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.. 1 INVESTIGATION OF COMMUNIST ACTIVITIES
IN THE MILWAUKEE, WIS., AREA—Part 1

HEARINGS
BEFORE THE
COMMITTEE ON UN-AMERICAN ACTIVITIES
HOUSE OF REPRESENTATIVES
EIGHTY-FOURTH CONGRESS
FIRST SESSION

MARCH 28 AND 29, 1955

Printed for the use of the Committee on Un-American Activities

(Index in part 2 of these hearings)

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COMMITTEE ON UN-AMERICAN ACTIVITIES

UNITED STATES HOUSE OF REPRESENTATIVES

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Michael J. Ondrejka.....	671

(Testimony of Joseph F. Preloznik, Michael Ondrejka (resumed), John J. Killian, Gerald Rose, Mark Berman, Sidney D. Berger, and Murray Wolfson, also heard on this date, is printed in pt. 2 of this series.)

PUBLIC LAW 601, 79TH CONGRESS

The legislation under which the House Committee on un-American Activities operates is Public Law 601, 79th Congress [1946], chapter 753, 2d session, which provides:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * *

PART 2—RULES OF THE HOUSE OF REPRESENTATIVES

RULE X

SEC. 121. STANDING COMMITTEES

* * * * *
17. Committee on Un-American Activities, to consist of nine members.

RULE XI

POWERS AND DUTIES OF COMMITTEES

(q) (1) Committee on Un-American Activities.
(A) Un-American activities.

(2) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (i) the extent, character, and objects of un-American propaganda activities in the United States, (ii) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (iii) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

RULES ADOPTED BY THE 84TH CONGRESS

House Resolution 5, January 5, 1955

RULE X

STANDING COMMITTEES

1. There shall be elected by the House, at the commencement of each Congress, the following standing committees:

(q) Committee on Un-American Activities, to consist of nine members.

RULE XI

POWERS AND DUTIES OF COMMITTEES

17. Committee on Un-American Activities.

(a) Un-American activities.

(b) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time, investigations of (1) the extent, character, and objects of un-American propaganda activities in the United States, (2) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (3) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

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INVESTIGATION OF COMMUNIST ACTIVITIES IN THE MILWAUKEE, WIS., AREA—PART 1

MONDAY, MARCH 28, 1955

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE COMMITTEE ON
UN-AMERICAN ACTIVITIES,
Milwaukee, Wis.

PUBLIC HEARING

The subcommittee of the Committee on Un-American Activities met, pursuant to call, at 10 a. m., in the Marble Courtroom, Federal Building, Milwaukee, Wis., Hon. Clyde Doyle (chairman of the subcommittee) presiding.

Committee members present: Representatives Clyde Doyle (chairman), Edwin E. Willis, Gordon H. Scherer, and Donald L. Jackson.

Staff members present: Frank S. Tavenner, Jr., counsel, and W. Jackson Jones, staff investigator.

Mr. DOYLE. The committee will please be in order.

Let the record show that Hon. Francis E. Walter, chairman of the Committee on Un-American Activities, House of Representatives, Washington, D. C., pursuant to the provisions of Public Law 601, enacted in 1946, establishing this committee, duly appointed Representative Edwin E. Willis, of Louisiana, on my right, Gordon H. Scherer, of Ohio, on my left, and myself, as chairman, Clyde Doyle, of California, as a subcommittee, to conduct these hearings in this beautiful city.

The full membership of the officially appointed subcommittee is present. Also present for 1 day is Hon. Donald L. Jackson of California, a member of the full Committee on Un-American Activities. We are pleased he is with us even though it is only for 1 day. Mr. Jackson sits on my extreme left.

The Congress of the United States has imposed upon this Committee on Un-American Activities the duty of making an investigation of the strength, character, and objectives of un-American propaganda activities in the United States, the diffusion within the United States of subversive and un-American propaganda that is instituted from foreign countries or of a domestic origin and which attacks the principle of the form of government as guaranteed by our United States Constitution; and all other questions in relation thereto, which would aid Congress in any necessary remedial legislation.

This committee is not a court. Its duty is to investigate as an aid to Congress for the purpose of more intelligently legislating.

This committee has devoted much time in the past few years to the investigation of the subject of communism, and the committee has

endeavored to keep Congress well-informed of the objects and extent of the Communist conspiracy within this country. We have held similar investigations in many of the most vital and industrial manufacturing cities of our great Nation.

In the performance of this huge task, the committee in its reports to Congress has made 48 recommendations for new legislation by Congress for the strengthening of existing legislation designed to aid in the fight against this Communist conspiracy. All but four of these recommendations by this committee in one form or another have been enacted already into law by the Congress of the United States.

In pursuing the statutory objectives of this committee, as outlined above, former investigations have disclosed a concentration of Communist efforts in many of the strategic defense areas of our beloved Nation.

The city of Milwaukee, your city, ranking 8th in size as compared to the other great industrial cities of our Nation, having in its area more than 2,000 manufacturing plants, representing 200 distinct lines of industry, and leading the whole world, if you please, in the manufacture of heavy machinery and electrical controls, important units and parts thereof, is of great strategic importance of our Nation as a whole, both in peacetime as well as in time of war.

The purpose of this present investigation, started this morning for 3 days, is to determine, first, whether there has been Communist activity in this important area and, if so, the nature, the extent, the character and the objects thereof. It is not limited to this brief statement, however. The committee is especially interested in ascertaining the methods used by the Communist Party of the United States in infiltrating local industrial units, civic organizations, or other groups, and the extension of its influence into the social, economic, and political phases of our society. Whatever information we obtain will better enable Congress to legislate more ably and comprehensively.

It is the standing rule of this committee that any person named in the course of committee hearings be given an early opportunity to appear before this committee, if he desires, for the purpose of denying or explaining any testimony adversely affecting him. This is part of the American way of doing right and justice. If this be a person's desire, he should communicate immediately with our distinguished legal counsel, Mr. Frank Tavenner, who has been our legal counsel now for over 6 years, as soon as possible.

The committee is deeply appreciative of the action of the Immigration and Naturalization Service of the United States for changing the date of its hearing, previously arranged by them to be conducted in this very hearing room today, in order that this congressional committee could have this beautiful marble room available for these hearings.

I desire to take this opportunity to thank Superintendent E. A. Redlin, who is in charge of this magnificent Federal building, United States Marshal Clemens F. Michalski, Chief of Police Polcyn, and the capable members of their staffs for the help they have rendered this committee in connection with the plans for this hearing.

I also desire to thank on behalf of the committee Hon. Robert E. Tehan and his able secretary, Miss Myron Lynch, for their splendid cooperation in making it possible to have this room for this hearing.

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I would remind those present in this hearing room that we are here at the direction of the Congress of the United States to discharge a highly honorable duty and a specific official obligation that has been placed upon us by Public Law 601, enacted by the 79th Congress. You are here by permission of this committee throughout the hearings. I trust that you will conduct yourselves as guests of this committee. A disturbance of any kind or audible comment during the course of testimony, whether favorable or unfavorable to any witness, will not be tolerated.

For infraction of this rule, the offender will be immediately ejected from this room and not allowed to return. I trust it is necessary to only call this matter to your attention once and it will not be necessary to have it repeated.

This committee wants it understood that in the conduct of this hearing it is not interested in any dispute between employers and employees or between one union and another union. Neither is it interested in the internal affairs of any union. It proposes to follow, however, and uncover, if it can, to the full limit of its abilities and resources the subversive Communist conspiracy and activities of any person as to whom reliable information indicates Communist Party affiliation and activities, whether that be in the field of labor or any other field, and regardless of who the person or group of persons may be.

The Committee on Un-American Activities consists of nine Members of the House of Representatives. Each member is also a member of one other major congressional committee. Since the workload of this committee is so constant and heavy, it has been found necessary to divide the committee into subcommittees of three members when the work takes attention away from Washington, D. C. Thus, the committee members are away from the Capitol on less occasions. This arrangement is also in the interest of saving expense as well as facilitating the necessary work of the committee. On such occasions the House of Representatives officially excuses our absence from our other daily duties at our Nation's Capital.

If any person in or about Milwaukee desires to cooperate with this committee during our brief stay here, we invite such person to promptly see our legal counsel, Mr. Tavenner, or our investigator, Mr. Jones. Before I terminate that comment, may I say that, being informed as we are that the Milwaukee Bar Association has appointed a panel of nine members of the Milwaukee Bar Association to represent before this committee any witness who is not able otherwise to have legal counsel, we want to very earnestly compliment the Milwaukee Bar Association for making that arrangement. Congress takes the position before this committee that every witness should, if he desires, have legal counsel.

May I make it clear that the fact that a lawyer appears before this committee as legal counsel for a witness should not be taken as any disparagement against that lawyer so doing. We invite counsel to be present.

However, may I state a positive limitation on the privilege legal counsel has before this committee? Since we are not a court, we do not follow strictly the rules of evidence. We permit no lawyer to address the committee. We do not have time, and it is not that sort of forum. The right of the lawyer to advise his client is limited to the

witness' constitutional rights. We do not expect an ethical member of the bar to put words in the mouth of the witness. We want the witness' testimony and not that of the lawyer.

Mr. TAVENNER, are you ready to proceed?

Mr. TAVENNER. Yes, sir.

Mr. DOYLE. Will you please call your first witness?

Mr. TAVENNER. Mr. James R. Eggleston, will you come forward please?

Mr. DOYLE. Will you, please, raise your right hand and be sworn? Do you solemnly promise to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. EGGLESTON. I do.

Mr. DOYLE. Will you, please, be seated?

TESTIMONY OF JAMES R. EGGLESTON

Mr. TAVENNER. Will you state your name, please?

Mr. EGGLESTON. James R. Eggleston.

Mr. TAVENNER. Will you spell your last name?

Mr. EGGLESTON. E-g-g-l-e-s-t-o-n.

Mr. TAVENNER. Mr. Eggleston, do you appear here before the committee in response to a subpoena served upon you?

Mr. EGGLESTON. Yes; I do.

Mr. TAVENNER. It is noted that you are not accompanied by counsel. You probably heard the statement just made by the chairman indicating that every witness who appears before this committee is entitled to counsel if he desires.

Mr. EGGLESTON. Yes.

Mr. TAVENNER. I want to be sure that you understand that. If you do not desire counsel now, you still have the opportunity of consulting an attorney at any time during the course of your testimony. Do you desire to proceed without counsel accompanying you?

Mr. EGGLESTON. I desire to proceed without counsel, sir.

Mr. TAVENNER. When and where were you born, Mr. Eggleston?

Mr. EGGLESTON. I was born July 13, 1925, in Martinsville, Va.

Mr. TAVENNER. Will you tell the committee, please, briefly what your formal educational training has been?

Mr. EGGLESTON. I attended high school in Martinsville, Va. From there I went to Virginia State College; from Virginia State College to the Milwaukee School of Engineering; from the Milwaukee School of Engineering to Chicago Tech.

Mr. TAVENNER. What degrees did you receive, if any, upon completion?

Mr. EGGLESTON. I am sorry to say I received no degrees.

Mr. TAVENNER. When did you complete your educational training?

Mr. EGGLESTON. I haven't completed it yet.

Mr. TAVENNER. When did you terminate your work at college, in what year?

Mr. EGGLESTON. Fifty-one I think would be correct.

Mr. TAVENNER. How long have you lived in the vicinity of Milwaukee?

Mr. EGGLESTON. Since 1947.

Mr. TAVENNER. Have you lived continuously in Milwaukee since 1947?

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Mr. EGGLESTON. For brief periods of 4 or 5 months I have been out of the city.

Mr. TAVENNER. The committee has information about the existence in Milwaukee of an organization known as the Young Progressives of America. Have you had occasion to have any knowledge of that organization?

Mr. EGGLESTON. I joined the Young Progressives of America in 1948. After hearing the political conventions of all the major parties in that year, I joined that organization.

Mr. TAVENNER. The committee is desirous of knowing to what extent, if any, the work of that organization is being controlled, directed, or influenced by the Communist Party, so my first question to you about that organization is whether or not during the course of your membership you learned of any of its officers being members of the Communist Party.

Mr. EGGLESTON. During my membership in that organization the chairman of the Young Progressives of America was a member of the Communist Party.

Mr. TAVENNER. What was the name of the chairman?

Mr. EGGLESTON. Betty Gossell.

Mr. TAVENNER. Will you spell the last name?

Mr. EGGLESTON. G-o-s-s-e-l-l, I believe is correct.

Mr. TAVENNER. Will you tell the committee on what you base your statement that Betty Gossell, chairman of the Young Progressives of America, was a member of the Communist Party?

Mr. EGGLESTON. Sometime after I became a member of that organization I was approached by Betty Gossell to join the Communist Party.

Mr. TAVENNER. Can you fix the approximate time when that occurred?

Mr. EGGLESTON. I would say that occurred in August of 1949.

Mr. TAVENNER. Tell the committee, please, just what occurred when she approached you to become a member of the Communist Party.

Mr. EGGLESTON. When she approached me to become a member of the Communist Party she presented me with an application blank to join the Communist Party, and I was reluctant to do so because she couldn't tell me what would happen to that application blank after I signed it, so I told her as soon as she found out where that application blank was going that I would join the party. During that time that she was trying to locate, I would assume, where this application was going, I made my first contact with the Federal Bureau of Investigation.

Mr. TAVENNER. In other words, you became a member of the Young Progressives of America out of a conscientious decision on your part to join an organization for a definite purpose?

Mr. EGGLESTON. Yes.

Mr. TAVENNER. And after becoming a member of it you were approached to become a member of the Communist Party by one of its officers?

Mr. EGGLESTON. Yes.

Mr. TAVENNER. Why did you go to the Federal Bureau of Investigation with that information?

Mr. EGGLESTON. I would say that was based on the fact that I got myself into a situation that I could no longer control; that what these people were doing not only to the country but to my particular

group of people, I couldn't feel that I was able to handle it myself.

Mr. TAVENNER. By a "group of people" are you referring to members of the Negro race?

Mr. EGGLESTON. Yes. So I went to them for, I would say, help, and I received the help because I was instructed to join the Communist Party and report to them regularly.

Mr. TAVENNER. You agreed at that time, then, to enter the Communist Party and furnish the Government important information that was interested in obtaining and that you had occasion to learn about?

Mr. EGGLESTON. Yes.

Mr. SCHERER. Mr. Witness, is this the first time that it has been made public that you worked for the Federal Bureau of Investigation while a member of the Communist Party?

Mr. EGGLESTON. Yes.

Mr. SCHERER. In other words, those associated with you in the Communist Party during the time that you were a member of the Communist Party up to this point did not know that you were an undercover agent for the Federal Bureau of Investigation?

Mr. EGGLESTON. No.

Mr. TAVENNER. You were instructed by the Federal Bureau of Investigation to become a member of the Communist Party. What developed to give you the opportunity to become a member?

Mr. EGGLESTON. During my association with the Young Progressives of America, I came to know a group of people who later turned out to be members of the Communist Party that I didn't know at the time that I was in this group, and while I was associating with these people I became very familiar with Mary Keith, who was then in charge of the bookshop on Eighth and Wisconsin. While I was attending school, I used to go down to the bookstore to relieve Mary Keith to go out and have lunch. On several occasions after relieving her, she came in one day and said, "No one can attend the bookshop without being a member of the Communist Party," and Mary Keith signed me up as a member.

Mr. TAVENNER. That afforded you an easy opportunity of becoming a member of the Communist Party?

Mr. EGGLESTON. Yes; and she also paid the initiation fee of 50 cents.

Mr. TAVENNER. Will you tell the committee, please, what you know about the operation of that bookshop, to what extent it was operated by the Communist Party, if at all?

Mr. EGGLESTON. It was operated entirely by the Communist Party as a distribution center for their publications.

Mr. TAVENNER. Where was the bookshop located?

Mr. EGGLESTON. Eighth and Wisconsin. It was known as the Peoples Bookshop.

Mr. TAVENNER. Do you know how long it continued as a Communist Party bookshop at that location?

Mr. EGGLESTON. I don't remember exactly when it moved, but it left Eighth and Wisconsin and moved down to Sixth and State Streets.

Mr. TAVENNER. How long did it continue in existence there?

Mr. EGGLESTON. I would say that it closed around the latter part of 1951.

Mr. TAVENNER. How did the Communist Party make use of this bookshop?

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Mr. EGGLESTON. Selling its literature, making various contacts to individuals or to students who would walk into the bookshop just curious to buy literature, and they would be approached by the operator of the bookshop on different subjects.

Mr. TAVENNER. You mean that it was used as a recruiting medium?

Mr. EGGLESTON. Yes; to a certain extent.

Mr. TAVENNER. To bring persons into the Communist Party?

Mr. EGGLESTON. Yes.

Mr. TAVENNER. Do you know whether the Communist Party literature in this bookshop was distributed to different groups or cells of the Communist Party in Milwaukee for their use?

Mr. EGGLESTON. Yes; the educational director of the youth group which I was assigned to used to pick up the literature at the bookshop and bring it to the meetings and sell the literature, give education out of the literature and bring the literature back to the bookshop that wasn't sold.

Mr. TAVENNER. Will you tell the committee approximately the time when you were signed up as a member of the Communist Party?

Mr. EGGLESTON. I attended my first meeting in September of 1949. I would say I was a member approximately 2 weeks before that time.

Mr. TAVENNER. How long did you remain active in the Communist Party?

Mr. EGGLESTON. I said until the fall of 1951, the early fall.

Mr. TAVENNER. Will you tell the committee, please, to what group of the Communist Party you were assigned when you became a member in September of 1949?

Mr. EGGLESTON. I was assigned to what has been commonly called the youth group of the Communist Party.

Mr. TAVENNER. What membership did that group have when you became a member of it, as nearly as you can recall?

Mr. EGGLESTON. The first meeting that I attended, Bob Silverstine and Edith Gilman, at that time, were chairman and cochairman, respectively. Herb Major, Betty Gossell—

Mr. TAVENNER. Just a moment. I want to be certain about the spelling of these names. You gave us Silverstine and Betty Gossell. You said Herb Major, M-a-j-o-r.

Mr. EGGLESTON. Yes. Victor Edelstein.

Mr. TAVENNER. Will you spell the last name, please?

Mr. EGGLESTON. E-d-e-l-s-t-e-i-n. That is correct. And Bernice Edelstein. Andy Reams, who was the State chairman, attended this first meeting that I attended.

Mr. TAVENNER. Will you spell the last name?

Mr. EGGLESTON. R-e-a-m-s. Helen Gillman, G-i-l-l-m-a-n. And this meeting was held at her home. That is just about all I can think of at the present.

Mr. TAVENNER. They were the members of the youth group when you first became a member of it?

Mr. EGGLESTON. Milton Spitz was also a member. S-p-i-t-z, I believe is correct.

Mr. TAVENNER. Will you tell the committee, please, at this point what you learned to be the Communist Party purpose or objective in having a youth organization of the Communist Party?

Mr. EGGLESTON. I would say the purpose of the youth group, who were considered as the young leaders of the Communist Party, was a mere steppingstone to the Communist Party itself.

Mr. JACKSON. It was an effective training ground, was it not, for full and later membership in the party itself?

Mr. EGGLESTON. Yes.

Mr. DOYLE. What were the average ages of the members of this young Communist youth group, how young and how old?

Mr. EGGLESTON. The beginning age was 18, and I don't think there was any terminating age. It was just a matter of when you were completely indoctrinated enough to move up to the ranks of a full Communist that you were promoted to such.

Mr. TAVENNER. Did you attain a position of leadership in this youth group of the Communist Party?

Mr. EGGLESTON. My first meeting I was elected as organizational secretary.

Mr. TAVENNER. Did you hold any other positions at a later time?

Mr. EGGLESTON. Later I became chairman of that group.

Mr. TAVENNER. During the period that you were a member of that group, did you have occasion to from time to time meet with other groups of the Communist Party?

Mr. EGGLESTON. I met with the leadership of the Communist Party on a number of occasions and what you could probably call the executive board of the Communist Party, which never consisted of its full membership except at one meeting which I attended, which I doubt if it was the full membership.

Mr. WILLIS. Do you mean the executive board of Milwaukee or of the State?

Mr. EGGLESTON. The executive board of the State.

Mr. TAVENNER. Will you tell the committee why you, as a member of the youth group, were permitted to meet with the top level group of the Communist Party in the State of Wisconsin?

Mr. EGGLESTON. To discuss the plans of the youth group. They would formulate the plans that were to be carried out by this particular group, in fact, all the groups in Wisconsin, and we would discuss different matters to be carried out in this group plus into a newly formed organization called the Labor Youth League, the YPA, and so forth, and the Civil Rights Congress.

Mr. TAVENNER. Will you tell the committee, please, about your attendance at that meeting, where it was held, and everything that you can recall about it?

Mr. EGGLESTON. The largest meeting of this body was held at Ester Eisenscher's place on 12th Street. She was the secretary of the Communist Party. Members present there were Josephine Nordstrand, N-o-r-d-s-t-r-a-n-d. Bill Herron H-e-r-r-o-n, Jack Kling.

Mr. TAVENNER. You told us that Ester Eisenscher was secretary of the Communist Party. Did you mean of the State organization?

Mr. EGGLESTON. Of the State, yes.

Mr. TAVENNER. In giving us the names of these other persons, I wish you would identify them, if you can, as to what position they held in the Communist Party besides being members of the executive board.

Mr. JACKSON. Mr. Chairman?

Mr. DOYLE. Mr. Jackson.

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Mr. JACKSON. I would think it would also be a good idea if the witness has any knowledge of their subsequent status to state whether or not they left the party or were expelled.

Mr. DOYLE. That would be very appropriate if the witness will do that, and I know counsel will give him the opportunity to do so.

Mr. EGGLESTON. The last gentleman that I named, Bill Herron, was the chairman of the Negro commission of the Communist Party, and he is dead at the present time, so I don't think we need to discuss him any longer. Jack Kling was at this meeting and he was the chairman of the Communist Party of the State. I was present at this meeting.

Mr. SCHERER. What happened to him?

Mr. EGGLESTON. He disappeared when the party began to go underground.

Mr. SCHERER. When did he disappear?

Mr. EGGLESTON. This was in the latter part of 1951, I would say, or the early part of 1952.

Mr. SCHERER. Were you still in the party at that time?

Mr. EGGLESTON. No, I left the party in 1951.

Mr. SCHERER. You haven't heard of him since?

Mr. EGGLESTON. No.

Mr. SCHERER. What was his occupation?

Mr. EGGLESTON. He was the chairman of the Communist Party of the State.

Mr. SCHERER. Did he have any other occupation?

Mr. EGGLESTON. No.

Mr. SCHERER. That was his full-time job?

Mr. EGGLESTON. Yes.

Mr. SCHERER. He and others active in the Communist Party disappeared at the time they went underground?

Mr. EGGLESTON. Yes.

Mr. DOYLE. What was the occasion that you know of for them going underground or what was the reputed reason for them going underground?

Mr. EGGLESTON. After the McCarran immigration bill was passed, I think that was the starting point for them to go underground.

Mr. TAVENNER. Are you referring to the McCarran Immigration Act or the McCarran Security Control Act?

Mr. EGGLESTON. I am sorry. Security Control Act which required registration of the party.

Mr. TAVENNER. That is known as the Subversive Activities Control Act of 1950.

Mr. EGGLESTON. Yes.

Mr. DOYLE. That can be further identified as Public Law 831 of the 81st Congress, the Subversive Activities Control Act, which came to the House of Representatives on the bill H. R. 9400 and was recommended by this committee.

(Representative Jackson left the room.)

Mr. DOYLE. I might at this point read from the text of the act.

SEC. 2. As a result of evidence adduced before various committees of the Senate and House of Representatives, the Congress hereby finds that—

(1) There exists a world Communist movement which, in its origins, its development, and its present practice, is a worldwide 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 worldwide Communist organization.

Thank you, Mr. Counsel.

Mr. TAVENNER. Will you proceed, please, with the statement of identification of other persons present at that meeting?

(Representative Jackson returned to the room.)

Mr. EGGLESTON. Fred Blair was present at this particular meeting.

Mr. TAVENNER. Will you, please, tell us who Fred Blair was?

Mr. EGGLESTON. Fred Blair was the vice chairman of the Communist Party of the State.

Mr. TAVENNER. Do you know what his subsequent activity was in the party, what he did after that time or where he is now?

Mr. EGGLESTON. I have no idea as to where he is now. Of course, his subsequent activities, I don't know of any except that he devoted full time to the party.

Mr. SCHERER. Would you consider him one of the Communist leaders that went underground the same as Kling?

Mr. EGGLESTON. Yes.

Mr. TAVENNER. Can you recall the names of others that were present at that meeting?

Mr. EGGLESTON. Not at this time. I think that is about the bulk of it.

Mr. TAVENNER. Can you recall at this time the names of any other persons who attended similar meetings, that is, other meetings of this top-level executive committee when you were present?

Mr. EGGLESTON. I am sorry. There is one other name that should be on that list, Douglas McCain, M-c-C-a-i-n, who was at this particular meeting.

Mr. TAVENNER. What position did he hold in the Communist Party besides being a member of this particular committee?

Mr. EGGLESTON. He was the chairman of the sixth ward group of the Communist Party.

Mr. TAVENNER. What was meant by the "sixth ward group of the Communist Party"?

Mr. EGGLESTON. It was a section of the city. The city is broken up into wards, and he was in charge of that particular ward.

Mr. JACKSON. Do you know anything of his subsequent activities?

Mr. EGGLESTON. No, I don't.

Mr. JACKSON. Mr. Chairman, I think it might be interesting and apropos to state at this time that there is abundant testimony to indicate that the leadership echelon of the Communist Party did indeed commence to go underground in 1951 and 1952 upon instructions from the Communist Party of the United States. I think you will recall, Mr. Chairman, the witness Barbara Hartle in Seattle, who was a cooperative witness before this committee, had been instructed by the party to leave Seattle and to take up her residence in a small community in Oregon where she was employed as a waitress. Previously she had held a top-drawer job with the party in King County, was a Phi Beta Kappa, but without question she accepted her assignment to leave the city and go elsewhere. Contact was maintained with her by a courier system directed by the Communist Party of King County. Unquestionably the matter to which this witness is referring is exactly the same as that found in the Northwest.

Mr. DOYLE. Thank you, Mr. Jackson.

May I ask you, for purposes of identification on the record, to further identify Mrs. Hartle, what happened in the jury trial at Seattle and where she now is.

Mr. JACKSON. Mrs. Hartle, who was a top Communist functionary in Seattle, was indicted under the provisions of the Smith Act together with a number of other leaders of the Communist Party in King County. They all were convicted. Following the conviction, Mrs. Hartle broke with the Communist Party, gave extensive testimony to this committee during a week-long hearing in the Seattle area. She was attended at all times by a United States deputy marshal during the course of the testimony and is now serving her sentence in the Federal Reformatory at Alderson, W. Va.

Mr. DOYLE. Thank you, Mr. Jackson.

As I recall, Mr. Jackson, as a matter of record, that was another case where an American jury and a United States court found the defendant guilty in connection with advocating or teaching the use of force and violence to forcibly overthrow the American constitutional form of government, isn't that correct?

Mr. JACKSON. That is correct.

Mr. DOYLE. Thank you.

Proceed, Mr. Tavenner.

Mr. TAVENNER. Mr. Chairman, may I state, in elaboration of what the Congressman said about the testimony of Barbara Hartle, that she gave this testimony to this committee, not only after she was convicted, but after she was sentenced, and that she assigned the reason for her not making known her willingness to talk about her experiences until after she had been sentenced the fact that she was afraid if she spoke before she was sentenced the public might believe she was testifying out of a desire to have the sentence be made more lenient as far as she was concerned, so she did not testify until after she was sentenced.

