this State, and Article I, Section 19, of the Constitution of this State?

"Mr. Combs: In addition to the Fifth Amendment to the Federal Constitution and the other amendments before mentioned?

"The Witness: And the First Amendment.

"Mr. Combs: So stipulated. Is it not also true, during the years 1935 and 1937 you contributed articles to the Soviet press, particularly to International Press correspondence?

"A. I am afraid this is the same kind of question which I decline to answer under the same reservations.

"Q. Is it not true that after you arrived in Los Angeles you taught courses in the *People's Educational Center* and the *California Labor School* in this city? I might add that both of these schools have been repeatedly reported as operated by the Communist Party in Los Angeles?

"A. I decline to answer on the same grounds.

"Q. Is it not also true that you have also written speeches to be delivered by the *Medical Division of the Arts, Sciences and Professions Council?*

"A. I am afraid I have to decline on the same grounds.

"Q. Is it not true that in February, 1944, specifically on January 17th and on February 14th, in San Francisco, you were the speaker in a series of forums on 'Free Peoples Choose Their Own Government,' arranged by the *Joint Anti-Fascist Refugee Committee* which has been listed as subversive by the Department of Justice of the United States?

"A. The same kind of question, I have to refuse to answer on the same grounds.

"Q. Your speech on that occasion having been reported on page 4 of the Communist newspaper published in California, the *Daily People's World,* January 11, 1944?

"A. Pardon me, sir. What was the last question?

"Q. The last question as I recall it now—I will have to reframe it—is it not a fact that those speeches, the ones you were alleged to have

made in San Francisco under the auspices of the *Joint Anti-Fascist Refugee Committee,* an organization declared Communist-dominated by the United States Department of Justice, were not those speeches reported in the Communist newspaper, the *Daily People's World* on page 4 of the issue of February 11, 1944?

"A. I am afraid I will have to decline on the same grounds.

"Q. Is it not a fact that in 1948 you were one of the sponsors for the *Conference for Peace* presented at the *Arts, Sciences and Professions Council* in Los Angeles?

"A. That is the same kind of question. I will have to refuse to answer on the same grounds.

"Q. Is it not a fact you were a member of the *Civil Rights Congress* declared subversive by the United States Department of Justice?

"A. The same kind of question. I refuse on the same grounds.

"Q. Did you ever reside in Wisconsin?

"A. I will have to decline for the same reasons, I am sorry.

"Q. Do you refuse to tell us whether or not you ever lived in Wisconsin?

"Chairman Burns: On the ground that it may tend to incriminate you?

"The Witness: It might. For the record I am saying I decline to answer on the same grounds. I would like to repeat what I said. If I am invoking the Fifth, it isn't because I feel I have done anything as a crime, but I have to protect myself from unjust prosecution.

"Q. (By Mr. Combs): Did you ever reside in Phoenix, Arizona?

"A. Same question, same answer.

"Q. It is not the same question.

"A. I am sorry.

"Q. It is a different question.

"A. Same kind of answer, I am sorry.

"Q. Is it not a fact that you were appointed a delegate from the *California Labor School,* which is the Communist school heretofore referred to in Los Angeles, a delegate from that school to the *American Continental Congress for Peace* in Mexico City, September 5 to 11, inclusive, 1949?

"A. I am afraid I have to decline on the same grounds.

"Q. Were you not a delegate to speak on behalf of the *California Labor School* in the interests of a movement known as the *Committee for Peaceful Alternatives* to the Atlantic Pact at a meeting held September 23, 1949, at 232 South Hill Street in the City of Los Angeles?

"A. I am afraid I will have to decline to answer on the same grounds.

"Mr. Marshall: For the sake of the record, all of these organizations or meetings that you mention are regarded by the committee as being subversive?

"Chairman Burns: I object to that.

"Mr. Combs: No.

"Chairman Burns: No.

"Mr. Combs: Not exactly.

"Chairman Burns: No.

"Mr. Combs: We have made no such statement.

"Mr. Marshall: I see. What kind of organizations are they?

"Mr. Combs: The witness should know if he participated in them.

"Mr. Marshall: What does the committee know about them?

"Mr. Combs: That is something within the prerogative of the committee. The committee does not happen to be on the witness stand.

"Chairman Burns: Do you make that statement, Mr. Marshall, as a matter of fact, that all of these organizations are subversive organizations?

"Mr. Marshall: By no means, Senator. You completely misunderstand me.

"Chairman Burns: What is the purpose of your statement?

"Mr. Marshall: What is actually subversive and what the committee regards as subversive are as different as night and day. You might have, in my opinion, a completely irrational classification of organizations on your peculiar standards. However, you have written them down in your black book as being bad organizations.

"Mr. Combs: *Red* book.

"Mr. Marshall: Red book, but that wouldn't make them so in my opinion.

"Senator McCarthy: Mr. Chairman—

"Senator Burns: Senator McCarthy.

"Senator McCarthy: Mr. Marshall, can you tell us what *your* definition of a subversive organization is?

"Mr. Marshall: Well, Senator, I am here in the role of counsel. I am here to be instructed. I would like to have instructions from you on that definition.

"Chairman Burns: We will be very happy to give it to you, but on the other hand we don't want voluntary statements by counsel for the record. That is what we are objecting to.

"Mr. Marshall: When Senator McCarthy asked me a question I felt in courtesy I should respond.

"Senator Burns: That is correct. I am not objecting to that. I am objecting to voluntary statements you made a moment ago as to a stipulation that these organizations that the committee counsel mentioned are subversive groups. We don't take that position. If you wish to answer Senator McCarthy's question, you may.

"Mr. Marshall: I will wait for his definition of the term.

"Senator McCarthy: I am asking you a question.

"Mr. Marshall: Senator, I don't want to bicker with you about it. I agree with Judge Edgerton in the Barsky case that the House Committee's definition of un-American, as contained in the resolution, is just as completely ambiguous and irrational as the standards applied by this committee and its predecessor in its work in this State. Does that answer you, Senator?

"Senator Burns: I might add, Counsel, that you are not here as a witness.

"Mr. Marshall: I am very glad to continue the definition, however.

"Chairman Burns: You were not required to answer any questions. It is simply a matter of courtesy. You have not seen fit to do it. I suppose Senator McCarthy is satisfied.

"Mr. Marshall: I want to be courteous, Senator.

"Senator McCarthy: Maybe Mr. Hall would like to answer the question.

"Mr. Combs: May I continue, Mr. Chairman.

"Chairman Burns: Continue.

"Q. (By Mr. Combs): Mr. Hall, have you ever been affiliated with the *Joint Anti-Fascist Refugee Committee*?

"A. I decline to answer this question on the same grounds stated before.

"Q. Have you ever been affiliated with the *International Workers' Order*?

"A. I have to decline to answer the question on the same grounds.

"Q. Is it not a fact that on the eleventh day of July, 1952, you addressed a meeting of the West Adams Women's Club, 2409 South La Brea Avenue, asking for clemency for the Rosenbergs?

"A. In view of the standards that have been set to qualify everyone who has protested at one time or another against an injustice is at least suspect of being subversive, I am afraid I will have to decline to answer this question on the same grounds.

"Q. Is it not also a fact that on the twenty-eighth day of August, 1952, you wrote a letter with Pauline Schindler and addressed it to the Los Angeles City Housing Authority, protesting the discharge of Frank Wilkinson because he was found to be a member of the Communist Party?

"A. I would like to point out what you are asking me now is completely a legal professional kind of activity, of having written an article, making a speech or signing a petition to some authority—all of this seems to be under the same context of trying to prove some sort of subversive character about my activities. For this reason I am afraid I have to decline for the reasons stated.

"Q. Do you have the same attitude toward this question? Is it not a fact that on the sixth day of November, 1953, you attended a celebration of the thirty-sixth anniversary of the Russian Revolution, sponsored by the *American-Russian Institute* at the Park Manor in Los Angeles?

"A. I will have to decline to answer that under the reasons heretofore stated.

"Q. Is it not a fact that on the sixth day of May, 1954, you spoke on 'Soviet Prosperity' under the auspices of the *American-Russian Institute,* 90 McAllister Street, in San Francisco?

"A. I will have to decline to answer that for the same reasons.

"Q. That was last May. Are you now a member of the Executive Committee of the *Arts, Sciences and Professions Council in Los Angeles*?

"A. I will have to decline to answer that for the same reasons.

"Mr. Combs: That is all.

"Chairman Burns: Senator McCarthy has a question.

"Q. (By Senator McCarthy): Mr. Hall, what is your present occupation?

"A. I am afraid—I am a free lance writer on national and international affairs. My political opinions, therefore, are a question of public rceord. I have written for *The Nation, The Christian Century, The Christian Register, The Churchman,* and the *Frontier Magazine.* I am speaking at public meetings three or four times a week. Everyone who would like to know what I think about politics could ascertain that very easily because it is all of record.

"Q. (By Mr. Combs): Where is the *Frontier Magazine* published, in Beverly Hills?

"A. Yes.

"Q. Have you contributed to that publication on more than one occasion?

"A. Sure I have, several times.

"Mr. Combs: That is all.

"The Witness: I think it is a good magazine, too.

"Mr. Combs: I am sure you do.

"Mr. Marshall: Is the witness excused?

"Mr. Combs: I don't know.

"Chairman Burns: Just a minute. Do you have any questions?

"Senator Thompson: No questions, Mr. Chairman.

"Chairman Burns: I think that is all.

"Mr. Combs: I think I asked this question, but I have been told that if I did I didn't make it clear. Are you now a member of the Communist Party of the United States?

"A. I decline to answer this question on the same grounds.

"Mr. Combs: That is all.

"Mr. Marshall: Is the witness excused, Senator?

"Chairman Burns: Yes.

"The Witness: Thank you, gentlemen.

TESTIMONY OF DR. MURRAY KORNGOLD, PSYCHOLOGIST

"Q. (By Mr. Combs): Doctor, your name is Dr. Murray Korngold?

"A. That is right.

"Q. Do you spell the name K-o-r-i-n-g-o-l-d?

"A. That is wrong. It is spelled K-o-r-n-g-o-l-d.

"Q. You are physician and surgeon licensed to practice your profession in California?

"A. No, I am not. I am a clinical psychologist with a degree of Doctor of Philosophy and Psychology.

"Q. From what institution did you obtain your doctorate?

"A. I was very pleased to receive my degree from the University of California at Los Angeles.

"Q. In what year, Doctor?

"A. That was in the year 1953.

"Q. Did you ever act as an instructor at any educational institution?

"A. I feel it necessary to preface my remark with a qualification. With regard to all questions which the committee chooses to ask here I don't want to give you the impression of shamefacedly apologizing for or concealing any aspect of my life history, my thoughts or my actions. I have been guided by what I think are strictly moral considerations in the selection of my thoughts and actions. Consequently, I am not ashamed of my activities in general, which have been dedicated as near as I can make out to the welfare of the public. However, because of the context of hysteria created not only by this committee but other committees like it throughout the land, the multitudinous laws, many of them contradictory with each other, being held ready to inflict punishment on those who express views publicly and give evidence of this sort publicly, I would prefer to decline to answer this question, claiming as I do the privilege against self-incrimination conferred on me by the Fifth Amendment of the Constitution and the parallel provision in the State Constitution, Article I, Section 13. This is by no means an evasion, but rather a defense of others who one day will appear in my position to avoid being incriminated for whatever activities they may be confronted with.

"Q. Then you refuse to answer the question which was, of course: have you ever acted as instructor in any educational institution? You decline to answer that question for the reason you have given?

"A. That is correct.

"Q. Is it not a fact that you did act as an instructor, Dr. Korngold, in the *People's Educational Center* of this city which has heretofore been identified as the Communist school, in the year 1947? I will amplify that if I may.

"A. Very well.

"Q. And the basic course which you taught was entitled 'Science and Society?'

"A. I believe, Mr. Combs, despite your characterization of this institution today that it is a matter of public record that the curriculum and members of this institution and others like it were devoted to securing peace, were devoted to raising the educational level of a number of working adults, and whether or not I taught at this or any like institution does not invalidate the fact that—at least I so regard it as a fact that institutions like this conducted themselves with a good deal of propriety, with a good deal of dignity and for the best interests of the United States of America.

"Q. The question is, did you teach at that institution?

"A. I decline to answer, for the reasons given, that question yea or nay.

"Q. Did you teach a course entitled 'Dialectical Materialism No. 2' at the winter session of the *California Labor School* in Los Angeles in 1950?

"A. With regard to that question, my feeling is and always has been that the key right of American citizens, secured by the First Amendment to the Constitution, is the freedom to speak and think as the individual so deems proper, and of course, freedom to associate personally and politically as he deems fit.

"Chairman Burns: Did anyone stop you from teaching at this school? Did anyone stop you from teaching, if you did?

"A. If I may say——

"Q. You can answer yes or no.

"A. I can answer it as I choose, sir.

"Q. You can't answer as you choose. You can answer yes or no, or I will withdraw the question.

"Mr. Branton (counsel for the witness): We will accept that.

"Chairman Burns: Very well. I will withdraw the question.

"The Witness: The point in relation to the question made by Mr. Combs is that to the degree that one is penalized or threatened with penalty, or with intimidation or with harassment for teaching, thinking, writing, or speaking along this or any other line, to that extent the right to think and speak freely is impaired. The very presence of this committee at this time questioning me as to the propriety, by implication, of my having taught or not taught such courses at such a school tends to seriously undermine the right of all Americans to dissent politically from the prevailing idea or the idea in vogue at

the moment. For this reason I choose to decline to answer that question, and in so doing, defend the right of other citizens to dissent politically if they so choose.

"Q. (By Mr. Combs): Did you ever teach a course in an institution in Los Angeles known as the *Sequoia School?*

"A. To the best of my knowledge, Mr. Combs, the school that you have referred to—I must say this, since the implication contained in your question is that the school you referred to was guilty of some reprehensible action or code of ethics or something antisocial, to the best of my knowledge the school that you refer to was genuinely devoted to—if they still exist I don't know—genuinely devoted to advancing the welfare of the public. As to whether of not I taught at the *Sequoia School* I must decline to answer on the same grounds as previously stated.

"Senator Thompson: Would you repeat the question?

"Mr. Combs: The question that Senator Thompson asked for was whether or not he ever taught in an educational institution at Los Angeles known as the *Sequoia School.*

"Senator Thompson: That would require a yes or no answer.

"Mr. Combs: It could be answered yes or no, certainly.

"Senator Thompson: Thank you.

Q. (By Mr. Combs): Have you ever heard of an organization in Los Angeles known as the *Arts, Sciences and Professions Council?*

"A. Do you mean the *National Council of Arts, Sciences and Professions?*

"Q. No, I mean the Los Angeles chapter.

"A. That body of individuals which is devoted to advancing the health and welfare and cultural standards of the population of Los Angeles?

"Q. Now, Doctor, please.

"A. Is that the body to which you refer, sir?

"Q. The question was simply whether or not you ever heard of an organization known as the *Arts, Sciences and Professions Council* in Los Angeles.

"A. If you and I have the same reference with regard to these letters ASP.

"Q. It is an organization. I am not trying to define it. Did you ever hear of it? Did you or didn't you?

"A. I have heard of this most estimable organization.

"Q. Then you have answered the question.

"A. Yes.

"Q. Thank you, very much. Have you ever been a member of it?

"A. For me to admit association in any such political organizations that have been named by the Attorney General——

"Q. Is it a political organization?

"A. Any such organization, whether political, cultural, civic society that has been identified by the public authorities as subversive, or in some manner a reprehensible organization—although I do not implicitly accept this characterization—would lay me open to penalties whether I answered yes or no. Therefore, I decline to answer this question on the grounds previously stated.

"Q. Is it not a fact that in 1952 you were a member of the *Medical Division* of the *Arts, Sciences and Professions Council* in Los Angeles?

"A. I decline to answer that question on the grounds previously stated.

"Q. Is it not a fact that on the sixteenth day of January, 1952, you attended a meeting of the *Health and Welfare Division* of the *Medical Section* or *Division* of the *Arts, Sciences and Professions Council* at a residence in Los Angeles?

"A. Are you implying, Mr. Combs—I may be misinterpreting your question, but are you implying this was in some way or would have been in some way, if this act occurred, a reprehensible act?

"Q. I am not implying anything. I am asking for your best recollection of whether or not you attended that meeting. You can answer yes or no or you don't remember, or you can invoke your constitutional rights.

"A. Because for a witness under these circumstances to be placed in a position where he must decline to answer a question, which I think was fairly predicted by the mass of your questions, I don't imagine you would predict any other outcome—I think must serve some purpose. As I sit here and cogitate over the questions you ask, I wonder what purpose could possibly be served by your compelling witnesses to answer. Is it for the sake of eliciting information or setting the stage for some kind of a legislative act which would publicize professional people for declining to answer questions like this. Perhaps I should not inquire into your motives, but I have a sneaking suspicion this motive exists.

"Q. You are entitled to whatever suspicion you care to harbor. Would you answer the question, Dr. Korngold, please.

"A. I decline to answer on the grounds previously stated.

"Q. Is it not a fact you were also affiliated with an organization known as the *Civil Rights Congress,* which has been declared Communist-dominated by the United States Department of Justice?

"A. Which should make that characterization an established fact?

"Q. I didn't say that. I said it had been listed in that manner by the Department of Justice. My question to you is whether or not you are affiliated with it?

"A. I would decline to answer that question on the grounds previously stated.

"Q. Is it not a fact that on the twelfth day of September, 1953, you attended a meeting of the *Civil Rights Congress* at 1251 South St. Andrews Place in Los Angeles?

"A. May I have the question repeated?

"Mr. Combs: Yes.

"Q. Is it not a fact that on the twelfth day of September, 1953, you attended a meeting of the *Civil Rights Congress,* 1251 South St. Andrews Place in the City of Los Angeles?

"A. In your view, Mr. Combs, does a citizen of the United States have a right to attend whatever meetings he chooses to?

"Q. I am not a witness, sir. I am supposed to ask questions and you are *supposed* to answer.

"A. It may have been a rhetorical way of stating a view on my part. I would decline to answer the question on the grounds previously stated.

"Q. Are you attached to the medical staffs of any hospitals or clinics in Los Angeles, Doctor?

"A. I think it is incumbent on me to explain a little more fully what my professional standing is. The degree of Doctor of Philosophy and Clinical Psychology is not a medical degree, consequently it does not entitle persons so endowed with rights of membership in medical staffs or with the right to prescribe medicine, or for that matter any other prerogative confined exclusively to physicians. Therefore, it would be most inappropriate for me to be or to affirm any membership in any medical staff.

"Q. I see. Are you connected in any way with an organization known as the *Community Medical Center*?

"A. I would appreciate it if you would amplify the one portion of your question, 'attached in any way.'

"Q. I will be glad to.

"A. Would you, please?

"Q. Particularly in light of the explanation which you made awhile ago. Have you been connected with the staff, medical or otherwise, of the *Community Medical Center*? It is my understanding, I may be in error, Doctor—I am very sincere in this—I don't know—it is my understanding it has a medical staff and in addition to its clinical staff probably a radiologist, technicians, laboratory experts, and so on.

"A. I think it is unfortunate——

"Mr. Branton: Just a moment.

"The Witness: It is extremely unfortunate that I am placed in a position where I must affirm or deny or decline to state concerning an

institution which has set itself up as a matter of public record with the task of affording some kind of prepaid health insurance plan for members of low income groups which despite relatively meager financing has done a remarkable job, and because of this has in some way ruffled the feathers of a certain Cadillac clique that dominates the Los Angeles County Medical Association, which has bound itself to the aim of undermining or destroying this or any other form of prepaid health insurance, I think it is deplorable parenthetically, that a State Senate Committee should lend itself to such unethical aims as that espoused by the L. A. C. M. A.

"Q. Would you answer the question, Doctor?

"A. For that reason, since the *Community Medical Center has been* placed in the most unfortunate and lamentable position of being attacked for reasons that are purely fantastic, for reasons that are conjured up out of the unwholesome machinations of a few, shall I say, greedy people—I cannot answer a question of this sort relating to the *Community Medical Center* for reasons formerly stated.

"Q. Did you attend a meeting sponsored by the *Community Medical Center* on the tenth day of April of this year in honor of the Reverend Stephen Fritchman?

"A. This meeting, as I understand it—what sort of a meeting are you referring to?

"Q. A testimonial dinner.

"A. In no way, in my opinion—I assume that my opinion is a relevant consideration in the testimony here—is there anything wrong.

"Q. It would be relevant to determine for yourself whether or not you wish to answer this question.

"A. To put it plainly and succinctly I think every citizen has a right to attend this sort of testimonial dinner, or any other dinner honoring a recognized leader of the public, of his church, and of the community.

"I know from public evidence that Mr. Fritchman is a most sincere and devoted and dignified person, I may say, and although I am not in any way implying by this answer that I did not and do not, or for that matter anyone else did not or does not have the right to attend such a dinner, I must decline respectfully to answer that question on the grounds previously stated.

"Q. Are you now or have you ever been a member of the Communist Party, Doctor?

"A. That is a question I would decline to answer.

"Mr. Combs: That is all.

"Mr. Branton: May the witness be excused?

"Mr. Combs: As far as I am concerned.

"Mr. Branton: May the record show the witness was represented by Counsel Leo Branton, Jr., 112 West Ninth Street, Los Angeles?

"Mr. Combs: Yes, and the witness was put on at this time——

"Mr. Branton: As a courtesy to me.

"Mr. Combs: As a courtesy to you.

"Mr. Branton: I appreciate it. Thank you.

STATEMENT FILED AS AN EXHIBIT IN CONNECTION WITH THE TESTIMONY OF DR. KORNGOLD

"The committee, adhering to its policy of receiving written statements from witnesses rather than allowing them to be read by the witness as a part of his testimony, filed the following statement submitted by Dr. Korngold in connection with his testimony. The statement reads as follows:

" 'From Dr. Murray Korngold, Ph.D., 8350 Wilshire Boulevard, Beverly Hills, California.

" 'I feel it necessary to set forth publicly and in advance of my hearing before the Burns Committee the reasons for my refusal to answer all the questions that this committee may choose to ask. Also I wish to explain why I would regard cooperation with this committee as an act which would dishonor me and my country:

" 'First: it is morally nonpermissible for anyone, whether freely or under duress, to give names to an inquisitorial body which will then proceed to harass and persecute honest people on the basis of such information. In a word, it is in the deepest sense un-American to be a stool pigeon, informer, a Judas Iscariot, however much in vogue such persons may be at this time.

" 'Second: this committee and others like it seek to implant in the public mind the delusion taken directly from the Joe McCarthy-Mickey Spillane lunacy which identifies every effort to advance the welfare of the public as a "Communist conspiracy." Even tacitly to accept this committee's false premise is by that same degree to assist in poisoning the public mind against the growing movement for an end to racial discrimination in all phases of our life; would assist in poisoning the public mind against seeking peaceful alternatives to global war; would be, in fact, an act supporting little McCarthys in our state who by means of this false premise restrict and undermine democratic rights, *all* in the name of fighting Communism.

" 'Third: in the practice of clinical psychology, the relation between client and psychologist depends very greatly on the psychologist's integrity as a human being, his ability to inspire trust in others, that he will not under any circumstances betray a confidence.

" 'Further, the whole training and practice of a clinical psychologist is permeated by the striving for independence of judg-

ment. In the light of this and with the faces of my clients before me I am impelled to the conclusion that for me to bow before this committee's demand either to shamefacedly deny or apologize for my life, thought and actions, would be an act totally lacking in the dignity befitting a person who proposes to help others with their innermost problems.

" 'Fourth: knowing as I do, the aims of this committee, on the basis of this hearing to insinuate legislation depriving professionals of their licenses on political grounds, I cannot cooperate with Mr. Burns' committee without simultaneously doing injury to professionals generally and to the Bill of Rights which protects the right of all to dissent politically.

" 'It is a mocking irony that this committee conducts its hearing during the week set aside as Bill of Rights Week. However, in another sense it is perfectly fitting, since our democratic rights to freedom of speech, worship, press, assembly and freedom of personal and political association were established and reestablished in resisting just such committees throughout our nation's history. It is for this reason that the great scientist, Einstein, speaks of "* * * the duty of refusing to cooperate in any undertaking that violates the constitutional rights of the individual. This holds in particular for all inquisitions that are concerned with the private life and the political affiliations of the citizens. Whoever cooperates in such a case becomes an accessory to acts of violation or invalidation of the Constitution."

" 'It is with a deep sense of pride, therefore, that I do my duty and follow in the historic American tradition of resistance to political compulsion.' "

TESTIMONY OF ROSE BOYD

"Q. (By Mr. Combs): Will you please give your name and address for the record?

"A. Rose Boyd, 10756 Ashby Avenue, Los Angeles.

"Q. Is it Mrs. Boyd?

"A. I am unmarried now.

"Q. Were you at one time married to Vischner Boyd?

"A. No, but I was married to Visscher Boyd.

"Q. Was he an architect?

"A. You would have knowledge of it. Senator Burns, in view of the procedure with the other witnesses may I also ask that this statement of mine be received by the committee and entered into the record?

"Chairman Burns: May I see it, please? Let the record show that the witness has presented a statement. The chair will rule that it may be included in the record and marked as the committee's exhibit for this

witness, next in order. (The document was marked Committee's Exhibit 14.)

"Q. (By Mr. Combs): Mrs. Boyd, do you have an occupation or business?

"A. Yes. I am a life insurance agent.

"Q. For the Manhattan Life Insurance Company?

"A. For a number of companies, both life and disability.

"Q. Is that one of them?

"A. That is one of them.

"Q. Have you given us your business address?

"A. No, but I can.

"Q. Will you, please?

"A. 215 West Fifth Street, Room 1012.

"Q. You were at one time the wife of Visscher Boyd?

"A. Yes, I was.

"Q. Was he an architect by profession?

"A. Yes, he was.

"Q. Did you at one time reside in Philadelphia?

"A. I am trying to think this through. When I have come to my conclusion I will speak.

"Chairman Burns: Take your time.

"The Witness: Yes, I lived in Philadelphia.

"Q. (By Mr. Combs): Did you reside there in 1937?

"A. I am trying to remember. Yes, I was living there at that time.

"Q. In that year did you come to California?

"A. Yes, I lived here at that time.

"Q. When you lived here were you placed in contact with or did you meet a man by the name of Max Silver?

"A. Your question is did I have any association with a man named Max Silver?

"Q. In 1937.

"A. 1937?

"Q. Yes.

"A. To my knowledge this man is one who has been associated—this is the first time I have heard it with this committee, but with other committees and one who is in a position of informing on other people, at this point I claim the privilege of constitutional guarantees against degrading myself by any answer to this question.

"Q. By admitting any association or contact with him?

"A. By admitting any association—not only because it tends to degrade me, but also I take the privilege of the First Amendment to the United States Constitution, which grants me unabridged rights of association, free speech and free press. I also at this time invoke the privilege of the Fifth Amendment to the United States Constitution

and also the comparable provisions in the State Constitution, Article I, Section 13, which actually draws no inference of guilt, however, it specifies that one shall not be compelled to be a witness against one's self.

"Q. In a criminal proceeding.

"A. You are not putting words in my mouth I hope.

"Q. All right.

"A. I stated it this way; I would like to state it in the record this way.

"Q. You may consult with your counsel.

"A. Thank you, sir.

"Chairman Burns: Counsel, I think we got a little bit away from the question. The question was, did she ever meet the individual?

"Q. (By Mr. Combs): Do I understand your answer to be this, Miss Boyd, that you decline to admit any contact or association of any kind with the person whose name I have mentioned, Max Silver?

"A. I have neither admitted nor denied. I refuse to be degraded.

"Q. Do you refuse to answer that question on the grounds specified?

"A. On the grounds I stated.

"Q. All right. Is it not a fact that the purpose of your trip from Philadelphia to California in 1937 was to assist the Communist Party of Los Angeles County in raising funds for the *Daily People's World*?

"A. By the very nature of your statement, the way you put it, and the intent of this committee—I could speak of why I came to California generally, but the way you pose this question already brings it in an area where I must refuse to answer it and stand on the constitutional grounds previously stated.

"Q. That you have already specified?

"A. That is right.

"Q. Were you a member of the Communist Party when you came to California from Philadelphia in 1937?

"A. Same answer.

"Q. For the same reasons?

"A. For the same reasons.

"Q. Is it not a fact that you were a charter member of the Communist Party of the United States?

"A. Now, really. The same answer, the same reasons.

"Q. At one time you did secretarial work in New York for Earl Browder?

"A. Same answer, for the same reasons.

"Q. Is it not a fact that you were a coordinator for the testimonial dinner to the Reverend Stephen Fritchman which was held April 10, 1954, in Los Angeles at the Park Manor?

"A. We live in such a strange world. It is so topsy-turvy. In posing a simple question, one which normally in social relations one answers simply, but by posing that question, our life is no longer simple. It is not a simple thing. Here we are living in an atmosphere where knowing other people already brings us within an area of possible prosecution. You are speaking about a dinner. All of us go to various testimonial dinners. This did not have any onus in itself, but by the very thought that this committee for the last two days—I have read the reports—already has indicated the name of Mr. Stephen Fritchman, then the context of one who has appeared before various committees—already you have put me in a position where I have the highest regard for this man as a great humanitarian, one who has actually in past years given courage and heart to people who want no part of war, who has given heart and courage to people in every field of their endeavor, their humanitarianism—this man has been pilloried, and by the fact that he has been so pilloried, as I said before, in a single contact in a testimonial you have put me in a position where I must deny or refuse to answer any questions with respect to such a dinner and with respect to such a man because you have specified that he is already considered with contumely. This is a mad world.

"Q. Will you answer the question?

"A. I decline to answer on the constitutional grounds previously stated.

"Chairman Burns: Pardon me. Who do you think it would hurt most, you or him, if you stated you were at the dinner?

"The Witness: I will tell you this, Senator Burns. When the question arises who may be hurt most, myself or someone else, this is the very nature of the stool pigeon psychology. When an informer comes before the committee he has already made up his mind that he will be hurt less by turning against his fellow man. He has had this struggle in his own mind no doubt before he appeared. He had to make a decision: whom will it hurt most? Frankly, it might hurt me most, but that is not my consideration. My consideration is that any point where a person says, 'shall all those things I hold dear'—I have a son and I will want to raise him with a sense of basic ethics where the question of right, wrong, justice and injustice are clear in his mind. If at this time it is put to me, 'whom will it hurt most,' you are asking me to say, 'if I admit all this, and perhaps I can get away with naming this person or the next person because I will be in the clear,' this has never been a decision for me. This has already been something by which I have lived and that is, never will I inform on other people and never will I put my personal gain or personal welfare above the welfare of a group. (Applause)

"Chairman Burns: You were not asked to inform on anyone. Now, let me admonish the audience. You are here as guests. If there are any further demonstrations we will conduct the rest of the meeting in secret session. If you like to be here, conduct yourselves as ladies and gentlemen. Any further demonstrations from this point will result in closed sessions from now on.

"Q. (By Mr. Combs): Mrs. Boyd, was your maiden name Rubin?

"A. Yes.

"Q. Do you know a person named Rena Marie Vale?

"A. In this case I must say that Rena Vale—I didn't know her first name, but Rena Vale—

"Q. Rena is her first name.

"A. It is?

"Q. It is. Rena Marie Vale.

"A. Rena Marie Vale has been an informer for the Tenney Committee, your previous committee. I know her as such a person. Therefore I will not admit to any direct association with her, as it would tend to degrade me, plus the various constitutional amendments I have previously stated.

"Q. Are you aware of the fact that Rena Marie Vale identified you as a member of the Communist Party and stated in a sworn statement that she was in the Communist Party at the same time you were?

"A. Is that a question or a statement?

"Q. It is a question. I said, are you aware of the fact that she did make such a statement about you?

"A. I decline to answer that on the same grounds for the same reasons.

"Q. Are you aware of the fact that other witnesses, including Mr. Silver, have testified that you were a member of the Communist Party?

"A. For the same reasons previously stated I decline to answer that question.

"Mr. Combs: That is all.

"Mr. Branton: May the witness be excused?

"Chairman Burns: The witness may be excused.

STATEMENT SUBMITTED BY THE WITNESS ROSE BOYD

"I feel privileged to be identified with those doctors who protest this committee's invasion of their basic rights, as professional men and citizens.

"I have the highest regard for individual members of the medical profession, but I share with the great numbers of laymen a contempt for the money-grubbing that characterizes organized medicine; for its callousness toward the social needs medical science should serve; and particularly for subverting the very essence of the Hippocratic

Oath and making a mockery of it through practicing medicine as a lucrative business instead of as a human science.

"This committee (and their medical stooges) are not after these doctors alone—it is we, the patients, present and prospective, that they are after. This is the gravy train that the committee wants to reward their 'counterespionage agents' with. They want to destroy low-cost clinics, prepaid medical and hospital group panel practice. But the American people are not fooled. Each year finds greater numbers being covered under the many excellent prepaid health plans now in existence.

"The day is past when these people will fall for trumped up charges of 'Communism' and 'socialized medicine.' They know how well served they are, who only could afford emergency care before. They won't readily go back to the alternative of entering a doctor's office to find the cash register in his right hand while he wields a scalpel on his patients with the left.

"This committee seeks to destroy the letter, the spirit and the very intent of the Bill of Rights, even as we honor this document this week. But our founding legislators planned well and wisely. They knew that each generation would find bigots who would work to destroy this heritage, but they also knew that each generation would produce patriots to defend the Bill of Rights in its entirety."

TESTIMONY OF KEN HARTFORD

"Q. (By Mr. Combs): Please give us your name and address.

"A. Ken Hartford, 4831 Arlington Avenue, Los Angeles.

"Q. What is your business, Mr. Hartford?

"Mr. Branton: Prior to that, Mr. Combs, the witness has a statement to file.

"The Witness: Mr. Chairman.

"Chairman Burns: Yes, sir.

"The Witness: I would like to file a statement with the committee.

"Chairman Burns: Let the record show that the witness, Mr. Ken Hartford, presents to us a statement which will be incorporated in the record and marked as the committee's exhibit next in order.

"Q. (By Mr. Combs): What is your occupation, Mr. Hartford?

"A. I am an administrator.

"Q. Where are you employed?

"A. Mr. Chairman, as I have read the reports in the newspapers of these hearings, certain witnesses here have made various attacks on institutions in this community. These institutions as usual have been named and it has been suggested that perhaps they are under scrutiny. The committee has indicated in the press that there are several such organizations or institutions which are being investigated, or I believe

the term was 'are under scrutiny' by this committee. So while I am very proud of the organization with whom I may work, I feel somewhat like Alice in Wonderland: everything is upside down.

"Q. You don't look like Alice in Wonderland.

"A. You don't have to look like someone to feel like they do. Senator Burns doesn't look like the Queen of Hearts, but I would put him in that category.

"Chairman Burns: Thank you. (Laughter.)

"Mr. Combs: A little laughter once in a while in a hearing of this type is refreshing.

"The Witness: Yes, sir. I think there could be a little more. I invoke the constitutional privileges which I will name in a few minutes, but I feel first I must explain why I do so.

"I sit here—I was amazed—I suppose I shouldn't be by this time because after all this committee has been in existence for 16 years by the admission of its chairman. The House Committee on Un-American Activities has been in existence for a long time. I see things, values which I was taught as a child and which I came to revere and to respect in the United States and to which lip service is still given—I see them turned on every day. Take for example the Fifth Amendment to the Constitution. What this committee says, at least to the press, or at least as it is reported in the press and which they would have people believe, that Tom Jefferson, Washington and Hancock and the other drafters of our Constitution—

"Mr. Combs: May I interrupt you for a moment, Mr. Hartford?

"The Witness: Yes.

"Mr. Combs: Are you reading from a prepared statement?

"A. No, I am not. If you want to read it, you may.

"Q. Is this in response to a question, or is this a gratuitous contribution of yours?

"A. This is in response to the question, explaining why I must do what I have to do, even though it would be normally something which anyone would be proud to do.

"Q. Why don't you answer the question and then give your explanation, which is the usual practice?

"A. I am afraid if I answer the question first you would shut me up. Frankly, I am sure you are no friend of mine. You have made that very clear.

"Q. Again I suggest, sir, that you either refuse to answer the question, giving such grounds as you wish to give, and then if you wish to give an explanation within reasonable bounds I am sure the committee will have no objection.

"A. What I am arriving at, Mr. Combs, is the fact of this constant allegation or allusion to incrimination in relation to the Fifth Amendment. The people who drew up our Constitution, if we believed you, were interested in protecting the guilty, in protecting outlaws. The people who drew up the Constitution of the State of California, if we believed you, were interested in protecting outlaws, but I don't think so.

"Q. If you believed who?

"A. Believed you and Senator Burns, because you always say if a person invokes the Fifth Amendment you imply they are thereby guilty.

"Chairman Burns: You imply that you may suffer incrimination.

"The Witness: I may suffer incrimination, but that incrimination may be completely unfounded, unjustified, and come under the head of persecution, but not legitimate incrimination.

"Chairman Burns: That is your viewpoint. You are entitled to that and we will let you have that.

"The Witness: Gee, thanks. I am glad you feel that way.

"Chairman Burns: This is a duly constituted government agency seeking information. We want to know something about various organizations existing in Southern California. If you think it will incriminate you to tell us about them, that is one thing, but don't put a statement into our mouths that we think it does. We can't accept that as a fact. If someone asks if I stole some money and I say, 'I won't answer because it may incriminate me,' incriminate me against what? Incriminate me against prosecution for stealing the money? Let's not have any more speeches. Let's get along with the hearing.

"The Witness: I don't know what, but I feel that incrimination is definitely there and there is a link to possibly incriminate me even though as far as I am concerned I know I have done no wrong.

"Chairman Burns: If you feel you have done no wrong then you should have no hesitancy about answering the questions.

"The Witness: I certainly have if someone will twist what I say and bring an unjust prosecution against me. I want to avoid that if I possibly can.

"Chairman Burns: All right. Let's get back to the question. Who was your employer? Is that the question, who was your employer? Do you refuse to answer that question on the same grounds? If you do, say so.

"The Witness: I was explaining before the reasons for my grounds.

"Chairman Burns: Do you refuse to answer the question?

"The Witness: The previous witness—I feel I am entitled to explain this. After all, this is a public hearing. The press is here.

"Chairman Burns: What are you going to explain?

"The Witness: I was going to explain the grounds for which I refuse to answer the question.

"Chairman Burns: You can answer the question first and then, if you wish, give the reason for it.

"The Witness: All right. I decline to answer it on the following grounds, on the grounds that the Fifth Amendment of the United States Constitution, which was written to protect the innocent; the grounds of the First Amendment of the Constitution, which gives me the free right of association and belief; the grounds of Article I, Section 13, which gives me the same rights as being a witness against myself.

"Chairman Burns: Thank you very much. That did not take too much trouble, did it?

"Q. (By Mr. Combs): Is that the answer?

"A. Yes.

"Q. Is it not a fact that you are the Director of the *Community Medical Center?*

"A. The *Community Medical Center,* as I have heard of it, is an organization which is promoting prepaid plans, low cost medical care. I know from the press, at least I am led to believe from the press, that this is one of the organizations which the county medical association hierarchy, the Cadillac clique, it was mentioned here before, wants to get and which this committee, if I am to judge by the press report, is acting as hatchet man to help get. I will not assist this committee in trying to destroy an inter-racial health center, one of the few health centers in the city that is inter-racial, that is trying to do a job of providing low cost medical care to people in the lower income brackets. I therefore decline to answer this question. Furthermore, I think the *Community Medical Center,* I know has already been mentioned here, it has already been said it is under scrutiny. I know the reasons for this, as I stated before. Therefore, I must decline to answer for the reasons previously stated.

"Q. Is it not a fact that in the summer of 1946 you were an instructor at the *People's Educational Center* in Los Angeles?

"A. I must decline to answer that question on the same grounds.

"Chairman Burns: Just a minute. Counsel, I would like to enter into a stipulation with you: in each and every instance where the witness declines to answer a question, on whatever grounds he has given, in order to save time I would like you to agree to a stipulation that the chair deems his reasons insufficient and instructs him to answer the question.

"Mr. Branton: I will be willing to stipulate on behalf of my client that whenever he declines to answer a question, if he so does, that it will be deemed that he declines to answer on constitutional grounds

which were given in the declination to the first question. However, as to the second part of the stipulation, I am reluctant to do so because this would be an all-inclusive stipulation and there may be some questions which are very material and relevant which I would not like to stipulate that you have deemed to have asked him to answer those questions. Sometimes there is a little by-play and the question is abandoned. For the purpose of protecting my clients perhaps every time you order them to answer a question it should be done that way.

"Chairman Burns: Will you agree as to the questions that have been propounded to him already that he has refused thus far to answer —I don't think they fall into the category you mention—that the grounds for refusing to answer are deemed insufficient and the witness is instructed by the chair to answer the questions? Do you wish the reporter to read it back?

"Mr. Branton: Is the chair saying he rules that the grounds are insufficient as to all past questions which have been asked?

"Chairman Burns: Yes.

"Mr. Branton: I don't know what the questions were.

"Chairman Burns: Let's see if we can have them read back.

"Mr. Combs: I might paraphrase the questions. The first one was as to his occupation, which he answered. The next question was the place of his present employment, which he declined to answer. The next question was whether or not it was a fact that the place of his employment presently was the *Community Medical Center,* which he has also declined to answer. The next question was whether or not in 1946 he was an instructor at the *People's Educational Center,* which he also declined to answer. Does that bring us up to date?

"Mr. Branton: Will you stipulate his declination to answer all those questions was on each of the constitutional grounds that he has given?

"Chairman Burns: Yes.

"Mr. Branton: I will stipulate as to each of those questions that the chair has ordered him to answer the question.

"Chairman Burns: Very well, and that the reasons given are insufficient.

"Mr. Branton: I will also stipulate that he again refuses to answer each of these questions on the grounds previously stated.

"Chairman Burns: Very well.

"Q. (by Mr. Combs): The next question is, Mr. Hartford, is it not a fact that in the year 1948, you were an instructor in the *California Labor School* in Los Angeles?

"A. With all due respect to the *California Labor School* as an outfit which tried to do a good job, I must decline to answer for the reasons previously stated.

"Q. Is it not a fact during the term which commenced January 24, 1949, and continued until April 1 of that year you taught a course in the *California Labor School* in Los Angeles concerning the development of the trade union movement in the United States?

"A. I must again decline to answer for the same grounds.

"Q. Is it not a fact that during the spring semester of 1946, you were the coordinator for the *People's Educational Center* in its over-all activities?

"A. I must again decline for the same reasons, on the same grounds.

"Q. Is it not a fact during the spring term of 1950, you were an instructor in a class or classes at the *California Labor School* in Los Angeles and its Extension Division?

"A. I must decline for the same reasons and on the same grounds.

"Q. Is it not a fact that you were a sponsor for an organization in 1945, in December, known as *American Youth for Democracy,* which has been listed as subversive and Communist by the United States Department of Justice?

"A. I decline to answer on the same grounds.

"Q. For the reasons previously given?

"A. For the reasons previously given.

"Q. Is it not a fact that in July, 1951, you were executive secretary of the *Community Medical Center,* according to an article which appeared in the *Daily People's World* of December 7, 1951, page 3, column 5?

"A. I must again decline to answer on the same grounds and for the same reasons.

"Q. Is it not a fact that you are one of the signers of a booklet issued by the *Arts, Sciences and Professions* Council in June, 1951, entitled, *Yours for a Genuine Brotherhood;* which has been referred to by previous witnesses?

"A. I remember the booklet, I believe.

"Q. Do you remember the booklet?

"A. Yes, I do. I thought it was a wonderful thing to further the fight against racial discrimination in hospitals and other medical and health organizations in this community. However, I must decline to answer the question on the grounds previously stated.

"Q. Have you been affiliated with the *Medical Division of the Arts, Sciences and Professions Council* in Los Angeles?

"A. I decline to answer on the same grounds.

"Q. For the reasons previously given?

"A. Yes.

"Q. Are you acquainted with Dr. Jack Flasher?

"A. In view of the fact that Mr. Flasher has been subpenaed before this committee, and in view of the fact that questions that were asked were of such a nature which might imply that there was a possi-

bility of scrutiny, shall we say, by this committee, and possibly further action in relation thereto, I must decline to answer on the grounds previously stated.

"Q. Mr. Hartford, have you ever been affiliated with an organization known as the *Civil Rights Congress,* which, I might add, has also been listed by the Department of Justice of the United States as a Communist-controlled organization?

"A. I assume that you are referring to the organization, *Civil Rights Congress,* which has done an outstanding job in protecting people against inquisitions such as this, and against other abuses of governmental authority and power. However, I must decline to answer the question on the grounds previously stated.

"Q. Have you ever been a member of an organization know as the *State-wide Legislative Conference?*

(The witness confers with his counsel.)

"Q. You never heard of it?

"A. That was not an answer. I am entitled to know what is it?

"Mr. Branton: Privacy of counsel.

"Mr. Combs: I am a lip reader.

"The Witness: Is this organization listed by anybody as being subversive or suspect?

"Mr. Combs: Many times.

"The Witness: Or under scrutiny?

"Mr. Combs: Many times.

"The Witness: Well, again, Alice in Wonderland has returned. You, yourself, have set the basis that makes it mandatory.

"Mr. Combs: You asked me and I told you.

"The Witness: I refuse to answer on the grounds previously stated.

"Q. Did you attend a meeting on December 4th, last, at the Alexandria Hotel in this city?

"A. What meeting do you refer to?

"Q. A meeting called the *Citizens Committee to Preserve American Freedom.* It was an evening meeting that started about 8 or 8.30, held at the Alexandria, and was attended by many people, some of whom are under subpena at this session.

"A. Again you are mentioning an organization which is carrying on the best traditions of American life and historical culture and for whom I think the citizens of Los Angeles should be eternally grateful.

"Q. The organization I just mentioned?

"A. Yes, the *Citizens Committee.* However, I must decline to answer on the grounds previously stated.

"Q. Have you been a member of the Communist Party or the Communist Political Association, Mr. Hartford?

"A. The same answer for the same reasons.

"Mr. Combs: That is all.

"Mr. Branton: May the witness be excused?

"Chairman Burns: Yes."

STATEMENT SUBMITTED BY MR. KEN HARTFORD

"Press stories regarding this hearing leave no doubt that there is but one reason why the Senate Committee on Un-American Activities could possibly summon me as a witness. It is to seek my assistance in furthering what I consider to be a conspiracy on the part of a few top leaders of the county medical association for private gain at the expense of the health interests of the people.

"Wittingly or unwittingly, the committee is lending itself to a self-seeking endeavor by those leaders to more firmly establish a lucrative medical business monopoly over the alleviation of pain and suffering due to illness.

"If the aims of this group are successful, those doctors and others in the health field who are providing better and lower cost medical care through group practices, through service-type health plans and other methods to meet the complexity and high cost of medical care, will be deprived of their license or cowed into submission.

"Should this happen, it will be the people who foot the bill—both in higher medical fees and lower health standards. Good medical care will become less available, especially to those in minority and lower income groups. This will inevitably lead to higher fees and lower quality of care; for medical science, like any other science, cannot flower in an atmosphere of political conformity and repression.

"I am not 'friendly' to such a program, and I will not knowingly assist it in any way. In fact, I will do all within my power to oppose it. I will not have any part in establishing a de-licensing mill wherein doctors who do not kow-tow to the wishes of medical association leaders will be shorn of their hospital appointments and licenses. I will not participate in this invidious attempt to raise already high medical fees through the elimination of competition and the killing of service-type prepayment plans, which have proved to be the only means whereby middle and lower income groups can insure good medical care for themselves.

"It is not easy to be an 'unfriendly' witness, with the personal stigma which currently attaches thereto and subjects one's wife and children to the currility of hate groups and vindictiveness.

"However, I will not be an informer, a stool pigeon or a tool of any vested interest, medical or otherwise. Therefore, I must choose to be an 'unfriendly' witness in this investigation and to safeguard myself by claiming the protection of the First and Fifth Amendments to the

U. S. Constitution, and Article I, Section 13, of the California Constitution, for the purpose for which they were intended—to act as a shield for the innocent against the abuses of office."

STIPULATION CONCERNING TESTIMONY OF DR. FRANKLIN BISSELL, M.D.

"Mr. Combs: Would you state your name?

"Mr. Okrand: Fred Okrand.

"Mr. Combs: How do you spell your name?

"Mr. Okrand: O-k-r-a-n-d.

"Mr. Combs: Mr. Okrand, you are a duly licensed and practicing attorney, are you not?

"Mr. Okrand: Yes.

"Mr. Combs: In the City of Los Angeles?

"Mr. Okrand: Yes.

"Mr. Combs: One of your clients who was under subpena to appear here tomorrow morning—was it 10 o'clock?

"Mr. Okrand: Yes.

"Mr. Combs: Was it Dr. Franklin Bissell?

"Mr. Okrand: Correct.

"Mr. Combs: You contacted me by telephone at the hotel, didn't you?

"Mr. Okrand: Yes.

"Mr. Combs: You asked me if we could arrange a stipulation for reasons that you gave to me at the time concerning him?

"Mr. Okrand: Yes, I did.

"Mr. Combs: I told you that I could accommodate you by entering into the kind of stipulation that you and I have just discussed?

"Mr. Okrand: Yes.

"Mrs. Combs: Correct me if I am in error. The stipulation is this, in substance: that if Dr. Bissell were here present, sworn and questioned under oath and asked whether or not he was now or had ever been a member of the Communist Party, his answer would be that he declined to answer the question on the ground that a truthful answer to the question might tend to incriminate him, under the provisions of the Fifth Amendment and the other provisions that you are now about to mention?

"Mr. Okrand: Yes.

"Mr. Combs: And that if I asked him about meetings that he is alleged to have attended, and organizations to which he is alleged to have been affiliated, such meetings and organizations having been described by any federal or state agency as subversive, that his answers would be that he would decline for the reasons which you are about to mention for the record. Is that right?

"Mr. Okrand: That is correct. There is one modification, Mr. Combs. Our stipulation is that he would decline to answer for these reasons——

"Mr. Combs: That is correct.

"Mr. Okrand: ——the privileges against self-incrimination, Article I, Section 13, of the California Constitution, and the Fifth Amendment to the United States Constitution, the guarantees of freedom of speech, press and assembly, Article I, Sections 9 and 10, of the California Constitution, and the First and Fourteenth Amendments to the United States Constitution.

"Mr. Combs: Will you give us your address?

"Mr. Okrand: 257 South Spring Street.

"Mr. Combs: By way of foundation I would have asked Dr. Franklin E. Bissell whether or not he was a duly licensed physician and surgeon of the State of California and his answer, according to the data which appear in the medical directory, would have been in the affirmative; that he is described in the medical directory, an excerpt from which I have before me, in original, was that he attended the University of Vienna, he graduated there in 1932; he was born in 1908; he was licensed to practice in California in 1933; his business address is 1315 East Main Street, Alhambra, California. I would have asked him if he is now or has ever been a member of the Communist Party or Communist Political Association. And according to the stipulation he would decline to answer for the reasons heretofore given.

"Mr. Okrand: May I make one statement, Mr. Combs?

"Mr. Combs: Surely.

"Mr. Okrand: As to the answers, the correctness of your foundational questions, I have no knowledge.

"Mr. Combs: The stipulation does not cover the foundation questions.

"Mr. Okrand: That is correct.

"Mr. Combs: I would ask him whether or not he has been affiliated with the *Medical Division of the Arts, Sciences and Professions Council* in Los Angeles, and according to our stipulation he is deemed to have declined to answer the question for the reasons heretofore given.

"I would ask him whether or not he was a candidate in Alameda County in 1936 on the Communist Party ticket for the position of supervisor of that county. According to the stipulation his answer would be that he declined to answer for the reasons heretofore given.

"Mr. Okrand: I had understood our stipulation had already covered all the questions.

"Mr. Combs: Then we won't need to repeat them.

"Mr. Okrand: You won't have to repeat any of the questions.

"Mr. Combs: I wanted to get into the record ——

"Mr. Okrand: I didn't understand that to be a part of the stipulation.

"Mr. Combs: I have only one more. The other question was whether or not he had ever been affiliated with the *Civil Rights Congress.* According to the stipulation he would have declined to answer the question for the reasons heretofore given. Those were the only questions I wanted to ask. Is that satisfactory?

"Mr. Okrand: That is in accordance with our stipulation, I believe.

"Mr. Combs: Very well."

DR. MURRAY ABOWITZ EXCUSED FROM SUBPENA

"Chairman Burns: The committee will please come to order. Mr. Combs, and gentlemen of the committee, Mr. Robert Morris is here making a request in behalf of Dr. Murray Abowitz. The doctor is confronted with emergency work. His attorney, Mr. Robert Kenny, is unable to be present due to a trial in San Francisco.

"Mr. Morris, the committee subpenaed Dr. Murray Abowitz more for the purpose of having him available in case he wished to make a statement of any kind, because his name has been brought up here on several occasions. If it is his wish, if he does not want to appear, it is perfectly all right with the committee that he be excused. Is that in accordance with your wishes?

"Mr. Morris: Yes, sir.

"Chairman Burns: Dr. Abowitz will be excused from the subpena. In the event he desires at any future time to come back, he may advise the committee.

"Mr. Morris: Thank you very much.

"Chairman Burns: Mr. Cohn.

"Mr. Cohn: Yes.

"Mr. Combs: As long as you are here we might as well put in the record. You and I agreed concerning your client, Dr. Justin Frank, did we not?

"Mr. Cohn: Yes.

"Mr. Combs: We had a conversation concerning him. As a matter of fact, we had several.

"Mr. Cohn: That is right.

"Mr. Combs: For reasons known to you and to me, he has been excused from appearing at this session of the committee. Is that correct?

"Mr. Cohn: That is correct.

"Mr. Combs: Thank you.

"Mr. Cohn: Thank you.

"Mr. Combs: Mr. Chairman and Members of the Committee—I have just conferred with Mr. Daniel Marshall, who has three clients who were scheduled to testify today, one of whom was subpened, I think, for yesterday—I am quite sure of that—but we moved it over to this morning to accommodate him and his counsel. I have just examined

the records and I find we can call all of them in a group so that Mr. Marshall can leave if he so desires.

"Chairman Burns: Very well.

"Mr. Combs: Mr. Marshall, I would like to have Mr. Hittelman testify first if it is satisfactory with you.

TESTIMONY OF DR. JOSEPH HITTELMAN, M.D.

"Q. (By Chairman Burns): Let's have your name, business and residential address, please, Doctor?

"A. Joseph Hittelman, M.D., 6317 Wilshire Boulevard, Los Angeles.

"Q. (By Mr. Combs): Your residence is where?

"A. My residence is 5604 Holyoke Drive, Hollywood, California.

"Q. Dr. Hittelman, you are a physician and surgeon, are you not?

"A. That is true. I received my degree here in California.

"Q. At the University of California?

"A. Yes. If you wish, I can go right through my educational background very rapidly. I was born in Rochester, New York, December 25, 1910. I came to California in 1920. That was a long time ago, before we had smog here, as a matter of fact. I was educated in the public schools of Los Angeles. I took premedical work at the University of California at Los Angeles. Then I went to Berkeley, where I received my B.A. degree in 1932. I received my M.D. degree in 1936. I was an intern and resident in medicine in Mt. Sinai Hospital in San Francisco from 1935 to 1937. I then returned to Los Angeles to enter private practice of medicine. I practiced general medicine here until 1942, at which time I entered the army of the United States. I served here in the States and also in the Pacific theater of operations, Leyte and the Philippines. I was commanding officer of the hospital ship *Platoon.*

"Q. What rank?

"A. Captain. I was delegated to transport casualties back to the United States. My earlier duty was the handling of psychiatric casualties, which has left a lasting impression on me.

"Subsequent to my separation from the service I returned to private practice of medicine in Los Angeles. I then took the opportunity to take post graduate work full time in the Post Graduate School of Medicine at the University of California at Los Angeles in diseases of the heart and circulation. Subsequently I have specialized in internal medicine, with special attention to diseases of the heart. I am now engaged in such private practice.

"Q. Dr. Hittelman, did you ever reside on Soto Street in Los Angeles?

"A. I did. I had my office there.

"Q. Was that at 132 North Soto?

"A. That is true.

"Q. During what years did you reside there, to the best of your recollection?

"A. As a matter of fact, in the year 1921 we moved into a house on Soto Street. It was a little two-lane street. I lived there and subsequently the property was rebuilt. I even opened an office there, and I lived at that address from the year 1920 or 1921 until about seven years ago.

"Incidentally, in the practice of medicine, ever since my return to Los Angeles, I have always been a member of the Los Angeles County Medical Association. That is a full 17 years. I am also a member of the American Heart Association, the Association for the Advancement of Science, and of course, the other companion medical societies, such as the State Medical Society and the A. M. A.

"Q. Dr. Hittelman——

"A. I did not complete my qualifications. I have also passed the written examination for certificate as a specialist from the American Board of Internal Medicine. I have yet to undertake the oral examination. There may be some vicissitudes attached thereto.

"Q. Dr. Hittelman, have you ever been known by any name other than Hittelman?

"A. Mr. Combs, the import of this question certainly indicates to me the purpose of this committee. It was publicized that this committee came to investigate infiltration in the county medical society, and some elements came up about an election which was had here in 1949, in which I was a candidate. I would like to enter into that when I answer this question. The officers of the county medical society who were responsible for my appearance today, which has been stated in the press, obviously have no love for me. I think the reason is connected with that election. That should be gone into in detail.

"Chairman Burns: Doctor, may I interrupt you a moment?

"A. Yes.

"Q. When you are discussing the election, are you discussing the election for the association or some political election?

"A. You see, this is why this point is so important to me. This particular election is one which was conducted within the Los Angeles County Medical Society. It was an election in which officers were nominated, the slate was proposed by a nominating committee from the association and in which certain opposition candidates, of which I was one, were proposed from the floor. These opposition candidates, so-called, were nominated in a duly authorized fashion from the floor at a meeting, at a general meeting of the county medical society and within the framework of the constitution and by-laws of the county medical society.

"I cannot understand why this committee should go into this particular feature of intra-society business, but this committee has manifested a very intense interest in this particular aspect.

"Why did this particular campaign in which candidates for almost the first time were put up in opposition to the leadership, who have made their presence known here before, such as Drs. Sampson, de los Reyes, Frees, the individuals who were the top echelon leaders in the county society, why does that particular election bother them so much? Why can't opposing views be presented in an orderly fashion in the manner in which they were done at that particular time?

"I think there are certain features about the election concerning which there can be no dispute. The nominations were carried out in order. I assume the ballots were sent out from the office the way they should have been and were returned and counted in proper fashion. A 20 percent vote was registered in favor of the candidates nominated from the floor. What is so subversive about such an election campaign? Everything was out in the open. Everything was carried through in orderly fashion.

"Perhaps it is the program, perhaps it is the desire on the part of the leadership of the county society to label people who are in a certain activity with a certain name. Once they have been given that horrible name everything associated with it becomes repugnant in the public eye.

"I will state in three sentences what was the program of the individuals who were opposing the leadership in the county society. There were three points. First, was to make the association more democratic. I think that is a perfectly desirable endeavor.

"Secondly, it was to end discrimination in our hospitals in Los Angeles. The point was brought up here, oh, that was just a red herring thrown around, that discrimination does not exist, and so forth and so on. I am sure the minority groups throughout the country are aware of the opposite being true, that discrimination has existed in hospitals in the attitude toward minority group physicians, also in the attitude toward minority group patients. It has existed in the past and it exists today. It will continue to exist until true democratic ideals of this country come forward and eliminate it. It is a part of the same battle that has been going on in the fire department. That has been settled, and this should be settled in the same fashion.

"The third point was to have the association work for humanitarian goals in the community rather than to conduct merely a narrow program for the advancement of the economic interests of its members. That is a very important point. It is a ticklish situation with doctors, public health, compulsory health insurance, and so forth. They get a bit worried about the pocketbook. That is all right. Everybody has an interest in his pocketbook, but on the basis of that purely selfish interest

I don't think we should, under any circumstances, permit the health of the nation to suffer.

"For the reasons which I have outlined, those individuals whom the officers of the county society suspected with having anything to do with the opposition have never been forgiven. The fight was a fairly good fight. I think it was almost a thousand members who voted for these members. How will you label these thousand members who voted for those candidates?

"Furthermore, something else grew out of that particular election campaign. One of these things was the election last year, or rather a ballot on the amendments to the by-laws of the county medical society. This election was carried out in December, 1953, at which time 783 votes were cast against one particular change in the by-laws, and these 783 votes cast in opposition to the demand for a loyalty oath upon new applicants coming into the society, what will we call these 783 physicians who voted against the loyalty oath in the county society?

"These are some of the points which have not been brought up here, and I am willing to go into them with you gentlemen. The county society has an ax to grind in this hearing. When the ax is sharpened it expects this committee to use it on the necks of those who have appeared here under compulsion and who have voiced sentiments against these proceedings. I was anxious to get these particular points on. These hearings have been going on since Monday.

"Mr. Combs: We have permitted you to do so.

"The Witness: I am very grateful to you for it. From the statements I have seen in the press, in the coverage of these meetings, it pleases me that this committee has acted in such a fair fashion.

"Mr. Combs: Thank you, sir.

"The Witness: There have been other investigating committees, there have been committees who have taken the tone of the junior Senator from Wisconsin rather than the tone taken here. If you gentlemen are out for facts I think this is the way to get them.

"Mr. Combs: Doctor, I take it you appreciate the subject with which this committee is concerned is not only a rather challenging one, but it has elements of the controversial in it, it has elements of sensationalism from time to time. It is not the easiest field for this committee to function in. Of course, we try to be as courteous as circumstances will permit and nevertheless exhibit the courage necessary and take the action that will accomplish the end for which we were constituted. Now let's get back to the question I asked you a moment ago and that was:

"Q. Have you ever used any name other than the name Hittelman, and for the purpose of making it more explicit I will add this: did you ever go by the name of Jack Martin?

"A. Gentlemen, we are not living in a vacuum. There is a certain particular climate that we live in. This question brings up so many ramifications that one does not know where they lead. As I stated before, I think the reason I have been brought down here is because I opposed certain ideas in the county medical society. To bring forth this particular question at this time is something that has been done before and it is a technique that we are all familiar with. As much as I would like to answer it very honestly I cannot do so. I do think it is an invasion of my right to speak or to remain silent, to make whatever associations I want to. And in this particular instance it is pointed directly at me, as I stated before, because of this opposition to the ruling hierarchy in the county medical society. For that reason I can do nothing else but ask you gentlemen again the purpose of this committee here is to get at the truth of why there is this segment of opposition in the county medical society.

"Q. I would be very glad to explain the reason for the question at this point, doctor.

"Mr. Marshall: I think the witness has one more point to make to you. He will be finished in a moment.

"Mr. Combs: All right.

"The Witness: Because of that particular reason and in view of the fact this may stop getting at the full reasons for this hearing, I would suggest that the committee withdraw this particular question. I am sure you want all of the facts in the case. This may sort of stop up the flow of information which you are anxious to get.

"Mr. Combs: Dr. Hittelman, you stated that you suspected your candidacy for the office in the Los Angeles County Medical Association, predicated on the platform of the three points which you have enumerated, and I quote you now, which was, 'out in the open,' puzzles you because of the resistance you met on the part of the then officers and the majority of members of the medical association. Now, assuming that they had reason to suspect or believe—and I don't know that they did—that you may have gone under a name other than your own, to be explicit, in the year 1937, and that you did so to masquerade your affiliation as a member of the Communist Party, would that not answer your question in part as to why your candidacy might have met with some resistance; and the further reason for asking this question is because our information is, and the only way I have of testing the accuracy is to ask you, and this certainly goes to the heart of the campaign and the candidacy for the office which you have described, is that your Communist Party name was Jack Martin, that you joined the Communist Party in 1937 when you were living at 132 North Soto Street, Los Angeles, and that you were attached to the medical unit

in the professional section of the Communist Party of Los Angeles County. That is the reason for the question.

"The Witness: I still respectfully suggest to this committee that this immediately changes the type of hearing into the type that I commented about before which are conducted under the aegis of Senator McCarthy from Wisconsin. It is a part of the same old story of 20 years of treason. If you don't like something, label it and then it becomes treasonable.

"I have trouble teaching my children the meaning of words these days. They ask me what a word means. You look at the newspapers. It doesn't make sense. I said, 'look at the way Abraham Lincoln used the word. Look at the way it is used in the dictionary.' That is the only way you know words with different definitions today.

"I would like to further state that carrying this question along these particular lines you will eliminate the possibility of getting at the bottom of this whole particular matter. I would like to ask Mr. Burns, who is going up to Sacramento in January, there will be a lot of informal meetings about who will get this appointment and that appointment. On certain appointments to certain committees there may be individuals who dislike Mr. Burns, and yet these individuals may be willing to work with him in certain aspects of public power and private utilities, and so forth, where pressure has become very terrific on individuals. Mr. Burns may get somebody to work with him in spite of the fact that that individual is committed to private power interests, let us say. Subsequently, should the committee be able to compel Mr. Burns to divulge how these appointments were made and how he was able to get support from various segments and individuals who might be harmed by pressure groups if it came out that they were giving him support. I mean, we do not live in a naive world. There are certain retaliations that come to individuals if we say how things happen. Carry it over to the waterfront, people can get killed for opposition, if it is known on the part of an individual that he opposed gangster rule on the waterfront. Some of these things just can't come out.

"Mr. Combs: Dr. Hittelman, may I add this in fairness to you. It is also our information that you are not now a member of the Communist Party and you have not been for some time.

"The Witness: I don't think that is material to the case at all.

"Mr. Combs: We think it is. I don't believe we have an answer to the last question.

"The Witness: If you will insist, Mr. Combs,——

"Mr. Combs: I think the committee does.

"Chairman Burns: Let me say this, Doctor. One of the additional criticisms that you overlooked enumerating against this type of committee has been that many people have not had the opportunity to be present to verify, to affirm or deny various allegations or accusations,

if you want to use that term, made against them. You started out very well in discussing the subject for which we are here this morning. In fairness to you we have told you the information we have. It would be very unfair, and the criticism would be justified, if we publicized the information we have without giving you the opportunity to know about it or hearing about it and to confirm or deny it. In fairness to the committee and in fairness to you, in order to get all facts concerning the subject which we are investigating, we think that you should answer the question. If you were known as Jack Martin, tell us. If you were not, you can say no. I think it is material to the inquiry.

"The Witness: May I answer you, Mr. Burns. The only way I feel that I can resist this whole trend in American life of giving something a name and then calling it bad and the associating people with that name is by the opposition here right now. If the State Legislature passes a law stating henceforth from this day the color black is green, that doesn't make it green. This is what is happening in American life today. Legislative bodies pass a law that if anybody says such and such, and such and such and so forth is so and so, and from that day on he is so and so. Anybody who has been labeled anything, anything left of being a Knowland Republican, is a Communist, and that includes Eisenhower. That includes everybody left of Knowland, McCarthy and Nixon. It is so funny today that it is certainly time that individuals who are Democrats are very, very vulnerable and should understand it. I am trying to oppose that trend in American life.

"I am a physician. My first duty is to patients. I love the practice of medicine. I think I am a good doctor. But I cannot give up my citizenship. I see my patients influenced on every side by social and economic features. I can't make an adequate diagnosis unless I am aware of those impacts on their physical and mental wellbeing, and I am dragged into this particular situation for that reason. I am not of that group of doctors who confuse social with socialistic. That is another label. Asking this particular question is an attempt to label me.

"The statement was made that you have evidence I am not a member of the Communist Party now, and for so many years. To me that is immaterial to the particular question here because that question involves labeling. I am sick and tired of labeling if for no other reason than that I have a heck of a time explaining to my children what words mean which don't mean the same thing they did 50 years ago.

"I suggest again that you withdraw this particular question and let's stick to the issues of why is the A. M. A. so interested in getting the Burns committee to carry the ball for them on this particular issue.

"Chairman Burns: The committee believes the question is material. It is one of the main issues as to whether or not you are a member of

the Communist Party or whether or not you used this particular name. The Chair will have to direct you to answer the question, Doctor.