Will you tell the committee, please, just what the interest of the Communist Party was as indicated to you in this top-level meeting of the Communist Party in youth work?

Mr. EGGLESTON. One of the main things that was discussed at this meeting was my position as chairman of the youth group, whether I was to become chairman of this particular youth group or not and, after the leadership had approved me as being chairman, it was just a matter of filtering the word down to the members to elect me.

Mr. TAVENNER. Then you could not be elected to that position of leadership by the members of your own group until it had been approved by the top-level functionaries of the Communist Party?

Mr. EGGLESTON. Yes.

Mr. TAVENNER. Were you given at this meeting or any other meetings of this top-level group any views of that group with regard to other work of the Communist Party among youth in this area?

Mr. EGGLESTON. Not at this particular meeting.

Mr. TAVENNER. Were there any meetings of this top-level group at which organizational work among mass organizations or youth groups generally was discussed?

Mr. EGGLESTON. There were meetings but it didn't consist of this large a number. There were 4 or 5 people present in which we discussed the elections in the Labor Youth League, in the YPA—

Mr. TAVENNER. By YPA you mean Young Progressives of America?

Mr. EGGLESTON. Yes—and the Civil Rights Congress as to what action would be taken in those organizations on certain issues and how they would go about them and formulate the plans for these particular groups.

Mr. SCHERER. The purpose of the Communist Party, then, was to infiltrate various youth groups so that they would be controlled and dominated by the Communist Party, is that right?

Mr. EGGLESTON. Yes.

Mr. SCHERER. And the Communist Party would set the programs and objectives of these organizations?

Mr. EGGLESTON. That is correct, sir.

Mr. DOYLE. May I ask this of the witness: You just related that there were not as many in these other meetings of the top leaders of the Communist Party in Milwaukee as there had been at this larger meeting?

Mr. EGGLESTON. Yes.

Mr. DOYLE. When the Communist Party top-level leaders from the whole State of Wisconsin were present?

Mr. EGGLESTON. Well, you say the whole State of Wisconsin. To my knowledge all the people on the executive board of the Communist Party were from Milwaukee.

Mr. DOYLE. You mean the full membership of the Communist Party for the State of Wisconsin were all residents of the Milwaukee area?

Mr. EGGLESTON. On this executive board all that I knew were from the Milwaukee area.

Mr. DOYLE. What year was that?

Mr. EGGLESTON. 1950 and 1951.

Mr. DOYLE. It looks as though Milwaukee was rather a hot spot.

Mr. EGGLESTON. I would say so.

Mr. TAVENNER. Where were the headquarters for the Communist Party for the State of Wisconsin located?

Mr. EGGLESTON. I think it was 622 North Second Street.

Mr. TAVENNER. It was in the city of Milwaukee?

Mr. EGGLESTON. Yes.

Mr. TAVENNER. It is a fact, is it not, that membership on high functionary groups of the Communist Party was selected for qualifications rather than from geographical areas?

Mr. EGGLESTON. Yes.

Mr. TAVENNER. You have told us that this top-level group was interested in the work of these various groups that you named. But before going into that, let me ask you what the activities of this young Communist group of the Communist Party were, how did you meet, where did you meet and what did you do?

Mr. EGGLESTON. The action taken by the young Communist Party was filtered out into other organizations. I don't recall taking any positive action on any particular issue as a Communist Party group. It was all filtered out into the Labor Youth League, Civil Rights Congress, and the Young Progressives of America.

We met at various homes and in different meeting halls and discussed these various things, but the activity was actually carried out in the front organization.

Mr. SCHERER. Were the young Communists actually successful in infiltrating these organizations you mentioned? We understand that was your program.

Mr. EGGLESTON. To answer that question, I have to give you an opinion.

Mr. SCHERER. That is what I want.

Mr. EGGLESTON. As far as the Communist Party was concerned if they got one person in an organization it is a victory. In my personal opinion, I don't think it was successful. If they got one person into an organization, that was a great accomplishment for the party.

Mr. DOYLE. You mean that the Communist Party estimated that if they succeeded in getting one of their top-level young people into a non-Communist organization that then they had been successful as Communists?

Mr. EGGLESTON. Yes, they had been. They would work from that person on to go through. In fact, I can cite one incident, since you brought it up. Victor Edelstein was working at Allis-Chalmers, and people who were working into shop groups or working into auto factories were not assigned to work into any other organizations but to concentrate in their unions. But Victor Edelstein wanted to take on some extra activity so he went into the National Association for the Advancement of Colored People, and the party considered that a great victory because he was accepted into that organization.

Mr. DOYLE. Do I understand, then, that a policy of the Young Communist group in Milwaukee at that time was directed by the State executive committee which had its headquarters in Milwaukee, and their policy was to try to get one of the Communists in each organization and in each labor union?

Mr. EGGLESTON. I would say not each labor union but as many as were working in these particular factories to get into these unions.

Mr. DOYLE. In other words, in each factory where members were working it was their direction and assignment to infiltrate into the labor union which was representing the workers in that particular industrial plant?

Mr. EGGLESTON. Yes.

Mr. DOYLE. And they figured it was a victory if they could get just one Communist in that group?

Mr. EGGLESTON. They would, sir.

Mr. DOYLE. How could one Communist in such a group do anything that would be considered a victory by the Communist Party? Do you mean that one Communist could influence the whole union?

Mr. EGGLESTON. There is a method of operation that when a Communist goes out into a labor union or into any other organization that if they meet another individual who thinks along the same lines as they do on any particular issue they will work with that particular individual to bring him over into their line of thinking.

Mr. DOYLE. May I ask you to speak just a little louder? I cannot quite hear you.

Mr. EGGLESTON. If the Communist member will meet one non-Communist who thinks on one issue, political or nonpolitical, the same, they will work with that individual until they bring him over to their way of thinking.

Mr. DOYLE. As a Communist?

Mr. EGGLESTON. As a Communist. So one Communist in one labor union can be very dangerous.

Mr. SCHERER. It only takes one individual to report classified information to the Communist leaders, doesn't it?

Mr. EGGLESTON. That is all, sir.

Mr. JACKSON. Mr. Chairman, whether it be one individual with whom the Communist Party will parallel a cause, the extension of that, of course, is the minority group where the Communist Party will take up a cause within a minority party for the purpose of winning support amongst that group.

Mr. EGGLESTON. Yes.

Mr. DOYLE. Proceed, Mr. Counsel.

Mr. TAVENNER. You advised us that the principal activity of the youth group of the Communist Party was to go out into other organizations and work?

Mr. EGGLESTON. Yes.

Mr. TAVENNER. You have named those organizations. What were they? I want to be certain to get them in the record here.

Mr. EGGLESTON. I think the organizations that I previously gave you were organizations you could classify as being front organizations for the party.

There were some organizations that they were sent out to work in that you couldn't classify as front organizations. One was the National Association for the Advancement of Colored People, the Jewish Center, church groups. Those were the three main outside groups that you couldn't classify as front organizations.

Mr. TAVENNER. Of course those were organizations which were not in any sense Communist organizations?

Mr. EGGLESTON. Yes.

Mr. TAVENNER. Without going into detail, was there any marked measure of success in any of those three groups that you mentioned?

Mr. EGGLESTON. I would say the biggest accomplishment came in the National Association for the Advancement of Colored People.

Mr. TAVENNER. You have told the committee about this class of organizations which were mainly not Communist organizations which the young group of the Communist Party had endeavored to infiltrate. There were other groups, however, which were of a Communist origin, or, at least, Communist-front character, where you did considerable work, I believe?

Mr. EGGLESTON. Yes.

Mr. TAVENNER. What were those organizations?

Mr. EGGLESTON. The organizations in which we did considerable amount of front work within were the Labor Youth League, the Civil Rights Congress, and the Young Progressives of America, plus a lot of other peace committees that were formed out of the growth of these three other actual front organizations. I don't recall the name now of this particular peace committee, but it was going very strong during the time of the Korean war.

Mr. TAVENNER. Let us go back to the Labor Youth League. Will you tell us, please, about the work of the Communists in that group?

Mr. EGGLESTON. At one meeting of the Young Communist Party. Victor Edelstein was the chairman of that group at the time, and he came in and he said, "We are going to consider this meeting as being a Labor Youth League meeting. This was regularly called as the

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Communist Party group." He said, "We are going to consider this meeting as the Labor Youth League meeting; and when we have Labor Youth League meetings, you can bring in anyone you like to come to these meetings."

Mr. TAVENNER. In other words, it was another instance in which the youth group of the Communist Party just adjourned as the Communist Party and became a meeting of the Labor Youth League, in effect?

Mr. EGGLESTON. Yes.

Mr. TAVENNER. What was the type of work that the Labor Youth League engaged in?

Mr. EGGLESTON. Peace petitions, passing out leaflets, picket lines.

Mr. SCHERER. When you said passing out leaflets, of course, you mean Communist Party leaflets?

Mr. EGGLESTON. No Communist Party leaflets, but Labor Youth League leaflets.

Mr. SCHERER. Yes; but carrying the Communist Party line?

Mr. EGGLESTON. Yes.

Mr. SCHERER. Actually written by members of the Communist Party?

Mr. EGGLESTON. Yes; that is correct.

Mr. SCHERER. Carrying the Labor Youth League label?

Mr. EGGLESTON. Label?

Mr. SCHERER. As having been issued by the Labor Youth League?

Mr. EGGLESTON. Yes.

Mr. TAVENNER. Have you completed describing the nature of the activities of that organization?

Mr. EGGLESTON. I would say that that is about the extent of the activities.

Mr. TAVENNER. Will you state the names of the officers of the Labor Youth League who were known to you to be members of the Communist Party?

Mr. EGGLESTON. I think it is going to be pretty hard for me to actually pinpoint that question because I can name members of the Communist Party who were in the Labor Youth League but I am not sure whether they all held positions except one.

Mr. JACKSON. Mr. Chairman, on that point, the Labor Youth League has been found by the Subversive Activities Control Board to be a subversive organization. Without any connotation as to the membership of these officers, it is a matter of public record somewhere, and I will suggest that the names of the officers of the Labor Youth League, without connotation as to membership, be entered into the record.

Mr. DOYLE. Yes; I think that is correct.

Mr. TAVENNER. In other words, will you give the committee the names of the officers of the Labor Youth League, irrespective of whether you knew them as members of the Communist Party or not?

Mr. EGGLESTON. Mark Berman, B-e-r-m-a-n. He was the founding chairman of that group.

Mr. SCHERER. In what year was that?

Mr. EGGLESTON. This was in 1950. And Ted Silverstine held a position in that group, too. I don't recall what it was. Lil Rody was also a member of that group. R-o-d-y. That is about the bulk of

the leadership that I can recall of people who had offices in that organization.

Mr. JACKSON. Mr. Chairman, may I make an observation at this point?

Mr. DOYLE. Yes.

Mr. JACKSON. I think it should be noted in the record that only last week a subcommittee of the Committee on Un-American Activities heard testimony or lack of testimony from five present officials of the Labor Youth League, all of whom availed themselves of their privilege under the fifth amendment of the Constitution to avoid answering any questions having to do with their activities in the Labor Youth League or activities within the Communist Party.

Certainly, if there is any fuzzy thinking today on any campus in this country with respect to the activity of the Labor Youth League, it can be put at rest by reading the transcript of the testimony of the national officers of the Labor Youth League.

Mr. DOYLE. Thank you, Mr. Jackson.

That meeting was held at the Capitol; was it not?

Mr. JACKSON. It was in Washington last week.

Mr. TAVENNER. Will you tell the committee, please, whether any of those persons you named were known to you to be members of the Communist Party?

Mr. EGGLESTON. All that I have named were members of the Communist Party. I collected dues from them as the organizational secretary.

Mr. WILLIS. I think you misunderstood awhile ago when you were asked to name people who were officers as well as members of the Communist Party. I think what you are trying to indicate to us was that you knew them all as being Communists, but you did not know them as officers. Was not that what you were trying to tell us?

Mr. EGGLESTON. Yes; but he threw the question back at me the same way.

Mr. TAVENNER. Will you give us the names of other persons, irrespective of whether they may have been officers or not, who were members of the Labor Youth League?

Mr. EGGLESTON. All Commies who were in the Labor Youth League?

Mr. TAVENNER. Yes.

Mr. EGGLESTON. Bert Levine; I don't think I have mentioned him before.

Mr. SCHERER. Where is he today?

Mr. EGGLESTON. He is in Milwaukee. I don't know where he is or where he is working, but he is still in Milwaukee. Bert Levine, Mark Berman, Sidney Berger. B-e-r-g-e-r. Phyllis Berger. Harriett Berger.

Mr. TAVENNER. Are either of the two related to Sidney Berger?

Mr. EGGLESTON. Harriett is Sidney's sister and Phyllis is his wife. Ted Silverstine, Bob Silverstine, Edith Silverstine, Herb Major, Jack Killian, Gloria Killian. I think that is the extent of it.

Mr. WILLIS. You mean that those are the ones you can remember at this time?

Mr. EGGLESTON. Yes.

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Mr. WILLIS. And I note for the record by the way that you have been testifying here this morning without any notes of any kind. Is that right?

Mr. EGGLESTON. Yes.

Mr. JACKSON. May I ask one question?

Mr. DOYLE. Yes, Mr. Jackson.

Mr. JACKSON. In line with the question of the gentleman from Louisiana, have you been promised any inducement or reward of any kind for your appearance before this committee?

Mr. EGGLESTON. None whatsoever.

Mr. DOYLE. Are you being paid for testifying before this committee?

Mr. EGGLESTON. Not unless you are paying me. I don't know a thing about it.

Mr. JACKSON. He is not.

Mr. DOYLE. The committee will stand in recess for 5 minutes.

(Recess was taken from 11:20 to 11:28 a. m.)

(Those present: Representatives Doyle, Willis, Scherer, and Jackson.)

Mr. DOYLE. The committee will come to order, and the record will please show that the same Members of Congress present at the opening of the hearing this morning are now personally present.

Proceed, Mr. Tavenner.

Mr. TAVENNER. Mr. Eggleston, as the committee adjourned for the 5-minute recess, you came forward to my desk to state that you wanted to explain part of the answer that you had given to the other question because there might have been some ground for misrepresentation. I tried to get the committee back immediately, but all except one had left the hearing room. What is the matter that you wanted to explain?

Mr. EGGLESTON. The two names that I mentioned last I think were Jack and Gloria Killian. While they were members of the Labor Youth League, I have no direct knowledge of them being members of the Communist Party.

Mr. TAVENNER. Thank you very much for making that explanation. You said one of the other groups in which the youth of the Communist Party was active was the Young Progressives of America. Explain that, please.

Mr. EGGLESTON. In our youth group meetings of the Communist Party we discussed the leadership of the Young Progressives of America and we assigned certain members of this group to work in that organization, and one person that was a member of the Communist Party at the same time that I was that we discussed as being the chairman of that group was Mike Ondrejka.

Mr. TAVENNER. Will you spell the last name?

Mr. EGGLESTON. O-n-d-r-e-j-k-a, I think is correct. Betty Gossell was the chairman and Mike Ondrejka. Those were the only two chairmen that they had while I was in the group.

Mr. TAVENNER. They were chairmen during the entire period that you were in the group?

Mr. EGGLESTON. Yes.

Mr. TAVENNER. And both of them were members of the Communist Party?

Mr. EGGLESTON. Yes.

Mr. TAVENNER. Did you know at that time that Mr. Ondrejka was in the Communist Party under a relationship with the Federal Bureau of Investigation?

Mr. EGGLESTON. I had no idea, sir, that he was.

Mr. TAVENNER. Do you know whether Mr. Ondrejka knew that you were?

Mr. EGGLESTON. I doubt seriously if he did.

Mr. SCHERER. Still they didn't have sufficient appropriations that year to give you the 50 cents to join the party. Did you say you borrowed that or did she pay it?

Mr. EGGLESTON. I told her I didn't have the initiation fee. I was a student at that time and all students are poor, so I used the excuse that I didn't have the 50 cents.

Mr. SCHERER. You mean that the Federal Bureau of Investigation didn't give you the 50 cents to join the party?

Mr. EGGLESTON. I didn't ask them for it, sir.

Mr. JACKSON. Mr. Chairman, I think that the least the Bureau should do would be to pay the dues of its agents to join the Communist Party even if it requires an increased appropriation.

Mr. SCHERER. They will be back next year after this testimony for increased appropriations.

Mr. EGGLESTON. I might add, sir, that while I was in the Communist Party, I paid my own dues.

Mr. DOYLE. I think it is at least a little evidence, Mr. Jackson and members, of the unselfish and patriotic devotion to our country in these men that do volunteer to the FBI to go into the Communist Party as agents and pay their own dues. I think that is wonderful.

Proceed, Mr. Tavenner.

Mr. TAVENNER. Will you tell the committee, please, the nature of the activities in which the Young Progressives of America engaged?

Mr. EGGLESTON. To classify these organizations into, say, stepping-stones, the Young Progressives of America was at the bottom of the list. They would take in members who came in with a common interest on any subject, very broad. When you came into YPA you were just another member. You had no special qualifications whatsoever. After staying in that organization for some time you could elevate yourself to a Labor Youth League and then from the Labor Youth League you would go right into the party. It was merely a training program as one of the Congressmen pointed out.

Mr. TAVENNER. What was the nature of the training program that was offered?

Mr. EGGLESTON. To find out or a feeler to find out how the individual felt on certain issues, as to whether they could work on peace petitions, whether they would go and pass out leaflets, and so forth. If you could do all of those things, you automatically elevate yourself to these other organizations.

Mr. TAVENNER. Will you tell the committee, please, whether there was an effort to teach Marxism in the Young Progressives of America?

Mr. EGGLESTON. Only in its broadest sense. I doubt if anyone could actually detect the teaching in this group as being Marxist or Leninist.

Mr. SCHERER. It was purposely not defined as Marxism or Leninism, was it not?

Mr. EGGLESTON. Yes, it was not.

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Mr. SCHERER. Because if it were revealed that that was what they were teaching, the teaching might stop?

Mr. EGGLESTON. That is correct.

Mr. TAVENNER. Were you offered any course of training in Marxism or Communist Party ideology from the time of your first membership in the Communist Party while a member of the Young Progressives of America on through to the time of the termination of your membership?

Mr. EGGLESTON. I attended classes on socialism held at the Milwaukee Hall and at a residence on West Vliet Street. This particular class in socialism was taught by Murray Wolfson, who is under subpoena from this committee.

Mr. TAVENNER. Will you spell the last name?

Mr. EGGLESTON. I doubt if I can. W-o-l-f-s-o-n.

Mr. TAVENNER. Is the first name spelled M-u-r-r-y or M-u-r-r-a-y. Do you know?

Mr. EGGLESTON. I think it is M-u-r-r-a-y.

Mr. TAVENNER. Under what auspices was this school, which you attended, being conducted?

Mr. EGGLESTON. This was under the auspices of the Communist Party and only Communist Party members attended.

Mr. TAVENNER. When did you attend that school? Can you fix the date?

Mr. EGGLESTON. I doubt if I can pin it down, sir, to any particular date.

Mr. TAVENNER. Were there any other teachers there besides Murray Wolfson, while you were in attendance?

Mr. EGGLESTON. He was the only teacher at this particular class. There were other classes, one that Andy Reams taught at the Milwaukee Hall.

Mr. TAVENNER. Was this a school or were these study groups?

Mr. EGGLESTON. I really don't know now.

Mr. TAVENNER. There might be a difference between whether it was conducted as a school or just as a class or group.

Mr. EGGLESTON. I would say it was just a class.

Mr. SCHERER. A series of lectures or something like that?

Mr. EGGLESTON. Yes. I think the book we were studying out of was Political Economy by Eaton.

Mr. DOYLE. Might I ask whether they were day or night classes?

Mr. EGGLESTON. All night classes.

Mr. WILLIS. How many days a week?

Mr. EGGLESTON. Once a week.

Mr. DOYLE. What was the average attendance, please?

Mr. EGGLESTON. The average attendance I would say approximately 10.

Mr. TAVENNER. Did I understand you to say it was conducted exclusively for members of the Communist Party?

Mr. EGGLESTON. Yes.

Mr. TAVENNER. Can you give us the names of others who were in attendance at these classes?

Mr. EGGLESTON. Mary Keith attended the class. Agnes Slater attended this class. I think Grace Eisenscher attended the class. Sig Eisenscher visited the class.

Mr. TAVENNER. You said "Sig." Does that mean Sigmund?

Mr. EGGLESTON. Sigmund Eisenscher visited the class.

The place that the class was taught was the duplex of Sig and Grace Eisenscher. It was upstairs. I don't know who lived upstairs and who lived downstairs now, but it was in the same residence. My memory is pretty vague on the rest of the members there.

Mr. SCHERER. Did you have to pay anything for these lectures?

Mr. EGGLESTON. There was a fee involved in these lectures. If I remember correctly it was \$2 and the \$2 paid for the book and the fee for the class.

Mr. SCHERER. Did the lecturers or teachers whom you mentioned receive any compensation for lecturing or teaching?

Mr. EGGLESTON. I am not sure about this statement, but I think that at the time Murray Wolfson was staying in Madison, he was compensated for his travel expenses. I am not sure about that.

Mr. DOYLE. About how many weeks did this class continue its sessions?

Mr. EGGLESTON. That I couldn't say, sir, because I dropped out of it. I think I attended about 6 sessions.

Mr. DOYLE. You attended for at least 6 weeks?

Mr. EGGLESTON. Yes.

Mr. SCHERER. You reported regularly to the Federal Bureau of Investigation, did you not, the subjects that were under discussion?

Mr. EGGLESTON. The subjects that were under discussion as long as they were pure socialism I didn't report them but remarks or statements that deviated from socialism or had any implications whatsoever I did report them.

Mr. SCHERER. You reported to the FBI practically everything you did in connection with Communist Party activities, did you not?

Mr. EGGLESTON. Yes.

Mr. TAVENNER. Were you selected for this training or did you request the right to attend this class?

Mr. EGGLESTON. I was approached by Andy Reams to attend these classes.

Mr. TAVENNER. Will you give us the names, please, of any persons who were members of the Young Progressives of America who were also known to you to be members of the Communist Party in addition to the two who acted as chairmen?

Mr. EGGLESTON. Helen Gilman and John Gilman were members of that group that I knew as party members. In fact, I think it would be very safe to say, and I am positive it is correct to take all of the members of the Communist Party and say they were YPA members. I don't recall anyone now who wasn't a member of the Young Progressives of America.

Mr. TAVENNER. Do you know how many organizations of the YPA there were in the State of Wisconsin?

Mr. EGGLESTON. I know of a branch in Madison and they tried to form a branch in Racine, which I don't think was very successful.

Mr. TAVENNER. Do you know whether there were organizations of the Labor Youth League in any places in the State of Wisconsin in addition to Milwaukee?

Mr. EGGLESTON. I only knew of Madison and Milwaukee.

Mr. TAVENNER. Did you ever attend a meeting of the group at Madison?

Mr. EGGLESTON. No.

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Mr. TAVENNER. Did you ever meet any members of the group from Madison?

Mr. EGGLESTON. I only heard reports given at meetings by the secretary of the Communist Party as to what was going on in Madison.

Mr. TAVENNER. If you can recall what the reports were, we would like to hear them, but do not mention the names of any persons that were given to you in the nature of a report.

Mr. EGGLESTON. The reports that I remember were very general, just stated that the organization was forming and what was going on in Madison that they were recruiting members and so forth.

Mr. JACKSON. Was this on the campus of the university?

Mr. EGGLESTON. Yes.

Mr. DOYLE. Did you ever travel to any other part of Wisconsin in connection with your Communist Party activities?

Mr. EGGLESTON. I made trips to Racine and Madison.

Mr. DOYLE. What type of work did you do in each of those places for the Communist Party?

Mr. EGGLESTON. I spoke at a founding meeting they called at Racine for WPA and the work that I did in Madison was in connection with the sharecroppers workers coming to Madison. They had some trouble up there, and we went up to do some work on that. That was in connection with the Civil Rights Congress.

Mr. DOYLE. Was that while you were identified with the FBI?

Mr. EGGLESTON. Yes.

Mr. DOYLE. Did you not find it rather difficult to preach communism and also be an FBI agent?

Mr. EGGLESTON. I didn't find it too difficult out of the city, sir, because I wasn't afraid of any of my friends knowing me, but in the city it was pretty hard.

Mr. SCHERER. You said there was some difficulty in Racine?

Mr. EGGLESTON. In Madison.

Mr. SCHERER. What was that difficulty?

Mr. EGGLESTON. The sharecroppers had been brought to Madison under false pretenses and they were complaining about the conditions that they had to live under.

Mr. SCHERER. Why did the Communist Party interest itself in that situation?

Mr. EGGLESTON. It was an opportunity for the party to explore or publicize the situation. These sharecroppers were Negroes coming to Madison to work on this particular farm and they saw an opportunity to publicize it.

Mr. DOYLE. In other words, Mr. Witness, the Communist Party was capitalizing upon a temporary emergency in the field of labor to propagandize?

Mr. EGGLESTON. Yes.

Mr. DOYLE. On their own behalf as contradistinguished against what they claimed was unfair handling of the problem; is that correct?

Mr. EGGLESTON. Yes.

Mr. SCHERER. You found out from your experience that they were not actually interested in the problems of these sharecroppers but merely wanted to exploit the problem, as Mr. Doyle said, for the advantage of the party?

Mr. EGGLESTON. Well, the answer to that question, since this particular group were Negroes, I can state that I found out that the party wasn't interested in the Negroes at all.

Mr. WILLIS. Do you mean in this instance or in other instances?

Mr. EGGLESTON. In any instance.

Mr. SCHERER. They pretended to be interested in problems of the Negro race, did they not?

Mr. EGGLESTON. They did.

Mr. SCHERER. For the purpose of gaining converts?

Mr. EGGLESTON. Yes.

Mr. JACKSON. They still do, do they not?

Mr. EGGLESTON. They still try.

Mr. JACKSON. It has again been abundantly evidenced before this committee in other hearings by Negro citizens who have gone in with high hopes that here was the answer, here was really an organization which had their best interests at heart, only to come out a year or 2 years or 3 years later thoroughly disillusioned with what they found as compared to what they expected or hoped to find.

Mr. WILLIS. That was exactly your experience, as I understand, and was a motivating cause for you to go to the FBI because you thought they were simply exploiting your race.

Mr. EGGLESTON. Yes.

Mr. DOYLE. Did it come to your attention while you were in the Communist Party that they were ever advocating the teaching, directly or indirectly, that there should be a Negro state or a Negro nation at sometime in the future?

Mr. EGGLESTON. Yes, sir; there has been talk of that. I wouldn't say there was general information through the sense that everyone was told at once, but I was told that by the chairman of the Communist Party in a dinner meeting at his home.

Mr. DOYLE. May I explore that, then, because I did not know what your answer would be when I asked it? I have had distinguished Negro citizens tell me in some previous meetings that they were taught that the Communist Party advocated a separate Negro state in the United States of America. Who was the Communist leader that discussed that in his home?

Mr. EGGLESTON. Andy Reams.

Mr. DOYLE. In approximately what year?

Mr. EGGLESTON. This was in the latter part of 1949 or early 1950.

Mr. DOYLE. What was the occasion of this Communist Party leader telling you that the Communist Party favored the establishment of a separate Negro state in the United States? Was it at a Communist meeting or just a conversation between you and him?

Mr. EGGLESTON. It was just a conversation between Andy, his wife, and myself.

Mr. DOYLE. Can you tell us the substance of the conversation? What did they say and what did you say?

Mr. EGGLESTON. I do remember. It is very important. To reveal such is strictly confidential between the FBI and myself.

Mr. DOYLE. Then you cannot answer?

Mr. EGGLESTON. Yes.

Mr. SCHERER. Well, I do not know. What was strictly confidential?

Mr. EGGLESTON. The method that he asked me about.

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Mr. SCHERER. I think we should get that method in executive session.

Mr. EGGLESTON. There I could probably reveal it, sir.

Mr. SCHERER. I am sure you could.

Mr. DOYLE. But for the purpose of this record, we are to understand, Mr. Witness, that Andy Reams told you that. Did he tell you that on more than one occasion?

Mr. EGGLESTON. No; just on this particular occasion.

Mr. DOYLE. There is no question in your mind now that he made it clear that the Communist Party in the United States advocated the establishment of a separate Negro state or republic in the United States of America?

Mr. EGGLESTON. Yes.

Mr. SCHERER. Was Andy Reams a Negro?

Mr. EGGLESTON. No; he wasn't.

Mr. SCHERER. Establishment of a separate Negro state is entirely contrary to what the Negro leaders in the country want, is it not?

Mr. EGGLESTON. Exactly, sir.

Mr. SCHERER. And you learned that the idea for the establishment of a separate Negro state came from Russia where they did not understand the attitude of the Negro leaders or the Negro people in this country with reference to the establishment of such a state?

Mr. EGGLESTON. Yes.

Mr. SCHERER. Didn't the Communist Party soon abandon the idea of having a separate Negro state when they found that they just could not sell that idea to the American Negro?

Mr. EGGLESTON. I don't know about the abandoning of the idea, but this was told to me as an idea in the latter part of 1949 or the early part of 1950 or 1951. If they abandoned it, it was after that.

Mr. SCHERER. I believe we had some testimony to the effect that the Communist hierarchy abandoned that idea when they found out that the Negroes in the country just would not be sold on such a proposition.

Mr. DOYLE. Mr. Scherer, you are emphasizing that the American Negro was so patriotic and loyal to the United States of America that the false Communist program to establish a Negro State in our country did not get anywhere.

Mr. SCHERER. That is true.

The Communist Party was perhaps less successful in converting Negroes to its cause than converting any other group. That has been the testimony before this committee. I think it also demonstrates the fact that some of these programs do originate directly from the Kremlin, because I do not believe that any responsible Communist in this country would have thought of such an idea because they would have realized that it was directly contrary to anything that the Negro people in this country would go for.

Mr. DOYLE. They may not have thought of it in this country, but they certainly tried to put it across.

Mr. SCHERER. They had to because of orders.

Mr. DOYLE. From Moscow.

Proceed.

Mr. TAVENNER. Do you have any other facts in mind which were important to you in your conclusion that the Communist Party was endeavoring to use the members of your race for their own objectives

as distinguished from accomplishing something for the good of the people of your race?

Mr. EGGLESTON. When certain Negro organizations were working to get Negroes into the brewery here in Milwaukee a reliable source informed me that if the Communists had kept hands off, the Negroes would have been hired months before but they delayed the situation by publicizing and passing out leaflets, and so forth.

Mr. WILLIS. Yes. And I can well understand that they were harming your cause.

Mr. EGGLESTON. Harming the cause instead of helping it.

Mr. WILLIS. Harming it because they really had to?

Mr. EGGLESTON. Correct.

Mr. TAVENNER. Let us come now directly to the activity of the youth group of the Communist Party within the Civil Rights Congress. That is the third group that you mentioned.

Mr. EGGLESTON. Out of the youth group into the Civil Rights Congress I would say that I was the most active individual out of this group and in this group we would write leaflets and collect fund drives, and so forth, for different issues, peace petitions, and so forth.

Mr. SCHERER. You did those things, however, as the result of directives that you received from higher ups in the Communist Party?

Mr. EGGLESTON. Yes. And my higher up in the Civil Rights Congress was Josephine Nordstrand. They directed me to write different leaflets for different things.

Mr. WILLIS. Where was she from?

Mr. EGGLESTON. Milwaukee.

Mr. TAVENNER. She, as I understand it, was the head of the Civil Rights Congress.

Mr. EGGLESTON. Yes.

Mr. WILLIS. In Milwaukee or in Wisconsin, or do you know?

Mr. EGGLESTON. I would say Wisconsin, because there were chapters in Racine, and I think they tried to form a chapter in Madison, and she was in charge of all of them.

Mr. SCHERER. What I am trying to point out is that you, as an undercover agent of the FBI, did not initiate these programs yourself.

Mr. EGGLESTON. No.

Mr. SCHERER. You were merely carrying out a directive from above?

Mr. EGGLESTON. I was merely following the lines of the other individuals in this party.

Mr. TAVENNER. How many individuals were members of the Civil Rights Congress who were known to you to be members of the Communist Party, according to your best estimate at this time?

Mr. EGGLESTON. In numbers instead of names?

Mr. TAVENNER. Well, I want the names, too.

Mr. WILLIS. You might be able to give, first, the number, if you have an opinion based on experience; then give the names.

Mr. EGGLESTON. Just to throw out a round figure, I would say I know of 10.

Mr. TAVENNER. Can you recall the names of some of the 10 at this time?

Mr. EGGLESTON. Andy Carlson. C-a-r-l-s-o-n.

Mr. SCHERER. Before we go any further, where is Andy Carlson today?

Mr. EGGLESTON. I have not the slightest idea where he is.

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Mr. SCHERER. Was he a member of the Communist Party at the time you left the party?

Mr. EGGLESTON. Yes. I mean all these people I name, I have no contact with them whatsoever at this time.

Mr. SCHERER. But they were still members at the time you got out?

Mr. EGGLESTON. Yes.

Mr. DOYLE. Mr. Tavenner, it is 12 o'clock. I suggest that perhaps we had better adjourn until 1:30.

Mr. TAVENNER. Very well, sir.

Mr. DOYLE. We will stand adjourned until 1:30.

(Whereupon, at 12 noon, the subcommittee was recessed, to reconvene at 1:30 p. m. the same day.)

AFTERNOON SESSION

Committee members present: Representatives Doyle, Willis, and Scherer.

Mr. DOYLE. The committee will reconvene.

Let the record show, please, that the full personnel of the subcommittee appointed by Chairman Walter is present, Mr. Scherer, of Ohio, on my left, Mr. Willis, of Louisiana, on my right, and myself, Mr. Doyle, of California, subcommittee chairman. Mr. Jackson is absent, but is not designated as a member of this particular subcommittee. He is doing what we often do. We often sit with the subcommittee, and we are always glad to have the additional members present.

Let us proceed, Mr. Tavenner.

Mr. TAVENNER. Mr. Eggleston, will you come forward again, please?

TESTIMONY OF JAMES R. EGGLESTON—Resumed

Mr. DOYLE. Let the record show that we are starting at 1:30.

Mr. TAVENNER. Mr. Eggleston, at the time of the noon recess you were giving us the names of persons who were members of the Young Progressives of America who were known to you to be members of the Communist Party. I am not certain whether or not you completed the listing of those names.

Mr. EGGLESTON. Jerry Rose was a member of the Young Progressives of America and a Communist Party member.

Mr. TAVENNER. Give the committee more descriptive information regarding Jerry Rose.

Mr. EGGLESTON. As to his party affiliation?

Mr. TAVENNER. As to his party affiliations and activities.

Mr. EGGLESTON. Well, as the organizational secretary for the youth group of the Communist Party I collected Jerry Rose's dues.

Mr. TAVENNER. Do you recall at this time the nature of his activities generally in the Communist Party?

Mr. EGGLESTON. No more than the rest of the members in that particular group. I think I mentioned John Rody. Mike Ondrejka. Mark Berman was a member of the Young Progressives. Bernice Edelstine, Victor Edelstine, Phyllis Berger, and Sydney Berger, Ted Silverstine, Harvey Silverstine, Bob and Edith Silverstine, John Gilman, Helen Gilman, Bert Levine, Lila Cricklas, C-r-i-c-k-l-a-s, I think is the spelling. Sally Mattson. M-a-t-t-s-o-n. I think I am at a halt there.

Mr. TAVENNER. Will you tell the committee, please, the principal activities that the Civil Rights Congress was engaged in while you were a member?

Mr. EGGLESTON. The Civil Rights Congress was engaged in fund driving campaigns to raise what they call a bail fund to have money available to bail out mostly members of the Communist Party who were caught in some subversive act.

Mr. TAVENNER. Do you know of any instance where the bail funds of the Civil Rights Congress were used to bail out any person who was not a member of the Communist Party?

Mr. EGGLESTON. No, I don't.

Mr. DOYLE. Do you mean, Mr. Tavenner, Communists arrested for alleged violation of some Federal statute or State statute, and then bail was ordered by the court and the Civil Rights Congress provided the bail? Is that what you refer to?

Mr. TAVENNER. That was my question, yes.

Mr. EGGLESTON. When I say that the money was used only for bailing out Communists I don't know of anyone else who got into any particular trouble at that time where it could have been used for.

Mr. TAVENNER. Can you recall any instances at this time where the bail fund of the Civil Rights Congress was used in any particular case?

Mr. EGGLESTON. No, I have to go back to hearsay that the money was being raised here in Milwaukee and was being sent to the national headquarters. That was given to me by Mrs. Nordstrand.

Mr. WILLIS. I think, Mr. Counsel, that in this case the hearsay rule would not apply. The program was created and the instructions were given to raise the money for Mr. So and So, and that is part of the program.

Mr. SCHERER. We are not restricted from taking hearsay. We do it in the identification of individuals.

Mr. TAVENNER. Tell us what you learned about the use of the bail fund.

Mr. EGGLESTON. A quota of \$60,000 I believe was the national fund drive, the goal to reach.

Mr. TAVENNER. Do you mean the quota for the State of Wisconsin?

Mr. EGGLESTON. No, the quota for the country was \$60,000 and Milwaukee was to collect \$2,500 of that amount. I don't know how much was collected, here in Milwaukee, but that money did go to the national headquarters.

Mr. TAVENNER. What means were used by the Civil Rights Congress here in Milwaukee to raise the money?

Mr. EGGLESTON. They organized a finance committee and this finance committee was to go out and contact different people whether party members or not for the purpose of raising this money, and they would have parties, programs, and so forth, to raise money.

Mr. TAVENNER. To what extent was the Communist Party active in those matters, that is, the conducting of the financial drives for the funds?

Mr. EGGLESTON. Mostly party members, well, in fact all of the party members that I know of that were in the Civil Rights Congress were on these committees.

Mr. TAVENNER. Can you recall at this time what Communist Party members were on the finance committee to raise these funds?

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Mr. EGGLESTON. Josephine Nordstrand was on that committee; Andy Carlson was on the committee. Matt Perker was on the committee.

Mr. TAVENNER. Was he known to you as a member of the Communist Party?

Mr. EGGLESTON. Yes, he was. I can't associate the names with the faces I am remembering now.

Mr. TAVENNER. You know that there were others but you are unable to recall their names at this moment?

Mr. EGGLESTON. Yes.

Mr. TAVENNER. Do you have any knowledge personally or otherwise of how they made private solicitation for funds for this purpose?

Mr. EGGLESTON. No, I don't. How the individual members made their contacts I do not know.

Mr. TAVENNER. Did you ever see a list of contributors to this fund?

Mr. EGGLESTON. I have seen a list of contributors to a number of funds, not only this particular one, but a long list of names who contributed to different fund drives at different times and made different contributions for different causes.

Mr. TAVENNER. Where were those lists kept?

Mr. EGGLESTON. In the office of the Civil Rights Congress.

Mr. TAVENNER. Is there anything you could tell us about the list of contributors for this bail fund drive?

Mr. EGGLESTON. I am afraid not, sir.

Mr. TAVENNER. Will you tell the committee, please, what other activities the Civil Rights Congress was engaged in?

Mr. EGGLESTON. Publication of leaflets and bulletins in which I was to write a monthly bulletin with the help of Jack Killian and Harriet Berger. We were on a committee to write this monthly bulletin.

Mr. TAVENNER. Is this Jack Killian that you refer to the same person that you referred to as being a member of the Labor Youth League?

Mr. EGGLESTON. One and the same, sir.

Mr. TAVENNER. But a person that you had not identified as a member of the Communist Party to your own personal knowledge?

Mr. EGGLESTON. That is correct.

Mr. TAVENNER. What was the nature of this magazine that you have described or the bulletin which you were to edit?

Mr. EGGLESTON. Merely propaganda, sir, the subjects or individuals that the Civil Rights Congress were interested in that we thought the membership should know about, we would write about.

Mr. TAVENNER. Were you given directions as to what to write about or did you use your own initiative to choose the subject?

Mr. EGGLESTON. At times we were given directions as to who or what to write about. Other times we would choose our own subjects but I might add that when we were given a choice it was up to Josephine Nordstrand. She was the sole judge of this. Anything that didn't suit her taste or was too strong along the Communist line would be extracted.

Mr. SCHERER. The material in the bulletin followed the Communist Party line, did it not?

Mr. EGGLESTON. In the milder sense.

Mr. SCHERER. Did it have to be disguised?

Mr. EGGLESTON. Yes, sir; it was disguised.

Mr. TAVENNER. Can you tell the committee from your present recollection what some of the Communist Party propaganda was that was used in this magazine or bulletin?

Mr. EGGLESTON. I don't remember any specific party cases now, but it was generally to defend the Communists who were on trial, to defend those who were up for deportation and just protesting against this so-called police state that we have in this country.

Mr. WILLIS. Wasn't that the real heart of the matter, the promotion of the Communist cause and using the individual as a vehicle to spread out that cause?

Mr. EGGLESTON. Yes, sir.

Mr. TAVENNER. What was the name of this bulletin?

Mr. EGGLESTON. The Civil Rights Champion.

Mr. SCHERER. You would go to the defense of the Rosenbergs, for example?

Mr. EGGLESTON. Yes; and the Willie McGee case, and so forth.

Mr. WILLIS. Who was Willie McGee?

Mr. EGGLESTON. He was the Negro who was executed in Mississippi; I think on rape charges.

Mr. SCHERER. You would not care what the facts were in those cases, would you? You did not try to determine, first, the right and justice of the position you took, did you?

Mr. EGGLESTON. No; every case that came up of that nature was a frame.

Mr. SCHERER. That is what I mean.

Mr. EGGLESTON. It was automatically a frameup every time you heard about such cases.

Mr. SCHERER. You would accuse the official authorities of framing the individual?

Mr. EGGLESTON. Yes.

Mr. SCHERER. You did not care too much about the justice of the cause?

Mr. EGGLESTON. No.

Mr. SCHERER. You rose to the defense of the individual merely because he represented a certain group, came from a certain minority group or was being tried for violation of perhaps the Smith Act or one of the other Federal acts?

Mr. EGGLESTON. Yes.

Mr. WILLIS. Probably for the most electrifying effect from that point of view, the Civil Rights Congress would take a lynch case, irrespective of whether the man involved was guilty or not guilty. That was not too important to the selection of the cause?

Mr. EGGLESTON. That is right, sir.

Mr. DOYLE. Do you mean that you or one of the three editors of the Civil Rights Congress deliberately propagandized a frameup regardless of what the truth was, or a charge of frameup? Which was it?

Mr. EGGLESTON. It was actually a charge of frameup, sir. There is one particular case that I may be a little familiar with. It was the Martinsville Seven. That is my particular home. I was home right after this incident happened. I can't say whether the people were guilty or innocent because when I got home everything was quieted down. But when I got back to Milwaukee they were definitely innocent. They were framed. So I took my pencil and paper and said they were framed, too.

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Mr. SCHERER. Do you mean that when you got back to Milwaukee insofar as the Communist Party was concerned, they were framed?

Mr. EGGLESTON. Yes.

Mr. DOYLE. In other words, your papers had no regard for what the truth was? It was to put out propaganda?

Mr. EGGLESTON. Yes. And if it would promote the cause of the Civil Rights Congress and the Communist Party, it was used.

Mr. DOYLE. That is the practice of Communist papers, as far as you know it?

Mr. EGGLESTON. Yes, it is. In my writing I was writing for a paper in California in which I followed the same line.

Mr. DOYLE. Do you remember the name of that paper in California? I would like to have it identified.

Mr. EGGLESTON. The California Eagle, sir.

Mr. DOYLE. That is published in Los Angeles.

Mr. EGGLESTON. I might add that all that I wrote for that paper was first approved by either Andy Reams or Josephine Nordstrand.

Mr. DOYLE. It has to be or it would not be printed, isn't that correct?

Mr. EGGLESTON. Yes, sir.

Mr. SCHERER. Did you write at their direction?

Mr. EGGLESTON. I wrote it and they took out or put in words. It was merely my byline by the time they got through.

Mr. TAVENNER. Part of the representation made by the Communist Party in the case of the seven in Martinsville was that in the punishment inflicted, there was gross discrimination against members of your race. Is that part of the line they were attempting to carry?

Mr. EGGLESTON. Yes.

Mr. TAVENNER. I don't suppose you ever saw in the Communist press that there was a white man punished in exactly the same way on exactly the same offense?

Mr. EGGLESTON. No; I didn't.

Mr. DOYLE. Was that a fact, Mr. Tavenner?

Mr. EGGLESTON. Yes, sir; that was a fact.

Mr. TAVENNER. Yes, sir; that was a fact. There was an execution of a white man for the same offense on the same day.

Mr. SCHERER. Not to labor the point, again the purpose of this type of propaganda was to attract members of minority groups to membership either in the Communist Party or in the Civil Rights Congress. Is that right?

Mr. EGGLESTON. Yes, sir.

Mr. DOYLE. Also I would suggest, Mr. Scherer, that another purpose was to stir up antipathy and ill will toward the administration of justice in our Nation. Wasn't that true, Mr. Witness?

Mr. EGGLESTON. I would say so, sir.

Mr. WILLIS. You said a while ago that one of the ideas was to portray the police state. Was that one of the ideas behind it?

Mr. EGGLESTON. Yes.

Mr. TAVENNER. During the time that you were working on this bulletin, were articles carried in support of the Communists in the trial or immediately after the trial of the 11 in New York for conspiracy under the Smith Act?

Mr. EGGLESTON. This bulletin came after that, sir.

Mr. TAVENNER. You stated that Jack Killian was one of those who served on this paper with you. What did he do? What was his connection with the book?

Mr. EGGLESTON. To write, sir.

Mr. TAVENNER. In the same capacity as yourself?

Mr. EGGLESTON. Yes.

Mr. TAVENNER. What was the name of the third person that you mentioned?

Mr. EGGLESTON. Harriet Berger.

Mr. TAVENNER. Did she perform the same type of services that you performed?

Mr. EGGLESTON. She did, sir.

Mr. SCHERER. I think we should make this observation at this time, that Communist Party front organizations had similar bulletins and newspapers and publications all over the country and that they were very effective as evidenced by what happened in the Rosenberg case. Many well-meaning people throughout this country actually fell for the propaganda which came from literally hundreds of sheets like the one you are describing.

Mr. EGGLESTON. I might add, sir, that the idea for this paper in Milwaukee came from Michigan, came from Detroit.

Mr. TAVENNER. Can you pinpoint it more definitely than that?

Mr. EGGLESTON. No, I can't because it happened in Chicago at a convention there and some members from the Detroit ranks of the Civil Rights Congress were discussing this paper and how they had been successful with their paper; so we came back to Milwaukee and started one.

Mr. SCHERER. There were literally hundreds of papers like yours all over the United States, in every community, were there not?

Mr. EGGLESTON. Yes, sir.

Mr. SCHERER. And you sought to get as wide a circulation as possible among people whom you hoped to influence?

Mr. EGGLESTON. That is right.

Mr. TAVENNER. Do you recall whether the success, failure, or lack of progress of this bulletin was discussed in Communist Party meetings that you attended?

Mr. EGGLESTON. I don't recall, sir, that it was discussed in those meetings.

Mr. TAVENNER. Will you describe to the committee, please, any other activities that you can recall, in which the Civil Rights Congress was engaged in?

Mr. EGGLESTON. No, I think I have covered them all, sir.

Mr. TAVENNER. You spoke of fund drives?

Mr. EGGLESTON. Yes.

Mr. TAVENNER. And for one particular purpose, that is the bail fund. Were there fund drives for other purposes?

Mr. EGGLESTON. There were fund drives for other purposes. There was a fund drive for Harold Christoffel for his defense, fund drives for Willie McGee and the Martinsville seven. I would say for practically every issue that came up they had a fund drive for it.

Mr. SCHERER. Mr. Tavenner, isn't it a fact that some of the more notable fund drives took place after this witness left the party?

Mr. TAVENNER. Yes, I think that is particularly true with regard to the bail fund drives.

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You have described your activities in these three organizations in response to the general direction from the Communist youth group to get out into these organizations. What activity did you have within the Communist Party itself, if any, which you have not already covered?

Mr. EGGLESTON. To infiltrate other organizations.

Mr. TAVENNER. First work within the Communist Party. Did you attend meetings from time to time within the Communist Party?

Mr. EGGLESTON. Yes, I attended my own group meetings. Of course general meetings of the Communist Party which you attended only by written invitation, and these invitations would come from the party office headquarters here to the chairmen of the various groups, and they would pass them out to the members to attend these meetings.

Mr. TAVENNER. How do you know that was the system they used?

Mr. EGGLESTON. Because I was given the invitations to pass out.

Mr. TAVENNER. As a chairman of your particular group?

Mr. EGGLESTON. Yes.

Mr. TAVENNER. Where were those meetings held, usually?

Mr. EGGLESTON. The Milwaukee Hall, I think it is Sokol's Hall on 13th and Walnut Streets.

Mr. TAVENNER. Were those meetings for Communist Party members only?

Mr. EGGLESTON. Yes.

Mr. TAVENNER. Can you recall any business conducted in any of those meetings that would be of interest to this committee?

Mr. EGGLESTON. Most of those meetings were speaking meetings where different members would get up and speak. One in particular, held on 13th and Walnut, was when Jack Kling was taking over the chairmanship of the party here and he was introduced at that meeting by Andy Reams, I believe, who was the outgoing chairman at that time. There was a discussion of an atomic bomb and warmongers who were going to use it. There was discussion on supporting the coal miners' strike in Pennsylvania and West Virginia at that time. We were to collect food for the coal miners. By the way, this was a task by the Communist Party itself where they were to go out and knock on door to door to collect food to send to Pennsylvania and West Virginia to give to the coal miners.

Mr. TAVENNER. Do you recall whether or not truckloads of food were sent to the coal miners, and when the coal miners found that accompanying the food was Communist literature, they wouldn't accept it?

Mr. EGGLESTON. No, I didn't know that.

Mr. TAVENNER. That is the testimony before this committee.

Mr. SCHERER. You mean a loaf of bread in one hand and the Daily Worker in the other?

Mr. TAVENNER. They would not accept it with the label attached. Do you recall any other particular business discussed at any of those meetings in which the committee would be interested?

Mr. EGGLESTON. I don't think so at this time, sir.

Mr. TAVENNER. Will you give us the names, please, of any persons that you learned to know as members of the Communist Party in those meetings, whose names you have not already given us?

Mr. EGGLESTON. Harry Virgil.

Mr. TAVENNER. Can you tell us anything more about Harry Virgil by way of identification?

Mr. EGGLESTON. He was very active in the Peoples Progressive Party. I couldn't describe his activity in the Communist Party. I just know he attended these meetings through invitation and his wife also attended them.

Mr. TAVENNER. Do you recall his wife's name?

Mr. EGGLESTON. Ida.

Mr. WILLIS. Where is he now, do you know?

Mr. EGGLESTON. He should be in here, sir. He is subpoenaed.

Mr. WILLIS. I am sorry. I did not mean to ask the question.

Mr. EGGLESTON. Nick Stess. S-t-e-s-s. He was working in the Civil Rights Congress as more or less an errand boy for the Civil Rights Congress.

Mr. TAVENNER. Will you go back a moment to this man Virgil? Did you say you couldn't give us any more detailed information about his activities?

Mr. EGGLESTON. In the Communist Party.

Matt Perker. P-e-r-k-e-r. Mort Altman. A-l-t-m-a-n, I think is the spelling.

Mr. TAVENNER. Do you know if Mort is an abbreviation for Mortimer or whether that is his full name?

Mr. EGGLESTON. I could assume that, sir; but I don't know. Jerry Rose was at these meetings. Sidney and Phyllis Berger attended these meetings, and Andy Carlson. I think that is about all that I haven't named before, sir.

Mr. TAVENNER. Did you become acquainted with a person by the name of Merle Snyder?

Mr. EGGLESTON. Yes, I did, sir. Merle Snyder was in my group.

Mr. TAVENNER. In which group?

Mr. EGGLESTON. In the Communist Party group, in the youth group of the party.

Mr. TAVENNER. Do you know whether or not he was finally expelled from the Communist Party?

Mr. EGGLESTON. Yes; he was, sir.

Mr. TAVENNER. This morning one of the members of the committee asked you various questions about teachings in the Communist Party which drew from you an answer regarding the plan of the Communist Party to assign a certain section of the country to your race. You told the committee at the time that you felt you would have to restrict your testimony on that subject because you felt it was of a confidential character. During the noon hour did you satisfy yourself that you are under no restriction in that regard?

Mr. EGGLESTON. Yes.

Mr. TAVENNER. I have before me a book entitled "Negro Liberation" by Harry Haywood, put out by the International Publishers, New York City. Is that the general subject that you were discussing?

Mr. EGGLESTON. Yes, sir.

Mr. TAVENNER. Let me hand you the book, and I will ask you to tell the committee, please, what use was made of it by the Communist Party in this area, and any other knowledge you have of a Communist Party source as to the project in mind by the Communist Party at that time?

Mr. DOYLE. The committee will stand in recess for not more than 10 minutes and the witness in the meantime will be finding the reference that he has in mind.

We will convene again within 10 minutes. The committee stands in recess.

(Whereupon, at 2:10 p. m. a recess was taken after which at 2:20 p. m., the hearing was resumed.)

Committee members present: Representatives Doyle, Willis, and Scherer.

Mr. DOYLE. The committee will, please, reconvene.

I was asked three questions during the noon recess. I was asked how many members of this subcommittee are lawyers. Eight members of the full committee are lawyers. Mr. Jackson, who was here this morning, is the only 1 of the 9 who is not a lawyer. So Mr. Scherer, Mr. Willis, and myself were all lawyers in active practice before we came to Congress.

The other question I was asked was why there is more than one committee member here at this subcommittee hearing. Our committee, the Un-American Activities Committee, in July 1953 adopted a regulation that three members should constitute a subcommittee for a hearing. Up until last week, however, the House of Representatives had no rule specifying how many members of a committee of investigation constituted a quorum of that committee. Last year we passed a rule, unanimously, that requires not less than 2 members shall constitute a quorum for any subcommittee, so hereafter no investigative committee of the House of Representatives on an investigation has authority to sit unless 2 members are present. In other words, we unanimously did away with 1-man committees in the House of Representatives.

Are you ready, Mr. Counsel?

Mr. TAVENNER. Yes, sir.

Will you give to the committee, please, Mr. Eggleston, just what it was you had in mind with reference to the movement described in the book that is before you?

Mr. EGGLESTON. The discussion I had with Andy Reams and his wife in their apartment concerned this book here, Negro Liberation. During our discussion he pointed out to me a certain section of the United States which is this dark portion here of this map. This shaded portion would be taken by the Communist Party for the Negroes.

Mr. DOYLE. On what page of that book does the map appear?

Mr. EGGLESTON. This is the first page. It is not numbered, sir. It is just a map on the inside.

Mr. DOYLE. What States generally would be included in this shaded portion which this Communist told you would be taken by the Communist Party for the Negroes?

Mr. EGGLESTON. All the Southern States, except Florida.

Mr. SCHERER. Was Louisiana included?