"The Witness: Seeing as I have been unable to convince the committee that they should have the county medical association carry the ball at their own expense with their own attorneys—they are a very wealthy organization—but have been able to pass over to the State and have the State carry it at state expense, which I think is a real subterfuge, and because I do respect the state authority, I have been given a command to answer the question, which I think you have no right to ask, gentlemen, but since I am being forced to do so I want it understood that I am doing it under compulsion, that this particular question again is an invasion of my rights of free speech because from this day on it interferes with my inability to oppose the vested leadership in the county medical society. It has invaded my right guaranteed to me under the First Amendment to the Bill of Rights, Article I, Section 9, of the Constitution of this State. Secondly——

"Chairman Burns: Are these the grounds which you are using for refusing to answer the question?

"The Witness: For refusing to answer this particular question. Secondly, it is an attempt to deprive me of my right to earn my livelihood. I think you gentlemen should understand that individuals who come out of this hearing, such as doctors, are now being forced into a position where they are going to have to defend themselves against further restriction, perhaps even battle against the revocation of license in the future. If the medical society can get the committee to lay the groundwork for that procedure I certainly expect them to get the introduction of bills in the forthcoming Legislature. Therefore, this involves——

"Chairman Burns: I hate to say this, Doctor, but you are making the record.

"The Witness: Pardon?

"Chairman Burns: I am reluctant to say so, but you are making the record that may be or may have the result of these events you are talking about. You are making the record, and not us.

"The Witness: At this particular hearing? It has been in the press already, the whole purpose of the hearing. Here is what I mean, Mr. Burns.

"Chairman Burns: You are not helping us any at all.

"The Witness: You say I am making the record. The record is already made. The press release stated the purpose of this hearing.

"Chairman Burns: I am referring, Doctor, to the chain of events that you are now enumerating in your reason for refusing to answer the question. It is your record.

"The Witness: Do you mean my standing on the Constitution of the United States is making a record which will be used against me?

"Chairman Burns: I don't know, but if it is you are making it, not I.

"The Witness: If I am making a record by standing on the Constitution of the United States, I am perfectly happy to get such a record down.

"The second reason is, under the Fourth Amendment to the Constitution because it will tend to deprive me of my livelihood, my liberty and property without due process of law.

"Thirdly, I will also claim the privilege of the Fifth Amendment of the Constitution of the United States, and Article I, Section 13, of the Constitution of the State of Cailfornia, as a ground for refusing to answer this question, which I am very sorry you gentlemen brought up and which I think will hamper these hearings rather than help them.

"In addition to the Fourteenth Amendment which I quoted, I believe also Article I, Section 13, of the Constitution of this State, which overlaps.

"On the further grounds that this committee sits without lawful authority and exceeds its valid powers. By that I mean that this committee by its very action, and in the present climate of public opinion, is a punitive and executive committee rather than a legislative one. I think other people have gone into that.

"Also on the additional grounds that they have clearly come forth as an action of complicity between federal agencies and this committee to deprive me of my constitutional rights under the Fifth Amendment.

"Furthermore, to compel me to expose myself to false prosecution for an alleged violation of federal laws. As I stated before, the question which you asked of course has no materiality or pertinency to any lawful power of this committee.

"There is another ground which I would like to call to your attention, that buttressing the action of the county medical society in these types of activities can clearly be a violation of the Sherman-Clayton Antitrust Act. There are many occasions which I think the committee should beware of wherein the American Medical Association has run afoul of the law, believe it or not.

"Chairman Burns: Wait a second now, Doctor. Are you all through giving your reasons?

"Mr. Marshall: No. He is still continuing with his reasons, Senator.

"Chairman Burns: All right.

"The Witness: Sometimes it might be said the doctor gave these reasons and in addition to the Sherman-Clayton Antitrust Act he threw in the kitchen sink. That isn't so far fetched as it may sound. The American Medical Association has made it very, very difficult, I want you all to understand, for group practices, prepaid health insurance, voluntary health insurance to make its way in this Country. The society has been acting in such a situation which is actually in restraint of trade under those laws.

"Incidentally, we had a very good example of that in Los Angeles in 1929, with which you must be familiar. It is the case of the Ross-Loos Clinic. In 1929, the leaders of the Ross-Loos Clinic were thrown out of the county medical society because they started a prepaid medical group for the Department of Water and Power employees. That was called socialistic, of course, and every subsequent plan has been called socialistic.

"The powerful A. M. A. lobby in Washington is known to every politician. I am sure you gentlemen are familiar with the firm of Whitaker and Baxter in California. This high priced advertising firm has been carrying the ball for the state society ever since it succeeded to the appointment. One of the leading figures in this battle was an individual—you heard him testify here several days ago, Dr. Alesen, a stone age economist——

"Mr. Combs: That is hardly a legitimate reason for refusing to answer questions, Dr. Hittelman. While we have been very patient, and I think quite tolerant with you, and have permitted you to go into the history of litigation of the American Medical Association, and a great many other extraneous matters, you have accused us of doing a few extra-curricular things. Let us see if you and I cannot strike a happy medium. Give us the reasons you don't want to answer the question and we can get on to the next of your counsel's clients.

"Mr. Marshall: The doctor has one or two more reasons.

"Mr. Combs: I don't doubt that he will, but that doesn't mean that we are going to permit him to deliver a long extraneous explanation of matters which are really not legitimate, legal reasons for refusing to answer a simple question.

"Mr. Marshall: I think if you reflect on it a moment you will see that it is fully germane to the issue. What is involved in this attack upon the medical society election is really a contest between two very different ideas for the medical care of the people of this Nation. It is really an attack on such a venerable institution, and so respected a proponent as Governor Warren's health bill. That is what it amounts to. These are germane issues. You are interested in acquiring this information, I am sure.

"Mr. Combs: We are interested in finding out whether or not your client was a member of the Communist Party under the name of Jack Martin.

"Mr. Marshall: Why?

"Mr. Combs: That is the question.

"Mr. Marshall: Why is that relevant? Would you ask Governor Warren to come in here to explain his reasons why in support of his health bill if he was a member of the Communist Party? Has that anything to do with the issue?

"Chairman Burns: We asked him once.

"Mr. Combs: We asked him once and he answered it very frankly and very willingly.

"Mr. Marshall: Governor Warren in the witness chair is a different person than any other person brought here.

"Chairman Burns: He was not governor then, Mr. Marshall, but he was a witness before the committee and I have asked him the question.

"Mr. Combs: He was on the stand a half a day. Now let's have the reasons for the witness' refusal to answer the question, and get on with the hearing.

"Mr. Marshall: He will continue.

"Mr. Combs: We have been very polite with you.

"Mr. Marshall: Yes, and we have been with you.

"Mr. Combs: Let's expedite it a little. We have many more witnesses.

"Mr. Marshall: For the record, you will have to agree that we have been equally courteous and polite to you.

"Mr. Combs: Yes.

"Mr. Marshall: Very well. Go ahead, doctor.

"The Witness: I don't want the impression to get across that I think the American Medical Association is such a horrible organization. It is just the top level leadership of the A. M. A. because their inhuman social philosophy has made it a two-headed hydra, on the one hand that of Aeschelus and on the other that of a cigar-smoking lobbyist in Washington. I believe the people should understand that. The A. M. A. has done a lot of wonderful things for medical science. It has done a lot of good things for the health of the people, but that is not permitting the people to get health care. For that reason, the last point I made under the Sherman-Clay Anti-Trust Act is a valid one.

"Mr. Combs: Have you concluded, doctor?

"The Witness: I will conclude with this statement.

"Chairman Burns: Don't talk to Mr. Marshall any more or he will think of another reason.

"The Witness: I am a physician. I am proud to be a physician. I have been a member of the county medical society here for 17 years. I don't intend to leave the society. I have a vested interest in it. I will try to

remain in it to do what I can to bring some humanity to the organization. I must pay tribute to the thousands of doctors who belong to the A. M. A., who feel as I do but who have been absolutely inarticulate in their expression and opposition to its policy.

"Mr. Combs: Have you concluded, doctor?

"The Witness: One more thing. I would like to commend to this committee a very scholarly—

"Mr. Combs: Is this one of the reasons for refusal?

"The Witness: Yes—an exhaustive article on the American Medical Association, published in the Yale Law Journal, Volume 63, No. 7, May, 1954, apparently by four attorneys. It really opened my eyes to the situation I didn't know existed. It is a real indictment of the antisocial policies of the American Medical Association. As a matter of fact, it would be a very good idea to enter this whole article in the record.

"Mr. Combs: Mr. Marshall, may we have the usual stipulation? I have only two other questions to ask your client. May it be stipulated between you and the committee that in the event he declines to answer the questions that the chair will be deemed to have admonished him that his reasons are insufficient and he is directed to answer the question, and that the reasons he has already given for refusing to answer this last question be deemed applicable to the last two questions I am about to ask?

"Mr. Marshall: It will be so stipulated, it being understood that the witness in the situation which you have mentioned will be deemed to have incorporated by this reference each and every ground of declination in refusal to answer.

"Mr. Combs: So stipulated.

"Chairman Burns: And the witness will also be instructed to answer on the ground so stated as not deemed to be sufficient by the chairman.

"Mr. Marshall: We will stipulate the witness has been instructed by the chairman to answer the questions.

"Mr. Combs: Thank you.

"Q. Dr. Hittelman, is it not a fact that in the year 1937, you were a member of the Communist Party of Los Angeles County, Professional Section, Medical Unit?

"A. Same answer on the same grounds.

"Q. Is it not a fact that you have been affiliated with the *Medical Division of the Arts, Sciences and Professions Council* in Los Angeles?

"A. Same answer, same grounds.

"Mr. Combs: That is all.

"Mr. Marshall: Is the witness excused?

"Chairman Burns: The witness may be excused.

TESTIMONY OF DR. RICHARD W. LIPPMAN, M.D.

"Chairman Burns: Dr. Lippman, you may be seated, give your name and address.

"A. My name is Richard W. Lippman. Here is my card with the name and address. (Home address, 11827 Chaparral Drive, Los Angeles 49. Office address, 414 North Camden Drive, Beverly Hills, California).

"Q. (By Mr. Combs): Would you mind giving your educational and professional background to the committee as briefly as possible, please?

"A. Yes, I would like to, Mr. Combs. My education was at the Fieldston School in New York City. After that I received my bachelors degree at Yale University in 1936. While there I was elected to the honorary scientific fraternity of Sigma Psi. I then received my M.D. degree at Columbia University in 1940. While there I was elected to the honorary medical fraternity of Alpha Omega Alpha. I interned at the Beth Israel Hospital in New York City. While still an interne there I volunteered for military service on the day after Pearl Harbor. I spent four years in service in the Army Medical Corps, two years overseas.

"Q. What rank, Doctor?

"A. I reached the rank of Major. After separation from the service I became a fellow in medicine at Stanford University School of Medicine from 1946 to 1948. In May, 1948, I came to this city as research associate at the Institute for Medical Research at Cedars of Lebanon Hospital. While at the institute I held a fellowship of the Columbia Foundation from 1949 to 1950. I held a fellowship from the John Simon Guggenheim Foundation in the years 1950-1951 and 1951-1952. In recognition of my work while there I was elected to the American Physiological Society. I was elected to the Society for Experimental Biology and Medicine. In this society I was a member of the National Council in the year 1951-1952.

"I was also elected to the Western Society for Clinical Research, the New York Academy of Scientists, and several other honorary societies.

"I am engaged in research concerning kidney diseases and high blood pressure. This was, I think, deemed by my colleagues to be reasonably productive. During that period I published more than 60 scientific papers in such recognized journals as the *Archives of Internal Medicine,* the *American Journal of Medicine,* the *American Journal of Physiology.* I also published a book in this special field.

"In December of 1951, I suddenly received notice that I had been expelled from the staff of Cedars of Lebanon Hospital.

"Q. What was the date again?

"A. In December, 1951. I cannot tell you the exact date, but it was just about Christmas time. This expulsion occurred without any hear-

ing, without any reasons being given, and to this day I have not even received the courtesy of a personal notification that I was expelled.

"Q. Did you request a hearing?

"A. I did request a hearing.

"Q. How did you make that request, Doctor?

"A. I sent a letter to the board of trustees. The letter was returned to me because they refused to accept it. Then I re-sent it by registered mail, return receipt requested. I received a receipt that it had been received, but I never received an answer.

"Q. Did you go out there personally to insist on a hearing?

"A. Yes.

"Q. With whom did you confer at that time?

"A. Do you mean with whom in the hospital, of whom did I personally request a hearing?

"Q. Yes.

"A. From the superintendent of the hospital.

"Q. He was who at that time?

"A. Mr. Manuel Weisberger.

"Q. Do you know if he is still there?

"A. I think he is still there. He told me that it was not up to him. After all, this was three years ago. I cannot recall the exact conversation, but he told me it was not up to him, but that he would transmit my request to the board of trustees. They apparently did not even see fit to answer my request.

"Q. Do you know that the request was actually transmitted to the board?

"A. Well, I know that I have a receipt in my possession for the registered letter that was addressed to the president of the board of trustees.

"Q. Who was he at that time?

"A. At that time Ben R. Meyer.

"Q. Is he still functioning in that capacity, do you know?

"A. I believe that he has been superseded as president. I would like to say this.

"Q. Do you mind of we explore that for just a bit?

"A. If I may return to my answer of the original question.

"Q. Of course. You brought it up and I thought this would be a good place to do this because we have no other way of getting that. I guess we would have, but this is the better opportunity.

"How long after you received the notice of dismissal, to the best of your recollection, was it before you went out personally to talk to the medical director?

"A. I tried to reach him. May I tell you the exact circumstances of how I received the notice?

"Q. I think so.

"A. I remember that very well. I just came home from work. The phone rang about dinner time. A friend of mine, who also worked at the hospital, said, 'Hello, Dick. What is this I hear about your leaving?' I thought at first this was kind of a joke. I said, 'I am not leaving, what are you talking about?' He said, 'Well, in the list of the staff for the coming year, which has just been distributed in the hospital, your name is listed as not to be reappointed.'

"As you can imagine, this was quite a shock. This was the first inkling I had that there was any difficulty of any sort. I immediately called several people whom I knew to be prominent in the hospital to find out what happened.

"Q. Do you remember whom you called?

"A. I don't remember precisely. I was quite excited at the time.

"Q. Had Dr. Abowitz received a similar notification before or about that time?

"A. I think that I was the one who discovered that he was also on that list because I called someone who had the list and asked them to check to see who else was not to be reappointed and in that way discovered the names of other individuals.

"Q. Of whom he was one?

"A. Of whom he was one. I tried to contact the superintendent of the hospital immediately, of course, but because of the holiday season—I think that was the week end directly after Christmas and it was impossible to contact anyone until Monday. I made the earliest possible appointment to see the superintendent. I don't remember whether it was Monday or Tuesday, but I got in as fast as I possibly could.

"Q. It was a matter of within two or three weeks thereafter at least?

"A. Oh, a matter of within two or three days.

"Q. All right. Would you please continue.

"A. I would like to interject now that it was a mystery to me at the time because I was never given any choice or reasons whatsoever.

"I now learn from previous testimony before this committee that some of the men who have testified here, the leaders of the county medical association, Dr. Sampson, Dr. de los Reyes, and others, have testified that they intervened with the hospitals to expel certain individuals. I believe they mentioned the Cedars in particular. At least this appeared in the press.

"Q. I don't recollect that exact testimony at all, Dr. Lippman, but there was some testimony about two individuals of the Cedars having been identified with certain organizations before the House Committee

on Un-American Activities, but your name was not included in that connection.

"A. I may be mistaken on this, but I believe the newspaper articles stated that they had intervened concerning these three dismissals.

"Q. I don't know about that, but I think I am pretty clear on the record. Of course, the transcript will speak for itself on that regard.

"A. I would like to mention in this very connection, and whether it was in the testimony here or in a statement to the papers—they may have just made a statement to the papers in that regard.

"Q. Of course, we don't know about that.

"A. It did appear. On that basis I have taken under advisement with my counsel the possibility of a suit against these individuals because I had a contractual relationship with the Cedars of Lebanon Hospital, and under the laws of California I believe it is contrary to the law for a third party to intervene between parties to a contract which results in the breaking of a contract. At the time of my expulsion from the Cedars of Lebanon Hospital I was engaged in work which had been in progress for several years which was of considerable significance in my field. It had potential importance concerning the cause of a disease which is very important to the people of this Country, to the health of the people of this Country. The disease is nephritis which, when it is related to the disease of nephrosis, accounts for about 17,000 deaths a year, according to the United States Public Health Service statistics. We did a good deal of work concerning the cause of this disease and its treatment. We felt that we were on the verge of much more important discoveries. At that time I had working under me about six or seven people in my research project. I am sure you realize in a subject as complicated as nephritis, Bright's disease I think is a more common name and one you might recognize better, or kidney disease—that it takes a great deal of time to train people to work. We had a team which was able to work very efficiently and achieve results which we could achieve much more quickly than at the beginning of our years of labor. At the time of the expulsion I had about a thousand animals, rats, which were part of a series of experiments in this field. These animals and the work it represented involved a large investment of government funds since the greater portion of my funds came from the United States Public Health Service. I had funds of other foundations and sources as well, but the greater proportion represented an investment of government funds in this research.

"Actually, I had 48 hours' notice in which to terminate, in which my funds were cut off, to terminate this project. I was faced not only with the personal problems and personal situation involved, but with the problems of the people working for me and the loss of this great invest-

ment of government funds and of labor on work which had a bearing upon the health of the people, which I think was of significance.

"This expulsion also happened so rapidly that I was unable to make arrangements to take care of my clinic patients. I was the founder of the kidney disease clinic at Cedars of Lebanon Hospital, which was the first clinic of this sort in Southern California and in the Southwest, as a matter of fact. In a short time it had achieved the reputation as a center for people with kidney disease and high blood pressure. I was given no warning. I think I received the notification Friday evening, but was unable to contact anybody over the week end. I think my first clinic was Monday afternoon, I am not certain on the exact time sequence, but it was in that order of magnitude. I was not permitted to enter the building where my clinic was held. No one could inform the patients of what happened to me. They lined up in the hall to see me. Someone told them finally they could find me in the Research Institute. The director of the Institute for Medical Research declined to discharge me. I had a dual capacity at the hospital. I was in charge of the kidney disease clinic, which was as a member of the hospital staff, and I was Research Associate of the Institute for Medical Research in a separate building, a separate responsibility. While I was discharged from my position in the hospital, the director of the institute, Dr. Harry Goldblatt, declined to discharge me because he felt no adequate grounds existed, and my work was more than satisfactory as far as he was concerned.

"The patients were told they could find me in the Research Institute. I remember on that morning they came over to the institute to see what had happened. Some of them were very upset and weeping. Some of the children were sitting on the floor in the hall of the institute. I was trying to make some arrangements to take care of the patients so that they would not have to go home without treatment and without the consideration that they needed.

"The effect of this action I think was detrimental to the health of the people of this community. It was detrimental to health on at least a two-fold basis: one, in the sense that my work was disrupted. For the past two years, since this abrupt termination of my research, it has been impossible for me to resume my research. The potential progress in the control of an important disease has been arrested as a result. I make no claim, I want to make it plain I do not make any claim that I would have discovered anything great in this period of time, but I think my performance in the past shows that I was capable of making progress in this field and that the progress, at least that much which I had already shown the capability to do, has been arrested, and the patients for whom I had some degree of skill to apply have not been able to get that skill applied to their cases.

"As a further evidence in this regard I might mention that many times I have been asked to consult concerning patients in the Cedars of Lebanon Hospital. In spite of the fact that I had been expelled from the staff, doctors whose patients were critically ill with kidney disease, because of my reputation in the field, have asked me to come and see patients so that I might help advise them how to deal with these serious situations, many of which resulted in deaths to the patients subsequently.

"The hospital refused to admit me to the building. I heard that one high individual in the hospital circles said I would not even be permitted in as a visitor. I was prevented from doing anything to help these patients. Again I don't say that I would have done the impossible or saved any lives, but I say that it is not a very manly thing to deprive a patient of even the possibility that someone might be able to help them when they are facing death from a disease.

"You might also be interested to know that for the first time since my dismissal, a couple of weeks ago I was permitted to go back in consultation at the Cedars of Lebanon Hospital, to see a patient who was very critically ill. I am happy to be able to report he became better and went home. Incidentally, this has happened since the replacement of Mr. Meyer as president. There is a new president at the Cedars of Lebanon Hospital.

"Q. Who is he?

"A. George Thompson.

"Q. Would you expedite your recital in this regard, please, because we have many other witnesses.

"A. I think this about completes what I would like to say, except for one last statement. I want to make it clear that I do not feel the Cedars of Lebanon Hospital is responsible for the position that they were forced to assume. I am not a revengeful person. I think that they were forced into this position by what I now learn to be the intervention of the medical society leadership with a great deal of power to enforce their desires upon hospitals. Hospitals depend for recognition on agencies which are closely connected with the medical association, consequently, disapproval by the medical association of their policies can ruin a hospital and it can ruin a doctor. I feel that the trustees of the Cedars of Lebanon Hospital perhaps can be characterized as men who were not very courageous but who were forced into this position by the policies of the medical association.

"Q. Does that conclude your statement, Doctor?

"A. Yes, sir.

"Mr. Combs: Mr. Marshall, in view of the fact that we have been requested—you have one other client to testify before noon——

"Mr. Marshall: Yes.

"Mr. Combs: Mr. Margolis has requested that we accommodate him by putting his client on before we adjourn. In view of that situation and in view of the fact that we have quite a number of witnesses this afternoon and tomorrow, couldn't we enter into an agreement now that after the response to the first question which the witness may or may not choose to answer, that we have the same stipulation that we have had heretofore?

"Mr. Marshall: Yes. I will make such a stipulation, with the exception of the stipulation regarding the order of the chairman of the committee to answer each specific question.

"Mr. Combs: Yes.

"Mr. Marshall: If there will be a lot of questions?

"Mr. Combs: No, there will be very, very few.

"Mr. Marshall: We can probably handle it that way, but before we get into that I would like to make an inquiry for the record when Senator Burns returns to his chair.

"Mr. Combs: Very well.

"Q. Doctor, are you acquainted with——

"Mr. Marshall: Before you ask the question would you be kind enough to ask Senator Burns to return to his chair so that I might ask a question?

"Mr. Combs: I cannot make him return to his chair until he is through.

"Mr. Marshall: No. I didn't mean make him, but ask him to come. Thank you very much, Senator. On TV Channel 4 last night I saw and heard an interview by a person who bore a reasonable facsimile to the appearance and voice of Senator Burns. In that interview the person purporting to be Senator Burns said, among other things, as follows: that this committee was not here to get information, that it had all the information it wanted. Now, was that you, Senator Burns, who made that statement?

"Senator Burns: I never made any such statement.

"Mr. Marshall: Would you tell us for the record what you did say in this television interview last night?

"Chairman Burns: I would object to that very much. I am not a witness before the committee and you are not the interrogator.

"Mr. Marshall: For the sake of the record, so that we have a complete record of what the purposes of the committee are, it would seem to me that the chairman of the committee ought to be willing to state those purposes on the record right now.

"Chairman Burns: The purposes of the committee are set forth in the resolution creating it, of which you have a copy, Mr. Marshall.

"Mr. Combs: And which you have cited many times, Counsel.

"Mr. Marshall: But the Senator gave the particular meaning and application to that resolution with reference to these particular hearings.

"Mr. Combs: Mr. Marshall, we are here to interrogate witnesses. You are not here to interrogate members of the committee.

"Mr. Marshall: I wouldn't want to crowd the chairman for an answer. He should have an opportunity to consult counsel, too.

"Mr. Combs: You wouldn't cite him for contempt?

"Mr. Marshall: No, I won't cite him for contempt either.

"Mr. Combs: I don't think you will.

"Chairman Burns: No.

"Mr. Combs: All right.

"Mr. Marshall: You don't choose to make the statement, is that correct?

"Mr. Combs: Maybe he will invoke the Fifth Amendment.

"Chairman Burns: I will make my statement at the proper time, and this is not the proper time, Mr. Marshall.

"Q. (By Mr. Combs): Dr. Lippman, are you acquainted with Dr. Thomas L. Perry?

"A. Are you ready for my answer?

"Q. Yes. The question was, are you acquainted with Dr. Thomas L. Perry? To further identify Dr. Thomas L. Perry, he was the witness I think who was first on the stand yesterday morning. He was a client of yours, wasn't he, Mr. Marshall?

"Mr. Marshall: Yes, sir.

"The Witness: Senator Burns, we are in peculiar times, times when any red blooded American would not answer the question as to the color of his blood because it might imply that he was a subversive individual.

"Q. (By Mr. Combs): He might have to say it was red?

"A. That is right. I feel this business of coming before committees for questions concerning their political opinions constitutes a trial by ordeal and by newspaper rather than by the American way of trying a person in a court of law. This committee reminds me, if you will forgive the simile, of the character of Poo Bah in *The Mikado* by Gilbert and Sullivan, because it combines in itself the functions of prosecutor, judge, jury and jailor, all in one, because punishment, unofficial punishment but nevertheless punishment, results from the actions of a witness before this committee.

"Dr. Perry has appeared before this committee as well as before the House Committee in Un-American Activities, as what is called an unfriendly witness. For this reason, even if I wanted to answer this question, as a matter of principle, I must decline to answer this question on the grounds and the reasons that follow:

"First, I consider it an invasion of my right to speak or to remain silent. I consider it an invasion of my right to associate with people or organizations as I please, as guaranteed by the First Amendment to the Bill of Rights of the United States Constitution, and Article I, Section 9, of the Constitution of this State, the privileges of which I now claim.

"Secondly, it is an attempt to expose me to the danger of a groundless and false prosecution for an alleged violation of a federal or state law. Consequently, I avail myself of that constitutional right which was intended for the protection of the innocent and from whose use no inference of guilt can be drawn.

"I now claim the privilege contained in the Fifth Amendment of the Bill of Rights of the United States Constitution which provides that you cannot compel me to be a witness against myself, and Article I, Section 13, of the Constitution of this State.

"It is an attempt to deprive me of my right to earn my livelihood, my liberty and property without due process of law, and to deny me equal protection of the law, which is contrary to the Fourteenth Amendment of the Bill of Rights of the United States Constitution, and Article I, Section 13, of the California State Constitution. I claim the privileges under those provisions.

"I feel that this question has no materiality nor pertinency to any lawful power of this committee.

"My final ground is that this committee sits, in my opinion, without lawful authority, and exceeds its valid powers.

"Mr. Combs: May it be stipulated, counsel, that in connection with each additional question that may henceforth be put to your client and which he elects to refuse to answer, that his reasons for refusing will be deemed to be those which he has just given?

"Mr. Marshall: So stipulated.

"Mr. Combs: And will it also be stipulated in each instance that the chairman of the committe will be deemed to have delcared the reasons insufficient and has directed the witness to answer?

"Mr. Marshall: In that respect I won't be able to so stipulate. I would prefer in each case that the chairman so advise the witness.

"Mr. Combs: Very well. So stipulated.

"Q. Is it not a fact that you and Dr. Thomas L. Perry, who was the first witness here yesterday morning, are brothers-in-law?

"A. Same question, same answer.

"Chairman Burns: The witness is instructed to answer.

"A. Same question, same answer.

"Chairman Burns: On the grounds of self-incrimination are not applicable to this question. You are directed to answer the question.

"Q. (By Mr. Combs): Have you ever been a member of the ——

"Mr. Marshall: Wait a minute, Mr. Combs. Will the record show in response to the last direction by the chairman that the witness has declined to answer upon all of the stipulated grounds?

"Mr. Combs: Yes. Have you ever been a member of the Communist Party or the Communist Political Association?

"A. Same question, same answer.

"Mr. Combs: It is not the same question. It is the same answer. Do you mean to say same answer?

"Mr. Marshall: The witness wants to address himself in reply to the last question.

"Mr. Combs: Your stipulation is in effect now.

"Mr. Marshall: Yes, but he wants to supplement that answer. The stipulation does not confine us to those reasons only.

"The Witness: Very briefly.

"Mr. Combs: All right.

"The Witness: These questions are shutting off the flow of information. If you have any questions you would like to ask concerning the county medical association and other aspects in which you may be interested, you might withdraw these questions and permit me to answer some others.

"Mr. Marshall: In other words, Senator Burns, if you really want some information about the L. A. County Medical Society situation, I suggest that you interrogate the witness on that subject and then proceed later with these other questions.

"Mr. Combs: I respectfully decline your suggestion. I prefer to ask the questions we are interested in.

"Q. Will you answer the question, Doctor.

"A. Same question, same answer.

"Q. The same reasons?

"A. The same reasons, the stipulated reasons.

"Q. Have you ever been connected with the *Community Medical Center?*

"A. Same question, same answer, same grounds, same stipulation.

"Q. It is not the same question. Your answer is the same for the reasons already given, covered by the stipulation?

"A. I beg your pardon, that is right.

"Q. That is perfectly all right.

"A. I got confused there.

"Q. Have you ever been affiliated with the *Medical Division of the Arts, Sciences and Professions Council* in Los Angeles?

"A. Same answer, same grounds, same stipulation.

"Q. Dr. Lippman, did you ever reside at 444 North Bundy Street?

"A. Same answer, same grounds, same stipulation.

"Q. Did you ever reside at 4602 Anna Street in San Francisco?

"A. Would you repeat that address, please?

"Q. Yes, 4602 Anna, A-n-n-a, Street, San Francisco.

"A. Same answer, same grounds, same stipulation.

"Q. Is it not a fact that you resided on Anna Street in San Francisco in October of 1946, and while living there received as a subscriber the paper known as the *Daily People's World?*

"A. Same answer, same grounds, same stipulation.

"Q. Is it not true that your subscription to that paper continued thereafter and up until the present time?

"A. Same answer, same grounds, same stipulation.

"Q. Have you ever been affiliated with the *Civil Rights Congress?*

"A. Same answer, same grounds, same stipulation.

"Mr. Combs: Mr. Marshall, I will ask your client about a series of meetings similar to those I have asked your other clients, with the names and dates, and then I will be through.

"Q. Is it not a fact that on the second day of December, 1950, you were a speaker at the *Arts, Sciences, and Professions* membership convention in Los Angeles and gave a report for its Medical Division?

"A. Same answer, same grounds, same stipulation.

"Q. Is it not a fact that you attended the following meetings, and I will read them all and you can answer the question:

"A membership meeting of the *Arts, Sciences and Professions Council*—these are all in Los Angeles—April 12, 1951;

"A meeting of the *Executive Board* of the *Arts, Sciences and Professions Council, Medical Division,* on June 22, 1951;

"The *Arts, Sciences and Professions Council Peace Committee,* 7410 Sunset Boulevard, Los Angeles, June 27, 1951;

"*Arts, Sciences and Professions Peace Committee,* of which you were chairman, 7410 Sunset Boulevard, July 3, 1951;

"A meeting of the same committee, *Arts, Sciences and Professions Peace Committee,* 7410 Sunset Boulevard, July 17, 1951;

"*Arts, Sciences and Professions Peace Comittee,* of which you acted as chairman, 7410 Sunset Boulevard, July 31, 1951;

"*Arts, Sciences and Professions Peace Committee,* of which you acted as chairman, 7410 Sunset Boulevard, August 9, 1951;

"*Arts, Sciences and Professions Council, Medical Division,* 9620 Monte Mar Drive, August 12, 1951;

"*Medical Division of the Arts, Sciences and Professions Council,* 406 South Holt Street, Los Angeles, August 23, 1951? That is all.

"A. Same answer, same grounds, same stipulation.

"Mr. Combs: That is all.

"Chairman Burns: Mr. Marshall?

"Mr. Marshall: Yes, Senator.

"Chairman Burns: The grounds so stated by the witness for refusing to answer the questions regarding these meetings are ruled insufficient by the chairman. The chairman instructs the witness to answer the questions again.

"The Witness: Same answers, same grounds, same stipulation.

"Chairman Burns: Very well.

"Mr. Marshall: Senator Burns, since the announced purpose of this hearing of this committe deals with a certain election of the Los Angeles County Medical Society, this witness has some information on that subject which he would like to give to the committee. May he be heard now?

"The Witness: Briefly.

"Chairman Burns: The witness set the policy of refusing to give the committee the information that it wants. He did that himself. Getting back to the statement made by the chairman to the press yesterday, the statement was made that it was no surprise to the chairman that these witnesses who appeared yesterday and thus far today have given the committee practically no information.

"Mr. Marshall: You do have information.

"Chairman Burns: And we did not rely on them for information; we had other sources of information. That was the statement I made. It is borne out thus far. With one witness we got off to a pretty good start, but the minute the party discipline enters into the picture the witness is stricken dumb and refuses to answer the questions or give any further information. The committee will conduct the hearing in its own way, Mr. Marshall. If the witness does not want to cooperate and explain further all of the ramifications involved in this—he is not going to be permitted to edit his testimony. He may not expand further on this question, and he is excused.

"Mr. Marshall: You say you want information. The witness has information about the L. A. County Medical Society.

"Chairman Burns: We will get the information our own way, Mr. Marshall. We are not going to have it edited by this witness, or anybody else, or by counsel.

"Mr. Marshall: If you don't want the information, why don't you quash all the other subpenas? What is the point of taking up everybody's time when you have all the information you want?

"Chairman Burns: May I remind you, Mr. Marshall, that counsel for witnesses before legislative committees are before them as a courtesy. You are here as a courtesy. You are not permitted nor granted the right to be present except by committee permission. We have leaned over backwards, so to speak, to give you all of the courtesy possible, which we extended to you as a member of the bar. You are here to

advise your client, not to advise us. We have our own counsel for that purpose.

"Mr. Marshall: Senator, I should like or I would like to say that I disagree that a person only has a right to counsel as a matter of grace on the part of the committee. It is my view that a witness has a constitutional right to have counsel before committee hearings.

"Mr. Combs: May the witness be excused?

"Chairman Burns: He is excused. Do you have another client, Mr. Marshall?

"Mr. Marshall: Yes.

TESTIMONY OF DR. SAUL MATLIN, OSTEOPATHIC PHYSICIAN AND SURGEON

"Chairman Burns: State your name and address, please, for the record.

"A. Saul Matlin, 525 South Victory Boulevard, Burbank, California. Home address, 7703 Shady Spring Drive, Burbank.

"Q. (By Mr. Combs): Dr. Matlin, you are a duly licensed physician and surgeon?

"A. Yes, I am.

"Q. And medical doctor?

"A. I am an osteopathic physician and surgeon.

"Q. About how long have you held your license to practice that profession in California?

"A. I held that license in California since about 1947.

"Q. Where did you get your training?

"A. I attended public schools in New York. I graduated from Brooklyn College before I received my professional training in Chicago. I graduated from the Chicago College of Osteopathy. Then I returned to New York for my interneship at the Manhattan General Hospital.

"Q. What year did you come to California?

"A. 1947.

"Q. And you have practiced here ever since?

"A. Yes.

"Q. In 1948 and thereafter were you familiar with an organization in Los Angeles known as the *California Labor School*?

"A. Mr. Combs, I decline to answer this question upon the grounds and for the reasons as follows:

"I believe that this in an invasion of my right to speak or to remain silent, to associate or not to associate with persons and organizations.

"It is an invasion of my rights as guaranteed by the First Amendment to the Bill of Rights, and Article I, Section 9, of the Constitution of this State, whose privileges I now claim.

"It is an attempt to expose me to the dangers of a groundless and false prosecution for an alleged violation of federal or state law. Consequently I avail myself of the constitutional right which was intended for the protection of the innocent and from whose use no inference of guilt can be drawn.

"I now claim the privilege contained in the Fifth Amendment to the Bill of Rights, which provides that you cannot compel me to be a witness against myself, and Article I, Section 13, of the Constitution of this State. It is an attempt to deprive me of my right to earn a livelihood, my liberty and property without due process of law, and to deny me the equal protection of the laws, contrary to the Fourth Amendment of the Bill of Rights of the United States Constitution, and Article I, Section 13, of the Constitution of this State.

"This committee, I believe, sits without lawful authority and exceeds its valid powers.

"Lastly, this question has no materiality or pertinency to any lawful power of this committee.

"Mr. Combs: Mr. Marshall, may we have the same stipulation?

"Mr. Marshall: Same stipulation with respect to declinations of the witness to answer. We will stipulate that in each case where he declines to answer that he will be deemed to have incorporated as his grounds of declination each and every ground which he has just stated.

"Mr. Combs: Will it also be stipulated that the chairman will be deemed to have ruled that the grounds are insufficient and has instructed the witness to answer?

"Mr. Marshall: No, sir.

"Mr. Combs: The first part of the stipulation is agreed to?

"Mr. Marshall: That is right.

"Q. (By Mr. Combs): Mr. Matlin, have you ever been a member of the *Civil Rights Congress?*

"Mr. Marshall: For the sake of the record, it is Dr. Matlin.

"Mr. Combs: Excuse me.

"Q. Doctor Matlin, have you ever been a member of the *Civil Rights Congress?*

"A. Same grounds, same stipulation.

"Chairman Burns: The reasons are not sufficient. You are instructed to answer the question.

"The Witness: Same answer, same grounds, same stipulation.

"Mr. Combs: I don't think the record is clear on the last part. I don't think his refusal to answer is in the record. Would you read the record back? (Record read). He said the same grounds and same stipulation, but he did not say he refused to answer the question.

"The Witness: I decline to answer the question for the same reasons, grounds and stipulations.

"Q. (By Mr. Combs): Is it not a fact that you have been connected with the *Community Medical Center* in Los Angeles?

"A. I refuse to answer for the same grounds, same reasons, same stipulation.

"Chairman Burns: The grounds are insufficient. The witness is instructed to answer the question.

"The Witness: I refuse again for the same grounds, reasons and stipulations.

"Q. (By Mr. Combs): Are you acquainted with Dr. Schoen?

"A. I again refuse for the same reasons, same grounds, same stipulation.

"Chairman Burns: You refuse to answer the question?

"The Witness: I refuse to answer for those reasons.

"Chairman Burns: The grounds are deemed insufficient. The witness is instructed to answer the question.

"The Witness: I refuse to answer on the same grounds, the same reasons, same stipulation.

"Q. (By Mr. Combs): Is it not a fact you are affiliated with an organization in Los Angeles known as the *Arts, Sciences and Professions Council?*

"A. I refuse to answer for the same reasons, same grounds, same stipulation.

"Chairman Burns: Your reasons are insufficient. You are instructed to answer the question.

"The Witness: I refuse to answer for the same reasons, same grounds and same stipulation.

"Mr. Combs: This may not be covered by the stipulation, Mr. Marshall.

"Q. Do you own a Dodge sedan automobile, Doctor Matlin?

"A. I refuse to answer for the same grounds, reason and stipulation.

"Q. Are you acquainted with Dr. Marvin Sure?

"A. I refuse to answer for the same reasons, grounds and stipulation.

"Q. Are you acquainted with or have you been a member of the Communist Party or Communist Political Association?

"A. I refuse to answer for the same reasons, grounds and stipulation.

"Mr. Combs: Mr. Marshall, I now have a series of questions about meetings. If you agree, we may follow the suggestion which you made in connection with the testimony of your preceding client.

"Mr. Marshall: It is satisfactory.

"Q. (By Mr. Combs): Is it not a fact, Dr. Matlin, that you attended the following meetings:

"A meeting of the *Arts, Sciences and Professions Council, Medical Division* at 109 North Highland Avenue, Los Angeles, on the 7th day of September, 1951;

"A meeting of the *Arts, Sciences and Professions Council, Medical Division, Executive Board,* at 921 South Sierra Bonita Street in Los Angeles on the 19th day of October, 1951;

"A meeting of the *Arts, Sciences and Professions Council, Medical Division,* 109 North Highland Avenue, on the 20th day of January, 1952;

"A meeting of the *Arts, Sciences and Professions Council, Medical Division, Executive Board,* at 535¼ North Spaulding Street, on the 1st day of February, 1952;

"A meeting of the *Committee for Medical Freedom* regarding the discharge of three doctors from Cedars of Lebanon Hospital on the 25th day of February, 1952;

"A meeting of the *Medical Division, Executive Board, of the Arts, Sciences and Professions Council* at 535¼ North Spaulding Street, Los Angeles, on the 3d day of March, 1952;

"A meeting of the *Arts, Sciences and Professions Council, Medical Division,* 7410 Sunset Boulevard, Los Angeles, on March 14th, 1952;

"A meeting of the *Arts, Sciences and Professions Council, Medical Division,* at Stanley Hall, Los Angeles, on the 18th day of April, 1952;

"A meeting of the *Medical Division, Executive Board, of the Arts, Sciences and Professions Council,* 7410 Sunset Boulevard, Los Angeles, on May 2, 1952;

"A meeting of the *Arts, Sciences and Professions Council, Medical Division,* Executive Board at 7349 Pacific View Drive, Los Angeles, on June 2d, 1952;

"A meeting of the *Arts, Sciences and Professions Council Equal Rights Conference* at the Alexandria Hotel, on the 14th day of June, 1952;

"A meeting of the *Medical Division of the Arts, Sciences and Professions Council* at 7410 Sunset Boulevard, Los Angeles on August 22d, 1952;

"A meeting of the *Medical Division of the Arts, Sciences and Professions Council* at 7410 Sunset Boulevard, on October 31st, 1952;

"A general membership meeting of the *Arts, Sciences and Professions Council* on January 13th, 1953, at which new officers were elected;

"A meeting of the *Medical Division of the Arts, Sciences and Professions Council* at 1406 South St. Andrews Place, Los Angeles, on the 16th day of January, 1953;

"A joint meeting of the *Community Medical Center* and the *Arts, Sciences and Professions Council* at 1236 South Lake Street in Los Angeles on the 26th day of February, 1953?

"A. I refuse to answer these questions on the same grounds, for the same reasons and the same stipulations. I would also like to say, Mr. Combs, I consider all these questions to be improper questions because of the theory that it seems to rest on of trying to establish some sort of guilt or to imply that something is wrong because of the associations that you are seeking to establish.

"Chairman Burns: Just a minute, doctor. The reasons that you have given in refusing to answer the questions, which are deemed by the committee pertinent to this inquiry, are ruled and held insufficient. You are hereby instructed to answer these questions relative to the attendance at these meetings.

"The Witness: I decline to answer on the same grounds, for the same reasons and stipulation.

"Chairman Burns: The witness is excused.

"Mr. Combs: That is all.

"Mr. Marshall: Senator Burns, the witness has a brief statement which he started to make as you interrupted. May he finish that statement?

"Chairman Burns: If the witness requests that a statement be included in the records of this hearing and be marked as an exhibit, we will be happy to receive it.

"Mr. Marshall: May he make it now? He does not have one prepared.

"Chairman Burns: He can submit it when it is prepared.

"Mr. Marshall: It will take about five minutes.

"Chairman Burns: That is five minutes too long, Counsel.

"Mr. Marshall: Won't you hear him now, Senator?

"Chairman Burns: No, the witness is excused.

TESTIMONY OF DR. P. PRICE COBBS, M.D.

"Mr. Combs: Now, Mr. Margolis, you have a witness that you requested be heard. It was merely a question of the order of appearance.

"Mr. Margolis: This is my associate counsel, James Reese.

"Chairman Burns: Let the record show the presence of Mr. Ben Margolis. What is your address?

"Mr. Margolis: 112 West Ninth Street, Los Angeles 15, California.

"Mr. Reese: My name is James Reese, 2502 South Central Avenue, Los Angeles 11.

"Chairman Burns: Dr. Cobbs, would you mind standing up and being sworn, please.

"Mr. Combs: Mr. Margolis, it is a fact, isn't it, for the sake of the record, that you requested the committee to permit your client to go on before the noon adjournment if possible?

"Mr. Margolis: Yes, it is. What I wanted to make clear is that this witness is appearing here under compulsion, and the request was with

respect to the order of appearance and not with respect to his appearance before the committee.

"Mr. Combs: That is entirely correct. He was served with a subpena.

"Mr. Margolis: That is correct, and he is here in response to that subpena and for no other reason.

"Mr. Combs: I am sure that is correct.

"Q. Dr. Cobbs, you were a student at Howard University, were you not?

"A. Yes, I was.

"Q. Did you graduate from Howard University in 1919?

"A. I did.

"Q. You are a duly licensed physician and surgeon, are you not?

"A. I am.

"Q. Did you obtain your medical degree from Howard University?

"A. I did.

"Q. You were licensed to practice your profession in California in 1923?

"A. That is right.

"Q. And you have practiced here ever since?

"A. No, I haven't practiced here since 1925. I had the license from 1923, but I started here in 1925.

"Q. Are you engaged in general practice?

"A. I am.

"Q. You are commonly known as Dr. P. Price Cobbs, are you not?

"A. That is right.

"Q. Dr. Cobbs, are you familiar with an organization in Los Angeles known as the *Arts, Sciences and Professions Council?*

"A. Now, Counsel, this is a very peculiar situation. Since time immemorial in the medical profession, which has had a wonderful tradition, being very close to patients and the people, for that reason, because of the close relationship, which is closer than that of a lawyer, judge, or anybody else, I cannot understand why a physician would be called before this committee. There is such a strong bond between him and his patients. Why disrupt that bond? Why go into it? I can't see why any association in my work should be brought before a committee here publicly, before his patients, to show that he is guilty of something when he has practiced all these years with honor and respect. I can't see it. Based on those grounds which go back to the Fifth Amendment, the First Amendment, the Fourteenth and Fifteenth——

"Q. To the Federal Constitution?

"A. To the Federal Constitution and the California Articles in the State Constitution, I refuse to answer on those grounds.

"Mr. Combs: May it be stipulated, Counsel, as to subsequent questions which may be asked of your client regarding organizations which

have been described as subversive or as Communist front or Communist-dominated by either official federal or state agencies, that in the event he refuses to answer such questions his refusal may be deemed to be predicated upon the grounds and the reasons he has already taken?

"Mr. Margolis: Mr. Combs, it seems to me that we should not assume in advance that all of the questions will be so cut and dried, that only the same constitutional rights are going to be violated. You may violate others. It seems to me that he should be able to state his grounds as to each question. However, let me hasten to reassure you that where he relies on the same grounds we will advise him to say the same grounds.

"Mr. Combs: That is entirely satisfactory. Thank you very much.

"Q. Have you been affiliated in any way as a member or sponsor of an organization known as *American Youth for Democracy,* Dr. Cobbs?

"A. I would like to add or would like to say the same grounds, and also add that being in a minority group in America I feel very keenly about discrimination in schools, in the medical profession—

"Chairman Burns: Does the witness refuse to answer the question, if so, he had better state that first and then state his reasons.

"The Witness: I say I refuse to answer.

"Chairman Burns: On the following grounds.

"The Witness: On the grounds mentioned heretofore.

"Mr. Margolis: I think he indicated he meant the same grounds, but wanted to add something.

"Mr. Combs: I think that is clear. Would the chairman direct him to answer the question.

"Mr. Margolis: I don't think he has finished.

"Mr. Combs: Excuse me.

"The Witness: Being an American Negro I am very keenly interested in my people. In the years I have been here in Los Angeles I think I have stayed very close to the people. I have always tried to work with their problems. I think I have a right to belong to any organizations that I have been a member of on those grounds.

"Mr. Combs: Will the chairman instruct the witness to answer the question?

"Chairman Burns: Dr. Cobbs, the reasons you have given for refusing to answer the question are deemed insufficient by the chair. The chair again instructs you to answer the question.

"The Witness: I refuse with the same answer, same grounds, same stipulation.

"Q. (By Mr. Combs): Have you been connected with an organization known as the *Civil Rights Congress,* Dr. Cobbs?

"A. I refuse to answer with the same answer, same grounds, same stipulation.

"Chairman Burns: Your reasons are insufficient, Doctor, you are instructed to answer the question.

"The Witness: I refuse to answer on the same grounds, same stipulation.

"Q. (By Mr. Combs): Is it not a fact that you are chairman of the *Medical Division of the Arts, Sciences and Professions Council?*

"A. I refuse to answer on the same grounds, for the same reasons and same stipulation.

"Q. Have you been associated with an organization known as the *Community Medical Center?*

"A. I refuse to answer for the same grounds, same reasons and same stipulation.

"Mr. Combs: Would you direct him to answer?

"Chairman Burns: The reasons given are invalid and the chair instructs you to answer the question.

"The Witness: I refuse to answer for the same grounds that I have given before, same stipulation. As I said to you before, we are among a group who are interested particularly in low cost medical care. I think if we can get that for the people who are in the lower scale and the lowest salary—we are always interested in trying to do something for those people. I refuse to answer on those grounds.

"Q. (By Mr. Combs): Have you ever been a member of the Communist Party or the Communist Political Association?

"A. I refuse to answer for the same grounds, same stipulation that I have given before.

"Chairman Burns: Your reasons are insufficient, Doctor. The chair instructs you to answer.

"The Witness: Same answer, same grounds, same stipulation.

"Mr. Combs: That is all.

"Chairman Burns: The witness may be excused.

"Mr. Margolis: The witness has a statement he would like to make.

"Chairman Burns: Very well. It will be filed as an exhibit next in order and placed in the record."

STATEMENT SUBMITTED BY DR. P. PRICE COBBS, M.D.

"I have practiced medicine in Los Angeles for many years. I have followed the Hippocratic oath that I took when I began to practice medicine. It has been my basis of medical ethics. I have always felt a deep and keen interest for all community problems. I live and practice in a section of the lowest paid minority group. I am keenly sensitive to the problems of my people. All of the people need more adequate low cost medical services, but the Negro people, because of the dis-

crimination which they suffer, need it even more desperately. The purpose of this hearing is to attack and destroy those who are doing the most to achieve this objective. I cannot and will not help anyone who persists in such an unwarranted attack.

"I am a loyal American citizen and have fought for my country with gallantry and honor in all world wars. I want the United States, my country, to be strong. It will be helped in that direction by those who seek to better the conditions of all the people, not by those who are engaged in the kind of hearings being conducted here. I shall rest my case with the people with whom I have worked and lived all my life. P. Price Cobbs, M. D."

TESTIMONY OF DR. WILBUR Z. GORDON, M.D.

"Senator Thompson: The committee will be in order. Mr. Counsel, will you call the first witness.

"Mr. Combs: Dr. Gordon, please.

"Mr. Omerberg: Mr. Combs, I wonder if you would have the individuals sitting on your side of the table identify themselves for the record so that I can be sure there is a quorum of the committee here this afternoon.

"Mr. Combs: Counsel, the rules of the committee provide that for the purposes of holding hearings any one member of the committee, when so authorized, can sit as a quorum to hold a hearing. There are two members of the committee present at this time. The third member is out in the hall.

"Mr. Omerberg: I just wanted to know who was sitting on your side of the table and to know who is a member of the committee.

"Mr. Combs: This is Senator Thompson, a member of the committee, and this is Senator McCarthy.

"Mr. Omerberg: Thank you.

"Mr. Combs: Your name is?

"Mr. Omerberg: Omerberg.

"Mr. Combs: Your initials are?

"Mr. Omerberg: M. J.

"Mr. Combs: What is your address?

"Mr. Omerberg: 1584 Crossroads of the World, Hollywood 28.

"Mr. Combs: You appear as counsel for Dr. Gordon?

"Mr. Omerberg: Correct.

"Q. (By Mr. Combs to Dr. Wilbur Z. Gordon): Your name is Dr. Wilbur Z. Gordon?

"A. That is correct.

"Q. What is your residence address?

"A. 10823 South Van Ness.

"Q. You are a physician and surgeon?

"A. I am.

"Q. You are licensed to practice in California?

"A. I am.

"Q. You took your medical degree at Johns Hopkins University?

"A. I did.

"Q. You received it in 1940?

"A. I did.

"Q. You received your California license in 1943?

"A. I believe so, yes, 1943.

"Q. Have you practiced your profession in California since that time?

"A. Except for a period of my army service, yes.

"Q. When was that, Doctor?

"A. 1944 through 1946.

"Q. Did you hold a commission?

"A. I did.

"Q. What was it?

"A. Captain in the Medical Corps.

"Q. Are you associated with the staffs of any hospitals at the present time, or clinics?

"A. Would you clarify that question in terms of specific institutions that you might be interested in?

"Q. Yes, I would be glad to. Let's start with the *Community Medical Center*. Are you affiliated with them?

"A. I wish to state in answer to that question that the question of any association between me and the *Community Medical Center* is by its very nature a question infringing upon my rights, and certainly touches upon what appears to be the basic purpose of this committee. This committee has subpenaed me to appear before it on what has been announced to the press as an investigation of Communist infiltration into the medical profession. The date set for my appearance before this committee is Thursday, December 9, 1954. This committee then announces to the press that all witnesses appearing before this committee on Wednesday or Thursday are unfriendly witnesses.

"Q. Excuse me. Are you reading a statement? Do you have a prepared statement?

"A. I am refreshing my memory.

"Q. You are reading it?

"A. I am really transcribing it.

"Mr. Omerberg: They are notes.

"Mr. Combs: Mr. Witness and Counsel, the committee has a rule which it has applied uniformly all during the hearings, that if you

have such a statement we are perfectly willing to receive it, introduce it into evidence, and attach it as an exhibit to your testimony in the transcript so that it will appear therein in full, to save time—so that the committee can read it. There is no purpose in reading it aloud except to take up the time of the committee.

"The Witness: Very well. I will, therefore, Mr. Combs, submit my statement to the committee. (Handing document to Mr. Combs.)

"Mr. Combs: Thank you, Doctor. At this time I will ask that it be attached to the transcript of the hearing in connection with your testimony.

"The Witness: Thank you. If I may then continue to answer this question.

"Mr. Combs: Go ahead.

"The Witness: The question of any association of myself with an organization which has already been labeled before this committee raises fundamental constitutional questions which, as a good American citizen, I propose to rely on.

"Chairman Burns: Pardon me, just a moment, if you please.

"The Witness: Yes, sir.

"Mr. Combs: Excuse the interruption, please. Will you continue?

"The Witness: Yes. That this same *Community Medical Center*, a prepaid medical plan which has been in operation for some years, is an answer to one of the needs of the people in the field of medicine and it is a matter that the county medical society has indicated considers to be not according to its own beliefs and attempts to label as subversive. This organization, however, and others like it, some of which are much larger, are the true targets of this investigation in the long run and are the basic reasons why the county medical society has openly stated they called in this committee.

"The *Community Medical Center* appears to have been chosen because it is a relatively small group, but again I think some of the true targets are some of the larger, more widespread programs in the community. Yet this in the long run will stand in the way of a large section of the people of the Los Angeles community from getting high quality medical care at rates and methods of payment which they can afford to pay, and if these organizations are able to be attacked and labeled and destroyed, then the cost of medical care, already far too high, will perhaps be exceeded. People will not be able to afford the type of service they are entitled to as American citizens.

"In reply to this question I therefore stand on my constitutional rights guaranteed by the State of California, Article I, Section 9, which states that every citizen may freely speak, write or publish sentiments on all subjects, being responsible for the abuse of that right, and that

no law shall be passed to restrain or abridge the liberty of speech or of the press.

"Also Section 10, the people shall have the right to freely assemble together, to consult for the common good, to instruct representatives and petition the legislature for redress of grievances.

"Also Section 13, no person shall be compelled to be a witness against himself.

"I also stand on the First and Fifth Amendments to the United States Constitution, which state that no one need answer a question which might tend to incriminate him or connect him with some act which might possibly or conceivably be considered to be a crime or illegal and therefore testify against himself concerning a crime of which he might not be guilty.

"This committee, I believe, is illegally constituted to inquire into this matter.

"Q. (By Mr. Combs): Are you familiar, doctor, with the history of the *Community Medical Center* as an organization; what I mean by that, its inception and type of development as an organization rather than its functional operation?

"A. In asking this question do you mean information of a personal nature, information I may know personally, or information I may have gathered in a series of articles that appear about the *Community Medical Center* in the *Daily News* or the *Los Angeles Times?*

"Q. From any sources.

"A. Mr. Combs——

"Q. Yes.

"A. In reply to your question, on the basis of the articles which appeared in the *Daily News* and in the *Los Angeles Times,* probably a year or more ago, I can state I recall their general laudatory nature about the activities of the program there. As to any personal information which I may have about the *Community Medical Center,* I stand again on my constitutional rights guaranteed by the State of California, Article I, Section 9, Sections 10, 11, 13, and also on the First and Fifth Amendments of the Federal Constitution. In addition to which I will add a third: I believe this committee has no constituted authority to investigate this question.

"Mr. Combs: Mr. Omerberg, may we have a stipulation in the interests of saving time that in the event your client feels impelled to decline to give answers to the questions that may be asked him concerning organizations that have been characterized as Communist-dominated or subversive by any federal or state agency that the reasons for his refusal shall be deemed to be those which he has given in response to the two questions I have just asked him?

"Mr. Omerberg: Would you read the stipulation back? (Record read.) As the stipulation is worded I would have to refuse to agree. I would offer to stipulate that any declination my client may give in the future to any question, whethor or not in the opinion of this committee they may have been cited as subversive, or whether or not in the opinion of this committee some other agency has cited them as subversive or Communist-dominated, that any future answer which is refused by my client will be refused on each and every one of the grounds which he has heretofore made with respect to the questions which you have heretofore asked him.

"Mr. Combs: So stipulated. Thank you.

"Q. Now, Dr. Gordon, are you familiar with an organization known as the *Civil Rights Congress?*

"A. Mr. Combs, I give the same answer on the same grounds with the same stipulation.

"Q. You decline to answer the question?

"A. I decline to answer the question.

"Q. For the reasons heretofore given?

"A. I decline to answer the question, correct.

"Q. Have you been a member of the *Civil Rights Congress?*

"A. I refuse to answer that question for the same reasons, on the same grounds, and with the same stipulation.

"Mr. Combs: Will the chair instruct the witness to answer the question?

"Chairman Burns: The grounds so stated by you, Dr. Gordon, are not deemed sufficient for refusing to answer, therefore the chair directs you again to answer the question.

"The Witness: May I ask the chair on what grounds my reasons are deemed to be insufficient?

"Chairman Burns: You have stated that your reasons for refusing to answer the question are on the grounds that the answer might tend to incriminate you.

"The Witness: I beg your pardon, sir, that is only part of my answer.

"Chairman Burns: Well, let's consider that part of it.

"The Witness: Let's consider the whole part of it.

"Chairman Burns: Let's consider that part of it. Summing it up, grounds of self-incrimination in response to the question of whether you have ever heard of the *Civil Rights Congress* or the *Los Angeles Medical Center* in the chair's mind is certainly not incriminating in any way. Therefore, in the opinion of the chair they are insufficient reasons for refusing to answer the question.

"Mr. Omerberg: Mr. Burns, do I understand from your last statement you do not consider either the *Civil Rights Congress* or the *Community Medical Center* to have been engaged in any illegal activities?

"Chairman Burns: No, that is not what I said, Counsel. That is the object of this inquiry. It is to ascertain if they were engaged in subversive activity. I don't say they are at the moment. The reason I gave was in response to the question, 'Did the witness ever hear or have knowledge of the *Civil Rights Congress?*' That is the question which was propounded to the witness.

"Mr. Omerberg: That is not my understanding of what the question was. The last question propounded—if I am incorrect I would like Mr. Combs to correct me—was whether or not this witness was familiar with the *Civil Rights Congress.* If you want to withdraw the question and rephrase it——

"Chairman Burns: I will rephrase the question. Did you ever hear of the *Civil Right Congress?*

"Mr. Combs: Would you like to have me rephrase the question?

"Mr. Omerberg: I don't care one way or the other who rephrases the question. You are asking the questions.

"Mr. Combs: I will ask it again. I think this will clarify it.

"Q. Are you familiar with an organization known as the *Civil Rights Congress?*

"A. I refuse to answer for the same reasons, with the same stipulation and on the same grounds.

"Mr. Combs: Now, may we have the admonition of the chair.

"Chairman Burns: Your refusal to answer the question 'are you familiar with a certain organization' in the mind of the chair is in no way self-incriminating. Under the laws of California there is a provision granting immunity to witnesses testifying regarding anything of which they have knowledge. Whether or not it would be subversive would be covered by the immunity granted a witness before such a committee. Therefore, there is no possible way of incriminating him on a violation of any law. The reasons he states are insufficient. It is impossible to incriminate him.

"Mr. Omerberg: I am sure you know, Mr. Burns, that the law you refer to provides no protection against any federal prosecution.

"Mr. Combs: Counsel, as long as we are getting into this somewhat parenthetical discussion about the technicalities of the law, may I point out to you that there is and has been a statutory provision in California for a good many years providing that a committee functioning under the authority of the California State Legislature has the power to confer immunity from criminal prosecution on any witness who appears before a committee. The witness then may be compelled to either answer the question or suffer a possible prosecution for contempt. The time to raise the objection concerning his possible prosecution in a federal forum is at the time the transcript of that testimony is sought

to be introduced in the federal forum. At that time the objection as to incrimination, in any opinion, is quite sound. But that is before the federal body and not the state forum. There are decisions to that effect which are binding and have never been reversed. That is our understanding of the condition of the law.

"Now, in this particular situation the witness has been asked as to his familiarity with an organization. He has seen fit to refuse to answer the question for the reasons heretofore given. Whether in your opinion or his they are invalid or valid is more or less beside the point. The chair has already ruled that in his opinion the grounds are invalid and your client has been instructed to answer the question. To engage in colloquy between you, your client, me and Senator Burns, I think is simply time-consuming. We have a stipulation now in effect. If your client sees fit not to answer a question all he has to do is invoke his reasons and apply the stiplation and we will ask the next question.

"Mr. Omerberg: I agree that it is time-consuming. I am just sitting here observing that all of this has occurred because my client asked an innocent question and the chairman chose to answer it. If this has been a waste of time, as I suspect in some respects it may have been, why, I don't think that any censure should be placed on the witness.

"Chairman Burns: Does the witness refuse to answer the question? If so, on what grounds?

"Mr. Omerberg: Do it again.

"The Witness: I refuse to answer the question on the grounds already stated, for the reasons given, and with the stipulations.

"Chairman Burns: Very well.

"The Witness: All of the stipulations.

"Q. (By Mr. Combs): Have you ever been a member of the Medical Division of the *Arts, Sciences and Professions Council* in Los Angeles?

"A. I refuse to answer this question, Mr. Combs, for the same reasons, on the same grounds and with the same stipulations.

"Chairman Burns: Your grounds are deemed insufficient and the chairs instructs you to answer the question.

"The Witness: I refuse to answer the question for the same reasons, on the same grounds, and with the same stipulation.

"Q. (By Mr. Combs): Were you here yesterday, Dr. Gordon?

"A. May I ask the legislative purpose of that question?

"Q. I think not. It is a perfectly proper question in my mind. You can ask the chair to rule on its materiality if you wish.

"Mr. Omerberg: I would like to know the materiality.

"Mr. Combs: I don't mind explaining the reason for it. If you were here yesterday there was certain testimony adduced before the committee. I want to know whether or not you heard that testimony. If you

did hear it I want to ask you some questions about it. If you were not here it obviously would be pointless to do so.

"The Witness: I was not at this meeting yesterday at any time.

"Q. (By Mr. Combs): Are you familiar with a booklet which was issued by the *Arts, Sciences and Professions Council* of Los Angeles and which was described yesterday by a witness as entitled 'Yours for a Genuine Brotherhood'?

"A. Mr. Combs, would you describe the pamphlet that you mentioned in greater detail, including what its contents were?

"Q. I cannot describe the contents because it comprises something like 50 pages.

"A. What is it about?

"Q. It primarily concerns itself with alleged discrimination in hospitals in the City of Los Angeles, or the immediate vicinity of that city. It was issued, according to the testimony, by the *Arts, Sciences and Professions Council, Medical Division,* and was circulated at meetings held by the Medical Division of that organization.

"A. I decline to answer that question on the grounds already stipulated. However, if what you say was in that pamphlet it sounds like it must have been something rather worthwhile, if it pointed out some of the inequities in our present society.

"Q. You don't know anything about it yourself, do you?

"A. Are you asking about the pamphlet or are you asking about my knowledge of inequities in society?

"Q. I asked you if you knew anything about the booklet. You said you refused to answer on the grounds that it might tend to incriminate you, and for the other reasons you have heretofore given. Then you asked me to describe it in more detail. I did so to the best of my ability, and you began to editorialize on its contents.

"A. On the basis of what you said, Mr. Combs.

"Q. Do you have any first hand knowledge of the booklet?

"A. I give the same answer. I refuse to answer for the grounds, reasons and stipulations already agreed to.

"Mr. Combs: Will the chair direct the witness to answer the question.

"Chairman Burns: The grounds stated for the refusal to answer the question are insufficient, Doctor, and you are instructed to answer the question.

"Mr. Omerberg: I think I ought to point out in this type of question, Mr. Combs, or Mr. Burns, or both of you, that in all fairness to the witness if you are going to now order him to answer the question about his familiarity concerning a document with as limited a description as Mr. Combs was able to give, that the least this committee could do would be to show the pamphlet to the witness and let him examine it.

"Chairman Burns: If the witness does not know, he can certainly say he does not know.

"Mr. Omerberg: I do not want to engage in argument with you, but I have a strong suspicion that in my own history there are a good many pamphlets and books which I have read which I don't remember, especially from the loose sort of description which Mr. Combs gave. A look at it might serve some purpose.

"Chairman Burns: If you were asked a question of whether or not you remembered it and you did not, you would say, 'I don't remember.' The witness has the same privilege here.

"Mr. Omerberg: The witness does not have to answer it the same way you would, Mr. Burns.

"Chairman Burns: He can answer any way he pleases, but he has not answered it yet.

"The Witness: Considering the whole atmosphere in which this hearing is held, the publicity and the forces at play here at this meeting, I stand on my constitutional rights to refuse to answer this question that are already stipulated and agreed upon.

"Q. (By Mr. Combs): For the reasons heretofore given?

"A. For the reasons heretofore given.

"Mr. Combs: Now, Mr. Witness and Counsel, I intend to ask a series of questions about meetings. I would prefer to ask all of the questions first—there are about six—and then the witness can answer in any way he pleases about all of them. Is that satisfactory?

"Mr. Omerberg: Can you tell me what the meetings are?

"Mr. Combs: Yes, of the *Arts, Sciences and Professions Council.*

"Mr. Omerberg: In that case you may do it.

"Mr. Combs: All right.

"Q. Is it not a fact, Dr. Gordon, that on the seventeenth day of August, 1951, at 7410 Sunset Boulevard, Los Angeles, you attended a meeting of the *Medical Division of the Arts, Sciences and Professions Council;*

"And is it not a further fact that on the twenty-third day of August, 1951, at 406 South Holt Street in the City of Los Angeles you attended a meeting of the *Medical Division of the Arts, Sciences and Professions Council;*

"And is it not a further fact that on the fourteenth day of March, 1952, at 7410 Sunset Boulevard, Los Angeles, you attended a meeting of the *Medical Division of the Arts, Sciences and Professions Council;*

"And is it not also true that on the eighteenth day of April, 1952, you attended a forum meeting of the *Medical Division of the Arts, Sciences and Professions Council* in the City of Los Angeles at Stanley Hall;

"And is it not a further fact that on the fourteenth day of June, 1952, you attended a meeting of the *Arts, Sciences and Professions Council Equal Rights Conference* held in the Alexandria Hotel in Los Angeles;

"And is it not a further fact that you were a speaker on the thirty-first day of October, 1952, at a meeting of the *Medical Division of the Arts, Sciences and Professions Council* which was held at 7410 Sunset Boulevard, Los Angeles?

"A. I, of course, decline to answer this question on the grounds which I will give in a moment. I also point out that these questions avoid the situation within the Los Angles County Medical Association and the methods that they used to attempt to drive out of the membership the doctors of independent mind and thought on political and economic questions as they affect medicine, in order to dominate the association so completely that no doctor will be able to express with freedom his beliefs as an individual.

"The grounds for my refusal to answer are according to the Constitution of the United States, Article I, Sections 9, 10, and 13.

"Q. They are covered by your stipulation?

"A. That is right. I refuse to answer on the basis of the grounds heretofore made, and the stipulation.

"Mr. Combs: May we have a ruling?

"Chairman Burns: Your reasons for refusing to answer the question are insufficient. You are instructed to answer.

"The Witness: I decline to answer on the same grounds.

"Q. (By Mr. Combs): Are you now or have you ever been a member of the Communist Party or the Communist Political Association?

"A. I decline to answer that question on the grounds already stated, according to the constitutional points mentioned and the stipulations that have been agreed upon.

"Mr. Combs: That is all. May the witness be excused?

"Chairman Burns: The witness may be excused.

WRITTEN STATEMENT SUBMITTED BY DR. WILBUR Z. GORDON, M.D.

Committee Exhibit No. 17

"This committee has subpenaed me to appear before it on what has been announced to the press as an investigation of 'Communist infiltration into the Medical Association.'

"The date set for my appearance before this committee is Thursday, December 9, 1954. The committee then announces to the press that all witnesses appearing before this committee on Wednesday and Thursday are unfriendly witnesses. Thus, this committee has already

attempted to implicate me and to create the public impression that I am involved in a so-called plot.

"It is not I, but this committee which is unfriendly and actually involved in a plot. There is a plot all right! But the plot is one of a few leaders of the Los Angeles County Medical Society who, by organizing in cooperation with this committee a hue and cry of Communism and Communist plot, are really out to make the membership of the Los Angeles County Medical Society a heil-shouting ya-voting appendage to the high-handed decisions of the board of the association.

"They propose and are working actively to eliminate independent and dissident opinion from the association. These leaders consider themselves so vulnerable that when two candidates for councilors, who were members in good standing, received 22 percent of the total association vote, they became hysterical and called it a Communist plot.

"The platform of these two physicians had nothing whatsoever to do with Communism or Socialism. But these frightened, narrow men feel threatened by any program of social welfare and democracy. They feel that all who do not agree with them on every social and political question must be subversive. And they are working hard to make the public believe it.

"But let the public know what the program of these two physicians was. Let the public judge if it was subversive.

"The platform had as its main points: (1) Make the association's operation more democratic and more responsible to the will of the majority by having more business meetings at which new business may be introduced and discussed. At present, there are only two meetings a year—nomination and election meetings at which no new business may be brought up.

"(2) End discrimination in all hospitals in Los Angeles County both as respects to patients and the medical and nursing staff. This could not be considered extreme because many hospitals, such as Queen of Angels, County Hospital, and Temple, among others, were already practicing this policy.

"(3) Act to make the association work for more humanitarian goals in the community rather than conduct a narrow defense of the economic interests of its members. Along this line, these candidates supported an integrated program of hospital construction, a new county contagious disease and TB hospital. They urged active participation in the campaign to eliminate smog and to end the primitive sewage and refuse disposal system.

"(4) Act in closer cooperation with the Health Department for the improvement of the health standards of the community.

"This platform and campaign so alarmed some of these leaders of the association that they called in the editors of a lunatic-fringe hate

sheet. Two separate copies of an issue of this publication, vilifying members of the association who openly supported the program, were mailed to every member of the association on the association's addressing machine. In spite of this, a sizeable vote was registered for the viciously maligned candidates.

"Later, many of us, in concert with leading physicians of national stature, campaigned against a political conformity oath for membership within the society and registered a fair minority vote. The validity of that minority vote is illustrated amply this week by the hearings conducted by this committee and the actions of the leaders of the association.

"I deeply resent this attempt to impugn my reputation and will take every proper means to correct this total distortion of my activities.

(SIGNED) W. Z. GORDON, M.D."

TESTIMONY OF LENORE SUTTON

"Q. (By Mr. Combs): Would you give the reporter your address, please?

"A. I feel that this committee is here——

"Q. Wait a minute. There is a question pending. We asked you to give us your address.

"Mr. Omerberg: This may be a situation, Mr. Combs, in which the witness has every right to refuse an address in view of the lists of questions and addresses which you have been reading off here while I have been here today. Before you make any presumptions about your rights, I think you should give the witness a chance to answer the question.

"Mr. Combs: This question, Counsel, is merely intended to develop for the record her present residence address, not where she lived in the past, which are the questions you are referring to.

"Mr. Omerberg: I am not necessarily referring to addresses in the past. Let me consult with my client for a moment.

"Mr. Combs: All right.

"Mr. Omerberg: The witness will answer.

"The Witness: My address is 3342 West 27th Street, Los Angeles.

"Mr. Combs: Thank you.

"Q. How long have you resided at that address?

"A. Approximately two years.

"Q. What is your occupation?

"A. I am unemployed.

"Q. Were you ever employed by Dr. Wilbur Z. Gordon, who preceded you on the stand?

"A. Since it has been stated in the daily press that this committee is here at the request of the Los Angeles County Medical Association

to investigate subversive activities in the medical profession, and I feel that this committee is here to implement attacks upon professional and nonprofessional people who support low-cost medical care, who support non-discrimination in medical facilities, I cannot answer this question.

"I further feel that this is a trial, even though it is not so stated, of political beliefs and has nothing whatsoever to do with professional competency.

"Further, I feel that you are infringing upon my rights as an individual to think and speak and assemble with others as I choose.

"Further, I feel if I answer this question that this would be an abuse of the First and Fifth Amendments. I feel that this committee is illegally constituted. And further, I feel that I am not compelled to be a witness against myself because I feel that the purpose in being here is to smear people who support low-cost medical care, who are against racial discrimination in medical facilities.

"Therefore, I will not serve this committee in any way in giving them any kind of information or any kind of association which might in any way help them to engage or help some court or federal agency in false prosecutions.

"I rely on the First and Fifth Amendments of the United States Constitution, and also Article I, Sections 9, 10 and 13 of the California State Constitution.

"Mr. Combs: Did the witness include the Fifth Amendment?

"Mr. Omerberg: She did, and if there is any question about it I would like to have it understood at this time that the witness did claim the privilege as provided by the Fifth Amendment of the United States Constitution, as well as the First Amendment and as well as Article I, Sections 9, 10 and 13 of the California Constitution, and the further ground that the committee is illegally constituted. I will stipulate that her refusals in the future may be based on all of the grounds which have been stated, in addition to any others she may have.

"Mr. Combs: Will you further stipulate that the chair will be deemed to have ruled that her reasons for refusing to answer are insufficient?

"Mr. Omerberg: No, sir.

"Mr. Combs: You will not so stipulate?

"Mr. Omerberg: That is correct.

"Mr. Combs: Very well.

"Chairman Burns: The chair holds that the reasons for refusing to answer are insufficient and asks the witness to answer the question, and so instructs her.

"The Witness: I still decline to answer that question on the previous grounds stated, the First and Fifth Amendments.

"Mr. Omerberg: That is all right.

"Mr. Combs: It is covered by your stipulation, Mrs. Sutton.

"The Witness: Thank you.

"Q. (By Mr. Combs): Is your husband's name Ronald Sutton?

"A. I refuse to answer on the same grounds previously stated.

"Chairman Burns: Well now, you certainly can't be incriminated for refusing to answer a question like that. There is no question about that being insufficient. You are instructed to answer.

"The Witness: I still decline to answer that question on the grounds previously stated and so stipulated.

"Q. (By Mr. Combs): Are you married?

"A. I still decline to answer—not still decline, but I decline to answer this question on the grounds previously stated and so stipulated.

"Chairman Burns: The same ruling from the chair. You are instructed to answer the question.

"The Witness: I refuse to answer this question on the same grounds previously stated.

"Mr. Omerberg: Before we go any further, Mr. Combs——

"Mr. Combs: Let me make one statement.

"Mr. Omerberg: No. I want to find out whether or not the prior order of the chair had an answer by the witness. She answered this last order to answer with a declination, but I don't know whether she answererd——

"Mr. Combs: Let's ask the reporter to read it and make sure.

"Chairman Burns: I think she did. (Whereupon a portion of the record was read.)

"Mr. Combs: I am now about to ask a series of questions about meetings. I think all of them relate to the *Arts, Sciences and Professions Council, Medical Division.*

"Mr. Omerberg: I will anticipate you, Mr. Combs, in this matter.

"Mr. Combs: Just a moment.

"Mr. Omerberg: All right. I thought you were through.

"Mr. Combs: With one exception which relates to the *Community Medical Center,* Los Angeles.

"Mr. Omerberg: This witness does not care to answer questions in a group.

"Mr. Combs: She intends to use the stipulation as to each one?

"Mr. Omerberg: I don't know what her intentions are.

"Mr. Combs: I will ask them anyway.

"Q. Is it not a fact, Mrs. Sutton, that you attended a meeting of the *Medical Division of the Arts, Sciences and Professions Council* at 830 North Melrose Hill——

"A. Pardon me just a moment. I am sorry.

"Q. —— on May 11, 1951?

"Mr. Omerberg: You asked her to state her name at the outset of the hearings. Her name was stated as Lenore Sutton. There has been a refusal to answer with respect to the marriage status. Either we are going to get involved in a lot of quibbling or you will have to drop the word 'Mrs.'

"Mr. Combs: Shall I use the word 'Miss'?

"Mr. Omerberg: I believe you could just say Lenore Sutton.

"Mr. Combs: Shall I say Lenore Sutton every time?

"Mr. Omerberg: I don't care whether you say it every time or not, or whether you say it at all. Just don't use an appellation which designates the status unless you want to stipulate to the fact that the use of it and the response on her part does not have any signficance.

"Mr. Combs: I will do the best I can under the circumstances. If I were to call her 'Madame Witness,' would that be satisfactory?

"The Witness: I think 'Witness' would be satisfactory, Mr. Combs.

"Mr. Combs: All right.

"Q. Is it not a fact that you attended a meeting of the *Medical Division of the Arts, Sciences and Professions Council* at 830 North Melrose Hill, which was a private residence in Los Angeles, on the 11th day of May, 1951?

"A. Has someone testified that I was at this meeting which you describe?

"Q. I am not answering questions, Madame Witness, that is your role.

"A. In that case, Mr. Combs, I shall have to decline to answer that question and I shall take the privilege of the First and Fifth Amendments of the United States Constitution, and also Article I, Sections 9, 10 and 13, of the California State Constitution.

"Q. Is it not a fact that on the 12th day of August, 1951, at 9620 Monte Mar Drive, a private residence in Los Angeles, you attended a meeting of the *Medical Division of the Arts, Sciences and Professions Council?*

"A. It would appear to me that someone or something had stated or given you the idea that I was at this meeting that you describe and previously described and, therefore, it also occurs to me that it is a strict American tradition that when you are accused of something, the accused is faced by the accuser. Therefore, I ask this question: Did someone state that I was at a meeting that you have just described?

"Q. I will give you the same answer I gave to your previous question: I am asking the questions and not you.

"A. I understand that, sir. Therefore, I would decline to answer that question on the First and Fifth Amendments of the United States Constitution and on Article I, Sections 9, 10, and 13, of the Constitution of the State of California.

"Q. Very well. Next question: Is it not a fact that on the seventeenth day of August, 1951, you attended a meeting of the *Medical Division of the Arts, Sciences and Professions Council* at 7410 Sunset Boulevard, Los Angeles?

"A. It also appears to me that you are trying in some way to associate me with this organization that you have mentioned. I also feel that along with the doctors subpenaed here yesterday and today that you are trying to smear me. Therefore, I decline to answer this question on the grounds of the First and Fifth Amendments of the United States Constitution, and Article I, Sections 9, 10, and 13, of the California State Constitution, and further on the grounds that this committee is illegally constituted.

"Q. It is not a fact that on the twenty-third day of August, 1951, you attended a meeting of the *Medical Division of the Arts, Sciences and Professions Council* at 406 South Holt Street, Los Angeles?

"A. I decline to answer that question on the grounds previously stated.

"Mr. Combs: Now, Mr. Reporter, will you turn back to the inception of the witness' testimony and give us the address that she stated for the record?

"(Record read as requested.)

"Q. (By Mr. Combs): Did you ever live at 406 South Holt Street, Los Angeles, and were you living there on August 23, 1951?

"A. I refuse to answer that question for the same reasons previously stated.

"Q. Is it not a fact that you attended a meeting of the *Medical Division of the Arts, Sciences and Professions Council* on September 7, 1951, at 109 North Highland Street, Los Angeles, which is the residence——

"A. I decline to answer that question on the grounds previously stated.

"Q. Is it not a fact that on the thirtieth day of October, 1931, you attended a meeting of the *Medical Division of the Arts, Sciences and Professions Council* at 7410 Sunset Boulevard, Los Angeles?

"A. You said 1931. I was only three years old at that time, sir.

"Q. 1951. I am sorry.

"Mr. Omerberg: Do we have the question now?

"The Witness: Would you repeat the question?

"Q. (By Mr. Combs): Is it not a fact that on the thirtieth day of October, 1951, you attended a meeting of the *Executive Board* of the *Medical Division of the Arts, Sciences and Professions Council* at 7410 Sunset Boulevard, Los Angeles?

"A. I should like to state that under any other circumstances, if this was not a hearing of a committee of this type, that I would be happy

to discuss low-cost medical care, and whether or not there is racial discrimination in hospitals, whether or not we could do something about health hazards in this city and county. However, since these questions are being asked by this kind of a committee, and because I feel it is illegally constituted, I shall have to refuse to answer that question on the grounds previously stated.

"Q. Is it not a fact that on December 7, 1951, you attended a meeting of the *Executive Board* of the *Medical Division of the Arts, Sciences and Professions Council* at 830 North Melrose Hill, Los Angeles?

"A. I should also like to state that this committee is displaying all sorts of infringements upon my rights as a citizen. My rights to have ideas. I feel that we can only have growth through free expression of ideas and through free exchange. However, obviously there is no exchange of ideas between us. Therefore, I shall have to refuse to answer this question on the grounds previously stated.

"Q. Is it not a fact that on the eleventh day of January, 1952, you attended a meeting of the *Executive Board* of the *Medical Division of the Arts, Sciences and Professions Council* at 7410 Sunset Boulevard, Los Angeles?

"A. Here I should like to state that this committee is trying to smear and intimidate witnesses, not only witnesses, but people who read the daily press and who are at these hearings today as an audience. I refuse to be intimidated. Therefore, I refuse to answer the question on the grounds previously stated.

"Q. Is it not a fact that on the first day of February, 1952, you attended a meeting of the *Executive Board* of the *Medical Division of the Arts, Sciences and Professions Council* at 535¼ North Spaulding Street, Los Angeles?

"A. Would you repeat the question, please, Counsel?

"Q. Is it not a fact that on the first day of February, 1952, you attended a meeting of the *Executive Board* of the *Medical Division of the Arts, Sciences and Professions Council* at 535¼ North Spaulding Street, Los Angeles?

"A. You are asking me questions which infringe upon my rights. Were I to answer these questions I would be abusing the Bill of Rights, also the California State Constitution. I feel that you do not have the right to ask these questions. I feel that I definitely should not answer them. Therefore, I decline to answer on the grounds previously stated.

"Q. Is it not a fact that on the eighteenth day of February, 1952, you attended a meeting of the *Executive Board* of the *Medical Board of the Arts, Sciences and Professions Council* at 830 North Melrose Hill, Los Angeles?

"A. I decline to answer on the grounds previously stated.

"Q. Is it not a fact that on the fourteenth day of March, 1952, you attended a meeting of the *Medical Division of the Arts, Sciences and Professions Council* at 7410 Sunset Boulevard, Los Angeles?

"A. I decline to answer on the grounds previously stated.

"Q. Is it not a fact that on the sixteenth day of May, 1952, you attended a meeting of the Executive Board of the *Medical Division of the Arts, Sciences and Professions Council,* at 7410 Sunset Boulevard, Los Angeles?

"A. Has someone stated that I attended this meeting?

"Q. I will make the same answer I gave you when you asked the same question twice before.

"A. Then I shall give you the same answer: I decline to answer on the grounds previously stated.

"Q. Is it not a fact that on the fourteenth day of June, 1952, you attended a meeting of the *Arts, Sciences and Professions Equal Rights Conference* held at the Alexandria Hotel, Los Angeles?

"A. I decline to answer on the grounds previously stated.

"Q. Is it not a fact that on the seventh day of July, 1952, you attended a meeting of the Executive Board of the *Arts, Sciences and Professions Council, Medical Division,* at 830 North Melrose Hill, Los Angeles?

"A. It was stated in the newspapers that this committee has come to Los Angeles at this time at the request of the county medical society. I feel that this committee is acting as a trigger mechanism in the establishment of political conformity as a qualification for professional competency and in the practice of medicine. Therefore, I decline to answer the question on the grounds previously stated.

"Q. Is it not a fact that on October 31, 1952, you attended a meeting of the *Medical Division of the Arts, Sciences and Professions Council* at 7410 Sunset Boulevard, Los Angeles?

"A. I decline to answer on the grounds previously stated.

"Q. Is it not a fact that on the sixteenth day of January, 1953, you attended a meeting of the *Arts, Sciences and Professions Council, Medical Division* at 1407 South St. Andrews Place, Los Angeles?

"A. I will not in any way support this committee in its attempt to smear any groups or any witnesses that have appeared at this committee hearing, or whose names have been thrown around. Therefore, I decline to answer on the grounds previously stated.

"Q. This is the next to the last one—and this is the other one, Counsel, that I mentioned to you earlier—is it not a fact that on the twenty-fifth day of June, 1954, you attended a meeting of the *Community Medical Foundation* in Los Angeles?

"Mr. Omerberg: Where was that meeting supposed to have been held, Counsel?

"Q. (By Mr. Combs): It was held, according to my information, at the office of the foundation.

"A. Do you have any information as to what there is that went on there that was illegal, or anything that you could help me with?

"Q. I can help you a little, maybe. It was the eighth annual meeting of the foundation.

"A. That does not sound very illegal to me anyway. Low-cost medical care doesn't and an inter-racial medical center certainly doesn't sound illegal, but I do decline to answer the question on the grounds I might incriminate myself.

"Q. And for the reasons previously stated?

"A. For the reasons previously stated and so stipulated.

"Chairman Burns: I want to ask the witness a question. She stated in her answer the aims and purposes of this organization?

"The Witness: I feel what I have just stated is a matter of common knowledge and has certainly been publicized in the papers in the last few days.

"Chariman Burns: As long as you have testified regarding the aims and purposes of this organization, the chairman instructs you to answer the question exactly as it was propounded to you by Counsel. Did you attend the meeting?

"The Witness: Could I hear the question again?

(Question read.)

"The Witness: I believe that I did answer that question, when I answered it I declined to answer it. Actually, I declined to answer that question, and I declined on the grounds previously stated. And I decline again on the grounds previously stated, if that will help the record.

"Q. (By Mr. Combs): Are you now or have you ever been a member of the *Communist Party* or the *Communist Political Association*?

"A. I decline to answer that question on the grounds previously stated.

"Mr. Combs: That is all.

"Mr. Omerberg: Is the witness excused?

"Mr. Combs: Yes.

"Mr. Omerberg: There is a statement here by Lee Sutton that she would like to have filed and made a part of the record. It is one page, with one line on the second page.

"Mr. Combs: Thank you."

STATEMENT SUBMITTED BY LEE SUTTON
Committee Exhibit No. 18

"The Burns Committee states that it is appearing in Los Angeles at this time at the request of the Los Angeles County Medical Society. In view of this I believe that the committee is acting as a trigger mecha-

nism in the establishment of political conformity as a qualification for the practice of medicine.

"Although the Burns Committee states that it is here to investigate 'subversive activities' in the medical profession, I believe that the committee, itself, is engaging in activities which are un-American by supporting and implementing attacks upon low-cost medical care, and those professional and non-professional people who have supported this type of care.

"The field of medicine, as well as all scientific fields, can flourish only with a free exchange of ideas, even though these ideas may appear to be of a minority opinion.

"We, as citizens, must also live in an atmosphere of free exchange of ideas. The committee in its investigation infringes upon this atmosphere. Therefor, I consider it my duty to decline to answer the questions of the committee by claiming the privileges guaranteed to me by the First and Fifth Amendments to the United States Constitution, and Article I, Sections 9, 10, and 13, of the Constitution of the State of California."

TESTIMONY OF DR. MARVIN SURE, OPTOMETRIST

"Chairman Burns: Give your name and address to the reporter.

"A. My name is Marvin Sure, 7349 Pacific View Drive, Los Angeles.

"Chairman Burns: Is counsel identified for the record?

"Mr. Rykoff: Richard L. Rykoff.

"Q. (By Mr. Combs): Dr. Sure, are you a doctor of optometry?

"A. Yes, I am.

"Q. Would you mind telling us where you took your work?

"A. In Chicago, Illinois.

"Q. At what institution?

"A. The Northern Illinois College of Optometry.

"Q. You obtained your degree in what year?

"A. 1940, I believe.

"Q. That is close enough. How long have you practiced your profession in California?

"A. Since 1946, when I got out of the Navy.

"Q. Did you hold a commission in the Navy?

"A. Yes, I did.

"Q. What was that?

"A. My rank when I left was Lieutenant, Junior Grade.

"Q. You practice in Glendale?

"A. Yes, I do.

"Q. Are you familiar with an organization known as the *Arts, Sciences and Professions Council of Los Angeles?*

"A. I have heard testimony given and I have seen reports in the press mentioning the *Arts, Sciences and Professions Council* in relation to equal rights for negro professionals, in relation to low-cost medical care and medical care for working people. Since the committee deems this subversive, I find I must decline to answer the question.

"Q. For what reasons?

"A. The grounds that I decline to answer on are the historic provisions of the United States Constitution, Amendments one and five, which state that I need not give testimony that may be used against me which inquire into my beliefs and associations; also the provisions of the California State Constitution, Article I, Sections 9 and 13—all of these provisions which were created to protect innocent people against government abuse.

"Mr. Combs: Counsel, would you be willing to enter into a stipulation, in the interest of saving time, that in the event your client declines to answer subsequent questions, that his refusal may be deemed to have been made for the reasons and on the grounds that he has just enumerated?

"Mr. Rykoff: Yes. We will stipulate that each refusal may be deemed to incorporate all of the objections given.

"Mr. Combs: Thank you very much. Is that satisfactory with you?

"The Witness: Yes, sir.

"Mr. Combs: Would you be willing to add that in each instance where the witness refuses, that the chairman will be deemed to have ruled that the grounds are insufficient and has instructed him to answer the question?

"Mr. Rykoff: Is this statement to be that every time the question is asked the chairman will be deemed to have instructed him?

"Mr. Combs: Yes.

"Chairman Burns: Every time the answer is refused.

"Mr. Rykoff: I think I would prefer with respect to any specific questions, where the chairman feels the grounds are insufficient, that he so indicate.

"Mr. Combs: Very well.

"Q. Is it not a fact, Dr. Sure, that you are and have been for four years last past a member of the *Medical Division of the Arts, Sciences and Professions Council* of Los Angeles?

"A. It seems strange to me, Mr. Combs, that you should deem subversive such activities as have been mentioned, such as low-cost medical care, low-cost health care——

"Chairman Burns: Just a moment, Doctor. You are not entitled to such a presumption as you have just spoken of. We have not stated that we consider the *Arts, Sciences and Professions Council* subversive. That is your idea. We have made no such statement here.

"The Witness: On any free forum, in a free market place of ideas, I would be willing to discuss these issues. However, I don't feel that this is my forum or a free forum. Therefore, I decline to enter into this discussion with you for the grounds previously stated.

"Mr. Combs: I don't think the record is quite clear.

"Q. Do you decline to answer the question for the reasons heretofore given?

"A. The specific question.

"Mr. Rykoff: I believe there was only that one question.

"Mr. Combs: Yes.

"Q. Have you ever been affiliated with the *Civil Rights Congress?*

"A. In the conduct of these hearings I feel I cannot enter into these discussions and I must decline to answer the question for the grounds previously stated.

"Q. Is it not a fact that you have been a member of the *Executive Board of the Medical Division of the Arts, Sciences and Professions Council,* and that you were a member of that board in 1951 and 1952?

"A. It is strange in these times that such innocuous activities, such as you mention, should be deemed to be subversive by you, but I must decline to answer for the grounds previously stated.

"Q. Are you acquainted with the witness who proceded you on the stand, Lee Sutton?

"A. I find I must decline to answer your question, sir, in the context of these hearings, for the grounds previously stated.

"Q. During the years 1951, 1952, 1953, and 1954, is it not a fact that you attended approximately 31 meetings of the *Medical Division of the Arts, Sciences and Professions Council* in the City of Los Angeles?

"A. Sir, permit me to express to you how strange this sounds to me. I must, of course, decline.

"Q. For the reasons heretofore given?

"A. Yes, sir.

"Q. Are you now or have you ever been a member of the *Communist Party* or the *Communist Political Association?*

"A. I must decline to answer that question also, sir.

"Q. For the reasons heretofore given?

"A. Yes.

"Mr. Combs: That is all.

"The Witness: Am I excused?

"Chairman Burns: You are excused.

STIPULATION CONCERNING DR. JACOB AGINS, M.D.

"Mr. Combs: Mr. Chairman and Members of the Committee: a subpena was issued for Dr. Jacob Agins, a physician. The committee has received, or the chairman has received some documents attesting to the fact that Dr. Agins has a serious heart condition which would undoubtedly be aggravated by the necessity of his being present on the stand and being subjected to the strain and stress of testifying under oath. His counsel is here present and has agreed with me on a stipulation, a stipulation similar to the ones that have been entered into heretofore during this hearing for the accommodation of counsel for other witnesses. It is as follows: Please check me.

"That if Dr. Agins were here under oath and testifying, and were asked certain questions concerning his membership, affiliation or attendance at meetings of organizations described as subversive or Communist-dominated by official federal or state agencies, that he would decline to answer each and all such questions upon the grounds that will now be stated in the record by his counsel, who has already been identified; and that those grounds will be deemed to apply to each and every question of the category I have described during the course of his interrogation. Does that cover it?

"Mr. Rykoff: I believe that covers it, Mr. Combs.

"Senator Thompson: Will counsel's questions be comparable to those you have asked of the last three witnesses?

"Mr. Combs: Yes, Senator Thompson, they would be.

"Mr. Rykoff: The declination would be based upon the claim that such questions as have been described are an inquiry into the opinions, beliefs and associations of the witness, and therefore are protected questions, such inquiry being against the First Amendment of the United States Constitution and its corollary provisions, the State Constitution, Article I, Sections 9 and 10, and that the answers to such questions might be used against him in some possible way; therefore, he is privileged by the Fifth Amendment to the Constitution of the United States to refuse to answer, and its corollary addition, Article I, Section 19, of the State Constitution.

"Mr. Combs: So stipulated. The first question would be concerning his professional and educational background. This material, I take it, would not be affected by the stipulation.

"Mr. Rykoff: No.

"Mr. Combs: It consists of the clipped portion of the *Los Angeles County Medical Association Journal* with his photograph on it. Of course, we do not necessarily claim that it is accurate.

"Mr. Rykoff: I understand.

"Mr. Combs: But this is what appeared in the 1954 *Medical Journal:* That he received his medical degree from Wayne University in 1925,

he was licensed to practice in California in 1945, his address is 1574 Crossroads of the World, Los Angeles 28.

"The next question would be whether or not he is now or has ever been a member of the *Communist Party* or the *Communist Political Association.* According to the stipulation he is deemed to have declined to answer the question for the reasons heretofore given.

"Mr. Rykoff: That is correct.

"Mr. Combs: The next question would be whether or not he taught a course at the *People's Educational Center,* which has been described as a Communist school in Los Angeles, in the spring of 1947. Pursuant to the stipulation he is deemed to have declined to answer on the grounds heretofore agreed upon—not agreed upon, but mentioned by his counsel.

"Mr. Rykoff: Yes, sir.

"Mr. Combs: The next question would be whether or not he taught at the People's Educational Center during the winter term of 1947. Pursuant to the stipulation he is deemed to have refused to answer that question for the reasons given by his counsel.

"The last question would be whether or not he was a member of the Medical Division of the Arts, Sciences and Professions Council. Pursuant to the stipulation he is deemed to have refused to have answered the question on the grounds that his counsel has given for the record. That is all.

"Mr. Rykoff: All right. May the witness be deemed to be excused.

"Mr. Combs: The witness is deemed excused.

TESTIMONY OF DR. ONER B. BARKER, JR.

"Q. (By Mr. Combs): Your name is Dr. Oner Barker, Jr.?

"A. Yes, sir.

"Q. You spell your first name O-n-e-r?

"A. Correct.

"Q. Do you have a middle initial?

"A. B.

"Q. What is your residence address, Dr. Barker?

"A. 2254 West 25th Street.

"Q. Are you a physician and surgeon licensed to practice your profession in the State of California?

"A. Yes, I am.

"Q. Where did you get your medical degree, Doctor?

"A. At Howard University Medical School.

"Q. In what year?

"A. 1945.

"Q. You have practiced your profession in California approximately how long?

"A. Two years.

"Q. Dr. Barker, you appeared before the House Committee on Un-American Activities some time ago?

"A. Yes, I did.

"Q. About two and a half years ago?

"A. Yes, I did.

"Q. You appeared there pursuant to subpena?

"A. Yes, I did.

"Q. Were you asked whether or not you were then or had ever been a member of the Communist Party?

"A. Yes, I was.

"Q. Do you recall your answer?

"A. Yes, I do.

"Q. What was it, please?

"A. At that time I declined to answer.

"Q. You declined to answer?

"A. Yes.

"Q. Did you invoke the provisions of the Fifth Amendment?

"A. Yes, I did.

"Q. Did you do that on advice of counsel?

"A. Yes, I did.

"Q. Did the name of your counsel appear of record in the proceedings of the House committee?

"A. I believe it did.

"Q. What was the name of your counsel?

"A. Attorney Thomas Newsom.

"Q. Of this city?

"A. Yes.

"Q. Dr. Barker, have you ever been a member of the Communist Party?

"A. Yes, I was.

"Q. When did you become a member?

"A. In the early part of 1946, I believe.

"Q. Did you go into the party because you were persuaded to do so by someone, or was it an entirely voluntary action on your part?

"A. I felt that I might be able, I felt that this might have been a medium through which I might be able to correct some of the things that I felt were not exactly right.

"Q. Social inequalities, injustices, discrimination and other things which you sincerely wished to remedy?

"A. That is right.

"Q. You thought that through the medium of an organization such as the Communist Party you might be able to achieve that end more readily?

"A. Yes, I did.

"Q. That was the basic motivating element that prompted you to affiliate with it?

"A. Yes.

"Q. Do you understand, Doctor, what is meant by the term 'recruit' in ordinary Communist parlance?

"A. Yes, I do.

"Q. Were you recruited?

"A. Yes, I was.

"Q. By whom were you recruited?

"A. Dr. Alex Riskin.

"Q. Is he a physician?

"A. Yes, he is.

"Q. After you were recruited and joined the party in early 1946, were you assigned to a specific component part of the Communist organization in Los Angeles?

"A. It was the doctors' unit. The professional unit.

"Q. It was the doctors' unit of the party?

"A. Yes.

"Q. About how many members comprised that unit at the time you were assigned to it?

"A. I really don't recall exactly how many members there were.

"Q. Could we put it this way, Dr. Barker. I understand you can only approximate. About how often did you attend meetings of that particular unit?

"A. During the time I was in the party I must have attended between 10 and 15 meetings all told.

"Q. What was the average attendance at those meetings?

"A. I would imagine about 10.

"Q. About 10?

"A. Yes.

"Q. All of them were doctors?

"A. I believe they were all doctors.

"Q. Was there in that unit, in addition to yourself, Alex Riskin?

"A. Yes.

"Q. Hyman Engelberg?

"A. Yes.

"Q. He was a physician?

"A. Yes, he was.

"Q. Or he is a physician.

"A. Yes.

"Q. Dr. Harold Koppleman?

"A. Yes.

"Q. Dr. Milton Z. Lindon?

"A. Yes.
"Q. Dr. Walter Kempler?
"A. Yes.
"Q. Dr. Louise Light?
"A. Yes.
"Q. Dr. Milton Lester?
"A. Yes.
"Q. Dr. Max Schoen?
"A. Yes.
"Q. Dr. Murray Abowitz?
"A. Yes.
"Q. Dr. Fred Reynolds?
"A. Yes.
"Q. Dr. Thomas L. Perry?
"A. Yes.
"Q. Can you think offhand of any others?
"A. Offhand, I cannot.
"Q. If you do in the future will you give me the names?
"A. Yes.
"Q. The meetings were held at residences of the members of the unit at various places?
"A. Yes.
"Q. How were you notified that a meeting was to be held?
"A. Usually by telephone.
"Q. Was there an organizer in charge of that particular unit?
"A. What do you mean by 'organizer'?
"Q. A person who generally directed the organizational activities of the unit.
"A. Various people usually directed it.
"Q. You paid dues, did you not?
"A. Well, actually, I didn't pay any dues.
"Q. You did not pay any dues at all?
"A. No, because at the time I was in no position to pay dues.
"Q. During the period of your membership in the Communist Party, were you familiar with a publication known as *Political Affairs?*
"A. Yes.
"Q. That was the publication of the National Committee of the Communist Party of the United States, was it not?
"A. I believe it was, yes.
"Q. That was discussed from time to time during your unit meetings?
"A. Yes, it was.
"Q. The purpose of those discussions was to provide correct political orientation for the membership?

"A. Yes, it was.

"Q. The membership did not always agree on the direction that the orientation usually took, did it?

"A. No.

"Q. There were a great many philosophical and political discussions during the meetings?

"A. There were.

"Q. But once a decision had been made that was supposed to govern, is that right?

"A. It was supposed to.

"Q. It did not always?

"A. I don't believe it did, no.

"Q. Dr. Barker, tell us, if you have any ideas of it, what was the real reason an effort was made to recruit you into this particular unit? Were there any other Negroes in the unit?

"A. No.

"Q. There were no Negroes in it at the time you were recruited?

"A. No.

"Q. Do you have any idea why the effort was made to recruit you into that unit?

"A. I believe so. It was to get a Negro physician into the unit.

"Q. For their own propaganda purposes?

"A. Probably so.

"Q. You did not even pay any dues, did you?

"A. Well, no, I didn't, but I——

"Q. You were financially unable to do so?

"A. At that time I could not.

"Q. You went on the staff of the *Community Medical Center* in 1946 or 1947, did you not?

"A. That is true.

"Q. Who, if anyone, persuaded you to do that?

"A. Dr. Riskin.

"Q. Dr. Alex Riskin?

"A. Yes.

"Q. He is the same person who recruited you into the Communist Party to begin with?

"A. Yes.

"Q. In all fairness I would like to have you testify, if you can, of course, that there were many very sincere people at the *Community Medical Center* while you were there who were not members of the Communist Party.

"A. Yes.

"Q. That is true, isn't it?

"A. That is true.

"Q. Are you acquainted with Mr. Kenneth Hartford?

"A. Yes, I am.

"Q. Was the administrator of the *Community Medical Center* during the time you were attached to its staff? As a matter of fact, you are still attached to the staff, are you not?

"A. I have left the staff.

"Q. Oh, you have?

"A. Yes.

"Q. How long ago?

"A. As of two days ago.

"Q. But while you were there you knew Ken Hartford?

"A. Yes.

"Q. Was he a medical man?

"A. No.

"Q. He had no medical training?

"A. No. As far as I know he didn't.

"Q. He was the administrator of the institution?

"A. He was the business administrator.

"Q. Was he in your opinion an efficient administrator?

"A. This is sort of difficult for me to say. I had very little to do with the business of the running of the center.

"Q. Your contact then was professional?

"A. That is right.

"Q. Medical rather than business?

"A. That is right.

"Q. Are you familiar with a publication known as the *Daily People's World?*

"A. Yes. I am.

"Q. Is that the publication which carries the party line of the Communist Party in this area?

"A. I believe it is.

"Q. Did you understand, while you were a member of the Communist Party, that it was one of the publications the party urged its members to take and read?

"A. Yes.

"Q. There is no mistake about that, is there?

"A. No.

"Q. Did you see copies of that publication, from time to time, at the *Community Medical Center?*

"A. Occasionally I did.

"Q. Are you now a member of the Communist Party?

"A. No, I am not.

"Q. How long has it been since you left the party?

"A. Since 1947.

"Q. Would you describe for the committee, please, the reasons for your disillusionment and disaffiliation?

"A. I felt that there were so many inconsistencies with what I had believed originally and what actually happened subsequently, that I no longer felt it was carrying out what I had hoped or what I had thought it would.

"Q. It simply did not provide the medium that you had anticipated?

"A. That is correct.

"Q. You became disillusioned and left?

"A. That is right.

"Q. At that point did you go and tell anybody that you were about to leave the party, or did you simply become inactive and drift away from it?

"A. That is right.

"Q. You never attended any more meetings?

"A. No, I never attended any more meetings.

"Q. You never had any more contacts with any party people?

"A. That is right.

"Q. Were you subject to any campaign of vilification or abuse after you became inactive?

"A. No.

"Q. None, whatever?

"A. No.

"Q. Have you ever been connected with any other clinics besides the Community Medical Center?

"A. No more than the clinics at the General Hospital.

"Q. The clinics at the General Hospital?

"A. Yes.

"Q. Would you or could you not say that the Community Medical Center was unique in having a high incidence of Communist Party members on its staff?

"A. Unique in the sense of other clinics?

"Q. Yes, as compared to other clinics.

"A. Yes, I would think so—if these people are still members of the Communist Party.

"Q. You don't know of your own knowledge whether they are still in the party?

"A. That is right.

"Q. But they were when you were a member?

"A. At that time, yes.

"Q. Dr. Barker, do you have anything else to contribute?

"A. No.

"Mr. Combs: I might say, and I am sure I express the sentiments of the committee, that we are most grateful to you for your testimony this morning; for your courage, your forthrightness in giving us this information, which, of course, is the only way we can get it. For myself, speaking from some little experience, not in the party, but because I have had contacts with a good many former members of the party, I express to you my individual appreciation, because I know it is a psychological wrench to take this step. We do appreciate it. I thank you very much. Does the committee have any questions?

"Chairman Burns: No. Thank you very much, Doctor.

TESTIMONY OF DR. LOUISE LIGHT, OSTEOPATHIC PHYSICIAN AND SURGEON

"Q. (By Mr. Combs): Your professional name is Dr. Louise Light?

"A. That is right.

"Q. What is your profession?

"A. I am an osteopathic physician and surgeon.

"Q. Where did you get your degree?

"A. In California, at the College of Osteopathic Physicians and Surgeons in Los Angeles.

"Q. What year?

"A. 1938.

"Q. Since 1938, have you practiced your profession in this area?

"A. I interned at the county hospital first for about a year, and then started the practice of medicine at the end of 1939.

"Q. At the Los Angeles General Hospital?

"A. That is right.

"Q. Are you married?

"A. Yes.

"Q. What is your husband's name?

"A. Max Silver.

"Q. You were married in or about 1942?

"A. Yes, sir.

"Q. Dr. Light, you were subpenaed to appear here, were you not?

"A. Yes, I was.

"Mr. Combs: For the record I might add that the preceding witness was also here under subpena.

"Q. Have you ever testified before this occasion under subpena issued by any committee on un-American activities?

"A. Yes. I testified in January of 1952 in Washington.

"Q. Before the House Committee on Un-American Activities?

"A. That is right.

"Q. That was in Washington?

"A. That was in Washington.

"Q. You have never testified before any agency here?

"A. No.

"Q. Since that time have you reflected upon your experiences? You had a conference with me concerning your testimony, did you not?

"A. Yes, I did.

"Q. At the time you testified in Washington were you asked whether or not you had ever been a member of the Communist Party?

"A. Yes, I was asked.

"Q. Did you answer in the affirmative?

"A. I did.

"Q. Dr. Light, when did you affiliate with the Communist Party?

"A. At the end of 1939.

"Q. Where were you when you made that affiliation?

"A. In Los Angeles.

"Q. Did you join the party by applying for membership, or were you recruited into it?

"A. No. I applied for membership in the party.

"Q. How did you happen to make that application? What were your motives in general?

"A. Well, it is a sort of a long story. Briefly, I felt there were a lot of inequalities in the city, in the country and in the world in general. At that time the Communist Party seemed to be the only one that was offering some form of activity to help solve some of these problems. For a number of years I had been interested in it. When I got through with the County Hospital interneship, I had some time to think about it and some time for work as far as social activities were concerned. I then applied for membership to the Communist Party.

"Q. To whom did you apply?

"A. I first talked to a lawyer friend of ours whom I knew was a member of the party, and asked how I should go about gaining admission to the party. I told him I would be particularly interested in working with other doctors who might be interested in the Communist Party. He referred me to someone to help fill the application out.

"Q. Was that someone Dr. Leo Bigelman?

"A. Yes, it was.

"Q. Did he help you fill the application out?

"A. Yes.

"Q. Pursuant to your request, were you thereafter assigned to a branch of the party?

"A. Yes, I was.

"Q. What branch was that?

"A. I was assigned to the medical branch.

"Q. Medical branch?

"A. Of the Communist Party.

"Q. The membership of which was comprised of people who were active in the field of medicine?

"A. That is right.

"Q. Not necessarily M.D.'s?

"A. Not necessarily doctors, no. There were optometrists, doctors, some nurses and dentists.

"Q. Was that branch a subdivision of a higher unit of the party?

"A. Yes, it was.

"Q. Was it a section?

"A. It was a section of a professional—it was actually a branch of a professional section.

"Q. In the Communist Party of Los Angeles?

"A. That is right.

"Q. Is it not a fact that the professional section was comprised not only of medical people and people interested in the practice of medicine, such as yourself, but also of other professional people, such as lawyers?

"A. Yes, and teachers.

"Q. Teachers?

"A. I think so.

"Q. Social workers?

"A. I think so.

"Q. Were they organized in branches, the lawyers branch, the teachers branch, the social workers branch, and so on?

"A. That is right.

"Q. You were simply affiliated with the medical branch?

"A. That is right.

"Q. About how often did your branch meet?

"A. The meetings averaged about once a week.

"Q. Did they meet in a central place regularly, or shift from place to place?

"A. We shifted from place to place, from one man's home to another man's home.

"Q. How were you notified that a meeting was to be held?

"A. There were various ways. Sometimes we decided on the evening of the meeting where we would have the next meeting. At other times there would be telephone conversations. That would be about it.

"Q. Generally, what did you discuss at the meetings? I don't mean in detail, but briefly and generally what kind of meetings were they?

"A. We discussed current events. We would discuss party activities in general, and maybe party activities in terms of the medical profes-

sion itself. We would discuss finances and how to raise money enough to contribute to the Communist Party. We would perhaps have a discussion on some article, or book, or literature that had to do with Communist Party activities.

"Q. Did you determine what direct action you would take as members of the medical profession and members of the medical branch of the professional section of the party in recruiting other people into the organization and in raising issues that would be suitable for the party purposes and in discussing the political orientation that your particular unit should take?

"A. Yes, we did. We would discuss recruiting the members, various ways that were suggested to recruit members, by personal contact or by gatherings, inviting outsiders who might be interested. We would discuss things that the medical branch could or should be doing. There were a number of discussions on how much money a doctor should give to the Communist Party. Generally, it was expected that about 4 percent of a doctor's income should be contributed to the party, but of course, nobody had access to the books.

"Q. So actually, you never knew how much money was collected?

"A. No.

"Q. Who collected the money?

"A. That would depend on the time of the year or the political situation. There were times when I collected the money, and other times we had a dues or financial secretary who collected the money.

"Q. Dr. Light, I want to deviate from the routine that I had planned in questioning you a little bit, because I have come into possession this morning of something—I don't know whether you have ever seen it before or not—it is entitled, 'For Use of Strike Welfare Committees Only. Insert this supplement in your kit, List of doctors and dentists cooperating with the Progressive Workers for Free Care for Strikers.'

"It has already been identified and authenticated in the files of the committee.

"Would you please examine it and tell me whether or not you are familiar with that document?

"A. I have never seen this document.

"Q. You have never seen this document before?

"A. No. I do know one of the things we were discussing and had done was to give free medical services to the families of strikers when it was necessary, but I am not familiar with this document.

"Q. That was one of the obligations of your branch?

"A. I would say it was one of our activities.

"Q. Did you give free medical service to families of strikers?

"A. Yes.

"Q. On this list is the name of Dr. Max Schoen, doctor of dental surgery, 314 North Harper Street, Los Angeles. Did you know Dr. Schoen?

"A. Yes, I knew Dr. Schoen.

"Q. Did you know him as a Communist?

"A. I knew him as a Communist. He was a member of my branch. I also knew him as a delegate who was sent to my house at one time with a lawyer to tell me how to run my office. I would like that for the record. I don't know whether it should be put in the record now or later on.

"Q. I think we will come to it later on if you don't mind.

"A. All right.

"Q. This is really sort of breaking the continuity of what I wanted to ask you, but I would like to cover the names here. Dr. Alex E. Pennes, 6333 Wilshire Boulevard, Los Angeles. Were you acquainted with Dr. Alex E. Pennes?

"A. Yes, I was.

"Q. Did you know him to be a member of the Communist Party?

"A. I did.

"Q. Was he affiliated with your branch?

"A. He was.

"Q. You also note the name of Dr. Joseph Hittelman, 132 North Soto Street, Los Angeles. Did you know Dr. Hittelman?

"A. Yes.

"Q. Did you know him as a member of the Communist Party?

"A. I did.

"Q. And as a member of your medical branch?

"A. That is right.

"Q. I also notice the name of Dr. Morris Feder, 2202 Brooklyn Street, Los Angeles. Did you know Dr. Feder?

"A. I did.

"Q. As a Communist Party member?

"A. Yes.

"Q. And a member of your branch?

"A. That is right.

"Q. Getting back to the continuity of the interrogation, Dr. Light, did you ever hold any official position in your medical branch?

"A. Yes, I did.

"Q. What was that position?

"A. I was what was known for a time as the party organizer of that branch.

"Q. Would you explain what the duties of a party organizer are?

"A. At the time I was party organizer I was getting the meetings together and collecting the dues and attending the various section

meetings that occurred, and going to the county section meetings, the open meetings where the general party membership and the leaders of the party would get together to discuss problems. That is enough.

"Q. Those were your duties?

"A. Yes.

"Q. You ran the branch, didn't you?

"A. At that time things were a little bit tight. Some of the doctors did not have time to do anything in terms of working with the branch, and others were a little afraid they might be seen or connected with the party in terms of outside activity. I had the time and I was terribly enthusiastic and terribly eager.

"Q. Did you spend a lot of time at your work?

"A. I did.

"Q. You gave it a lot of enthusiasm?

"A. I really did.

"Q. Do you think you were successful?

"A. I don't know.

"Q. During what period of time were you acting as organizer for that branch?

"A. I think from about the beginning of 1939—no, 1940, to about 1942 or 1943. I am not sure of the exact time element there.

"Q. Was there a period during your membership in the party, and your affiliation with that particular branch and section, that the branch was criticized from a higher Communist source because it was not active enough?

"A. Yes. There was a time when that happened.

"Q. Do you remember that incident?

"A. There was one incident I remember, that was sometime, I think, in 1944. Maybe it was late 1944. I am not sure of the date. We were told at one of our meetings at the party center—

"Q. What do you mean by 'party center'?

"A. The hierarchy in Los Angeles of the Communist Party.

"Q. The leadership?

"A. Yes, the leadership. That they were disturbed and unhappy about the lack of activity of the doctors' group. We were to have decided and discussed the problem in order to find something the doctors could do to make themselves useful to the party. One of the comrades got up very energetically and said, 'Comrades, I think we have an issue. We have got an issue. Let's take the issue of the Negro people in the hospitals. I think we can make something out of that.'

"Q. Was that advice followed?

"A. Yes, I think it was after a while.

"Q. Did the party create an issue over that problem?

"A. Well, they tried to create an issue over the problem—not that there is no problem. I want to stand on the record that there is definitely a problem of Negroes in the private hospitals. That was one of the reasons I got into the party in the first place, because I felt they might solve that problem, but I did not expect it to be used as a propaganda method.

"Q. Which it was?

"A. Yes, and that disgusted me.

"Q. Were you here during the testimony of the witness who preceded you, Dr. Barker?

"A. Yes.

"Q. Did his testimony fit in with your experience in connection with this particular incident?

"A. I think so.

"Q. Do you remember the name of the doctor who said he had thought of an issue?

"A. Yes, I do.

"Q. What was his name?

"A. Dr. Murray Abowitz.

"Q. Did that occur in a regular closed meeting?

"A. It was in the home meeting of one of the doctors.

"Q. It was a Communist meeting?

"A. Yes.

"Q. While you were a member of the party, Dr. Light, was it not a part of the policy for the party to criticize the discharge of people who were party members or sympathetic toward party activities, and to exert every effort to keep them employed, working, and active?

"A. Do you mean that the party was interested in keeping their own people at work?

"Q. Yes.

"A. Oh, but definitely.

"Q. Did you ever have a secretary who was employed by you who was formerly affiliated with the Communist Party?

"A. Yes, I did.

"Q. A woman?

"A. Yes.

"Q. You knew that she had been a party member?

"A. Sure. We were in the party at the same time.

"Q. At the same time?

"A. Yes.

"Q. At the time you employed her were you in the party?

"A. I was on the tail end of being out. I was already losing a lot of interest, but she had already left.

"Q. Left the party?

"A. The party.

"Q. Will you describe for us what happended between you and the Communist Party by reason of the fact that you had in your employ a former party member?

"A. This was a very interesting thing. This girl was in my office about two weeks as my employee when I was visited by a delegation, one was Dr. Max Schoen, whom you mentioned before. He came in with one of the lawyers from the lawyers' branch.

"Q. Who was that?

"A. Kaplan, I think his name was.

"Q. A party member?

"A. Yes. This was a party delegation from the professional section—to tell me to immediately discharge the girl I had in the office because she was not a party member, that she had been and had left and that she was now considered a Fascist and Trotskyite, and I was to summarily throw her out.

"Q. This was regardless of her ability or your desire to have her work for you, or her own desire to continue in your employ?

"A. That had nothing to do with it. I was told she was not to be employed in my office, that she was a dangerous character, and as such, should be immediately thrown out.

"Q. What was your response?

"A. It would not look good in the record, but the general feeling was, I told them I was still living in the United States, I still had a right to run my office my way, and, God damn it, nobody could tell me how to run it.

"Q. Did the employee continue working?

"A. For three years.

"Q. Were any further attempts made to harass you in that regard?

"A. Yes, there were a number of times, telephone calls and requests for meetings with various people. I did concede to one meeting at that time with the organizer of the branch, which was around 1947, I guess.

"Q. Who was the organizer of the branch at that time?

"A. Tom Perry at that time.

"Q. Dr. Thomas L. Perry?

"A. That is right.

"Q. In 1947 or thereabouts?

"A. Thereabouts. I don't remember the dates because at that time they did not seem important enough to remember.

"Q. You had been organizer and he came along afterwards?

"A. No. There were others between myself and Dr. Perry.

"Q. I see.

"A. But at that time Dr. Perry was the president or group organizer, or whatever you call them. I did have a meeting with him. He wanted me to get reactivated again. I told him I was not interested in the whole business.

"Q. He tried to get you back into the party activity?

"A. That is right.

"Q. Where did that conference take place?

"A. That took place in an office on Fairfax, at the office of one of our comrades. There was one other attempt that I think might be interesting for the record. I received a telephone call from a woman named Rose Chernin, whom I had never known, talked with her, seen her, heard of her, as a matter of fact. She called me on the telephone through my exchange and wanted to make an appointment. When I wanted to know what the problem was, to know how much time to allow in the office, she said, 'Well, this is not a medical problem. We have some things to talk over.'

"I said, 'What things do you have in mind?' She hemmed and hawed. It finally dawned on me that it was a party thing that she wanted to talk over.

"I said, 'It takes two people to discuss a problem and I have no problems to discuss. Therefore, we couldn't have a meeting.'

"She proceeded to threaten me on the telephone, 'Now, look, it would be much better with you if you did meet with us.'

"So I told her that this was still the United States, that I would report it to the police department if she did not stop annoying me, and hung up the receiver.

"Q. Did she stop annoying you?

"A. That was the last bit of annoyance from that particular source.

"Q. Do you recall a turn that was effected in the Communist Party in the United States by reason of the publication of a letter in France?

"A. I sure do. That was the Duclos letter in the spring of 1945.

"Q. In the spring of 1945?

"A. Yes.

"Q. Who was Duclos?

"A. Jacques Duclos was a French party member and a very high party member in France, who had apparently gone to a meeting in the Soviet Union. When he came back from the Soviet Union to France he proceeded to write a document excoriating the American Communist Party on what are called deviation tactics, that they were too friendly with the capitalist government, that they misunderstood the whole role of the Communist Party.

"Q. That letter criticized Earl Browder, the then leader?

"A. It criticized Earl Browder, the then leader, to the extent that there was a tremendous upheaval in the party, and, following several meetings and conventions, Earl Browder was kicked out.

"Q. He had been head of the party for 14 years, hadn't he?

"A. Yes. A good many of us who had gotten into the party felt that it was run in an American way to improve American conditions for American people. When this happened it rather upset quite a few of us. We got the feeling that all this was so much malarky, would you say; that they were interested in building a party to help build the Soviet Union. So he had to take a back seat.

"Q. Is it not a fact, Dr. Light, that immediately after the appearance of the Duclos letter which, as I understand it—please correct me if I am wrong—it was not in the United States but was in a Communist publication in France?

"A. That is right.

"Q. And that the entire Communist Party of the United States immediately reacted and practically turned itself inside out?

"A. It did.

"Q. Which, of course, was a graphic example of the dictatorial approach?

"A. It was one of the things that came to mind at that time. That actually this was a party not run by the American people, but actually dictated to by the Soviet Union by way of the French Communist Party at that time.

"Q. Did the Duclos letter and the incidents which followed result in the disillusionment of great numbers of Communists?

"A. Over a period of several years I would say, yes, a tremendous number. You don't suddenly become disillusioned with somebody you are in love with. It takes a little time—one thing after another, and then you find out you made a mistake.

"Q. And sometimes the period preceding membership in the party takes quite a little time?

"A. That is also true.

"Q. It is not a matter of walking down and jumping in and jumping out again.

"A. That is correct.

"Q. I would assume, and you of course know and I don't, that it would be much easier to get in than it would be to get out?

"A. Generally speaking, yes; I would say that is correct. It isn't very easy to get out.

"Q. This is supposition—I was about to remark, you have been in the party, and you have been out of it for a long time, but I would assume since you left the party it has been increasingly difficult to get in.

"A. Yes. They have been a little bit more careful.

"Q. When did your disillusionment and period of inactivity in the party commence? Excuse me, I have one other matter to take up before that.

"What was the peculiar usefulness of the medical profession to the Communist Party? Why were they particularly desired as members to the extent that another branch of the party was composed of medical personnel?

"A. There were a number of activities or a number of reasons why we could be of some value. I mentioned before the income value to the Communist Party, which was not inconsiderable. And the services that were provided for striking families, and they were really necessary, that was provided. We also provided medical services for Communist Party functionaries when necessary.

"Q. By Communist Party functionaries do you mean full time officials of the Communist Party?

"A. Yes.

"Q. One who spends all of his time at party work?

"A. Yes. They needed the help. They don't make very much.

"Q. Their salaries are inconsiderable?

"A. Remarkably low. I don't know how they live on it or how they did live on it. We had other functions. During the Soviet-Nazi Pact, and this is a rather important function, we discussed the setting up of a communications center, an underground communications center, which would consist of being able to relay messages or informational material from Communist Party leaders, or people to other Communist leaders in this way. Someone would come in and make an appointment with a doctor. The doctor's office is a very sacred thing. We talk about doctor-patient relationships; it is sacred. Of course, we never used it at that time, but this was the theoretical set-up.

"Q. That directive came down from above?

"A. That is right. We didn't think of this. This was thought up for us and it was accepted because we thought it was the necessary thing to do.

"Q. Particularly at that time?

"A. At that time, sure.

"Q. All right.

"Q. It would be very easy to transmit messages when you couldn't use the telephone because the wires might be tapped, and you couldn't write letters because they could be picked up at the post office, and you couldn't meet people in the street. We had this sort of a plan set up, but we did not have occasion to use it. Maybe it was used and we didn't know about it.

"Q. To put this in its proper political framework, I asked you why you were directed from above to set up an underground apparatus for communication by the utilization of doctors' offices at that particular time, you said because it was during the latter part of the era of the Soviet-Nazi Pact.

"A. It was during the Soviet-Nazi Pact. We had a feeling that at that time the Communist Party would be driven underground. Here we were very much upset about Hitler and we found that the Soviet Union, whom we all extolled to the sky because of anti-Semitism, and so forth, suddenly made a bedfellow of Hitler. It was a rather surprising thing.

"Q. In the United States you were afraid laws would be passed and steps taken to drive the party underground?

"A. Yes.

"Q. You had to prepare channels of activity and communications against that eventuality?

"A. That is right. The Communist Party is always on the ball when it comes to self-preservation.

"Q. You knew that because you were in it?

"A. Yes, because we were in it. There were a couple of other things that I believe might be interesting. We had a large mailing list of patients. From time to time we would send out mailings of Communist Party literature, such as the *Daily People's World* or mailings of the *New York Daily Worker,* or leaflets that we could get. We would have petitions in the office for patients to sign, if they were patients. Doctors are pretty terrific people and they often signed a petition without questioning too much the motives behind it. I even went so far that I had some of the deliverymen coming from the pharmaceutical office sign petitions, too. They thought it was all right.

"Q. They certainly were not Communists?

"A. No, they certainly were not Communists.

"Q. They were unaware of the prestige that you exercised as a Communist Party member and unwittingly lent their names to the Communist Party cause?

"A. That is right.

"Q. So the doctors were of enormous value to the party for that reason?

"A. That is right.

"Q. Did you endeavor to attract a progressive type of patient?

"A. That is a matter of magnetism, let us say. People with a progressive feeling or a feeling for party activities will automatically go to the doctors whom they think are sympathetic to their ideological outlook.

"Q. Let me pose a hypothetical situation to you, Dr. Light. Take a situation like we are in the middle of right now, where certain doctors, some of whom have already been identified as Communist Party members, are the recipients of subpenas by the committee of the State Legislature, in this instance the California State Senate. Although the subpenas have been issued within a week or ten days, would it be possible, or would it have been possible while you were a Communist, while you were the organizer of the medical branch of the professional section, to persuade your progressive contacts and your Communist contacts to send in a flood of letters, abuses, protests and things of that kind to the committee?

"A. Of course. We could fill a hall in about two hours time.

"Q. You could fill a hall in a couple of hours time?

"A. Oh, sure. We would have no difficulty in filling a tremendous hall in two hours.

"Q. Was that part of the party technique?

"A. Yes.

"Q. And the letters also?

"A. Yes.

"Q. Like cards and letters?

"A. Telephone calls and cards, and from time to time if a bit of legislation would come up in Washington that we would like passed or not passed, we would have a meeting—not only the medical branch, because we were a little desultory about that, but the party generally did.

"Q. The rank and file?

"A. Yes. We were expected to immediately write letters, call meetings, make telephone calls and send telegrams. But that is not only party activity. I think all pressure groups do it.

"Q. Unquestionably, but I want to know how fast you could mobilize it because of party discipline and organization?

"A. In no time at all.

"Q. Filling a hall in a couple of hours with sympathetic party people is pretty good.

"A. Yes, we would do quite a bit.

"Q. And you did?

"A. Yes.

"Q. Were the offices of the members of the local branch of the professional section utilized for the dissemination of pro-party literature?

"A. Yes. We had literature in the office. Some of the doctors did not because they did not want to be too open about it. A good many of us did. I felt I was in it under my own name and that was the

belief I had and be darned if I would hide it, so we had literature around.

"Q. Getting back to the Duclos letter, that was one of the reasons for your eventual disillusionment?

"A. Yes, that is right, one of the big reasons.

"Q. Did you find that the Communist Party was not the medium through which you could achieve the things that you intended to achieve when you joined it, that is, combatting discrimination, unfair practices and all of the things that you mentioned?

"A. I found that although those were the things they talked about to some extent, they were simply propaganda or publicity media, that actually they were not doing it for the benefit of the individuals or the minorities involved, they were doing it in order to stimulate enough public activity and interest as far as the Communist Party is concerned. Of course, the Communist Party means the Soviet Union.

"I have yet to remember anything nice said about the United States when compared with the Soviet Union. This is a little distressing when most of us live here and love it here.

"Q. When did the period of your inactivity and disillusionment commence, as nearly as you can tell us?

"A. There was no specific date. It was a gradual thing. This meeting at the house which we had disgusted me, but it was one of those things that you forget about. Then the Duclos letter came along. That was really a bombshell. The treatment of the girl I had in my office, which was a couple of years after the Duclos letter—in the interim I had gone to a few meetings in a very haphazard fashion. I hadn't paid any dues because I wasn't interested. I didn't care whether they liked it or not. Then the final blow—well, not the final blow, next to the final blow was the telephone call from Rose Chernin. But the final thing that jelled it was the outbreak of the current hostilities, a day or two days after the Communists invaded South Korea I turned on a broadcast and Mr. Handleman, a friend of ours—

"Q. What is his first name?

"A. Tom, I think.

"Q. Howard?

"A. Howard, yes. He made a broadcast from Korea. He is as straight and honest a man as he can be. He broadcast from Korea. He was sent down on a news mission. He found the materials that the Soviets sent into North Korea with the Soviet label and the date, current stuff. He said he wouldn't have believed it if he hadn't seen it. We talked it over at home for a few days. I decided we had enough of this. I called the FBI to tell them I had been in it and I would like to, shall I say, confess and have it out of my system, which is what we did.

"Q. You went voluntarily to the FBI?

"A. I called them up for an appointment, yes.

"Q. You gave them the benefit of your experiences?

"A. That is right.

"Q. You have had nothing to do with the Communist Party since?

"A. No.

"Q. I think that you testified that Dr. Thomas L. Perry tried to persuade you to become reactivated and reinstated?

"A. That is right.

"Q. He was, of course, unsuccessful?

"A. That is right.

"Q. Was there any particular office building or location in Los Angeles where there was a concentration of doctors known to you to be members, or to have been members, of the Communist Party?

"A. There were a couple of places.

"Q. Would you name them?

"A. Yes. One was a medical center, the *Community Medical Center,* where there was a large accumulation, a large conglomeration of Communist ideas.

"Q. You knew that to be a fact?

"A. Oh, yes, I know that to be a fact.

"Q. How do you know that?

"A. It just so happens I was present in the office at two or three meetings when the setup of the *Community Medical Center* was being established.

"Q. You were present and helped?

"A. I did not help but I was present. They talked about setting up a medical center.

"Q. The discussion had occurred about the establishment of the *Community Medical Center* was heard by you as a Communist?

"A. Yes.

"Q. In connection with your membership in the Medical Branch of the Professional Section of the Communist Party of Los Angeles?

"A. That is right.

"Q. So, of course, you have first hand knowledge of that fact?

"A. Yes. Then, of course, the other place is a building on Wilshire Boulevard in which at that time a number of Party members—let us say they built it.

"Q. They built it?

"A. Yes.

"Q. Is that building located at 6333 Wilshire Boulevard?

"A. Yes.

"Q. There is a high concentration——

"A. There was. I don't know anything about it now.

"Q. —of doctors there who were known to you as members of the Communist Party?

"A. Yes.

"Q. Dr. Light, there is another matter I would like to go into. I asked Dr. Barker, who preceded you on the stand, whether or not he received any vilification or abuse after he became inactive in the party. I would like to ask you the same question.

"When you came back from Washington, having testified there concerning some of these things, was there any effort to discredit you or harass you in any way?

"A. Oh, sure.

"Q. Would you describe your experiences, please?

"A. Believe me, it was quite an experience. I suddenly discovered that I was doing what they call illegal operations in the office, and the reason I went to Washington was that the FBI and the United States Government threatened me with a jail sentence, that they would either expose me on the illegal operations or I would go to Washington and testitfy, so I took the lesser of two evils as far as they were concerned, or the greater of two evils, I don't know which. There was quite a campaign about this illegal stuff, because it came from various parts of the city. There were telephone calls made to the office: a neighbor or daughter, or relative is pregnant and doesn't want to be pregnant. Dr. Light does abortions in the office—to the extent that the California Osteopathic Association sent an investigator down to tell me that they heard rumors coming through the office, that they have legal help and if I wanted to sue anybody for libel, and did I need police protection for either physical or mental safety. I told them that if I needed it I would let them know, that I thought this thing would ride itself out, and it did. Of course, we had problems with people in the office who would stand at the door and stop patients from coming in, making all sorts of comments about the horrible woman who was such a danger to the other people. Of course, all of these things ride their wave.

"Q. Was that in conformity with the process that had been familiar to you while you were a party member?

"A. It is a constant pattern.

"Q. It is a pattern?

"A. I would think so. It depends on what the individual's work consists of.

"Q. You have had no difficulty recently along this line?

"A. No, but I probably will for the next couple of weeks, but we won't worry about it.

"Q. You are not worried about it?

"A. No.

"Mr. Combs: Dr. Light, I think that is all, with the exception of asking you to identify some names that I am about to read to you.

"Senator Thompson: I would like to ask one question of the Doctor, Mr. Chairman, I don't know if it is quite fair.

"Q. Do you know the witnesses subpenaed here and who testified because their names have been mentioned?

"A. I know some of them.

"Q. Do you believe that these doctors are now at the present time thinking of the underprivileged, or are they thinking of the Communist Party and Soviet Russia?

"Chairman Burns: Do you mean the ones in connection with the *Community Medical Center?*

"The Witness: Oh, the ones connected with the *Community Medical Center?*

"Chairman Burns: Some of them may be thinking of the underprivileged, but it seems to me that if they are real hep—they are smart, they know this is tied up with the Communist Party—that they are thinking more of the Communist Party and the Soviet Union than the few underprivileged in the United States.

"Senator Thompson: Doctor, at those meetings which you attended when you were active in the party, did those meetings consist of the local groups, or were there people from other areas, you might say, leaders in the Communist Party who attended your meetings?

"A. Not always. Occasionally we would have a leader from the central part of the city, one of the leaders of the Los Angeles party, or one of the visitors from the New York party would attend the meetings with the doctors. That was not too often, but it happened occasionally.

"Senator Thompson: Thank you very much, Doctor.

"The Witness: You are welcome.

"Q. (By Mr. Combs) Dr. Light, I will read you some names and ask you if you can identify these, or any of them, as having been members of the Communist Party at the time you were a party member. You have identified Dr. Murray Abowitz as a member of the Communist Party. Do you recognize the witness who preceded you on the stand, Dr. Oner Barker?

"A. Yes.

"Q. Was he a member of the branch with which you were affiliated?

"A. Yes.

"Q. He was?

"A. Yes.

"Q. You knew him in the branch?

"A. Yes, I knew him.

"Q. Dr. Leo Bigelman?

"A. Yes.
"Q. Dr. Franklin Bissell?
"A. Yes.
"Q. Dr. Jacob Bruckman?
"A. Yes.
"Q. Dr. Oscar Elkins?
"A. Yes.
"Q. Dr. Hyman Engelberg?
"A. Yes.
"Q. Dr. Morris Feder?
"A. Yes.
"Q. Dr. Wilbur Z. Gordon?
"A. Yes.
"Q. Dr. Joseph Hittelman?
"A. Yes.
"Q. I think you mentioned Dr. Walter Karpman before?
"A. No. I could not identify him as being in the party.
"Q. You could not identify him as being in the party?
"A. I have never seen him at a party meeting.
"Q. Dr. Harold Koppleman?
"A. Yes.
"Q. Dr. Milton Lester?
"A. Yes.
"Q. Dr. Milton Z. London?
"A. I have seen him at some meetings, but I could not identify him for sure to be a member of the party.
"Q. At what sort of meetings did you see him?
"A. I don't remember, which is a problem.
"Q. Dr. Simpson Marcus?
"A. Yes.
"Q. Is that S-i-m-p-s-o-n, or S-i-m-s-o-n?
"A. I think it is S-i-m-p-s-o-n.
"Q. Dr. Saul Matlin, Doctor of Osteopathy?
"A. Yes.
"Q. Was he a member of that branch?
"A. He was a member of the branch.
"Q. Dr. Alexander Pennes?
"A. Yes.
"Q. Dr. Thomas L. Perry?
"A. Yes.
"Q. Dr. Frederick Reynolds?
"A. Yes.
"Q. Dr. Alexander Riskin?