Mr. EGGLESTON. Yes.

Mr. WILLIS. I would say that they were undertaking a great job. I will say, further, that that probably is one of the sections where this kind of hearing is needed the least.

Mr. TAVENNER. Was the area given a name?

Mr. EGGLESTON. Yes; he referred to it as the black belt.

Mr. TAVENNER. Was it to constitute a separate government than that of the rest of this country?

Mr. EGGLESTON. Yes.

Mr. WILLIS. I suppose you have to exercise a lot of restraint not to open up in a discussion like that?

Mr. EGGLESTON. Well, when he made that statement, believe me, I was dumfounded. I couldn't question him as to how or when this was going to take place. You just have to take those guys' word that what they say is law without questioning it because once you become suspicious you are out automatically.

Mr. DOYLE. Who was this Communist official who was telling you that this black belt would be taken by the Communist Party for the Negroes?

Mr. EGGLESTON. Andy Reams, who was the chairman of the Communist Party for Wisconsin.

Mr. DOYLE. Did that discussion occur in Milwaukee?

Mr. EGGLESTON. Yes.

Mr. DOYLE. In what year?

Mr. EGGLESTON. My best recollection is that this thing happened after this Mosinee in Madison—this sharecrop incident that I mentioned this morning.

Mr. DOYLE. That would have been about when, sir?

Mr. EGGLESTON. I would say in the summer of 1950.

Mr. DOYLE. Did he tell you what he meant by being "taken"? How was the Communist Party going to take over this area and set up a separate government?

Mr. EGGLESTON. That wasn't explained to me, sir.

Mr. DOYLE. Why didn't you ask him?

Mr. EGGLESTON. I couldn't question him.

Mr. DOYLE. Why?

Mr. EGGLESTON. I was afraid I would cast suspicion on myself.

Mr. DOYLE. That is right. You were an FBI agent at the time.

Mr. SCHERER. Do you think they were rather stupid in advancing such a thing to the colored people of this country?

Mr. EGGLESTON. I think they are stupid, period.

Mr. SCHERER. Particularly in this respect. Because, as I understood it, the Negro leaders, particularly those connected with NAACP, are opposed to any type of segregation?

Mr. EGGLESTON. They are, sir.

Mr. TAVENNER. Mr. Chairman, I would like to offer in evidence at this place in the witness's testimony the front advertisement piece of the book and also the picture referred to by the witness and ask that it be marked "Eggleston Exhibit No. 1," for identification purposes only, and to be made a part of the committee files.

Mr. DOYLE. It is so ordered.

Mr. TAVENNER. With leave to withdraw the document after photostating it and return it to its owner.

Mr. DOYLE. Without objection leave is granted.

Mr. TAVENNER. I believe you told us in your earlier testimony that you withdrew from the Communist Party in 1952 or was it 1951?

Mr. EGGLESTON. In 1951. I didn't withdraw in the true sense of the word; I was expelled.

Mr. TAVENNER. Will you tell the committee about that, please?

Mr. EGGLESTON. I was expelled from the party for the reason that was given to me that time because I couldn't convert my wife into being a Communist Party member.

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Mr. TAVENNER. As a result of that you were disciplined by being kicked out of the party?

Mr. EGGLESTON. Yes.

Mr. TAVENNER. Had the party at the time that you got out broken down into smaller groups for the purpose of going underground?

Mr. EGGLESTON. At the time that I was out of the party there were no group meetings under the banner of the Communist Party. They were just individual meetings with different members.

Mr. TAVENNER. What size group of members?

Mr. EGGLESTON. One or two members would meet you and you would have a conversation with them and you would go to the bookshop and pick up your literature and papers, but there was no actual sending out and calling a business meeting.

Mr. TAVENNER. With whom did you meet in that type of meeting?

Mr. EGGLESTON. I met with Mary Keith. We discussed things while the party was in this small group; the gentleman I named earlier in my testimony, whom I said was dead at this time, well I mention him again. Bill Herron, I met with him; Douglas McCain, I met with him; and I also met with Mort Altman.

Mr. TAVENNER. After the termination of your Communist Party membership, how were you employed? What have you been doing?

Mr. EGGLESTON. You mean when I got out of the party altogether?

Mr. TAVENNER. Yes.

Mr. EGGLESTON. I went to work at Seaman Body for a while. I went to build my house. I was unemployed for about a year building my house. Then I went to work for a couple of architects, being self-employed.

Mr. TAVENNER. Are you now self-employed?

Mr. EGGLESTON. Yes.

Mr. TAVENNER. As an architect?

Mr. EGGLESTON. As a designer.

Mr. TAVENNER. Mr. Chairman, I believe I have no further questions.

Mr. DOYLE. Do you want to question, Mr. Willis?

Mr. WILLIS. No, sir.

Mr. DOYLE. Have you any questions, Mr. Scherer?

Mr. SCHERER. You say they told you that you were expelled from the party because you failed to convert your wife to communism; is that right?

Mr. EGGLESTON. Yes.

Mr. SCHERER. Do you think that that was the real reason?

Mr. EGGLESTON. Well, I can't say. I mean at that time.

Mr. SCHERER. Who notified you of your expulsion?

Mr. EGGLESTON. Bill Herron.

Mr. SCHERER. And he told you that was the reason?

Mr. EGGLESTON. Yes.

Mr. SCHERER. If that was the real reason—which I doubt—they don't understand wives any more than they understand the Negroes.

Mr. DOYLE. Mr. Eggleston, did they not give you a hearing and a chance to explain or defend yourself before you were expelled?

Mr. EGGLESTON. No, sir. I went to the bookshop one day to pick up my literature and I met Bill Herron there. He said, "I want to talk to you." We went out in my car. He told me. I said goodbye and drove off.

Mr. DOYLE. I thought they believed pretty strongly in civil rights.

Mr. Eggleston, we could take quite a few minutes of time in thanking you for your cooperation. I will not do so. Speaking on behalf of the committee, I want to thank you very earnestly and sincerely for this cooperation with your United States Congress. We appreciate it very, very much.

Mr. EGGLESTON. You are welcome.

Mr. DOYLE. I am sure that if more American citizens, under circumstances such as you met when you discovered the Communist conspiracy, would take steps to reveal and expose it, as you did, we would not be so worried about the conspiracy to forcibly overthrow our country. I want to compliment you and thank you.

Mr. EGGLESTON. You are welcome.

Mr. TAVENNER. Mr. Chairman, may I suggest that the witness be kept under subpoena?

Mr. DOYLE. So ordered.

Call the next witness, Mr. Tavenner.

Mr. TAVENNER. Sigmund G. Eisenscher.

Mr. DOYLE. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. EISENSCHER. I do.

TESTIMONY OF SIGMUND G. EISENSCHER, ACCOMPANIED BY COUNSEL, IRVIN B. CHARNE

Mr. DOYLE. Are you ready, Counsel?

Mr. TAVENNER. What is your name, sir?

Mr. EISENSCHER. My name is Sigmund G. Eisenscher.

Mr. TAVENNER. It is noted that you are accompanied by counsel. Would counsel please identify himself for the record?

Mr. CHARNE. Irvin B. Charne.

Mr. TAVENNER. What is your address?

Mr. CHARNE. 135 West Wells Street.

Mr. TAVENNER. Milwaukee?

Mr. CHARNE. That is right.

Mr. TAVENNER. When and where were you born, Mr. Eisenscher?

Mr. EISENSCHER. I was born in Poland; Cracow, to be exact.

Mr. TAVENNER. What date?

Mr. EISENSCHER. On July 24, 1911.

Mr. TAVENNER. When did you come to this country?

Mr. EISENSCHER. I was an infant at the time. I am not sure of the exact age, but I was under 1 year old.

Mr. TAVENNER. Are you a naturalized American citizen?

Mr. EISENSCHER. I am a citizen by virtue of the law which prevailed during one period which granted citizenship under conditions when a minor's parent became a citizen.

Mr. TAVENNER. That is derivative citizenship?

Mr. EISENSCHER. I am not sure what it is called, but that is the circumstance.

Mr. TAVENNER. When did you secure that citizenship?

Mr. EISENSCHER. I couldn't say. It is in the record as far as that goes. I don't have that information at my fingertips.

Mr. TAVENNER. When was your father naturalized?

Mr. EISENSCHER. I couldn't tell you that offhand either.

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Mr. TAVENNER. Where was he naturalized?

Mr. EISENSCHER. I am not sure at the moment.

Mr. TAVENNER. Where was your father living when he became naturalized?

Mr. EISENSCHER. I am not even sure of that, Mr. Tavenner.

Mr. TAVENNER. Under what name was your father naturalized?

Mr. EISENSCHER. Well, I can only conclude that he was naturalized under his own name.

Mr. TAVENNER. Which would be what?

Mr. EISENSCHER. That name is Isaac Eisenscher.

Mr. TAVENNER. When you came to this country where did you take up your residence?

Mr. EISENSCHER. Well, I can only speak of this by hearsay, Mr. Tavenner, since I was too young to recall.

Mr. TAVENNER. That is quite adequate.

Mr. EISENSCHER. You are satisfied with that?

Mr. TAVENNER. Certainly.

Mr. EISENSCHER. I will have to spend a little time to recall the circumstance.

Mr. TAVENNER. I am not asking the circumstances. I am just asking you where you resided when you arrived in this country.

Mr. EISENSCHER. If I am not mistaken, I think the first period we lived in New York, but I am not sure of that. In other words, I cannot speak conclusively of this period of time.

Mr. TAVENNER. From there you moved to what place?

Mr. EISENSCHER. Massachusetts.

Mr. TAVENNER. What place in Massachusetts?

Mr. EISENSCHER. I think at one period we lived in a town called East Dedham. I think it is near Boston. But I am not sure of that either.

Mr. TAVENNER. How long did you and your family reside at that place?

Mr. EISENSCHER. I couldn't say that for sure, Mr. Tavenner.

Mr. TAVENNER. About when did you leave that place?

Mr. EISENSCHER. I think I must have been about 5 years old, but of this I am not certain either.

Mr. TAVENNER. To what part of the country did you move?

Mr. EISENSCHER. Long Island, N. Y. Wait. I am sorry. At first we lived in Manhattan in New York and after that we moved to Long Island.

Mr. TAVENNER. When did you move from Long Island?

Mr. EISENSCHER. I am not certain of this date, Mr. Tavenner.

Mr. TAVENNER. About how old were you when you left Long Island?

Mr. EISENSCHER. I think I must have been somewhere about 6 or 7 years old.

Mr. TAVENNER. From Long Island, to what section of the country did you move?

Mr. EISENSCHER. To Brooklyn, N. Y.

Mr. TAVENNER. When did you move from Brooklyn? Can you fix that time?

Mr. EISENSCHER. I am sorry, I couldn't.

Mr. TAVENNER. From Brooklyn, to what section of the country did you move?

Mr. EISENSCHER. To New Jersey.

Mr. TAVENNER. How long did you live in New Jersey?

Mr. EISENSCHER. I lived there until 1933.

Mr. TAVENNER. Where did you live in New Jersey?

Mr. EISENSCHER. A town called Chatham.

Mr. TAVENNER. How old were you in 1933? I have forgotten the date of your birth.

Mr. EISENSCHER. I must have been 22, Mr. Tavenner.

Mr. TAVENNER. Will you tell the committee, please, what your formal educational training has been?

Mr. EISENSCHER. Well, I went through school as most other kids have done, I suppose. I went through grammar school and through junior high school and then high school, and I had a few months at Rutgers University at the New Jersey State Experiment Station. That is an agricultural school. That was for a brief period, just a short course.

Mr. TAVENNER. In what year was that?

Mr. EISENSCHER. I think that was in the winter of 1928 if I am not mistaken.

Mr. TAVENNER. Will you tell the committee, please, how long you lived in New Jersey?

Mr. EISENSCHER. I lived there, if I can recall exactly, from about 1925 until I left the State in 1933.

Mr. TAVENNER. To what State did you move upon leaving New Jersey?

Mr. EISENSCHER. I came to Wisconsin.

Mr. TAVENNER. In what section of Wisconsin did you take up your residence?

Mr. EISENSCHER. I lived in Madison for about a year and a half then moved to Milwaukee.

Mr. TAVENNER. Did you have any formal educational training in addition to what you have told us?

Mr. EISENSCHER. Well, not that I would count as such because I entered the University of Wisconsin for a brief period, but I dropped out because I found myself unable to continue for lack of funds, but I wouldn't count that, because I never got any credit for it.

Mr. TAVENNER. That was in Madison?

Mr. EISENSCHER. That is right.

Mr. TAVENNER. How long were you in attendance at the university?

Mr. EISENSCHER. A very short time, for a few weeks only. I thought I could make plans to assure the continuation of my schooling there, but I found myself unable to do so.

Mr. TAVENNER. What year was that?

Mr. EISENSCHER. 1933.

Mr. TAVENNER. Then in about a year or year and a half you moved from Madison to Milwaukee?

Mr. EISENSCHER. That is correct.

Mr. TAVENNER. How were you employed while living in Madison?

Mr. EISENSCHER. Oh, I had a couple of jobs. I sold advertising for a newspaper there on the campus. I sold it for the Cardinal and I sold advertising for another newspaper in town, and then I got a job with the Madison Gas & Electric Co. I was selling appliances, you know, stoves and refrigerators, and whatnot, merchandise that they have on sale.

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Mr. TAVENNER. Upon moving to Milwaukee in—would that be 1934 or 1935?

Mr. EISENSCHER. 1935.

Mr. TAVENNER. How did you become employed?

Mr. EISENSCHER. I believe that this question may tend to incriminate me, Mr. Tavenner, and therefore I will refuse to answer it.

Mr. SCHERER. Mr. Chairman, I ask that the witness be directed to answer.

Mr. DOYLE. I direct the witness to answer that question.

Mr. EISENSCHER. Mr. Doyle, I must persist in my refusal to answer this question based on the grounds that I believe that the answer may tend to incriminate me.

Mr. SCHERER. Did you become employed by the Communist Party?

Mr. EISENSCHER. Sir, the same answer goes for this question.

(Witness confers with his counsel.)

Mr. DOYLE. You have refused to answer the question asked you by Mr. Tavenner after I directed you to answer. That is correct, isn't it?

Mr. EISENSCHER. That is correct, definitely correct.

Mr. DOYLE. And you have given your grounds for refusal to answer?

Mr. EISENSCHER. I said, and I will repeat, I refuse to answer that question because I believe that that answer may tend to incriminate me.

Mr. TAVENNER. Mr. Eisenscher, where do you now reside?

Mr. EISENSCHER. I live at 1860 North Prospect Avenue in Milwaukee.

Mr. TAVENNER. How long have you lived there?

(Witness confers with his counsel.)

Mr. EISENSCHER. I lived there from about the middle of August until the present date. I am still living there.

Mr. TAVENNER. The middle of August of what year?

Mr. EISENSCHER. Of 1954.

Mr. TAVENNER. Prior to the middle of August 1954 where did you reside?

Mr. EISENSCHER. I believe that the answer to this question might also be incriminating and therefore I refuse to answer it. I refuse to give you any information which may be used to incriminate me, Mr. Tavenner.

Mr. SCHERER. Mr. Chairman, I ask you to direct the witness to answer the question as to where he lived prior to his present address.

Mr. DOYLE. I certainly do instruct you to answer that question and in doing that, sir, we believe it is entirely reasonable and right and within the law for us to ask you to identify yourself. We see no justification in you claiming incrimination merely because you lived some place. The purpose of the question is to identify you, and Congress has a right to know who you are and where you have lived. I instruct you to answer.

Mr. EISENSCHER. Mr. Doyle, I still refuse to answer that question on the grounds which I have stated, that I will not incriminate myself or even endanger myself to possible incrimination by any information or answers given here in this room.

Mr. DOYLE. Even as to where you lived; is that correct?

Mr. EISENSCHER. If I think there is a possibility that the answer may incriminate me, I will refuse to answer—and I am the sole judge of that.

Mr. SCHERER. That is where you are wrong. You are not the sole judge of that.

Mr. DOYLE. We will let the record speak for itself.

Mr. TAVENNER. Mr. Eisenschler, I have before me a clipping from the Milwaukee Journal of August 18, 1954, entitled "Another Spurt by Local Reds. Reasons Are Studied." The article begins with this statement:

What is the significance of the reappearance of Sigmund G. Eisenschler and an openly functioning Communist Party in Wisconsin?

The former Milwaukee County Communist chairman popped up Monday announcing that he had been elected State Communist chairman and a write-in candidate for lieutenant governor in the November 2 election. Eisenschler had vanished from Milwaukee, along with other State Communist leaders, on September 4, 1951.

It was believed then that fear of prosecution under the Smith Act on charges of conspiring to overthrow the Government by force had led to their disappearance.

Then a heading in the article, "Possibility Still Exists" and continuing with the article, it reads as follows:

Inasmuch as that possibility still exists, there must have been some strong reason for the emergence of Eisenschler at this time.

One theory, partly confirmed Tuesday by Eisenschler himself, is that the Communists discovered that working underground had disadvantages. Particularly, it made recruitment of members almost impossible and propagandization difficult.

Authorities say that the Communist Party here has slipped badly since its leaders disappeared. It has lost touch with the workers, from which it hopes to gain recruits, and has not been able to defend itself against its many critics, they say. Eisenschler agreed with the latter point.

Eisenschler declined to answer questions as to where he had been during his 3 years' absence from Milwaukee and as to whether others in the Communist Party had been elected to offices when he was elected State chairman.

Do you recall seeing that article in the press in which you are reported to have agreed with certain viewpoints?

Mr. EISENSCHER. Sir, I will refuse to answer the question on the grounds that it may possibly tend to incriminate me.

Mr. SCHERER. The only question, as I understand it, that Mr. Tavenner asked him is whether he saw the article and I don't see how, whether he saw it or did not see it, would tend to incriminate him. So, Mr. Chairman, again I am going to ask you to direct the witness to answer the question as to whether he saw that article.

(Witness confers with his counsel.)

Mr. DOYLE. You conferred with your counsel. What is your answer to Mr. Tavenner?

Mr. EISENSCHER. On the advice of counsel, I will say now that I did read the article.

Mr. TAVENNER. Did you have a conference with the writer of that article as indicated by its contents wherein it said "Eisenschler agreed with the latter point"?

(Witness conferred with his counsel.)

Mr. EISENSCHER. Sir, I will not answer this question on the grounds that the answer may possibly tend to incriminate me.

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Mr. TAVENNER. Isn't it a fact, Mr. Eisenscher, that the theory presented in this article is actually the correct theory of the Communist Party today in this locality, namely, that it has found it cannot operate underground successfully?

Mr. EISENSCHER. Sir. I consider that question an invasion of my political and civil rights.

(Counsel confers with the witness.)

Mr. EISENSCHER. And the same answer which I gave before holds for this one as well.

(Counsel confers with the witness.)

Mr. EISENSCHER. I will not answer this question because I believe that the answer may tend to incriminate me.

Mr. TAVENNER. Has not the Communist Party in this locality reached the conclusion or the determination that by working in underground small groups it cannot continue to recruit members into the Communist Party?

(The witness confers with his counsel.)

Mr. EISENSCHER. I also refuse to answer this question, Mr. Tavenner, on the same grounds previously stated to the last question.

Mr. TAVENNER. Isn't it true that you have been sent back here to try to dig the Communist Party out of the ground in order that it may continue with its propaganda appeal to certain interests?

Mr. EISENSCHER. Mr. Tavenner, I will say this: I am willing to proclaim my views in any corner of this State but not under compulsion and not before this committee.

(Counsel confers with the witness.)

Mr. SCHERER. Do you mean you are willing to answer these questions at any place other than before this committee?

Mr. EISENSCHER. I am willing to expound my views freely but not under compulsion or before any inquisitorial committee

Mr. SCHERER. I would say he is clearly in contempt.

Mr. EISENSCHER. I would refuse to answer that on the grounds that the answer may tend to incriminate me.

Mr. WILLIS. Mr. Chairman, I think since he did not at first claim the fifth amendment he should be ordered to answer the question.

Mr. DOYLE. I direct you to answer the question.

Mr. EISENSCHER. I refuse, sir, on the grounds previously stated that the answer may tend to incriminate me.

(Witness confers with his counsel.)

Mr. WILLIS. Are you the Sigmund Eisenscher, or whatever the name is, referred to in the article that the counsel just read?

Mr. EISENSCHER. I refuse to answer, sir, on the grounds stated previously that an answer may possibly tend to incriminate me.

Mr. TAVENNER. I hand you a photostatic copy of an article entitled "Press Release, Milwaukee, Wis., August 16, 1954," and ask you if you have seen it before.

(A document was handed to the witness.)

(Witness confers with his counsel.)

Mr. EISENSCHER. I refuse to answer that question, Mr. Tavenner, on the grounds that the answer may possibly tend to incriminate me.

Mr. TAVENNER. You refuse to state whether or not you have ever seen this document or the original of it; is that correct?

Mr. EISENSCHER. That is correct, on the grounds that I stated before.

Mr. TAVENNER. Mr. Chairman, I desire to read part of the document in evidence:

The Communist Party of Wisconsin announced today that its State executive committee has elected as its chairman Sigmund G. Eisenscher, former Milwaukee County chairman of the party. At the same time, it was announced that Eisenscher planned to run for the office of lieutenant governor of Wisconsin in the November election. The announcement came as Eisenscher returned home after an absence of 3 years on various field assignments for the party. Eisenscher issued the following statement:

Then it continues with about three pages of what purports to be a statement.

Mr. WILLIS. What was the date of that?

Mr. TAVENNER. It is Milwaukee, Wis., August 16, 1954, under the heading of "Press Release."

Is it true, as stated in this press release, that you were elected chairman of the Milwaukee County Communist Party in August 1954?

Mr. EISENSCHER. I also refuse to answer that question, Mr. Tavenner, on similar grounds that the answer may possibly tend to incriminate me.

(Counsel confers with the witness.)

Mr. TAVENNER. Did you become a candidate for lieutenant governor of Wisconsin in the November elections of 1954?

(The witness confers with his counsel.)

Mr. EISENSCHER. I will also refuse to answer this question, Mr. Tavenner, on the grounds that the answer may tend to incriminate me.

Mr. SCHERER. Whether you became a candidate for lieutenant governor of the State of Wisconsin might tend to incriminate you? Do you claim that seriously?

Mr. EISENSCHER. I seriously do.

Mr. SCHERER. Mr. Chairman, I ask you to direct the witness to answer the question.

Mr. DOYLE. I direct you to answer the question.

Mr. EISENSCHER. I can only repeat what I said before.

Mr. DOYLE. I direct you to answer the question.

Mr. EISENSCHER. I refuse to answer this on the grounds that the answer may possibly incriminate me.

Mr. DOYLE. When you became a candidate in 1954, did you feel then that it would incriminate you to become a candidate?

Mr. EISENSCHER. I also refuse to answer that question, Mr. Doyle, on similar grounds.

Mr. TAVENNER. I hand you a photostatic copy of an application for post office box under date of September 30, 1954. Will you examine it, please?

(A document was handed to the witness.)

Mr. TAVENNER. Will you state whether or not you filed such an application with the Post Office Department?

(Witness confers with his counsel.)

Mr. EISENSCHER. Mr. Tavenner, I also refuse to answer this question on the grounds that the answer may possibly incriminate me or tend to incriminate me.

Mr. SCHERER. Again, Mr. Chairman, I must ask that you direct the witness to answer the question.

Mr. DOYLE. I direct you to answer that question, Mr. Eisenscher.

Mr. EISENSCHER. I refuse to answer, Mr. Doyle, on the grounds I just stated that an answer may tend to incriminate me.

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Mr. TAVENNER. Mr. Chairman, I offer the document in evidence and ask that it be marked "Eisenscher Exhibit No. 1," for identification purposes only, and to be made a part of the committee files.

Mr. DOYLE. It is so ordered.

Mr. WILLIS. Does that document purport to bear a signature of the witness on the stand? I do not care whether it does or not. Is it signed by him?

Mr. TAVENNER. I hand you the document again and ask you if you see a place entitled "Signature of applicant" followed by the signature of an individual?

(A document was handed to the witness.)

(Witness confers with his counsel.)

Mr. WILLIS. Are you asking him if that is his signature?

Mr. TAVENNER. I am going to ask him that in the next question.

(Witness confers with his counsel.)

Mr. EISENSCHER. Yes; I see such a place.

Mr. TAVENNER. Will you read the name of the person whose name appears opposite the request for the signature?

(Witness confers with his counsel.)

Mr. EISENSCHER. I am now reading from this piece of paper which you gave me.

(Witness confers with his counsel.)

Mr. EISENSCHER. And it says here "Sigmund G. Eisenscher."

Mr. TAVENNER. Did you sign it?

Mr. EISENSCHER. I refuse to answer this question, Mr. Tavenner, on the grounds that the answer may tend to incriminate me.

Mr. SCHERER. I think we ought to have another direction, Mr. Chairman.

Mr. DOYLE. I am, sir, in view of your identification of that signature as being your name, directing you to answer.

(Counsel confers with the witness.)

Mr. EISENSCHER. Mr. Doyle, I repeat that I will not answer this question on the grounds that the answer may tend to incriminate me.

Mr. TAVENNER. Mr. Chairman, I desire to read the document in evidence.

Application for post-office box.

Just ahead of that in the righthand corner is the statement—

Assigned Box No. 1,088, September 30, 1954, the undersigned hereby applies for the use of a box in the post office at Main Post Office, Milwaukee, Wis., and agrees to comply with the postal regulations and rules relative to renting and use of post-office boxes. If the box is rented for a corporation, the applicant should write on the lines below the name of the corporation; if for a firm, the name of the firm, and the full name of each of its members whose mail is to be placed in the box.

Then follows:

Signature of applicant: "Sigmund G. Eisenscher." Character of business: "Personal and political." Residence address: "1860 N. Prospect Avenue, Milwaukee." References: "M. Altman, 3208 West Michigan; John Gilman, 3851 North First Street."

Mr. Eisenscher, isn't it a fact that you applied for an application for post-office box to be used as the post-office box of the Communist Party for this area?

Mr. EISENSCHER. Sir, I refuse to answer that question on the grounds that the answer may tend to incriminate me.

Mr. TAVENNER. And isn't it a fact that in response to the application you were actually assigned box 1,088 which you used for the Communist Party in this area?

Mr. EISENSCHER. I refuse to answer that question on the grounds that the answer may tend to incriminate me.

Mr. TAVENNER. I notice that there are several references here. Who is the person by the name of M. Altman?

Mr. EISENSCHER. I refuse to answer that question, Mr. Tavenner, on the grounds that the answer may tend to incriminate me.

Mr. TAVENNER. You will not state whether or not you are acquainted with him?

Mr. EISENSCHER. I think I have answered your question, Mr. Tavenner.

Mr. TAVENNER. Are you acquainted with John Gilman?

Mr. EISENSCHER. I refuse to answer that question also on the grounds that the answer may tend to incriminate me.

Mr. TAVENNER. Mr. Eisenschler, I hand you a document entitled, and the caption is very indistinct to read, "This is Your FBI, a Statement by the Communist Party of Wisconsin," then in parentheses under the title, "For General Release and Publication." Examine it please, and will you state whether or not you are familiar with that article?

(A document was handed to the witness.)

Mr. DOYLE. What is the date of that, Mr. Tavenner?

Mr. TAVENNER. It has no date.

(Witness confers with his counsel.)

Mr. EISENSCHER. I do not answer this question on the grounds that the answer may tend to incriminate me.

Mr. WILLIS. Do you mean you refuse to answer?

Mr. EISENSCHER. That is correct.

Mr. SCHERER. Witness, you have refused to answer all important questions that have been asked you on the grounds that to do so might tend to incriminate you.