"A. Yes.
"Q. Whom you have already identified?
"A. Yes.
"Q. Dr. Gordon Rosenblum?
"A. Yes.
"Q. Dr. Max Schoen, a dentist?
"A. Yes.
"Q. S-c-h-o-e-n?
"A. Yes.
"Q. Dr. Max Sosin, a dentist?
"A. Yes.
"Q. Was he a member of that unit?
"A. He was a member of the unit.
"Q. Dr. Sam Sperling?
"A. Yes.
"Q. Rowland Sutton?
"A. Never heard of him.
"Q. You did not know him?
"A. No.
"Q. Robert Peck?
"A. No, I don't know him.
"Q. Did you ever know a man in the Communist Party who was a pharmacist by the name of Arthur Lishner?
"A. I knew Arthur Lishner and I have seen him at parties, social functions, but I cannot identify him as being a member of the party.
"Q. Be sure the record is straight, you cannot identify him as a member of the Communist Party, but you have been present at Communist social functions at which he was also present?
"A. That is right.
"Q. Where is his office, or place of business, if you know?
"A. I don't know.
"Q. Doctor of Osteopathy, Jack Nedelman?
"A. Yes.
"Q. Was he a member of your branch?
"A. He was a member of our branch.
"Q. Bertha Reynolds?
"A. Yes.
"Q. What was her profession?
"A. I think she was the wife—she is the wife of Dr. Fred Reynolds.
"Q. Did you know her as a Communist Party member?
"A. Yes.
"Q. Dr. Sidney Bruckman?
"A. Yes.

"Q. Was he a member of the same branch?

"A. He was a member of the same branch.

"Q. Edward Goodlaw?

"A. Yes, he was a member of the party.

"Q. Is he a physician?

"A. No. He is an optometrist.

"Q. Louis Shoenfield? S-h-o-e-n-f-i-e-l-d?

"A. I think it is S-c-h-o-e-n-f-i-e-l-d.

"Q. What is his profession?

"A. He is a dentist.

"Q. He was a member of the same branch?

"A. That is right.

"Mr. Combs: I think that is all, Dr. Light. I want to express the gratitude of myself and the committee for your courage and forthrightness in giving us the benefit of your experiences.

"The Witness: You are very welcome.

"Mr. Combs: May the witness be excused?

"Chairman Burns: Yes, the witness may be excused.

TESTIMONY OF MRS. RUTH DRADER

"Q. (By Mr. Combs): Will you state your name, please?

"A. Ruth Drader.

"Q. D-r-a-d-e-r?

"A. That is correct.

"Q. What is your address?

"A. 457-A West California Street, Glendale, California.

"Q. Approximately how long have you resided at that address?

"A. Approximately a year.

"Q. Mrs. Drader, you were employed by this committee, were you not?

"A. That is right.

"Q. Would you fix the approximate date that your employment commenced?

"A. Well, I would fix it in the latter part of 1950.

"Q. It extended until about when?

"A. As of now.

"Q. As of now?

"A. To my knowledge.

"Q. As a part of your employment did you affiliate, or did you become affiliated with an organization known as the *Arts, Sciences and Professions Council, Medical Division*?

"A. Yes, sir.

"Q. Will you give us the approximate date of your affiliation with that organization?

"A. The date I actually took membership was on December 2, 1950, at a membership convention meeting at Stanley Hall, 1057 North Stanley Avenue.

"Q. 1057 North Stanley Avenue, Los Angeles?

"A. That is correct.

"Q. Did you ever hold any office in the *Medical Division of the Arts, Sciences and Professions Council*?

"A. No office. I was on the Executive Board of the division—not the ASP, just the Medical Division.

"Q. How long were you a member of its Executive Board?

"A. Approximately a year.

"Q. I have before me and I see that you have before you an index of meetings attended by you?

"A. That is correct.

"Q. During the date of your employment.

"A. That is correct.

"Q. I wish to identify them now for the record. Will you kindly check your list as I read mine so that we will be sure and not make any mistakes?

"A. Fine.

"Q. During the period of time that you attended these meetings you became affiliated with other organizations?

"A. Absolutely.

"Q. In addition to the *Medical Division of the Arts, Sciences and Professions Council,* did you not?

"A. Absolutely.

"Q. You also attended those meetings?

"A. Yes, sir.

"Q. Either at the meetings, or within them, or immediately thereafter, did you place in writing a report of the people present, the substance of what was said, and a description of the activities that transpired in each case?

"A. Yes, sir.

"Q. You sent those reports where?

"A. To your committee.

"Q. Did you in each instance, or in as many instances where such things were possible or feasible, collect literature, booklets, pamphlets, advertisements, broadsides, and other printed materials which you attached to your reports as exhibits?

"A. Yes, sir. And also things that came to me through the mail.

"Q. And also things that came to you through the mail as a result of your attendance at meetings?

"A. That is right.

"Q. In your affiliations with organizations that we are about to describe?

"A. That is correct.

"Q. On October 29, 1950, did you attend a pre-election rally sponsored by the Los Angeles Communist Party at the Embassy Auditorium in this city?

"A. Correct.

"Q. On November 10th, 1950, did you attend a membership meeting sponsored by the *Arts, Sciences and Professions Council* at the Globe Theater, 7156 Beverly Boulevard?

"A. That is correct.

"Q. On the 14th day of November, 1950, did you attend a *Southern California Peace Crusade* meeting at Farber's Hall in Los Angeles?

"A. Yes, sir.

"Q. On December 2, 1950, did you attend a membership convention of the *Arts, Sciences and Professions Council* held at Stanley Hall, 1057 North Stanley Avenue in Los Angeles?

"A. That is correct. Mr. Combs, there was also not listed in the index, but in my reports, part of the convention, which was Saturday-Sunday.

"Q. The one I last mentioned?

"A. Yes, December 2 and 3. The reports cover that.

"Q. Was it held at the same location?

"A. That is correct.

"Q. On the 18th day of January, 1951, did you attend a meeting sponsored by an organization known as the *Committee for a Far Eastern Policy* at Channing Hall, 2936 West 8th Street, Los Angeles?

"A. That is correct. That is the Unitarian Church.

"Q. The First Unitarian Church?

"A. That is correct.

"Q. Then on the 20th day of January, 1951, did you attend a meeting sponsored by the *Arts, Sciences and Professions Council,* in Stanley Hall?

"A. Correct.

"Q. On the 22nd day of January, 1951, did you attend the *Unitarian Fellowship for Social Justice* meeting in a room known as the Madame Severance Room, 2936 West 8th Street, Los Angeles?

"A. Yes. That is another division of the First Unitarian Church.

"Q. On the 29th day of January, 1951, did you attend a meeting in the Madame Severance Room at the same place?

"A. Yes, sir.

"Q. The speaker on that occasion was Martin Hall?

"A. Yes.

"Q. On the 1st day of February, 1951, did you attend a meeting sponsored by the *Committee for a Democratic Far Eastern Policy*?

"A. Yes, sir.

"Q. That also was held in Channing Hall, 2936 West 8th Street?

"A. Yes.

"Q. That is the Unitarian Church?

"A. Yes, it is.

"Q. On the fifth day of February, 1951, did you attend the *Unitarian Fellowship for Social Justice*?

"A. Yes, sir.

"Q. The meeting held at the Unitarian Church?

"A. Yes, sir.

"Q. On the 12th day of April, 1951, did you attend a membership meeting of the *Arts, Sciences and Professions Council* in Stanley Hall?

"A. That is correct.

"Q. All of these, of course, in the City of Los Angeles?

"A. Yes.

"Q. On the 11th day of May, 1951, did you attend a meeting of the *Medical Division of the Arts, Sciences and Professions Council,* at 830 North Melrose Hill?

"A. Yes, sir.

"Q. Is that the residence of Dr. Jack Flasher?

"A. Yes, it is.

"Q. At that time was he a member of the *Medical Division of the Arts, Sciences and Professions Council*?

"A. Yes, sir.

"Q. He was?

"A. Yes, he was.

"Q. Was Dr. Murray Abowitz present at that meeting?

"A. He was the chairman of the meeting.

"Q. Was Dr. Max Schoen present at that meeting?

"A. Yes, and he was one of the speakers at the meeting.

"Q. What was the main topic of the meeting?

"A. The purpose was to elect an executive board for the Medical Division. Then we went into—it was during the time of the agitation of the so-called police brutality in connection with racial minorities. There was quite a discussion of that.

"Q. I see. Then on May 15, 1951, did you attend another meeting, a membership meeting sponsored by the *Arts, Sciences and Professions Council* in Stanley Hall?

"A. Yes, sir.

"Q. That is located where?

"A. That is the First Unitarian Church.

"Q. Was Dr. P. Price Cobbs on that occasion present?

"A. He was chairman.

"Q. What about Martin Hall?

"A. Martin Hall, Waldo Salt and Dick Powell were speakers.

"Q. Dick Powell is not the actor?

"A. No. He is a radio writer and not an actor—an entirely different person.

"Q. On the eighth day of June, 1951, did you attend a meeting at the Embassy Auditorium?

"A. Yes.

"Q. Sponsored by the *Arts, Sciences and Professions Council?*

"A. That is correct. That was a big rally welcoming home Dalton Trumbo after his release.

"Q. From prison?

"A. Yes.

"Q. Did Herbert Biberman speak on that occasion?

"A. Yes. He was one of the speakers. Dr. P. Price Cobbs was chairman.

"Q. What was his official position in the *Arts, Sciences and Professions Council,* if you know?

"A. Herbert Biberman?

"Q. No, Dr. P. Price Cobbs.

"A. Dr. P. Price Cobbs, the last I heard, I think at that time he was still on the National Executive Board.

"Q. Of the *National Arts, Sciences and Professions Council?*

"A. Yes. I believe you have a ballot that I furnished the committee showing his name.

"Q. Yes. We will produce it in evidence later. Was Paul Jarrico present at that meeting?

"A. He was one of the speakers.

"Q. And of course, Mr. Dalton Trumbo.

"A. Yes.

"Q. On the fifteenth day of June, 1951, did you attend a meeting of the *Science and Education Division Forum?*

"A. Yes.

"Q. Of the *Arts, Sciences and Professions Council* at the First Unitarian Church?

"A. That is correct.

"Q. Was Dr. Harold Orr present on that occasion?

"A. Yes, but I did not know him as a doctor. I knew his as Harold Orr.

"Q. Were you accompanied to some of these meetings by someone else?

"A. Yes.

"Q. That person has given the committee an affidavit?

"A. Yes. One of the people accompanied me.

"Q. That was given to us in your presence?

"A. That is correct.

"Q. On the 22nd day of June, 1951, did you attend a meeting at 7410 Sunset Boulevard, the *Arts, Sciences and Professions* office, or at least it was at that time?

"A. Yes.

"Q. At which time you attended a meeting of the Executive Board of the Medical Division?

"A. That is correct.

"Q. Who was the chairman on that occasion?

"A. Dr. Murray Abowitz.

"Q. Was Dr. Richard Lippman there?

"A. Yes. He was the speaker.

"Q. On the twenty-seventh day of June, 1951, did you attend a meeting at the same place, 7410 Sunset Boulevard?

"A. Yes.

"Q. That was the office of the *Arts, Sciences and Professions Council?*

"A. Yes, it was at that time. That is correct. They had moved from the Crossroads of the World just a short time previously into this Sunset Boulevard address, 7410.

"Q. On July 3, 1951, did you attend a meeting at the same place of the *Arts, Sciences and Professions Council?*

"A. Yes. That was the *Peace Committee.*

"Q. Who was the chairman on that occasion?

"A. Dr. Richard Lippman.

"Q. On the fourteenth day of July, 1951, did you attend a meeting sponsored by the 15th Assembly District, *Independent Progressive Party?*

"A. It was not a meeting, Mr. Combs. It was strictly a fund-raising party. It was through my affiliation with ASP——

"Q. By 'ASP' do you mean the *Arts, Sciences and Professions Council?*

"A. The Arts, Sciences and Professions Council—it was through my affiliation there that I attended this fund-raising party for the Independent Progressive Party.

"Q. That was held at 7560 Melrose Avenue?

"A. Yes. That is a bar and cocktail lounge that they had taken over for the evening.

"Q. Then on July 15, 1951, did you attend a meeting at the Humanist Hall, 2307 South Union Avenue?

"A. That is correct.

"Q. What kind of a meeting was that?

"A. It was a time when they were trying—they called themselves the *Committee for Amalgamation.* It is the only meeting of that organization I ever attended. I don't know if it is still in existence. You are perhaps familiar with the fact that in this area at that time, there were two musicians union locals. One was white and the other was Negro. The *Committee for Amalgamation* was to amalgamate the two organizations. It was agitating to amalgamate the two unions and have one musicians union.

"Q. How did you happen to attend that meeting?

"A. It was suggested that I attend as a member of the *Arts, Sciences and Professions Council,* that I attend this meeting.

"Q. Was it a large meeting?

"A. Yes. There were between six and seven hundred people present. The big drawing card was Josephine Baker. The singer was in town at that time. I believe she was doing a personal appearance at the Orpheum Theater. They got her to agree to make a brief appearance at their meeting. She rushed from the theater up to the Humanist Hall and back. It was matinee day. She is quite a well known entertainer. That drew a lot of people. It was also a fund-raising affair.

"Q. On the seventeenth day of July, 1951, did you attend a meeting of the *Arts, Sciences and Professions Council Peace Committee* at 7410 Sunset Boulevard?

"A. That is correct.

"Q. Who was chairman on that occasion?

"A. Dr. Richard Lippman.

"Q. On the twenty-second day of July, 1951, did you attend—shall we call it ASP henceforth when we mean *Arts, Sciences and Professions Council?*

"A. All right.

"Q. Did you attend an ASP reception for John Howard Lawson at the office of the council?

"A. That is correct.

"Q. On July 31, 1951, did you attend an ASP *Peace Committee* meeting at 7410 Sunset Boulevard?

"A. That is correct.

"Q. Who was the chairman on that occasion?

"A. Dr. Richard Lippman.

"Q. On August 31, 1951, did you attend an ASP reception for John Howard Lawson in the Embassy Auditorium?

"A. That is correct.

"Q. Did Mr. Lawson speak on that occasion?

"A. Yes. He spoke of his experiences during the time he was in prison as a member of what they call the 'Hollywood Ten.'

"Q. For what?

"A. For contempt of Congress, I believe.

"Q. How many attended that meeting?

"A. Between 1,500 and 1,700. It was a full house.

"Q. On August 5, 1951, did you attend a meeting of an organization known as the *Civil Rights Congress?*

"A. That is correct.

"Q. Did you belong to that organization?

"A. I joined at that time.

"Q. This was held at the Embassy Auditorium?

"A. That is correct.

"Q. Was Mr. John Howard Lawson present on that occasion?

"A. He was the speaker, among others.

"Q. Who was the chairman?

"A. Marguerite Robinson.

"Q. Will you identify her if you can?

"A. At that time she was executive director, I believe, of the *Civil Rights Congress,* the Los Angeles Chapter.

"Q. About how many people were present on that occasion?

"A. Approximately 1,200.

"Q. Was Mr. Ben. Margolis present?

"A. Ben Margolis was present and spoke.

"Q. Was Mr. Don Wheeldin present?

"A. Mr. Don Wheeldin was present and was one of the speakers.

"Q. On the seventh day of August, 1951, were you requested by a person or persons, to accompany that person, or persons, to the Office of the United States Attorney in Los Angeles?

"A. Yes, that is correct.

"Q. Will you describe what that was, please?

"A. May I refer to my report for accuracy?

"Q. Surely. Let's get this in the record. How soon after you went to the office of the United States Attorney was it that you made your report? When did you write it?

"A. The same day, within a matter of an hour after I returned home.

"Q. All right.

"A. On that morning, it was Tuesday morning, during the conduct of the so-called Smith Act trial.

"Q. That was a prosecution of persons accused of advocating the overthrow of the government by unlawful means?

"A. That is correct. During that period of time, it happened that I was on my vacation from my work. The *Arts, Sciences and Professions*

Council group knew I was on vacation because I volunteered to go into the office and help with little office chores. I was called and asked to accompany the delegation to the office of the United States Attorney, Ernest Tolin, at that time. The reason for the delegation was to enter a plea—it wasn't only a plea, but almost a demand, that he intercede to reduce the bail for the Communist leaders who were on trial. Shall I go into it in detail at this time?

"Q. I will question you about it. Did you go with that delegation?

"A. Yes, I did.

"Q. Does your report reflect the identity of the individuals with whom you went?

"A. That is correct. Do you want me to read it?

"Q. If you will, please.

"A. The original delegation was made up of Sarajo Lord.

"Q. Who was she?

"A. Sarajo Lord was Executive Secretary of the *Arts, Sciences and Professions Hollywood Theater.*

"Q. Her first name is spelled as one word?

"A. Yes.

"Q. S-a-r-a-j-o?

"A. That is correct. Elaine Glenn. Her husband at that time was a reporter—Charlie Glenn of the *Daily People's World.* Drucilla Baetcke.

"Q. How do you spell her last name?

"A. B-a-e-t-c-k-e. Mrs. Max Schoen.

"Q. S-c-h-o-e-n?

"A. That is correct. And myself. Then after we got upstairs, before we went in to see Mr. Tolin, Mrs. Nestor, who is the mother of Dorothy Healy——

"Q. Who was one of the defendants?

"A. That is correct—she was one of the leaders, she came and asked if she could join our delegation. Of course, she was very happily received. When we were shown into Mr. Tolin's office, Sarajo Lord read a prepared statement that had been drawn up ready for presentation. That was the end of that phase of it. Mr. Tolin, I will say, was very charming to the delegation.

"Q. Courteous?

"A. Extremely courteous, but he made no commitment, naturally. After leaving Mr. Tolin's office we went directly down to the court. It was in Judge James C. Carter's court where the trial was then in progress.

"Just as we were starting to enter the courtroom, Charlie Glenn came over and talked to us, and Sarajo Lord gave him a copy of the prepared statement, which was subsequently published in the *Daily People's World.*

"Q. This all occurred in your presence?

"A. Yes.

"Q. And hearing, of course?

"A. Yes. I was a member of the delegation.

"Q. On the 9th day of August, 1951, did you attend a meeting of the ASP at 7410 Sunset Boulevard?

"A. Yes.

"Q. At which the *Peace Committee* met?

"A. That is correct.

"Q. Who was the chairman on that occasion?

"A. The chairman was Dr. Richard Lippman.

"Q. Was there a speaker by the name of Maude Russell on that occasion?

"A. That is correct.

"Q. Who was Maude Russell, if you know?

"A. It is my understanding Maude Russell——

"Q. Did you hear her speak?

"A. Oh, yes, I heard her speak. As far as her identity is concerned, she was introduced as having been very, very active in the YWCA work, I believe it was, in China, for many years. Therefore, she was an authority on Far East and Chinese affairs.

"Q. Do you know whether or not she held any other position in any other organization?

"A. That I don't know. I believe that at that time she had left the YWCA. I don't believe she was any longer affiliated with it.

"Q. What time did that meeting take place, if you know?

"A. The meeting started at 8.30 p.m.

"Q. It lasted how long?

"A. I don't know the exact time, but I imagine——

"Q. Do you have your notes before you?

"A. Yes, I have.

"Q. After the meeting was over did you go to a restaurant with some other people?

"A. Yes.

"Q. What restaurant was that?

"A. It was the Gotham Restaurant on Hollywood Boulevard in Hollywood.

"Q. With whom did you go?

"A. There was a little group of us after the meeting, Lee Bachelis.

"Q. Is he now deceased?

"A. I understand that he is. I can't say definitely, but to the best of my understanding he is now deceased. At that time it was my understanding that he was the chairman of the Bail-Bond Fund of the *Civil Rights Congress.* I cannot say positively, but it was told to me.

"Q. We have it by other evidence that is sworn to, that is in the committee's possession and in the transcript. It is a matter of common knowledge.

"A. Fine. After the meeting adjourned, he invited some of us, a small group, to accompany him to the Gotham Restaurant. At that particular meeting I sat at the table by the door, and as people came in I took their money and encouraged them to buy literature. During the little intermission in the meeting, I passed the little basket around to take up a collection, and so forth. We were included in his group to go down to the Gotham Restaurant. In the group there was Maude Russell, Lillian Haas.

"Q. She was the principal speaker?

"A. She was the principal speaker.

"Q. H-a-a-s?

"A. H-a-a-s. Dr. Marvin Sure and his wife, Jane Grodzins Sure.

"Q. How do you spell 'Grodzins?' Before you use your file, Mrs. Drader, we had better identify it. Of what does that file consist?

"A. It consists of names of people I knew in various organizations that were either Communist front or liberal organizations. I have listed on that——

"Q. By 'Communist front' do you mean organizations so listed by the Department of Justice?

"A. Some are, such as the *L. A. Committee for the Protection of the Foreign Born,* and a few of those, and the *Civil Rights Congress.* I made this to help me if I wanted specific information in a hurry. It has the name of the individual and the dates of meetings, the places of meetings, or I mean the sponsorship of the meetings, not places. Would you like to see one?

"Q. No, but I would like to get a description in the record. On the upper edge which protrudes on top of the little metal drawer in which they are contained are a series of multicolored tabs: white, red, green, and so on?

"A. Yes, sir.

"Q. What do those indicate to you?

"A. It is another method of quick reference for my personal benefit. The cards with the red tab are individuals who have been cited in the House Un-American Activities Reports as Communist Party members. They have been identified as such.

"Q. By sworn testimony?

"A. By sworn testimony. The ones with white tabs are doctors of medicine, M.D.'s. The ones with pink tabs are in the medical profession other than M.D.'s, such as nurses.

"Q. Radiologists, and so on?

"A. Radiologists are M.D.'s.

"Q. I see.

"A. But nurses, technicians, medical secretaries, dental hygienists, and those who are other than actual doctors. The yellow tabs are ministers, rabbis—of course, I have never run across any priests—religious leaders.

"The brown are people in the teaching profession.

"Q. Educators?

"A. Educators, yes. The green are attorneys.

"Q. Going back to the Gotham Restaurant——

"A. Yes.

"Q. ——have you named all of the people who accompanied you there?

"A. No. You asked me for the spelling of Jane Sure's name. It is G-r-o-d-z-i-n-s.

"Q. Thank you.

"A. She is also an attorney. Ann Wallace was the name she used in the party. Then there was myself. There was another man, I didn't know his name, but I had seen him at front meetings at the Embassy Auditorium, and in particular in charge of the book and literature tables—maybe not in charge, but at least selling literature from the progressive book store.

"Q. Did you go into the Gotham Restaurant and have refreshments or something to eat?

"A. Yes, we did.

"Q. Would you describe what occurred, please?

"A. Maude Russell and Lee Bachelis were in a chatty mood. They discussed some of the various experiences they had in the past.

"Q. Did they mention the party?

"A. Yes, they mentioned the party. Lee Bachelis stated as an example of the Communist Party discipline the manner of the closing of the New York office of the *Yugoslav Relief Committee.* Prior to any open and public knowledge of the break between Tito and Stalin, he said that the office had received a cablegram. He did not designate where the cablegram came from, but he spoke of party discipline, so I judged it was from some party headquarters, ordering that this office be closed immediately. He said they wondered about the order, but because of very strict discipline no one mentioned it. And within 48 hours they had the office closed. They closed any and all bank accounts, destroyed records. The office was left as if no one had ever been in there. It was a period of six months after the closing of the office before the break between Tito and Stalin was announced in the United States Press.

"Q. On August 17, 1951, did you attend an ASP Medical Division meeting at 7410 Sunset Boulevard?

"A. Yes, I did.

"Q. Was the chairman on that occasion Murray Abowitz?

"A. Correct.

"Q. Among the speakers were Dr. Thomas L. Perry and Dr. Leo Bigelman?

"A. That is correct, yes. Did you unintentionally skip the one of August 12?

"Q. Yes, I am sorry, I did. I omitted one on August 12, 1951. That was an ASP Medical Division meeting?

"A. Yes.

"Q. At 9620 Monte Mar Drive?

"A. That is correct.

"Q. That was the residence of Dr. Alexander Pennes?

"A. Yes.

"Q. Dr. Murray Abowitz was chairman on that occasion?

"A. Yes.

"Q. Speakers were Dr. Thomas L. Perry?

"A. Yes.

"Q. Dr. Richard Lippman?

"A. Yes, sir.

"Q. And John Howard Lawson?

"A. That is correct.

"Q. The next one you have described on the seventeenth of August?

"A. That is correct.

"Q. Then on the twenty-first of August, did you attend an ASP Peace Committee meeting?

"A. That is correct.

"Q. At ASP Headquarters, 7410 Sunset Boulevard?

"A. That is correct, yes sir.

"Q. Were you the speaker on that occasion?

"A. Not the speaker, no, sir. I was asked to act as chairman of the meeting. Dr. Lippman originally intended to be chairman, but he had an experiment in progress and he could not leave. It was over at the hospital. It had to do with animals and he has to be there. I was called by Sarajo Lord and asked if I could come over a little early and open the hall and act as chairman of the meeting.

"Q. Did you have a key to the premises?

"A. She had me stop by the office on my way home from work and pick up the key. Elaine Glenn stayed a little late. She was doing office work. She was there practically every day. Elaine stayed and gave me the key to the filing cabinet where the money was left. They left the key under the corner of the blotter for me.

"Q. You merely acted as chairman of the meeting?

"A. Yes.

"Q. Who was the featured speaker?

"A. Victor Perlo. He had been in the Federal Government in Washington.

"Q. A federal employee?

"A. A federal employee. At the time he came here and spoke he was no longer connected with the Federal Government. He was an economist. He spoke on the subject of, 'Can American Economy Afford War?' He was quite an honored speaker to them.

"Q. On the twenty-third of August, 1951, did you attend an ASP meeting at the residence of Ronald Sutton, 406 South Hope Street?

"A. Yes.

"Q. In Los Angeles?

"A. Yes. That was a Medical Division meeting.

"Q. Was Dr. Marvin V. Sure there?

"A. Yes. He was chairman.

"Q. Was Dr. Murray Abowitz there?

"A. Yes. He was speaker.

"Q. On August 30, 1951, did you attend an ASP reception for an attorney from New York named Abraham Isserman?

"A. Yes.

"Q. That was at ASP headquarters?

"A. That is correct.

"Q. Who was the chairman on that occasion?

"A. John Howard Lawson.

"Q. Was one of the speakers Herta Uerkvitz?

"A. Yes. Abraham Isserman's trip out here coincided with the time that the House Un-American Activities Committee was holding their hearings. Herta Uerkvitz was one of those under subpena at the time.

"Q. Was William Esterman there also?

"A. Yes.

"Q. Did he speak?

"A. Yes, he did. There were two meetings on the same evening. The one we have referred to at the office was the public meeting. From there, after it adjourned, there was a continuation of the reception by invitation at the home of Sidney Goldfarb.

"Q. Let me understand you. The meeting that you first described at 7410 Sunset Boulevard was open to any member of the ASP?

"A. It was a public meeting.

"Q. Anyone could go?

"A. That is correct.

"Q. After the meeting was adjourned, or at least concluded, then a reception or something was given?

"A. A social.

"Q. It was held at the residence of Mr. Sidney Goldfarb?

"A. Yes.

"Q. 1745 North Vista Street?

"A. Yes.

"Q. That was by invitation only?

"A. Yes.

"Q. Was it limited to members of the ASP?

"A. I think so. However, I cannot say definitely. There were quite a few people there, 50 or 75. They milled around. It was more or less a social function.

"Q. Who acted as master of ceremonies, or chairman, at the reception?

"A. John Howard Lawson, more or less took over. He took Abraham Isserman around and introduced him. Some people got up and did a little entertaining. They spoke a bit about how they were going to act at the time of the House committee hearings.

"Q. Was it to plan strategy for them at the hearings?

"A. No.

"Q. What was it?

"A. They were just informing us that they were going to take the stand, but they would not cooperate with the committee. There was no strategy planned at all, no.

"Q. On September 7, 1951, did you attend a Medical Division meeting at 109 North Highland Avenue?

"A. Yes.

"Q. At the residence of Dr. Morris Feder?

"A. That is correct.

"Q. Was the chairman Dr. Thomas L. Perry?

"A. That is correct.

"Q. Did the speakers include Dr. Max Schoen?

"A. Yes, Dr. Max Schoen and Dr. Goodlaw.

"Q. What was Dr. Goodlaw's first name?

"A. Edward. The main speaker was an attorney named William Murrish. He was represented as a member of the firm from Ben Margolis' office. His purpose in coming to the meeting and being the main speaker was to explain to us the reasons for the doctors and persons who had been subpoenaed taking the stand they were taking, and their legal grounds for doing so.

"Q. On the 22nd of September, 1951, did you attend a *Southern California Peace Crusade* meeting?

"A. Yes.

"Q. At 607 Southwestern Avenue, the Park Manor?

"A. That is correct.

"Q. Was one of the speakers on that occasion a person named Sender Garlin?

"A. That is correct.

"Q. Who was the chairman of that meeting?

"A. Peter Hyun.

"Q. Who is he?

"A. Peter Hyun is a Korean, very active on the *Los Angeles Committee for the Protection of the Foreign Born*. He is a brother of David Hyun, a Korean architect, who is under deportation proceedings at the present time, or is appealing his deportation.

"Q. On October 3, 1951, did you attend an ASP *Science and Education Division* meeting at 1007 Heliotrope Street, the residence of Richard Hawthorne?

"A. That is correct.

"Q. Was the speaker on that occasion John Howard Lawson?

"A. Yes, that is correct.

"Q. Were there some students present from the Los Angeles City College?

"A. Yes. It was primarily a student group.

"Q. About how many were present?

"A. Between 45 and 50. As I understand, or as I was given to understand, Richard Hawthorne was a student at L. A. City College also.

"Q. On October 19, 1951, did you attend an ASP Medical Division Executive Board meeting?

"A. Yes.

"Q. At 921 South Sierra Bonita Street, the residence of Dr. Milton Z. London?

"A. That is correct.

"Q. Was Dr. Jack Flasher one of the speakers?

"A. Yes, he was the main speaker.

"Q. At that meeting was there a discussion concerning the formation of a new group within ASP to be composed entirely of doctors?

"A. That is correct.

"Q. On October 30, 1951, did you attend an ASP Medical Division Executive Board meeting at 7410 Sunset Boulevard?

"A. That is correct.

"Q. Was the chairman on that occasion Dr. Marvin Sure?

"A. Yes, sir.

"Q. Did the speakers include Dr. Max Schoen and Dr. Milton Z. London?

"A. That is correct.

"Q. On October 31, 1951, did you attend an ASP Council general membership meeting in Stanley Hall, 1057 North Stanley Avenue?

"A. Yes.

"Q. Was the chairman of that meeting Dr. P. Price Cobbs?

"A. That is correct.

"Q. Did the speakers include Herbert Biberman and Dr. Max Schoen?

"A. Yes.

"Q. And Edward Biberman?

"A. Yes.

"Q. And Martin Hall?

"A. Yes.

"Q. Stephen Fritchman?

"A. Yes, that is correct.

"Q. On November 25, 1951, did you attend an ASP party at 7410 Sunset Boulevard?

"A. That is correct.

"Q. Was that for the purpose of raising funds?

"A. Yes.

"Q. About 35 to 50 people were present?

"A. Correct.

"Q. On November 30, 1951, did you attend a meeting of the *Equal Rights Congress* at 933 South Foster Drive, the residence of Louis and Rose Rosenberg?

"A. That is correct.

"Q. Was Mr. Howland Chamberlain the speaker on that occasion?

"A. Yes.

"Q. On December 1, 1951, did you attend an *ASP Science and Education Division* meeting at 858 North Alexandria Street in Los Angeles?

"A. Yes.

"Q. The residence of Pearl Schumann?

"A. That is correct.

"Q. What was the purpose of that meeting?

"A. Fund raising.

"Q. A cocktail party, wasn't it?

"A. Correct, yes.

"Q. On December 7, 1951, did you attend a *Medical Division ASP* meeting at 830 North Melrose Hill?

"A. Yes. That was the Executive Board of the *Medical Division.*

"Q. At the residence of Dr. Jack Flasher?

"A. That is correct.

"Q. Was Dr. Marvin Sure present?

"A. Yes, he was.

"Q. Was Dr. Max Schoen present?

"A. Yes.

"Q. Was the Director of the *Community Medical Center,* Mr. Ken Hartford, present?

"A. Yes. He was one of the speakers.

"Q. Was Dr. Murray Abowitz present?

"A. Yes. He spoke also.

"Q. On the 12th day of December, 1951, did you attend a *Civil Rights Congress* meeting at the Kadimah Temple, 8056 West Melrose Avenue, Los Angeles?

"A. That is correct.

"Q. Who was the chairman on that occasion?

"A. Marguerite Robinson, the executive secretary of the *Civil Rights Congress.*

"Q. Did the speakers include Herman Porter and Rabbi Franklin Cohn?

"A. That is right.

"Q. Were there about 150 people present?

"A. I estimate between 150 and 175.

"Q. On December 17, 1951, did you attend a Science and Education Division meeting of ASP at 845 North Heliotrope Avenue?

"A. Yes, I did.

"Q. Was that a residence?

"A. Yes, it was. It was in an apartment of one of the students of L. A. City College.

"Q. Did you, on the 11th day of January, 1952, attend a meeting of the Executive Board of the *Medical Division of ASP* at 7410 Sunset Boulevard?

"A. Yes, that is correct.

"Q. Was the chairman Dr. Max Schoen?

"A. That is correct.

"Q. Did the speakers on that occasion include Dr. Murray Abowitz?

"A. Right.

"Q. And Ken Hartford, the Director of the *Community Medical Center*?

"A. That is correct.

"Q. And Eugenia Wolfson?

"A. That is correct, yes.

"Q. And Sarajo Lord also?

"A. That is correct.

"Q. Did you, on the 20th day of January, 1952, attend a meeting of the *Medical Division of the ASP* at 109 North Highland Avenue, which is the residence of Dr. Morris Feder?

"A. That is correct.

"Q. On that occasion was the chairman Dr. Max Schoen?

"A. Yes.

"Q. Did the speakers include Dr. Alexander Pennes?

"A. Yes.

"Q. Dr. Gordon Rosenblum?

"A. Right.

"Q. Dr. Frederick Reynolds?

"A. Correct.

"Q. Jack Tenner?

"A. Yes.

"Q. And Rabbi Franklin Cohn?

"A. Yes.

"Q. What was the main topic of conversation at that particular meeting, if you know?

"A. May I refer to my complete report, Mr. Combs, please?

"Q. Yes.

"A. That was January 20th?

"Q. Yes.

"A. That was during the time when the subpenas had been issued on the Un-American Activities Committee hearings, the House committee. The purpose of that meeting was to formulate their plan for a program of protest against the Cedars of Lebanon Hospital.

"Q. That was because of the dismissal of the three staff members?

"A. That is right. Dr. Alexander Pennes, Dr. Richard Lippman and Dr. Murray Abowitz had been dropped from the staff of Cedars hospital. They met at this home of Dr. Morris Feder for the purpose of formulating plans to try to force a reinstatement of these three doctors. It was to be a big program of action, propaganda wise, too. Do you want to go into the Gelhorn letter at this time?

"Q. Was that discussed in your presence and hearing during the course of the meeting at any time? Incidentally, was this an evening meeting?

"A. Yes, it was at 8.30 p.m.

"Q. About how many people were present?

"A. From 50 to 60.

"Q. At any time in your hearing was there a discussion about getting some letters from influential people?

"A. Yes.

"Q. To be transmitted to the Cedars of Lebanon Hospital, interceding on behalf of the three staff members who had been discharged?

"A. That is right. Dr. Schoen discussed it. He made the announcement that Joliot Curie and a professor in Stockholm, Sweden, whose name I don't know, were intending and had promised to file protests with the United Nations on the dismissal, and Professor Gelhorn had promised to register official protest regarding the dismissal of Doctors Abowitz, Lippman and Pennes.

"Q. Who was Professor Gelhorn, do you know?

"A. I don't know, sir.

"Q. Can you identify Professor Joliot Curie?

"A. It is my understanding that he was one of the leaders of the Communist Party in France at that time.

"Q. Do you know whether or not such letters were ever actually received?

"A. That I don't know of my own knowledge.

"Q. You only heard discussion?

"A. That is correct.

"Q. Of the intent to get them?

"A. That is correct, yes.

"Q. Did you, on the first day of February, 1952, attend a meeting of the Executive Board of the *Medical Division of the Arts, Sciences and Professions Council* at 535¼ North Spaulding Street, Los Angeles, which was the residence of Dr. Max Schoen?

"A. That is correct.

"Q. Who was the chairman of that meeting?

"A. Dr. Schoen.

"Q. Was that an evening meeting also?

"A. Yes, it was.

"Q. Was Mr. Kenneth Hartford, the director of the *Community Medical Center,* present on that occasion?

"A. Yes, he was present and he was a speaker at the meeting.

"Q. Was that also in connection with the effort to reinstate the three discharged staff members at Cedars of Lebanon?

"A. Correct, and also the action to be taken regarding the subpoenas for the House Un-American Activities Committee hearings.

"Q. On the twelfth of February, 1952, did you attend a meeting called the *Citizens Committee to Preserve American Freedom* at the Arlington Theater, 2517 West Washington Boulevard, Los Angeles?

"A. That is correct.

"Q. Was the chairman of that meeting Dorothy Marshall?

"A. She was co-chairman. There were two, Dorothy Marshall and Dr. William Atkinson.

"Q. Can you identify Dorothy Marshall?

"A. Yes. She is president of the *Women for Legislative Action Committee.* Her husband is attorney Daniel G. Marshall.

"Q. Was one of the speakers Dr. Frederick Reynolds?

"A. Yes.

"Q. And another Sam Houston Allen?

"A. That is correct.

"Q. And another Averill Berman?

"A. Correct.

"Q. About how many people attended that meeting?

"A. There were between seven and eight hundred people there.

"Q. That was an evening meeting?

"A. That is correct, yes.

"Q. On the eighteenth day of February, 1952, did you attend a meeting of the Executive Board of the *Medical Division of the Arts, Sciences and Professions Council* at 830 North Melrose Hill, which was the residence of Dr. Jack Flasher?

"A. That is correct.

"Q. Was Dr. Marvin Sure the chairman of the meeting on that occasion?

"A. That is correct.

"Q. Did the speakers include Dr. Milton Z. London and Dr. Max Schoen?

"A. That is correct.

"Q. That was also regarding the discharge of the three staff members from Cedars of Lebanon Hospital?

"A. Yes. They were talking about the proposed meeting. Joe Joseph, the national director of the *Arts, Sciences and Professions Council,* was to come to Los Angeles from New York. They were to have a big meeting. We were discussing the program and what-have-you if Joe Joseph came and if it were held at a later date.

"Q. Did he subsequently come to a meeting?

"A. Oh, yes.

"Q. And which you attended?

"A. That is correct.

"Q. At all of the meetings of the ASP did you attend in your capacity as a member of the board?

"A. I considered myself such, yes.

"Q. In other words, whenever—

"A. I was notified officially.

"Q. As a board member?

"A. Yes.

"Q. There were meetings of the Executive Board of the *Medical Division of ASP*?

"A. That is correct. I think the committee has the announcement of my——

"Q. Yes, we have it and will introduce documents as exhibits later. On the twenty-fifth of February, 1952, did you attend a meeting at Larchmont Hall?

"A. 118.

"Q. Thank you. At 118 North Larchmont Boulevard in Los Angeles, held by the *Committee for Medical Freedom?*

"A. Yes.

"Q. On that occasion was Dr. Alexander Pennes one of the speakers?

"A. Yes, he was.

"Q. Was Dr. Murray Abowitz another one?

"A. Yes.

"Q. Was Dr. Richard Lippman another?

"A. Yes.

"Q. That was regarding the Cedars of Lebanon Hospital?

"A. Yes.

"Q. About how many people attended that meeting?

"A. Between five and six hundred.

"Q. On the twenty-seventh day of February, 1952, did you attend a meeting of the *Medical Division of ASP* at 109 North Highland Avenue at the residence of Dr. Morris Feder?

"A. That is correct, yes.

"Q. Were Dr. Murray Abowitz and Sarajo Lord co-chairmen of that meeting?

"A. That is correct, yes, sir.

"Q. Did the speakers include Joe Joseph, the national director of the *National Arts, Sciences and Professions Council?*

"A. Yes.

"Q. And Dr. Murray Abowitz?

"A. That is correct, yes.

"Q. Frankly, I don't know whether it was or was not from memory, but was that the meeting at which there was some discussion about making mass contacts, that is, contacts with non-Communist masses through the medium of organizations other than ASP?

"A. That is correct, yes.

"Q. Would you read from your report, well, not necessarily from your report—you may read from it if you wish to, but describe what happened in that regard?

"A. This is as near a quote as I can give you, Mr. Combs. Joe Joseph was speaking. He said there are many people who sympathize with the ASP position in specific crises, but are not ready yet to accept the entire ASP program. For these people we have established subcommittees, such as the *Committee to Preserve American Freedom.* Today it has undertaken the fight for the reinstatement of the three doctors at the Cedars. I am not reflecting on the activity of ASP members, but they must gradually be brought to accept the ASP over-all program. As the immediate crisis passes, the subcommittee will evaporate, but ASP will continue to fight for the democratic way of life.

"Q. That statement was made in your presence?

"A. Yes.

"Q. You took notes.

"A. Yes.

"Q. During the meeting or immediately after the meeting?

"A. Immediately after.

"Q. On the third day of April, 1952, did you attend an Executive Board meeting?

"A. March.

"Q. March, I beg your pardon—a meeting of the *Medical Division of ASP* at 535¼ North Spaulding Street, Los Angeles, which was the residence of Dr. Max Schoen?

"A. Correct.

"Q. Was the chairman on that occasion Dr. Marvin Sure?

"A. Yes.

"Q. The speakers included Dr. P. Price Cobbs?

"A. Yes.

"Q. And the Director of the *Community Medical Center,* Mr. Ken Hartford?

"A. Correct.

"Q. Dr. Max Schoen?

"A. That is correct.

"Q. On March 14th, Mrs. Drader, did you attend a meeting of the *Medical Division of the ASP,* 7410 Sunset Boulevard?

"A. Yes.

"Q. Was Dr. Murray Abowitz chairman of that meeting?

"A. That is correct, yes, sir.

"Q. Was Dr. P. Price Cobbs one of the speakers?

"A. Yes, sir, that is right.

"Q. He was the principal speaker, was he not?

"A. Yes, he was.

"Q. On the eighteenth of April, 1952, did you attend a meeting of the *Medical Division Forum of ASP* at Stanley Hall?

"A. Correct.

"Q. 1057 North Stanley Avenue, Los Angeles?

"A. That is correct.

"Q. Were the co-chairmen of that meeting Dr. Max Schoen and Dr. Milton Z. London?

"A. That is correct.

"Q. Did the speakers include Dr. Francis M. Pottenger, Jr.?

"A. That is correct.

"Q. Was it a meeting actually to discuss the smog problem?

"A. Yes.

"Q. Was that what it was?

"A. Yes.

"Q. About 75 people attended?

"A. That is correct.

"Q. On May 2, 1952, did you attend a meeting of the Executive Board of the *Medical Division of ASP* at 7410 Sunset Boulevard?

"A. Yes, sir.

"Q. Was that meeting chairmanned by Dr. Murray Abowitz?

"A. Yes.

"Q. Were the speakers Dr. Max Schoen?

"A. Correct.

"Q. Dr. Murray Korngold?

"A. Correct.

"Q. Saul Matlin?

"A. Yes.

"Q. And Dr. Murray Abowitz, among others?

"A. That is correct.

"Q. About how many people attended that Executive Board meeting?

"A. Ten.

"Q. At your executive board meetings, Mrs. Drader, did you decide when the next meeting would be held?

"A. No.

"Q. The next meeting of the board?

"A. Not exactly.

"Q. How were you notified?

"A. By postcard as a rule.

"Q. All right.

"A. Either typed or mimeographed.

"Q. On the fourth day of May, 1952, did you attend a function known as *Constitutional Rights Dinner?*

"A. That is correct.

"Q. Sponsored by the *Arts, Sciences and Professions Council?*

"A. Yes.

"Q. Where was that held?

"A. At the Hollywood Athletic Club, I believe they called it the Starlight Room.

"Q. About how many people were present?

"A. About 275 or 300, as I remember it.

"Q. Was Rose Waldron chairman of that meeting?

"A. Yes.

"Q. Did the speakers include Sarajo Lord?

"A. Yes.

"Q. And Dr. P. Price Cobbs?

"A. Yes.

"Q. And Gale Sondergaard?

"A. Correct.

"Q. Adrian Scott?

"A. Yes.

"Q. Professor Fowler Harper?

"A. Correct.

"Q. And during the course of the meeting, was Mr. William Schneiderman identified?

"A. Yes, he was.

"Q. Was he there with his wife?

"A. Yes.

"Q. Who was Mr. William Schneiderman, if you know?

"A. At that time, as I understood it, he was the leader of the Communist Party in the Los Angeles area. It was during the Smith Act trials. He was one of them under indictment.

"Q. Was he one of the defendants?

"A. Yes.

"Q. With him was a man named Ben Dobbs?

"A. That is right.

"Q. Who was he, if you know?

"A. He was also one of the defendants in the trial.

"Q. One of the Communist leaders?

"A. One of the Communist leaders.

"Q. Mr. Schneiderman and Mr. Dobbs have been identified many times before the hearings of the committee for the past 15 years, I am sure. When they were introduced what happened, if anything?

"A. Dr. P. Price Cobbs introduced them. He asked them to please stand, which they did. There was not only an ovation, but a standing ovation for them. There was quite a loud reception.

"Q. Do your notes of that meeting indicate who the people present were and who were known to you?

"A. I have a list of the ones that I recognized, or who were introduced.

"Q. May I see the report, please?

"A. Yes, sir. (Handing document to Counsel). They are the persons present.

"Q. Did you send us a copy of this report?

"A. Yes, sir, that I did.

"Q. You actually saw each one of these people?

"A. Yes, I did.

"Q. They were either introduced or they were known to you?

"A. That is correct.

"Q. Immediately after the meeting you made these notations?

"A. Yes, sir.

"Q. In conformity with your regular practice which you had adopted in the attendance of all of these functions?

"A. That is correct.

"Q. The list is as follows: Dr. P. Price Cobbs, Gale Sondergaard, Biberman, Herbert Biberman, Edward Biberman, Sonja Dahl Biberman, Sarajo Lord, Helen Olair, Rose Waldron, Adrian Scott, Paul Jarrico, Professor Fowler Harper, Dr. Golstein. Do you know his first name?

"A. No, I don't. But he was introduced as a professor at one of the universities. I believe it was Cal-Tech.

"Q. You believe it was Cal-Tech?

"A. Yes.

"Q. You are not positive?

"A. I am not positive.

"Q. Mr. Jack Tenner, William Schneiderman, Mrs. William Schneiderman, Ben Dobbs, A. L. Wirin, Ben Margolis, Norman Leonard, Charles Katz, Marguerite Robinson, Lee Bachelis. Is that the same Lee Bachelis that you described earlier in your testimony concerning the Gotham Restaurant meeting?

"A. That is correct, yes.

"Q. Dr. Murray Abowitz, Eleanor Bogigian Abowitz. Is that the wife of Dr. Murray Abowitz?

"A. Yes.

"Q. Dr. Marvin Sure, Jane Grodzins Sure, Dr. Sidney Prince, Dick Powell. He is the radio writer and not the actor?

"A. That is correct.

"Q. Mrs. Sidney Prince, Dr. Don Watson, Dr. William Atkinson, Dr. Milton Z. London, Dr. Morris Feder, Mrs. Morris Feder, Dr. Saul Wolfson, Dr. Fred Reynolds, Ted Gilien. Who was Ted Gilien?

"A. He is an artist. He put out a book called *The Price.*

"Q. Did he ever give you an autographed copy of the book?

"A. I purchased it and he autographed it for me.

"Q. At the meeting?

"A. Not at this particular meeting, it was at a subsequent meeting.

"Q. Will you be able to identify that meeting when we come to it?

"A. We have passed it, sir. It was the *Committee for the Amalgamation.*

"Q. I remember. It was the amalgamation of the two musicians unions?

"A. That is correct.

"Q. That is where you got it?

"A. Yes.

"Q. Did you turn it over to us?

"A. That I have here, sir. Here is the autographed copy. I sent the committee another copy, but it was not autographed. I retained the autographed copy.

"Q. I don't intend to introduce this, but it is entitled *'The Price,* Paintings and Drawings by Ted Gilien,' inscribed to 'Jane Dawson, for a better world for all of us. July, 1951. Ted Gilien.' Jane Dawson is the name used by you in connection with your membership in these organizations?

"A. That is correct.

"Q. It comprises 55 pages of pictures.

"A. That is correct.

"Mr. Combs: I will introduce the copy we have into the record later, Senator Burns.

"Chairman Burns: All right.

"Q. (By Mr. Combs): Victor Kilian was present?

"A. Yes, he was.

"Q. Mrs. P. Price Cobbs?

"A. Yes.

"Q. And Mrs. Fowler V. Harper?

"A. That is correct.

"Q. On the sixteenth day of May, 1952, did you attend a meeting of the Executive Board, *Medical Division, ASP,* at 7410 Sunset Boulevard at which Dr. Murray Abowitz was the chairman?

"A. That is correct.

"Q. Did the speakers on that occasion include Mr. Ronald Sutton?

"A. Ronald Sutton, that is right.

"Q. Thank you. On June 2, 1952, did you attend a meeting of the Executive Board of the *Medical Division, ASP,* at 7349 Pacific View Drive, at the residence of Dr. Marvin Sure?

"A. That is correct.

"Q. In what community is that address located?

"A. It is in the hills just between Glendale and Los Angeles, Outpost Drive, but his business is in Glendale.

"Q. Was Dr. Murray Abowitz chairman on that occasion?

"A. Yes, he was.

"Q. Was the principal speaker the director of the *Community Medical Center,* Mr. Ken Hartford?

"A. Right.

"Q. On the fourteenth day of June, 1952, did you attend the *Equal Rights Conference* at the Hotel Alexandria, sponsored by the *Arts, Sciences and Professions Council,* at which the chairman was Dr. P. Price Cobbs?

"A. That is correct.

"Q. How many people were present at that function, approximately?

"A. It fluctuated between 280 and 300.

"Q. Was it an evening meeting?

"A. It was all day.

"Q. Oh, it was?

"A. On a Saturday. Then there was a recess for dinner and they came back for a windup rally at the end.

"Q. Did the speakers include Sarajo Lord?

"A. Correct.

"Q. Dr. Murray Abowitz?

"A. Yes.

"Q. Saul Matlin?

"A. Yes.

"Q. Dr. Murray Korngold?

"A. Correct.

"Q. Ronald Sutton?

"A. Correct.

"Q. Gene Stone?

"A. That is correct.

"Q. Dr. Max Schoen?

"A. Correct.

"Q. On the twenty-fourth of June, 1952, did you attend a meeting of the *Medical Division, ASP, Committee Against Discrimination*?

"A. That is correct.

"Q. That meeting was held at the *Community Medical Center*?

"A. Yes.

"Q. 1236 South Lake Street, Los Angeles?

"A. That is correct.

"Q. Was the chairman Dr. Max Schoen?

"A. That is correct, yes, sir.

"Q. On the seventh day of July, 1952, did you attend a meeting of the Executive Board, *Medical Division, ASP,* 830 North Melrose Hill, residence of Dr. Jack Flasher?

"A. Yes.

"Q. Was the chairman of that meeting Dr. Murray Abowitz?

"A. Correct.

"Q. Was the speaker Dr. Max Schoen?

"A. That is correct.

"Q. On the eighth day of July, 1952, the following day, did you attend a meeting of the *Medical Division Committee Against Discrimination, ASP,* at the *Community Medical Center,* 1236 South Lake Street, Los Angeles?

"A. That is correct, yes.

"Q. Was the chairman of that meeting Dr. Max Schoen?

"A. That is correct, yes.

"Q. On the twenty-second day of July, 1952, did you attend a meeting of the *Medical Division, Committee Against Discrimination, ASP,* at the *Community Medical Center,* 1236 South Lake Street, Los Angeles?

"A. That is correct, yes.

"Q. Was the chairman Dr. Max Schoen?

"A. That is correct.

"Q. On the sixteenth day of August, 1952, did you attend a meeting of the *Federation for the Repeal of the Levering Act*?

"A. Yes.

"Q. And it was held at 695 South Catalina, YWCA Hall, Los Angeles?

"A. That is correct.

"Q. Was the chairman of that meeting Herb Bisno?

"A. Yes.

"Q. Present at the meeting as speakers were Dr. Eason Monroe?

"A. Correct.

"Q. Esther Nasatir?

"A. Correct.

"Q. Hanah Blum?

"A. Correct.

"Q. And Milnor Alexander?

"A. That is correct.

"Q. On the nineteenth day of August, 1952, did you attend a meeting of the *Medical Division, ASP, Committee Against Discrimination,* at the *Community Medical Center,* 1236 South Lake Street, Los Angeles?

"A. Correct.

"Q. Was the chairman of that meeting Dr. Max Schoen?

"A. That is correct.

"Q. On the twenty-second day of August, 1952, did you attend a meeting of the *Medical Division, ASP,* 7410 Sunset Boulevard, at which the chairman of the meeting was Dr. Murray Abowitz?

"A. Yes.

"Q. Did the speakers on that occasion include Dr. Richard Lippman and Dr. Max Schoen?

"A. Correct.

"Q. On the ninth day of September, 1952, did you attend a meeting of the *Medical Division, ASP, Committee Against Discrimination* at the *Community Medical Center,* 1236 South Lake Street, Los Angeles, at which time the chairman was Dr. Max Schoen?

"A. Correct.

"Q. On the twenty-first day of September, 1952, did you attend a meeting of the *Arts, Sciences and Professions Council, Architecture and Engineering Division*?

"A. What is the date again? Did you intentionally skip something?

"Q. I did it inadvertently. I thank you very much. The next one should have been September 21, 1952?

"A. That is correct.

"Q. Was that a meeting of the *Medical Division, ASP?*

"A. Yes.

"Q. At 7410 Sunset Boulevard?

"A. Correct.

"Q. At which the chairman of the meeting was Dr. Max Schoen?

"A. Correct.

"Q. Now, then, on October 17, 1952, is that the next one you have?

"A. Yes, that is the next one I have.

"Q. Did you attend a meeting of the ASP Architecture and Engineering Division at the Park Manor?

"A. Yes.

"Q. 607 South Western Avenue, Los Angeles?

"A. Yes, that is correct.

"Q. Was the chairman Richard Jampol?

"A. That is correct.

"Q. Did the speakers include Dr. P. Price Cobbs?

"A. Yes.

"Q. And Robert Alexander?

"A. Correct.

"Q. On the thirty-first day of October, 1952, did you attend a meeting of the *Medical Division of the ASP* at 7410 Sunset Boulevard?

"A. That is correct.

"Q. Was the chairman Dr. Max Schoen?

"A. Yes.

"Q. Did the speakers include Dr. Marvin Sure?

"A. Yes.

"Q. Saul Matlin?

"A. Yes.

"Q. On the eleventh day of November, 1952, did you attend a meeting of the *Medical Division, ASP, Committee Against Discrimination* at the *Community Medical Center,* 1236 South Lake Street, Los Angeles?

"A. That is correct.

"Q. Was the chairman Dr. Max Schoen?

"A. Yes.

"Q. On the fourteenth day of November, 1952, did you attend a meeting of the *Sciences and Education Division* of the ASP at 7819 Beverly Boulevard, Los Angeles?

"A. That is correct.

"Q. Was the chairman Dr. P. Price Cobbs?

"A. Yes, that is correct.

"Q. Did the speakers include Dr. Frank W. Weymouth?

"A. Yes.

"Q. And Dirk J. Struik?

"A. That is correct.

"Q. And Dr. Murray Abowitz?

"A. Correct.

"Q. Do you know anything about the identity of Frank W. Weymouth, who is he?

"A. I don't know too much about Dr. Frank Weymouth. He was chairman of the committee, as I recall, the students—no, that is Heist. Frank Weymouth, though, has been——

"Q. Could you refer to your file index?

"A. Yes, perhaps I could. I haven't seen him at too many meetings. He was active to a slight extent in the *Arts, Sciences and Professions Council.* He was one of the sponsors, I believe, of this book, *The Price.*

"Q. Who was Dirk J. Struik, if you know?

"A. He was professor from the Massachusetts Institute of Technology.

"Q. Who introduced him at the meeting?

"A. He was introduced by Frank Weymouth.

"Q. About how many people were present on that occasion?

"A. Between 250 and 300.

"Q. Was it an evening meeting?

"A. Yes, it was.

"Q. On the ninth day of December, 1952, did you attend a meeting of the *Medical Division, ASP, Committee Against Discrimination,* at the *Community Medical Center,* 1236 South Lake Street, Los Angeles?

"A. That is correct, yes.

"Q. Was the chairman of that meeting Dr. Max Schoen?

"A. That is correct, yes.

"Q. On the twelfth day of December, 1952, did you attend a meeting of the *Negro Labor Council?*

"A. Correct.

"Q. At 4118 South Central Avenue, Los Angeles?

"A. Correct.

"Q. Was the chairman of the meeting Cleophus Brown?

"A. Correct.

"Q. Do you know who he is? Do you know anything about him?

"A. He was chairman of the *Negro Labor Council.*

"Q. He has been a witness before our committee on other occasions.

"A. I didn't know that.

"Q. Did the speakers include Tom Creed?

"A. Yes.

"Q. And Frankie Simms?

"A. Yes.

"Q. And others that you have named in your report?

"A. That is correct.

"Q. On the sixteenth day of December, 1952, did you attend a meeting of the *Arts, Sciences and Professions Council, Architecture and Engineering Division Forum?*

"A. Yes.

"Q. I have no indication as to where that was held.

"A. Oh, dear.

"Q. Can you tell me by referring to your report?

"A. It was held at 2936 West 8th Street, Channing Hall, which is the First Unitarian Church.

"Q. Were the chairmen on that occasion Francis Dean and Bob Hogge?

"A. That is right.

"Q. Did the speakers include Frank Wilkinson?

"A. Yes.

"Q. And Alvin Wilder?

"A. Correct.

"Q. Was it an evening meeting?

"A. Yes, 8:30 p.m.

"Q. Was the general topic of discussion 'Alleged Racial Discrimination in Housing?'

"A. Yes, and slum clearance.

"Q. And segregation?

"A. Yes.

"Q. About how many people attended that meeting?

"A. Between 60 and 70.

"Q. Did you, on the ninth day of January, 1953, attend a meeting of the *Negro Labor Council,* at 4118 South Central Avenue, Los Angeles?

"A. That is correct, yes.

"Q. Was the chairman on that occasion Robert Shannon Robinson?

"A. Correct. He is deceased.

"Q. He is now deceased?

"A. That I understand, yes.

"Q. What was the purpose of that meeting, if you know?

"A. Well, the Los Angeles *Committee for the Protection of Foreign-Born* was preparing and planning a conference to be held on the seventh of February, 1953. They had requested that all of the various progressive organizations send a delegation. The purpose of the meet-

ing was the council business meeting, and then to select members of the Negro Labor Council to attend this conference to defend the rights of the foreign born as representatives of the *Negro Labor Council.*

"Q. Did you attend that meeting because of your membership in the ASP?

"A. Well, I had become involved in the affairs of the *Negro Labor Council* through my activities in the ASP.

"Q. You actually joined it, didn't you?

"A. Yes, I actually joined it at the insistence of Dr. Schoen.

"Q. Did he direct you to become a member of the *Negro Labor Council?*

"A. Yes. It was at one of the meetings of the *Community Medical Center,* the *ASP Medical Division* formed a subcommittee, the *Committee Against Discrimination,* as an outcome of the Equal Rights Conference at the Hotel Alexandria. At one of the meetings of the *Committee Against Discrimination,* held at the *Community Medical Center,* Robert Shannon Robinson came as guest speaker. He was also a member of the Executive Board of the ASP, in addition to being chairman of the *Negro Labor Council.* They had their national convention. He came to report on the activities of integrating negro personnel into formerly all-white organizations. He suggested it would give a big boost to the *Negro Labor Council* if some of the members of the *Arts, Sciences and Professions Committee Against Discrimination* would come, either as members or observers, and report back to the ASP committee and try to integrate their activities to help the negro workers. Dr. Max Schoen asked me if I would join and attend.

"Q. Did you agree to do that?

"A. I agreed to do that, yes.

"Q. How many meetings did you attend as a member? Do you recall?

"A. The meetings of the *Labor Council?*

"Q. Yes.

"A. About six, I believe.

"Q. Were they all held at the same place?

"A. Yes.

"Q. Why didn't you continue with your membership?

"A. Well, having to go down there rather late at night, it wasn't so much in the meetings, but leaving in order to get back to my home I had to drive through some rather unsavory neighborhoods. I just felt uncomfortable being out alone, you know, in the industrial area in through there, that I had to travel through.

"Q. Did you report that feeling to Dr. Schoen?

"A. No, I didn't.

"Q. You just quit going?

"A. I just quit going.

"Q. Was there remonstrance on the part of anybody so far as you were concerned because you elected to quit?

"A. No.

"Q. Have you submitted your actual membership card in the *Negro Labor Council?*

"A. No. I have it in my purse, Mr. Combs, but I will be glad to give it to you.

"Q. Will you do so, please?

"A. I will have no more need for it.

"Q. I presume not.

"A. This is the *Negro Labor Council* card. Here is the receipt.

"Q. Mrs. Drader, if you don't mind, if you want to keep this as a memento of your experience, I can read it into the record, because it is very short.

"A. Fine.

"Q. It reads as follows: 'National Negro Labor Council, 410 Warren Street, Room 214, Temple 2-1732, Detroit, Michigan. This is to certify that the undersigned has agreed to the program and principles of the N. N. L. C.'—that would be the *National Negro Labor Council?*

"The Witness: That is right.

"Mr. Combs: '——and is in good standing for the current year. Name: Jane Dawson.' You have already testified about your use of that name?

"The Witness: That is right.

"Mr. Combs: 'Date of issue: December 9, 1952.' This card is for the year 1953. Facsimile signature of R. Robinson, Legal Counsel, Secretary 120, and the facsimile signature of the National Executive Secretary, it looks like Coleman A. Young.

"The Witness: Yes.

"Mr. Combs: The seal of the *Negro Labor Council* is stamped in gold on the face of the card.

"Q. On the thirteenth of January, 1953, Mrs. Drader, did you attend a membership meeting of the ASP at Stanley Hall, 1057 North Stanley Avenue, Los Angeles?

"A. That is right.

"Q. Was the chairman of that meeting Dr. P. Price Cobbs?

"A. Correct.

"Q. Was one of the speakers Martin Hall, who appeared as a witness here yesterday or the day before?

"A. That is right.

"Q. And Harry Carlisle?

"A. Yes.

"Q. Who was he, if you know?

"A. I believe he is a writer by occupation. He is currently on a deportation orders, or has been deported. I don't know the current status of the case. He was under deportation proceedings for his activities as a Communist.

"Q. Was Dr. Max Schoen one of the speakers?

"A. Yes.

"Q. It was an evening meeting?

"A. That is correct.

"Q. On the sixteenth of January, 1953, did you attend a meeting of the *Medical Division of the ASP* at 1406 South St. Andrews Place?

"A. Yes, that is correct.

"Q. Was that a residence?

"A. Yes.

"Q. Of James R. Cheatham?

"A. Correct.

"Q. Was the chairman of the meeting Dr. Max Schoen?

"A. Correct.

"Q. Was one of the speakers Dr. Thomas L. Perry?

"A. Correct, yes.

"Q. Did you attend a meeting of the *Negro Labor Council,* its open house party?

"A. Yes.

"Q. On the eighteenth of January, 1953, at 4118 South Central Avenue, Los Angeles?

"A. That is correct. That was a Sunday afternoon.

"Q. Attended by a good number of people, between 150 and 200?

"A. It was a fluctuating crowd. They fluctuated in and out. It was an open house party.

"Q. All afternoon?

"A. Yes.

"Q. On the twentieth of January, 1953, did you attend a meeting of the *Medical Division Committee Against Discrimination, ASP,* at 2148 South Hobart Boulevard, Apt. 2-B?

"A. Correct.

"Q. Was the chairman of that meeting Dr. Max Schoen?

"A. That is correct, yes.

"Q. Was the topic of discussion, or chief topic of discussion, 'Alleged Discrimination at Permanente and Hollywood Hospitals?'

"A. Yes, and a case of discrimination at the L. A. County Hospital. Shall we go into this, the apartment?

"Q. The apartment was that of Rosalind Smith?

"A. Yes. She is a registered nurse.

"Q. On the seventh of February, 1953, did you attend a meeting of the Los Angeles *Committee for the Protection of Foreign Born?*

"A. That is correct.

"Q. At 607 South Western Avenue?

"A. Yes.

"Q. At Park Manor?

"A. Correct.

"Q. Was one of the speakers on that occasion Esther Shandler, an attorney?

"A. That is correct, yes.

"Q. On February 10, 1953, did you attend a meeting of the *Medical Division, Committee Against Discrimination, ASP,* at the CIO Building, 303-5851 Avalon Boulevard, Los Angeles?

"A. Yes, that is correct. However, there was a little difference there in that it was the *Medical Committee Against Discrimination* that organized the meeting. The reason for holding it at the CIO Building, they were integrating leaders of some of the labor organizations into their activities, anti-discrimination activities.

"Q. That was the reason for holding it at that particular place?

"A. Yes.

"Q. Which apparently, from the other meetings, was a little bit out of order?

"A. Yes.

"Q. The chairman of that meeting was Dr. Max Schoen?

"A. That is correct.

"Q. The subject principally discussed was discrimination at Permanente?

"A. Yes; the policy that the trade unions should take in regard to that.

"Q. On the twenty-sixth of February, 1953, did you attend a meeting of the *Medical Division of ASP* and the *Community Medical Center,* a joint meeting?

"A. That is correct.

"Q. That was held at the *Community Medical Center,* a joint meeting?

"A. That is correct.

"Q. That was held at the *Community Medical Center?*

"A. Yes.

"Q. At 1236 South Lake Street, Los Angeles?

"A. That is correct.

"Q. On the seventeenth of March, 1953, did you attend a meeting of the *Arts, Sciences and Professions Council* Forum at Stanley Hall, 1057 North Stanley Avenue, Los Angeles?

"A. Correct.

"Q. Was the chairman of that meeting Martin Hall?

"A. Correct.

"Q. Did the speakers include Harold Orr?

"A. Yes.

"Q. On the twelfth day of April, 1953, did you attend a meeting at the Madame Severance Room at the First Unitarian Church, 2936 West 8th Street, Los Angeles?

"A. Yes.

"Q. *Unitarian Fellowship for Social Justice?*

"A. Correct.

"Q. Was the chairman of that meeting Dr. Harold Koppleman?

"A. Correct.

"Q. On the first day of May, 1953, did you attend a meeting at the First Unitarian Church?

"A. Yes.

"Q. Was the speaker Maude Russell?

"A. Yes.

"Q. Was that a meeting of the Unitarian Public Forum?

"A. Yes.

"Q. How many people attended that meeting, approximately?

"A. Between 600 and 700. Stephen Fritchman was the chairman.

"Q. Was it an evening meeting?

"A. Yes.

"Q. On the twentieth of May, 1953, did you attend a general membership meeting of the ASP at 7410 Sunset Boulevard, Los Angeles, at which time the chairman was Gene Stone and the speakers included Dr. P. Price Cobbs, John Howard Lawson, David Hyun and Pauline Shindler?

"A. Correct.

"Q. On the seventh day of June, 1953, did you attend a meeting at the First Unitarian Church at which the chairman was Dr. Harold Koppleman and the principal speaker was Anna Louise Strong?

"A. That is correct.

"Q. About how many people attended that meeting?

"A. Between 350 and 400.

"Q. On the twenty-first day of June, 1953, did you attend a Paul Robeson recital at the First Unitarian Church?

"A. That is correct.

"Q. And how many people attended that affair?

"A. There were twelve to thirteen hundred. The main recital was in the auditorium of the church, the big auditorium. There was such a crowd that they had speakers connected into the Madame Severance

Room and Channing Hall. There were still people in the little patio who could not get into those rooms.

"Q. On the twenty-fifth of June, 1953, did you attend a meeting of the *Los Angeles Committee for the Protection of Foreign Born* at the Hotel Clark, Los Angeles?

"Q. Did the speakers include Rose Chernin, mentioned by one of the witnesses this morning?

"A. That is correct.

"Q. Mary Hyun?

"A. Correct.

"Q. Pauline Epstein?

"A. That is correct.

"Q. Stanley Nowak?

"A. Yes.

"Q. On August 16, 1953, did you attend a meeting at the First Unitarian Church?

"A. I was at the Unitarian Church. It was not exactly a meeting. It was Mr. Fritchman's church service, but the title of the sermon was, 'Expediency or Principle,' which was an attack on the House Un-American Activities Committee.

"Q. How many people attended that meeting?

"A. About eight or nine hundred.

"Q. On August 23, 1953, did you attend a meeting at the First Unitarian Church?

"A. Yes. That was the same meeting. It was their morning church service.

"Q. Was the speaker Dr. Harry Steinmetz?

"A. Yes.

"Q. Is he the Dr. Harry Steinmetz who was expelled from San Diego State College?

"A. He was from San Diego State College at that time.

"Q. You don't know about it?

"A. I don't know whether he was expelled or not.

"Q. On September 12, 1953, did you attend a meeting of the *Civil Rights Congress* in Los Angeles?

"A. Yes.

"Q. At 1251 South St. Andrews Place?

"A. Correct.

"Q. Was the chairman Reuben Borough?

"A. That is correct.

"Q. Did the speakers include Aubrey Grossman?

"A. Yes.

"Q. Do you know who he is?

"A. He was introduced as a San Francisco attorney.

"Q. You don't know anything more about him?

"A. No, I don't.

"Q. Marguerite Robinson?

"A. Yes. She was one of the speakers.

"Q. You have already described her, have you not?

"A. Yes.

"Q. About how many people attended that meeting?

"A. Seventy-five or so.

"Q. What was the purpose of it?

"A. It was a conference to save Wells.

"Q. To obtain a pardon for Wesley Robert Wells, who was then under death sentence at San Quentin Penitentiary?

"A. Correct.

"Mr. Combs: Aubrey Grossman, Mr. Chairman, has appeared before the committee. He has proclaimed himself to be a member of the Communist Party of long standing.

"Q. On the eighteenth day of September, 1953, did you, at Channing Hall, which is at the First Unitarian Church, attend a meeting of the *Southern California Peace Crusade*?

"A. That is correct.

"Q. Were the speakers Maude Russell and Peter Hyun?

"A. That is correct.

"Q. On the twenty-ninth day of September, 1953, did you attend a meeting of the *Los Angeles Committee for the Protection of Foreign Born?*

"A. That is correct.

"Q. At 607 South Western Avenue, Park Manor?

"A. Correct.

"Q. Was the chairman Rose Chernin?

"A. Correct.

"Q. Was it regarding arranging for David Hyun's release on bail?

"A. That is correct.

"Q. Because he was under deportation proceedings?

"A. That is correct.

"Q. On the second day of October, 1953, did you attend a mass meeting of the *Civil Rights Congress?*

"A. Yes.

"Q. At the Embassy Auditorium?

"A. Yes.

"Q. For the announced purpose of saving Robert Wesley Wells?

"A. That is correct. That is where they brought William L. Patterson from New York.

"Q. Who is William L. Patterson?

"A. He was introduced as National Director of the *Civil Rights Congress.*

"Q. He came out from New York, you say?

"A. That is correct.

"Q. Did he speak?

"A. Correct.

"Q. Do you know who introduced him?

"A. I believe James Daugherty was the man who introduced him. I could refer to my detailed reports.

"Q. How many people attended?

"A. Between seven and eight hundred.

"Q. Was it an evening meeting?

"A. Yes.

"Q. On October 5, 1953, did you attend a meeting of the Los Angeles *Committee to Get Justice for the Rosenbergs?*

"A. Yes.

"Q. Who were the Rosenbergs?

"A. Ethel and Julius Rosenberg, the convicted atomic spies.

"Q. That was held at the First Unitarian Church?

"A. That is correct.

"Q. The chairman was Reid Robinson?

"A. That is correct.

"Q. The speakers included Benjamin Dreyfus?

"A. Correct.

"Q. William L. Patterson?

"A. Correct.

"Q. Janet Stephenson?

"A. Yes.

"Q. On the sixteenth of October, 1953, did you attend a meeting of the Unitarian Public Forum at the Unitarian Church?

"A. Yes.

"Q. Was the speaker Carey McWilliams?

"A. Yes.

"Q. The subject was, 'The Witch Hunt: an Interim Report?'

"A. That is correct.

"Q. How many people attended that meeting?

"A. Between eight and nine hundred. Mr. Fritchman was the chairman.

"Q. That is the Reverend Stephen Fritchman, who is the pastor of that church?

"A. Yes.

"Q. On the seventeenth day of October, 1953, did you attend a meeting of an organization known as *Women for Legislative Action Conference?*

"A. Yes, I did.

"Q. Where was that held?

"A. At the Statler Hotel.

"Q. In Los Angeles?

"A. Yes.

"Q. Who were the chairmen of that meeting.

"A. Dorothy Marshall, whom I have previously mentioned, and Sylvia Miller.

"Q. Would you return to your report of that particular meeting, please.

"A. Yes, I will.

"Q. Referring to this report, Mrs. Drader, the meeting started at 11 o'clock p.m.?

"A. Yes.

"Q. Was it attended by between 250 and 300 people?

"A. Yes.

"Q. The chairman was Dorothy Marshall, wife of Daniel G. Marshall, the attorney, as you have heretofore testified?

"A. That is correct.

"Q. Was Dorothy Healey present?

"A. Yes, she was.

"Q. Did she participate in the proceedings?

"A. To a slight extent. In that meeting John Despol objected to her presence.

"Q. Who is John Despol?

"A. He is affiliated with the CIO.

"Q. He is an official in the CIO?

"A. Yes.

"Q. Did he object to her presence?

"A. He objected to her presence.

"Q. For what reason?

"A. Because she was one of the convicted Communists. I believe that was after the conviction. Pending their appeal to the Supreme Court she was out on bail. He objected to the presence of a known and convicted Communist in the meeting. There was quite a discussion between Mr. Despol and Mrs. Marshall concerning Mrs. Healey's presence. It was stated that she was as welcome as anyone, that they did not care what anyone's political belief was, that if they were interested in the *Conference for Women's Legislative Action,* they were welcome to stay. They took a vote on it. Mr. Despol was the only one who voted for her to leave, so he left.

"Q. The rest voted for her to stay, so he walked out?

"A. He left.

"Chairman Burns: Mr. Counsel, I would like to have it clear in the record that there is no way that John Despol could be considered to be sympathetic to Communism here.

"Q. (By Mr. Combs): He indicated that by his actions?

"A. He indicated it definitely there.

"Q. Was Leo Branton, an attorney, present at that meeting?

"A. Yes, he was.

"Q. Did he participate in the discussions?

"A. I believe he did, yes. I think my report would state that he did. Yes, he was one of the speakers on one of the panels, the civil liberties panel.

"Q. There is a long list of names, and I won't take the time to read them into the record now because it is much too long. Are these people you recognized there or heard introduced?

"A. Either that, or were introduced as panel participants. I think I have the report broken down as to those who participated in the panels.

"Q. Yes, you have.

"A. At the latter part of it are the ones I recognized as being present. Yes, here are the people I either recognized or who were introduced as being present. There is a list of physical exhibits, printed and written material that you attached to your original report and which you sent to us?

"A. That is correct.

"Q. They are enumerated in your copy?

"A. Yes.

"Q. The originals are in our possession?

"A. Yes.

"Q. In addition to that, as I understand it, there was distributed for the participants at that particular function what is known as a 'Field Kit'?

"A. Yes.

"Q. Will you describe that from memory, what it consisted of?

"A. It was a brown envelope similar to those you have in front of you, not quite so large. It consisted of a program which was quite nicely bound and printed, with literature from various organizations that they had inserted. There was a Handbill from the *Committee for the Protection of the Foreign Born,* and several others that I would have to see. I have them listed.

"Q. Never mind. You also sent them into us with your report?

"A. Absolutely.

"Q. On the twentieth day of November, 1953, did you attend a meeting of the ASP at the Embassy Auditorium in Los Angeles?

"A. That is correct, yes.

"Q. That was regarding the motion picture, 'Salt of the Earth?'

"A. Mainly, yes.

"Q. How many people attended that meeting?

"A. Between 12 and 13 hundred people were present.

"Q. On November 30, 1953, did you attend a meeting of the *Los Angeles Committee for the Protection of the Foreign Born?*

"A. Yes, I did.

"Q. That was held at 607 Southwestern Avenue, at the Park Manor?

"A. Correct.

"Q. That was a welcome for David Hyun?

"A. Yes. He had just been released from Terminal Island on bail.

"Q. That was attended by 250 to 300 people?

"A. Correct.

"Q. We are now in 1954. On January 10, 1954, did you attend a meeting of the *Citizens Committee to Preserve American Freedoms?*

"A. Yes.

"Q. At the Cosmopolitan Hotel, 360 South Westlake Street, Los Angeles?

"A. That is correct.

"Q. Was the Reverend A. A. Heist chairman on that occasion?

"A. That is correct.

"Q. And the speakers were witnesses who were subpoenaed before this committee, is that right?

"A. Yes. This committee had been down here in Los Angeles holding hearings concerning the school situation, the Communist infiltration into the schools. This was what I would call one of those protest meetings that the various organizations frequently have after hearings of this sort.

"Q. Sometimes before?

"A. Well, yes, true. There was quite a crowd.

"Q. How many attended?

"A. Between 300 and 400 people were present. They had recorded speeches from some well known educators. One was Dr. Hugh Wilson of Princeton University. The tenor of his recorded speech was that they condemned all of the various committee investigations. He considered it an interference in academic freedoms. Another recorded speech was played by Robert Maynard Hutchins, who was Associate Director of the Ford Foundation in Pasadena, and former Chancellor of the University of Chicago. It was along the same tenor, condemning committees.

"Q. You sent us a copy of that report?

"A. Yes.

"Q. And those sentiments?

"A. Yes. Then they had the various teachers who had been before the committee.

"Q. They were not very friendly toward us, were they?

"A. No. They didn't say anything very complimentary about you, I assure you. Then Mr. Frank Wilkinson was sort of an usher and more or less showed people around and seated them.

"Q. Did he participate actively? Did he speak on that occasion?

"A. No, he did not speak, but his wife did, Jean Wilkinson. He was sort of head usher.

"Q. On the twenty-seventh day of January, 1954, did you attend a meeting of *Women for Legislative Action*?

"A. That is correct.

"Q. That was at 330 South Las Palmas, Los Angeles?

"A. Yes.

"Q. Las Palmas Avenue. That was the residence of Sylvia and Benjamin Miller?

"A. Correct.

"Q. It was more or less an organizational meeting?

"A. Yes. The *Women for Legislative Action* had been functioning for a number of years as a daytime group. They would meet on weekday afternoons. They came to the conclusion that there were quite a few women who were employed, or for some reason or other could not attend daytime meetings. They decided to set up an evening chapter to accommodate those people. This was the charter meeting of the evening group.

"Q. Were you a member of that organization, too?

"A. Yes, sir, I was a charter member of it also.

"Q. How many attended that meeting?

"A. Between 45 and 50.

"Q. On the seventh day of February, 1954, did you attend, at the First Unitarian Church, a meeting of the Unitarian Public Forum, at which time the chairman was the Reverend Stephen Fritchman?

"A. Yes.

"Q. Was one of the speakers a man by the name of Dr. Richard Weinerman?

"A. Yes, that is correct.

"Q. Did he discuss the use of the Fifth Amendment by witnesses who appeared before this committee?

"A. No. He discussed the policies of the *Community Medical Center*. The other speaker, Harvey O'Connor, spoke on the use of the Fifth Amendment defense before committees of this type.

"Q. How many people attended that meeting?

"A. Between 300 and 350.

"Q. On the ninth day of February, 1954, did you attend a meeting of the First Unitarian Church Forum, at which time the chairman was Stephen Fritchman and the speaker was Anna Louise Strong?

"A. Yes.

"Q. She spoke about the political situation in Guatemala?

"A. That is correct.

"Q. How many people attended that meeting?

"A. Between 200 and 250.

"Q. On the twelfth day of February, 1954, did you attend a meeting at the First Unitarian Church in Los Angeles regarding the loyalty oath?

"A. That is correct.

"Q. How many people attended that meeting?

"A. Between 100 and 150.

"Q. On the twenty-fourth day of February, 1954, did you attend a meeting of the *Women for Legislative Action* at 612 North Kilkea Street?

"A. Correct.

"Q. At the residence of Dr. and Mrs. Simson Marcus?

"A. That is correct.

"Q. That was regarding the Walter-McCarran Act?

"A. Yes. They, of course, were for the repeal of the Walter-McCarran Act.

"Q. How many people attended that meeting?

"A. 35 to 40.

"Q. On the 28th day of February, 1954, did you attend a meeting of the Los Angeles *Committee for the Protection of the Foreign Born*?

"A. Yes. They called it their Fourth Annual Conference.

"Q. Fourth Annual Conference of the Los Angeles organization?

"A. Yes, the Los Angeles group.

"Q. That was held at 607 South Western Avenue, Park Manor?

"A. That is correct.

"Q. There were many, many speakers, were there not?

"A. Yes. At that conference we were given one of those Field Kits similar to the *Women for Legislative Action* conference kit.

"Q. That long list of people you knew to be present, together with your field report, you have submitted to us?

"A. Yes, and I have a copy of the report.

"Q. On the tenth day of April, 1954, did you attend a meeting sponsored by the *Community Medical Foundation* on South Western Avenue

at the Park Manor, 607 South Western Avenue, which was in honor of the Reverend Stephen Fritchman?

"A. That is correct. It was a testimonial dinner. He was the guest of honor.

"Q. He was Chairman of the *Community Medical Foundation?*

"A. Yes.

"Q. That was attended by how many people, approximately?

"A. Approximately 900 to 1000.

"Q. On the twelfth day of June, 1954, did you attend a meeting of the *Women for Legislative Action?*

"A. Yes.

"Q. That was a luncheon at Ciro's Restaurant?

"A. That is correct, yes.

"Q. It was an installation of officers?

"A. Yes.

"Q. And presentation of awards of merit for past services rendered?

"A. That is correct.

"Q. Attended by how many people.

"A. There were exactly 212 there, according to the report that I received from the head waiter.

"Q. You received a report from the head waiter?

"A. I asked him how many lunches were being served. I said, 'It looks like a nice crowd.' He said they had more than they anticipated, 212 to be exact. Two hundred reservations had been made.

"Q. Two hundred reservations and 212 lunches served?

"A. That is correct.

"Q. On the twenty-fifth of June, 1954, did you attend a meeting of the *Community Medical Foundation,* its eighth annual meeting?

"A. That is correct.

"Q. Was that held at Channing Hall?

"A. Yes, it was.

"Q. That was at the First Unitarian Church?

"A. Correct.

"Q. The chairman was Stephen Fritchman?

"A. That is correct.

"Q. Did the speakers include Dr. Erwin Cole?

"A. Correct.

"Q. Kenneth Hartford, the director of the *Community Medical Center?*

"A. Yes.

"Q. Dr. P. Price Cobbs?

"A. Yes.

"Q. Dr. Robert Peck?

"A. That is correct.

"Q. And was the meeting attended by in the neighborhood of 175 people?

"A. Yes, sir.

"Q. Is that the extent of the meetings attended by you in 1954?

"A. Yes. That's the last meeting I attended.

"Mr. Combs: Mr. Chairman, I would like to introduce into evidence this index of meetings attended by the witness and ask that it be marked the committee's exhibit next in order.

"Chairman Burns: It will be admitted as the committee's exhibit next in order.

Q. (By Mr. Combs): Mrs. Drader, when you affiliated with these organizations, the first one in which you obtained membership—please correct me if I am anyway in error, was the *Arts, Sciences and Professions Council*?

"A. That is correct, yes.

"Q. After you had joined that organization under the name of——

"A. Jane Dawson.

"Q. ——did you begin to receive literature that you had theretofore never received?

"A. That is correct.

"Q. From other organizations?

"A. Yes.

"Q. What other organizations?

"A. Well, the *Civil Rights Congress,* the *Committee for the Protection of Foreign Born,* the *Southern California Peace Crusade,* the *American Civil Liberties Union.* I received some from them. Oh, from *Frontier Magazine.*

"Q. I hand you now two envelopes addressed to Jane Dawson—I think one of them is——

"A. Yes, I am sure it is.

"Q. They both are—and ask if you received those after you affiliated with the Arts, Sciences and Professions Council?

"A. Mainly subsequent to my affiliation with the Women for Legislative Action, which, of course, was following my——

"Q. Where is the *Frontier Magazine* published?

"A. 223 South Beverly Drive, Beverly Hills.

"Q. Had you subscribed to it theretofore?

"A. No.

"Q. Had you ever received a communication from them at any time theretofore, of any kind?

"A. No.

"Q. Did you ever subscribe to it?

"A. No, sir.

"Q. I now hand you a card at the bottom of which is attached a piece of red string and a replica of the Statue of Liberty, metal, lead, I presume, and ask if you will identify that for me?

"A. Yes. This is a little tag that was given to those of us who were delegates to the Committee for the Protection of Foreign-born conference to defend the rights of foreign born Americans. That was the 1953 conference. At that time I was there as a representative and delegate from the *Negro Labor Council.*

"Mr. Combs: I ask that this be introduced, Mr. Chairman, together with two letters from *Frontier Magazine* that the witness received.

"Chairman Burns: They will be received.

"Q. (By Mr. Combs): I hand you now an envelope, in the upper left hand corner of which appears a printed statement, 'Stephen H. Fritchman Testimonial Dinner, Post Office Box 385, Los Angeles 48, California,' bearing the date March 10, 1954, addressed to you as Miss J. Dawson, containing two cards and a smaller envelope. The envelope is simply a return envelope with the return address stamped on the outside. One of the tickets is a reservation for tickets at $5 each for the Fritchman dinner. The large invitation enclosed reads as follows:

" 'Your presence is requested at a Testimonial Dinner for Mr. Stephen H. Fritchman, President, Community Medical Foundation, on April 10th, 1954, at 7 p.m. at the Park Manor, 607 South Western Avenue, Los Angeles, California. Sponsor: Community Medical Foundation. Donation $5—no collection. R. S. V. P. Dunkirk 4-2117.' Do you know anything about Post Office Box 385?

"A. I don't know anything of my own knowledge.

"Q. Can you tell us anything concerning who applied for that box by referring to your notes or your records?

"A. No. I have no notes or records on that, Mr. Combs. As I recall, it was told to me it was——

"Mr. Combs: I think we can get evidence on it from someone else. I ask these be introduced as a committee's exhibit next in order, Mr. Chairman.

"Chairman Burns: They will be admitted.

"Q. (By Mr. Combs): Next is a card bearing the imprint, 'Community Medical Foundation, 1236 Southlake Street, Los Angeles, California,' addressed to you, Jane Dawson Wallace, reading as follows:

" 'You are invited to attend the Eighth Annual Meeting of the Community Medical Foundation, Friday, June 25, 8 p.m., at Channing Hall, First Unitarian Church, 2936 West Eighth Street, entertainment, no admission charge.'' It does not say 'Los Angeles,' but you have identified the location of that church.

"A. That is right.

"Q. 'Program, short business meeting. Speaker: Robert Peck, M.D., New Medical Horizons. Entertainment: Al Hammer-Ernie Lieberman, skits and songs. An enjoyable and instructive evening, come and bring your friends.' Did you go?

"A. Yes.

"Q. Did you take a friend?

"A. Yes.

"Mr. Combs: I ask that this be introduced as committee's exhibit next in order.

"Chairman Burns: It will be admitted.

"Q. (By Mr. Combs): I now hand you, Mrs. Drader, five sheets of white paper on which are pasted along the left hand margin of each of the five sheets a series of names and addresses. There are pencil notations not only on some of the addresses, but also on the balance of the white sheets of paper.

"A. Those are all my notations.

"Q. The sixth sheet of paper, which is mimeographed, is headed, 'Southern California Chapter, *National Council of the Arts, Sciences and Professions Council,* 7410 Sunset Boulevard, GR-4188, Los Angeles, California, February 22, 1952.' At the bottom it says, 'Send this card to Marvin Sure, 7349 Pacific View, Los Angeles 28, California.'

"I hand these six sheets to you and ask you to identify them for us.

"A. Yes. These were sheets that were given out to various members of the Executive Board of the *Medical Division of the Arts, Sciences and Professions Council* in one of the meetings. We were trying to increase membership, and mainly increase the sustainers being paid by the members. Each one of us was to contact people on the sheets we received. We were to ask them if they had paid their dues for the year 1952, and if they hadn't, urge them to do so, and ask for an additional contribution, individual contribution or pledge of monthly sustainer. They asked any amount from 25 cents to $10 a month, anything they could get, or more. We were to also ask each of the individuals on the other sheets if they had received the petition that was being circulated at that time concerning the three doctors, Drs. Abowitz, Lippman and Pennes.

"Q. Is that the way they pronounce it, Pennes?

"A. I understand Pennes is correct. I am not an authority—asking if they received the petition, and if so, please get them in, the petitions on behalf of the three doctors to get them reinstated at Cedars.

"We were also to attempt to form a number of committees when contacting these individuals, to go around to the various congressmen and congressional candidates and question them on their stand concerning un-American activities committees, investigations, and things

of that nature. These were the individuals that I was assigned to contact.

"Q. Did you contact them?

"A. Some of them.

"Q. All you could?

"A. All I was able to, yes.

"Mr. Combs: I don't think it would serve any purpose to read this into the record at this time, but I would like to have these six sheets introduced as one exhibit next in order.

"Chairman Burns: It will be received.

"Q. (By Mr. Combs): I now show you a series of printed statements, 'Arts, Sciences and Professions Council, 7410 Sunset Boulevard, Hollywood 46, California, Miss Jane Dawson, 729 Verdugo Road, Glendale, California; sustainer, November and December, $2.'

"A. I had pledged a sustainer of a dollar a month.

"Q. This was mailed to you?

"A. Yes.

"Q. And when you received it you sent in $2?

"A. Yes.

"Q. We have a series of these.

"A. They are practically the same.

"Q. They are over a period of time. For the purpose of corroborating the testimony of this witness I think it is extremely important to identify them. Better still, we have the cancelled checks, which undoubtedly is the best evidence. Here is a cancelled check signed by you. Did you open an account under the name of Jane Dawson?

"A. That is correct.

"Q. January 21, 1952, ASP $5. That is the *Arts, Sciences and Professions Council?*

"A. That is correct.

"Q. Here is one dated December 12, 1951, *Civil Rights Congress,* $1.50.

"A. That is correct.

"Q. Here is one dated November 30, 1951, *Civil Rights Congress,* $2.

"A. Right.

"Q. These are canceled checks all drawn on the Pico-Figueroa Branch of the Citizens National Trust and Savings Bank of Los Angeles?

"A. Correct.

"Q. Here is one dated October 31, 1951, *Southern California Peace Crusade,* $2.

"Q. This is dated September 22, 1951, Peter Hyun, $5. This one is dated August 5, 1951, *Civil Rights Congress,* $2.

"A. Yes, sir.

"Q. July 23, 1951, *Arts, Sciences and Professions Council,* $1.20. July 17, 1951, *Arts, Sciences and Professions Council,* $6.16. Why that amount, do you recall?

"A. Not offhand I don't, but it was undoubtedly for some literature which we were encouraged to buy.

"Q. Yes. And you did buy it, didn't you?

"A. Yes.

"Q. And you sent it to us?

"A. That is correct.

"Q. June 8, 1951, *Los Angeles Committee for the Protection of Foreign Born,* $1.

"A. Yes.

"Q. June 4, 1951, *Arts, Sciences and Professions Council,* $1.40

"A. Yes, it could have been for admission.

"Q. May 28, 1951, *Arts, Sciences and Professions Council,* $1.50.

"A. Correct.

"Q. And in addition to that you expended cash?

"A. Oh, yes.

"Q. You made most payments by cash?

"A. Yes.

"Q. Do you have any objection to our introducing these?

"A. Not in the least.

"Mr. Combs: Mr. Chairman, I would like to introduce the bank statements themselves. There are 11 bank statements. Also the checks I have described and the statements received by Mrs. Drader under the name of Jane Dawson concerning which the checks were drawn.

"Chairman Burns: She has no need for these statements?

"Mr. Combs: You have no need for the statements?

"The Witness: No.

"Chairman Burns: Very well. They will be admitted.

"The Witness: The account is closed.

"Q. (By Mr. Combs): In connection with your membership in and attendance at meetings of the *Arts, Sciences and Professions Council,* were you acquainted with a man by the name of Martin Hall?

"A. Yes, I was.

"Q. Did you know him to speak to?

"A. Yes.

"Q. Did you chat with him from time to time?

"A. Oh, yes.

"Q. During and after some of these meetings?

"A. Correct, yes.

"Q. Were you ever told that Mr. Hall was to prepare speeches for the *Arts, Sciences and Professions Council?*

"A. I was not told in that direct a vein, no. I was asked—it was a *Peace Crusade,* at one of their meetings.

"Q. The *Peace Committee of the ASP?*

"A. The *Peace Committee of the Arts, Sciences and Professions Council.* Dr. Richard Lippman was our chairman. We had decided after a little pamphlet called 'Can We Live With the Atom' had been published by the *Arts, Sciences and Professions Council,* and it all tied in with the war theme and what-have-you, the decision was that we had to alert the public to the dangers of atomic warfare, and the best way would be for the *Peace Committee* to organize a speakers bureau. There were any number of doctors who said they would be glad to speak; they would volunteer to speak if we gave them some sort of an outline, based on the fact that they were far too busy to prepare those talks and their own speeches. Dr. Lippman assigned me the duty of contacting Martin Hall and asking him if he would draw a speakers outline that anyone could use to follow, based on that booklet, which he did.

"Q. Did you receive such an outline?

"A. That I did.

"Q. I hand you now what purports to be a letter from Martin Hall, dated August 12, 1951, 966⅛ Palm Avenue, Los Angeles 46, California. 'Dear Jane: Enclosed is the speakers outline which I promised you. I was sick for two days. Hence the delay. Whatever changes the committee wants to make is, of course, all right. I felt that we needed more than a talk on the pamphlet, but should include an elaboration on peaceful alternatives based on ASP pronouncements. I think this can be used for talks of almost any length of time from ten minutes to an hour. Cordially, Martin Hall.'

"A. That is right.

"Q. Attached with a metallic clip is a speakers outline, 'Can you Live with the Atom?'

"A. That is right.

"Q. Did you receive both of these documents pursuant to the circumstances you have just described?

"A. This is a copy of the original, yes.

"Q. We have the original, of course?

"A. That is right.

"Mr. Combs: I ask that this be introduced into evidence as the committee's exhibit next in order, Mr. Chairman.

"Chairman Burns: It will be admitted.

"Q. (By Mr. Combs): I now hand you a card on which is printed, 'Fourth Annual Los Angeles Conference to Repeal the Walter-McCarran Law and Defend its Victims. February 28, 1954. Name: Jane Dawson.' Attached are two receipts numbered 35291 and 35284, both dated

February 28, 1954, made to Jane Dawson. The first one for 50 cents is for a kit. I can't make out the next one.

"A. I think I can help you, Mr. Combs, This was the Fourth Annual Conference of the *Los Angeles Committee for the Protection of Foreign Born.* This registration is a registration fee of $1. For that one dollar we received one of the kits which I described earlier.

"Q. And which you sent to us?

"A. And which I sent to you. I thought it would be useful to the committee to have another one, so I said I would like to have another for a friend for 50 cents.

"Mr. Combs: I ask that this be introduced as the exhibit next in order, Mr. Chairman.

"Chairman Burns: It will be admitted.

"Q. (By Mr. Combs): Here is a receipt to Jane Dawson dated January 27, 1954, $3.00 dues to September, 1954, *Women for Legislative Action.*

"A. That is correct.

"Q. That was in return for your dues?

"A. That is correct.

"Mr. Combs: I would like to introduce that also, Mr. Chairman, as an exhibit.

"Chairman Burns: It will be admitted.

"Q. (By Mr. Combs): Mrs. Drader, I hand you an envelope addressed to Jane Dawson in the upper left-hand corner '*Civil Rights Congress,* 326 West 3d Street, Los Angeles, California,' and ask you if you received that, together with the contents?

"A. Yes.

"Q. Did that come to you unsolicited?

"A. That is right.

"Q. After you had affiliated with the *Arts, Sciences and Professions Council?*

"A. Yes. This came in October of this year, October of 1954. That is concerning the school.

"Mr. Combs: Mr. Chairman, one of the papers included in the envelope just described is a brochure for the *School for Civil Rights Workshop,* sponsored by the *Civil Rights Congress.* The school is scheduled to commence on November 6, 1954, and to conclude on December 11, 1954, according to the schedule of sessions. On November 6, 1954, 'Civil Rights Struggles in the United States, Part I.'

"November 13, 1954, 'Civil Rights Struggles in the United States, Part II, by Frank Spector,' who has appeared as a witness before this committee and has been repeatedly identified as a Communist Party functionary—I mean by 'identified,' by testimony before the committee.

"November 20, 1954, 'Defending the Constitution,' by Frank Wilkinson.

"November 27, 1954, 'What to do when Arrested,' by Frank Pestana.

"December 4, 1954, 'Supreme Court Decision Ending Segregation in Schools (instructor to be announced later).'

"December 11, 1954, 'Organizing Methods for Civil Rights Campaigns,' by David Brown.

Registration fee, $1.00.

"Then the other literature enclosed includes an advertisement for the *Civil Rights Congress* Annual Christmas Dance, December 18, at the Park Manor Ballroom, Admission $1.20; a solicitation to subscribe to the official organ of the *Civil Rights Congress* of Southern California called *The Defender,* editors: Elizabeth Spector, Don Wheeldin, and Rosemary Lusher, October 8, 1954, signed by the editorial board.

"I ask that these be introduced in evidence, the envelope and contents as described, as the exhibit next in order.

"Chairman Burns: It will be admitted.

"Q. (By Mr. Combs): Here are some photostatic documents entitled, 'Certificate of Contribution, Peace Bond, issued by—' and the spaces left blank, marked '$1, $5 and $10.'

"A. I believe that was the *Southern California Peace Crusade.*

"Q. You received these documents in connection with your membership or participation in that organization?

"A. Yes. After the *Stockholm Peace Petition* the peace pledge had been so thoroughly discredited and shown for what it was, they thought of this idea. At the meeting we were given these books and we were to sell the peace bonds for the amounts listed on the front. Half of the price of the amount they would get for them, one, five, or ten, would be given to the *American Peace Crusade* to be divided between the *American Peace Crusade* and the Southern California Chapter of it; the other half of the amount collected would go to the organization—at that time I was in ASP, *Arts, Sciences and Professions Council,* and they would have gotten the other half.

"Q. Half went to the *Peace Crusade* and half went to the ASP?

"A. That is right. I don't have the originals because I had to send them back in.

"Q. But you had them photostated and sent us photostats?

"A. That is correct.

"Mr. Combs: I ask that these be introduced as exhibits next in order.

"Chairman Burns: So admitted.

"Q. (By Mr. Combs): I hand you another document, Mrs. Drader, consisting of three sheets entitled, 'Ballot, Southern California Chap-

ter of the National Council of Arts, Sciences and Professions,' and ask you to identify that and the two pages that are appended to it?

"A. Yes. This was the photostat of the original of the ballot that was given at that meeting, the time that I joined the *Arts, Sciences and Professions Council,* a membership meeting, the over-all. The Executive Board was up for election. With my ballot I voted, but in the meantime I had it photostated so that the committee would have a copy of it. These were sent out to us. After we registered these were sent to us through the mail, and it was an outcome of that meeting. After I had the original photostated, I voted and sent the ballot back.

"Q. You voted and sent back the original ballot and sent the photostat of the slate to us?

"A. To you, yes. These are your instructions, and also an enclosed envelope for more money.

"Q. These ballots have a complete list of candidates. It says to vote for forty?

"A. That is right.

"Q. You had to vote for forty people?

"A. Yes.

"Mr. Combs: Mr. Chairman, the instructions are that forty should be voted upon, but the contests for treasurer, vice chairman of the Arts, vice chairman of the Sciences, vice chairman of the professions, have only one candidate for each office; for treasurer, Dr. Louis Robinson; for vice chairman, Jerry Epstein; vice chairman of the Arts, Gale Sondergaard; vice chairman of the Sciences, Dr. P. Price Cobbs; vice chairman of the Professions, Reverend Stephen Fritchman. The other names I won't read into the record. I ask this be introduced as the exhibit next in order.

"Chairman Burns: It will be so admitted.

"Q. (By Mr. Combs): I hand you now a booklet entitled, 'Greetings to the Delegates of the Southern California Conference to Defend the Rights of Foreign-Born Americans, Park Manor, 607 South Western Avenue, Los Angeles, California, Saturday, February 7, 1953, Repeal the McCarran and Walter Laws and Deportation Drive, Stop Deportation of Mexican-Americans in 1953, Rose Chernin, Executive Director.' She was mentioned earlier today, and during the testimony of Dr. Light. It contains a program of the meeting and many, many pages of contributions and greetings, congratulations, messages and so on. The pages are not numbered. Will you identify that for us, please?

"A. Yes. This was one of the pieces in the kit given to each delegate at this conference. That is the same conference I attended as a delegate from the *Negro Labor Council.* It was printed by the *Korean Independent Press,* Diamond Kim.

"Q. In this city?

"A. In this city. Diamond Kim of the *Korean Independent* turned it out for them on his press.

"Mr. Combs: I ask that this be introduced as the exhibit next in order.

"Chairman Burns: It will be admitted.

"Q. (By Mr. Combs): I hand you a folder entitled, 'A Call and Program, Southern California Conference to Defend the Rights of Foreign Born Americans.' Did you receive that in connection with the same meeting?

"A. That was a call to the same conference.

"Mr. Combs: I ask that it be admitted.

"Chairman Burns: It will be admitted.

"Q. (By Mr. Combs): Mrs. Drader, did you have an opportunity to examine the contents of the envelope I handed you just before recess?

"A. Yes, I did, sir. I think most of that, or copies of that, are in possession of the committee.

"Q. They are really all exhibits?

"A. Yes.

"Q. Or documents that you got in connection with your membership in the *Arts, Sciences and Professions Council?*

"A. That is correct.

"Q. And duplicates of them, or at least most of them, were attached to your reports of those meetings?

"A. That is correct.

"Q. Which we have already gone over and which you sent in to us?

"A. That is correct.

"Q. Will you retain those, please?

"A. Gladly.

"Q. I now hand you a document entitled, 'Southern California Chapter, National Council of the Arts, Sciences and Professions, 1586 Crossroads of the World, Hollywood 28, California, February 22, 1951,' and ask if you received that letter, which was mimeographed, together with the enclocures?

"A. They did not come simultaneously. The pamphlet is in with that exhibit because it is correlated to it. These were separate. You can tell by the date on them, Mr. Combs. They were from the same organization.

"Q. These two are identical, are they not, each being dated February 22, 1951?

"A. That is correct.

"Q. They are duplicates, aren't they?

"A. That is correct.

"Q. If you will retain that one I will introduce the other one as an exhibit.

"A. Thank you.

"Mr. Combs: It is a letter, mimeographed, addressed, 'Dear Friend:' and signed on behalf of the *National Council of the Arts, Sciences and Professions* by Drs. Richard Lippman, Linus Pauling, Herbert Biberman, Paul Jarrico, P. Price Cobbs, Louis Robinson. I offer this as the exhibit next in order.

"Chairman Burns: It will be admitted.

"Q. (By Mr. Combs): Mrs. Drader, I have here a number of manila envelopes containing documents, brochures, pamphlets, booklets and mimeographed material, and so on, that I am informed you gathered during your affiliation with the organizations we have alluded to and your attendance at some of their meetings.

"A. Yes.

"Q. In the event that you have already sent us duplicates of these, there is no object, of course, in introducing them at this time?

"A. That is right.

"Q. I now hand you the first of the envelopes pertaining to the First Unitarian Church and the meetings held there, and ask you to please examine the contents as quickly as possible and tell me whether or not you have sent that material to us?

"A. Yes, Mr. Combs, I sent you copies of it.

"Q. Will you retain that material. I hand you an envelope containing material purporting to come from the *Women for Legislative Action,* and ask you to examine the contents and tell us whether or not you have sent us duplicates of those documents?

"A. Yes, I am pretty sure I have.

"Q. You have sent us copies of this, to the best of your recollection?

"A. Yes.

"Q. I hand you now an envelope marked, 'Women for Legislative Action, Freedom Kit,' and ask you if that is the kit you have heretofore testified about?

"A. Yes, I sent you a duplicate of it.

"Q. Will you keep that, please?

"A. Happily.

"Q. I hand you a folder purporting to be material from the *Civil Rights Congress,* and ask you to examine the contents thereof and tell us whether or not you have sent us a copy of that material, or duplicates of that material.

"A. I don't believe I sent this. At that time I don't believe I sent you that particular one. I was expecting you down here at that time. I held it to give it to you until you arrived.

"Q. In connection with this document, which you have heretofore not submitted to the committee, for the record, it consists of an envelope, in the left-hand corner of which appears the return address, 'Civil Rights Congress, 326 West 3rd Street, Los Angeles 13, California,' addressed to Jane Dawson. It contains the *Civil Rights Congress Bulletin,* dated March 5, 1954. Announcement of a coordinating council meeting. Announcement of Marguerite Robinson's birthday party and her sixth year at the *Civil Rights Congress,* scheduled for March 20th, 1251 South St. Andrews Place. You have already testified concerning that meeting, have you not?

"A. I did not attend that meeting.

"Q. But you did receive this in the mail?

"A. That is correct.

"Q. Together with the material I described?

"A. That is correct.

"Mr. Combs: I ask that this be introduced as the exhibit next in order.

"Chairman Burns: It may be received.

"Q. (By Mr. Combs) I hand you two envelopes purporting to contain material from the *Los Angeles Committee for the Protection of Foreign-Born* and ask you to tell us whether or not you have sent us copies of the same?

"A. Yes. I sent you copies of this. This is the summary of the resolution passed at their conference session, the conference of February 28, 1954.

"Q. Mrs. Drader, I have before me an envelope, in the upper left-hand corner of which is printed, 'Dr. Marvin S. Sure, Optometrist, 331 North Brand Boulevard, Glendale 3, California,' postmarked August 13. Can you tell us the year?

"A. I believe 1952.

"Q. 1952, yes, and which contains a list of names typed on a slip of yellow paper, a list of names typed on perforated sheets of gummed paper?

"A. That came in a separate mailing.

"Q. And the following——

"A. No, it did not.

"Q. 'Dear Misses Dawson and Wallace: The ASP Medical Council is holding a very interesting membership meeting on Friday, September 7, 8.15 p.m., at the home of Dr. and Mrs. M. Feder, 109 North Highland, L. A. Mr. William Murrish, Attorney, will speak on the Fifth Amendment as it applies to the coming hearings of the Un-American Activities Committee. Will you please call the enclosed names and encourage a good turnout? There will be refreshments.' There is included a list of 20 names. Did you receive this material?

"A. Yes, I did.

"Q. Did you attempt to call the persons whose names appear here?

"A. That is correct.

"Q. Did they include Dr. H. Cimring?

"A. Yes.

"Q. Dr. P. Price Cobbs?

"A. Correct.

"Q. Dr. Harold Cooperman?

"A. Yes.

"Q. And the other names that appear here?

"A. Yes.

"Q. Did you, pursuant to the request, urge them to attend the meeting?

"A. Correct.

"Q. Are the penciled telephone numbers opposite these names in your handwriting?

"A. That is correct, yes.

"Q. You did that at the request of Dr. Sure?

"A. Yes.

"Q. From whom you obtained this material?

"A. At that time he was executive secretary of the Medical Division of the *Arts, Sciences and Professions Council,* Dr. Sure was.

"Q. He was the executive Secretary of the Medical Division of the *Arts, Sciences and Professions Council?*

"A. That is correct.

"Mr. Combs: I ask that this be received as the exhibit next in order.

"Chairman Burns: It will be admitted.

"The Witness: That was enclosed in there concerning another meeting.

"Q. (By Mr. Combs): This card was enclosed in the envelope?

"A. I believe so. Let me look at it again. No, this came in another envelope, which I don't have.

"Q. If you don't have the envelope I am afraid we cannot identify it positively because we are not able to place the date.

"A. O.K., fine.

"Q. Because there is no date on it.

"A. That is right.

"Q. Mrs. Drader, in connection with your attendance at these meetings, were you impressed with the fact, which is quite obvious from your testimony and the list of meetings I read and the people who are prominent in them, the fact that many of the same people were affiliated with the same organizations?

"A. Yes, I was.

"Q. Did you, by reason of that fact, prepare a series of documents for us at our request, that is, at the request of the committee, showing the interlocking character of these organizations?

"A. Yes, I did.

"Q. And the incidence of meetings attended by the same people who would progress from one organization to another, over, over and over again?

"A. That is correct.

"Q. Did you send those tabulations to us?

"A. That is correct.

"Q. They include each and every one of the organizations concerning which you have testified here today?

"A. Yes.

"Q. So that a person could take those tabulations and by glancing at them very quickly tell how many times a given individual had attended meetings of these various organizations in one capacity or another?

"A. That is correct, yes.

"Q. You have sent to the committee each and every written report, setting forth in detail, to the best of your ability, the things which transpired and the people who were present at each and every one of the meetings which you attended during the period of your employment by the committee?

"A. That is correct, yes.

"Q. I hand you an envelope postmarked Los Angeles, May 12, 1954, and stamped 'Received May 17, 1954,' addressed to Mrs. Jane Dawson, included in which was a folder entitled, 'Thirty Years of Service in American Civil Liberties Union, Southern California Branch, Saturday Evening, May 22, 1954, 7:00 o'clock, Hollywood Athletic Club, 6525 Sunset Boulevard, Los Angeles, California, $10 a plate,' and ask you to explain the circumstances under which you received it?

"A. I received it through the mail. I never had joined or gone to any of the meetings of the *American Civil Liberties Union,* but they apparently got me on their mailing list through my affiliations with some of the other organizations.

"Q. Had you theretofore ever received any communication or material of any kind from the *American Civil Liberties Union?*

"A. No, I hadn't. This was the first material I ever received from them.

"Q. Did you receive any others?

"A. No, just this one.

"Q. You have not given us that before?

"A. You have another copy.

"Q. Do we have a copy of that?

"A. Yes, I received two of them.

"Mr. Combs: Then I won't offer them.

"Mr. Combs: ——Mrs. Drader has concluded her testimony concerning the specific meetings of organizations that she attended while in the employ of the committee. I wish to make it very clear in the record that Mrs. Drader was not only served with a subpena to attend this particular hearing, but for an indefinite period of time she will be under a continuing subpena calling for all of her documentary evidence, her card files and all of the materials that she received during the course of her employment. Her employment is not yet terminated. All of that material is under the supervision and the control of the committee, and will be for an indefinite period of time to come. Do you thoroughly understand that, Mrs. Drader?

"Mrs. Drader: Yes, I do.

"Mr. Combs: Do you have additional material there which you wish to submit at this time?

"Mrs. Drader: Yes. I would like to turn this over to you for your use.

"Mr. Combs: Thank you. The witness has handed to me a sheaf of supplementary papers containing a dossier of individuals described thereon. I will not offer them as exhibits at this time because I have not had the opportunity to check them. This is the first time I have ever seen them.

"Q. (By Mr. Combs): Had you ever seen Dr. Louise Light Silver before you saw her in this room today?

"A. No.

"Q. You had never met her?

"A. No.

"Q. You had never seen her?

"A. No.

"Q. You had no communication with her, orally or written, at any time?

"A. Never.

"Q. Your work, so far as the committee is concerned, or in any respect, was completely divorced and independent from hers?

"A. That is correct.

"Q. I show you some documents which you have heretofore submitted to the committee. I will simply identify them by title first so that they will be clear in the record and I will ask you to tell me what they are. The first one is entitled, *Southern California Peace Crusade.* The next one is the *Committee for Amalgamation, Women for Legislative Action, Los Angeles Committee for the Protection of Foreign Born, Southern California Peace Crusade, The Commitee for Democratic Far Eastern Policy,* the *Arts, Sciences and Professions Council,* a list from the Medi-

cal Division, *Arts, Sciences and Professions Council* membership. The next one has no title. I will have to ask you to identify these independently. The next one is *Women for Legislative Action,* which I think is a duplicate of the one I have handed to you?

"A. That is right.

"Q. Then we won't go into it. This is the *Southern California Peace Crusade.* Is that also a duplicate of the one I have handed to you?

"A. Yes, it is.

"Q. The last is the *Los Angeles Committee for Justice for the Rosenbergs.*

"A. Yes, sir.

"Q. Will you tell me whether or not you prepared each and all of those documents?

"A. Yes, I did, Mr. Combs.

"Q. What are they?

"A. They are merely breakdowns of the organizations, the titles that you named, and the list of persons that I could place in their different capacities in these organizations and the dates on which I saw them. My reports will show that they were present and active in the capacity designated.

"Q. Will you give me the sheet you have been reading from, which is entitled, *Arts, Sciences and Professions Council,* to make this completely clear and explicit? The second name here is the name of Murray Abowitz?

"A. Yes.

"Q. Is that right?

"A. That is correct.

"Q. After his name is a list of the meeting dates on which you actually saw him in attendance at meetings of the *Arts, Sciences and Professions Council?*

"A. That is correct.

"Q. Below, in alphabetical sequence, is a long series of names?

"A. Yes, sir.

"Q. Many pages of them?

"A. Correct.

"Q. Under each name is the date of the meeting you attended at which you saw that particular person?

"A. That is correct.

"Q. So by using this one compilation of the *Arts, Sciences and Professions Council* the names of all people you ever saw attending their meetings are given, together with the dates on which you saw them at the *Arts, Sciences and Professions Council* meetings?

"A. That is correct. It also designates the capacity, whether chairman, speaker, or in attendance merely.

"Q. Capital C in parentheses means what?

"A. Chairman of the meeting.

"Q. S means what?

"A. Speaker at the meeting. Where there is no letter, it means they were merely in attendance.

"Q. That same system was followed with each one of the organizations?

"A. Yes.

"Q. Which I mentioned so far?

"A. That is correct.

"Mr. Combs: I ask that each of these be received together as the exhibit next in order, Mr. Chairman.

"Chairman Burns: They will be so admitted.

"The Witness: May I retain these duplicates?

"Mr. Combs: Yes. Here is a long list of dates and designations of meetings. These two sheets are clipped together by a blue, translucent, celluloid clip.

"Q. What is this document?

"A. This is merely a very brief, chronological index of the meetings I have attended up through 1953. I did not complete it after I started my more complex index, of which you have a copy.

"Q. Was this your working sheet?

"A. Just a working sheet.

"Q. One that you used in the preparation of the chronological list which is complete and already in evidence?

"A. That is correct.

"Q. Then we won't need that.

"A. All right.

"Q. The last one is on a sheet of the *Arts, Sciences and Professions Council, Medical Division,* with a list of names and addresses. What is that?

"A. That is a copy I typed from the sheets that you introduced yesterday of the mailing stickers and what-have-you.

"Q. It is a list already in evidence?

"A. Yes.

"Q. Concerning names and addresses you were to contact about meetings?

"A. Names, addresses and phone numbers.

"Q. Then we won't need that. During the entire course of your employment and attendance at these meetings, did you also make it your business to subscribe to Communist publications?

"A. Yes, I did.

"Q. And to read them?

"A. Yes, sir.

"Q. To acquaint yourself with the current attitude of the Communist Party about local matters?

"A. That is correct.

"Q. You heard the testimony of Dr. Louise Light Silver about issues that the party created from time to time in order to become more active and to propagandize and to recruit members, and so on?

"A. That is correct.

"Q. Did you subscribe to the *Daily People's World*?

"A. Yes, I did.

"Q. Did you read it regularly?

"A. Yes, I did.

"Q. Did you subscribe to other Communist publications and independently purchased Communist documents and read them?

"A. That is correct.

"Q. The exhibits that you obtained, the printed and mimeographed material, booklets, pamphlets, broadsides, and so on, that you obtained at these various metings, did you read them?

"A. Yes.

"Q. Did you attempt to compare their contents with the contents of the current Communist material you were then reading?

"A. Yes.

"Q. You heard Dr. Louise Light Silver's testimony yesterday, identifying a list of people as members of the Communist Party that she knew were in the party when she was?

"A. That is correct.

"Q. Of course, their names also appear in your reports.

"A. That is correct.

"Q. Not all of them?

"A. In many instances.

"Q. At least some of them?

"A. That is correct.

"Q. In listening to all the speeches that you heard at the meetings, from your conversations, such as the one you described with Martin Hall, the one you had with the late Lee Bachelis, and with other people from time to time, from the compilation of your reports, the notes which you took, and from all of the other sources available to you during the course of your employment, what conclusions, if any, did you arrive at concerning the character of the organizations whose meetings you have described?

"A. The main conclusion I came to was that each and every one of these organizations was not only Communist-dominated and controlled, but are what are commonly and popularly known as Communist front groups, in that they aided and abetted the Communist Party line wherever possible to the detriment of this Country.

"Q. During the course of your employment and during the time you were attending these meetings, did you receive instructions from committee attaches and representatives from time to time?

"A. Yes, I did.

"Q. When you were in doubt as to the propriety of some of your intended procedures, did you communicate by telephone with the committee and obtain instructions and advice?

"A. Many times.

"Q. Were numerous conferences held from time to time between representatives of the committee and yourself, concerning materials which you had submitted in your reports?

"A. Very often.

"Q. As a guide to your future activities?

"A. That is correct.

"Q. You have testified that the *Arts, Sciences and Professions Council* apparently reposed considerable trust in you because you were made a member of the Executive Committee of the council's Medical Division?

"A. Yes, sir.

"Q. Apparently that trust was emphasized and solidified by virtue of the fact you were asked to act as chairman of one of the meetings which you have testified to?

"A. That is right.

"Q. And the mother of Dorothy Healey, a Communist functionary of Los Angeles County, accompanied the delegation which called on the United States Attorney?

"A. That is correct.

"Q. In order to obtain a reduction of bail, which, of course, is an indication of the trust reposed in you?

"A. That is correct.

"Q. In this year, 1954, a few months ago, did the committee inform you that it was of the opinion your usefulness in this regard was about to come to an end?

"A. That is correct, yes.

"Q. That it had information you were about to be exposed?

"A. That is correct.

"Q. You were advised to attend no further meetings?

"A. That is correct.

"Q. You had had no prior intimation in that regard?

"A. That is correct.

"Q. You did have, did you not, some personal indication, after having done this work for a number of years, that little elements of suspicion were beginning to manifest themselves?

"A. That is correct.

"Q. In your own words, would you please describe to us what they were.

"A. On one occasion, there was a meeting over on South St. Andrews, The *Civil Rights Congress Committee to save Robert Wesley Wells.* After the meeting, one of the persons there, Seymour Myerson, walked out to my car with me. He was very chatty and very friendly. He attempted to see the registration slip on my steering post. I had turned it so that the empty case was there. I did not have my registration slip in there. He called it to my attention. He told me that I could get in trouble with the police department by not carrying a proper registration. I passed it off as typical feminine carelessness, of not paying attention to details. As I drove away, I observed in the rear view mirror that he was copying down my license number.

"Q. Did you immediately report that to us?

"A. Yes, I did.

"Q. Did you have any trouble with him?

"A. On another occasion, it was after a meeting at the Park Manor, the meeting of the *Los Angeles Committee for the Protection of Foreign Born,* he approached me and asked me if I had a current subscription to the PW?

"Q. The *People's World?*

"A. The *People's World.* I told him I did not, that I purchased it at the news stand. He said it was about time I was subscribing to help them in their fund drive; they were putting on a big fund drive and he was acting as agent for the *Daily People's World,* selling subscriptions. I said I didn't know whether I wanted to subscribe or not. We talked back and forth on it.

"He said, 'I will pay the first $2 on it and put you down and then they will bill you for it.' I told him I didn't think I could afford it, and so forth, but I went ahead and took the subscription out.

"As I was leaving the meeting and driving out of the parking lot, he followed me in his car for several blocks. In fact, I deliberately ran a red light to keep him from following me any further, and in that way got away from him.

"Q. Did you report that to us also?

"A. Yes, I did.

"Q. Did you have any further trouble with him?

"A. Not with him.

"Q. About when did that occur, about how long ago was it?

"A. I will have to check back as to the date, Mr. Combs. It was in 1953, I believe. It was in 1953, the latter part of the year.

"Q. What was the next incident of that character?

"A. At a meeting of the *Women for Legislative Action,* which was held at the home of Dr. Simson Marcus, Dorothy Marshall came over and talked to me. She intimated she didn't think I was very sincere in my attendance. She said I was quite active in attending meetings, but she wondered what my purpose was.

"Q. Is that the wife of attorney Daniel G. Marshall?

"A. Yes, the wife of attorney Daniel G. Marshall.

"Q. Was there another incident?

"A. I have had several phone calls of a very peculiar nature.

"Q. Those phone calls were after you had been told by us to discontinue attending meetings?

"A. That is correct. That was late in 1954.

"Q. Will you describe the nature of the phone calls?

"A. On one instance, the party called—on neither occasion did they identify themselves, but he asked if this was Mrs. Drader. I said yes. 'Ruth Drader?' I admitted that it was Ruth Drader. He said, 'I wish you would please take a message for Jane Dawson.'

"Q. Which was the name you had used in attending meetings?

"A. It was the name I had used in attending meetings. He did not ask if she was there or to speak to her, but asked if I would please take a message for her. After having said I was Ruth Drader I couldn't say I was Jane Dawson. I said I would be happy to.

"He said, 'Can you contact her this evening and get her home so we can talk to her later? There is an important meeting we want her to attend.'

"I said I didn't know when she would be in. I didn't expect her back until the following day.

"He said, 'By that time it will be too late,' and he hung up.

"Q. Did you have a subsequent anonymous telephone call?

"A. Yes, I did.

"Q. Will you describe that, please?

"A. Another time it was a male voice who called. He said, 'Are you Mrs. Ruth Drader?' I said, 'Yes.'

"He said, 'Well, you tell your friend, Mrs. Dawson, that we know what she is up to and we don't appreciate having someone like her in our community.'

"Q. Did you report this to us?

"A. Yes, I did.

"Q. We told you it was a Communist technique, a heckling campaign that has been used many, many times in similar situations?

"A. That is correct.

"Q. You did not pay any more attention to it?

"A. No.

"Q. You had no more trouble, did you?

"A. No, I had no more trouble.

"Q. Did you have an experience in Glendale on the street?

"A. That is correct.

"Q. Will you describe that, please?

"A. It was just a matter of several weeks back, on a Wednesday afternoon. I wanted to do a little shopping. I saw an empty parking space. Without realizing where I was parking, I pulled into it. It was directly in front of Dr. Marvin Sure's office. He is an optometrist on Brand Boulevard.

"Q. He has been identified as a party member?

"A. Yes, sir. I knew Dr. Sure very well. He was the executive secretary of the Medical Division of ASP. He recognized me immediately. He was out on the sidewalk. He came over and asked me how I was and why he had not seen me at meetings. I told him I had not felt very well. He made some comment as to the fact that my ill health was quite convenient probably. I reminded him then of an automobile accident that I had had a number of years ago, and told him my neck still pained me.

"Q. Which, incidentally, was true, wasn't it?

"A. That was true, absolutely true. But of course, that was not the only reason for my not attending meetings. That was the reason I gave him. He said, well, there had been a bit of speculation as to my not attending meetings any more. He said he told Murray——

"Q. Who is Murray?

"A. Dr. Murray Abowitz, I would imagine, that it was his opinion——

"Q. You don't know for sure?

"A. No.

"Q. He just said Murray?

"A. He just said Murray.

"Q. All right.

"A. But Dr. Abowitz was the chairman of the Medical Division. He said he told Murray that I should have an opportunity to state my position. I told Marvin at that time that my position was very simple, that I just did not feel well. He said perhaps we could get together some evening, at his office preferably, and discuss the whole thing and see if they couldn't work out some arrangement whereby I could become active again. He said he would contact me later, which he never did, I am very happy to say.

"Q. You also reported that to us?

"A. Yes, I did.

"Q. Do you recall yesterday, Mrs. Drader, testifying about a meeting at the home of Ronald and Lee Sutton?

"A. Yes, I do.

"Q. Do you have your report of that meeting conveniently at hand?

"A. Yes, I do. Did we go into the date of that?

"Q. We did, but I haven't got a note here which contains the date.

"A. It was on 8-23-51.

"Q. Could I see that for a moment, please?

"A. I will check and make sure. That is the correct one.

"Q. Thank you. The original of this report you have already submitted to us, is that correct?

"A. Yes.

"Q. It concerns the *Arts, Sciences and Professions Council, Medical Division,* meeting at 406 South Fulton Street, Los Angeles. Do you know whose residence that was?

"A. At that time it was the residence of Ronald and Lee Sutton.

"Q. Would you kindly turn to page 2 of the report and refer to some language there in relating to a conversation which occurred in your presence and hearing, between Mrs. Eleanor Abowitz and Dr. Max Schoen—that is Mrs. Murray Abowitz—do you have that before you?

"A. Yes, sir, I have.

"Q. Will you state what the substance of your report is in that regard?

"A. The meeting had been called to discuss the writing of a letter to be sent to the entire ASP membership, that is, the *Arts, Sciences and Professions Council.* Then they were to prepare another letter that would be sent to all members of both medical and dental associations. It was the time of the House Un-American Activities Committee hearings. They wanted to state the position of the doctors under subpoena and, of course, gain sympathy for them. The proposed plan was that the doctors under subpoena should sign the letters. Dr. Max Shoen thought that the letters should be signed by the executive director of the *Arts, Sciences and Professions Council.* They got into quite a discussion. During the discussion as to who actually would sign the letter, Mrs. Abowitz, Mrs. Eleanor Abowitz, more or less took charge of the meeting and stated no group could possibly come to an agreement when there was so much haggling over minor points. This is a 'There is a lack of discipline in the organization which must be remedied.' Then she turned to Dr. Shoen and said, 'Max, you are deviating.'

"Q. What did he say?

"A. He didn't say anything. That ended his discussion for the evening.

"Q. Will you turn to the report of your attendance at a meeting of the *Arts, Sciences and Professions Council* office on October 30, 1951, concerning a statement by a woman named Eugenia Wolfson, do you recall that?

"A. Yes, I do.

"Q. Will you turn to it, please?

"A. Yes. Would you like to see it first?

"Q. Yes, please.

"A. This is a copy of the reports in your files.

"Q. Was Dr. Schoen at this meeting?

"A. Yes, he was.

"Q. I direct your attention to the last paragraph on page 1 and ask you to discuss that incident. As I understand it, that occurred in your hearing and presence?

"A. Yes, it did. Eugenia Wolfson was an active member of the *Arts, Sciences and Professions Council, Medical Division.* In fact, she was also on the Executive Board.

"Q. With you?

"A. Yes, at the time I was serving on the Executive Board. They were attempting to start an agitation program for the young negro doctors and encourage them to try to force admissions to hospital staffs and what-have-you. During the course of the discussion, she made the remark, as one of the laboratory technicians in the research laboratory at the Cedars of Lebanon Hospital, she had an opportunity to go out and do some necessary experimental work in the atomic energy laboratory at U. C. L. A. She said in the future she anticipated making additional visits. She said it would provide an excellent opportunity to gather some vital information, which, of course, she intended to turn over to the *Arts, Sciences and Professions Council.*

"Q. Medical Division?

"A. Medical Division, to use in their peace committee propaganda move.

"Q. Will you please turn to your card index file and look at the name of Phillip Kerby? Do you have it?

"A. Yes.

"Q. Do you know who Phillip Kerby is?

"A. It is my understanding he is an officer or editor, or something, of the magazine called *Frontier.*

"Q. Published in Beverly Hills?

"A. Yes.

"Q. How do you spell that?

"A. K-e-r-b-y.

"Q. Have you been in any meetings of any of the organizations you have already described at which he was also present?

"A. Two of them, yes, sir.

"Q. What were they?

"A. The first one was on the 12th of February, 1952. It was the *Citizens Committee to Preserve American Freedoms.* It was a big meeting held at the Arlington Theater. Mr. Kerby was one of the speakers at the time. Here is the report on it.

"Q. Were the following persons among those present on that occasion? Dorothy Marshall?

"A. Yes.

"Q. Dr. Fred Reynolds?

"A. Correct.

"Q. Sam Houston Allen?

"A. Correct.

"Q. Averill Berman?

"A. Yes.

"Q. Dr. Richard Lippman?

"A. Correct.

"Q. Dr. Marvin Sure?

"A. Correct.

"Q. Mrs. Marvin Sure?

"A. That is correct.

"Q. Dr. Sol Wolfson?

"A. That is correct.

"Q. Lee Bachelis?

"A. Correct.

"Q. Phillip Kerby?

"A. Correct.

"Q. Dr. Murray Abowitz?

"A. Correct.

"Q. Dr. and Mrs. Max Schoen?

"A. That is correct.

"Q. Hy Moskowitz?

"A. That is correct. He was the director of the West Hollywood Chapter of the *Civil Rights Congress* at that time.

"Q. Did you attend any other meetings at which Mr. Kerby was also present?

"A. Yes. We discussed the Statler Hotel meeting in yesterday's testimony. It was the *Women for Legislative Action* conference.

"Q. That was the one where Dorothy Healey was present?

"A. That is correct.

"Q. And John Despol asked her to be removed and he was the only one who voted for it so he removed himself in protest?

"A. That is correct. The *Frontier Magazine* was more or less a co-sponsor of that meeting, In fact, the meeting, the conference, went by the name of 'Frontiers of Freedom.'

"Q. Didn't you testify yesterday and identify two exhibits as communications or advertisements from *Frontier Magazine* that you received gratuitously and without solicitation, but after you had affiliated with the organizations you have mentioned?

"A. That is correct. Mr. Kerby was also keynote speaker at that conference.

"Q. At the Statler Hotel?

"A. That is correct.

"Q. Would you turn to the card for Mr. Gifford Phillips?

"A. The only reference that I have to Mr. Gifford Phillips is the fact that he had been listed to be the keynote speaker. And it was announced that due to the illness of his mother, he would not be present, and Mr. Kerby was taking over.

"Q. That was at the Statler Hotel affair?

"A. That is correct. On October 17, 1953.

"Q. Is Mr. Gifford Phillips also connected with the *Frontier Magazine*?

"A. I understand he is, yes, sir.

"Q. When you first joined the *Arts, Sciences and Professions Council,* Mrs. Drader, who persuaded you to join, if anyone. I mean outside the members of this committee and its representatives?

"A. At that general membership meeting on December 2, 1950, Dr. Milton London, Milton Z. London, came over and introduced himself to me, He chatted, he asked me what my work was. When he found out I was allied with the medical profession as an X-ray technician, he very strenuously urged that I join the *Medical Division of the Arts, Sciences and Professions Council.*

"Q. Which you did?

"A. Which I did.

"Q. Reverting for a moment to Mr. Martin Hall, did he ever tell you he worked in the German underground before he came to this country?

"A. Yes, he did.

"Q. Can you tell us when he made that statement to you and under what circumstances?

"A. I had been attending the analysis of the news of the week. Martin Hall was the weekly speaker. They were held at the First Unitarian Church. It was just a regular weekly affair. They would have his analysis of the news of the week, and then a short intermission,

and we would go out in a little patio and wander around and then meet back in the church for a question and answer period. We could fire questions at Martin Hall, which he would answer. He was chatting with me during one of the intermission periods. We discussed the fact that he had previously in Europe enlisted as an educator and now he was doing lecturing work in this country. He had more or less been blacklisted, as he put it, from teaching in any of the schools. He said, in fact, he had gotten away from the teaching profession during the Hitler regime in Germany when he became active in the underground movement in Germany.

"Q. I will be through in just a moment, Mrs. Drader. I want you to identify, if you can, two or three exhibits that came to my attention after the conclusion of yesterday's session. The first is a booklet entitled, 'Souvenir Journal of the Conference on Economic Rights for Negro Women.' Can you identify that for me?

"A. Yes. I did not attend the conference, but when I joined the *Negro Labor Council* at the specific request of Dr. Max Schoen, I was presented with this pamphlet. It was just a little special journal describing their position on discrimination.

"Q. It contains greetings, several pages of greetings and congratulations from various enterprises and individuals?

"A. That is correct.

"Q. On one page it contains columns of probably 150 names of people sending congratulations, is that right?

"A. That is correct.

"Mr. Combs: I ask that this be received as the committee's exhibit next in order.

"Chairman Burns: I will be so received.

"Q. (By Mr. Combs): I hand you a paper entitled, 'Public Interest Paper, Number 3, Published by the Science and Education Division of the Southern California Chapter, National Council of Arts, Sciences and Professions,' dealing with the case of Janet Stephenson, Academic Freedom at U. S. C., and ask if you can identify that?

"A. Yes, Mr. Combs. I purchased this at a meeting of the *Arts, Sciences and Professions Council* held November 20, 1953, at the Embassy Auditorium.

"Mr. Combs: I would like to have this received as an exhibit also, Mr. Chairman.

"Chairman Burns: It will be admitted.

"Mr. Combs: The next document is entitled, 'Policy and Program, National Council of Arts, Sciences and Professions Council,' on the back page of which it gives the address of the national headquarters, 35 West 64th Street, New York 23, New York. I will ask you if you can identify that?

"A. Yes, I can. This was also secured at one of the many, many meetings I attended of the *Arts, Sciences and Professions Council.* It sets forth their policy and program. This was a new one issued for 1954, which I received at the Embassy Auditorium on the same date, November 20, 1953.

"Mr. Combs: I would like to submit this, Mr. Chairman, as the next exhibit in order.

"Chairman Burns: It will be admitted.

"Mr. Combs: Senator Burns would like to ask you a few questions.

"Q. (By Chairman Burns): Mrs. Drader, for the record I would like to have you identify Mr. Daniel G. Marshall in any of the meetings which you atttended.

"A. Yes. Daniel G. Marshall was the chairman of the *Conference to Defend the Rights of Foreign Born Americans,* February 7, 1953, which was held at the Park Manor, 607 South Western, and acted as chairman of the conference.

"Q. Mrs. Marshall has also been in attendance at several of the meetings, I think you have testified to that?

"A. I have seen Mrs. Marshall more often than I have seen Mr. Marshall.

"Q. To the best of your knowledge, that is the same Mr. Marshall who has been acting as counsel for many of the witnesses that we have had here at this meeting?

"A. Definitely the same. There is no doubt in my mind. Mr. Marshall also attended the *Women for Legislative Action* conference that we just discussed, 'The Frontiers of Freedom,' at the Statler Hotel, October 17, 1953. His wife acted in the capacity of chairman. This was the same meeting at which Dorothy Healey was quite well received.

"On January 10, 1954, Daniel G. Marshall attended the meeting of the *Citizens Committee to Preserve American Freedoms* at the Cosmopolitan Hotel. That meeting was called on the same evening when your committee was completing its hearings on Communist infiltration into the school system at the first part of this year. Mr. Marshall was there. It was primarily one of those protest meetings that they have after a hearing, these sort of hearings. His wife, Dorothy Marshall, also attended.

"Daniel G. Marshall was also present at the testimonial dinner for Stephen Fritchman, which was sponsored by the *Community Medical Center* at the Park Manor. Those are the places where I have seen him.

"Chairman Burns: Mrs. Drader, before you leave the stand, I want to take this opportunity on behalf of the Senate committee and the entire Senate of the California Legislature, to express our appreciation for your work, which was outstanding, a job well performed, not only as far as the committee is concerned, but is an outstanding public

service. The small compensation the committee was able to pay you did not in any way begin to compensate you for the outstanding services you have rendered both for the committee and to the State of California. I want you to know that we deeply appreciate your services.