(Witness confers with his counsel.)

Mr. SCHERER. In other words, you feel that if you answer such questions some prosecution may result in which you might suffer some penalty; is that right?

Mr. EISENSCHER. Mr. Scherer, I do not believe I am obliged to answer your question or to explain my reasons for refusal on the grounds that I have indicated.

Mr. SCHERER. I ask that you direct the witness to answer that question.

Mr. DOYLE. I direct the witness to answer.

Mr. EISENSCHER. I refuse to answer this question also, Mr. Doyle. However, I would like to confer with my counsel on this point.

Mr. DOYLE. We would be glad to have you do so. I think you had better.

(The witness confers with his counsel.)

Mr. EISENSCHER. Mr. Doyle, I don't want to give the impression here that I am evading any questions. I want to make very clear at this point that my answers to those questions, whatever your com-

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ments or opinions might be, represent my clear and honest opinion, and I would like to have that clearly understood, Mr. Doyle.

Mr. DOYLE. Of course you are under oath and the record speaks for itself as to what you are trying to do.

Mr. SCHERER. By the question I asked, Mr. Chairman, I wanted to see whether this witness understood what he was doing when he invoked the fifth amendment, and I think of course he is clearly in contempt for refusing to answer the question that I asked because it would give some basis as to whether or not he was properly invoking the fifth amendment.

Witness, you have invoked the fifth amendment and said that you are refusing to answer these questions because your answers might tend to incriminate you. Now, under the law passed by the 83d Congress this committee has the right with the approval of the Federal court to grant you immunity from prosecution, that is to assure you that there will be no prosecution for any answer that you might give to these questions.

If this committee should decide to grant you such immunity so that you couldn't be prosecuted, or couldn't incriminate yourself by your answer, would you then answer the questions we have asked you?

Mr. EISENSCHER. Do you mean to imply, Mr. Scherer, that I should become a stool pigeon?

Mr. SCHERER. I just want you to answer my question.

I ask, Mr. Chairman, that you direct the witness to answer my question.

Mr. DOYLE. I direct you to answer. I think you understood the question.

Mr. EISENSCHER. I would like to answer this question, Mr. Doyle. I would say, first, that in no case will I violate my own conscience. My conscience will not permit me to become an informer under compulsion or offers of bribery or offers of any refusal to prosecute, or anything like that.

I also believe that Congress does not have the power to set aside any of the protection granted by the Constitution of the United States. I adhere to the Constitution even if it is in conflict sometimes with some of the things that Congress may do.

Mr. SCHERER. Then I understand, Witness, from your answer now that if this committee should grant you immunity from prosecution, you would still refuse to answer these questions?

(Counsel confers with witness.)

Mr. SCHERER. He has answered the question, Mr. Tavenner. I just made that observation because from his answer it was not clear that he was properly invoking the fifth amendment.

When a man says that he will not answer even though granted immunity, then he is not properly invoking the fifth amendment.

Mr. TAVENNER. Will you examine, again, please, the document which I handed you a few moments ago and look at the typewritten, signed name at the end of it and see if you can detect a signature just above it?

(A document was handed to the witness.)

(Witness confers with counsel.)

Mr. TAVENNER. Do you see what appears to be a signature above the typewritten name?

Mr. EISENSCHER. I see what might possibly be a signature, Mr. Tavenner.

Mr. TAVENNER. Does that indicate to you that this is a photostat of a mimeographed document?

Mr. EISENSCHER. Well, sir, I am not a documents expert, and for that reason I don't think that I am required to answer the question. I wonder in what capacity you are asking me my opinion?

Mr. TAVENNER. From your observation of it does it appear as though it were a name scratched on a sheet of mimeograph paper which didn't take properly in the stencil, did not take properly in the duplication of it?

(Witness confers with his counsel.)

Mr. EISENSCHER. It appears that way to me, but I want to say that this is a matter of opinion. That is my opinion.

Mr. TAVENNER. Can you read that signature by examining it?

Mr. EISENSCHER. Are you directing me to read it, Mr. Tavenner?

Mr. TAVENNER. Yes.

Mr. EISENSCHER. Is says here "S. G. Eisenschler."

Mr. TAVENNER. Can you identify the signature above it as being the same name?

Mr. EISENSCHER. Well, I couldn't say positively. It appears that it might be the same.

Mr. TAVENNER. It appears to be, doesn't it?

Mr. EISENSCHER. Yes, it appears to be.

Mr. TAVENNER. Did you scratch your signature by stencil in the duplication paper?

Mr. EISENSCHER. Now, Mr. Tavenner, I will refuse to answer that question on similar grounds as before: That the answer may tend to incriminate me.

Mr. WILLIS. Did he answer as to whether or not he had seen this document or did he refuse? I am asking you, Mr. Tavenner.

Mr. TAVENNER. He answered formerly that he refused to identify the document.

Underneath that signature appears a typewritten name, and that is the name that you read. Isn't that correct?

Mr. EISENSCHER. That is right.

Mr. TAVENNER. What post office address is given under that name?

Mr. EISENSCHER. Post Office Box 1088.

Mr. TAVENNER. Which is the same post office box number which was assigned to you on your application, isn't it?

(Witness confers with his counsel.)

Mr. EISENSCHER. I won't answer that question, Mr. Tavenner, because the answer may tend to incriminate me.

Mr. TAVENNER. Will you also examine the document to see whether or not there is any further identifying information after your name?

Mr. EISENSCHER. Do you want me to read what is here, Mr. Tavenner?

Mr. TAVENNER. Yes, that would be an easy way to do it.

Mr. EISENSCHER. Under the name indicated here it says "For the Communist Party of Wisconsin, Post Office Box 1088, Milwaukee, Wis.

Mr. TAVENNER. I desire to introduce the document in evidence and ask that it be marked "Eisenschler Exhibit No. 2," for identification purposes only and to be made a part of the committee files.

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Mr. DOYLE. It is so ordered.

Mr. TAVENNER. Mr. Eisenscher, were you a candidate in 1947 for mayor of the city of Milwaukee?

(Witness confers with his counsel.)

Mr. EISENSCHER. Mr. Tavenner, I refuse to answer that question on the grounds that the answer may tend to incriminate me.

Mr. SCHERER. Mr. Chairman, I ask that you direct the witness to answer the question as to whether he was a candidate for mayor of Milwaukee.

Mr. DOYLE. I fail to see how that would tend to incriminate you. I direct you to answer the question.

Mr. EISENSCHER. Without explanation, I refuse to answer on the grounds that it may incriminate me.

Mr. TAVENNER. Mr. Eisenscher. I hand you a document entitled "Press Release, Address: Milwaukee, Wis., December 17, 1947." Will you examine it, please, and state what name you see at the bottom of the document?

(Witness confers with his counsel.)

Mr. EISENSCHER. The name indicated here is Sigmund Eisenscher.

Mr. TAVENNER. Does it appear both in typewriting and in handwriting?

Mr. EISENSCHER. That is right. That is what appears here on the paper; yes, sir.

Mr. TAVENNER. Will you state whether or not the signature "Sigmund G. Eisenscher" is your signature or a reasonable facsimile of it?

Mr. EISENSCHER. Mr. Tavenner, I refuse to answer that question on the ground that that answer may tend to incriminate me.

Mr. TAVENNER. I desire, Mr. Chairman, to offer the document in evidence and ask that it be marked "Eisenscher Exhibit No. 3," for identification purposes only, and to be made a part of the committee files.

Mr. DOYLE. It is so ordered.

Mr. TAVENNER. I shall read the first and last paragraphs:

In the absence of unity among Milwaukee's labor and liberal forces behind any single candidate or platform, I have decided to offer myself as a candidate for election as mayor of Milwaukee.

Then the last paragraph:

Since returning from the service, I have been county chairman of the Communist Party of Milwaukee. I intend to take a leave of absence from these duties during the election campaign. I have been an active Communist for 13 years, during which time I have devoted all my efforts in behalf of the rights of labor, of the Negro people, and of the general struggle for democracy. My campaign for the mayoralty is pledged to continue in this same effort.

Mr. TAVENNER. Did you run as candidate for Governor of the State of Wisconsin on the Communist Party ticket in 1946?

Mr. EISENSCHER. I refuse to answer this question, Mr. Tavenner, on the grounds that the answer may tend to incriminate me.

Mr. TAVENNER. Mr. Eisenscher, have you been known by any name other than Sigmund Eisenscher?

Mr. EISENSCHER. I refuse to answer that question, Mr. Tavenner, on the grounds previously stated, that the answer may tend to incriminate me.

Mr. DOYLE. I direct the witness to answer that question. Congress is certainly entitled to know the identity of people in the country. It is a question of identity and I direct you to answer it.

Mr. EISENSCHER. Mr. Doyle, I will repeat my answer. That is, that to answer the question would tend to incriminate me.

Mr. TAVENNER. Have you used the name Fred Keller?

Mr. EISENSCHER. I will refuse to answer that question on the grounds previously stated, that the answer may tend to incriminate me.

Mr. DOYLE. I direct you to answer that question.

Mr. EISENSCHER. I refuse to answer that question on the grounds that the answer may tend to incriminate me.

Mr. TAVENNER. Did you first become a member of the Communist Party while attending the university at Madison, Wisc.?

(Witness conferred with counsel.)

Mr. EISENSCHER. Mr. Tavenner, I refuse to answer that question on the grounds that the answer may tend to incriminate me.

Mr. TAVENNER. Mr. Eisenschler, report No. 1508 of the 80th Congress, 2d session, of the House of Representatives, is a report of an investigation by the House Committee on Education and Labor entitled "Investigation of Harold Christoffel and Others as to Whether Perjury Was Committed Before the Committee on Education and Labor." I read, as follows, from that report:

Sigmund G. Eisenschler, Communist candidate for Governor of Wisconsin in 1946, having been first duly sworn, testified before your subcommittee that he was born in Krakow, Poland; spent his childhood and youth in Massachusetts, New York, and New Jersey; joined the Communist Party in 1934 at Madison, Wis., at which time he adopted the alias of Fred Keller—

Then, quoting your testimony:

to prevent any political persecution of my relatives for reasons of my own political activities.

He sought out someone whom he knew to be a Communist to join the Communist Party, but did not recall the name of this person. He was first a member of the Communist Party in Madison, and then when he moved to Milwaukee he was attached to the branch of the party in Milwaukee. He was not a member of the Allis-Chalmers branch of the party in 1938; he believed that he—

Then, quoting your testimony again:

was first attached to a North Side branch of the Communist Party when I first came to town.

He did not "exactly" remember who the members of this branch were; he did not remember a single one of the members of this branch; about a year later he moved to the East Side group but did not recall any of the Communists with which he was associated in this branch of the party; he did not join the Allis-Chalmers branch of the Communist Party; he was a member of the Sixth Ward branch of the Communist Party; he could not tell the names of any of those who were members of this branch; Louis F. Budenz visited Milwaukee, and the witness saw him there, but did not meet with him in a home in Milwaukee.

Does that serve to refresh your recollection as to your testimony in 1948 before the Committee on Education and Labor of the House of Representatives?

(Witness conferred with counsel.)

Mr. EISENSCHER. I refuse to answer that question, Mr. Tavenner, on the grounds that the answer may tend to incriminate me.

Mr. WILLIS. Mr. Chairman, the question only asked if that served to refresh his memory. It certainly has nothing to do with the fifth amendment effect. Perhaps he should repeat the question.

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Mr. DOYLE. I instruct the witness to answer the question.

Mr. EISENSCHER. Would you repeat the question?

Mr. TAVENNER. Does the reading of the report which I have just completed refresh your recollection as to your having testified before the Committee on Education and Labor in 1948?

(Witness conferred with counsel.)

Mr. EISENSCHER. My answer still holds, Mr. Tavenner; that I refuse to answer this question on the grounds that the answer may tend to incriminate me.

Mr. SCHERER. Did you testify before the House Committee on Education and Labor?

Mr. EISENSCHER. I think I answered that question, sir, did I not?

Mr. SCHERER. You may have.

Mr. EISENSCHER. I refuse to answer the question, sir, on the grounds that the answer may tend to incriminate me.

Mr. SCHERER. Did you direct him to answer that question?

Mr. DOYLE. No; I directed him to answer the question as to whether or not the reading of that report refreshed his memory.

Mr. SCHERER. He may have some basis there but I don't think there is any basis for his refusing to answer the question as to whether he testified before a committee of Congress, and I ask that you direct him to answer that question.

Mr. DOYLE. I direct you to answer Mr. Scherer's question.

Mr. EISENSCHER. I think you are correct that your question is different from Mr. Tavenner's. Therefore, I will answer your question, although my answer will be the same; that I refuse to answer this question on the grounds that the answer may tend to incriminate me.

Mr. SCHERER. When you testified before the House Committee on Education and Labor were you telling the truth?

Mr. EISENSCHER. Sir, I refuse to answer that question on the grounds the answer may tend to incriminate me. I believe it is an attempt at entrapment.

(Counsel conferred with witness.)

Mr. SCHERER. I agree because I think if you said you were telling the truth, that might incriminate you.

Mr. TAVENNER. Are you acquainted with Michael J. Ondrejka?

Mr. EISENSCHER. I refuse to answer that question, sir, on the grounds that the answer may tend to incriminate and degrade me.

Mr. DOYLE. We always give a witness an opportunity to defend himself against any indication that he might be degraded by any testimony, so we now give you an opportunity to explain how it might degrade you. Do you want that opportunity?

Mr. EISENSCHER. I refuse to answer that question, Mr. Doyle, on the grounds that the answer may tend to incriminate me.

Mr. TAVENNER. Are you acquainted with James R. Eggleston?

Mr. EISENSCHER. I refuse to answer that question also on the grounds that the answer may tend to incriminate me.

Mr. DOYLE. Would that degrade you, too?

Mr. EISENSCHER. I will leave the judgment of Mr. Eggleston to his own people, sir.

Mr. TAVENNER. Mr. Eggleston testified here about attending a study course in your home which was organized by and for the Communist Party and that you dropped in at one of those meetings. Do you recall it?

Mr. EISENSCHER. I will not answer that question, Mr. Tavenner, on the grounds that I have indicated before; that the answer may tend to incriminate me.

Mr. TAVENNER. Do you consider that it would degrade you?

Mr. EISENSCHER. I will not answer your question, sir. I think it is facetious.

Mr. TAVENNER. Yes; I think it is called for in light of your answer to the question a moment ago.

Mr. DOYLE. I think I have seen you sitting here all morning in this room; have I not?

Mr. EISENSCHER. I was here, Mr. Doyle; yes.

Mr. DOYLE. So you heard the testimony that was given?

Mr. EISENSCHER. Yes; I heard it.

Mr. DOYLE. Sure you did.

That is all, Mr. Counsel.

Mr. TAVENNER. Was there anything about Mr. Eggleston's testimony that was untrue?

Mr. EISENSCHER. I refuse to answer that question, sir, on the grounds that the answer may tend to incriminate me.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. DOYLE. Mr. Willis?

Mr. WILLIS. Are you now or have you ever been a Communist?

(Counsel conferred with the witness.)

Mr. EISENSCHER. I don't believe, sir, that my political views should come under the censorship of any congressional committee. I will answer this question by saying that the answer may tend to incriminate me, and, therefore, I will not give it.

Mr. DOYLE. Mr. Scherer, do you have any questions?

Mr. SCHERER. Witness, you have refused to tell us where you were between the years 1951 and 1954 when you disappeared from Milwaukee. Did you go to Russia during that time?

(Witness conferred with counsel.)

Mr. SCHERER. That is no laughing matter.

(Witness conferred with counsel.)

Mr. EISENSCHER. I will refuse to answer your question on the grounds that the answer may tend to incriminate me.

Mr. SCHERER. Did you engage in any instructions in sabotage?

Mr. EISENSCHER. Sir, your question is insulting, but I will refuse to answer it on the grounds that the answer may tend to incriminate me.

Mr. SCHERER. Whether my question is insulting or not, is what I said true or false?

Mr. EISENSCHER. I will not answer your question, sir, on the grounds previously stated.

Mr. SCHERER. Do you mean you will take the fifth amendment on that question?

Mr. EISENSCHER. I think, sir, your question is provocative.

Mr. SCHERER. Mr. Chairman, when we get to executive session, this is one of those cases that I am going to move be referred to the Department of Justice to determine whether or not denaturalization proceedings should be commenced against this witness.

Mr. DOYLE. Have you any further questions?

Mr. SCHERER. I have no further questions.

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Mr. DOYLE. Mr. Eisenscher, when you were in Long Island you were 6 or 7 years old. You so stated. Do you remember?

Mr. EISENSCHER. That is the approximate age, Mr. Doyle. I can't remember specifically.

Mr. DOYLE. I realize that you couldn't remember that far accurately, but was you father alive then?

Mr. EISENSCHER. Yes; he was.

Mr. DOYLE. When did your father die?

Mr. EISENSCHER. My father did not die, sir.

Mr. DOYLE. I beg your pardon. Where does he live?

Mr. EISENSCHER. He lives in New Jersey.

Mr. DOYLE. Have you ever had in your possession his certificate of citizenship?

Mr. EISENSCHER. I recall that at the time when I was in the Army, the Army required me to provide proof of citizenship, and I recall asking my father to send me a certified copy of the document in question, and I believe at that time I turned it over to the Army authorities and they copied the material in the document and then returned it, I think, to me or to my father—I forget whom.

Mr. DOYLE. They returned it to you, did they not? I want you to produce it, please.

Mr. EISENSCHER. I don't have it in my possession, sir.

Mr. DOYLE. Where is it?

Mr. EISENSCHER. I believe I sent it back home.

Mr. DOYLE. What did the document state as to the date and city in which your father was naturalized?

Mr. EISENSCHER. That is part of the record, sir; I don't remember it.

Mr. DOYLE. Do you mean to tell me that you do not remember the date and city in which the document showed your father was naturalized?

Mr. EISENSCHER. I don't remember it; that is the fact.

Mr. DOYLE. I know that you have a clear memory on other things.

Mr. SCHERER. When were you in the Army?

Mr. EISENSCHER. I was in the Army from—

(Witness conferred with counsel.)

Mr. EISENSCHER. In 1942 I enlisted in the Army. I wasn't drafted. I served for 44 months altogether.

Mr. SCHERER. Were you a member of the Communist Party while you were in the Army?

(Witness conferred with counsel.)

Mr. EISENSCHER. I refuse to answer that question, sir, on the grounds that the answer might tend to incriminate me.

Mr. DOYLE. Which would incriminate you? I am not clear. Being a member of the Communist Party while being in the Army, or being a member of the United States Army?

Mr. EISENSCHER. Sir, I am not ashamed of being in the Army. I am proud of the record I was able to build while I was in the Army.

Mr. DOYLE. I think you ought to be in spite of the fact that you were probably a member of the Communist Party at the same time, according to our information.

Mr. SCHERER. I have no further questions.

Mr. DOYLE. When did you last see the document for naturalization of your father? You say you did not remember whether you had it sent back to your father or whether you kept it.

Mr. EISENSCHER. As a matter of fact, Mr. Doyle, I don't recall distinctly whether I saw it myself. I don't remember whether he sent it to the Army or me. That is a detail which I don't recall at the moment. The facts in the document can be readily referred to.

Mr. DOYLE. In what State was he naturalized?

Mr. EISENSCHER. I believe it was in New York. Of this I am not sure. As I said, I don't remember any details regarding that, because this happened many, many years ago and long before I came of age. In fact, I didn't even know; I didn't even know up until the time the question was presented to me; I wasn't even sure under what conditions my father had become a citizen. It took the United States Army to force me to find out for myself.

Mr. DOYLE. The Army had to force you to do it? In other words, you were not interested enough to find out whether or not you were an American citizen until the war came.

Mr. EISENSCHER. I think I am as good an American, sir, as any member of your committee.

Mr. DOYLE. I do not know if any of us has ever pleaded the fifth amendment or would.

(Witness conferred with counsel.)

Mr. DOYLE. When you were out of sight and out of hearing during those 3 years approximately, did you go to Poland?

Mr. EISENSCHER. What period are you speaking of, sir?

Mr. DOYLE. 1951-54.

(Witness conferred with counsel.)

Mr. EISENSCHER. I refuse to answer that question—

Mr. DOYLE. Where did you go?

Mr. EISENSCHER. On the grounds that the answer may tend to incriminate me.

Mr. DOYLE. Where were you living at that time?

Mr. EISENSCHER. The same answer pertains to this.

Mr. DOYLE. Did you live at 3929 West Vliet Street, Milwaukee, on December 17, 1947?

(Witness conferred with counsel.)

Mr. EISENSCHER. I refuse to answer that question, Mr. Doyle, on advice of counsel on the grounds that the answer may tend to incriminate me.

Mr. DOYLE. The reason I asked you that question is because on this exhibit which has been identified here where you announced that you were offering yourself as candidate for election to mayor, the address given on that document is 3929 West Vliet Street, Milwaukee 8, Wis., December 17, 1947.

Are there any other questions?

Any questions, Mr. Tavenner?

Mr. TAVENNER. No.

Mr. DOYLE. The witness is excused.

Mr. EISENSCHER. I was given 2 subpoenas, 1 dated for appearance today and 1 for April 4. It is my understanding that the other subpoena is vacated also.

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Mr. TAVENNER. Yes; you were notified that a subpoena was served afterward moving the date up until today, so you may ignore the one for April 4.

(Witness excused.)

Mr. DOYLE. The committee will stand in recess for 3 minutes.

(Whereupon, a brief recess was taken.)

Mr. DOYLE. The committee will come to order, please.

I want to announce that we will begin tomorrow morning at 9 o'clock.

I have in my hand a statement by the last witness, Sigmund G. Eisenscher, which was handed to the newspapers in this room immediately after he received his \$6 witness fee for being a witness here. He left the room, and the committee had no opportunity to question him about this statement which attacks the committee.

I just wish to say that this is the usual, habitual, snide, sneaking, deceitful way that members of the Communist Party use in connection with hearings before congressional committees. We only regret that the gentleman was not frank and fair enough with the committee and with the people of Milwaukee to present us with this statement of his so that we could have time and an opportunity to question him about it.

Mr. Tavenner, are you ready with your next witness?

Mr. TAVENNER. Yes, sir.

Mr. Alfred H. Hirsch, please.

Mr. TAVENNER. Mr. Alfred H. Hirsch, please.

Mr. DOYLE. Raise your right hand. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HIRSCH. I do.

Mr. DOYLE. Be seated, please.

**TESTIMONY OF ALFRED H. HIRSCH, ACCOMPANIED BY M. MICHAEL
ESSIN, COUNSEL**

Mr. TAVENNER. Will you state your name, please?

Mr. HIRSCH. I am Alfred H. Hirsch.

Mr. TAVENNER. It is noted the witness is accompanied by counsel. Would counsel identify himself for the record, please?

Mr. ESSIN. The name is M. Michael Essin, E-s-s-i-n; address 623 North Second Street, Milwaukee, Wis.

Mr. TAVENNER. When and where you born, Mr. Hirsch?

Mr. HIRSCH. New York, N. Y., February 19, 1908.

Mr. TAVENNER. Where do you now reside?

Mr. HIRSCH. Milwaukee, Wis.

Mr. TAVENNER. How long have you lived in Milwaukee?

Mr. HIRSCH. Fourteen and a half years.

Mr. TAVENNER. Will you tell the committee, please, what your formal educational training has been?

Mr. HIRSCH. I went to grammar school, high school, bachelor of arts, Harvard University; master of arts, Columbia University; studied in Europe on several occasions but received no degrees.

Mr. TAVENNER. What was the date of your degree at Harvard?

Mr. HIRSCH. 1929.

Mr. TAVENNER. When did you complete your course at Columbia?

Mr. HIRSCH. I believe in 1931.

Mr. TAVENNER. What is your occupation?

Mr. HIRSCH. Self-employed.

Mr. TAVENNER. In what type of work are you engaged?

Mr. HIRSCH. I have a letter shop.

Mr. TAVENNER. What does that mean?

Mr. HIRSCH. Mimeographed material and multigraphed material, mail for people.

Mr. TAVENNER. When did you first come to Milwaukee?

Mr. HIRSCH. In 1942.

Mr. TAVENNER. Prior to that time where did you live?

Mr. HIRSCH. New York City, Connecticut, Europe.

Mr. TAVENNER. For how long a period had you lived in New York prior to coming to Milwaukee?

Mr. HIRSCH. My official residence was in New York from February 1908 to 1942.

Mr. TAVENNER. That was from the time of your birth until you came here?

Mr. HIRSCH. That is correct.

Mr. TAVENNER. But you said that during that period of time you lived in Connecticut and also—

Mr. HIRSCH. My legal residence was in New York State during that entire period.

Mr. TAVENNER. I am more interested in where you were than where your legal residence may have been.

How long were you a resident of New York prior to your coming to Milwaukee?

Mr. HIRSCH. About 10 years.

Mr. TAVENNER. Was it before that 10-year period that you lived in Connecticut?

Mr. HIRSCH. No. It was about a year during that period.

Mr. TAVENNER. Where did you live in Connecticut?

Mr. HIRSCH. Redding Ridge, Conn.

Mr. TAVENNER. What was your occupation in Connecticut?

Mr. HIRSCH. I was writing a book.

Mr. TAVENNER. What was your occupation during the 10-year period that you lived in New York before coming to Milwaukee?

Mr. HIRSCH. I refuse to answer that question on the grounds that the answer may force me to testify against myself under the fifth amendment.

Mr. TAVENNER. What was your purpose in coming to Milwaukee?

Mr. HIRSCH. I refuse to answer that on the same grounds.

Mr. TAVENNER. In what business did you engage after coming to Milwaukee in 1942?

Mr. HIRSCH. I refuse to answer that on the same grounds that being the same question.

Mr. TAVENNER. How long have you been engaged in the business that you refer to as the letter business?

(Witness conferred with counsel.)

Mr. HIRSCH. Since July 1951.

Mr. TAVENNER. What was your business prior to July 1951?

Mr. HIRSCH. I refuse to answer that question on the same grounds.

Mr. TAVENNER. I read into evidence here an article from a local paper which referred to a number of people having left Milwaukee in 1951 when the Communist Party went underground. Do you have

any knowledge of persons who were members of the Communist Party leaving Milwaukee in 1951?

Mr. HIRSCH. I refuse to answer that question on the same grounds.

Mr. TAVENNER. Will you state whether or not the action of the Communist Party in having its membership go underground in Milwaukee in 1951, in anyway affected your decision to change your occupation from one which prior to July 1951 was a type of business that you will not tell us about, to a business which you have described as being the letter business?

(Witness conferred with counsel.)

Mr. HIRSCH. I refuse to answer that question on the grounds that I cannot be forced to testify against myself under the fifth amendment.

Mr. TAVENNER. Mr. Hirsch, will you tell the committee, please, whether or not you were affiliated in any manner with an organization known as the Sound View Foundation?

Mr. HIRSCH. I refuse to answer that question on the same grounds.

(Witness conferred with counsel.)

Mr. TAVENNER. Were you ever acquainted with a person by the name of Mr. Benjamin Gitlow?

(Witness conferred with counsel.)

Mr. HIRSCH. I refuse to answer that question on the basis of the fifth amendment as previously cited.

Mr. TAVENNER. Were you acquainted with Joe Brodsky?

Mr. HIRSCH. I refuse to answer that question on the same grounds.

Mr. TAVENNER. Mr. Benjamin Gitlow testified before this committee in 1953 regarding certain activities of the Sound View Foundation. During the course of his testimony he advised the committee that all the officials of that organization, which included you and Mr. Joseph Brodsky, were members of the Communist Party. Was he correct or in error in that sworn testimony before this committee?

Mr. HIRSCH. I refuse to answer that question on the same grounds, the fifth amendment.

Mr. TAVENNER. Were you an official of the Sound View Foundation?

Mr. HIRSCH. I refuse to answer that question on the same grounds, the fifth amendment.

Mr. TAVENNER. Were you a member of the Communist Party in 1946?

Mr. HIRSCH. I refuse to answer that question on the same grounds, the fifth amendment.

Mr. TAVENNER. During a hearing in Washington, I believe in 1949, Mr. Emspak appeared as a witness. He was asked numerous questions regarding the publication of the CIO, called the CIO News, of which he was an editor. Were you at any time connected in an editorial capacity with the CIO News?

Mr. HIRSCH. I refuse to answer that question on the same grounds, the fifth amendment.

Mr. SCHERER. Mr. Chairman, I ask that you direct the witness to answer that question.

Mr. DOYLE. I direct you, Mr. Hirsch, to answer the question.

(Witness conferred with counsel.)

Mr. HIRSCH. I will give the same answer as before. I refuse to answer on the basis of the fifth amendment as previously cited.

Mr. TAVENNER. Was this a publication of the CIO known as the Wisconsin CIO News?

(Witness conferred with counsel.)

Mr. HIRSCH. I believe there was and perhaps still is such a publication.

Mr. TAVENNER. Are you uncertain about that?

Mr. HIRSCH. I believe there was such a publication. Whether there still is I am not certain about.

Mr. TAVENNER. Is there any uncertainty about there having been such a publication? When you say you believe, it leads me to think that you have some uncertainty in your own mind about that.

Mr. HIRSCH. The uncertainty is prompted by names that you mentioned on your brief question which had no connection whatsoever with any such publication. Perhaps we are talking about two different guys.

Mr. TAVENNER. The Wisconsin CIO News was an entirely different publication from the CIO News of which Julius Emspak was the editor. Is that what you mean?

Mr. HIRSCH. My previous answer was a refusal to answer on the grounds of the fifth amendment. My answer to this question is based on belief because I don't want it to be confused with your previous question.

Mr. TAVENNER. I am trying to ask you to clear that matter up if possible to see if there is any connection.

Mr. HIRSCH. There was a Wisconsin CIO News there.

Mr. TAVENNER. And you were its editor, were you not?

Mr. HIRSCH. I refuse to answer on the basis of the fifth amendment.

Mr. TAVENNER. Then why did you tell the committee that you believed there was when you know very well that there was?

Mr. HIRSCH. Because I was trying to point out that your previous question was a very confused question and I wanted to separate the two questions.

(Witness conferred with counsel.)

Mr. TAVENNER. Were you removed from editorship of the Wisconsin CIO News?

Mr. HIRSCH. I refuse to answer that question on the same grounds, the fifth amendment.

Mr. SCHERER. Why were you removed as editor?

Mr. HIRSCH. I refuse to answer that question on the same grounds.

Mr. SCHERER. Was it because of your Communist Party activity?

Mr. HIRSCH. I refuse to answer the question on the same grounds.

Mr. TAVENNER. Are you acquainted with a publication known as the Midwest Guardian?

(Witness conferred with counsel.)

Mr. HIRSCH. What could you mean by acquainted with, Mr. Tavenner?

Mr. TAVENNER. Do you know of the existence of such a paper?

(Witness conferred with counsel.)

Mr. HIRSCH. There was such a paper in existence that I knew about.

Mr. TAVENNER. Did you become a member of the editorial staff of it?

Mr. HIRSCH. I refuse to answer that question on the same grounds, the fifth amendment.

Mr. SCHERER. I think the witness should be directed to answer that question.

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Mr. HIRSCH. I refuse to answer that question on the same grounds, fifth amendment.

Mr. DOYLE. I direct you to answer the question, Mr. Hirsch.

Mr. HIRSCH. I have repeated my refusal to answer.

Mr. TAVENNER. Have you at any time represented a publication by the name of March of Labor?

Mr. HIRSCH. I refuse to answer that question on the same grounds, the fifth amendment.

(Witness conferred with counsel.)

Mr. SCHERER. You have been an agent of the March of Labor here in Milwaukee since 1951, have you not?

Mr. HIRSCH. I refuse to answer that question on the same grounds.

(Witness conferred with counsel.)

Mr. SCHERER. Mr. Counsel, will you tell us the status of the March of Labor? I know we issued a report on the March of Labor.

Mr. TAVENNER. This committee, after conducting a hearing and investigation regarding the March of Labor and its owners and editorial staff, made a report showing the character of it as a Communist-labor publication and in the course of the hearing, ascertained this information which I want to submit to the witness to see if it is correct.

Mr. SCHERER. Before you go ahead, that March of Labor report, with the finding you have indicated, was made just last year, was it not?

Mr. TAVENNER. Yes, sir; that is correct. In a list of agents which was furnished to the committee the name of Alfred Hirsch, 1402 East Boylston Street, Milwaukee, Wis., was given the committee with the number of copies furnished him, 200.

Did you receive a sizable number of copies of the March of Labor from that organization?

Mr. HIRSCH. I refuse to answer that question on the same grounds, the fifth amendment.

Mr. TAVENNER. What disposition have you made of any issues of this publication which came into your custody?

Mr. HIRSCH. I refuse to answer that question on the same grounds, the fifth amendment.

Mr. TAVENNER. Was it union dues which were used to pay for the issues of this magazine?

Mr. HIRSCH. I refuse to answer that question on the same grounds.

Mr. TAVENNER. Did you have any direction from the Communist Party as to the dissemination of this magazine among any particular groups such as labor unions?

Mr. HIRSCH. I refuse to answer that question on the same grounds, the fifth amendment.

Mr. TAVENNER. Were you in this room this afternoon during the testimony of Mr. Eggleston?

Mr. HIRSCH. Yes, sir; I was.

Mr. DOYLE. How about this morning?

Mr. HIRSCH. Yes, I was.

Mr. TAVENNER. Did you hear his description of what was told him about the taking over of certain areas of this country by the Communist Party for the Negro race?

Mr. HIRSCH. Yes.

(Witness conferred with counsel.)

Mr. TAVENNER. Are you acquainted with the Communist Party teachings on that subject?

Mr. HIRSCH. I refuse to answer that question on the basis of the fifth amendment.

Mr. TAVENNER. Were you connected at any time with the International Labor Defense?

Mr. HIRSCH. I refuse to answer that question on the basis of the fifth amendment.

Mr. TAVENNER. Were you 1 of 4 individuals that went to the State of Alabama at the insistence of the International Labor Defense for the purpose of appearing in a case there involving a Negro by the name of Herndon?

(Counsel conferred with the witness.)

Mr. HIRSCH. I refuse to answer on the basis of the fifth amendment that I cannot be compelled to testify against myself.

(Witness conferred with counsel.)

Mr. TAVENNER. Did you not find upon arriving there that this person by the name of Herndon had in his possession a number of copies of the book entitled "Negro Liberation"?

Mr. HIRSCH. I refuse to answer on the same grounds, that I cannot be compelled to testify against myself.

(Witness conferred with counsel.)

Mr. TAVENNER. Are you acquainted with Bruce Crawford?

(Witness conferred with counsel.)

Mr. HIRSCH. I refuse to answer on the grounds that I cannot be compelled to testify against myself.

Mr. WILLIS. Mr. Chairman, I think you should order the witness to answer that question.

Mr. DOYLE. I direct you to answer that, Mr. Hirsch.

Mr. HIRSCH. I refuse to answer on the same grounds, the fifth amendment.

Mr. TAVENNER. I hand you a photostatic copy of part of an edition of a magazine by the name of New Masses. Under date of August 20, 1935, on page 13 there is an article on behalf of an Angelo Herndon by Alfred Hirsch. Will you examine it, please?

(Document handed to witness.)

(Witness conferred with counsel.)

Mr. HIRSCH. Is there any question before the committee at this moment, Mr. Tavnener?

Mr. TAVENNER. Will you examine it, please and state whether or not you wrote that article under your name?

(Witness conferred with counsel.)

Mr. HIRSCH. I refuse to answer that question on the same grounds, the fifth amendment.

Mr. TAVENNER. Were you not accused at that time with having come to Alabama for the purpose of promoting communism?

Mr. HIRSCH. I refuse to answer that question on the same grounds, the fifth amendment.

Mr. SCHERER. Did you say accused or arrested?

Mr. TAVENNER. Accused. I did not mean in the sense of legally arrested or a legal charge, but accused by persons who were prosecuting the Herndon case.

(Witness conferred with counsel.)

Mr. TAVENNER. Did you go to Alabama at the insistence of the Communist Party in connection with any case?

Mr. HIRSCH. I refuse to answer that question on the same grounds. (Counsel conferred with witness.)

Mr. TAVENNER. Were you a member of the East Side Branch of the Communist Party in Milwaukee?

Mr. HIRSCH. I refuse to answer that question on the grounds that I cannot be forced to testify against myself.

Mr. TAVENNER. Are you acquainted with Ester Eisenschel?

Mr. HIRSCH. I refuse to answer that question on the same grounds, the fifth amendment.

Mr. TAVENNER. Are you acquainted with Harry Virgil?

Mr. HIRSCH. I refuse to answer that question on the same grounds.

Mr. TAVENNER. Were you acquainted with Merle Snyder?

Mr. HIRSCH. I refuse to answer that question on the same grounds.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. HIRSCH. I refuse to answer that question on the same grounds, the fifth amendment.

Mr. TAVENNER. Have you ever been a member of the Communist Party?

Mr. HIRSCH. I refuse to answer that question on the same grounds, the fifth amendment.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. DOYLE. Congressman Willis.

Mr. WILLIS. I have no questions.

Mr. DOYLE. Congressman Scherer.

Mr. SCHERER. Witness, you have refused to answer all significant questions on the grounds that to do so might tend to incriminate you. As I said to the previous witness the law is that this committee, with the approval of the Federal court, could grant immunity in certain cases. If this committee should grant you such immunity, would you then answer the questions which have been asked you on which you pleaded the fifth amendment?

(Witness conferred with counsel.)

Mr. HIRSCH. When the issue is presented I will deal with it as I see fit.

Mr. SCHERER. Then you refuse to say whether you would answer those questions even if you were granted immunity from prosecution?

Mr. HIRSCH. When the issue is before me I will act on it. That is the answer.

Mr. SCHERER. But you have stated today that your only reason for refusing to answer these questions was that you fear prosecution. If I tell you and you know that you cannot face prosecution because of the action of this committee, will you then answer?

Mr. HIRSCH. I will only repeat my answer: When the issue arises it will be dealt with. The issue is not here.

Mr. SCHERER. That only indicates that you are not pleading the fifth amendment in good faith.

Mr. DOYLE. Have you anything else, Mr. Scherer?

Mr. SCHERER. I have nothing further.

Mr. DOYLE. Mr. Hirsch, I want to say to you what I meant to say to that last witness before he got off the stand. It is regulation for us to say this to every witness who pleads the fifth amendment and

of whom the records before us, resulting from investigation and records, clearly indicate that we know pretty much about him and his activities in the Communist Party.

You have apparently had great educational opportunities. I am glad that you have had. I want to urge you to dedicate your magnificent talents to the best interests of your own Government instead of being directly or indirectly tied up with that scheme of forceful revolution that looks toward totalitarian government instead of our own free and American way of life.

If you think that is preaching to you then think it, but as an American Congressman I cannot say less to you than to urge you to use those brilliant talents of yours in the best interests of our Nation instead of letting a revolting totalitarian Communist conspiracy have the benefit of your brilliant talents and abilities.

I appreciate your letting me say this to you. I mean every word of it.

(Witness excused.)

(At this point Mr. Scherer left the room and returned.)

Mr. DOYLE. I would like the record of these hearings to show in connection with the questioning of Mr. Sigmund Gustav Eisenschler that at all times during his questioning the full personnel of the subcommittee was present in the hearing room. Mr. Jackson, of course, was not present but he was a member of the subcommittee of three officially appointed by the chairman.

Mr. TAVENNER, will you proceed.

Mr. TAVENNER. Mr. Mortimer Altman.

Mr. DOYLE. Mr. Altman, will you rise and be sworn? Do you solemnly swear that the testimony you will give will be the truth, the whole truth and nothing but the truth, so help you God?

Mr. ALTMAN. I do.

TESTIMONY OF MORTIMER ALTMAN, ACCOMPANIED BY COUNSEL, JACK L. GOODSITT

Mr. TAVENNER. What is your name, sir?

Mr. ALTMAN. Mortimer Altman.

Mr. TAVENNER. Will counsel accompanying the witness identify himself for the record?

Mr. GOODSITT. My name is Jack L. Goodsitt. My office is 623 North Second Street.

Mr. TAVENNER. When and where were you born?

Mr. ALTMAN. I was born in Calumet, Mich. in 1902.

Mr. TAVENNER. Will you tell the committee, please, briefly what your educational training has been?

Mr. ALTMAN. Grade school, high school, and 2 years at Minnesota University.

Mr. TAVENNER. Where do you now reside?

Mr. ALTMAN. Milwaukee.

Mr. TAVENNER. How long have lived in Milwaukee?

Mr. ALTMAN. Approximately since 1930. I guess it was 1930.

Mr. TAVENNER. What is your business or occupation?

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Mr. **ALTMAN**. I am a carpet mechanic and rug cleaner. That is my trade.

Mr. **TAVENNER**. How long have you been engaged in that business?

Mr. **ALTMAN**. Well, since about 1936 or something like that, or a little later.

Mr. **TAVENNER**. I hand you here a copy of the bylaws of the Communist Political Association of Wisconsin adopted by a State convention at Milwaukee June 10 and 11, 1944. Will you examine it please?

(Witness conferred with counsel.)

(Document handed to witness.)

Mr. **TAVENNER**. It is the front page and back page of the constitution.

(Witness conferred with counsel.)

Mr. **TAVENNER**. I will ask you to look at the back page and state whether or not the officers of the Communist Party as of that date appear to be named there?

(Witness conferred with counsel.)

Mr. **ALTMAN**. That is what it says here.

Mr. **TAVENNER**. Will you read out the list of officers, please?

Mr. **ALTMAN**. N. Sparks, president; vice presidents, Emil Luchterhand, Sigmund Eisenscher; secretary, Fred B. Blair; treasurer, Mortimer Altman.

Mr. **TAVENNER**. According to that you were treasurer of the Communist Political Association in 1944 and you should be in a position to give this committee valuable information relating to the source of income of the Communist Party in this area so long as you held that position.

How long did you hold the position of treasurer?

Mr. **ALTMAN**. I refuse to answer. I invoke the fifth amendment on the grounds that this answer might tend to incriminate me.

Mr. **TAVENNER**. Will you tell the committee, please, how many members of the Communist Political Association there were in June 1944?

Mr. **ALTMAN**. The same answer. I refuse to answer, fifth amendment.

Mr. **SCHERER**. Maybe he could tell us how many there are as of today. Do you know how many members of the Communist Party there are in the State of Wisconsin today?

Mr. **ALTMAN**. I refuse to answer on the fifth amendment, on the ground that this tends to incriminate me.

Mr. **SCHERER**. You are presently the State organizer of the Communist Party, are you not?

Mr. **ALTMAN**. I refuse to answer on the ground that this answer might tend to incriminate me.

(Witness conferred with counsel.)

Mr. **TAVENNER**. It is desired to introduce the document in evidence and ask that it be marked "Altman Exhibit No. 1," for identification purposes only, and to be made a part of the committee files.

Mr. **DOYLE**. It is so ordered.

Mr. **TAVENNER**. I hand you a photostatic copy of another document and ask you to examine it, please, and state to the committee what it is.

(Document handed to witness.)

Mr. **ALTMAN**. What do you want me to do with this?

Mr. TAVENNER. I want you to tell us what that document is.

Mr. ALTMAN. Do you want me to read it?

Mr. TAVENNER. Just tell us what it is.

Mr. ALTMAN. It appears to be an announcement for an "entertainment and educational in the North Avenue Auditorium, third floor, Committee of Experts will be present each evening to answer your questions."

Mr. TAVENNER. It refers to certain dates, does it not?

Mr. ALTMAN. Yes; it appears to refer to certain dates.

Mr. TAVENNER. What are those dates?

Mr. ALTMAN. It appears to state Tuesday, December 5; Tuesday, January 9; and Tuesday, January 23.

Mr. TAVENNER. Of what year?

Mr. ALTMAN. It doesn't appear here.

Mr. TAVENNER. According to your recollection what was the year?

Mr. ALTMAN. I refuse to answer on the grounds that this answer might tend to incriminate me, the fifth amendment.

Mr. TAVENNER. Who were the experts to whom questions would be submitted at those meetings?

Mr. ALTMAN. I refuse to answer on the ground that the answer might tend to incriminate me. Fifth amendment.

Mr. TAVENNER. Would you tell the committee, please, how the document is signed?

Mr. ALTMAN. It appears to be printed "Mortimer Altman, chairman."

Mr. TAVENNER. Chairman of what?

Mr. ALTMAN. I will read what it says here, "North Side Communist Club."

Mr. TAVENNER. Were you chairman of the North Side Communist Club when that document was printed?

Mr. ALTMAN. I refuse to answer because the answer might tend to incriminate me, fifth amendment.

Mr. TAVENNER. I desire to offer the document in evidence and ask that it be marked "Altman Exhibit No. 2," for identification purposes only, and to be made a part of the committee files.

Mr. DOYLE. It is so ordered.

Mr. TAVENNER. I hand you another paper which is entitled "Report of the Executive Committee on the Work of the North Side Club" and it is signed Executive Board, North Side Communist Club.

Will you examine it, please?

(Document handed to witness.)

(Witness conferred with counsel.)

Mr. TAVENNER. Will you look at the first paragraph and state what it is shown there to be the total membership of the North Side Communist Club at that time?

Mr. ALTMAN. Do you want me to read that?

Mr. TAVENNER. Yes, sir.

Mr. ALTMAN. I will read what it says on there:

"One of the main indications of health in any organization is whether or not"—"Since 1943 our club has shown a steady growth in membership as well as in activity." It says here, "In January 1943 we had 49 members and in January of 1944, 73." It also says, "In spring of 1944 we recruited 38 new members and our 1945 enrollment"—it states, "We now have a membership of 118."

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Mr. TAVENNER. Was that a correct estimate of the membership at that time?

Mr. ALTMAN. I refuse to answer on the grounds that this answer might tend to incriminate me, fifth amendment.

Mr. TAVENNER. In other words, you will not tell this committee anything regarding your knowledge of Communist Party activities in the Milwaukee area?

Mr. ALTMAN. I gave you my answer, fifth amendment.

Mr. SCHERER. He could be very helpful knowing who the 118 are. I would like to know whether they are in some of these defense plants.

Mr. TAVENNER. How many clubs were there of the Communist Party in 1945 in Milwaukee?

Mr. ALTMAN. I refuse to answer on the grounds that this answer might tend to incriminate me, fifth amendment.

Mr. TAVENNER. I desire to introduce the document in evidence and ask that it be marked "Altman Exhibit No. 3" for identification purposes only, and to be made a part of the committee files.

Mr. DOYLE. It is so ordered.

Mr. WILLIS. The number indicated on that card is the number of the alleged memberships in one particular club; is that right?

Mr. TAVENNER. That is right; yes, sir. It was a club known as the North Side Communist Club at that time.

We have introduced in evidence, Mr. Altman, an application for post office box in the name of Mr. Sigmund Eisenscher. Your name was given as a reference by him. A box was assigned as a result of the filing of that application, box 1088, which was used for Communist Party purposes.

Were you interviewed or written to by the Post Office Department with regard to the reliability of the person seeking that post office box?

Mr. ALTMAN. I refuse to answer on the grounds that the answer might tend to incriminate me, fifth amendment.

Mr. TAVENNER. The date of that document is September 30, 1954. Were you on September 30, 1954, a member of the Communist Party?

Mr. ALTMAN. I refuse to answer on the grounds that the answer might tend to incriminate me, fifth amendment.

Mr. TAVENNER. Are you acquainted with Mr. Eggleston, who testified here today, Mr. James R. Eggleston?

(Witness conferred with counsel.)

Mr. ALTMAN. I refuse to answer. I invoke the fifth amendment on the grounds that my answer might tend to incriminate me.

Mr. TAVENNER. Mr. Eggleston testified here before this committee that he knew you as a member of the Communist Party. He testified as to the circumstances under which he knew you. Do you desire to deny or in any way explain that testimony relating to you?

(Witness conferred with counsel.)

Mr. ALTMAN. I refuse to answer on the grounds that my answer might tend to incriminate me, fifth amendment.

Mr. TAVENNER. Will you tell the committee how the Communist Party in this area raised the funds necessary to carry out its objectives in this area?

Mr. ALTMAN. I refuse to answer on the grounds that my answer might tend to incriminate me, fifth amendment.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. ALTMAN. I refuse to answer on the grounds that my answer might tend to incriminate me, fifth amendment.

Mr. TAVENNER. Mr. Chairman, I have no further questions.

Mr. DOYLE. Mr. Willis?

Mr. WILLIS. Did you say you are in the rug business?

Mr. ALTMAN. I didn't say I was in the rug business. I said that is my trade.

Mr. WILLIS. What business are you in?

Mr. ALTMAN. I am a carpet layer by trade.

Mr. WILLIS. Do you operate a shop of your own or are you working for someone?

Mr. ALTMAN. No; my wife operates a shop and I work for her.

Mr. SCHERER. What is the name of that shop?

Mr. ALTMAN. Long Life Rug Service.

Mr. DOYLE. Does your wife have any other employees besides you?

Mr. ALTMAN. I refuse to answer on the grounds that my answer might tend to incriminate me, fifth amendment.

Mr. WILLIS. Do you refuse to say how many people work in the same establishment that you work in?

(Witness conferred with counsel.)

Mr. SCHERER. I ask that you direct the witness to answer as to how many employees there are.

(Witness conferred with counsel.)

Mr. ALTMAN. Under advice of my counsel I refuse to answer on the grounds that my answer might tend to incriminate me, fifth amendment.

Mr. SCHERER. Are there any other persons connected with the Long Life Rug Co., other than you and your wife?

(Witness conferred with counsel.)

Mr. ALTMAN. Same answer.

Mr. SCHERER. I ask that you direct the witness to answer.

Mr. DOYLE. I direct the witness to answer the question.

(Witness conferred with counsel.)

Mr. ALTMAN. The same answer that I gave before, fifth amendment.

Mr. SCHERER. Could your refusal to answer that question be based on the fact that all the other employees are members of the Communist Party?

(Witness conferred with counsel.)

Mr. ALTMAN. Same answer that I gave before.

Mr. SCHERER. Is it a fact that you only employ Communists?

Mr. ALTMAN. Same answer that I gave you before, fifth amendment.

Mr. DOYLE. This gentleman does not claim that he is the proprietor. It is his wife that is the proprietor as I understand the testimony. Is that correct? Is it your wife's business solely or do you have an interest in it? You volunteered the information. That is why I am questioning you.

(Witness conferred with counsel.)

Mr. ALTMAN. It is her business solely.

Mr. DOYLE. The reason I asked that question, Mr. Altman, to be frank with you, is that our information is that it is quite a policy to employ Communists. Our information might be in error, but we do not think so.

Mr. SCHERER. Is that information we have correct?

Mr. ALTMAN. I refuse to answer on the grounds that my answer might tend to incriminate me, fifth amendment.

Mr. SCHERER. You do not deny that?

Mr. ALTMAN. I just gave you my answer, fifth amendment.

Mr. DOYLE. Mr. Altman, we believe our information is accurate and I think the questions that our distinguished counsel has asked you indicate that we know considerable.

You have exercised your constitutional privilege under our great Constitution and claimed the privilege of the fifth amendment.

May I, as just one American to another, urge you to get out of the damnable conspiracy headed toward totalitarian revolutionary force in the country, get out of it and help your country instead of the conspirators that we believe you now are associated with.

Mr. ALTMAN. I am a very good American.

Mr. DOYLE. You are not a good American if you are identified directly or indirectly with the Communist conspiracy. The courts have held pretty generally in the last 2 years that that is a totalitarian conspiracy designed to use force and violence, and you know it, do you not? What is your answer to that?

Mr. ALTMAN. I refuse to answer.

Mr. DOYLE. Of course you do. It puts you on the spot and you refuse to answer it.

I gave you the chance to clear yourself as a good American. You cannot do it.

I think that is all, Counsel.

(Witness conferred with counsel.)

(Witness excused.)

Mr. DOYLE. The committee will stand in recess until tomorrow in this room at 9 o'clock in the morning.

(Whereupon, the hearing was recessed at 5 p. m., Monday, March 28, 1955, to reconvene at 9 a. m., Tuesday, March 29, 1955.)

INVESTIGATION OF COMMUNIST ACTIVITIES IN THE MILWAUKEE, WIS., AREA

TUESDAY, MARCH 29, 1955

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE COMMITTEE
ON UN-AMERICAN ACTIVITIES,
Milwaukee, Wis.

PUBLIC HEARING

The Subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 9:15 a. m., in the marble courtroom, Federal Building, Milwaukee, Wis., Hon. Clyde Doyle (chairman of the subcommittee) presiding.

Committee members present: Representatives Clyde Doyle (chairman), Edwin E. Willis, and Gordon H. Scherer.

Staff members present: Frank S. Tavenner, Jr., counsel, and W. Jackson Jones, staff investigator.

Mr. DOYLE. The committee will please come to order.

We will adjourn at 12 o'clock and reconvene again at 1:30. We anticipate meeting again tomorrow morning at 9 o'clock and finishing tomorrow afternoon.

May the record show, please, that the full subcommittee personnel is here, being the official subcommittee for these hearings: Mr. Scherer, of Ohio, on my left; Mr. Willis, of Louisiana, on my right; and I am subcommittee chairman, Mr. Doyle, of California.

Are you ready, Mr. Tavenner?

Mr. TAVENNER. I call Michael Ondrejka.

Mr. DOYLE. Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ONDREJKA. I do.

Mr. DOYLE. Please be seated.

TESTIMONY OF MICHAEL J. ONDREJKA

Mr. TAVENNER. Will you state your name, please?

Mr. ONDREJKA. Michael John Ondrejka.

Mr. TAVENNER. Mr. Ondrejka, it is noted that you are not accompanied by counsel. Do you know that you are entitled to counsel if you so desire?

Mr. ONDREJKA. Yes, sir.

Mr. TAVENNER. When and where were you born?

Mr. ONDREJKA. I was born in Mayville, Wis., on August 28, 1924.

Mr. TAVENNER. Where do you now reside?

Mr. ONDERJKA. I reside in Milwaukee.

Mr. TAVENNER. Will you tell the committee, please, what your formal educational training has been?

Mr. ONDERJKA. Attended grammar school; I attended 3 years of high school and after the war I went to Marquette University where I received an LL. B. in law.

Mr. TAVENNER. When did you receive your degree in law?

Mr. ONDERJKA. In June of 1952.

Mr. TAVENNER. Had you been in attendance constantly at the university from the time you started until you completed your law degree work in 1952, or was there an interval when you were not at school?

Mr. ONDERJKA. Only an interval of some months, but it is a continuous process from 1946 to 1952.

Mr. TAVENNER. You indicated that you were in the Army?

Mr. ONDERJKA. I was in the United States Navy, sir, from March 18 of 1943 to December 23 of 1945.

Mr. TAVENNER. After the completion of your legal studies how did you become employed?

Mr. ONDERJKA. During the time I was going to school from 1946 to 1952, I was working. I worked at the Allen-Bradley Co. from 1946 to 1949 at which time we had a layoff. From 1949 until February 7 of 1951 I was employed in a retail shoe store and from 1951 to this day I have been employed at Allen-Bradley Co. on a full-time basis.