"The Witness: Thank you, sir.

"Chairman Burns: Thank you, very much.

"Mr. Combs: Thank you, Mrs. Drader. May the witness be excused?

"Chairman Burns: The witness may be excused.

"Mr. Combs: With the understanding that the continuing subpena will remain in effect.

"Chairman Burns: Yes.

"Mr. Combs: Mr. Chairman, in order to make clear the somewhat complicated development of the *Arts, Sciences and Professions Council,* I have had the committee's secretary prepare excerpts from the committee's reports for the years 1947, 1948 and 1949, in which we traced the genealogy of this particular organization. So for the purpose of making it very clear exactly how this organization developed and how it changed its name from time to time, although the objectives and controls remained the same, I should like now to read into the record these excerpts from the three published reports of this committee for the years 1947, 1948 and 1949. From the 1947 report the material commences on page 236. I do not have the pages, unfortunately, for the other two reports, but the pages can be found in the indices to those particular volumes. The material is as follows. Of course it is quoted.

"1947 report: The initial meeting of the *Progressive Citizens of America* at the Embassy Auditorium in the City of Los Angeles on the evening of February 11, 1947, was, actually, a consolidation of the Communist fronts, the *National Citizens Political Action Committee* and the *Hollywood Independent Citizens Committee of the Arts, Sciences and Professions.*

"Seven girls occupied tables in the lobby of the auditorium. Each person entering the building was asked to sign a card and was given a numbered ballot containing 133 names from which an executive board for the proposed organization was to be elected. The list was allegedly prepared by Edward Mosk, chairman of the steering committee for the organization, Ben Margolis and others.

"Jo Davidson was introduced and spoke on the purposes of the meeting and the proposed organization of the *Progressive Citizens of America.* He stated that the Democratic Party had sold everyone down the river and had irretrievably strayed from the path blazed by Franklin D. Roosevelt. He admitted that the proposed new organization, the *Progressive Citizens of America,* was already being criticized because

of known Communists among its members. He brushed this criticism aside by stating, 'We liberals cannot waste time kicking out the Communists. If we did, we would not have time to put over constructive policies.' He was not in favor of ousting the Communists.

"Bert Witt stressed the economic advantage of merging the NCPAC and HICCASP under the banner of the PCA, stating that the new organization will be able to accomplish more with less money.

"1948 report: 'When the *Hollywood Democratic Committee* faced exposure as a Communist front, it simply changed its name and continued to do business with the same personnel.

"A meeting of the *Hollywood Democratic Committee* was held on April 31, 1945, in the American Legion Hall at 205 North Highland Avenue, Los Angeles. Among those active at this meeting was Eleanor Abowitz, whose record of Communist activities is both long and consistent. The proposition changing the name of the *Hollywood Democratic Committee* was first publicly put forward at this meeting.

"On June 5, 1945, another meeting was held at Warner Bros. Studio No. 3, located at 5833 Fernwood Street in Hollywood. Among those present were John Howard Lawson, Albert Dekker, John Cromwell, Lionel Stander, Orson Wells, and Dr. Franklin Fearing. Orson Wells again suggested that the name of the *Hollywood Democratic Committee* be changed, and proposed that the organization be called the *Hollywood Independent Citizens Committee of the Arts, Sciences and Professions.*

"On the following evening, Orson Wells' suggestion was voted on and the *Hollywood Democratic Committee* became the ***Hollywood Independent Citizens Committee of the Arts, Sciences and Professions.*** Thus an old Communist front was given new life under a new name.

"Ultimately the *Hollywood Independent Citizens Committee of the Arts, Sciences and Professions* joined hands with the CIO Political Action Committee to form the new political Communist front, the *Progressive Citizens of America.*

"1948 report: Your committee also finds that the *Arts, Sciences and Professions Council* is a basic Communist front, with a long record of succession from other Communist fronts.

"The council was formed in the summer of 1948 as a split-off from the *Progressive Citizens of America,* which, at that time, dissolved and merged into the Communist-created and controlled *Independent Progressive Party.*

"The *Progressive Citizens of America* in turn, was the product of a merger in Chicago, September 28 and 29, 1946, of the *Independent Citizens Committee of the Arts, Sciences and Professions* and the *National Citizens Political Action Committee,* both of which have been cited by

this committee as Communist fronts and the citations documented in detail in the committee's 1947 and 1948 reports.

"In California, the *Hollywood Independent Citizens Committee of the Arts, Sciences and Professions,* the western unit of ICCASP, was in turn successor in a series of Marxist-Leninist-Stalinist reversals of policy and change of name that consistently followed the Moscow Communist line of the moment, to the *Hollywood Democratic Committee,* the *Hollywood Anti-Nazi League,* the *Hollywood League for Democratic Action,* and the *Hollywood Motion Picture Democratic Committee*—all of which have been cited by this committee as Communist fronts, and the facts completely and carefully documented.

" 'This series of Communist fronts followed the Communist line with meticulous and subservient precision through the 1935 to 1939 Communist line of a 'united front from below against Fascism' into the August, 1939, to June 1941, anti-preparedness line during the period of the Hitler-Stalin Pact; made the switch to all-out 'peoples' war' policies as ordered by Moscow when the Kremlin was attacked; and finally, switched again to the 'united front against the U. S.' which was ordained by the Comintern from Moscow in 1945.

" 'The committee finds that the individuals now involved in the *Arts, Sciences and Professions Council,* have a long record of duplicity and betrayal of the interests of labor, minority and liberal groups, whom they attempt to speak for with typical Stalinist effrontery. Particularly callous was their betrayal of Jewish victims of Nazi persecution during the Hitler-Stalin Pact.

"In August, 1945, June Hoffman, representing the Cultural Section of the Communist Party at its New York State Convention, declared proudly: We built the *Independent Citizens Committee of the Arts, Sciences and Professions,* and it is a great political weapon."

"On August 2, 1948, Louis F. Budenz, former managing editor of the *Daily Worker,* testified before the Senate Subcommittee of the Committee on Expenditures in the Executive Department as follows:

> " 'The Independent (Citizens) Committee of the Arts, Sciences and Professions was worked out originally in my office in the *Daily Worker.* It was worked out by the Cultural Commission of the *Daily Worker,* of which Lionel Berman, the Cultural Section organizer for the party, was a member, and he was entrusted not only by that meeting but by the political committee, as a result of these discussions, with the task of forming the Independent Citizens Committee of the Arts, Sciences and Professions.'

"I insert that in the record, Mr. Chairman, because it is taken from the published reports of the committee. It serves to clarify the development and genealogy of that particular organization.

"Chairman Burns: Very well.

"Mr. Combs: In corroboration of the testimony of Dr. Louise Light Silver I wish to direct the committee's attention to a recently published transcript of the House Committee on Un-American Activities, Part I, May 28, 1954, page 6008, at which the testimony of a witness named Elizabeth Boggs Cohen is set forth. In her testimony which was taken in Seattle, Washington, in May of this year, she identifies as Communist Party members: Dr. Louise Light, Dr. Murray Abowitz, Dr. Leo Bigelman, Dr. Edward Katlow and his wife Beatrice, Dr. Simson Marcus, Dr. Hyman Engelberg, Dr. Gordon Rosenblum and wife, Dr. Jacob Bruckman, Dr. Sidney Goodman and Dr. Jack Nedleman. Elizabeth Boggs Cohen testified at one time she was assigned to a medical group in Los Angeles, a medical group of the Communist Party, at which she attended closed meetings of the Communist Party and at which those individuals also attended.

"Mr. Chairman, before we proceed with the interrogation of the next witness, I wish to introduce also into the record a photostatic copy of a document which I received from the State of California, Department of Public Health. The document sets forth the staff of the *Community Medical Center*. It is given pursuant to a request made in February of this year. This letter is from Gordon R. Cumming, Chief, by John R. Derry, Assistant Chief of the State of California Department of Public Health. Among those listed as having been staff members are Alexander M. Riskin, Oner Barker, Leo Bieglman, Sidney M. Kolodny, who testified as a witness and stated that he had never been affiliated with the Communist Party, Harold Koppelman, Richard Lippman, Milton London, Irving Madoff, Thomas Perry."

Also the committee obtained lists of members of the medical staff of the *Community Medical Foundation* from its own literature in which the following people are mentioned as staff members, or as having been staff members: Alexander M. Riskin, Wilbert Z. Gordon, Hyman Engelberg, Harold Koppelman, Alexander Pennes, Milton Z. London, Milton Leonard Lester, Ken Hartford, Irwin Cole, Oner Barker—I mentioned his name—Thomas L. Perry, E. Richard Weinerman, who, on the letterhead, was listed as a member of the Advisory Committee.

TESTIMONY OF DR. MARDEN A. ALSBERGE, M.D.

"Q. (By Mr. Combs): Dr. Alsberge, you are a physician and surgeon licensed to practice your profession in California?

"A. That is correct.

"Q. Where did you obtain your medical degree, Doctor?

"A. At the College of Medical Evangelists, Los Angeles, California.

"Q. What year?

"A. 1935, sir.

"Q. You have practiced your profession in this State for how long?

"A. Since 1935, sir.

"Q. Are you a general practitioner of medicine?

"A. I am, sir.

"Q. Your office is located in Glendale?

"A. It is.

"Q. You are a member of the Los Angeles County Medical Association?

"A. That is correct.

"Q. How long have you been a member of that organization?

"A. Since 1938.

"Q. Are you now or have you ever been a member of the Communist Party or the Communist Political Association?

"A. I have not, sir.

"Q. Dr. Alsberge, have you been in the armed forces?

"A. Yes, sir.

"Q. During what period of time?

"A. I served for about 12 to 13 years in the Reserve Corps, during which time I was on active duty with the United States Army from January 15, 1941, to the spring of 1946, a little over five years on active duty.

"Q. Did you serve overseas?

"A. I did, sir, in all three theaters.

"Q. It is a fact, is it not—I don't of course wish you to go into any detail in this connection—that you were attached to Military Intelligence?

"A. That is right, sir.

"Q. Did you have a commission in the Military Intelligence at the time you were discharged?

"A. My commission was in the Medical Corps, sir.

"Q. I understand, but at the time you were discharged from the Army, what commission did you hold?

"A. Lieutenant Colonel, sir.

"Q. During the time you were in the Medical Corps, did you also perform services for Military Intelligence in a general way?

"A. I would say in rather a specific way, sir.

"Q. Is it not a fact, and I think you can answer this question yes or no, although I don't wish to compel you to do so, but I would appreciate it if you would give a yes or no answer if possible. Is it not a fact that while serving in the European theater, some of the intelligence work performed by you had to do with counter-subversive activities?

"A. Yes, sir.

"Q. When you returned to the United States, Dr. Alsberge, did you receive an honorable discharge from the service?

"A. That is correct, sir.

"Q. Did you then become interested in the problem of counter-subversive activities in California?

"A. Definitely, sir.

"Q. How did you happen to continue your interest in that regard?

"A. My interest in that regard, sir, because of my activities previously mentioned and not described in more detail, but it rather came from information which passed through my hands, which I obtained from other sources and resulted, shall we say, in a very definite study of Communism. I tried to establish myself in some way so that I would be able to understand Communist propaganda and Communist techniques, plans and tactics.

"Q. In pursuance of that objective did you procure and study Communist documents and publications of various kinds?

"A. I received the *Daily People's World* regularly for several years, sir. At times, when I thought it was necessary, depending on the situation and the trend of so-called political affairs, I received the *New York Worker.* In order to keep up with political affairs and as far as publications are concerned, I became a frequent visitor to the progressive book store on West Seventh Street.

"Q. In this city?

"A. Yes, sir. I believe it is West Seventh Street.

"Q. That is correct.

"A. 1806.

"Q. That is absolutely correct. Did you become concerned about the problem of Communist infiltration of the medical profession in Los Angeles County?

"A. Yes, sir.

"Q. When did your concern with that situation originate, approximately?

"A. The beginning point, the original concern, I would say, was about 1947.

"Q. Did you discuss your apprehensions with other medical men?

"A. Subsequently, when I had established in my mind the extent of the situation and had obtained at that time enough information that I could turn over to them in a concrete form, sir.

"Q. Did you do so?

"A. I did.

"Q. Did you endeavor to persuade some of your colleagues in the profession to attend some typical meetings that you had been concerned about to see for themselves what went on?

"A. Yes, sir, that was the purpose. It was to educate them and show them other aspects of our life in this country.

"Q. Did those gentlemen testify before the committee on the first two days of these hearings?

"A. Some of them did. All of the gentlemen who testified, to the best of my recollection, attended meetings with me at my request, sir. But what I meant to say, those were not all of the physicians and surgeons who have attended meetings with me over a period of years.

"Q. Did you receive through the mail, together with other members of the medical profession—I don't know how many and you can correct me if I am in error—some literature concerning an organization known as the *Committee for the Defense of Professional Licensure?*

"A. That is correct. That was in May of 1949.

"Q. And do you have the documents with you which you received?

"A. I have it, sir.

"Q. May I see, please?

"A. You may. (Handing document to counsel.)

"Q. Are the notations in handwriting on the document your notations?

"A. They are, sir.

"Q. Do you know whether or not this particular document received rather wide dissemination among the members of the medical profession in Southern California?

"A. It was my impression that a good share, if not all of the entire membership of between five and six thousand members of the Medical Association of Los Angeles County, received it. I base that statement on the fact that, I think, with one exception, all of the men of whom I have inquired received one. I am not cognizant of exactly how many were mailed.

"Mr. Combs: Mr. Chairman, I wish to identify this document. It is entitled, 'Emergency Meeting, Hollywood Women's Club, Tuesday, May 31, 8:15 P.M., 1749 North La Brea Boulevard, just north of Hollywood Boulevard, open to all members of the profession.' It lists sponsors. The list includes the following names: Dr. P. Price Cobbs, Dr. Hyman Engelberg, Dr. Edward Katlow, Dr. W. Z. Gordon, Dr. Murray Abowitz, Dr. Thomas L. Perry, Dr. Alexander Riskin, Dr. Max Schoen, and others. The address of the *Emergency Medical Clinic for the Defense of Professional Licensure* is given as 1210 South La Cienega Boulevard, Los Angeles 35, California.

"Q. Dr. Alsberge, did you attend that meeting?

"A. I did, sir.

"Q. Did you go alone or did you go with other people?

"A. As a result of a previous study of the situation that we were faced with, and recognizing a number of names on this document, I

requested the officers of the state association and of the county association, both past and present at that time, attend the meeting wih me merely to inform themselves as to what the purpose of the meeting was, and they were so informed at the meeting.

"Q. They did go and attend with you?

"A. Yes.

"Q. Did they remain during the entire meeting?

"A. Yes, sir.

"Q. Will you describe the meeting generally, if you please. Of what did it consist?

"A. In general, the meeting consisted of a group of physicians and dentists in response to the invitation that had been mailed to them by the *Emergency Committee for the Defense of Professional Licensure.* The tenor of the meeting, of course, was an attack upon the then pending bills in the State Legislature which would have required, as I understood it, a certain statement as to loyalty to this country and the fact that they did not belong to any organization that advocated the overthrow of the government by force and violence. The general tenor of the meeting, however, far exceeded that. This was in 1949. I am not an avid note taker, so I will have to rely on memory, but I think it is pretty good on a few statements. I know these are accurate because it stuck in my mind because I was being further educated. One speaker made a statement that he had been in Germany under Nazi persecution and that the statutes and laws upon our books at the present time and now in the legislative bodies, were worse than anything Hitler had ever passed at the height of his power. I thought I was immune to some of these statements, but that one did startle me, sir, because I, too, was in Germany, and I, too, was through Flossenberg.

"Chairman Burns: Let me interrupt you, Doctor. To be more specific, this committee at that particular session of the Legislature introduced legislation providing for loyalty oaths for committees of public agencies. It also introduced legislation providing for loyalty statements by licentiates of the Department of Professional and Vocational Standards.

"The Witness: That was Senate Bill No. 298, sir.

"Chairman Burns: I was one of the authors of that.

"Q. (By Mr. Combs): Doctor, will you continue, please?

"A. Another statement made was that there was a secret underground tie-up between many of the members of the United States Senate and the neo-Nazi organization in Germany. That came as a surprise to me. It was news to me.

"Q. Did you make any statements at the meeting yourself, Doctor?

"A. Mr. Combs, this continued for about two hours. When we arrived at the meeting, in every chair was placed a blank telegraph

sheet. During the meeting, or at the opening of the meeting, they requested that every professional man and others, of which there were some present, fill out a telegram and send it to the members of the Assembly districts and of the Senate, of which they conveniently listed the names with the Assembly districts. I noticed there was a fairly good percentage of the people present in the audience as guests under the pressure of this mailing who were filling out these telegrams.

"I did something that I am not in the habit of doing. At the end of the meeting, I walked up to the speaker's platform and up to the speaker's podium, and told Dr. Wilbert Z. Gordon, who was chairman of the meeting, that as long as they had told us for two hours that this was a meeting called to discuss freedom of speech, that I thought it only fair to allow me a few minutes at least for the other side of the proposition. So I took those few minutes. At the end of five minutes I was told my time was up. But the audience was rather vocal and demanded that I be permitted to continue. Without going into detail, I did give to the audience a bit of the background of some of the sponsors of this meeting. I gave just a brief experience of my own in Germany in Flossenberg. I gave a comparison which I think is absolutely accurate, that I could see no between Communism and——

"Q. What was that experience, Doctor?

"A. I was with the Infantry, sir. I went through the Ruhr campaign with a Division of Reconnaissance troops, which is a mechanized cavalry division which is to spearhead behind the lines and disrupt the enemy. We went into the Flossenberg Concentration Camp so rapidly that we captured a fair percentage of the SS guards of that camp. At the back of the camp there was a huge crematory. It was very crude, but the capacity was pretty good. It is hard for me to estimate, but there must have been in the neighborhood of a hundred bodies still stacked there ready for cremation. We pulled out 14 miserable souls who were still breathing. It was my belief that this thing had been going on and that is what caused me to ask for active duty, pounding on the door with my reserve commission in the fall of 1940, before the National Guard was inducted, because of the dangers of Nazis. But to return home and find a far more insidious penetration into American life, than the Nazis were ever able to achieve, concerned me very deeply. It gave me an opportunity to more fully elaborate on your question as to why I became vitally interested in this particular matter here.

"Q. When you attended the meeting which you have described and when you heard the United States ridiculed and compared with Nazi Germany, you arose at the conclusion of the meeting to exercise the free speech which had been advocated at the meeting?

"A. And to which I had been invited, sir.

"Q. And to which you had been invited, and you took up the cudgel for the other side of the proposal to the best of your ability?

"A. Yes, sir.

"Q. After that meeting, did you continue to attend meetings in order to acquaint yourself with the nature of this problem?

"A. Yes, sir.

"Q. How long did you continue to do that?

"A. Off and on, sir, for a period of—well, up until, I would say, this year. I mean, that type of meeting, Communist pre-election rallies, civil rights meetings, *Arts, Sciences and Professions Council* meetings. I tried to make it a point to be present at the meetings at which the members of my profession were to be active. I might add that my source of information for a good share of the meetings was the *Daily People's World* in Los Angeles, in which the meetings were announced to the public, so I freely went.

"Q. Did it strike you as significant at all that at the meetings you attended you saw the same people over and over again?

"A. Mr. Combs, that was the thing that struck me in the face. It really struck me to attend a Communist pre-election rally and then later attend a meeting of the *Arts, Sciences and Professions Council,* and over a period of years, at a rather large number of meetings of these organizations, to see a large number of individuals who were in constant attendance from one meeting to another. Bearing in mind, of course, there were new faces added at the *Civil Rights Congress* for their particular interests, and the *ASP* for their particular interests, but the individuals who acted as ushers, who took the collections, who seemed to be most active in the organizations, the faces were the same wherever we went.

"Q. In your opinion, did that establish a pattern of a sort of interlocking directorate that manipulated these various organizations?

"A. When we take into consideration the fact that the speakers were frequently the same, I think the interlocking directorate was rather well established.

"Q. Do you campaign to seek to place Dr. Hittelman in one of the offices of the Los Angeles County Medical Association?

"A. I remember it very well, sir.

"Q. Did you receive any documentary material in that connection?

"A. I did, sir, in the mail.

"Q. Will you produce it, please?

"A. Yes, sir.

"Q. The witness has handed to me a document entitled, 'Committee for the Election of Robinson and Hittelman, 4070 Crenshaw Boulevard,

Los Angeles 8, California.' Was this document also widely disseminated among members of the medical profession?

"A. I think I should explain that, Mr. Combs. The Los Angeles County Medical Association, whenever it holds an election or passes upon an important program, canvasses its entire membership for a vote. Annually, there is held a nominating meeting which is now in the hands of a council 35 or 40 members, but I want to point out that when the nominating committee presents a list, any member can present a nomination of any other member of the association. As a result, many members sometimes run for the same office. Here is what occurred at this point. An individual, with whose background I was quite familiar, nominated another doctor, with whose background I was quite familiar.

"Q. Who nominated him?

"A. May I refer to my notes, sir, because I want to be accurate?

"Q. Surely.

"A. Dr. Wilbert Z. Gordon nominated Dr. Joseph Hittelman.

"Q. On the bottom of this document which has been handed to me, I notice a list of partial sponsors. I do not intend to read the entire list, but I do intend to read the names of those people who have already been mentioned and identified before the committee at this hearing. They are as follows: Dr. Murray Abowitz, Dr. Franklin E. Bissell, Dr. P. Price Cobbs, Dr. Bruckman, Dr. Engelberg, Dr. Feder, Dr. Joseph Hittelman, Dr. Wilbert Z. Gordon, Dr. Simson Marcus, Dr. Frederick G. Reynolds, and Dr. Alexander M. Riskin.

"Chairman Burns: May I ask a question here? It had not been the practice of nominees for office of the Los Angeles County Medical Society to campaign and conduct a campaign for election up to this point?

"The Witness: I would have to differ with you, Senator. There isn't much difference between a doctor running for office in the county medical association and running for the Office of Senator of the State of California. The campaigns become quite active. I have received as high as 20 different missives in a campaign for one doctor or another, from the groups sponsoring them in the campaign.

"Chairman Burns: Groups within the association?

"The Witness: Groups within the association and groups of doctors supporting certain candidates, for the policies that they might represent, which, to me, seems to be a rather democratic way to handle it.

"Chairman Burns: All right.

"Q. (By Mr. Combs): Dr. Alsberge, have you been in attendance at all of the sessions that have been held by this committee on the occasion of this hearing?

"A. I have, sir.

"Q. Have you heard all of the testimony?

"A. With the exception of stepping out for a drink of water or something like that, I have been in attendance, sir.

"Q. Were you present and did you hear the testimony concerning the alleged fact that the *Community Medical Center* was the only low-cost medical clinic in Los Angeles County?

"A. I heard that testimony, sir.

"Q. You heard that?

"A. Yes, sir.

"Q. Do you practice in clinics?

"A. Not at the present time, sir.

"Q. Did you ever?

"A. Yes, I have.

"Q. Are you able to give us any information concerning the accuracy of the contention that the *Community Medical Center* is the only really low-cost clinic in Southern California?

"A. I believe the testimony added inter-racial, sir.

"Q. That is correct.

"A. I think the record should be kept straight. There are in Los Angeles County, to the best of my knowledge, roughly 200 clinics attached to hospitals, or separate clinics and allied institutions for the care of citizens of Los Angeles who are unable to pay part of their medical fee, or none of their medical fee. In other words, what I mean to say is, that these clinics charge the patient a greatly reduced fee or none at all. These are staffed by the doctors of Los Angeles County in most cases without charge for their services.

"I don't think the *Community Medical Center* can be considered as uniquely having a clinic that helps people who need help. To the best of my knowledge, none of these could be described in any other way than that they are inter-racial. I have been in attendance at many of them, sir, as an observer, and I have worked in some.

"Q. As a matter of fact, at my request you made it your business to get statistical information that was accurate concerning the problem, did you not?

"A. I did, sir, to the best of my ability.

"Q. In the last two or three days?

"A. That is correct.

"Mr. Combs: I think that is all, Mr. Chairman, unless the witness has something to add.

"The Witness: Mr. Combs, after listening to the testimony for this week I don't think there is a great deal that needs to be added, except to make a few points for the record in answer to the testimony given. Number one, of course, I am not an officer of the Los Angeles County Medical Association. These doctors who attended these meetings did so

at my request with, I think, one exception. They attended in their capacities as doctors of medicine. However, the meetings themselves plus such additional information as I was able to furnish them, caused them about a year ago to request this committee to carry out an investigation. We doctors are not investigators, but we are very deeply concerned with what we thought was a Communist penetration in medicine. I believe the committee has established that fact. We are concerned, sir, not over any of the issues raised in the middle of this hearing. I want to re-emphasize that I speak as an individual and as many of my colleagues as I know personally. We are concerned because in civilian defense a great part of it is medically set up in the medical profession; in most cases the medical association is the only one to know who should fill certain positions as regards their professional qualifications. In atomic research there is a great deal of medical work connected thereto, not just in radiation therapy, but it is necessary for physicians to be allied, I would imagine, with all atomic research, in order to prevent injuries to the men on the job and the scientists themselves.

"There is another thing. Having been proud of my military service, there is another thing that concerns me a great deal. We are the only large segment of our society in America who are peculiarly subject to the draft. That is necessary. In an all-out war effort, a third or one-half of the doctors eligible are given uniforms. I can speak very frankly from personal knowledge, that a medical officer in uniform must of necessity have access to plans and tactics at practically all times, because the medical units of the medical officers must keep in constant contact and liaison with the tactical, strategical and supporting units. Knowing from first-hand experience that it is necessary for the medical profession to select the best qualified men, or at least make the recommendations, therefore, it poses a rather great responsibility on the medical profession. The executor of this function must of necessity be the medical association itself.

"We feel that we have a rather grave responsibility in that matter. It is nothing new, Mr. Combs, or Senator Burns. It has been part of our oath, I don't know, for centuries. It is part of the by-laws of the American Medical Association that physicians should expose without fear or favor any incompetent, corrupt or base conduct on the part of members of the profession. I wish to point out that 'they should bear their part in enforcing the laws of the community and in sustaining the institutions that advance the interests of humanity.'

"I believe this hearing, sir, has demonstrated, at least to me, that the request of the Los Angeles County Medical Association made upon this committee a year ago was more than fully justified. If any criticism were made, probably the only criticism that could be made is that

they may have delayed rather long in making the request. All we had to go on was a limited amount of information and it then became necessary to request some governmental agency, and in this case it was the Senate of the State of California.

"I have one other thing to add. This is not the first meeting on this subject that I have attended.

"I wish, together with many of my colleagues, to express to this committee the deep appreciation for the high plane upon which this investigation was carried out. I have nothing further to add.

"Mr. Combs: I have no further questions. Have you, Senator Burns?

"Chairman Burns: No, I have no further questions.

"Mr. Combs: May I make one statement?

"Chairman Burns: Yes.

"Mr. Combs: Which I am sure Dr. Alsberge is too modest to make. I do know something about the enormous amount of work and time that he has expended, and I am sure at a great sacrifice to himself, both from the standpoint of energy and finances as well, in endeavoring to alert members of his profession, not only in the Los Angeles County Medical Association, but also in the medical profession generally, to the seriousness of this problem; and his efforts in arousing their concern and their interest, urging them to attend meetings, correlating their efforts, and pointing up this entire problem. He deserves, in my opinion, the very highest type commendation, particularly when it is understood that he has had first-line professional experience in this field long before we received any communication from the medical association.

"Chairman Burns: Thank you, Mr. Combs. On behalf of the committee, Doctor, and on behalf of the Senate of California, I wish to express our appreciation to you for all of the help and assistance that you gave us in this matter. You have devoted several years of work to it. You have taken time out from the practice of medicine with the highest motives prompting such action. I am sure that you have performed an outstanding public service. We want you to know that we recognize that fact.

"I also want to say, speaking for myself at the conclusion of these hearings, there is no doubt in my mind, pending the complete report and a conference with other members of the committee, that there has been a serious penetration into the so-called health team of California, and especially down here in Los Angeles, by subversive groups and subversive individuals. It is my fond hope that out of this hearing we may be able, by exposure and other methods, to have sloughed off that activity, if not stopped it altogether.

"Before we take a recess in this hearing, the chair wishes to acknowledge publicly the assistance of the Police Department of Los Angeles and the cities surrounding the City of Los Angeles, the sheriff's office, and last but by no means least, the fair and objective reporting and handling of this hearing by the press. I don't recollect at any time during the many meetings this committee has had, that we have had such full cooperation and such factual news reports and press accounts.

"With that final remark I will declare this meeting of this committee adjourned until the call of the chair.

"I wish to thank also the audience who have been here in the main during these hearings and who have conducted themselves as good citizens and good guests.

DOCUMENTARY PROOF

THE CONCEPT OF CLASS WAR

From the exhibits and other written material received by the committee during this hearing, we were able to clearly discern two patterns that coincided in connection with the activities of these Communist fronts: (1) The same propaganda being emitted by all of these groups and all of the well-known Communist publications at the same time; and, (2) the interlocking, smoothly running apparatus dominated by a little elite group that was manipulating these organizations and dominating their entire membership.

We are too prone, in considering these hearings and the lessons to be drawn from them, to overlook the class-struggle element. We have seen that many of the arrogant, defiant witnesses were positively identified as Communists over and over again. They were represented by attorneys who had participated in many of these Communist fronts, and some of whom had also been identified as members of the Communist Party. A sharp distinction between this group of witnesses and the group which preceded them makes very little sense to the layman unless he is acquainted with the idea of class-struggle and its interpretation by every Communist Party member.

Every Communist, from the time he first attends beginners' classes, is imbued with this class-struggle concept, and it is re-emphasized throughout his entire Communist career. It simply means that the Communists consider themselves an elite group; a tightly knit, iron-disciplined little clique that is dedicated to work its will on the rest of us whether we like it or not. They constitute one class, we comprise the other. We are the bourgeoisie, they are the proletariat. Throughout the *Communist Manifesto* this class war theme is hammered home. It has been repeated in all basic Communist literature.

This concept is exceedingly vicious because it teaches every Communist to regard the bourgeois state, its laws, its courts, its government, its beliefs, and, of course, its legislative committees, with hatred and contempt. Communists do not deem themselves bound by bourgeois laws, although they do not hesitate to accept their benefits. From the time they join the party all Communists are taught to regard themselves as Marxian warriors—crusaders pitted against the class enemy in a fight to the death.

Consider, as we draw the lessons from this hearing, that full-time Communist Party officials receive barely enough money to live on, while

working ceaselessly to advance their cause. Consider, too, the Rosenbergs who went to their deaths in the electric chair steadfastly refusing to tell the agents of their own government anything concerning the atom spies who had worked with them against us and for international Communism. One must understand that the Rosenbergs had nothing but contempt for the United States, because it was a bourgeois regime, and hence dominated by the class enemy.

All Communists, we repeat, are thoroughly imbued with this class warfare concept and seize every opportunity to flaunt their defiance. And where could they find a more suitable medium than in a bourgeois court, or before a bourgeois legislative committee investigating un-American activities? The non-Communist witnesses make no such demonstration, but the party members are turned out by the same subversive machinery. They emerge from the same psychological patterns and dies. They learn the same lessons, they utter the same Marxian platitudes, if they are squeezed hard enough in the proper places. They are so accustomed to following directives, disseminating the party line, and conducting themselves as sarcastic, defiant, and contemptuous witnesses before legislative bodies, that their actions tend to become automatic. This somewhat curious phenomenon was very apparent to us in this hearing as it has been in all such hearings we have held throughout the years.

It has often been said that the average Communist Party member really enjoys his role in which he regards himself as a sufferer for the downtrodden, a martyr for the oppressed, a member of this little elite, conspiratorial body of dedicated people who are bound together by the strongest of ties—because the success of their cause necessarily depends upon the reliability of their comrades. Hence the venomous hatred for informers, FBI undercover agents, and witnesses such as Mrs. Drader, Dr. Light, Dr. Kolodny, and Dr. Barker. And, we suspect, some of the party officials are also harboring a trace of rancor toward Dr. Flasher.

Thus, the Communist witness sets himself apart by his own deliberate affiliation, and conducts himself according to the training he has received—and the more fanatically devoted the person, the more intense will be this reaction to a subpena from a committee such as this.

We are not confusing this sort of witness with the self-appointed guardians of our civil liberties who echo parts of the party line, are secretly half-convinced that Communism is a pretty good thing, but who lack the courage to join the party and hence have not been subjected to the same intense training and discipline as the party member. Neither are we forgetting the most dangerous Communist of all—the highly placed, influential "unknown member" selected because he has no documentable subversive record and is so important to the party

in his strategic position that he is known only to a few Communist functionaries. But these latter groups are only tiny fragments of the mass. We are here concerned with the ordinary Communist Party member, whether in one of the trade unions or in one of the professions makes no difference.

Bearing in mind the idea of the class-struggle, and the fact that Communists regard all non-Communists as enemies or potential converts, let us consider some of the documents that were introduced as exhibits, especially with regard to the propaganda they contained.

ASSOCIATION OF INTERNES AND MEDICAL STUDENTS—AIMS

Exhibit No. 4 was an article reproduced from the March, 1950, issue of *Medical Economics*, a publication widely read by members of the medical profession throughout the United States. This article, entitled, "Leftist Minority Woos Future Doctors," shows how this thinly disguised front was used to indoctrinate students in the universities and swing them into the Communist Party orbit.

Formed in 1941 through an amalgamation of two other organizations, AIMS claimed a membership of 2,000 doctors or medical students nine years later, scattered through some 50 medical schools and hospitals. This article includes a photograph of an AIMS vice president leading an American delegation in the Communist sponsored *World Youth and Student Festival* in Hungary in the summer of 1949. This hospitality behind the Iron Curtain, and the information concerning the events which transpired there, remove all doubt concerning the character of the festival. It was run by Communists and for Communists, and brought together students and youth leaders from many foreign countries. In Hungary, they marched in parades bearing huge banners of Lenin, Stalin, Engels, and other notable officials of the international Communist movement. The AIMS vice president issued a statement in which he denounced the American diplomatic personnel in the Iron Curtain countries as nothing more than a spy ring for the United States, and the young American Communists who attended the festival as delegates, and to which the AIMS vice president, Dr. Sheppard C. Thierman, belonged, issued this typical propaganda blast:

> "The threat of war is hatched in the offices of our Wall Street financial lords * * * more than one-third of us (in the United States) are brought up in ugly tenement slums * * * purge committees, often composed of negro-haters and open Fascists, censor our textbooks, plunder our libraries, hound progressive teachers, threaten protesting students * * * to the ever-louder demand of our youth for jobs, all Wall Street can answer is, 'join the Army'."

This exhibit traces AIMS' following of the international party line, lists the records of its officers and advisers, and generally traces the stormy development of this typical front organization, manipulated, as are most fronts, by a determined little clique in charge of its affairs.

After a brief existence at two California universities, the AIMS chapters were discontinued after having been exposed and fumigated. It will be noted that at the beginning of this hearing an excerpt from *The Communist* was read into the record. In it William Z. Foster, now Chairman of the Communist Party of the United States, ordered the party to recruit doctors and other professionals. In obedience to this directive, the Interne Council of America and the Association of Medical Students geared themselves to the task, and ultimately merged to create AIMS. It was successfully operated until its true nature was revealed and since that time has been steadily shrinking both in membership and influence so far as this State is concerned.

DISCRIMINATION SURVEY—ASP MEDICAL DIVISION

Considerable attention was directed by the committee to the ASP Medical Division's questionnaire, sent to hospitals, medical schools and dental schools, in an alleged attempt to obtain data concerning discrimination against racial minority groups.

Dr. Louise Light testified, not only as a former Communist, but as an active member of the medical branch of the professional section of the party. She described how this same group of doctors, some of whom appeared as witnesses at this hearing, created these issues for the sole purpose of luring members of minority groups toward Communism.

We note, too, that the sincere liberal who is genuinely concerned about discrimination, pursues his course in an entirely different manner and on an entirely different plane than do the Communists. He acts without hypocrisy, and scorns to use such social maladjustments for the purpose of employing them as ammunition at inflammatory mass meetings. It is, also, significant that here again one finds the Communists using the same familiar old techniques with monotonous regularity, as though they had hit upon the proper formula years ago and have slavishly followed it ever since. Thus their efforts to stir up social tensions become easily recognized. The true liberal seeks to resolve such tensions; the Communists seek to keep them boiling for obvious reasons.

The booklet, *Yours for a Genuine Brotherhood*, issued by the ASP's Medical Division, contains a list of sponsors. We herewith reproduce that list, and invite the interested reader to look up each name in the index, then turn to the text and read the documented records. The list follows:

Mrs. Charlotta A. Bass
Rev. Ernest Caldecott
Morris E. Cohn
William B. Elconin
Rev. Stephen H. Fritchman
Dr. Sanford Goldner
Mrs. Bebe Grijalva
Joe Johnson
Daniel Marshall
Hugh MacBeth, Jr.
Mrs. Sylvia Miller
Dr. Louis Robinson (D.D.S.)
Virginia Xochitl Ruiz
Dr. Tom Watanabe (M.D.)
Rabbi Abraham Winokur
Mr. and Mrs. Henry Blankfort
Dr. Harry Cimring (D.D.S.)
Rev. Baxter Carroll Duke
William B. Esterman
Mrs. Betty Gardner
Dr. Edna L. Griffin, (M.D.)
Ken Hartford
Raphael Konigsberg
Rev. Howard G. Matson
Carey McWilliams
Sidney Moore
Rev. A. Wendell Ross
Mrs. Sidney Spiegel
Donald C. Wheeldin

FRONTIER MAGAZINE

Mrs. Drader testified that soon after she had joined several Communist front organizations and had become active in them under the name of Jane Dawson, she received two unsolicited communications directed to Jane Dawson from *Frontier Magazine*, 223 South Beverly Drive, Beverly Hills, California. This publication, well financed and issued in a slick format, modestly refers to itself as the State's only liberal publication. Members of its staff are seen at Communist front meetings from time to time, as was shown by the testimony of Mrs. Drader, and its representatives frequently appear as speakers before various organizations, ranging through the political spectrum from deep red to pale pink.

The communications received by Mrs. Drader solicited her for funds, after stating that she would be "especially interested," in the magazine, urged her to immediately send them a blank for a 10-month subscription. Enclosed was a folder in which federal and state committees on un-American activities were condemned, a sensational Hollywood plot was alleged for the secret blacklisting of prospective employees, in which it deplored loyalty oaths, encroachments upon academic freedom and civil liberties, thought control, and criticized practically everything except Communism and Communist Party members.

In discussing the Hollywood situation promised in the May, 1954, issue of the publication, the circular used this language:

> "As you read 'The Hollywood Story,' you will learn the inside, closely-guarded secrets of how the studio 'dossier' machinery is operated and the sub-rosa connections between it, the American Legion, and the House Un-American Activities Committee. The article also documents the curious role of Roy Brewer, the labor leader who became 'straw boss of the purge.' It describes the techniques he has used to overwhelm his labor opposition and discusses

> the amazing 'clearance' system he has set up in cooperation with the Motion Picture Alliance for the preservation of American ideals. You'll read of the strange sidelights of the Hollywood atmosphere of fear: the rumors of 'fix' men who can get clients 'cleared' without publicity * * * the Larry Parks story * * * the role apparently played by certain lawyers and psychoanalysts * * * the 'anti-subversive' public relations 'experts.' "

The issue of *Frontier Magazine* for March, 1955, features an article by Martin Hall, whose actions before the committee speak for themselves, bearing in mind that he was a member of the Board of Directors of the *Arts, Sciences and Professions Council.* The article is entitled, "Hippocrates v. McCarthy," and devotes four pages of vituperation directed against this committee and the Los Angeles County Medical Association. Another article by Laurent B. Frantz, entitled, "Judgment Without Trial," directs a similar brand of castigation against the Supreme Court of California for rendering its decision in the case of *Black* v. *Cutter Laboratories,* discussed elsewhere in this report.

MARTIN HALL'S SPEECH OUTLINE

Exhibit No. 26 is a letter dated August 12, 1951, from Martin Hall, 966½ Palm Avenue, Los Angeles 46, California, addressed to Mrs. Drader as Jane Dawson. It reads as follows:

> "Dear Jane: Enclosed is the speaker's outline which I promised you. I was sick for two days. Hence the delay. Whatever changes the committee wants to make is, of course, all right. I felt that we needed more than a talk based on the pamphlet, *but should include an elaboration on the peaceful alternatives based on ASP pronouncements.* (Committee's italics) I think this can be used for talks of almost any length of time from ten minutes to an hour. Cordially, Martin Hall."

Mr. Hall faithfuly wove through his outline some typical examples of what he referred to as "ASP pronouncements." After dwelling at length on the horrors of atomic war—with which no one in his right mind could possibly quarrel—he then deplores "security measures, the loyalty oaths, the constant surveillance of everybody working in this field * * *." He urges immediate free trade with the Iron Curtain countries; he urges support of colonial and semi-colonial peoples from what he calls "exploitation by imperialist nations;" he criticizes our support of Nationalist China, our air and naval base treaties with Spain, and the arming of Japan and Germany. Mr. Hall has no word of criticism against the Soviet Union, or its establishment of armed, enslaved regimes, or against international Communism. He directs his criticism solely against his adopted country—the United States.

THE CIVIL RIGHTS CONGRESS

Exhibit No. 39, consisting of unsolicited material which Mrs. Drader received in the mail from the *Civil Rights Congress,* Room 709, 326 West Third Street, Los Angeles 13, is typical of this sort of propaganda that is sent to members of any major Communist front organizations. Mrs. Drader, of course, received this package of propaganda under the name of Jane Dawson. The fact that this material came to her after she had been elected to a position of responsibility in the *Arts, Sciences and Professions Council* demonstrates, of course, how the mailing lists are made available by one front to another, as well as to any publications deemed eligible to disseminate such 'stuff' in the opinion of the interlocking directorate that operates the entire apparatus.

We have discussed the *Civil Rights Congress* in previous reports. It is a lineal descendent of the *International Labor Defense,* a subdivision of the Comintern's MOPR, or International Red Aid. In Los Angeles, it publishes an organ known as *The Defender,* edited by Elizabeth Spector, Don Wheeldin, and Rosemary Lusher. Each of them has a long record of participation in many Communist organizations, and Mr. Wheeldin is at present on the editorial staff of the *Daily People's World* in Los Angeles.

In addition to the October 8, 1954, copy of *The Defender,* Mrs. Drader also received in the same package of material a solicitation to join the *Civil Rights Congress* and to subscribe to its organ, announcement of a Christmas dance and carnival to be held under the auspices of the organization at the Park Manor Ballroom on December 18, 1954, and a schedule of sessions comprising a six-weeks' course of lectures to commence on November 6th and end on December 11, 1954, and which was known as the *Civil Rights Workshop.* The schedule of sessions was outlined as follows:

> "November 6, 1954, Civil Rights Struggle in the United States Parts I and II by Frank Spector.
>
> "November 20, 1954, Defending the Constitution by Frank Wilkinson.
>
> "November 27, 1954, What to do when Arrested by Frank Pestana.
>
> "December 4, 1954, Supreme Court Decision Ending Segregation in Schools (Instructor to be announced later).
>
> "December 11, 1954, Organizing Methods for Civil Rights Campaign by David Brown."

Mr. Spector has been a witness before this committee, is a member of the Communist Party, and at present faces deportation from the United States by order of the Immigration Service. Frank Wilkinson appeared as a witness before the committee in connection with its

investigation of Communist infiltration into the Housing Authority of Los Angeles. His Communist Party membership was alleged by several individuals, and when Mr. Wilkinson was questioned in detail concerning the matter, he refused to testify on the ground that his answer would tend to incriminate him. And he was therefore discharged from his employment, and has since been active in several Communist front organizations in Los Angeles County. Frank Pestana, an attorney, has been identified with the Special Section of the Communist Party of Alameda County and now practices law in the City of Los Angeles. David Brown was the executive director for the Los Angeles *Civil Rights Congress*. A short time ago the Los Angeles press announced his mysterious disappearance, vague charges by his wife that he had been kidnapped, Brown's mysterious reappearance and fantastic story of having been spirited away by a group of anti-Communists, and his later effort to commit suicide after issuing a statement to the effect that he had been operating as an informant for the Federal Bureau of Investigation. The FBI immedately issued an announcement to the effect that Mr. Brown had never been in the employ of the Bureau.

ARTS, SCIENCES AND PROFESSIONS COUNCIL BALLOT FOR OFFICERS

Exhibit No. 31, introduced in connection with the testimony of Mrs. Drader, consisted of an official ballot, which she obtained during the period of her membership in the organization, and which was used in connection with an election for the officers of the organization for the year 1951. It is to be noted that the document is entitled, "Southern California Chapter of the National Council of Arts, Sciences and Professions," indicating that the Los Angeles Chapter was merely a subordinate branch of the national organization. This fact is amply documented by many other documents which were received by the committee during the course of the hearing. The candidates for office in the organization were as follows:

> "Treasurer, Dr. Louis Robinson; vice chairman, Jerry Epstein; vice chairman of the Arts, Gale Sondergaard; vice chairman of the Sciences, Dr. P. Price Cobbs; vice chairman of the Professions, Rev. Stephen Fritchman;
>
> "(Vote for Forty)
>
> "*Music*
>
> Sam Albert
> James Arkatov
> Naomi Bass
> Joseph Eger
> Jack Eisenberg
> Jerry Fielding

"Arts and Architecture

Gregory Ain
Robert Alexander
Saul Bass
Edward Biberman
Garrett Eckbo
Max Yavno

"Medical

Dr. Murray Abowitz
Dr. Joseph Hittleman
Dr. Matthew Linker
Dr. Richard Lippman
Dr. Thomas Perry

"Dance

Paul Barlin
Libby Burke
Si Lan Chen
Sue Remos
Rhea Wachsman
Benjamin Zemach

"Science and Education

Alan Flanigan
Martin Hall
Linus Pauling
Newton Van Dalsan

"Radio

Richard Powell
Jack Robinson
David Robison
Gene Stone
David Wold

"Film and Field Theater

Lee Barrie
Herbert Biberman
Connie Lee Bennett
Paul Jarrico
Howard da Silva
Howard Koch
John Howard Lawson
Mitch Lindeman
Connie Lindeman
Albert Maltz
Shimen Ruskin
Waldo Salt
Adrian Scott
Frances Williams

"Members at Large

Charlotta Bass
Helen Blair
Ann Parks Feldman
John Lee
Rabbi Franklin Cohn
Sonja Biberman
Robert W. Kenny
Herbert Kronish
Ben Margolis
Mildred Norton
Victor Shapiro"

COMMITTEE FOR THE DEFENSE OF FOREIGN-BORN

Exhibit No. 32 consisted of a booklet obtained by Mrs. Drader when she attended a meeting under the sponsorship of the *Committee for the Defense of Foreign Born* on Saturday, February 7, 1953, at Park Manor, 607 South Western Avenue, Los Angeles. The booklet is entitled, "Greetings to the Delegates of the Southern California Conference to Defend the Rights of Foreign Born Americans." The first two pages of the booklet are devoted to the program of the meeting

and the balance of the 36 pages contains advertisements, propaganda material and greetings from various organizations and individuals, with the exceptions of pages 16 and 17 containing a statistical record of the 80 members of the *Los Angeles Committee for the Protection of Foreign Born* who have been ordered deported from the United States by the Immigration Service.

Rose Chernin is Executive Director of the *Los Angeles Committee for the Protection of Foreign Born.* Her record in such organizations is long and varied. This particular organization is well known as a Communist front, and has operated in the United States for many years. We have discussed it at length and in considerable detail throughout many of our previous reports, and will not attempt to repeat the material here. Participating in the program, according to the document received from Mrs. Drader, were the following persons:

Rev. Stephen Fritchman, Pastor of the First Unitarian Church in Los Angeles; Gilbert Canales, business agent for Local 26 of the International Longshoremen and Warehousemen's Union in Los Angeles; Cleophus Brown, President of the Los Angeles Chapter, *Negro Labor Council;* Rose Chernin, Executive Director, *Los Angeles Committee of the Protection of Foreign Born;* Al Thibodeaux, port agent, Marine Cooks and Stewards Union; Russ Nixon, United Electrical Workers Washington representative; Ralph Cuaron, business agent, Local 576, Furniture Workers; Marry Galloway, Director, *Comite Defensor del Pueblo Mexicano*; Paul Zybko, President of the Polish League; Rabbi Franklin Cohn; Marie Bowden, Negro Trade Woman unionist. Mrs. Dorothy Marshall, Catholic lay woman; Henrietta Moody; Laurie Titleman; Lillian Ripps; Mrs. Louisa Bauers; Dr. Thomas L. Perry, M.D.; Pauline Epstein; Daniel G. Marshall, Catholic layman.

The following organizations and individuals sent greetings to the affairs:

Orange County Defense Committee through Rose Watkins and Ladisloa Cruz; Los Angeles *Committee to Secure Justice for the Rosenbergs;* Jack Frankel and Vic Kaplin; Morris Frieda and Jimmy Rubin; members of the *Workmen's Circle;* S. Sechooler, Mendel Cantor, Joseph Shachnow; Sonja and Joseph Carabello; the *American Federation of Polish Jews;* Joe Jurlin; *Hawaii Civil Rights Congress,* P. O. Box 2120, Honolulu, Hawaii; *Local 26, International Longshoremen's and Warehousemen's Union; National Union, Marine Cooks and Stewards; Northern California Committee for the Protection of Foreign Born,* 228 McAllister Street, San Francisco; *Local 37, International Longshoremen's and Warehousemen's Union,* 213 Main Street, Seattle, Washington, through Chris Mensalvos, President; Charles and Raye Rubin; Angel Vasquez, 432 South Friket Street, Los Angeles; Mr. and Mrs. Frank Latzko; Ella G. Schoen; the *Emma Lazarus Women's Clubs*

of Los Angeles; Greek-American Committee for the Defense of the Rights of Foreign Born; Southern California Peace Crusade, Room 310, 326 West Third Street, Los Angeles, California; the *Korean Independent;* Korean and English newspaper, 1441 West Jefferson Boulevard, Los Angeles, California; Fred and Nina Firestone; M. Gitlin; J. Rosenberg; Gisha and Sam Rejnic; Ann Louis; Ida and Meyer Fisherman; Sonia Yablon; Rose Baron; Sam Golland; Al Kramer; P. Borensteen; B. Butler; J. Khan; N. Levy; Moris Poppof; Sam Klampner; Joe Buran; Sheila Mazur; Abe Wacher; Oscar Simon; Yetta Hernstein; M. Blum; N. Kaplan; Abe Feldstein; M. Vernic; Zelda Bock; R. Margulis; Ester Lutsky; Helen and Louis Steele; Sasha Shulman; *San Fernando Valley Council of the Independent Progressive Party; In Memory of the Boys of the Abraham Lincoln Brigade;* Harry and Sema Bronfman; *Political Prisoners Welfare Committee of Los Angeles; Harry Carlisle Defense Fund;* David Hyun; Eda J. Shiffman; Sam Pastor; Annya and Joe Pollack; Morris Kominsky; Joseph Greenberg; Jack Perowitz; Fannie Hittelman; Dr. and Mrs. Morris R. Feder; *San Diego Civil Rights Congress;* N. H. Kaplan; Mr. and Mrs. Kaplunoff; *American-Russian-Ukrainian Fraternal Home; Labor League for Peace; Los Angeles-Hungarian Workers Women's Circle; Slavic Council of Southern California; South Bay Independent Progressive Party Club; Wilshire Club of the Independent Progressive Party;* Naum Light; *Korean-American Defense Committee;* Aaron Paul Jean, and Alice Feinberg; Miriam Stevenson; Bill Goltz; *Jewish Cultural Committee of the West Side; Jewish Hollywood Cultural Club;* Pauline Kopiloff; Abe and Sarah Victor; Sophie and Ed Sandler; the *Daily People's World; Italian Lodge, International Workers Order;* Rose and Joe Klein; Agnes and Frank Craig; Esther Gorelick; Mr. and Mrs. S. Franzblau; Mr. and Mrs. Jack Grossman; *Westlake Jewish Culture Club;* Clara Pearlberg; Bea Stadler; *Russian Culture Club;* Max Strassburger; J. Stampalia; Clara and Jack Fox; Anna J. Cogel; S. Halich; G. Hallas; M. Obryn; A. Kummel; L. Lotko; Xmara Vladimir; Julius Wasserstrom; M. Ginsberg; Gertrude Deutch; Joe Schrogin; E. H. Neuwald; A. Byers; Abe and Yetta Solomon; S. W. De Angelis; I. Jaffey; Sam Surolnik; S. Nesmoce; and the following lodges of the *Jewish People's Fraternal Order:* No. 251, No. 660, No. 258, and No. 253.

A separate document, introduced as Exhibit No. 33 in connection with the testimony of Mrs. Drader, consists of a folder entitled, "A Call and Program, Southern California Conference to Defend the Rights of Foreign-Born Americans," *Los Angeles Committee for the Protection of Foreign Born,* Room 312, 326 West 3d Street, Los Angeles 13, California. It was issued in connection with the event held at the Park Manor, 607 South Western Avenue, on February 7, 1953, and gives

a list of the sponsors for that conference as follows: Mrs. Ida Alvarez, representing the 19th Congressional District Independent Progressive Party; Peter Hyun, representing the *Southern California Peace Crusade;* Ignacio Lopez; Rabbi Leonard Greenberg; Gabrielle Obernassian, representing the *Armenian Progressive League;* Mr. and Mrs. Samuel Ornitz; Raphael Koenigsberg; Dr. B. N. Title; Pauline Epstein, attorney; John Porter, attorney; Sakaie Ishihara, representing the *Nisei Progressives;* Esther Shandler, attorney; Rose Rosenberg, attorney; Robert Morris, attorney; Dr. Maurice Kanins and Alfred Schumann, representing the American Association of University Professors; Robert Kenny, attorney; Robert Robinson, secretary, *Negro Labor Council;* Hugh MacBeth, Sr., attorney; Larry Alvarez; Lloyd Seeliger, business agent, Local 26, International Longshoremen's and Warehousemen's Union; Al Thibodeaux, port agent, Marine Cooks and Stewards Unions; Max Roth, business agent, International Fur and Leather Workers Union; Dr. Sanford Goldner, cultural director, *Jewish People's Fraternal Order;* Pearl Fagelson, *Emma Lazarus Council of Jewish Women's Clubs;* Rabbi Franklin Cohn, Kadimah Temple; Lou Sherman, business agent, Local 26, International Longshoremen's and Warehousemen's Union; Judge Stanley Moffatt; Harold E. Schmidt, People's Church of San Fernando Valley; Cleophus Brown, president, *Los Angeles Negro Labor Council;* Garrett Eckbo; Ralph Cuaron, business agent, United Furniture Workers of America, Local No. 576; Gilbert Canales, business agent, International Longshoremen's and Warehousemen's Union; Lawrence E. Turner, United Furniture Workers of America, Local 576; Mauricio Terrazas, regional executive secretary, *Asociacion Nacional Mexico Americana;* Mrs. Irene Terrazas, treasurer, *Comite Defensor Del Pueblo Mexicano;* Lowell Hoxey; William B. Elconin, international representative, United Electrical, Radio and Machinists Workers of America; Lawrence R. Sperber, attorney, *National Lawyers' Guild;* Carl Brant, business agent, United Electrical, Radio and Machinists Workers of America; Louise Pettibone Smith, Wellesley College; Dr. W. Z. Gordon, M. D.; Dr. P. Price Cobbs, representing the *Arts, Sciences and Professions Council;* Mary Galloway; Gregory Ain; Rev. Stephen Fritchman, Unitarian Church; William B. Esterman, attorney; J. Allan Frankel, attorney; Mary Lagun Drazick, chairman, Slavic Council of Southern California; H. P. Ioannou; Paul Major, attorney; Roger Boyd, business agent, International Union of Mine, Mill and Smelter Workers, Local 700; Alex M. Alexeev, representing the *Russian-American International Workers Order;* John Uhrin, press committee; Abe Olkin, *Morning Freiheit* Association, and Daniel G. Marshall, attorney.

For those readers who wish additional documentation concerning the Communist character of the *Committee for the Protection of Foreign*

Born, attention is directed to the previous reports issued by this committee and the text material concerning this noted Communist front organization which appears therein.

CONFERENCE ON ECONOMIC RIGHTS FOR NEGRO WOMEN

Exhibit No. 38 consisted of a booklet entitled, "Souvenir Journal of the Conference on Economic Rights for Negro Women," which was held in the CIO Building at 5851 South Avalon Boulevard on the 23d of August, 1952, and which was received in evidence in connection with the testimony of Mrs. Drader, who, of course, attended the affair.

The conference was sponsored by the *National Negro Labor Council* and is important because of the greetings which were characteristically sent to this conference from people, publications and organizations that have been appearing with almost monotonous regularity in similar propaganda publications during the past several years.

Some of the greetings appearing in the publication are as follows: Mr. and Mrs. Meyer Eisenberg; *Political Prisoners Welfare Committee;* Al Thibodeaux, Wilmington port agent, National Union of Marine Cooks and Stewards; *Emma Lazarus Jewish Women's Clubs; Westlake Jewish Cultural Club Executive Committee; National Association of Mexican-Americans;* Mr. and Mrs. Mortimer Vogel; Louis Rosenberg; Alvin Kass; Vivien Myerson; Sam Title; Barbara Shire; Audrey M. Greene; Zelma Wilson; Revella Malinoff; Aaron Cohn; Robert Marks; M. Seligman; Jan-Marie Kerwin; Garrett and Arline Eckbo; Marlowe Booth; Paul S. Light; Jessie E. Josephson; Louis E. Hoffman; Ken Johnson; Margaret Walker; Seymour Sheklow; Leonard Dahlsten; Thelma C. Walker; Clara Walden; Nacha and Jack Rosales; Fae and Joe Litwak; Mrs. Gloria Speights; Muriel Crowe; Joseph Gavron; Sidney H. Brisker; Francis H. Dean; Weston Banenberger; Greta E. Pointer; Naomi Bass; Mike Dudish, Jr.; Alice Grommet; Gisha Resnick; Pauline Goldin; Lois and Louis Gardner; Charlotte Perloff; Mr. and Mrs. Tom Creed; Bertha and Joe Tichinsky; Michael Ortiz; Sarajo Lord; Rose S. Rosenberg; Esther Sazer; Helen Earl; Sandy Arkin; Sam Wellbaum; Billie Simmel; Miriam and Eddie Baker; Cleophus Brown; Marie Bowden; S. S. Stern; William Foster; Marian Teeter; Dr. Marvin S. Sure, O. D.; Freda Morris; Betty Burt; Selma Kleboen; Yetta Burt; Rose Rack; Annette Cimring; Mollie Gosman; P. Schecter; Frank L. Craig; Hank Siskind; Mrs. Lee Ende; Mrs. Fannie White; Mrs. Lola Waxman; Rosalie Gayle; Ezra Laury; Jules and Elsa Kievitz; Compton Club, Independent Progressive Party; Stella Bibir; Dr. S. S. Brown; Wilshire Club, Independent Progressive Party; *Community Medical Foundation and Center,* 1236 Lake Street, Los Angeles 6, California; Al and Dotty Bricker; Dr. Edward Goodlaw, Opt.; Mary Natividad Barnes, 41st Assembly District Independent Progressive

Party; Anne and Ed Rosen; Harry Biber; *Jewish People's Fraternal Order, Lodge No. 253,* by Charles Schwartz, president; Soto Jewish Culture Club; Pauline Epstein; Kay McTernan; *American Women for Peace,* Room 310, 326 West 3d Street, Los Angeles 13, California; Stella and Henry Biber; James and Beverly Baker; Joseph and Catherine Van De Kar; Jack and Clara Fox, and the *Arts, Sciences and Professions Council,* 7410 Sunset Boulevard, Los Angeles, California.

From the evidence already in possession of the committee as a result of previous investigations and hearings, together with the evidence received by the committee during this hearing, it is convinced that the Los Angeles Chapter of the *National Negro Labor Council* is predominately Communized, and admirably fills all of the basic requirements of a Communist front organization.

ARTS, SCIENCES AND PROFESSIONS COUNCIL

We have heretofore stated that many of the exhibits received by the committee during this hearing indicated without question that the *Arts, Sciences and Professions Council* in Los Angeles was merely a subdivision or local chapter of the *National Council of the Arts, Sciences and Professions.* Exhibit No. 40, entitled "Policy Program of the National Council of the Arts, Sciences and Professions," removes any lingering doubt in that direction. In the first place, this little booklet, which comprises 12 pages, gives the national office as being located at 35 West 64th Street, New York 23, N. Y., telephone number SU 7-4677. The national officers (1953) are listed as follows: Robert Morss Lovett, honorary chairman; Professor Henry Pratt Fairchild, chairman; Stanley Faulkner, treasurer; Irving Adler, national director; vice chairmen: Professor A. J. Carlson, Professor John J. De Boer, Olin Downes, Dr. W. E. B. Du Bois, Robert W. Kenny, John Howard Lawson, Paul Robeson, Rose Russell, and Professor Frederick L. Schuman.

The booklet contains a statement of the policy of the national organization adopted at its national convention held on April 26, 1953. Space does not permit a resumé of the contents of this exhibit, but it advocates immediate diplomatic recognition of Communist China, paints the accustomed picture of college professors trembling in fear at the prospect of their civil liberties and individual rights being ruthlessly trampled underfoot by roving groups of sadistic national and state legislators investigating subversive activities; it is, of course, opposed to all loyalty oaths, all investigations of un-American activities by legislative bodies; full reciprocal trade between the Soviet Union, Communist China and the Iron Curtain countries and advocates repeal of the McCarran Internal Security Act, the McCarran-Walter Immigration Act, the Smith Act, the Taft-Hartley Law, the Feinberg Law, and

the revocation of the President's loyalty order and the Attorney General's subversive list. There are many other policies recommended by the *Arts, Sciences and Professions Council* in addition to those mentioned herewith, but we can see no good reason for continuing to mention any other aspects of this organization, since it would be only cumulative, and we have many times pointed out that all of the *Arts, Sciences and Professions Councils* in California are completely dominated by the Communist Party in this State.

From the records and documents, as well as from the testimony of witnesses, the committee is convinced that the Los Angeles Chapter of the *National Council of the Arts, Sciences and Professions* constitutes one of the major Communist-dominated propaganda media on the Pacific Coast. Its medical division played an enormously important part in organizing, operating and issuing propaganda through the *Community Medical Center* which, we are further convinced, was amply demonstrated through the testimony of Drs. Barker and Kolodny, who resigned in disgust because of the radical and propaganda activities carried on by this organization under the guise of community service. This investigation and hearing has indicated to the committee, as well as to the Los Angeles County Medical Association, that there is a real, present, and serious infiltration of the medical profession by members of the Community Party in Southern California. Obviously, the committee was unable to exploit the entire situation at its hearing in December, 1954; the information made available to the committee through that hearing indicates, however, that there is a pressing need for continuing investigation and exposure of this condition.

In presenting this hearing by reproducing the questions and answers, the committee believes it can demonstrate to the public that it is not only difficult to conduct the investigations and collect the facts that are used at such hearings, but that the hearings themselves are necessarily conducted in an atmosphere that is fraught with tension, and that if anyone receives discourteous and insulting treatment it is usually the committee instead of the witnesses. We are often reminded of the advice freely offered by well-meaning individuals (who, however, have had little or no practical experience in this field) to the effect that federal and state legislative committees investigating in this particular field pattern their conduct after the operation of the British Royal Commission, such as, the Canadian Commission that took the testimony from Igor Gouzenko when he exposed the Soviet spy ring operating in Canada through the Russian Embassy at Ottawa. In reply to these unofficial advisers, we cite an editorial that appeared in the February 9, 1955, issue of the *Saturday Evening Post*, page 12:

"COMMITTEES CAN CHANGE THEIR RULES, BUT RED WITNESSES ARE ALWAYS THE SAME"

"Sometimes it is said that we ought to create some tribunal as lofty and unassailable as a British Royal Commission to replace congressional committees as probers of Red infiltration. The comrades show less enthusiasm for this idea than they once did, since the Canadian Royal Commission rooted out the Dominion's Reds with no more compunction than a gardener trapping wolves.

"Australia now has a Royal Commission investigating Soviet espionage and its connection with domestic Communists as an aftermath of the Petrov case. The distinguished commissioners are making a noble effort to carry on in the liberal tradition, with public hearings. How are they making out? The *London Times* reports this passage from the testimony of W. H. Bird, victorious secretary of a seamen's union.

> " 'Mr. Bird: I have come here to tell you what I know, without this boy (indicating Mr. Pape, Junior Counsel for the Royal Commission) interrupting me all the time——
>
> " 'Mr. Pape: You are here to answer questions, not to talk.
>
> " 'Mr. Bird: Dry up. I know what I have to say without you telling me.
>
> " 'Seamen in the gallery began to applaud, calling out, "Good on you, Bill!" The Commissioners retired to allow the gallery to be cleared, amid calls of, "This is a free country," "You can't take it," "You're a lot of cowards." '

"If it all sounds familiar, it is because the method used by the party to disrupt social institutions is the same in every case and every country. They've been doing it for years. In November, 1928, at Zagreb, Yugoslavia, one Josip Broz went on trial for Communist agitation and propaganda, contrary to the law of the realm. The defendant told the presiding judge arrogantly:

> 'I do not recognize the bourgeois court of justice, because I consider myself responsible only to my Communist Party.'

"When he was sentenced to five years and led away by the guards, there was the standard shouting match, joined by supporters in the packed audience. Broz, of course, is now better known as Marshal Tito, and the interesting fact is that his official biography cites this as one of the glorious episodes in his career.

"There isn't much you can do with Communists except let them yell. But it would be a mistake to amend our procedures to make their obstructive tactics easier."

The committee believes that the record of this hearing speaks for itself. Nothing we could say in the way of text material will add or detract in the slightest degree to the wealth of information set forth in the foregoing transcription of the proceedings. We should add, that after the conclusion of the hearing the following letter of appreciation was received from Dr. Ewing L. Turner, M.D., secretary-treasurer of the Los Angeles County Medical Association, as follows:

"December 30, 1954

"The Honorable Hugh M. Burns
California State Senate, Equitable Building,
Fresno, California

"DEAR SENATOR BURNS: On behalf of the members of the Los Los Angeles County Medical Association, may I extend my appreciation to you and your Committee on Un-American Activities for holding the hearings in this city at the request of this association. The hearings were conducted on an unusually high plane, and resulted in distinct credit for all concerned.

"If we may be of assistance at any time, please let me know.

"Sincerely yours,

EWING L. TURNER, M.D.
Secretary-Treasurer

COMMUNIST INFILTRATION OF PUBLIC UTILITIES IN CALIFORNIA

THE COMMUNIST FRONT: FIRST STEP TOWARD SUBVERSION

The Communist Party in the United States, and we assume in other countries, has been organized and operated in such a manner as to completely isolate its underground apparatus and its espionage activities from the general membership. The committee is amazed, even after 16 years of investigating these matters, at the unconcern with which self-styled liberals have blithely flitted from one Communist front to another. When questioned under oath, these people exhibit considerable righteous indignation. Like many college administrators, they want immunity to flirt with the enemy as they please. They see nothing especially wrong in lending the prestige of their names or in contributing their time, money, and talents to subversive fronts, or in delivering a lecture or two at a Communist school.

For so long a time as they suffer no harm because of their unwise and incredibly careless course of action, they remain quite unconcerned. But when confronted with the cumulative effect of such actions, they are quick to complain that they were only innocent victims. Not so much the victims of the sweetly baited Communist trap, nor victims of their own rashness. No, because they are usually unwilling to blame themselves or each other. Instead, they point accusing fingers at the committee for presuming to print the facts.

We are faced with this phenomenon repeatedly. Rarely do such witnesses claim that our statements are inaccurate. But they almost invariably contend that the front meetings they attended, and the schools at which they taught, and the organizations and publications to which they contributed were really quite innocent—and, indeed, may have accomplished considerable good.