In addition, until November 17 of 1954 I was practicing law on a part-time basis.

Mr. TAVENNER. Mr. Ondrejka, have you at any time been a member of the Communist Party?

Mr. ONDERJKA. Yes; I have, sir, from November 1949 until November of 1953.

Mr. TAVENNER. Will you tell the committee, please, the circumstances which led up to your becoming a member of the Communist Party?

Mr. ONDERJKA. I was attending the summer session at the Marquette University Liberal Arts College and at that time we were taking a course in labor problems, and because of the fact that during summer sessions we had what you call much smaller classes instead of what you would normally have during the regular year, before class and after class we used to get into discussions and during the course of these discussions because of the fact that we were studying labor problems various items had come up, such as rights of unions, labor parties, the third party that was formed that year, the Trotskyites, the Cannonites, the Communists, and what have you.

As a result, I would say of these discussions before and after class, at the final week of the summer session the professor who was teaching labor problems asked me to step into his office. That was in August of 1948.

At that time he told me that he had been a member of the FBI. At this time he had no official connections whatsoever but was merely interested in getting my viewpoint as to whether I would consider going into the Communist Party at the request of the FBI.

At that time I was working 8 hours a day at the plant and going to school full time plus many other things, and I felt that I couldn't devote the time to it, so he thanked me for my time and said forget it.

Mr. TAVENNER. Up until that time what experience had you had in the field of labor?

Mr. ONDREJKA. In the field of labor itself I have had a lot because I have worked from the time I have been 15 years old. Now, as to labor unions itself I was a member of an association in a shoe company in my home town. I worked in a sheet-metal plant at which time I was associated with the American Federation of Labor, a metalsmith union out there. When I came to Milwaukee in the summer of 1946 I worked under a permit for the CIO-UAW Auto Workers. When I was at the Allen-Bradley Co. from January of 1947 until which time my employment was terminated I had been a member of the United Electrical¹ which was then in the CIO.

In addition to having been a member of that union I lived right around the corner and at that time I worked a second shift, and it was probably a process of at least 2 or 3 times a week I would stop into the union office for an hour or 2 hours before I went to work to keep up on the field of labor.

In 1949 to 1951 we had no union, but from 1951 when I returned to the Allen-Bradley Co. until October of 1953 I was a member of the United Electrical Workers Independent.

Mr. TAVENNER. You have told us that this suggestion was made to you while you were a student at Marquette University?

Mr. ONDREJKA. That is correct, sir.

Mr. TAVENNER. I believe you were about to tell us about an approach that was later made to you?

Mr. ONDREJKA. That is correct, sir. After I had been laid off at the Allen-Bradley Co. I was working in a retail shoe establishment on Wisconsin Avenue and it was on one of those days that two agents from the Federal Bureau of Investigation came into the shoe store and asked if they could talk to me. I had just been newly hired and told them that I would be glad to talk to them, but not in the store, and I would see them later.

The later date came a week or two later when I came out of class. They took me to a car and told me what they had in mind and the great need of people to go into the Communist Party in order to get information, and as a result of an hour or hour and a half discussion on the matter I told them that I would join the Communist Party and give them information.

Mr. WILLIS. When was that, so that I can fix it in my mind?

Mr. ONDREJKA. This was in the spring of 1949, sir.

Mr. TAVENNER. Did you join immediately or did it take some period of time for you to develop a situation by which you could become a member without the circumstances under which you were joining becoming known?

Mr. ONDREJKA. It was a situation that called for a certain amount of time, sir. My first contact or my first step in getting into the Communist Party was to go to the People's Book Store, which was then located in the 800 block of Wisconsin Avenue. When I went into the bookstore at that time I told them that I wanted a study outline on the first volume of Das Kapital by Karl Marx. I told them that I was going to Marquette University. The lady waiting on

¹ Reference to United Electrical, Radio, and Machine Workers of America.

me was from Marquette. I told her why I wanted it; because I wanted to make a study of volume I.

I had read it, but the matter was still a little fuzzy in my mind because I didn't think I was able to comprehend it without the use of an outline. At that time she told me they had no outlines, but she would attempt to get me an outline, so instead she sold me several pamphlets on various phases of *Das Kapital*.

I bought several of her pamphlets, and she told me to return and she would see what she could do about giving me an outline. I returned and at that time they had no outline. She took my address and told me she would write to the Jefferson School of Social Sciences in New York to see if such outlines were available.

During the following weeks I stopped into the bookstore 2 or 3 times a week. I would pick up the *Daily Worker* and buy a magazine or two. At that time during the noon hour there was a young fellow working there by the name of Ted Silverstine. In the course of my coming there he would engage me in discussion.

Possibly after 3 weeks of my going to the bookstore for literature, Ted Silverstine invited me to attend a meeting of the Young Progressives of America.

Mr. TAVENNER. Will you go on from there and state just what occurred in the course of your membership in that organization which led you finally into the Communist Party?

Mr. ONDREJKA. I joined the Young Progressives of America approximately in April or possibly the early part of May of 1949. At that time we met in the People's Progressive Party office which is the political party that had their national candidates—in 1948 it was founded. That is the office we used for our meetings.

At the first meeting that I attended I signed up. At the next election I was made editorial director and I pursued my activities in the Young Progressives of America until September of 1949 when the first contact was made insofar as the Communist Party was concerned.

This contact was made by one of the active YPA'ers by the name of Merle Snyder. He had driven me home from meetings several times and at one of those times as we were crossing the viaduct we had been engaged in the various political discussions and at that time he told me he was a member of the Communist Party, and what did I think.

I told him I wasn't; that was his belief; I wasn't a Communist or anything. I was independent and from this night on, almost weekly, he approached me about going and seeing somebody else about furthering the studying of communism and this and that, and I didn't want to seem like I was too eager to get in and kept holding him off by various pretensions until finally in the latter part of October of 1949 I had told him that I would go with him to see the person he wanted me to see.

On that particular night he drove me out to South 92d Street to a home and introduced me to one of the organizers of the Communist Party whose name I did not know at that time was Harry Virgil. Harry Virgil and myself and Merle had talked about the subject of communism. I told him that as far as I was concerned my only reluctance for not joining the party was because of the fact that I was going to a Catholic university, because of my family background, their religious background and various other reasons, and I posed the ques-

tion at that time that I was afraid that sometime in the future some FBI agent would get his way into the party and I would expose myself at Marquette and it would ruin any possibility of a career.

He pointed out to me, in fact the very action he did was this: If we were to find someone in the party it would be [indicating] for him, although he pointed out that at that time he did not mean physically and his statement was "we have ways and means of dealing with people like that; that they would regret the day they ever came into the party at the request of the FBI." After he had thus taken care of my fears I told him I was glad to join, and at that time I was told what meeting I was to attend, and at the subsequent meeting I was signed up in the Communist Party.

Mr. TAVENNER. What was your first assignment in the Communist Party?

Mr. ONDREJKA. The very first meeting I attended in the Communist Party was as a member of the East Side branch of the Communist Party of Milwaukee.

Mr. TAVENNER. Can you tell us where the meeting was held?

Mr. ONDREJKA. Yes, I can. It was held at an apartment on South 10th right across from Red Arrow Park. I don't remember the address. I lived there for a few months at one time but not at this particular time. The persons who did live there at that time who will be named this morning as members of the Communist Party were Merle Snyder, the man that they had taken me to see Harry Virgil, Sidney Berger, and Herb Major. It was in their living room that this meeting was held.

Mr. TAVENNER. What took place at that meeting?

Mr. ONDREJKA. At that meeting the organizer for the area was at that meeting and she is the one that signed me into the party. Her name was Ester Eisenscher. She had what looked to me to be nothing but a receipt book, a small receipt book which had a carbon in it so there would be a duplicate.

She had mentioned that I was to be temporarily assigned to the East Side branch. She wrote my name, the initiation fee to get into the party, and I don't know what other information on this little receipt book. She took one out of the book; the other remained in the book. She handed it to me and said "now you are formally in." She took this receipt back and tore it into tiny bits.

That is the only thing I have ever seen that purports to be a party card or any other evidence of membership, and that was torn up in front of me at that meeting.

Mr. TAVENNER. But the duplicate which was attached to the book was retained by Ester Eisenscher?

Mr. ONDREJKA. That is correct, sir.

Mr. TAVENNER. Do you know the relationship, if any, between Ester Eisenscher and Sigmund Eisenscher?

Mr. ONDREJKA. The relationship between Ester Eisenscher and Sigmund Eisenscher is that of a brother and sister.

Mr. TAVENNER. Can you recall at this time whether there were any other persons present at that first meeting that you attended?

Mr. ONDREJKA. Yes, I can, sir. The people in attendance at this meeting were as follows: Harry Virgil, the man whom I had seen previously at that time, was the chairman of the East Side branch of the party. In addition there was his wife, Ida Virgil. In addition

the members that were there were Merle Snyder, the man that had taken me to see Harry Virgil; Otis Daigle. Another who was there was Alfred Hirsch.

Mr. TAVENNER. Did you see Alfred Hirsch here yesterday?

Mr. ONDREJKA. Yes, I did, sir. He was the second witness to testify in the afternoon. He followed Sigmund Eisenscher. The other party that was there was George Sommers.

Mr. TAVENNER. Will you at this time tell us a little more about the activities of the various persons that you have mentioned as you learned later; for instance Mr. Virgil. What was his activity in the Communist Party?

Mr. ONDREJKA. In addition to being in the East Side branch of the Communist Party at every People's Progressive Party affair I attended, for instance the 3 national conventions, for instance when I was in the Young Progressives of America there were times where the executive board of the YPA would meet in a People's Progressive Party office at which time Harry Virgil and I would either be mimeographing or folding leaflets. In addition I met Harry Virgil at one of the Communists' efforts to have a peace group which was held in the Civil Rights Congress office.

Mr. TAVENNER. You mentioned Otis Daigle.

Mr. ONDREJKA. As to Otis Daigle, except possibly for having met him at some of the open Communist meetings, I have never seen him at any other affair.

Mr. TAVENNER. You mentioned George Sommers. How do you spell his last name?

Mr. ONDREJKA. I believe his last name is spelled S-o-m-m-e-r-s. At that time his activity was to be done in the Brewery Workers' Local 9. At the very first meeting that I had attended, or possibly the second in the East Side branch, there was a campaign on about the fact that colored people did not have seniorities in the brewery plants in Milwaukee, and they had been having a leaflet barrage at the plant, and at that meeting George Sommers was instructed that he was to take up the matter with the officers of local 9.

Not only was he going to go in on a basis of their hiring Negroes in production work, but it was to be his job to see that they were given superseniority in order to compensate them for the time that they had lost by not being hired in the breweries.

Mr. TAVENNER. After attending the first meeting of the Communist Party, after your becoming a member, did you continue in attendance at the meetings of the East Side branch of the Communist Party?

Mr. ONDREJKA. I was only in the East Side branch of the Communist Party for 2 or possibly 3 meetings. At the second or the third, which would have been the last, Ester Eisenscher was at that meeting also, and she had said that when I was assigned to the East Side branch it was a temporary assignment, which was true. They told me that in the first instance.

She said now because of my age and the fact that it was only a temporary assignment that Merle Snyder and myself were to be transferred from the East Side branch of the Communist Party into the youth group branch of the Communist Party.

At the end of this meeting we were in the living room, and I believe it to be the executive board of the youth group of the Communist Party were meeting in the kitchen the same night. The reason why

I remember is because of the fact that it was brought up at our meeting that it wasn't a good policy for two groups to be meeting in the same apartment at the same time, and, furthermore, at that time this was the third consecutive meeting in the apartment. I was decided that the next meeting was to be held at the home of Harry Virgil so as not to meet in the same place.

Mr. DOYLE. Why would you not want to meet in the same place? Why would you want to change your meeting places?

Mr. ONDREJKA. For security reasons, sir.

Mr. DOYLE. What security reasons? What law were you violating?

Mr. ONDREJKA. At that time I don't think you were violating a law by meeting, but, nevertheless, I do know this to be a fact, that there was to be rotation, and as we developed this further in later years after this was a law I will go through some of the steps that they set up as security.

For instance, later when we held meetings it was necessary to have either the radio or television sound on in the same room so as to end any effort to wiretap a room and things like that.

Mr. DOYLE. In other words, these were secret meetings, designed as such, and that is why they wanted to change the meeting place?

Mr. ONDREJKA. That is correct, sir.

Mr. TAVENNER. You and Merle Snyder were assigned to the youth group of the Communist Party?

Mr. ONDREJKA. That is correct, sir.

Mr. TAVENNER. Will you tell us about your activity within the youth group of the Communist Party?

Mr. ONDREJKA. To start with one of the activities in the youth group of the Communist Party was as follows: I didn't want to go back into the Young Progressives of America. I had been in there from the previous April until April of 1950 and at this particular meeting of the youth group of the Communist Party which was held at the home of Helen Gilman, on the agenda we were to decide who were to be the officers of the Young Progressives of America.

At that time I was told that I would have to be cochairman with a young colored lady that we had just recruited into the Young Progressives a short time before.

Mr. TAVENNER. Was that person a member of the Communist Party?

Mr. ONDREJKA. She is not.

Mr. TAVENNER. She never was at that time?

Mr. ONDREJKA. She was not. At that time Jim Eggleston was the chairman of the youth group. I remember writing a report about him being chairman. He is the man who testified yesterday.

I told them that I did not want to take the responsibility of being cochairman or chairman of the Young Progressives of America because of the fact that I was working almost full time, going to school full time plus the additional meetings, that I would prefer to go into something that was more of an academic nature.

At that time it was pointed out to me by the executive board of the youth group of the Communist Party that I was not being a good Communist without at least giving the effort to take that job and see what I could do, so I consented; and at that meeting we arranged who were to be the officers of the Young Progressives of America.

Mr. TAVENNER. Did it work out according to your arrangements, that those decided upon at the Communist Party meeting to be officers of the YPA would be officers?

Mr. ONDREJKA. Absolutely. Generally we would have 10 to 20 people at a meeting, but when it came time for an election after we had decided who were to be the officers, we would have people from the youth group who ordinarily didn't attend YPA meetings come to the meeting, and we would have an election and put in our people, and then you wouldn't see them again.

Mr. TAVENNER. Did you say people from the youth group?

Mr. ONDREJKA. Of the Communist Party.

Mr. TAVENNER. That means, of course, they were members of the Communist Party?

Mr. ONDREJKA. Yes, sir.

Mr. TAVENNER. In that way you controlled the elections in the Young Progressives of America?

Mr. ONDREJKA. Plus controlling the policy because we made it a point to have it.

Preceding me was a girl by the name of Betty Gossell who was chairman of the Young Progressives of America from the time I was in the Young Progressives until such time as I replaced her, and she was also a member of the Young Communist Group.

Mr. TAVENNER. How long did you remain chairman of the Young Progressives of America?

Mr. ONDREJKA. Only for a short period of time, a few months, because at that time with these duties that I told you, attending school full time and working full time, my dad became very sick and finally I went to them again and they let me out of the position as cochairman of the Young Progressives of America. I stayed in as a director of the Young Progressives of America, a position I previously held before becoming cochairman of the Young Progressives of America.

Mr. TAVENNER. I think before going further in your progress as a member of the Communist Party it may be well for us at this point to discuss the Young Progressives of America, that is, its activities.

Will you tell the committee, please, what type of work the Young Progressives of America engaged in?

Mr. ONDREJKA. Well, at least from November of 1949, before that there may have been some doubt, but at the Young Progressives of America convention in Cleveland of that year it was decided that the nature of the Young Progressives itself was to be more of a social nature and that set up the basis for recruitment of people into the Young Progressives of America, which was as follows:

For instance, we might have one person that would be antilabor, but he would be interested in the Negro as a class because of an impression of Negroes. Another might be anti-Negro but prolabor. It was decided at that time that we would take any person that would agree with us on one point into the Young Progressives of America and at that time try to develop him into a broader sphere so that some day he might be recruited into the Communist Party.

As to actual activity, one was the distribution of leaflets under the banner of the Young Progressives of America.

Mr. TAVENNER. Before we come to that, do you know of instances in which the Communist Party did prove the accomplishment of the

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plan that you are talking about by actually recruiting members into the Communist Party in addition to yourself?

Mr. ONDREJKA. I did, sir. In addition to myself there was one other colored fellow that either joined the Young Progressives of America at the same time I did or the following week, who by the time I had gotten into the Young Communist Group was already a member of the Young Communist Group. That was his first contact, too, also through the Young Progressives of America.

Mr. TAVENNER. We heard here yesterday that Mr. Eggleston was recruited into the Communist Party through this same Young Progressives of America.

Mr. ONDREJKA. He was already a member of the Young Communists when I became a member of the youth group.

Mr. TAVENNER. Were you aware of a constant pressure from the Communist Party upon non-Communist members of the Young Progressives of America to join the Communist Party?

Mr. ONDREJKA. No; I wasn't sir, because my own observation of the situation was that about 85 percent possibly of the non-Communist members of the YPA weren't even aware as to what was going on except for certain isolated cases.

We will take the case of Harvey Silverstine, who was a young lad going to a Milwaukee school who wasn't old enough to get into the youth group of the Communist Party. He was probably 14 when he joined the Young Progressives of America. He was 15 when at a meeting his special problem was brought up, the fact that he was not 16 years of age, therefore not eligible for membership into the youth group of the party, but he was taken in anyway.

Someone like that probably had a better understanding of what we were trying to accomplish because of the fact that his brother was a member and attended these same meetings; but as to the average person we would have them come for our socials. We would have a hayride and put on a skit, a play. The one I am referring to now is a hayride and some of the individuals from the Young Progressives put on a skit of Hitler and Mussolini in Hell and they were condemning each other for being responsible. We would have a lot of people because it would involve a social and skit. We had one at the lake-front but by and large the average individual didn't know what was going on there.

Mr. TAVENNER. Will you proceed to tell the committee about the dissemination of leaflets you started to describe?

Mr. ONDREJKA. Yes, sir. What we did have in the Young Progressives of America was the Young Progressives of America newspaper known as Together. At that time when I was in the Young Progressives the case of a certain Lieutenant Gilbert was in the spotlight as far as the Young Progressives of America were concerned. Both in leaflets, in petitions, and in their newspaper we had attempted to put mass pressure on the Army in order to seek the release of Lieutenant Gilbert. By chance I have one copy of that magazine. It wasn't mine.

Every leaflet or magazine I got I turned in to the FBI. This is one I ran across from October of 1950 which reads: "Protest, halt Army lynching. Used as example, Negro victim says." That is the type of thing we were distributing at that time in the form of a news-

paper or leaflet distribution. I remember distinctly one leaflet of several thousand copies peddled at the Seaman body plant.

Mr. TAVENNER. To what extent, if any, was the Communist Party responsible in the printing and circulation of this particular propaganda?

Mr. ONDREJKA. I do not know, sir, because I was not in the party at that time. I do know that this magazine was mailed from New York to members of the Young Progressives of America.

Mr. WILLIS. Are you addressing yourself to the particular leaflet?

Mr. ONDREJKA. That is correct, sir.

Mr. WILLIS. Do you have some knowledge about other leaflets or inspiration for them?

Mr. ONDREJKA. Other leaflets that I would have knowledge of is that Betty Gossell, even before I was in the party, and she was a member of the party, would work on leaflets and she was the one that originated the leaflet.

In the case of the Young Progressives of America it is well to remember that the very directing force, such as Merle Snyder and Betty Gossell were party members. It wasn't the average Young Progressive that had anything to do with these leaflets.

Another phase was securing of petitions on Sunday afternoons. In the summertime they would go to the State Fair Park and attempt to get peace petitions on the Stockholm pledge or petitions on the freeing of Lieutenant Gilbert; or the big rage when I got into the Young Progressives of America were the Hollywood 10—the 10 from Hollywood—producers and writers that were called before Congress in 1949.

Mr. SCHERER. Called before this committee?

Mr. ONDREJKA. I didn't know whether it was this committee, but I do know that one of the first Civil Rights Congress open meetings that I attended dealt with that 10—how they were being victimized by that committee, and I think they had 2 of the Hollywood 10. In that period of time, both from the standpoint of the Civil Rights Congress, the leaflets they would put out, their mailings, and from the Young Progressives of America itself, they were working on the case of the Hollywood 10.

Yesterday I ran across the little film that we used in the Young Progressives of America. Now, this is done in caricature. It is not a sound film. It is only a film about that long [indicating] with individual pictures. This is tied with a recording and it shows a person known as Moneybags—a great big pot of gold with a hat on top. It shows these writers practicing their trade and making a living and Moneybags decides they are not making enough money for him, so he sees that they are called before a committee.

They are called. Moneybags gets richer and richer, but is not satisfied and "I must have these people sentenced." They get out a roll of bills which is a copy of the Bill of Rights. Moneybags doesn't know what to do, so he ties them up and this train is coming and suddenly it is leaflets to Washington condemning their activities and how they are picking on innocent men and the rush is on to Washington.

You see the thousands of little pens running to Washington and because of all this pressure on Washington they finally pull a switch and the Bill of Rights is saved.

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Mr. DOYLE. Let the record show that the witness indicated that the film was about 3 feet long.

Mr. ONDREJKA. I think a little longer. That was shown at YPA meetings and meetings at the apartment. I remember five times that that thing was played. It was always good because it had a catchy tune and it went over big.

Mr. DOYLE. Who furnished that?

Mr. ONDREJKA. I don't know, sir. I believe it originated from the Civil Rights Congress when it first came in. I know that the Young Progressives of America used it and it had not been returned to the original owners.

Mr. TAVENNER. Do you recall whether Howard Lawson appeared here or any of the other Hollywood 10 about the time that you are now speaking of?

Mr. ONDREJKA. I have a recollection that it was Lawson and Ring Lardner, Jr., but I have a recollection that I was sick and we put in a substitute from Milwaukee, but I do know that at least 1 of the Hollywood 10 spoke here. It was a civil-rights meeting and they denounced the way the people in Hollywood were being persecuted.

Mr. DOYLE. Some of the Hollywood 10 went to jail?

Mr. TAVENNER. Yes; all of the Hollywood 10 went to jail for contempt of Congress. One of them, Mr. Dmytryk, while in jail, decided he would come before our committee and tell the committee the full facts, which he did. His testimony has been one of the most important bits of testimony the committee has received and it led to a very full investigation covering the period of several years in Hollywood with outstanding results.

I am interested to know the origin of that type of propaganda that was used in favor of the Hollywood 10.

Mr. ONDREJKA. Sir, as to who initiated the propaganda I do not know. I attended the open meeting of the Civil Rights Congress and most of the things I know about the Civil Rights Congress are on the basis of what was said at public meetings but I do know that at this meeting it was denounced, the fact that these were innocent victims and so forth and so on; that propaganda line.

Mr. TAVENNER. To what extent did the Communist Party either directly or through its influence utilize this type of propaganda?

Mr. ONDREJKA. Sir, I would have to say there that if it was utilized by the Communist Party it would have to have been through the leadership of Josephine Nordstrand who was the executive director of the Wisconsin Civil Rights Congress, whom I know to be a Communist; and the Civil Rights Congress was her baby, and for years anything that ever emanated from the civil rights emanated under Josephine Nordstrand who was a member of the Communist Party.

Mr. DOYLE. Do you think the Communist Party was the father of that baby?

Mr. ONDREJKA. I know in Josephine Nordstrand's case, and knowing her and the type of work she put out, it is no question that it had to emanate from the Communist Party.

For instance, I wrote a leaflet for her in too mild a tone. She crossed everything out and said not good enough, and she put everything out, and "we demand this," and so on and so forth.

Mr. TAVENNER. We are centering our attention principally at this point on the Young Progressives of America. What other activities did they engage in while you were a member of it?

Mr. ONDREJKA. The other activity was that at every meeting we had educational. I was the educational director of that group and it was my job to go to the People's Book Store in the 800 block of Wisconsin Avenue and bring suitable literature to the YPA meeting. I distinctly remember that at one of these educational I had brought back copies of the Political Affairs magazine which is not an official publication, but a publication for all members of the Communist Party. The authors are known Communists. At that time I was new in the group. I didn't know that I wasn't supposed to bring that. I was told that it was not the thing to bring. I simply said this Mary Keith gave that to me to bring to the meeting.

I would sell what literature I could sell. What I did not sell I returned to the People's Book Store along with the money I received for selling.

In addition we used to have a gimmick where we would raffle a book at maybe a nickel or 10 cents a chance so that we would get rid of 1 book a week.

Mr. SCHERER. Mr. Tavenner said he was interested in knowing where this film originated. It says on the film "Hollywood division of the Arts and Sciences Professional Council Press," which is a definite organized Communist organization, if I recall. Am I right?

Mr. TAVENNER. Yes, sir; that is correct. Our investigation of that organization has shown the raising of huge sums of money. I am afraid to quote the amount because it was a staggering sum over a period of just a few years, a great part of which went into the Communist Party.

Mr. DOYLE. What was your compensation or divvy on the sale of this literature?

Mr. ONDREJKA. Absolutely nothing on the sale of the books, sir. I was paid by the FBI while I was working for them.

Mr. DOYLE. Were you not paid anything by the Communist Party?

Mr. ONDREJKA. For selling the books?

Mr. DOYLE. Yes.

Mr. ONDREJKA. No, sir; that was general practice in every group of the party I have ever been in or any front organization of any meetings that someone had to have literature from the People's Book Store, sell it and return it to the People's Book Store. There was no commissions, no compensation, no nothing.

Mr. TAVENNER. Do you recall any other incident at this time in which members of the Young Progressives of America were involved which indicated the carrying on of a plan by the Communist Party or an objective of the Communist Party?

Mr. ONDREJKA. Yes, sir. A few years ago before this issue of the admission of Red China into the United Nations had developed to where it is now, at that time the word was in the party in party pamphlets and everything else about the admission of Red China.

The Young Progressives of America conducted a poll at the Allen-Bradley Co. They had a ballot box and put out a leaflet and on the bottom were 3 or 4 questions, but on the bottom was "Do you favor the admission of Red China into the United Nations." The purpose was to get the publicity. I should correct myself. They did not say

“admission of Red China.” That would never appear on any leaflet or anything else.

Mr. TAVENNER. Do you recall a Memorial Day incident in 1950?

Mr. ONDREJKA. I do, sir. It was either Memorial Day or May Day of 1950 when I was still in the Youth Group of the Communist Party. On that particular occasion in Wisconsin we have a town somewhat 50 miles north of Portage, Wis., by the name of Mosinee. On that particular day the American Legion had taken over the town for a day to show the people or to demonstrate what life would be like under Communist rule.

What they did is, they had a few of the big-time Communists in the thirties. I remember one was Benjamin Gitlow and he became commissar for a day. They roped off an area next to the church and put the people from the parish in there and I think locked up the mayor and so forth. It received a great deal of publicity in the papers throughout the country and the Communist Party decided we would have to counter that effort by the American Legion, so several of us within the group of the Communist Party had decided—or it was not a decision; we were told to go up there. I was one picked to go up there. We were to go to Mosinee, Wis., possibly 2 weeks after that. We were to take the Stockholm Peace Petition and get enough signatures to put in the Daily Worker and other publications, and it would prove how those people were fooled by the American Legion. It was nothing but a trick to fool the American Legion.

Jerry Rose was in charge of this Youth Group of the Communist Group of Milwaukee, so Jerry Rose, Betty Gossell, myself, and Lily Rody, who subsequently became my wife, were on our way up there in what is now my wife's car. On our way up an unfortunate occurrence happened. The water pump blew up. We did not get to Mosinee. We were stopped.

I do know that at the same time we were going to get petitions, a delegation from Madison, was also on the way to Mosinee to get petitions. They passed us on the highway. They had a car full of people, and, therefore, could not take us with them, so it happened that Betty Gossell and Jerry Rose hitchhiked to Madison, and my wife and I waited for someone to tow the car.