Most of these people were innocent victims of Communist cleverness. They were carefully selected because they were regarded as susceptible. Their penchant for joining any movement that appeared liberal, without first investigating, their affinity for personal publicity, and, most important of all, their utter ignorance of the Communist menace to the very freedoms and liberalism these careless joiners thought they were advancing—these were the special qualities that the Communists looked for in selecting candidates to be drawn into the front organizations and who were so easily harvested during the period from 1939 to 1949.

This class of innocent abettors of the Communist cause could not accurately be termed fellow-travelers because they didn't even know they were traveling along the party line. But they were helping the Communist movement in its never-ending, long-range plan to destroy our freedom, our liberties, and our Government. Let there be no doubt of this.

The Communist Party would scorn to waste its time and strength in luring these people into its organizations unless they were of some use to the cause. If one celebrity carelessly permitted his name to adorn a sponsor list of a Communist front; and if one impressionable young college student studying physics, chemistry, or engineering at a nearby university, was lured into the front when he observed the celebrity's name on the sponsor list; and if, thus being subjected to the propaganda and the atmosphere and the blandishments of expert recruiting agents, the student joined the Communist Party and then went to work for one of our public utilities in a sensitive position—then the carelessness of our well-meaning, liberal celebrity would assume a grim perspective. For his action would have given enormous assistance to an international movement that is dedicated to the tearing down of our most cherished freedoms.

The one or two lectures, innocently delivered at a Communist school by a celebrity, or a person of prestige, often opens a door through which come a flock of prospective young radicals, drawn into a recruiting center by a list of respectable, well-known, well-meaning "liberals" who have served the cause of Red reaction and dealt a crushing blow against the very liberties they profess to adore and protect.

Once in a great while the committee finds a few individuals who, having pursued the course described above, have the courage and good sense to frankly admit their mistakes and take a firm stand against Communist activities in general. The committee had the refreshing experience of questioning some of these patriotic and courageous people in Los Angeles last summer. We will describe that hearing in detail in a later section of this report. We regret, however, that most of the witnesses in this category blame everyone but themselves. Perhaps they are simply ignorant about Communism; perhaps they may secretly believe that a one-world, Communist-led government might be a fine thing, after all. Assuming that they are ignorant, we have deemed this section of the report an appropriate place to set forth some practical aspects of the Communist movement, particularly in connection with the front organizations and their importance to the Communist conspiracy as a whole.

Most of the Communist fronts are financed by their memberships. Many wealthy members contribute several hundred dollars every

month, and in some instances, much of this income is siphoned off to defray the expenses of Communist agents and to bolster up the sagging treasuries of less affluent publications and organizations. Here, again, the contributions received from a coterie of celebrities and do-gooders is simply diverted to pay for something that the well-meaning liberals would recoil from in horror. Let us suppose someone like Marcel Scherer or Steve Nelson was coming to California for the purpose of organizing Communist cells in some of our laboratories engaged in secret government research. None of these individuals would dream of directly financing such activities. But these party agents *did* come to California in 1941, and they *did* plant Communist cells in scientific laboratories doing secret government work, and their expenses *were* paid, in part, from funds diverted from front organizations.

We devote this attention to the role of the front organization as a preliminary step toward Communism, and as a recruiting medium, because in our hearings concerning infiltration of the public utilities in this State we were impressed by the front records of the hostile witnesses.

Every person who joins a Communist front, however innocently, is aiding in the dissemination of Communist propaganda, is assisting in the recruiting of new members for the Communist Party, and is helping to finance the boldly announced Communist objective: subversion and destruction of our Government. How any American citizen can fail to blame himself to some extent for having engaged in such activities is hard for us to understand. How such a person can blame a legislative committee for accurately including his name in a list of sponsors in a Communist front is, to us, incomprehensible.

The committee is always eager to rectify its honest errors. It is glad to point out—as we have done many times—that all Communist front organizations are established for the specific purpose of snaring the unwary, susceptible liberal. We have devoted an entire section of this report to statements received from persons and organizations concerning the circumstances under which they were persuaded to innocently associate with the Communist movement in one way or another. But we do not intend to be used as a white-washing agency, nor have we much sympathy for the individual who endeavors to shift the blame from himself by directing an ill-concealed accusation against the committee for fouling up his reputation. He forgets that he joined the Communist fronts, and he lectured at the Communist schools, and he contributed to the Communist publication—we didn't. And neither did countless other people who were either too smart, too suspicious, too careful, or too soundly adjusted for the party to waste its time on.

The committee held two hearings concerning Communist infiltration of the State's public utilities, one in San Francisco in August, 1953,

and the other in Los Angeles in January, 1954. Those hearings demonstrated clearly how activity in front organizations ran as a significant characteristic through the records of the hostile witnesses who invoked the protection of the Fifth Amendment when questioned about their Communist connections.

TARGETS FOR INFILTRATION

We have previously discussed the history of the Comintern and explained how that high board of strategy for world revolution was divided into various departments, such as the Red Trade Union International, the Red Youth International, International Red Aid, and many others. Lenin conceived the idea of planting strong Communist cells throughout the trade unions of all foreign nations, especially in the United States. We have heretofore told the story of William Z. Foster's mission to the Soviet Union and how he returned to this country and set in motion the complicated machinery whereby that infiltration was to be accomplished. We have traced the development of the *Trade Union Educational League,* headed by Foster and by Earl Browder, and we have described the Communist invasion of the CIO, and have discussed the expulsion from both the AF of L and the CIO of the unions found to be Communist-dominated by those two major labor organizations.

We must now understand how this plan to sift dedicated Communist agents throughout the structure of our labor organizations is keyed into the espionage activities of the Soviet Union. This is essential in accurately estimating the extent to which the party in California has concentrated its attention on our public utilities. No person, unless he is exceedingly naive in this field, could believe for an instant that our great utility concerns have been neglected by the party strategists.

California, since the last war, has steadily grown in strategic importance. Its defense industries have been expanded, its population has rapidly increased, and its physical situation has made it particularly vital in the event of a shooting war—and certainly of enormous significance during the protracted cold war.

Enormous quantities of electric power are required to operate our aircraft factories, our shipyards, military and naval installations, research laboratories, and even the other utilities such as our telegraph and telephone facilities. Electricity is used for the pumping of domestic water supplies, the providing of power for transportation—in fact, keeping our entire communications and transportation systems operating. A sudden failure of electric power would immediately paralyze our entire defense industry, therefore, a knowledge of the utilities that are

engaged in the production of such power would be of obvious practical value to a potential enemy.

In order to properly evaluate this infiltration, we must also understand something of the Communist espionage technique. The Russians borrowed a page from the book of Dr. Karl Haushofer, of the Nazi Geopolitikal Institute, and have brought his theories of espionage to an extraordinarily high state of perfection. Dr. Haushofer's agents were scattered throughout France, Belgium, Holland, Poland, and, to some extent, all of the other European countries. They were instructed to provide the Geopolitikal Institute with information concerning railroad and steamship schedules, significant shipments of strategic materials, exact location of highways, bridges, tunnels, rail lines, power lines, gas conduits, generating plants, defense installations, and all other vital information concerning the target countries. In short, Dr. Haushofer was interested in a steady flow of detailed information—some of it apparently unimportant.

All of this data was analyzed, evaluated, correlated and filed. Each tiny fragment of intelligence was fitted into its proper place with the most meticulous care. We saw how this technique paid off when the Nazi panzer divisions went speeding into France, and drove a new word into our vocabulary: *blitzkrieg,* meaning the technique of lightning thrust by armored striking forces. Such tactics enabled Hitler to advance his forces within 30 miles of Moscow, and undoubtedly had some effect in persuading Soviet Intelligence to borrow this technique from Dr. Haushofer. The ease with which France was brought to her knees was an evidence of the long, patient, and highly effective intelligence work by Haushofer's espionage experts, and the Russians were quick to borrow his methods and improve them vastly.

The Soviet Union has a dedicated, disciplined, obedient force of ready-made agents in the American Communist Party. And we now know, as a result of our investigations and hearings, that in California some of them have been insinuated in our most critical industries—our public utilities. It should also be pointed out that the Communist consider it fully as important to have some of their members constantly stirring up dissension among their fellow employees, undermining the morale of the workers, and stirring up resentment and hostility against the employer, as it is to collect and pass on critical information. Thus the groundwork can be laid for the launching of a paralyzing strike at a critical time, and the whipping up of bitterness and hatred to a degree that many of the strikers will engage in acts of sabotage. We saw this occur in California in 1943 in connection with the blowing up of the high transmission towers during the Southern California Edison strike in southern California.

We Americans are so exceedingly credulous about the matter of espionage and sabotage in our midst that we sometimes attribute such things to some overactive imagination. But we simply cannot shrug off the disclosures made in Canada by Igor Gouzenko; the revelations made by Whitaker Chambers and Elizabeth Bentley; the facts brought out during the investigation of the Harry Dexter White case; the mysterious disappearance of Burgess and MacLean; the Fuchs case, the Rosenberg case—and the exposure of the Communist underground base operating in our own state at Twain-Harte, from whence was directed all of the Communist underground activities for the entire United States.

During the hearings in San Francisco and Los Angeles the committee questioned five employees of the Pacific Gas and Electric Company, one employee of the Coast Counties Gas and Electric Company, three employees of the Southern California Edison Company, two employees of the Southern California Gas Company, and seven employees of the Pacific Telephone and Telegraph Company.

SAN FRANCISCO HEARING, AUGUST, 1953

At the San Francisco hearing, the committee questioned Travis Lafferty, Patrick Hancock, Holden Hayden, Silas Stanley, and Joseph Chasin, who were then working for the Pacific Gas & Electric Company, and also Donald W. Powers, who was in the employ of the Coast Counties Gas & Electric Company.

TESTIMONY OF TRAVIS LAFFERTY

Mr. Lafferty, testified that he resided at 235 7th Street, Oakland, California, was born at San Luis Obispo on May 27th, 1916, received his high school education in Oakland, and received his Bachelor of Arts Degree in political science from the University of California in 1939. His testimony disclosed that he served in the United States Navy during World War II, part of the time in the capacity of chief radio technician and part of the time working in the field of radio and electronics, receiving his honorable discharge in August, 1945, and commencing his employment with the Pacific Gas & Electric Company on or about July 6, 1948. At the time of the hearing, Mr. Lafferty was working as an apprentice electrician, and performed services for his employer throughout the east bay area, most of his work being in Oakland and Berkeley.

Mr. Lafferty answered all of these biographical questions without the slightest hesitation, but when asked where he was residing immediately prior to entering the Navy, he turned to his counsel, Mr. Allan Brotsky, and after consulting with him declined to answer the question on the ground that a truthful answer might tend to incriminate him. Subsequent questions, however, elicited the information that the witness had considerable training in communications maintenance, having worked for a year with the Western Union Telegraph Company as a maintenance man. He testified that his wife's name was Nori Ikeda Lafferty, but quickly invoked the protection of the Fifth Amendment when asked whether or not he had been a subscriber to the *Daily People's World*, or whether or not on the 13th day of March, 1947, he gave a party at his home at 235 7th Street, Oakland, for the purpose of raising funds for that Communist publication, and when questioned about the Communist youth organization, the *Labor Youth League*. Mr. Lafferty was asked specifically whether or not, on the 19th day of August, 1950, he attended a meeting of the *Labor Youth League* for the purpose of raising funds to help send delegates to the New York convention of that organization, the meeting having been held at 160 Grand Avenue, Oakland, California, and after consulting with his counsel, the witness declined to answer the question on the ground that his answer might

tend to incriminate him. He also invoked the protection of the Fifth Amendment when asked about his own Communist status, and was thereupon excused.

TESTIMONY OF PATRICK HANCOCK

Patrick Hancock, accompanied by his counsel, Mr. Edward Newman, gave his address as 783 Willow Avenue, Hayward, California, but also invoked the protection of the Fifth Amendment on advice of his counsel when asked to state whether or not he ever resided at 21189 Haviland Avenue, in Hayward, and also refused to tell the committee whether or not he had ever served in the armed forces of the United States, and whether or not he was separated from the service by a military leave on the sixteenth day of February, 1951. The witness also invoked the Fifth Amendment when questioned about his subscription to the Communist newspaper, concerning his participation in Communist front organizations, such as the *East Bay Civil Rights Congress,* the *Bay Area Committee to Save the Rosenbergs,* and in connection with his own membership in the Communist Party of California.

TESTIMONY OF HOLDEN HAYDEN

Holden Hayden, accompanied by his attorney, Charles R. Garry, stated that he resided at 63A Grace Street, San Francisco, was born in New York on October 21, 1920, had lived in California for approximately seven years, and resided in Michigan during 1939 and possibly a part of 1942. When asked what his business or occupation was during the time of his residence in Michigan, the witness invoked the Fifth Amendment and refused to answer the question on the ground that a truthful answer might tend to subject him to a criminal prosecution. The witness gave a similar answer when he was asked if it was not a fact that during the period of his residence in Michigan, he was a field representative for the *State, County and Municipal Workers of America,* a union which has heretofore been characterized as Communist-dominated by this and other committees.

Mr. Hayden also invoked the protection of the Fifth Amendment when asked whether or not he ever resided in the State of Georgia, whether or not he was a member of the armed forces of the United States during the year 1947, and whether or not he was stationed in Georgia during that year. He went so far, after conferring with his attorney, in his effort to refrain from answering any question that might give the committee the slightest bit of information, as to refuse to state whether or not he was employed by the Pacific Gas & Electric Company and what the nature of his employment was with that concern.

The committee was informed that the witness had attended the Communist school in San Francisco, an institution known as the *California*

Labor School, and as a matter of fact, had functioned as an instructor in that institution, although he quickly invoked the protection of the Fifth Amendment when questioned on those matters. His background of training, according to the information in the possession of the committee, indicated that he had had extensive training in the Army automotive electrical school and the Atlanta Ordnance Base at Atlanta, Georgia, but by the time the witness was confronted with questions of this character, he had adopted a consistent and stubborn pattern of invoking the Fifth Amendment, which he did when asked about his subscription to the Communist newspaper, the *Daily People's World,* his participation in various Communist front organizations, specifically the *Civil Rights Congress,* and, as might be expected, when asked if it were not a fact that during the entire time of his employment by the Pacific Gas & Electric Company he had not been a member of the Communist Party of California.

TESTIMONY OF SILAS STANLEY

Mr. Stanley, accompanied by his attorney, Charles R. Garry, testified that he lived at 3528 Sacramento Street, San Francisco, California, and that he was born in Tallahassee, Florida on November 5, 1909. He lived in Tallahassee for approximately 18 years, receiving his primary and high school education in that city, and thereafter taking courses from the Canadian Institute of Technology, and in electrical engineering from the Industrial Training Institute of Chicago, Illinois. Mr. Stanley, like the witnesses who preceded him, had no hesitation about these personal biographical matters, until the questions began touching on some sensitive element in his career, and in each and every instance he immediately invoked the Fifth Amendment. For example, he refused to tell the committee how long he had resided at 3528 Sacramento, San Francisco, and where he lived immediately prior to establishing his residence there. The witness also refused to answer any questions concerning his subscription to the Communist newspaper, his participation in Communist front organizations, his status as an officer of the Fillmore Club of the Communist Party of San Francisco, as well as his participation in meetings of the *International Workers Order.*

TESTIMONY OF JOSEPH CHASIN

This witness, accompanied by his attorney, Mr. Hugh B. Miller, testified that he lived at 1700 Ellis Street, San Francisco and had resided there for approximately three years. He testified freely that he was born in New York on November 14th, 1923, formerly resided at 2918 Van Ness Avenue, San Francisco, had lived in California for about six years, but when asked whether or not he ever attended the City College of New York for a period of two years, he invoked the protection of the Fifth

Amendment on the ground of self-incrimination. Further biographical questions elicited the following information: That the witness served in the United States Army from February, 1943, until December, 1945, when he received an honorable discharge, but when asked whether he was employed by Lane Bryant, at 39 West 40th Street, New York City, New York, from February, 1946, to December, 1946, his counsel stated that he would advise his client not to answer the question. No objection was interposed, however, when the witness was asked if he were not employed by the Aetna Life Insurance Company, from January, 1947, to November of that year at 220 Montgomery Street, San Francisco, and the witness answered the question in the affirmative. He also testified about his employment with Standard Stations, Inc., at 225 Bush Street, San Francisco, from December, 1947, until January, 1948.

When asked whether or not he was a cable splicer for the Pacific Gas & Electric Company and had access to all restricted areas in the San Francisco division of the corporation for the period of time commencing on September 12, 1951, and which would expire on December 3, 1953, the witness also invoked the protection of the Fifth Amendment. He refused to answer concerning his subscription to the *Daily People's World*, his membership in the Communist Party during the period of his employment with the Pacific Gas & Electric Company, and his participation in various other organizations theretofore characterized by the committee as subversive.

TESTIMONY OF DONALD W. POWERS

Mr. Powers was an employee of the Coast Counties Gas & Electric Company and appeared at the San Francisco hearing, represented by his attorney, Hugh B. Miller, who, it will be remembered, also acted as counsel for Joseph Chasin, the witness who preceded him. The witness testified that he resided at 20 Harmony Lane, Walnut Creek, California, having resided there since 1948. He testified that he came to California from Minnesota in 1940, and was employed as a general construction worker by the Coast Counties Gas & Electric Company. This witness also refused to answer any except purely personal and biographical questions, invoking the protection of the Fifth Amendment on the advice of his attorney when questioned about his subscription to the Communist newspaper and his activities in raising funds for that publication, as well as his participation in Communist activities. Of course, he also refused to tell the committee whether or not he had been a Communist during all of the time that he was employed by the Coast Counties Gas & Electric Company.

Shortly after this hearing was concluded, the trade union organizations to which several of the witnesses were affiliated immediately suspended them, and they were also discharged by their employers.

LOS ANGELES HEARING, JANUARY, 1954

During the Los Angeles hearing, the committee questioned three employees of the Southern California Edison Company, two employees of the Southern California Gas Company, and seven employees of the Pacific Telephone and Telegraph Company. It will be noted that some of these witnesses appeared before the committee without counsel, some freely cooperated with the committee and were subpenaed solely because of a feeling that they might give helpful information to the committee and not because we had any information that led us to believe such witnesses to be subversive. The other witnesses, most of whom were accompanied by attorneys, adopted the same tactics displayed by the San Francisco witnesses, and invoked the protection of the Fifth Amendment when questioned about their subversive affiliations and activities.

TESTIMONY OF CYRIL H. GIUS

This witness was accompanied by his attorney, Mr. Leo Fenster, and testified quite fully and frankly concerning his experiences in several Communist fronts and in the Communist Party itself. Mr. Gius at no time resorted to his constitutional privilege of invoking the Fifth Amendment on the ground that truthful answers to the questions propounded by the committee might tend to subject him to a criminal prosecution. He stated that he had been employed by the Southern California Edison Company for a period of more than 5 years, having come to California from Seattle, Washington, where he was born in 1919. Mr. Gius testified that he attended the University of Washington at Seattle, and while a student there, affiliated with the Communist Party. He stated that in 1946, he was Pacific Northwest director for *American Youth for Democracy,* to the best of his recollection, and was certain that he held some prominent office in the organization. He was a subscriber to several Communist publications, corroborated the evidence already in the possession of the committee to the effect that *American Youth for Democracy* was simply a continuation of the *Young Communist League* under another name, and told the committee that while he was a student at the University of Washington, he was affiliated with the campus branch of the Communist Party at that institution.

Mr. Gius discussed with the committee his reasons for affiliating with the Communist Party, his experiences as a Communist, and the development of disillusionment and his complete break with all Communist organizations when he came to California in 1948.

In response to questions put by Senator Desmond, the witness testified that while he was a party member he was kept in complete ignorance of the fact that the party was operating an underground apparatus, and was insulated away from any of its real revolutionary activities. His role, and the part played by the Communist units to which he was affiliated, consisted rather in infiltrating the existing political parties and endeavoring to influence their activities.

Mr. Gius told the committee that he was so determined to completely sever his connections with any semblance of Communist organization or activity, that he determined to leave his old environment and get away from his old associations and contacts, which was the principal reason that he left his home in Seattle and came to California. The following questions and answers are quoted for the purpose of showing how closely the Communist Party keeps its fingers on former members, and endeavors to reactivate them if possible.

"Q. (By Mr. Combs): After you left the party and came to California, was any effort made to reactivate you in the party?

"A. Not a very heavy effort; a casual effort was.

"Q. How was that made?

"A. By a man who was the organizer out in the West Los Angeles area.

"Q. And what is his name?

"A. He is a publicly known figrue, Merle Brodsky.

"Q. He contacted you, or did you contact him?

"A. Oh, I would say be contacted me.

"Q. And where did that contact take place?

"A. As I recall, it took place at some social affair, but I don't know where it was.

"Q. Did he introduce himself to you as a member of the Communist Party?

"A. Yes. I think by hearsay I was already aware that he was, that he was out there organizing the Communist Party.

"Q. Now, when did this take place, how long ago?

"A. Well, that was in the same year, probably within a month after we came down here.

"Q. And what was the nature of the social function you were attending?

"A. I think it was a party of some sort, although I am not too certain.

"Q. Was it sponsored by an organization of any kind?

"A. That I don't know.

"Q. Where was the party held?

"A. It was at somebody's house, a house party, out in that area.

"Q. Were you invited to attend it?

"A. Yes, I think so.

"Q. And do you recall by whom?

"A. No, I don't.

"Q. What was the nature of the function?

"A. Just——

"Q. A social gathering?

"A. Just drinks, refreshments and singing. That was all.

"Q. Any particular reason for the holding of such a meeting?

"A. No, I don't recall, although possibly it was a benefit, or something or other, but I don't remember the connection.

"Q. Well, a benefit for a front organization or a publication of any kind?

"A. That don't recall. As I say——

"Q. Was it of that general nature?

"A. Well, they didn't make a collection, I don't think.

"Q. Did it have anything to do with Communism in any way at all? Was it for the benefit of the party, or party line, or front organization?

"A. I rather think it was, probably for the benefit of somebody who had been subpoenaed or arrested for contempt of court, something along that line.

"Q. And you were invited to attend it?

"A. As I recall.

"Q. And did?

"A. Yes.

"Q. And at that meeting Mr. Merle Brodsky was present?

"A. Well, I have a very hazy recollection of that occasion.

"Q. He did, however——

"A. I think that is correct.

"Q. Was he aware of your prior Communist status in Washington?

"A. I suppose he was. I don't know how, but I suppose he was.

"Q. And he tried to persuade you to affiliate with the party down here, did he?

"A. He didn't actually try to persuade me, he asked me, I think, why I wasn't—why I hadn't, in other words, why I hadn't sought a transfer.

"Q. And your response was what, as you recall it?

"A. As I say, at that time I was not ready to close the door, slam it shut on everything, so I just told him that I didn't want to at the present time, but that I would—that I didn't know what I was going to do, I didn't know where I was going to live. I put him off some way or other."

At the conclusion of Mr. Gius' testimony, Senator Desmond made the following remark: "I would like the record to show that Mr. Leo Fenster, attorney at law of the firm of—or in association with Arkin and Weissman, is here representing Mr. Gius, and that Mr. Gius has freely answered the questions and has not refused to answer on constitutional or any other grounds, and he is here with the advice and in attendance with his attorney."

TESTIMONY OF ELEANOR DODGE

Mrs. Eleanor Dodge was accompanied by her attorney, John W. Porter, testified that she resided at 9606 Lorica Street in Rosemead, Los Angeles County, that she was an employee of the Southern California Edison Company, and after stating, in answer to the first question, that she had resided at her present address for about a year and a quarter, invoked the protection of the Fifth Amendment when asked if her father's name was J. A. Flamholtz. She also invoked the Fifth Amendment when asked to give the committee the first name of her husband, and in response to a series of questions concerning her participation in *American Youth for Democracy* and her membership in the Communist Party. She was thereupon excused.

TESTIMONY OF CLARENCE SIMO

Mr. Simo was also represented by Attorney John W. Porter, and testified that he was employed by the Southern California Edison Company and resided at 1070 Santa Cruz Street in San Pedro. When questioned concerning his participation in Communist front organizations, his subscription to the *Daily People's World*, his membership in *American Youth for Democracy* and his membership in the Communist Party, he invoked the Fifth Amendment and refused to answer each and all of such questions put to him by the committee, and was thereupon excused.

TESTIMONY OF WILLIAM G. BANKHEAD

Mr. Bankhead was represented by Attorney Daniel G. Marshall, and told the committee that he resided at 1018½ South Vancouver Avenue in Los Angeles, had resided in southern California for approximately 20 years and was an employee of the Southern California Gas Company.

Having generally given the committee frank and full statements concerning his family, his various places of residence, and other personal data, he was asked whether or not he had ever been a member of the Communist Party, and immediately invoked the protection of the Fifth Amendment. When asked if he was acquainted with another employee of the Southern California Gas Company by the name of Arthur A.

Savage, the witness stated that he was acquainted with the individual, but when asked if he was acquainted with an employee of the company by the name of Leland R. Waterman, he claimed his immunity under the Fifth Amendment and refused to answer the question. This witness also resorted to the Fifth Amendment when asked whether or not he had ever distributed Communist Party literature to his fellow employees, and tried to recruit them into the Communist Party. He was thereupon excused.

TESTIMONY OF ARTHUR A. SAVAGE

Mr. Savage, accompanied by his attorney, Maynard J. Omerberg, stated that he was employed by the Southern California Gas Company and lived at 5039 Fair Avenue in North Hollywood. He testified that he had attended Pennsylvania State College, but when asked whether he had attended the City College of New York, refused to answer this question by invoking the Fifth Amendment and stated that he was moved to do so by reason of a letter from the late Dr. Albert Einstein, advising all witnesses who appeared before legislative committees investigating un-American activities to refuse to answer questions by invoking the Fifth Amendment to the Constitution of the United States. He was next asked whether or not he had ever attended Columbia University and refused to answer the question; and then asked whether or not he had ever attended the University of Mississippi, answered that question without the slightest hesitation.

The witness was then asked whether or not he was a member of the Communist Party during all of the time that he attended New York City College and Columbia University, and, of course, again invoked the protection of the Fifth Amendment, as he did when he was asked whether or not he was a member of the Communist Party during all of the period of his employment by the Southern California Gas Company. He was thereupon excused.

The next seven witnesses were all employees of the Pacific Telephone and Telegraph Company in southern California, three of them appearing before the committee without counsel.

TESTIMONY OF COLLIS D. SPURLIN

Mr. Spurlin appeared without legal representation, testified that he resided at 4429 Corliss Street, Los Angeles, California, and that he had been employed by the Pacific Telephone and Telegraph Company in Los Angeles for a period of approximately 32 years. He testified that he had been a member of the Communist Party in Los Angeles, as had his wife, having joined in 1938, or thereabouts, that he dropped out after three or four years, and reaffiliated until 1946, when he permanently severed his connections with the Communist movement. He was, at the time he

joined the party, an employee of the telephone company, and stated that his interest in Communism had been aroused through discussions with his friends and acquaintances and because he had attended some Communist front meetings at the Embassy Auditorium in Los Angeles.

The witness testified that he attended beginner's classes, took courses on Marxism and Communist ideology, and was eventually assigned to the 54th Assembly District Unit of the Communist Party of Los Angeles. It was, said Mr. Spurlin, a semi-open unit in that very few of the members took any trouble to conceal their party affiliations. He was assigned a fictitious name, in this instance, "Harding," which is the custom with the Communist Party for the purpose of protecting its members from disclosure, received a book, paid dues and having decided that he would find out as much as he could about the movement, insisted on using his own name instead of the party name assigned to him, or resign from the party.

All of the members of his unit were encouraged to subscribe to the *Daily People's World* and other Communist publications, and the entire activity of the unit to which Mr. Spurlin was affiliated seemed to him quite open and aboveboard. He stated, however, that he was probably isolated from some situations such as the underground apparatus of the party, and had no contact with party activists, to the best of his knowledge.

During the period of his membership, Mr. Spurlin stated that he was constantly trying to recruit his fellow employees in the telephone company to join the Communist Party, and sold books and periodicals and other Communist publications to them as best he could, although he was not particularly successful in this regard. His description of the mechanics through which he received the propaganda literature from the chairman of his branch in charge of disseminating propaganda, and how he handled the money he received in return, was most interesting and far too detailed and voluminous to include here. His testimony in this regard did, however, completely corroborate evidence taken by the committee during prior hearings, and is an interesting commentary on the financial operations of the Communist organizations in this State.

Mr. Spurlin also testified in detail concerning the technique by which political strategy was formulated in the meetings held by the branch to which he was affiliated, and then carried out through the medium of a club operated by the Democratic Party in California by Communist Party members who were also members of the latter organization. This technique, known as the technique of the Communist Fraction, has been explained by this committee in previous reports. Mr. Spurlin's testimony, however, added a new chapter to the committee's informa-

tion concerning the use of this highly effective maneuver in party politics.

At the conclusion of Mr. Spurlin's testimony, he stated that he informed all of his superiors in the telephone company that he had been a member of the Communist Party, and that he had severed his connection permanently with that organization. He told his supervisor that he would have nothing more to do with Communism, and thereafter went to the Federal Bureau of Investigation in Los Angeles and gave them the benefit of his experience and his information. He reiterated and re-emphasized the fact that he was isolated from anything bad in the Communist movement because of his insistance on disclosing his affiliation and stated, "I think if there was anything bad about the organization, it could go on without my knowing it because I was so busy doing what I thought was right, and I had enlisted a lot of people with me that believed I was right, and we thought we were right and sincere and aboveboard, and anybody with any skulduggery would naturally avoid us because he would naturally chop them down if we knew about it."

Mr. Spurlin was completely cooperative with the committee, answered all questions put to him without hesitation, and materially contributed to the knowledge of the committee concerning Communist techniques, particularly with regard to employees of the company for which he worked.

TESTIMONY OF SAMUEL A. PHILIPS

Mr. Philips, accompanied by his attorney, Robert W. Kenny, told the committee that he lived at 2061 West 69th Street, was an employee of the Pacific Telephone and Telegraph Company, was born in New York, and willingly answered all questions put to him concerning his personal background, his marital status, his union affiliations and his educational background. When asked whether or not he had ver subscribed to the *Daily Peoples World,* he invoked the protection of the Fifth Amendment, as he did when he was asked whether or not he had ever been a member of the Communist Party. He was then asked whether or not he had either attempted to recruit any of his co-workers in the Pacific Telephone and Telegraph Company into the Communist Party and whether or not he had ever disseminated any Communist literature among them, and declined to answer these questions for the same reasons. The witness did, however, state that he was not a member of the Communist Party at the time he was asked the question, but refused to tell the committee whether or not he had ever been a member. Mr. Philips was then questioned concerning Communist front organizations, beginners' classes, and other similar matters, all of which he declined to answer by invoking the Fifth Amendment. He was then excused, but

was recalled shortly after he had left the witness stand, pursuant to an understanding which was discussed off the record between Mr. Kenny, the attorney for the witness, and Mr. Combs, counsel for the committee. The first question put to the witness after he reappeared for questioning was as follows:

"Q. (By Mr. Combs): Mr. Philips, when did you become a member of the Communist Party, as nearly as you can recall?

"A. Sometime in 1947, I believe.

"Q. What was your occupation at that time?

"A. Telephone installer.

"Q. Here in Los Angeles?

"A. Yes."

The witness further testified that he was attracted to Communism because of illness in his family, economic suffering, and a hope that Communist philosophy might help solve his problems. He had previously read some of the works of Karl Marx, had obtained books and other printed material from a Communist book store, and after cancelling his subscription, nevertheless continued to receive the publication since it was delivered to his home under the name of "Occupant." Using that name, he renewed his subscription and continued to receive and read the paper.

Mr. Philips described his attendance at beginners' classes, shortly after he had become a member of the Communist Party. He studied the Marxian economic doctrine, dialectical materialism, the materialist interpretation of history, the *Communist Manifesto,* and the official history of the Communist Party of the Soviet Union. Mr. Philips testified that after he had become quite active in party work, having been assigned to a branch and a section, he was particularly interested in disseminating propaganda literature of various types, and also was active in endeavoring to form a group of telephone company employees into a Communist unit, in 1947. This activity included not employees of the Pacific Telephone and Telegraph Company, but anyone working in the telephone industry in southern California.

Mr. Philips stated that he had kept up his membership in the Communist Party and pursued his activities as a party member without the knowledge of his wife. Both the witness and his attorney, Mr. Kenny, informed the committee that the first intimation Mrs. Philips had concerning her husband's Communist activities originated with the service of subpenas on both the husband and wife. As a matter of fact, the witness testified in that regard as follows:

"The Witness: I don't think she knew of my membership. She may have found out about it, but I don't think she knew.

"Mr. Combs: Do you mean as of this moment?

"Mr. Kenny: No, as of the date of the subpena. I am sure that produced a lot of family discussion.

"Mr. Combs: I am sure it would. You have discussed it with her now?

"A. Yes.

"Q. During the period that you were a party member your wife had no knowledge of your membership?

"A. You will have to ask her if she had knowledge. I don't think I gave her any indication of it."

It is only fair to this witness to note that during the entire period of his testimony when he was recalled to the stand, he did not attempt to evade any of the questions put to him, nor did he invoke the Fifth Amendment or any other legal or constitutional provision as an excuse for refusing to answer any questions. It should also be pointed out that at the time of the hearing he was still subscribing to the Communist newspaper, and stated that he had not resigned from the party, but merely drifted out of the movement by ceasing to pay dues and by deliberately becoming dormant.

TESTIMONY OF ELEANOR PHILIPS

Mrs. Philips, an employee of the Los Angeles City Board of Education, and a teacher in the Los Angeles City School System, had previously been interrogated by the committee at this hearing in connection with her knowledge of Communist activities in general, and concerning the fact that the *Daily People's World* was being regularly delivered at her home. She stated that no one had ever attempted to recruit her into the Communist Party, and that she did not know anyone who, to her knowledge, was a member of the party. After her husband testified, Mrs. Philips was recalled to the stand, and interrogated as follows:

"Q. (By Mr. Combs): Mrs. Philips, your husband has just testified that he was a member of the Communist Party in Los Angeles County and that he disaffiliated from the party early in 1950 and has not been affiliated with it in any way since that time; that prior to his disaffiliation he had been a member of the Communist Party for two or three years, I don't remember just how long; and as a member, he regularly attended unit meetings of the Communist Party. When did you first learn, Mrs. Philips, that your husband had been a member of the Communist Party?

"A. In Mr. Kenny's office.

"Q. In Mr. Robert Kenny's office?

"A. Yes.

"Q. When was that?

"Mr. Kenny: It was last Thursday, wasn't it?

"The Witness: We met right after the subpena.

"Mr. Combs: Right after the subpena was served on your husband?

"A. Yes. Then we went straight to Mr. Kenny.

"Q. You and your husband went to Mr. Kenny's office and conferred with him about the services of the subpena and what you should do?

"A. Yes.

"Q. Was it then that you learned your husband had been a member of the Communist Party?

"A. Yes.

"Q. How was that information conveyed to you?

"A. Mr. Kenny asked him?

"Q. Mr. Kenny asked him if he had been a member of the Communist Party?

"A. Yes.

"Q. In your presence he said he had been?

"A. Yes.

"Q. Prior to that time you had no knowledge of any nature about your husband's Communist affiliations?

"A. No. What are those years again?

"Q. 1947 to 1950.

"A. I had just begun teaching then. I did not have a regular credential so I was going to school. I was out most of the evening. I was teaching in the daytime. I came home and made dinner and taught school at night.

"Q. You did not know about your husband's activities in the evenings?

"A. We hardly saw each other at that time except to say hello and goodby. We had a real rugged time.

"Mr. Combs: I think that is all, Mr. Chairman.

"Senator Coombs: Mr. Chairman, in view of the testimony of this lady and the gentlemen who just preceded her and the information they have given to the committee, and as protection to them, I move that we expunge all of their testimony from the record.

"Senator Desmond: No.

"Chairman Burns: I think we should have it in the record.

"Senator Coombs: That is my feeling in the matter.

"Senator Desmond: It is informative.

"Chairman Burns: May I say this, as far as expunging the record we will deny the motion, but in fairness to these two people, a statement as far as their testimony is concerned can be given which will not prejudice their case in any way.

"Senator Coombs: What I had in mind, Mr. Chairman, is this. They cooperated with us and I think we should protect them as far as we can.

"Chairman Burns: I agree with that. I will go along with that.

"Senator Desmond: We will all agree with that.

"Chairman Burns: In light of what has transpired here I am wholly in accord with your viewpoint.

"Senator Coombs: All right. I will withdraw the motion.

"Mr. Combs: May the witness be excused?

"Chairman Burns: Yes, you may be excused, Mrs. Philips."

TESTIMONY OF MRS. ELNA VANDERGOOT

Mrs. Vandergoot, accompanied by her counsel, Mr. William B. Esterman, testified that she resided at Culver City, California, and had been an employee of the Pacific Telephone and Telegraph Company for 32½ years. After describing her duties in connection with her present employment, the witness was asked whether or not she ever subscribed to the *Daily People's World,* and at this juncture she conferred with her counsel and declined to answer the question on the ground that it was none of the committee's business. She was then asked whether or not she had ever been a member of the Communist Party, and declined to answer that question by invoking her rights under the Fifth Amendment and other legal provisions which she gave, pursuant to the advice of her attorney. The last question put to this witness was whether or not she had been a member of the Communist Party during the entire period of her employment by the Pacific Telephone and Telegraph Company, in response to which she invoked her rights under the Fifth Amendment and other legal provisions suggested by her attorney, whereupon the witness was excused.

TESTIMONY OF EVELYN BANKE

Mr. John W. Porter appeared as attorney for this witness, who testified that she resided at 1232 26th Street in San Pedro, was an employee of the Pacific Telephone and Telegraph Company, and that she was the sister of Clarence Simo, who was previously interrogated as an employee of the Southern California Edison Company and was also represented by Mr. Porter. Mrs. Banke stated that she had never been a member of the Communist Party, invoked the Fifth Amendment when questioned about her reading of the Communist newspaper, but testified frankly and positively that she had never been connected with any Communist organization, had never authorized the use of her name in any Communist publication, and had never been solicited for membership in the Communist Party. She was thereupon excused from further testimony.

TESTIMONY OF WORDEN McDONALD

Mr. McDonald was also represented by Attorney John W. Porter. This witness testified that he resided at 4326 North Cogswell Road, in

El Monte, and that he was an employee of the Pacific Telephone and Telegraph Company in Los Angeles. When asked whether or not he was acquainted with an organization known as the *Civil Rights Congress,* the witness refused to answer the question by invoking the Fifth Amendment, and also resorted to his constitutional immunity by invoking that familiar provision when questioned about his subscription to the Communist newspaper, his participation in Communist front organizations and his membership in the Communist Party during the time of his employment with the telephone company. He was thereupon excused.

TESTIMONY OF FLOYD RICE

Mr. Rice appeared without counsel, and testified that he had lived in California since about 1920, had been employed by the Pacific Telephone and Telegraph Company for a period of 17 years, briefly told the committee something about the union organizations to which employees of the company were affiliated, but invoked the Fifth Amendment when asked whether or not he was a subscriber to the Communist newspaper, and also refused to tell the committee whether or not he was a member of the Communist Party during the time he was employed by the telephone company and also for a period of three years immediately preceding the time of his appearance before the committee. He was thereupon excused from further testimony.

TESTIMONY OF ALBERT S. KANAGY

This witness appeared without counsel, gave his address as 209½ South Atlantic Boulevard in Alhambra, and stated that he was a telegrapher by training, had lived in southern California for approximately 35 years, and was employed by the Pacific Telephone and Telegraph Company.

He testified frankly that he had subscribed to the *Daily People's World* in 1946 out of a matter of curiosity, and after his first year's subscription had lapsed, was not interested in renewing it. He also stated with equal candor that he had never been a member of the Communist Party, or any Communist controlled organization, to his knowledge.

Mr. Kanagy was questioned primarily concerning the trade union organizations with which employees of the telephone company were affiliated. He traced the history of the American Communications Association and discussed the attempts by the Communist Party to infiltrate that organization. At the time Mr. Kanagy was affiliated with the American Communications Association, that organization was headed by Mr. Mervyn Rathborne, and the witness also had considerable business with Phillip M. Connolly, when the latter was president of the State CIO Council. During this period of time, Mr. Kanagy had no idea that either of these men were members of the Communist Party,

but learned of their party affiliations subsequently when Mr. Rathborne appeared as a witness for the United States Department of Justice in connection with deportation proceedings against Harry Bridges, and admitted that he had been a member of the Communist Party during the period of his activity as an officer of the American Communications Association. Mr. Connolly's Communist affiliations were disclosed when he was convicted under the provisions of the Smith Act for belonging to the Communist Party and advocating the unlawful overthrow of the United States Government. The witness stated that the union to which he was affiliated, the Order of Repeater Men and Toll Testboard Men, was overwhelmingly anti-Communist, and would not tolerate any members who were Communists if the information was made available to the officers of the union. This witness was particularly well qualified to give the committee the benefit of his information concerning the union organization, since he had not only been active in the American Communications Association, but so far as his present union was concerned, had been on the constitutional committee that organized it, was its first president, and held the position of southern areas chairman. He also served a term as international vice president of the American Communications Association, representing the telephone department, at a time when the membership comprised approximately twelve or thirteen thousand telephone workers, from 1946 to 1948. He had been a chief steward in Los Angeles, a shop steward, and at the time of his testimony, was southern California representative, being one of a seven-man general committee that conducted the affairs of the union.

In connection with the general problem of Communist infiltration of a public utility such as the telephone company, Mr. Kanagy gave the following answers to questions propounded to him:

"Q. (By Mr. Combs): This union is an extremely critical union as far as the operation of the telephone company is concerned?

"A. Yes. We maintain the long distance telephones and that sort of thing.

"Q. So it would be an extremely desirable thing for the Communists to infiltrate?

"A. Oh, yes.

"Q. And which, of course, you and the other responsible people are quite aware of?

"A. That is right. We would not be wanting to work alongside of someone who was suspect, or someone who could damage the union."

The witness also testified that in addition to the union to which he was affiliated, there were other unions comprised of telephone company employees, to-wit: the Communication Workers of America, CIO, representing most of the telephone workers on the Pacific coast; in southern California an independent union, the Federation of Women Telephone

Workers, representing approximately 10,000 traffic employees; and in northern California and Nevada, an independent union comprising about 1,500 clerks employed in telephone work. In Mr. Kanagy's own union, membership comprised a total of 400 in southern California, 200 of which were employed in the Los Angeles area, and all of whom worked at 433 South Olive Street, the main toll office for the Los Angeles area.

When the witness was reminded of the fact that he had written a letter recommending that the Parole Officer in Los Angeles County exercise clemency regarding the case of Phillip M. Connolly, who was applying for parole after having been convicted of driving while intoxicated in 1947, the witness stated, "I would certainly not have asked it if I had known he was a Communist, but it is likely I did. In February, 1947, I was pretty busy running in and out of town, and I was working almost full time for the union. Quite likely I did."

Mr. Kanagy answered all of the questions put to him with refreshing candor and frankness, and the committee greatly benefited by reason of his willingness to cooperate.

LOS ANGELES CITY SCHOOL SYSTEM

In January, 1954, the committee questioned 16 witnesses in connection with Communist infiltration of the Los Angeles City School System, and also regarding the activities of Local 430 of the Los Angeles Federation of Teachers. As was the case with the public utilities employees, some of the witnesses were extremely brief and having invoked the protection of the Fifth Amendment when asked pertinent questions, were quickly excused from the stand; the same technique was adopted by a great many of the teachers and other witnesses who appeared before the committee in connection with its hearing about the Los Angeles City School System. As will be seen, the committee received important information concerning the history and activities of Local 430 of the Los Angeles Federation of Teachers, adding to the information it had already received through other hearings.

TESTIMONY OF JACK ARMAND CHASSON

Mr. Chasson, accompanied by his attorney, William B. Esterman, testified that he lived at 2268 Holly Drive, Los Angeles, had lived there five or six years, received his bachelor's degree from U. C. L. A. in 1939, and was a teacher in the Los Angeles High Schools.

Mr. Chasson, like many witnesses who preceded him during this hearing, exhibited no hesitation in testifying about his personal life, his marriage, his education, the places where he taught, and his educational background. When asked whether he was a member of the Young Communist League while attending the University of California

in Los Angeles, however, he invoked his constitutional rights by refusing to testify on the ground that his answer might tend to incriminate him, and by also citing the other familiar constitutional and legal provisions provided for him by his attorney. Mr. Chasson was then asked the following questions concerning his alleged Communist background: whether he was executive secretary of the 57th Assembly District Section of the Communist Party of Los Angeles in 1944; whether he was chairman of the West Adams Club of the Communist Political Association of Los Angeles in 1945; whether or not he was a supporter of and contributed moneys to *American Youth for Democracy* in 1948; whether or not he attended a meeting of the joint branches of the Young Communist League from Los Angeles Junior College and the University of California in Los Angeles on July 8, 1936, at 435 North Lorraine Street, Los Angeles; whether or not he was elected a member of the County Committee of the Communist Party of Los Angeles pursuant to the County Convention of the Communist Party held at 220 West Seventh Street, Los Angeles, on September 15th and 16th, 1945; whether or not he was executive secretary of the 61st Assembly District Club of the Communist Political Association; and whether or not he had participated in or been affiliated with the *California Youth Legislature,* the *American Youth Congress,* the *American League Against War and Fascism,* the *American Student Union,* the *Labor Youth League,* and other similar organizations. To each of these questions the witness replied by citing the Fifth Amendment and the other legal provisions, and refused to answer.

Senator Burns then asked the witness whether or not he was ever a member of any organization which purported to support the Hitler regime in Germany, and Mr. Chasson, without hesitation, replied, "Of course not." He was thereupon excused from the stand.

TESTIMONY OF SERRILL LEONARD GERBER

Mr. Gerber, accompanied by his attorney, William B. Esterman, testified that he resided in the city of Los Angeles at 2841½ Avenel Street, graduated from U. C. L. A. with the degree of bachelor of arts, School of Education, in 1946, and was a teacher in the 6th grade at the Evergreen Primary School in Los Angeles.

When asked whether or not he was a member of the Communist Party, Mr. Gerber refused to answer the question by invoking the Fifth Amendment and the other constitutional provisions and laws cited by Mr. Chasson, and followed the same procedure when asked whether or not he had been executive secretary of the California District of the *National Students League* while a student at U. C. L. A., whether he attended a convention of the *American Student Union* at

Columbus, Ohio in December, 1935, whether he made a trip to Brussels in 1934 as a delegate to the *World Youth Conference,* and whether or not he had been registered as a member of the Communist Party ever since his graduation from the University of California in Los Angeles. Having refused to answer all of these questions, the witness was excused.

TESTIMONY OF EVELYN CAPELL HOWARD

Mrs. Howard was also represented by Attorney Esterman, and testified that she resided at 2740 Pitcher Road, Los Angeles, was a school teacher in the Los Angeles City School System, and that she received her AB degree at Reed College, Portland, Oregon, and attended classes at U. C. L. A.

When asked whether or not she was familiar with an organization known as the California Labor School, Mrs. Howard invoked the Fifth Amendment and the other provisions cited by the two witnesses who preceded her, and refused to answer the question. She responded in a similar manner when asked whether or not she was a member of the Communist Party of Los Angeles County and when questioned concerning her participation in other organizations that had been defined as subversive. She exhibited no hesitation, however, in answering a question put to her by Chairman Burns, who asked her whether or not she had ever been a member of the German-American Bund, the reply being in the negative.

TESTIMONY OF LUCILLE GUREV

Mrs. Gurev was represented by Attorney Daniel G. Marshall, stated that she resided at 1223 North Hayworth Avenue, Los Angeles, and was employed by the Los Angeles City Board of Education as a school counselor. The witness states that she graduated from the University of California in Los Angeles, having gotten her bachelor of education degree at that institution in 1936, and having obtained her masters degree from Columbia University. She had been employed by the Los Angeles City Board of Education for a little more than 14 years, and at the time she appeared before the committee, was connected with the Sutter Junior High School. She gave perfunctory answers to questions concerning her educational background, her marital status and her teaching activities, but invoked the usual constitutional immunities and provisions when asked whether or not she had ever been a member of the Communist Party.

The witness pursued a similar course when questioned about her affiliation with various subversive organizations, but when asked by Senator Burns whether she had ever been affiliated with the Ku Klux Klan or the German-American Bund in Los Angeles, simply answered no to each question without hesitation.

TESTIMONY OF ESSIE BROWN

Mrs. Brown, who appeared without counsel, had been employed as a custodian by the Los Angeles City Board of Education for a brief time, and testified that she had never been affiliated with the Communist Party or any Communist organization to her knowledge. She frankly stated, however, that she had contributed to the *Civil Rights Congress,* subscribed to the *Daily People's World,* and was a regular reader of a newspaper known as the *California Eagle.* The committee has heretofore pointed out that the *California Eagle,* several years ago, was regarded as a paper that consistently carried the Communist Party line, then having been published by Mrs. Charlotta Bass, whose record of affiliation with subversive organizations has been heretofore documented. We have also pointed out that so far as we can ascertain, the paper has since changed its policy.

Mrs. Brown testified that she was persuaded by friends and acquaintances to contribute to the *Civil Rights Congress* and to read the papers, without the slightest knowledge of their Communist character. The witness expressed her appreciation to the committee for having informed her concerning the true status of these organizations, and was excused from the hearing after having answered all of the questions put to her, frankly, fully and without hesitation.

TESTIMONY OF JOHN A. CAMPBELL

Mr. Campbell appeared without counsel, testified that he lived at 832 West Adams Street, Los Angeles, and had a doctor's degree in philosophy. This witness, who fully cooperated with the committee in frankly answering every question put to him without the slightest hesitation, testified that he had done some independent reading and study of Marxism, from the ideological standpoint, and was completely convinced that no Communist could be sincere as a teacher, since Communism was definitely incompatible with good Americanism. The attitude of this witness was particularly refreshing, bearing in mind that at none of these hearings had any member of the committee, or any committee representative, conferred with any of the witnesses, cooperative or otherwise, prior to the hearing.

Mr. Campbell was asked whether or not he had ever been a member of the Communist Party and gave the same unhesitating answer to that question as other witnesses had done when asked if they were members of the Ku Klux Klan or the German-American Bund. After having answered the question in the negative, the witness was asked the following questions:

"Q. (By Mr. Combs): Do you have any hesitation in making a categorical statement to that effect?

"A. I have no hesitation whatever.

"Q. Do you have any criticism against the committee of the State Legislature mandated to investigate subversive activities because of asking such questions?

"A. No, I have no feeling of resentment, none, whatsoever."

When told that he would be excused from the stand, the witness said:

"Any other questions? I am more than happy to cooperate with the committee in answering them.

"Senator Desmond: I would like to say this: that it is extremely refreshing to hear someone talk like you are talking.

"The Witness: Thank you.

"Mr. Combs: We have had a few others who have been equally frank and cooperative, but only a few."

TESTIMONY OF CHARLOTTE APPEL

Miss Appel, accompanied by her counsel, Abraham Gorenfeld, testified that she resided at 9460 Burke Street, Los Angeles, was a substitute teacher for the Los Angeles City Board of Education, received an A. B. degree from U. C. L. A. in 1948, and was then questioned concerning her connection with the *Socialist Workers Party,* commonly known as the Trotskyite Branch of the Marxian movement. To all questions concerning her affiliation with the Socialist Workers Party, or any of its subordinate organizations, and in connection with her attendance at meetings of the militant *Labor Forum* at 1302 East Fourth Street, Los Angeles, during 1952, the witness steadfastly invoked the Fifth Amendment and refused to answer all such questions.

LOCAL 430, LOS ANGELES FEDERATION OF TEACHERS

In the 1953 report, we devoted considerable attention to *Los Angeles Federation of Teachers, Local 430.* This material, which appeared on pages 124-132 of the 1953 report, traced the development of this teachers union which was expelled from the American Federation of Labor in September, 1948, for the reason that it was found to be Communist-dominated.

The committee had already questioned Frances Eisenberg, and she steadfastly refused to tell the committee anything concerning her alleged membership in the Communist Party and her participation in Local 430 of the *Los Angeles Federation of Teachers* in the capacity of its publicity department and editor of its paper. The committee was anxious to obtain additional information concerning the early history and activities of this organization, particularly in view of the fact that Mrs. Eisenberg was discharged from her position by the Los

Angeles City Board of Education, filed a suit against the board, and lost her appeal from a superior court decision against her and in favor of the board, several months ago.

Accordingly, the committee subpenaed Zelma Kingsbury, 2523 Oceanview Avenue, Los Angeles; Clifford H. Knowlton, 6329 Colgate Avenue, Los Angeles; Heber Glen Harrison, 840 Tremaine Avenue, Los Angeles; Ruth Priscilla Beattie, 421 Sequoia Drive, Pasadena; Vera Leshin, 4227 Cromwell Avenue, Los Angeles; Guy Havard Raner, 6850 Chimineas Street, Reseda; and Myrtle Eleanor Heath Wixman, 5273 New Castle Avenue, Encino. These witnesses, none of whom had the slightest idea why they were subpenaed, and none of whom had any contact with any member or representative of the committee, or with each other prior to testifying, were all cooperative and extremely helpful witnesses, enabling the committee to fill in many gaps in connection with its investigation of this particular union of teachers.

Mrs. Kingsbury testified that she had been a member of Local 430 of the *Los Angeles Federation of Teachers* for several years, and until its charter was revoked by the American Federation of Labor in September, 1948. She stated that the organization was run by a small clique, headed by Harold Orr and Frances Eisenberg, and that the organization spent virtually no time on teaching matters, or in connection with the welfare of the students, but was continually trying to pass resolutions concerning international affairs and left-wing politics. Mrs. Kingsbury was, in fact, so deeply disturbed by this condition that she went to her minister and explained the situation to him, stating that she intended to resign from the organization. He advised her to stay in and fight to clean it up, which she did. She managed to attract other members of the union who believed as she did, and together they worked to have the charter of the organization revoked. Mrs. Kingsbury, when asked whether or not she had ever been a member of the Communist Party, simply answered the question in the negative.

Clifford H. Knowlton, a retired teacher, stated that when he was a member of Local 430 it was "divided into two groups, sort of an armed camp, and one group wanted to be passing world-shaking resolutions, and the other group, the group that I went out with later, Mr. Thomas' group, the 1021, they wanted to cut that out and talk about teachers and pupils and the Board of Education. * * *" In referring to Mr. Thomas' group and the 1021, the witness was referring to Local 1021 of the American Federation of Teachers, headed by Mr. Thomas, a conservative former member of Local 430, and which came into existence when the charter was taken away from Local 430 and the latter organization was then persona non grata with the Board of Education and no longer recognized by that body.

Heber Glen Harrison, a teacher, testified that he joined Local 430 in 1932 or 1933 and continued his membership until the charter was lifted. He fully corroborated the other two witnesses concerning the two groups in the local, describing the cleavage as follows:

> "Well, the one group that formed 1021, principally members that formed 1021, I think would be said to have been more interested in keeping it a teachers organization for the benefit of the teachers in the schools, whereas, there was another group that was sort of the crusader type, they wanted to help everybody. If there was a strike in town or anywhere around, they wanted to take that up and discuss it and pass resolutions, and so on."

Ruth Priscilla Beattie, a teacher of ceramics in the Los Angeles Franklin High School, was a member of Local 430 for several years. Her testimony was largely cumulative, and she completely corroborated the witnesses who preceded her.

Vera Leshin, a Los Angeles school teacher, testified that the charter was taken away from Local 430 because it was infiltrated by Communists who managed to form a small nucleus that dominated all of the affairs of the organization. She described the radical propaganda that was disseminated by the organization to its members, and agreed with the preceding witnesses concerning the warring factions in the union, radical and conservative. Mrs. Leshin testified at some length, describing the dissidence, dissatisfaction, internal bickering and constant dissension between the groups within the union, and how the clique in continuous control of the organization kept the conservative element isolated from all of the union's internal affairs. She described how the bickering and dissension continued at an ever-increasing pace until the national organization was compelled to take away the charter because they felt that the union was Communist-dominated. During all of the time that she was a member of the union, Harold Orr was president, and during most of that period, Frances Eisenberg was in charge of publicity. Mrs. Leshin described how the propaganda issued under Mrs. Eisenberg's guidance and sent to the teachers who belonged to Local 430 was constantly criticizing and ridiculing American institutions, and constituted a destructive force that imbued the people who read it with a sense of frustration and futility, and was illustrative of how the union devoted its attention to propaganda and political activities instead of concentrating its attention on teaching conditions and the welfare of the students. The witness stated that this type of propaganda had a tendency to destroy the teachers' confidence in existing economic and governmental institutions and to that extent, interfered greatly with their capacity to function as objective teachers. She stated that in her

opinion a teacher who had been steeped in the environment which existed in the meetings of Local 430 and who had read the type of propaganda material issued by the controlling clique of the union, would necessarily reflect the effect of these things in her teaching activities—the feeling of frustration and the feeling of dissatisfaction with our American institutions.

Guy Havard Raner, a teacher, testified that he was invited to join Local 430 by Frances Eisenberg, corroborated the preceding witnesses concerning the dissidence and ineffectiveness of the union, and stated that the ruling clique steadfastly refused to pass a resolution condemning Communism and Fascism.

Myrtle Eleanor Heath Wixman, accompanied by her attorney, David Ziskind, testified that she was a kindergarten teacher at Tarzana Elementary School, and had been a member of Local 430 during the period from 1935 to 1938. During the time she was affiliated with the organization it had two presidents, Mr. Harry Shepro, who was the first president of the organization, and Mr. Lee Geyer, who succeeded him. Virtually all of the testimony of this witness was concerned with the conduct of the union during the period of her membership and under the leadership especially of Mr. Lee Geyer, who was formerly a member of the California State Assembly and thereafter was elected to the United States Congress. Although accompanied by Mr. Ziskind as her attorney, Mrs. Wixman exhibited no hesitation in fully cooperating with the committee and answering all of its questions to the best of her ability. She unhesitatingly stated that she had never been a member of the Communist Party or any Communist organization, to the best of her knowledge, had no hesitancy in answering questions of that character, and was not advised by her attorney to resort to her constitutional rights under the Fifth Amendment, and in every way conducted herself as a cooperative witness. Her testimony was most helpful.

It should also be pointed out that none of the witnesses who preceded Mrs. Wixman and testified concerning the development and operation of Local 430 of the *Los Angeles Federation of Teachers,* was represented by an attorney. Each of them answered the questions fully, completely and willingly. None of them resorted to the protection of the Fifth Amendment and none of them exhibited the slightest hesitancy when asked concerning their communist affiliations in answering the question in the negative.

The testimony in connection with the operation of Local 430, was added to somewhat by the information given to the committee by Mr. Harry Shepro, who was the last witness examined on this particular subject.

TESTIMONY OF HARRY SHEPRO

Mr. Shepro, accompanied by his attorney, William B. Esterman, stated that he had recently been discharged as a teacher by the Los Angeles City Board of Education in connection with his testimony before the House Committee on Un-American Activities. During his session with that body, Mr. Shepro was not asked questions that developed anything concerning the early operation of Local 430. We were therefore interested in obtaining from him, if possible, as much information as we could get concerning its origin and early operation. This type of question the witness answered without hesitation. He gave his address as 2657 Promenade, Santa Monica, and stated that he was one of the organizers of Local 430, and was elected its first president. He served in that capacity for a year or two, and to the best of his recollection, believed that the organization had its inception in 1936, or thereabouts. He testified that when the charter was lifted from the organization, it simply dropped the "Local 430," and has henceforth functioned as the *Los Angeles Federation of Teachers,* a completely independent union. Bearing in mind the testimony of the other witnesses concerning Local 430, and the reason for the lifting of its charter, Mr. Shepro was then asked whether or not he had ever been a member of the Communist Party, and refused to answer the question on the ground that his answer might tend to incriminate him, as well as invoking the other legal provisions cited by all of the witnesses who were represented at this hearing by Mr. Esterman. The witness was thereupon excused.

The testimony received by the committee at this hearing completely corroborated our opinion that Local 430 of the *Los Angeles Federation of Teachers* was Communist-dominated from the very instant of its creation, that domination continuing throughout the years from 1936 until 1948, when the American Federation of Labor, having conducted its own investigation of Local 430, removed its charter on the ground that it was dominated by a clique of Communists, and therefore, was no longer entitled to function as a local of the American Federation of Labor.

Mrs. Eisenberg had testified before this committee on at least two prior occasions, and Mr. Paul Orr appeared before us as a witness on one occasion. Each of them was unwilling to answer any questions concerning their subversive affiliations and activities, invoking the Fifth Amendment in connection with every question touching on their participation in Communist front organizations, their subscriptions to Communist publications, and their membership in the Communist Party. That testimony, together with the material set forth in our 1953 report is amply supported and corroborated by the testimony received

from the foregoing witnesses. The Communist domination of Local 430 from its inception until the date its charter was lifted, has been thoroughly established, and thereafter, the publications and activities of the *Los Angeles Federation of Teachers* give no indication that it has ceased to be so dominated.

TESTIMONY OF JERRY GEORGE NOVOTNY

The testimony of this witness is treated separately from the testimony given by the other witnesses at the Los Angeles hearing held in January, 1954, because of its peculiar nature, touching, as it does, on the experiences of an active Communist Party member throughout widely scattered parts of the United States, in a defense industry, as a propagandist, as a party writer, as a functionary in the Young Communist League, and as a witness who was not only frank and entirely cooperative in his testimony, but whose story is one of the most interesting and revealing that any witness has made at a hearing before this committee during the entire period of its existence.

For these reasons, and because Mr. Novotny was employed as a teacher in the Los Angeles City School System, we have considered it important to set apart his testimony from that of the other witnesses who appeared at the same hearing.

Mr. Novotny was not accompanied by an attorney, and testified that he had been recruited into the Communist movement in 1937 by a fellow member of his union, while employed at San Diego for the Consolidated Aircraft Company. Many union members were Communists, and Novotny, who was 19 at the time, knew them intimately as active party members. From San Diego, the witness returned to his home in Chicago, enrolled at the Hertzel Junior College, and was ordered by his Communist superior to transfer from the party to the Student Union of the Young Communist League, known as the *Jack London Branch.* He remained in this Communist for several years.

Being of Czech descent, the party then assigned Novotny to active work in its nationalities section in 1938. Hitler was then driving toward Czechoslovakia and the Sudetenland, hence it was relatively simple to arouse various Czech organizations in the Chicago area and sweeten them toward the Communist point of view. Novotny was so successful in this sort of work that the *International Workers Order* assigned a young lady, named Martha Novak, to help him form a young people's Czech group. This effort was actually directed by Gertrude Giles, then head of all nationalities work for the *International Workers Order.*

As a reward for his outstanding services to the party, Mr. Novotny was elected chairman of the State Committee of the Illinois Young Communist League. He soon discovered that this State Committee was merely a phantom organization, meeting once or twice a year, and

existing for the purpose of automatically executing orders transmitted to it from a higher Communist source. The State Committee automatically approved these directives and passed them down through the ranks of the party branches to the subordinate Communist units in the area.

In 1939, while attending a national convention of the Young Communist League in New York City, the delegates were ordered never to associate with Trotskyites, or members of the *Socialist Workers Party*. Many delegates, being college students and somewhat independently minded, resented being told with whom they could or could not associate. But the order was handed down firmly as a party directive, and, as usual, the assembled delegates meekly voted to support the decision. All, that is, except Novotny and a girl who agreed with him. Lacking the courage to vote no, they merely abstained. Novotny explained this plain instance of Fascist authority as follows:

> "It was a party directive. It was voted on. When the voting came I did not vote. I abstained. Only two of us abstained. I didn't have the courage to vote no. On our return to Chicago, this other girl and I were hauled into the party headquarters and were clarified on the necessity of doing these things.
>
> "Q. You were brain-washed, weren't you?
>
> "A. It was explained to us, after all, these people were the enemies of the working class and therefore you couldn't very well do it. One thing they said, it was actually down all the way from Stalin.
>
> "Q. The directive was from Stalin?
>
> "A. The directive was from Stalin. Here is the way they put it. I said, 'He is human. He may make a mistake.' They said, 'That is the trouble with you. First you assume Stalin is right and if subsequent events prove no, then he is wrong. The first thing to do is accept. That is the same with the Beria business going on now. First they accepted Beria, and now all of a sudden, he is on good because it comes from the top. It did not come from the bottom, it came down from the top. It is the same thing.'

Mr. Novotny discussed, in great detail, his experiences as an active, dedicated Communist. He worked as a propaganda writer, a speaker at the *Los Angeles Downtown Forum,* as coordinator of the *Los Angeles Youth Council* and as a party recruiter. When he enlisted in the United States Air Force, a party superior instructed him to further the Communist cause while in the service—which he steadfastly refused to do. He was honorably discharged in 1945, having disclosed his Communist background to his superior officer—but to no one else, until he appeared before us in January of last year.

The witness was on the stand almost an entire day, giving the committee a rich, valuable and extremely detailed and significant contribution. He testified without the slightest hesitation, sprinkled the record with such names, dates, and places as he could recall, described the Communist underground, the party security system, party hypocricies, the psychological effect on an active Communist of being compelled to devote much of his time to secret, conspiratorial activities, and the balance of this time in trying to convince his non-Communist contacts that he wasn't doing that sort of thing. He told how party members were not allowed to go to psychiatrists unless they, too, were members of the party, and he described party strategy and tactics clearly and at length. He made one interesting remark which is significant when considered in connection with the section in this report concerning the hearing about the infiltration of the Los Angeles County Medical Association. In that connection Mr. Novotny said:

> "At Hertzel Junior College there was one boy whom we would call a crazy, mixed-up kid. It was Jerry Kafka. We had a teacher teaching psychology. This boy went and talked to Dr. Kraft, I think it was. He told me his dilemma and disillusion. The teacher recommended that he join our group of the Communist Party because it would give him a purpose in life. He said, 'What you lack is a purpose. You lack a goal. These people will supply you with one and you will feel you are achieving something and using your abilities.'
>
> "Q. So he recruited the boy into the party?
>
> "A. Actually on that basis."

Mr. Novotny's narrative concerning the orders issued to him and his comrades at Consolidated Aircraft Company to give preferential, high-priority treatment to all PBY planes ordered by the Soviet Union, gives the complete lie to all trustful, uniformed rank and file Communists who insist in all sincerity that the party does not sanction such party activities. Novotny declared, testifying with considerable emotion:

> "During my whole life that was the only sabotage in which I have been engaged."

Having been on the stand for almost a full day, it would be impossible to include all of this witness's interesting testimony in this report. It comprises 50 closely typed pages in the committe's official transcript of the hearing. We have seriously considered issuing a supplementary report at a later date including the entire testimony of this witness therein, deleting only matters which should not be revealed in the interest of the internal security of the country.

Toward the end of his testimony, Mr. Novotny remarked:

"When you people gave me this subpena—I have been fearing it for many years; it has been interfering with my personal and professional life. I have joined no organizations. Why? I didn't join the left-wing teachers organization because I don't associate with them anymore, but neither did I join the Los Angeles Teachers Union, Local 1021. Neither did I join the ATOLA, a professional organization, or the California Teachers, because I didn't want my background to taint them. If one of these fine organizations were called into court, I might become an executive or functionary and they would say, 'Had Red ties, Novotny, and here is his record,' they would haul them out. So I have refrained from joining any organization. I am the kind of guy who likes people and likes to be with people. I am glad you people summoned me.

"Mr. Combs: This has been held over your head?

"A. Just like a club.

"Q. Like the sword of Damocles, ready to be dropped on you at any time as far as you were concerned?

"A. Yes. I feel relieved. Anything else you have to ask I am willing to testify about if I can help you."

And just before he left the stand, the witness said:

"Senator Desmond: There are a thousand things I would like to talk to him about.

"Mr. Combs: I would like to have you return at some future, undetermined date.

"The Witness: I will be glad to do so.

"Mr. Combs: So that we will have an opportunity to go into materials concerning which you have testified and to devise other questions.

"The Witness: Please do so, because this has been a long time in my mind.

"Mr. Combs: It will also give you an opportunity, Mr. Novotny, to refresh your mind in a less tense atmosphere, perhaps.

"The Witness: I felt a lot less tense when I entered your presence."

It should be added that the committee has not yet interrogated Mr. Novotny a second time, and he is still teaching as an employee of the Los Angeles City Board of Education. It should also be pointed out that several of the other teachers who appeared before the committee and refused to answer questions concerning their subversive activities and affiliations have been discharged from the employ of the Los Angeles school board.

THE SCHUYTEN CASE

On May 8th, 1954, at Martinez, California, an open hearing was held at which the committee questioned John Schuyten and Inez G. Schuyten, his wife, who appeared without counsel. Each of these witnesses had previously testified when subpenaed to Sacramento at a closed hearing of the committee, and on that occasion were represented by Mr. Joseph Genser of Richmond. At the time of the open hearing, Mr. Genser was occupied in other matters, the witnesses did not procure other counsel, and since the subcommittee intended to interrogate them largely in connection with the same matters they had already testified to in Sacramento, it refused to grant them a postponement and the hearing proceeded.

Mr. Schuyten was a teacher on the West Campus of the Contra Costa County Junior College, and Mrs. Schuyten was a teacher of English and social studies at Roosevelt Junior High School in the city of Richmond.

At the Sacramento closed hearing, and again at the open hearing in Martinez, Mrs. Schuyten was asked whether or not she had ever been affiliated with the Tom Payne Club of the Communist Party; whether she had not served as secretary of the open chapter of the *Joint Anti-Fascist Refugee Committee* at 1615 Broadway, in Oakland, during the years 1947 to and including 1949; whether or not she attended meetings of the Communist Party at the home of Professor Haakon Chevalier at 605 Woodmont Avenue in the city of Berkeley; whether or not the witness was a member of the Communist Party at the time she accepted the teaching position she held at the time of the hearing, and that her membership in the Communist Party continued during the years 1946, 1947, and up to and including the year 1950. To each and all of such questions, the witness invoked the Fifth Amendment and all other constitutional and legal provisions available to her, and refused to answer.

Mr. Schuyten was asked whether or not, while employed as a chemist at the Shell Development Company at Emeryville, he was not a member of a trade union organization known as the *International Federation of Architects, Engineers, Chemists and Technicians,* Local Chapter No. 25; whether or not he held several offices in that local, and served a term as its president; whether or not he was, during the period of his membership in FAECT Local 25, acquainted, both socially and professionally, with Frank Oppenheimer, the brother of J. Robert

Oppenheimer, and visited his home at 148 Tunnel Road, Berkeley, California; and whether or not he was a member of the Communist Party during the years 1946, 1947, and up to and including a portion of the year 1950. The witness was also questioned about his attendance on October 17, 1945, at a meeting of Communist Party functionaries at the Jenny Lind Hall at 229 Telegraph Avenue, Oakland, California, and whether or not he attended a meeting on December 29, 1944, at Danish Hall in Oakland, at which William Schneiderman, the head of the Communist Party of California, was present and spoke. All questions of this nature concerning the attendance of the witness at specified Communist meetings, Communist front organizations, and his affiliations and activities with organizations defined by this and other official committees as Communist-dominated, the witness refused to answer by invoking his rights under the Fifth Amendment, and all of the other legal and constitutional provisions available to him.

Following the hearing, both of the witnesses were discharged from their respective positions in the Contra Costa County School System, and thereafter filed a suit in the Superior Court of that County, seeking reinstatement. In April, a decision was rendered against them.

THE LURE OF THE COMMUNIST FRONT

On July 26th and 27th, 1954, the committee held a hearing in the city of Los Angeles. This meeting of the committee was open to the public, and was held for the purposes expressed by Chairman Burns at the outset of the proceedings, as follows:

"This hearing was called because of letters received by the committee from persons whose names have appeared in the published reports of the committee, mostly in connection with their alleged affiliation with various Communist front organizations. In many cases, these individuals were the innocent victims of Communist hypocrisy and were active in these fronts only until they realized their true nature.

"During the period of 1935-1945, there were hundreds of front groups functioning in California. Now there are relatively few. Whereas it was easy and not always unfashionable to affiliate with such fronts 10 or 12 years ago, it is now very difficult to fool the average American into innocently joining a Communist-dominated organization. As more information was made available to the public, as the real control of the front groups was exposed, and as the press, radio, television and publishing media pointed out the true nature of the international Communist conspiracy, there was a new odium attached to subversive activities.

"Ten years ago there was little danger in loosely accusing a man of being a Communist. Now, the courts have almost unanimously agreed that the public attitude has so changed that one falsely accused of Communist affiliation is sufficiently injured to warrant an award for damages.

"The committee has repeatedly stated that it is eager to rectify errors and is anxious to correct the records in cases where innocent people were victimized by Communist propagandists. It does not, however, intend to be used as a medium by people who, knowingly and deliberately, fellow-traveled for several years. We do not apologize for having accurately stated the activities of such persons, who made their own records by their own freedom of choice and with their eyes wide open.

"Already the committee has been accused of whitewashing by holding this hearing. It is very clear that no matter what the committee does it will continue to receive criticism from those few who believe that if a person was unfortunate enough to be drawn into a front at

any time, he should thenceforth be forever damned. The committee is also aware that the party may deliberately send one or more of its members to a hearing such as this, with instructions to disrupt the proceedings, castigate the committee, and try to undermine and discredit it in every way possible.

"All of these matters are inherent in any effort by a legislative committee in this field. The committee intends to be fair, as objective and effective as possible. *The obligation to investigate and expose subversive activities and persons carries with it an obligation to protect the innocent. The committee intends to do both to the best of its ability.*"

Shortly before the hearing was held, the Screen Writers Guild advised its members of a plan by a private concern known as ***Calstate Publications*** to publish a two volume collection of all of the official reports of the California Legislative Committee on Un-American Activities from 1943 to 1953, inclusive, together with a complete index of the persons named in the reports. The Guild also informed its members that the California committee, in order to be fair, had expressed its willingness to receive and enter into the official publications any letters from individuals who felt they could be injured by careless interpretations through incomplete or inaccurate mentions of their names or activities. Pursuant to this information circulated among the members of the Guild, many of them sent letters to the committee, a good share of them under the mistaken idea that the undertaking to publish all of the reports of the committee in a two volume work was a committee project. Actually, the committee had nothing whatever to do with this plan, it having been entirely undertaken by private interests.

The Committee Chairman, Senator Hugh Burns, directed letters to all of the individuals from whom he had received communications in this regard, and invited them to attend the committee meeting, which opened on July 26th of last year in Los Angeles. No subpoenas were issued, but Senator Burns asked that his letter be acknowledged and requested information as to whether or not the individual affected planned to attend the hearing. Actually, nine witnesses appeared and signified their desire to testify. They constituted a tiny fragment of the individuals from whom letters or other communications were received.

In conformity with the statement made by Senator Burns and quoted above, the committee is herewith making an attempt to not only give in highly condensed form a summary of the testimony adduced at the July, 1954, hearing, but also to include in this section of the report brief statements concerning other individuals who wish to have our records clarified, who have filed affidavits with the committee stating their opposition to the Communist Party and the fact that they have

never been affiliated with it or any of its front organizations; also to include, so far as time and space will permit, mention of each instance where the committee mentioned in its index or in the body of its reports, an individual known to be engaged in subversive activities or affiliated with subversive organizations, and later discovered that there was another individual with a perfectly clean record but with the same identical name, and residing in the same identical community. Of course, the committee has no control whatever over situations of this type, but it wishes to be consistent and as thorough as possible in clarifying these matters.

LOS ANGELES HEARING, JULY, 1954

TESTIMONY OF HOWARD ESTABROOK

Mr. Estabrook was the first witness who appeared before the committee by invitation, on the 26th of July, 1954. He gave his address as 10530 Wilshire Boulevard, West Los Angeles, and his occupation as a screen and television writer of many years experience.

The committee had theretofore corresponded and conferred with Mr. Estabrook and had sent him a letter, signed by Senator Burns, clarifying his participation in certain organizations later found to be Communist-dominated. Mr. Estabrook graciously acknowledged receipt of the letter and stated that it was most satisfactory and that he was thoroughly appreciative of the committee's efforts in his behalf. He continued to testify that he had served two terms as vice president of the Screen Writers Guild in Hollywood, was acquainted with Mary McCall during her tenure as president of that organization for two terms, explained in a general way the effort of the Communist Party to induce loyal Americans in the motion picture industry to affiliate with their galaxy of front organizations.

Mr. Estabrook himself was invited to deliver certain lectures at an institution known as the *People's Educational Center* in Los Angeles, that institution having been thoroughly exposed as Communist-dominated. Mr. Estabrook said that he was simply called on the telephone while he was at Paramount Studio and told that since he had had considerable experience in both motion picture directing and writing, that a talk on the relationship of writing to direction would be greatly appreciated. He had heard that other directors and writers had lectured at the institution, was exceedingly busy and didn't take the trouble to investigate the school before he accepted the invitation. He simply agreed to attend and speak, which he did.

On arriving at the *People's Educational Center,* he found a little gathering of people, most of whom were employed in some minor capacity with the motion picture industry. Said Mr. Estabrook:

"It sounded all right to me. They looked like people who were ambitious and hard working. They were willing to come out at night and to learn about somthing else. So I gave the talk. That is all I know about it. I didn't know there was anything back of the thing. It came out later that this was supposed to be a subversive outfit. It was just as much a surprise to me as it could possibly be.

"Q. You did not give any more than one lecture?

"A. Yes. They called me the second time because some director had been called out of town on location and they were caught short and asked if I would come over and give another talk, so I gave them another talk, but I would say that was some little time later. At that time nothing had come out about the group, so I didn't know anything about it. You see, you are constantly importuned all the time at the studios for the use of your name here and there. All you can do is hide and lock the door."

Mr. Estabrook pointed out that during 1944 and 1945, there were many more such organizations functioning in the southern California area than at the present time. Writers were subject to criticism if they didn't help out with undertakings that appeared to be innocent and "progressive." He said that the writers were probably lax and did not investigate too closely, as was the case when he made a contribution to the Young Communist League, then functioning under the name of *American Youth for Democracy*. He was then asked this question and gave the following answer:

"Q. Do you feel it is of benefit to really know about organizations like the *People's Educational Center* and *American Youth for Democracy;* do you think it is of help in avoiding entanglement with such organizations?

"A. I would say so just as emphatically as I know how. I think this committee has done a great service in bringing these things to the front."

Mr. Estabrook further testified about the use of his name by an organization, no longer extant, by the name of *Actors Laboratory Theater*. He called up this organization on the telephone, being constantly on the lookout for motion picture talent, said that his name was Howard Estabrook and picked up two tickets at the box office. He did not like the performance and never went to the theater again, but the organization, without any further effort to communicate with Mr. Estabrook or obtain his consent, listed him as a sponsor of the organization. This, as we have frequently pointed out, is an old and reprehensible Communist trick.

In explaining his connection with the *Hollywood Writers Mobilization* —which actually was comprised of virtually all of the writers of the motion picture industry, who were predominantly loyal without ques-

tion, Mr. Estabrook made an extremely penetrating contribution to the committee's record, as follows:

"Q. (By Mr. Combs): Mr. Estabrook, do you remember an organization known as the *Hollywood Writers Mobilization?*

"A. Yes. I will tell you about that. The *Hollywood Writers Mobilization* was organized during the war to furnish material, subjects for radio programs, and so on, everything that writers could do to help the war effort. It was commended by the President of the United States. It was cited in the *Congressional Record.* It was commended by the Army and Navy. If you will look at page 220 of a book called *Men Without Faces,* written by Louis Budenz, you will find reference to the *Hollywood Writers Mobilization* and the *Writers Congress.* Why did the Communists, we will say, attempt to manipulate an organization like the *Hollywood Writers Mobilization,* as it seems they did? I think it gave them a very fine association. At that time, you will remember, Russia was a military ally of the United States. Also it gave them an entree to the *Writers Congress* which you will probably mention. *The Writers Congress* was held at the University of California at Westwood. It was opened by Dr. Sproul, and the President of the United States sent a telegram. Why did they want to mess around with the *Writers Congress?* Apparently it gave them a beachhead into the University of California, because later, a magazine was printed called the *Hollywood Quarterly.* On the board of that magazine were a number of people who were later, I think, sentenced for contempt of Congress, or one thing and another. The magazine gave them contact with the University, gave them a front, a facade, a certain amount of prestige for their members. It was a puzzle to me at the time. I said, 'It is utter nonsense. There is no Communist propaganda in the *Hollywood Writers Mobilization.* There is none in the *Writers Congress.*' But as it is analyzed, I can see how it unfolds, and I can see that there must have been a purpose in it."

At the conclusion of his testimony, Mr. Estabrook volunteered this statement:

"I just want to say that I thoroughly endorse the work of this committee, the way it is being operated at the present time. If I might say so off the cuff, I have been interested in noticing that this is not called the 'Senator Burns Committee.' It is called the Senate Fact-Finding Committee. It is not the 'Joe Doaks Committee' or 'Mr. This or That Committee,' in fact, this committee is out for facts. It will get the facts here today. If you want any more facts from me, I will be glad to give them to you at any time."

Mr. Estabrook, as well as all of the other witnesses who appeared at this hearing, was asked whether or not he was a member of the Communist Party and unhesitatingly answered the question in the negative.

TESTIMONY OF JESSE L. LASKY, JR.

Mr. Lasky gave his address as 8729 Shoreham Drive, Los Angeles, and his occupation as a novelist and screen writer. His was a very obvious case of confusion with another individual by the same identical name, since one of the committee reports mentioned a Jesse Lasky as a member of a Communist-dominated front organization. However, the Lasky mentioned by the committee resided at 1034 South Catalina Street in Los Angeles, and Jesse Lasky, Jr., testified that he never resided at that address. This witness, the member of a family highly respected and noted in motion picture circles, had a distinguished war record, was criticized in the *Daily Peoples' World* for his anti-Communist writings, the issue of February 28, 1954, going so far as to say that one of his works was so violently offensive to the Communist cause that, "Not even the Nazi movement movie makers ever went this far in their hatred of Communism."

Toward the conclusion of his testimony, Mr. Lasky was asked:

"Q. (By Mr. Combs): * * * Obviously the person referred to in the report, who, incidentally, had the same name that you have, was an entirely different person. Does that clear it up to your satisfaction?

"A. Yes, sir. That is apparently also a difference in soul, mind, and body."

TESTIMONY OF ALBERT LEWIS

Mr. Lewis gave his occupation as a producer and theatrical director and his residence as 400 East 57th Street, New York City. His also was an extremely obvious case of confusion of two individuals by the same identical names. However, the Albert Lewis mentioned in the committee report, was mentioned in an entirely different vocation that had nothing whatever to do with the amusement world, but was described as a scientist, who had been affiliated with organizations described as Communist-dominated. As a matter of fact, after receiving the letter from the Mr. Lewis who appeared at this hearing, the committee examined its files and found that there was an Albert Lewis listed as a teacher, who had a record of engaging in subversive activities, another Albert Lewis, who was described as an official of *American Youth for Democracy,* in addition to the Albert Lewis described as a scientist. The committee never made the slightest mention of any person named Albert Lewis, the writer, director or producer, in connection with any kind of subversive activity or organization.

TESTIMONY OF WILLIAM KOZLENKO

Mr. Kozlenko gave his occupation as a writer for motion pictures, television and theater, and his address as 1236 South Camden Drive, Beverly Hills, California. Mr. Kozlenko pointed out that he had been

confused with an individual named William Koslenko, whose signature appeared on a document entitled, "Soviet-American Friendship," a photostatic copy of which is in the possession of the committee. The witness pointed out that the individuals cited by the committee spelled his name with an "s," and it appears that way in the report, whereas his name is spelled with a "z." He examined a copy of the document and stated categorically that the signature on it was not written by him or in his handwriting. He also testified that he had been connected, in one way or another, with the *Writers League,* the *Hollywood Writers Mobilization,* the *Hollywood Independent Citizens Committee of the Arts, Sciences and Professions*—and when he learned that these organizations had been cited as Communist-dominated, he immediately severed his contact with each and all of them and had no further contact with any of them, directly or indirectly.

Mr. Kozlenko then volunteered to the committee a most interesting and typical example of how he was invited to attend a series of musicals, and as he had an extraordinarily spacious livingroom in his home, permitted Earl Robinson, the singer, to arrange several of these affairs in the Kozlenko residence. He met many people on these occasions, and noticed that as the meetings continued, they veered more and more toward the left. Admission was charged, but he was never told for what purpose except that it was for a "worthy cause."

Publicity was issued by the individuals who held these functions, listing Mr. Kozlenko's name without his permission, as one of the sponsors of each of the events. Much of this publicity, he learned later, appeared in the *Daily People's World.* Eventually, he discovered that some of the funds collected at these affairs were being diverted to such organizations as *American Youth for Democracy,* cited by the United States Attorney General as one of the most militant Communist organizations in the country.

Mr. Kozlenko then discontinued the musicals at his home, the last one having been attended by more than 150 people, but later invited some of these individuals to meet Jose Iturbi, the eminent pianist and conductor.

Immediately, the individuals who had been conducting the musicals accused Mr. Kozlenko of being politically naive for entertaining a pro-Fascist in his home and refused to accept invitations to attend and listen to his musical performances.

Mr. Kozlenko expressed his complete repudiation of the Communist Party and Communist front organizations, expressed his appreciation to Senator Burns and members of the committee for permitting him to appear and state the facts, and congratulated the committee on its effort and technique in exposing subversive activities in California.

TESTIMONY OF ART ARTHUR

Mr. Arthur identified himself as a former newspaper man, and a producer, screenwriter and former executive secretary of the Motion Picture Industry Council. After giving the history of the Motion Picture Council and its functions, Mr. Arthur gave a complete and detailed account of Communist activities in the motion picture industry from 1940 to 1949, when there was an especially lush crop of Communist-dominated organizations masquerading under innocent names and which were enthusiastically attracting as many motion picture celebrities as possible into their ranks. Mr. Arthur gave several categories of people who are anti-Communist, but who, from time to time, found themselves innocently involved with Communist-dominated groups, and he described the Communist technique of deliberately mentioning names in Communist publications without permission, and adding the names of celebrities to lists of sponsors for Communist-controlled enterprises, such as was done in the case of Mr. Estabrook.

In the 1947 report issued by this committee, on page 372, Mr. Arthur's name was listed as a member of the editorial committee of the *Screen Writer*, official publication of the Screen Writers Guild, at a time when that paper had as its editor one Gordon Kahn. Mr. Arthur stated that he was, indeed, employed in such a capacity at the time mentioned, but pointed out that he was one of the leaders of the anti-communist group in the Guild, whereas Mr. Kahn was on the other side of the fence, and that there was a constant and bitter clash between the two in an effort to end Kahn's domination of the type of material which was printed in the publication. The clashes became so frequent and so heated that at one time Kahn accused the witness of actually being an undercover man for the FBI—which he was not—and threatened to denounce him as such to the executive board of the Screen Writers Guild. Mr. Arthur, without doubt, succeeded in un-horsing the Kahn clique, and replaced him as editor of the *Screen Writer* with Richard English, an outstanding fighter against Communism, and who produced the anti-Communist radio program, "Last Man Out."

Mr. Arthur pointed out emphatically that Albert S. Rogell, mentioned in one of the reports as having been on the executive council of the *Hollywood Independent Citizens Committee of the Arts, Sciences and Professions*, was one of the first people who discovered that the organization was Communist-dominated, and stood up at a meeting of the organization where men like John Howard Lawson, Lester Cole, and other identified Communists were present, and challenged them from the floor. Mr. Rogell sent the committee a letter, but his presence in England at the time the hearing was held prevented him from

participating in person. We are most happy to point out that Mr. Rogell, like Mr. Arthur, played a significant part in the battle to clean the Communists out of the motion picture industry and its affiliated guilds and unions.

Mr. Arthur made many suggestions to the committee, and made a most interesting and valuable contribution to the committee's records. His testimony ran for 30 closely typed pages of the transcript, and it is manifestly impossible to reproduce it here in it entirety. He left no question in anyone's mind concerning his stand against Communism, and commended the committee on its technique and its fairness in conducting the Los Angeles hearing at which he testified. At the conclusion of his testimony, Mr. Arthur pointed out that he had not yet been asked the question about his affiliation with the Communist Party, and volunteered the statement that, "I am not now nor have I ever been in the Communist Party. I loathe and despise Communism in every shape and form as I did Nazism before. There is very little difference between them."

TESTIMONY OF LORING FISKE

Mr. Fiske communicated with the committee while its hearing was in progress, having seen in the Los Angeles newspapers that an individual by the name of Guy Endore had publicly stated that he wanted to come before the committee and tell them that he was not a Communist. It turned out that Mr. Fiske, of whom the committee had no knowledge prior to his volunteering to come forward and give us the benefit of his information, turned out to be a tennis professional and a teacher of tennis, and had considerably more experience with the *People's Educational Center* than had Mr. Estabrook. The witness testified, in part, as follows:

"The reason I came was because I saw in the paper that a man by the name of Guy Endore stated he wanted to come before the committee and tell them that he was not a Communist, and wanted to clear himself. As it happens, back in 1946, in June, I took a course on the novel that he taught with John Sanford at the *People's Educational Center*. This course was supposed to teach how to write a novel, and all that. After I attended about two or three sessions I found that they spent about half the time discussing the Russian way of life favorably compared to the American way, and that if anything was said about the American form of government, Mr. Endore and his fellow instructor, John Sanford, would immediately tear it to pieces. He tried to get novels which would favor the class struggle, as he put it. He wanted us to write about the share-croppers, the tenant-farmers, and the coal miners. I told him, 'I am a tennis professional. All I know is tennis.' They suggested I stop teaching tennis and live with the share-croppers

and write a novel about it. They also objected when the heroine of the novel I was working on was a rich girl. They said that was impossible, that no person in the middle class or who belonged to the rich class could possibly be a hero or a heroine."

Mr. Fiske attended the school for 13 or 14 weeks and began to suspect that it was not exactly what it purported to be after the third session. He saw the name of John Howard Lawson listed on the list of instructors, also Frank Tuttle and Wilma Shore. The witness added:

" * * * No one could teach there for 17 weeks—they would never hire him or let him stay there for 17 weeks unless he was thoroughly in accord with their aims.

"Q. (By Mr. Combs): Which were what?

"A. Which were to build up the Communist system of living. In fact, I was the most disturbing person in the class because I always asked questions why they didn't have free elections in Russia.

"Q. That's a pretty good question. Did they ignore that type of question?

"A. Yes, or gave an answer in long double talk."

Mr. Fiske testified without hesitation that he had never been affiliated with the Communist Party or any Communist-dominated organization and was completely opposed to Communism in all forms. He was then asked the following questions:

"Q. (By Mr. Combs): Were you here when Mr. Estrabrook testified?

"A. Yes.

"Q. When he said that he had gone there?

"A. Yes.

"Q. Do you believe it would have been reasonable and possible for him to have given, say, two lectures at the school in 1943 or 1944 without detecting the real nature of the institution?

"A. Yes, I think it would have been possible.

"Q. It would have been quite possible?

"A. Yes. I think they probably did trade in on people like that for one or two lectures.

"Q. He testified he gave two.

"A. Yes, but he could not possibly give a whole series. The other thing I wanted to put in the record, Mr. Endore taught there for three years, at least, because other people asked me about the course a couple of years later, and I told them what it was like."

It should be added that Mr. Endore, having originally signified his intention of appearing before the committee as a voluntary witness, apparently changed his mind, since he did not appear while the hearing was in progress.

TESTIMONY OF MARY McCALL BRAMSON

Mrs. Bramson, professionally known as Mary C. McCall, Jr., gave her address as 6200 Mulholland Highway, Hollywood, and her occupation as a screen writer for the past 22 years. She served as president of the Screen Writers Guild on three occasions, and was accompanied to the hearing by her counsel, Mr. Martin Gang, of the firm of Gang, Kopp and Tyre. It should be observed that Mr. Gang took a seat in the audience so that he would be available in the event his client wished to consult him during her testimony, but actually, took no part in the proceedings and was not consulted at any time by his client, who answered all of the questions put to her with complete candor and frankness.

Mrs. Bramson stated that she, like Mr. Estabrook, had been listed as a member of the *Writers Congress* Advisory Committee—the congress held on the campus of the University of California in Los Angeles during the fall of 1943. She pointed out, as had other witnesses, that the predominant membership of the organization was completely loyal and anti-Communist, but that after the termination of the Second World War in 1945, it became quite apparent to her that a small and disruptive minority in her own guild, the Screen Writers Guild, seemed to be card-holding and hard-working members of the Communist Party according to their actions, their utterances, and their disruptive tactics in the guild. She also stated that a little group was trying to prolong the life of the *Hollywood Writers Mobilization,* which sponsored the Writers Congress at U. C. L. A. in 1943, and that the executive secretary of the mobilization was a woman who Mrs. Bramson was convinced was a member of the Communist Party. That individual, Pauline Lauber Finn, had been identified as a Communist by testimony adduced by this committee, and Mr. Robert Rossen, who for several years played a dominant role in the *Hollywood Writers Mobilization* and who masqueraded as a sincere liberal and not a Communist, finally admitted that he had been, during all of his tenure as an officer of the mobilization, an active Communist Party member.

Mrs. Bramson also mentioned her affiliation with a movement known as the *Emergency Committee on KFI,* which, while including some persons with dubious Communist front records, was for the most part comprised of loyal and anti-Communist individuals. She also cited an experience with *Actors Laboratory Theater,* having been listed by that organization as an audience sponsor. Mrs. Bramson believed that possibly she did agree to buy tickets to a certain number of performances and help the theater movement along in that manner. She had no idea, at the time, that the organization was a creature of the Communist Party. Mrs. Bramson also testified that she saw names cropping

up on the board of directors of the *Actors Laboratory Theater,* persons whom she believed to be members of the Communist Party and who had given valid evidence of their Communist sympathies, and obtained reliable information to the effect that the *Actors Laboratory School* was simply a recruiting apparatus for the Communist Party.

In 1943, a document issued by the *Hollywood Democratic Committee* stated that Herbert K. Sorrell, Albert Dekker, Mary C. McCall, Jr., Frank Tuttle and Orson Wells were among the individuals who attended a meeting of that committee at the Hollywood Roosevelt Hotel on March 4, 1943. Mrs. Bramson pointed out that she was attending a meeting of the Academy of Motion Picture Arts and Sciences on that particular date, in her capacity as president of the Screen Writers Guild, to present the awards for achievement in writing for that year. Her name was used by the *Hollywood Democratic Committee* without her consent, so far as this function at the Hollywood Roosevelt Hotel was concerned. She was, however, affiliated with the *Motion Picture Democratic Committee,* which later became the *Hollywood Democratic Committee* and ultimately the *Hollywood Independent Citizens Committee of the Arts, Sciences and Professions.* This latter organization, as has been seen in connection with that part of the report dealing with the infiltration of the Medical Profession in Los Angeles County, ultimately developed into the *Southern California Chapter of the Arts, Sciences and Professions.* She resigned by letter from the *Motion Picture Democratic Committee* following a resolution presented by Mr. Philip Dunn, that a resolution be passed condemning the invasion of Finland by the Soviet Union. The resolution was voted down, Mr. Dunn and Mr. Melvin Douglas being the only two individuals who voted in its favor. For a time she was a member of the executive council of the *Hollywood Independent Citizens Committee of the Arts, Sciences and Professions*—one of about 150 individuals—but severed all connection with the organization when she suspected it of being Communist-dominated.

Mrs. Bramson emphasized the fact that she considered extremists from the right, the fanatical and irresponsible persons with no regard for the rights of their fellow men and precious little regard for the truth, as extremely dangerous obstacles in the effort to combat the menace of Communism. Her most interesting comments cannot be quoted in full, but the following statement fairly well epitomizes her testimony:

"I think sometimes in revulsion from Communism—and revolting they are—you find yourself tempted to go too far the other way. This impulse you must resist."

After thanking the committee for permitting her to appear and testify, Mrs. Bramson concluded by saying that in her opinion, "Mem-

bers of the Communist Party are in effect agents of a foreign power, that any decision as to whether they are loyal to the United States of America or to the SSR, even the loyalty of an American born Communist Party member would go to the USSR."

She also gave the lie to the familiar old Communist propaganda that the downtrodden working masses had no chance to better themselves under a capitalistic form of government, by stating that her grandfather was a man named Johnny McCall, the son of an Irish immigrant saloon keeper in Albany, New York. Said Mrs. Bramson, "He rose by his own good name and his own efforts to be president of the New York Life Insurance Company. This was possible in this capitalistic republic of ours. I don't want anything to happen to that system because this is the kind of opportunity I want for my children."

TESTIMONY OF PAUL FRANKLIN

Mr. Franklin gave his occupation as a writer and director in the motion picture industry and for television and radio during a period of 25 years, and his residence as 12970 San Vicente Boulevard. He had written a letter to the committee, as had the other witnesses, requesting the privilege of appearing before it, and stated that he had been a member of the *Hollywood Writers Mobilization,* as well as the *Hollywood Democratic Committee.* He knew that John Howard Lawson was active in the *Hollywood Writers Mobilization,* and that Robert Rossen was the chairman of the Steering Committee. He also discovered subsequently that Lawson and Rossen were members of the Communist Party and that Pauline Lauber Finn, exceutive secretary of the mobilization, had also been identified as a Communist. Mr. Franklin stated positively that he was not a member of the Communist Party nor of any Communist-dominated organization, thanked the committee for its courtesy in permitting him to testify and was excused from further attendance at the hearing.

TESTIMONY OF LOU GREENSPAHN

Mr. Greenspahn succeeded Art Arthur as executive secretary of the Motion Picture Industry Council, had written no letter to the committee, but simply came to assure us that his anti-Communist policy would be exactly the same as that of his predecessor. His brief appearance on the witness stand was made solely for the purpose of assuring the committee of his firm and unswerving attitude against Communism and his determination to combat it on all fronts in the motion picture industry.

LETTERS AND STATEMENTS

During the time the committee was holding its hearings in Los Angeles in January, 1954, it was requested to permit Mrs. Irene Tedrow Kent to appear before it and make a statement clarifying her affiliation with the *Hollywood Actors Laboratory Theater*. The committee was glad to accede to this request, and has preferred to summarize Mrs. Kent's testimony at this place in the report rather than in connection with the hearing concerning public utilities and the Los Angeles City School System, since Mrs. Kent most certainly was never employed by a public utility, nor had she ever been in the employ of the Los Angeles City Board of Education. She is an actress of considerable repute, having been devoted to that profession virtually all of her life, having started as a child, and having played prominent parts both in radio and television. She took the part of the mother of Corliss Archer for 10 years on the radio, and also played that role over television. Shortly prior to the time of the hearing, she had appeared in a number of Dragnet films, and the rest of her work has been mostly in the radio field.

She was described in the 1948 report of the committee as having been a member of the Board of Directors of the *Actors Laboratory Theater* in Hollywood, which, she stated, was correct. She severed her connection with the organization, however, in 1945, and prior to that time was connected with it because the *Actors Laboratory Theater* was doing some shows for an organization known as Camp Shows, Inc.

Having become suspicious of the organization, both because of its controlling clique and the technique with which it was operating shortly prior to the time Mrs. Kent severed her connection with it, she became convinced that it was fast becoming a vehicle for the Communist Party line. Actually, the real heavy infiltration of the theater commenced late in 1946, which was after Mrs. Kent's connection with the board of directors had terminated. She stated positively that she had never been a member of the Communist Party or the Communist Political Association or any Communist front organization, to the best of her knowledge and belief. Mrs. Kent expressed her appreciation for the privilege accorded to her, and was excused from the stand. She was not represented by counsel at the hearing.

MISTAKEN IDENTITY

In connection with the January, 1954, hearing in Los Angeles, it should also be pointed out that Thomas Scott was subpenaed, stated that he was employed by the Pacific Telephone and Telegraph Company, and had not testified long before it became quite evident that he had been confused with another Thomas B. Scott, who had once lived in San Francisco and subsequently moved to Los Angeles. By a singular coincidence, the Thomas B. Scott who actually was subpenaed had also lived in San Francisco, and had previously been confused with his namesake, not by this committee, but in an entirely different connection. It also developed that the Thomas B. Scott who actually was in the presence of the committee, was born in Trinidad, British West Indies; so was the Thomas B. Scott who had formerly lived in San Francisco. The committee is happy to make it very clear that Thomas Blain Scott, who was mistakenly served with a subpena intended for a Thomas B. Scott, is, so far as we know, a perfectly loyal citizen, a loyal employee of the company for which he works, and we trust that he is never again confused with another man with the same identical name and initial, and who was also once a resident of San Francisco and, like the witness, was born in Trinidad, British West Indies.

Much the same situation occurred in connection with the appearance of Betty Cohen, also known as Betty Dunn, who was subpenaed in the place of another woman by the same identical name, and who, the committee was informed, was affiliated with the Arts, Sciences and Professions Council. Both individuals were employed by the Los Angeles City Board of Education, and it was in that connection the subpena was issued.

The committee regrets that Mrs. Cohen was inconvenienced, and wishes to make it perfectly clear that to the best of our information she is a perfectly loyal citizen, and was never affiliated with the Communist Party or any subversive organization whatever. She was accompanied to the hearing by her attorney, Mr. L. W. Lawson, and, like the witness who preceded her, Thomas Blain Scott, answered all questions of the committee fully and in a spirit of complete cooperation, and like him, expressed no resentment at the inconvenience she may have been caused.

STATEMENT SUBMITTED BY GEORGE E. BODLE

Mr. Bodle appeared as a witness, under subpena, at the January, 1954, hearing of the committee, since our records indicated that he had been employed by the Los Angeles City Board of Education in the capacity of a lecturer on labor relations from time to time. Mr. Bodle is an attorney and maintains his office in Suite 1205 of the Spring

Arcade Building, 541 South Spring Street, Los Angeles 13, California. The nature of his testimony was somewhat surprising to the committee, and we therefore quote some of it briefly herewith.

"Q. (By Mr. Combs): Have you been a member of the Communist Party, Mr. Bodle?

"A. In answer to that, I would say this: I don't think so. I mean I say that for this reason, Mr. Combs. I presume you are familiar with the Remington case?

"Q. Yes, I am.

"A. I read the Remington case, a second circuit opinion of some interest. I reread it after I got this subpena. There the court said that membership is in effect a conclusion, that it must be proved by very specific overt acts. You may recall in reversing the opinion the court said that specific overt acts had to be set forth in the bill of particulars if the new complaint was issued. I have been active in the labor movement, I guess, as attorney and counsel for others since about 1937. I have known a lot of people during that time. I have represented a large number of labor organizations. I have attended, I suppose, a good many meetings. Frankly, I am willing to testify as to any specific matter the committee wants to bring up, but I am not willing to put myself in a position where I would have to be subject to any perjury accusation on the grounds that certain acts which I did not think were significant, were considered by other people to be significant. I would like to think myself a very careful lawyer, and certainly with my client's affairs, and perhaps somewhat less with my own, and I would answer just flat no to that question but my answer is, I don't think so. As I say, I want to cooperate with the committee. I have nothing in my background that to my mind I have any reason to be ashamed of. As a matter of fact, I think my record around here is pretty much of an open book, as anybody who knows, with respect to the organizations I represent as counsel.

"Q. Let me put it this way, Mr. Bodle. Were you ever solicited by anyone to joint the Communist Party?

"A. I don't think so.

"Q. You don't believe that you were?

"A. I don't believe I was.

"Q. If you were you don't remember?

"A. If I was I certainly have no present recollection of it, no, Mr. Combs.

"Q. Were you ever issued a Communist membership book or card at any time?

"A. My answer to that, Mr. Combs, is that I don't think so. I suppose I have joined, I have joined some organizations, but I don't think I

ever joined the Communist Party or was ever issued any book by the Communist Party.

"Q. But you are not sure?

"A. I wouldn't say that. I just don't think that there is anything—I have no recollection, let me put it that way, of ever being issued any Communist Party book or Communist Party card, or anything of that character. If you go back a good many years I can tell you frankly I have searched my mind since I received the subpena, and I don't think that I ever received any book or anything."

A few questions later, the witness stated that he had always been opposed to the Communist Party in the unions he represented and was presently opposed to the Communist Party. He was then asked:

"Q. Did you ever apply for formal membership in the Communist Party?

"A. Well, I don't think so."

The witness testified that he was affiliated with the *National Lawyers' Guild,* but didn't know whether or not the Attorney General of the United States had listed it as a subversive organization; he testified that he was either president or chairman of the Hollywood-Beverly Hills branch of that organization in 1946, and testified that several years previously, he did not remember just when, but thought it was in the thirties sometime, he attended a meeting that was addressed by Earl Browder or some other prominent Communist functionary. The witness stated that he was acquainted with Frank Tuttle, Guy Endore, Herbert Biberman, and Jeff Kibre, all of whom have been mentioned in previous reports of this committee in connection with Communist front organizations and activities. The witness was thereupon excused from further attendance.

On February 26, 1954, Mr. Bodle sent an affidavit to the committee stating that at the time he appeared as a witness in January of 1954, he had just learned of the serious illness of his mother, and was so upset by the fact that he had been subpenaed and by his mother's illness that he was, "Actually unaware until after I had left the committee room and talked to the press that my testimony could be interpreted as evasive.

"I am glad to have this opportunity of clearing up any misunderstanding with reference to my intent or activities and I cannot tell you how much I appreciate your kindness in giving me the opportunity to do so. Sincerely, George E. Bodle."

The affidavit submitted by Mr. Bodle, in the first paragraph, contained this declaration: "I have never been a member of the Communist Party, nor the Communist Political Association, nor have I ever considered myself to be under the discipline of any Communist organization."

Mr. Bodle then, after describing some of his activities in connection with Hollywood guilds and unions, stated that in 1942, he was appointed to a position on the staff of the Regional Director of the War Manpower Commission in San Francisco, where he subsequently was appointed Deputy Regional Director. When he moved to the northern part of the state in 1942, he abandoned his law practice because he had no one who could attend to it. In October, 1944, he resigned from the War Manpower Commission and anticipated being inducted into the armed forces within a short time. He was anxious, in the intervening period, to reestablish his law office in Los Angeles and to accomplish this he needed an associate. He then was introduced to Frank Pestana, who had already been discharged from the service, and after three or four conferences—solely confined to professional matters and not in any way including politics—Mr. Pestana agreed to come to Los Angeles on a percentage arrangement and associated himself in the practice of law with Mr. Bodle. Space was rented in the Chester Williams Building, and the offices were opened on January 1, 1945, Mr. Pestana coming down to take up his practice on January 15th of that year. Shortly thereafter, Mr. Bodle entered the armed forces and while he was in the Army, Pestana told him in a letter that because of the volume of business he needed additional help and had procured the services of an attorney by the name of William B. Esterman, but that the latter insisted on becoming a partner in the firm. To this Mr. Bodle agreed. He had not at that time met Mr. Esterman and did not actually meet him until after he was discharged from the Army, and then the only information which he could ascertain about him was that Pestana had been an attorney with the National Labor Relations Board.

In December, 1945, Bodle returned to Los Angeles and had breakfast with both Pestana and Esterman in a restaurant on West Fifth Street. He was surprised when the two informed him that they no longer desired to practice law with him because he was only interested in money and not in the labor movement which, they said, was their primary interest. They told him he could use one office alongside the reception room but that he could not make use of the reception room. They had also, according to Mr. Bodle's affidavit, had the lease of the offices placed in their own names so that he had no legal interest in the premises, and had also had the telephone placed in their names. He has had no dealings with either of these gentlemen since the early part of 1946. We should add parenthetically at this point that Mr. Pestana was identified by a witness before this committee as a member of the Communist underground organization in Oakland, California, and that Mr. Esterman has been identified with a long succession of Communist front organizations and has been identified as a party

member in testimony before the House Committee on Un-American Activities.

It is manifestly impossible for the committee to reconcile the testimony of Mr. Bodle at the January, 1954, hearing with the first paragraph contained in his affidavit which was submitted on February 26th of the same year. Mr. Bodle attributes his confused testimony to his state of anxiety and concern over his mother's illness. In fairness to him, it should be stated that the committee investigated the condition, to the best of its ability, and found no evidence that Mr. Bodle was misrepresenting his mother's condition in any way. As the matter now stands, the committee has in its possession two sworn statements: one in January, 1954, made from the witness stand by Mr. Bodle to the effect that he did not know whether he was a Communist or not, and did not know whether he had ever received a Communist Party membership card; the other, made in an affidavit dated February, 1954, which contains a positive statement that he had never been a member of the Communist Party or the Communist Political Association. Obviously, the committee can make no determination other than to present the facts as we have them and permit Mr. Bodle's testimony and his affidavit to speak for themselves.

LETTERS

HENRY HERSCH HART

The committee is in receipt of a letter dated August 4, 1953, from Augustin C. Keane, attorney at law, 924 Mills Building, San Francisco, pointing out that the Henry Hart mentioned in the 1945 report of this committee and who then resided in New York City, should not be confused with Dr. Henry Hersch Hart of San Francisco. We have conducted an independent investigation in this matter and are happy to affirm that the two men are separate and distinct.

WILLIAM N. ROBSON

The committee is in receipt of an affidavit dated January 7, 1954, in which Mr. Robson states that he is not a Communist, has never been one and has never belonged to the Communist Political Association. There follows a list of citations in various publications alleging that the affiant was connected with various Communist fronts. Mr. Robson points out that in some instances he was affiliated with some of these organizations, not knowing their real character, and in other instances his name was used without his consent by Communist movements, and that he has never engaged in any pro-Communist activities to his knowledge.

MAURICE J. KARPF

The committee is in receipt of an affidavit executed by Mr. Karpf and dated March 18, 1955, stating that he appreciates the opportunity afforded him to file the document under oath and to clarify inferences

which might possibly be drawn from the listing of his name in some of the reports of this committee. Mr. Karpf states that he has never been a member of any Communist organization or front to his knowledge, and has no recollection of authorizing the use of his name in connection with a dinner sponsored by *American Youth for Democracy.*

C. M. GIBBENS

We are in receipt of a letter from Mr. Gibbens dated April 12, 1955, in which he states that his name has been cited in connection with an organization known as the *California Legislative Conference,* and heretofore defined as a Communist-dominated organization. Mr. Gibbens does not state whether or not this citation is correct, but he does point out that, "In December, 1947, when it became known to me that this organization was not for the purpose it was represented, and particularly after the third meeting, at which the so-called Third Party was born, I wrote an article for publication in the Railway Carmen's Journal, condemning the whole setup as a smoke screen to confuse the voters."

We are happy to include this statement in the record, and to indicate that we have no information concerning Mr. Gibbens' participation in the *California Legislative Conference* after 1947, or, for that matter, in any other Communist front group or organization.

NATIONAL COUNCIL AGAINST CONSCRIPTION

On February 21, 1955, Senator Burns received a communication from the *National Council Against Conscription,* stating that whereas in one of the previous reports it had been listed in such a manner that it might be deemed pro-Communist, it has consistently fought both against national conscription and Communism, as well. The organization submitted several documents in support of its contention, one of them being signed by Frederick Wolton of the *New York World Telegram,* dated May 16, 1951, and from a study of this and the other supporting documents submitted, we can only conclude that while we do not necessarily agree with the motives and purposes of the organization, it would appear that it is indeed anti-Communist and has been so at least since 1948. We have no information concerning its status prior to that time.

SONOMA COUNTY POMONA GRANGE NUMBER 1

On December 23, 1954, a letter was addressed to the Honorable Goodwin J. Knight, the Governor of California, signed by the Chairman and Members of the Committee on Un-American Activities of the Sonoma County Pomona Grange. This letter eventually went to the Attorney General's Office and by it was forwarded to us. On January 7, 1955, the following letter was directed to Mr. William W. Pisenti, Chairman of the Committee on Un-American Activities of the

Sonoma County Pomona Grange Number I at Cloverdale, California, by Senator Burns. It is as follows:

"Dear Mr. Pisenti:

Your letter of December 23, 1954, addressed to Honorable Goodwin J. Knight, concerning the listing of your grange in the 1948 Un-American Activities Report, was referred to us for reply.

"Your statement that the Sonoma County Pomona Grange is listed as subversive is in error. The only mention made in the committee's report is on page 195 of the 1948 report, stating that a delegate from your organization, named Edith Pfalsgraf, attended the meeting of the *California Legislative Conference,* which you state in your letter is true. However, in the next report we will mention your statement to the effect that you severed connections with this organization.

Sincerely yours,

HUGH M. BURNS"

ROBERT B. PETTENGILL

Mr. Pettengill, who resides at 1811 East Foothill Boulevard, Altadena, California, addressed a letter to the chairman of this committee, dated November 16, 1954, principally in connection with statements which appeared in the 1953 report of the committee. Mr. Pettengill at first decided to do nothing about the matter since the report did not accuse him of having been either a Communist or a Communist sympathizer. He later, however, decided that certain erroneous inferences might be drawn from the testimony of Patrick Burns, a witness before the committee, and therefore submitted the letter for our information.

Basically, Mr. Pettengill states that the matters contained in the report are correct, but points out that he did not particularly select Mr. Frank Wilkinson and Miss Carole Andre, identified as Communist employees of the Los Angeles City Housing Authority, to deliver lectures at his home in connection with a course that Mr. Pettengill was then teaching at the University of Southern California.

In connection with the statement in the report that Mr. Pettengill taught a class at the *People's Educational Center,* he states that he actually did not deliver any lectures at the institution, but in the spring of 1944, having resigned from the Office of Price Administration, and not having immediately resumed his full-time teaching at U.S.C., was invited to conduct a class during the summer at the *People's Educational Center.* He agreed to teach one class, and his name was listed in the catalogue of the summer session as a member of the faculty. Mr. Pettengill turned up at the school prepared with his lecture, and

was told that the course had been cancelled. He, therefore, was invited to function as a faculty member, agreed to do so, turned up for his first lecture, but actually was not permitted to lecture because of the cancellation of the course he was supposed to teach.

Mr. Pettengill says that we confuse dates when we state that his advent at the *People's Educational Center* occurred after the school had been identified as Communist-dominated. We believe that Mr. Pettengill was in error, since he refers only to identification by the Attorney General of the United States. We had pegged it for a Communist-dominated organization, with considerable documentation, a good deal earlier.

We are informed that Mr. Pettengill, recently elected chairman of the American Civil Liberties Union in Los Angeles, was also at one time an employee of the Ford Foundation, is now engaged in the real estate business and is part owner and manager of a wholesale bakery. We are happy to have the opportunity of including excerpts from his letter in this report, and making it a permanent part of the committee's files.

HAROLD GOLDMAN

Mr. Goldman acknowledged Senator Burns' letter inviting him to attend our hearing in Los Angeles which was held on July 26, 1954. In another letter dated January 14, 1954, Mr. Goldman informed the committee that he was at one time affiliated with the *Motion Picture Artists Committee* and during his entire membership had no suspicion that the organization was a Communist front nor carrying the Communist Party line. He did discover, however, that many persons on the board of directors and among the officers, while not known to him as Communists, were exposed many years later. Mr. Goldman added that he has never had any connection with any Communist organization nor movement to his knowledge.

FRANK L. MOSS

On January 7, 1953, Senator Burns received a letter from Frank L. Moss, a member of the Screen Writers Guild, stating that the committee report accurately noted that he had signed an advertisement in the *Hollywod Reporter* on behalf of the *Committee for the First Amendment,* but pointing out that a person named Jack Moss had been mentioned in connection with activities of the *Hollywood Independent Citizens Committee of the Arts, Sciences and Professions.* The writer of the letter desired the committee to mention the fact that he, Frank L. Moss, is an entirely different person than the Jack Moss mentioned in connection with the above-named organization. The committee is happy to accede to his request.

JOSEPH HOFFMAN

Mr. Hoffman wrote to the committee on January 7, 1954, stating that his name was also appended to the advertisement on behalf of the *Committee for the First Amendment*, and emphatically declared that he was unalterably opposed to either Communism or Fascism and was shocked when he learned that the *Committee for the First Amendment* had been listed as a Communist front organization.

RICHARD B. HUBLER

Mr. Hubler, a member of the Screen Writers Guild, informed the committee on January 6, 1954, that he had no connection with the Communist Party or any of its controlled organizations, and that the only mention contained in the reports concerning him consisted of an item stating that he was a member of the editorial board of the *Screen Writer*, publication of the Screen Writers Guild, and that while he was a member of the board several of his co-members were exposed as members of the Communist Party. No statement appeared in the report to the effect that Mr. Hubler was in any way engaged in subversive activities, the reported material simply giving a complete list of the membership of the board of the Screen Writers Guild at a time when its publication was very obviously being used as a vehicle for the dissemination of the Communist Party line. Mr. Hubler states in his letter that it is possible that some inference might be drawn from the mention of his name in the report that he might be sympathetic toward Communism, and wishes to make it very clear that such is not the case, but that on the other hand he is emphatically opposed to the Communist Party and its activities, and offered his assistance to the committee in its efforts to expose Communist activities in this State.

DELMER L. DAVES

A letter dated January 8, 1954, was received by Senator Burns from Mr. Daves in connection with a prior listing in the reports of all of the persons who signed an advertisement for the *Committee on the First Amendment*. Mr. Daves points out that he was solicited on the telephone for the use of his name by this organization, and gave his consent in the belief that it was performing a public service. He wishes us to indicate that no careless interpretation should be drawn from the mere fact that his name was included among the others, and the committee is glad to agree to him that no such inference should be drawn.

SY BARTLETT

Mr. Bartlett, a member of the Screen Writers Guild, wrote to the committee from London, England, on January 28, 1954. He had been advised that his name had appeared in some of the committee reports, but assumed that it was in connection with his membership in an organization known as the *Anti-Nazi League*. This was thoroughly established

as a Communist-dominated organization, but Mr. Bartlett's name never appeared in any of our reports in that connection. It did appear, however, on page 211 of the 1948 report in connection with a list of people who attended a meeting in the home of Ira Gershwin on the 25th day of October, 1947, in connection with a meeting of the *Committee for the First Amendment*, also tagged as a Communist-dominated front. Mr. Gershwin appeared and testified before this committee in Los Angeles on the eighteenth day of February, 1948. He was a frank and willing witness, stated that he had never been connected with the Communist Party in any manner whatsoever, described the meeting of the organization at his home, and identified many of the people who were present.

The committee has very frequently pointed out that the mere mention of a person's name in the reports is certainly no indication of any suspicion that he was a disloyal American or engaged in any subversive activity. As a matter of fact, the name of J. Edgar Hoover, together with innumerable public officials and members of the State Legislature, employees of the State of California, members of police departments and other public bodies, are mentioned in the report necessarily. We have endeavored, to the best of our ability, to make it amply plain that a Communist front organization is designed to trap loyal, anti-Communist individuals. Some of them, indeed, have appeared almost incredibly naive in their apparent eagerness to affiliate with every organization for which their name was solicited without taking the trouble to investigate the nature of the movement, but, nevertheless, this is not always the case, and it is sometimes easy for careless individuals to draw an erroneous inference from the mere mention of a name in an official publication.

Mr. Bartlett's membership in the *Anti-Nazi League* existed in the late thirties, and after he had severed his connections with that organization, it became heavily infiltrated by Communists, who eventually controlled the organization completely.

The committee is in receipt of Mr. Bartlett's impressive record of activity in the service of the United States, and again points out that his membership in the *Anti-Nazi League* in the late thirties, and his attendance at the Ira Gershwin home for a meeting of the Committee for the First Amendment should not be construed as evidence that he was pro-Communist or in any way engaged in subversive activity.

SHERIDAN GIBNEY

On January 22, 1954, Mr. Gibney, a member of the Screen Writers Guild, directed a letter to the committee pointing out that in our reports he had been named as a member of the *Writers Congress*, a member of the *Committee for the First Amendment*, a member of the *Hollywood*

Democratic Committee, a speaker for the *Radio Workshop* in Hollywood, and a member of the *Hollywood Writers Mobilization.* Mr. Gibney further states that he did participate in the *Writers Congress* at U. C. L. A., but didn't know at the time that the affair was manipulated by the Communist Party from its headquarters in New York. He states that if he had been aware of that fact, he most assuredly would not have taken any part in the proceedings. So far as the *Committee for the First Amendment* was concerned, Mr. Gibney states that we were correct in listing him as a member of that organization, but that he immediately resigned from it when he discovered that it had a pro-Communist flavor. The same thing was true so far as his membership in the *Hollywood Democratic Committee* was concerned. Mr. Gibney had no recollection of having spoken for the Radio Workshop or allowing his name to be used in connection with it. The letter also states that Mr. Gibney's connection with the *Hollywood Writers Mobilization* was extremely brief and cursory, and we have already pointed out that the membership of that organization was overwhelmingly non-Communist. He also contributed theses to the *Screen Writer* during 1947, and was president of the Screen Writers Guild in that year. It should be mentioned, however, that he was elected on an anti-Communist ticket and was extremely effective in eliminating Communist Party members from their positions of prestige and authority in the Screen Writers Guild.

Mr. Gibney's letter continues to point out that he has always been definitely anti-Communist, has never been a member of the Communist Party, and requests that these matters be mentioned in our forthcoming report. We herewith accede to his request.

ARTHUR SCHWARTZ

The letter received from Mr. Schwartz in January, 1954, describes him as a member of the Screen Writers Guild and a resident of California from 1941 to 1947, during which period of time he was engaged in following his profession as a writer. The letter states that he was a member of the *Hollywood Democratic Committee,* but that he resigned from the organization because, "several of its leaders wanted to continue it under another name. I felt, along with many other strong anti-Communists, that the proposed new set-up might be a cover for Communists and pro-Communists." Subsequent events have established that Mr. Schwartz' suspicion was pre-eminently accurate, and we wish to emphasize that no erroneous conclusion should be drawn from the mere fact that he was briefly a member of the organization. The letter also re-emphasizes Mr. Schwartz' anti-Communist and anti-totalitarian sentiments.

NORMAN HOUSTON

Mr. Houston wrote to the committee on January 5, 1954, and points out that the reports mentioned a man by the name of Norman Houston, who is an entirely different person than Norman F. Houston, the writer of the letter. We are glad to indicate that Norman Houston mentioned in our reports is not the Norman F. Houston from whom we received the letter, and who is a screen writer by profession.

THOMAS H. A. LEWIS

On January 20, 1954, the committee received a letter from Attorney Wilson B. Copes, of Los Angeles, on behalf of his client, Thomas H. A. Lewis, a screen, radio and television writer and producer. The committee had previously mentioned a Tom Lewis in its reports and stated that he was engaged in pro-Communist activities. The client of Mr. Copes wishes us to indicate that the Tom Lewis mentioned in our reports is not the Thomas H. A. Lewis connected with the entertainment business. We herewith comply with his request.

HARRY P. M. BROWN

On January 22, 1954, the committee received a letter from Mr. Brown, pointing out that in some of our reports we mentioned a Harry Brown, who was connected with the *People's Educational Center* as a member of its faculty. Mention was also made of other Communist activities on the part of Mr. Brown. No mention was made of Harry P. M. Brown, who writes the letter as a member of the Screen Writers Guild for the purpose of removing any doubt concerning the fact that he was not the individual referred to in the report. His statement is correct, and we are happy to make mention of it on this occasion.

I. A. L. DIAMOND

Mr. Diamond, another member of the Screen Writers Guild, was listed in some of our reports as a contributor to the *Screen Writer* in 1947, and a signer of the advertisement in the *Hollywood Reporter* by the *Committee for the First Amendment.* The writer of this letter, which was dated January 22, 1954, states that the listings are factually correct, but that he was not a member of the staff of the *Screen Writer* in 1947, and had no control over its editorial policies. Mr. Diamond emphasizes the fact that when he allowed his name to be used by the *Committee for the First Amendment* he had no knowledge whatever of the Communist infiltration of that organization, and states that he may have been politically naive, but certainly not disloyal. We join with him in emphasizing that no inference of subversive activity on his part should be drawn from the fact that he was accurately listed as a contributor to the *Screen Writer,* in 1947, when that publication was heavily laden with its burden of carrying the Communist Party line, nor in connection with the fact that he was persuaded to lend his name

and prestige to further the purposes of the *Committee for the First Amendment.*

BERNARD BURTON

Mr. Burton, another member of the Screen Writers Guild, directed a letter to the committee on January 9, 1954, in connection with the listing of a Bernard Burton as a subscriber to Communist publications. He points out that there were other people by the name of Bernard Burton in the Los Angeles area, and we are happy to point out that the gentleman mentioned by that name in our reports is not the same person as the writer of the letter dated January 9th, 1954, and who is a member of the Screen Writers Guild. Mr. Burton, the writer of the letter, graciously expressed his gratitude to us for correcting any misapprehension that might exist, and we thoroughly appreciate his graciousness in that connection.

HERBERT KLINE

On many occasions this committee has mentioned Herbert M. Kline, a Communist Party functionary and leader of the Communist movement in Southern California. The writer of this letter makes an interesting comment concerning his participation in the *Committee for the First Amendment* advertised in the *Hollywood Reporter*, his statement being as follows:

"The same anti-Fascism that led me to join the writers and artists groups in New York City in the mid-'30's when they took the lead in opposing Hitlerism led me to be among the first to break with and oppose these party-dominated groups on the issue of supporting the western democracies against the dictatorships of left or right. And I lived to regret—like many anti-Communist writers of today—having ever fallen for the 'Popular Front' the Reds abandoned to join with Hitler in the betrayal for which they later paid so dearly.

"I also came to regret sincerely having been misled into signing the 'First Amendment' on the false pretense that the issue was civil liberties, at a time when the methods used seemed to smack of 'star chamber' proceedings. I learned later, due to subsequent revelations of writers confessing party membership, I had no more knowledge of than the general public, that this was a maneuver of the party to use liberals against the committee."

We join with Herbert Kline in pointing out that he is not the Herbert M. Klein mentioned in our reports.

MAXWELL SHANE

The letter from Mr. Shane was dated January 23rd, 1954, and advised us that our statement that at one time he had been connected with the *Hollywood League for Democratic Action*—which, as we have explained, was heavily infiltrated and later dominated by Communists

—was correct and factual, but that no unfair inference should be drawn from that fact which would in any way link him with pro-Communist sentiments or activities. Apparently Mr. Shane was another member of the Screen Writers Guild who was under the impression that the two-volume collection of the committee reports was to be published by us. This, as we have indicated on many occasions, was not the fact. Mr. Shane states that he had no connection with the *Hollywood League for Democratic Action* after the election of Culbert L. Olson as Governor of California in 1938, and we join with him in the hope that no unfair inference regarding his political sentiments should be drawn from the mere fact that he at one time was connected with an organization which was Communist-dominated.

DE WITT BODEEN

Mr. Bodeen, also a member of the Screen Writers Guild, wrote to us on January 6, 1954, stating clearly that he has never been a member of any Communist organization, to his knowledge, and stating that he had been a signer of the advertisement which appeared in the *Hollywood Reporter* on behalf of the *Committee for the First Amendment,* but two weeks thereafter, when he realized the real nature of the organization and its implications, he withdrew from all connection with it. Mr. Bodeen states that he has assumed that our information came from a pamphlet entitled, *"Moscow Over Hollywood."* In this assumption, Mr. Bodeen is in error. Our information came from the *Hollywood Reporter,* issue of October 24, 1947.

EMMET G. LAVERY, SR.

Mr. Lavery had appeared and testified before the committee on October 17th, 1946, in Los Angeles. On that occasion, he stated clearly that he had no sympathy with Marxian doctrines, and in discussing the Screen Writers Guild with him, the committee declared to Lavery that: "We have said many times, and we say again, your organization has a lot of Communists in it * * * but we don't say the organization is Communist for that reason * * * nor have we called you a Communist." These statements were made in conjunction with evidence that was received concerning Mr. Lavery's tenure as president of the Screen Writers Guild.

The committee reports connect Mr. Lavery with the *Hollywood Democratic Committee,* the *Progressive Citizens of America,* the *Hollywood Independent Citizens Committee of the Arts, Sciences and Professions,* the *Hollywood Writers' Mobilization* and the *Mobilization for Democracy.* In evaluating these groups it should be remembered, as we have heretofore explained, that the first three of these organizations should be considered as a unit since they were actually three successive steps toward the creation of the more virulent *Arts, Sciences and Professions Council,* investigated by the committee on the occasion

of its hearing concerning the infiltration of the medical profession in Los Angeles County last year. We have already amply discussed the *Hollywood Writers' Mobilization* and *Mobilization for Democracy.* Both were conceived and dominated by Communists, as was the Writers Congress at U. C. L. A.

Mr. Lavery addressed a four-page typewritten letter, dated January 21, 1954, to Senator Burns, having been one of the members of the Screen Writers Guild advised by that organization of the proposed issuance by Calstate Publications of a two-volume work containing all of the reports issued by this committee. Senator Burns replied to that letter on February 17, 1954, and thereafter received a two-page telegram from Mr. Lavery. Both the telegram and the letter requested that we reproduce the latter in full in our forthcoming report. We were also asked to mention Mr. Lavery's victory in a lawsuit filed in Los Angeles County, asking damages because the defendants had accused him of being sympathetic toward Communism. The disposition of that action is, of course, a matter of public record.

The committee regrets that it cannot reproduce Mr. Lavery's communications in full. We have not, nor shall we, establish such a precedent. We are, however, glad to state that his connection with the organizations mentioned above does not of itself indicate that he was aware of their Communist flavor, nor in any respect means that he was disloyal or pro-Communist. In his wire of March 25, 1954, Mr. Lavery expressed his appreciation to the committee, its chairman and its counsel, for the courtesies extended to him and for the committee's willingness to receive his communications and make them permanent parts of the committee's official records. This we have done, and we are most appreciative of Mr. Lavery's gracious comment, as well as for his forthright statements repudiating Communist fronts and Communism in general. Nothing in the reports issued by this committee to date should be construed as indicating that he is in any way sympathetic toward Communism.

JOSEPH THAN

Mr. Than, having been advised by the Screen Writers Guild of the proposed Calstate project, addressed a letter to Chairman Burns from Paris on January 21, 1954. The letter is most interesting, since it states that the writer was lured into the *Committee for the First Amendment* matter through sincere motives, and without the slightest suspicion that the organization was being manipulated to serve a Communist objective. His letter, in part, reads as follows:

> "I have been advised by the Screen Writers Guild that I am listed in the 1948 Report of the California Legislative Committee on Un-American Activities. The listing is based on my co-signing

an advertisement of the Committee for the First Amendment which appeared in the *Hollywood Reporter* on October 24th, 1947."

Mr. Than continues to state that he allowed his signature to be printed under the advertisement on the invitation of his fellow workers in the motion picture industry who were neither pro-Communist nor anti-American in their sentiments. "I did so," wrote Mr. Than, "in the belief, which I still hold, that while in the interest of the country subversive activities must be brought out into the open and rigorously dealt with, the rights of the accused to be heard should never be neglected. As the writers, actors and directors in question through their subsequent behavior in front of the U. S. Senate and courts placed themselves outside of the law and way of living of our country as I see it, I immediately broke with the *Committee for the First Amendment* and opposed it, which the record of this group will show."

Mr. Than continues to describe how he went to Paris in 1951 to work on a film project in the interest of the United States and was lambasted, castigated and peppered with the acid adjectives so dear to Communist propagandists because he painted a favorable picture of the American way of life. As a matter of fact, attempts were made to injure him by wrecking his automobile before he started his last production in Europe. Mr. Than enclosed clippings from Communist publications in France, together with the translations thereof, indicating the hatred with which the Communists abroad regarded his activities. This occurrence is reminiscent of the article in the *Daily People's World*, criticizing Mr. Jesse Lasky, Jr., for producing something that was critical of the Communist movement.

TRUE BOARDMAN

Mr. Boardman not only directed a letter to Senator Burns dated January 14, 1954, but also enclosed a sworn affidavit setting forth in unmistakable terms that he has never been a member of the Communist Party or any organization that he suspected of being subversive. The affidavit was executed on the 21st day of July, 1954, and sets forth the fact that in 1947, the committee's report listed him as a candidate for the Executive Board of the *Southern California Chapter of the Progressive Citizens of America*. Mr. Boardman declares that while the report was true, he did not accept the nomination, was not elected and did not subsequently serve. He had been a member of the Board of Directors of the *Independent Citizens Committee of the Arts, Sciences and Professions* and left that organization because he no longer felt that it properly represented the principles of American liberalism as he understood and supported them. He thereupon severed all connection with *Progressive Citizens of America* and the *Independent Citizens Committee of the*

Arts, Sciences and Professions, and adds a paragraph in his affidavit which states that he has not "since 1947, belonged to or been active with any political or political action organization which does not specifically bar Communists from membership." The first letter received from Mr. Boardman was dated January 14, 1954, the affidavit having been enclosed with another letter from Chicago dated July 21st of that year, thanking the committee for inviting him to be present at our Los Angeles hearing of July 26, 1954, and stating that business matters would prevent him from being present.

We are glad for the opportunity to correct any erroneous conclusion that might be drawn from the statement in the 1947 report of the committee, and we are especially appreciative of Mr. Boardman's candid, forthright, and positive attitude concerning this entire subject. His connection with the *Hollywood Independent Citizens Committee of the Arts, Sciences and Professions* and his connection with the *Progressive Citizens of America* should not be construed as indicating that he is in any way disloyal or pro-Communist. Mr. Boardman's letter of January 14th contains two paragraphs that we believe should be quoted.

> "I am not, never have been and never could be a member of the Communist Party—I am unalterably opposed to the totalitarian principles it espouses. Further, never at any time, either as an individual or as a member of an organization, have I been party to any action intended to subvert, weaken or impair the established constitutional government of this state or this nation.
>
> "Your committee is to be congratulated on this and all moves to clarify issues in this entire field. Our state, and national security are of prime importance in these troubled times. But it is important, too, that shadows not persist over the lives of individuals whose ultimate loyalty to this country is actually beyond question.
>
> Sincerely,
>
> TRUE BOARDMAN"

With these sentiments, the committee is in unanimous accord.

CONCLUSIONS

As will be seen from the material contained in this report, the committee has, during the past two years, been primarily interested in investigating Communist infiltration in the fields of public utilities, the medical profession and education. It will also be evident, we trust, that the committee is mindful of its obligation to act with the utmost objectivity and fairness in pursuing its mission of investigating and exposing subversive activities in this State and reporting to the Legislature and the people thereon. We are impressed, as never before, with the necessity for continual vigilance to make certain that those who would destroy our cherished institutions by surversive techniques and who are continually seeking to insinuate themselves deep in the hearts of our most sensitive institutions be detected, exposed and rendered impotent.

The field within which we are compelled to work is one characterized by many challenging elements. The committee expects honest criticism, no matter what course it elects to pursue. The investigations and hearings that were completed during the past two years have indicated to us that we have only scratched the surface in rooting out and exposing to public view the Communists who are seeking to infiltrate our educational institutions, our professions, our public utilities, and, through a series of firmly established front organizations, to poison the public atmosphere with a continual barrage of propaganda.

We can think of no better way to conclude this report than by quoting from the statement made by our Chairman, Senator Hugh Burns, at the opening of the hearing held in Los Angeles on July 26, 1954, which established a policy that we intend to pursue.

> "The committee has repeatedly stated that it is eager to rectify errors and is anxious to correct the records in cases where innocent people were victimized by Communist propagandists. It does not, however, intend to be used as a medium by people who knowingly and deliberately fellow-traveled for several years. We do not apologize for having accurately stated the activities of such persons who made their own records by their own freedom of choice and with their eyes wide open.
>
> "It is very clear that no matter what the committee does, it will continue to receive criticism from those few who believe that if a person was unfortunate enough to be drawn into a front organization at any time he should thenceforth be forever damned.

The committee is also aware that the party may send one or more of its members to a hearing such as this, with instructions to disrupt the proceedings, castigate the committee, and try to undermine and discredit in every way possible.

"All of these matters are inherent in any effort by a legislative committee in this field. The committee intends to be fair, as objective and as effective as possible. The obligation to investigate and expose subversive activities and persons carries with it an obligation to protect the innocent. The committee intends to do both to the best of its ability."

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