Mr. DOYLE. What delegation was that?

Mr. ONDREJKA. The Madison delegation. I do not know who was in the car. All I know is that it was a car full of people who were on their way to Mosinee, and did go to Mosinee, and received some few hundred signatures.

Mr. DOYLE. Were they Communists, or what?

Mr. ONDREJKA. I don't know, sir. We went as a group of people, delegates from Milwaukee. Jerry Rose, being in charge of our delegation, could probably answer that, but I couldn't.

I do know further, that in regard to this little episode on our way up to Portage before the car broke down, Jerry Rose had said when we do get up there don't say you are members of the Communist Party. Tell the people in Mosinee that you are representing a church group in Milwaukee and have an earnest desire for petitions. He gave us a minister's name to use if they asked. That was the procedure we were to use in getting these signatures.

Mr. TAVENNER. You understood from your discussions with Rose that there was a group from Madison engaged in the same mission in which you were engaged?

Mr. ONDREJKA. Not only from him, but I saw the car. They stopped and asked what had happened. They had no room for us.

About 2 weeks later it appeared from the Daily Worker that a group from Madison had secured these petitions.

Mr. TAVENNER. Did the Daily Worker use the very line of argument and propaganda that was the purpose for the mission in the first place?

Mr. ONDREJKA. That is right, sir; that because of the number of signatures they received it was shown that it was nothing but a fraud on the part of the American Legion; that they had fooled the people up there for that occasion and our type of thing had disproved it.

Mr. TAVENNER. You have told us that your first assignment while a member of the Youth Group of the Communist Party was to go back into the Young Progressives of America and become its co-chairman. What other assignments were you given by the Youth Group of the Communist Party?

Mr. ONDREJKA. I was also educational director of the Youth Group of the Communist Party, which again entailed preparing an educational for the meeting and going to the People's Book Store and getting the appropriate literature and returning the money and the unsold books.

In addition, while members of the youth group we did have a number of leaflet distributions. The one I specifically remember, because that is the time that I had a bit of trouble down there, was we were passing out a leaflet not under the banner of the Communist Party although the person in charge of this detail was Jerry Rose. The two people that were to pass out the leaflets were Phyllis Berger, the wife of Sid Berger, and myself.

Jerry Rose picked me up at the apartment at about 6 o'clock that morning. We drove down to this particular plant in his car. If I remember correctly he had said at that time he worked in the plant, that is why he would not have to pass out leaflets with us.

I might mention here that I learned many other times that if you work at a definite plant and there is to be a leaflet distribution at that plant it is the duty of others in the party whether they be in factories or whether they be neighborhood groups or any other groups, it is then their responsibility to put leaflets into the plant.

On this particular occasion we had a leaflet by some outfit for peace. I don't remember the name of it. It was not a leaflet of the Communist Party. The three involved for distribution were Communists, Jerry Rose, Phyllis Berger, and myself.

The reason I remember it so well is that the workers in spite of the fact that this leaflet did not carry a party label let me know in no uncertain terms what the contents of the thing was. They crushed them, spit on them and threw a few at them. They said I was too lazy to work just like the rest of the Communists; if I came there again I would get the same treatment that Roy Webb got at another industrial plant, and so on.

Mr. TAVENNER. In other words, the rank and file of the people in labor there recognized the line for what it was?

Mr. ONDREJKA. In spite of the label, and told me in no uncertain terms what the line was.

Mr. DOYLE. I would like to compliment that group of American workmen.

Mr. ONDREJKA. I would like to compliment them now, sir, but at the time when they said they were going to ride me out of town, I wasn't ready to compliment anyone. I might mention here that it was the direct responsibility of the Youth Group of the Communist Party to put the Labor Youth League in an operating position, so by that means we could dissolve the Youth Group of the Communist Party with all functions being taken over by the Labor Youth League.

Mr. TAVENNER. Prior to your becoming a member of the Youth Group of the Communist Party, had you been a member of the Labor Youth League?

Mr. ONDREJKA. I was not, sir, because I was in the Communist Party before what I consider the formal opening of the Labor Youth League.

Mr. TAVENNER. Do you know whether any member of the Communist Party was assigned the task of the organization of the Labor Youth League?

Mr. ONDREJKA. Yes, I do, sir. That person's name is Mark Berman.

It was in the latter part or probably middle December of 1949 in the Civil Rights Congress office that we had what I consider to be the formal Milwaukee Labor Youth League chapter. Mark Berman got up and spoke about the background of it. He had said that there were plans already, at a meeting in Chicago, in the summer of 1949 to organize a Labor Youth League, but at this time we had what was the largest membership to attend a Labor Youth League meeting to my knowledge, of about 40 people, and at that time we formally set up a Labor Youth League in Milwaukee with Mark Berman as chairman; but we made the provision that at every subsequent meeting we would have a temporary chairman for the day.

We also went into what the purpose of the Labor Youth League was to be, and it was said at that time that the purpose of the Labor Youth League was to be a group devoted to the study of Marxism.

Mr. TAVENNER. I am very interested in your statement that it was looked forward to the time when the Youth Group of the Communist Party would be dissolved and its functions somewhat carried on by the Labor Youth League.

Mr. ONDREJKA. I think it would be more than somewhat carried on, sir. For clarification of that point, in April of 1950 at a meeting of a few of the Youth Group of the Communist Party, the ones I specifically remember being there because they are involved in the situation is Mark Berman, Lily Rody, who later became my wife, and myself. There were more but these three I can specifically remember.

We met at the apartment of Ester Eisenscher. At that meeting Ester was not there. The State chairman of the Communist Party of Wisconsin, Jack Kling, conducted this little survey of the situation and at that time he pointed out that we were not moving fast enough with the Labor Youth League; that more work had to be done on it because once the Labor Youth League was on its feet at that time we would dissolve the Youth Group of the party; Mark Berman would be reassigned to the Seaman Body branch of the Communist Party; my wife would be reassigned—she was not my wife at that time—

would be reassigned to the West Allis women's group, and so on and so forth.

After the Youth Group was to be dissolved, all functions of the Youth Group were to be carried on by the Labor Youth League, and the manner in which it would be done is that although it was not a requisite for a member of the Labor Youth League to be a member of the Communist Party, except for possibly one on the executive board, we would make sure that the executive board was composed of Communist Party members. So, in effect, we were taking the youth activities out and putting them into the Labor Youth League and they would be coordinated through the Labor Youth League.

Mr. TAVENNER. Why did the Communist Party consider it was advisable to do away with its own Communist Party Youth Group and create a group known as the Labor Youth League to carry on practically the same functions?

Mr. ONDREJKA. I would say that possibly the primary reason for that was the fact that you had to get an organization that didn't have the name "Communist" in it. Here we had a group devoted to the study of Marxism, but it was not a Communist name.

Mr. TAVENNER. In other words, they had found by that time that they could not sell communism to the American public under the Communist label?

Mr. ONDREJKA. That is precisely correct, sir, and I think that holds true not only in the case of the Youth Group of the Communist Party, but I say any group or any member of the Communist Party in his various mass organizations where he may be working, if that man were required to say "I am a Communist," he wouldn't be selling anything, either.

Mr. DOYLE. In what year was that, please?

Mr. ONDREJKA. This was in December of 1949 that the Labor Youth League was founded. In April of 1950 was this meeting where the State chairman of the party said "you have got to move faster and get the Labor Youth League happening."

It so happened that we did not dissolve the Youth League at that time.

Mr. DOYLE. I think, Mr. Tavenner, I will make this observation and you correct me if I am in error.

In other words, the famous Duclos letter came to this country in May or June 1945. Shortly thereafter, Earl Browder was kicked out as national chairman of the Communist Party as I recall it, so that this date that you have given us now, Mr. Ondrejka, is 3½ to 4 years after the Duclos letter came to this country and after Earl Browder was kicked out as chairman of the Communist Party in America. Is that correct, Mr. Tavenner?

Mr. TAVENNER. Yes, sir; that is correct. In other words the Communist Party embarked on a plan at this time in 1949 and 1950 to attempt to fool the youth of the country by labels; that is, by the organization of a group not publicly known to be Communists, but which was in fact a creature of the Communist Party.

(At this point Mr. Scherer left the room.)

Mr. ONDREJKA. That is correct, sir.

Mr. DOYLE. Mr. Tavenner, may we recess here for 3 or 4 minutes to give your very able stenographic assistant 10 minutes to rest?

(Whereupon, a brief recess was taken.)

Mr. DOYLE. The committee will please reconvene. The record will set forth that all 3 members of the subcommittee are here.

Proceed, Mr. Tavenner.

Mr. TAVENNER. Mr. Ondrejka, you were telling the committee just before the recess of the activity of the Youth Group at this particular industrial plant. Will you proceed, please, and tell the committee of other activities of the Youth Group of the Communist Party?

Mr. ONDREJKA. One of the main activities, and it not only concerned the Youth Group of the party, but it concerned the Youth Group and any other group I was in, plus all front organizations, and that was not the peddling but the securing of Stockholm peace petitions. It didn't matter what group you were in that was something that it had, the responsibility, getting signatures. Another responsibility that emanated through every group that I know about was the fact of leaflet distribution at industrial debates, and I bring that out because of the fact that it wasn't essential that you have a lot of people in one shop because once you had one Communist in a shop or a cell you could rely on assistance of the various other groups.

I had pointed out there that neither of us worked at this particular plant and yet we had to distribute leaflets there. In fact neither of us were working in an industrial plant at the time.

I shouldn't forget to mention that in every group there was the raising of funds. Every year in Milwaukee they set up a quota and every club makes a pledge and every member makes pledges and the difference you attempt to get by having socials. That could be a meeting at anyone's home on a Saturday night and you have various devices of securing money. I might go through this.

One of the socials we had at the time was that we had a social at the home of Alfred Hirsch, the second witness to testify yesterday afternoon. At that particular social we had a very nice turnout of possibly 35 people. They were not all Communists. In fact we had our own group that I told you about from the Youth Group, plus a number of YPA group that were not Communists.

At this social, as at any other social, there was always a portion set aside for the purposes of an educational. At this particular educational we had a speaker from Chicago who was a union leader from Chicago who had attended the Warsaw Peace Conference which I think was held in August or September, sometime just preceding this meeting. That was in the latter part of 1949. What he did was that after he attended Warsaw Peace Conference he flew to Russia to investigate manufacturing conditions in Russia and he spent all of his time on one subject. That was the subject of auto production in the U. S. S. R. He went through a long, long description of the beauties and the fineness of manufacturing conditions in the auto works in Russia at least at this particular plant.

He had talked about the safety features unexcelled; we had nothing like it in this country. I remember him talking about the fact that when a woman became pregnant she had a leave of absence, I think from her fourth month until 6 months after the child was born, with full pay. If the woman wanted to work after she had a child, they had nurseries and the woman received her full pay and didn't pay for that. They received vacations at resorts set aside for these people.

Sitting there the thing got pretty fantastic in my own mind, so what I did in my own naive way was pose the question to this gentleman from Chicago that was a main experiment, and I would have to give one reference.

Before this meeting at that time I religiously read all the stuff they put out especially in the bookstore, and we had clippings from Milwaukee papers that we considered favorable to the Communist Party bound in a volume, speaking of auto production in the Soviet Union. I think the figures for 1948 or 1949 were something like 90,000 units in a country of 200 million people.

So what I said to him is this: I said "No doubt what you saw is true, because it would have to be true. You were there." But I said, "What bothers me is here in Milwaukee we have the Nash Co. that makes Nash cars," and I said, "It isn't that much of our entire automobile production in this country. Here as country of 200 million people produces about the same figure," I said, "if things are that good at the plant you saw why is it that there isn't production like that the country over that they would compare with us an automobile production?"

Everybody's mouth dropped down that I was a fiend. Yet it was a naive question that they couldn't do anything about and he couldn't answer the question.

That is one of the type of socials we held among them.

Mr. DOYLE. You stated that this man came from Chicago. Was he from the Communist Party?

Mr. ONDREJKA. Sir, I do not know. I know that he was a union official in Chicago. I know his name but I do not know him to be a member of the Communist Party. That is why I do not mention his name.

Mr. DOYLE. That is correct. We do not want you to name anyone whom you cannot identify as a Communist.

Mr. TAVENNER. You have given that name to the staff of the committee, have you not, for its own investigative purposes?

Mr. ONDREJKA. I have, sir.

Mr. TAVENNER. What was the attitude of the Communist Party toward you for asking this question which appears to have punctured the balloon that was being blown up and floated at this meeting?

Mr. ONDREJKA. I will say this, sir: That upon arriving home there is one member of the Communist Party whom I was very closely associated with that told me in no uncertain terms that I had no right to embarrass the speaker like I did, and I told her that it was just a question that I was interested in and I want to know the answer. That was all.

Mr. DOYLE. Probably that question came to your mind in the way it did as the result of some of your studies at Marquette University?

Mr. ONDREJKA. I think it came directly as the result of the fact that I never was a Communist in any other sense than the fact that I was working for the FBI in the Communist Party; and the main reason for my asking that question is that I was very much concerned to point out a lot of this hocus to one individual member of the Communist Party whom I was attempting to get as far away from the Communist Party as I possibly could.

I might go on to say, sir, in that very same vein, about 2 months later the Civil Rights Congress also had a large meeting at the South

Side Armory and at that time another labor leader from the city of Milwaukee, who had been to Warsaw and had made a study of the conditions in Poland also, came back with a great study of how things were in the people's democracies—in the eastern democracies I should say—and he went on to explain that now people had things in Poland they never had before; were adequately clothed, adequately fed, things were great. The thing I did at this particular meeting is that we were allowed to submit questions on a card. You did not have to sign your name. All you had to do was to write a question on a card and give it to the usher in the aisle who would give it to the man that chaired the meeting who happened to be one of the officers of the Peoples Progressive Party whom I will not mention because I do not know him to be a Communist.

I am not Polish but Slovak, but I put on that card that I have relatives in Poland and every letter we receive they are begging for everything we are going to send over to them. "In view of the statement you made should we stop sending packages to them?" I showed it to one particular member of the Communist Party and slid it up. They said the writing was poor, it would take a moment to decipher it.

The man that was chairman of the CRC affair came back to the microphone and said I might have gotten the wrong interpretation but what he meant is they are adequately clothed, but it is of a coarser nature than ours. They are clothed, but it is not the same. If we wanted to send them the luxuries, go ahead and send them.

That was his study of conditions in Poland.

Mr. TAVENNER. Will you tell the committee, please, at this time who were associated with you in the work of the Youth Group of the Communist Party and in giving us the names of those individuals tell us the nature of their participation as far as you can recall?

Mr. ONDREJKA. Some of the main ones in the Youth Group of the Communist Party would probably be as follows: Jim Eggleston is now out. He was an FBI man. I had him listed as a member of the party.

Mr. TAVENNER. Incidentally, while you were in the Communist Party did you know that Mr. Eggleston was working in the same capacity in which you were working?

Mr. ONDREJKA. I did not, sir. In fact I was just telling Jim in the back room that it brings to mind at a particular meeting of the Youth Group of the Communist Party Jim Eggleston was the one that initiated a charge against the rest of the workers.

The party has always had a policy if you have a Negro person in the group you elevate him immediately. In his particular case he turned the tables by saying that they were responsible for putting the burden of work on him. So at the subsequent meeting where Jim went there, the chairman of the State party of Wisconsin criticized the rest of us because we were guilty of white chauvinism in promoting him. The reverse was true. If you didn't have a Negro at the meeting you had a lecture on white chauvinism because they weren't there.

Mr. TAVENNER. You are going a little too fast for me. Explain what you mean there.

Mr. ONDREJKA. I will explain what I mean, sir, by this. I was attending a party class, a series of classes, and there were at that meeting 16 people, but there was not a colored person there. We did have

two in attendance. We had Jim Eggleston and Bert Major. At that particular meeting, for some reason neither of them came.

We did not have a series of lectures that night because we had a class on white chauvinism, because it was the fault of the rest of us that they were not there.

Now, on the other hand, the charge that Jim had made when we did get a colored person in, for instance, Jim—for instance; I am sorry, I do not want to use the name.

For instance this young colored girl that was named cochairman of the YPA within a month, and I want to say this in fairness to her. She was only a young girl, possibly 15. She was mistress of ceremonies at a People's Progressive Party meeting. They had a list of what she was to do. She got muddled, which was no discredit to her, not being engaged in it at all, and the chairman helped her through.

I want to mention that they want to elevate them immediately despite the fact that they are burdening these people, and Jim was right. You end up on the short end. You are going to have a class in chauvinism.

Mr. SCHERER. And you and Jim were reporting to the FBI on each other?

Mr. ONDREJKA. There is no question that I had reports on Jim. That is one of the main ones that I remember.

Mr. TAVENNER. When did you first discover that he had been working in the same capacity in which you had been working?

Mr. ONDREJKA. I did not know it until I was working with your staff investigator here this weekend on information, and it was just a slip from your staff investigator that led me to believe that he couldn't be this calm about the situation like it seemed to me, and I suspected it. I didn't know it until now that he actually was.

Mr. TAVENNER. I believe you were going through the names.

Mr. ONDREJKA. The next one I would like to name would be Victor and Bernice Edelstein, E-d-e-l-s-t-e-i-n.

As to Victor Edelstein, he was active in the youth group of the party. He was active in the Labor Youth League and infrequently at the YPA. I had mentioned the fact that many would come for the purposes of an election and that is all you would see of them. I know that he was organizing out at Allis Chalmers Co. while a member of the party. I do not know of my own knowledge that he was a member of the Allis Chalmers cell although of my own knowledge I do know there is an Allis Chalmers cell.

Bernice Edelstein was a private secretary. She worked in the Civil Rights Congress. She worked in the youth group of the party, and subsequently, she became the chairman of the West Allis cell of the Communist Party.

The next one I would like to name is Mark Berman, B-e-r-m-a-n. Mark was in the youth group of the Communist Party. Mark gave the founding speech for the Labor Youth League. Mark, according to Jack Kling, who was the chairman of the party at this meeting in 1950, was assigned to Seaman Body cell of the party. In addition, in approximately April of 1951, Berman was in charge of distribution of a Communist paper for factories known as Unity. It is a small publication that, when followed, is composed of 4 pages. They have

on there that it is distributed by the Wisconsin auto division of the Communist Party.

Mr. TAVENNER. What knowledge do you have of the use of this publication known as Unity?

Mr. ONDREJKA. My first contact with Mark Berman and his use of the magazine known as Unity was this: In the spring of 1951, I was at the home of Jack Kling who was then the State chairman of the Communist Party of Wisconsin. We were up there, I think at that meeting for the purposes of holding a series of classes which we will get to later. We were in the living room. In the kitchen piled on top of the table was a stack of Unity magazines.

The reason I remember that Mark was in charge, is at the very time I was there before our meeting started, Mark was being read off by the chairman of the Communist Party of Wisconsin because of the fact that there were 2 errors in the context of the magazine itself. If I am not mistaken one error was a spelling error and the other error was they put a period and then started an "and" with a capital "A," instead of having the small "a" with a comma; and Jack Kling told Mark Berman at that time that that type of error may be all right for some other publication, but he didn't expect Mark to make errors again. That was the statement he made at that time.

The Unity magazine was piled on the table. Mark said he just got them from the printers. Subsequent to that time I remember being given a single copy of it not through any distribution service, but from somebody else who had that, and he told me when you get to the plant drop it so someone else will pick it up.

Mr. SCHERER. Who were the publishers of that magazine.

Mr. ONDREJKA. I do not know. Mark referred to printers. It was done in Milwaukee, I assume, because Mark Berman was living in Milwaukee.

Mr. SCHERER. Berman was one of the writers for the publication?

Mr. ONDREJKA. That I do not know, sir. I know that he was responsible for the printing of it because he was read off because of these errors.

Mr. SCHERER. There is a very fine movement in this country known as Unity, a somewhat religious movement, and I would not want this pamphlet confused with that organization or that movement.

Mr. ONDREJKA. If they would look at page 2 of that pamphlet according to the one that was passed out at the Allis Chalmers gates about 2 weeks ago they would find on page 2 "Wisconsin auto division of the Communist Party," or "Auto division of the Wisconsin Communist Party." There is no doubt as to who takes credit for that magazine.

Mr. DOYLE. I am glad the distinguished gentleman from Ohio, Mr. Scherer, brought that out because certainly this committee would not in any way want the thought to go out, inferentially, that this apparently Communist sheet entitled "Unity" had any connection with the organization as Mr. Scherer says, the religious or thought group that is nationwide, and also has the same designation of the paper known as Unity. Is that correct, Mr. Scherer? Is that the paper to which you referred?

Mr. SCHERER. That is correct.

Mr. DOYLE. I hope there will be no confusion.

Mr. TAVENNER. I hand you a pamphlet entitled "Unity," issued in 1954. Will you examine it and state whether that is the magazine pamphlet of which you were speaking; not necessarily the same issue, but the same paper?

Mr. ONDREJKA. To the best of my recollection, sir, the title is exactly the same, Unity. The ones I received subsequently in 1951, the one that I dropped at the Allen-Bradley plant, the ones that I saw last week, were similar to this except at that time the only difference may have been that it was a little shorter than this one is now; but other than that the makeup would be the identical one that I saw in the home of the State chairman of the Communist Party.

Mr. TAVENNER. Will you look at page 2 in the bottom righthand corner and state whether or not it is shown there who the sponsor of the paper is?

Mr. ONDREJKA. Yes, I can, sir. It says "Published by Wisconsin auto section, Communist Party."

Mr. TAVENNER. I think it may be well, Mr. Chairman, to offer it as an exhibit. I do so offer it and ask that it be marked "Ondrejka Exhibit No. 1," for identification purposes only, and to be made a part of the committee files.

Mr. DOYLE. It is so ordered.

Mr. TAVENNER. Do you recall whether the same paper was distributed at any time in the form of mimeographed sheets instead of a printed sheet?

Mr. ONDREJKA. I do not, sir. The time that I saw it on the table I distinctly remember Mark referring to the printers, and I assume that it was not mimeographed. It was printed.

Mr. DOYLE. A few minutes ago you said it was piled on the kitchen table. Does that language by you indicate that there were several hundred copies?

Mr. ONDREJKA. That is right, sir. At that time they weren't folded. They were as the papers dropped out and there was a stack like that on the table.

The next name I would like to bring up is that of Sidney Berger. Sidney Berger was also in the youth group of the party. He was in the Labor Youth League and in the Young Progressives of America, and in addition his outside work mainly consisted of these various peace moves in conjunction with his wife, Phyllis Berger.

As to these peace moves, I know that Sid would travel the State contacting various ministers and priests, and what have you, in an attempt to get them to back some of these various peace moves that we had in Milwaukee. They had an office down on Plankinton Avenue at that time, and I distinctly remember that one of the reporters from the Milwaukee Journal had attempted to get information from what they described at that time was the young, pretty brunette who happened to be Phyllis Waldman, and she refused to give them any information whatsoever.

I do remember that at a party meeting it was said that the results had been great, that Sid was accomplishing a great deal throughout the State to get these various groups behind his peace movement. I know he was in charge of the peace groups because at one time he asked me to work with him on this, but because of the fact I was in school I did not, but he approached me on this subject.

Mr. TAVENNER. It is true, is it not, that his identity as a member of the Communist Party and the identity of his mission as a Communist Party mission was not known to the ministers and priests with whom he conferred?

Mr. ONDREJKA. I will say this, sir: I can hardly see him going to any minister or priest and saying "I am a member of the Communist Party. I am backing this peace group. Will you give me a hand?" I was not along with him so I could not say what he said to them other than the fact that I heard him say the results were great. The other one that I mentioned is Phyllis Berger, who is the wife of Sidney Berger who came from New York. The first time I had ever heard her speak in Milwaukee she spoke at a Young Progressives of America meeting as to the discrimination against Paul Robeson at Peekskill. That was the substance of her talk.

Later I knew her to be active in the Youth Group of the party as well as the Labor Youth League and working with her husband in these various peace groups.

Mr. TAVENNER. Was she married at that time to Sidney Berger?

Mr. ONDREJKA. To the best of my recollection she married Sidney Berger in July of 1950, which means that when Sid probably came to Milwaukee she was not married.

Mr. TAVENNER. Do you recall her maiden name?

Mr. ONDREJKA. Phyllis Waldman was her maiden name.

Another one I would like to name would be Merle Snyder. Merle Snyder is the man that recruited me into the Communist Party. I knew him to be very active in the Young Progressives of America. I distinctly remember that in 1949 in November when we had decided to send a large delegation to the National YPA convention in Cleveland we only had about, I think it was some \$30 in the treasury and we wanted to send some 20 people. So anyway we did send a large delegation.

The reason why we sent them is we had Merle Snyder make a \$300 loan. We told him we would repay them out of funds. We never did pay him. In addition he smashed his car on the way to Cleveland, so for Merle it was one great financial loss.

I might add that in October of 1950 this same man who borrowed the money and did not get it back, who ran his legs off, was ousted from the Communist Party, one of the grounds being that he was an FBI agent.

Mr. TAVENNER. He was not an FBI agent as far as you know?

Mr. ONDREJKA. As far as I know, he was not. At that time we held a partial meeting of the Youth Group of the Communist Party. The meeting was held at the home of Joseph Rody who is my wife's father. We were at this meeting. Mark Berman was there, Ted Silverstine, Betty Gossell, and myself. Those I am sure of.

At that particular meeting Jack Kling, who was the State chairman of the party, sat down with us, told us some of the things that they had against him including that charge of being an FBI man. He told us that simultaneous with our meeting at this particular home, the security board of the Communist Party was meeting with him to read him out of the party.

Of course, another one I would have to mention would be Lil Rody, who subsequently became my wife. As to her, she was in Labor Youth League, the Civil Rights Congress, the Young Progressives of Amer-

ica, the Youth Group, the West Allis Women's Group, plus many other front activities, plus the fact that she attended party leadership school in Chicago in 1950.

Another one I would mention would be Herb Major, who was active in Labor Youth League, somewhat active in the YPA and also a member of the Youth Group in the party.

Another one whom I would mention would be Ted Silverstine. Ted Silverstine was very active in the Young Progressives of America; he was in the Youth Group of the Communist Party. He was in the Labor Youth League and subsequently and at the time I left the party he was coordinator of youth activities of the party.

I might mention now as long as I didn't bring it out before, that he is the person, who, after a Labor Youth League meeting at the People's Book Store, after it was moved on State Street, when asked the question, what would he do if he was drafted, he said that he would go in if he were drafted but if he were sent to Korea and the situation became that he could jump to the other side he would jump sides while he was over there. That is a statement he made after a Labor Youth League meeting. I distinctly remember when I was giving educational for the Young Progressives of America at one discussion I had insisted that when our forces were driven back in the Pusan area that the United States would have no choice but to drive the North Koreans back over the boundary and he criticized me for being pessimistic on the situation. That is Ted Silverstine.

I might mention that in September of 1950 he was the party functionary that contacted members of the Youth Group of the party when the party was seriously thinking of going underground. I was then living in the apartment. That was slightly before Merle Snyder was expelled.

I had lived adjoining Merle Snyder's apartment and he came at that time and said to me to give him reasons why I should remain in the party. I said I have none. He should decide for himself whether I should be in or out. He checked on my background, the fact that I was going to Catholic school, and at that time he gave me a choice of front organization of which he was to pick one, because he said before the party went underground every member was to pick a front organization.

The front organizations that were given to me as a choice were these: One was the NAACP, which is the National Association for the Advancement of Colored People. Another was the Jewish Center, and I don't know what Jewish Center they are referring to. I know that these organizations I am mentioning are not Communist or Communist-front organizations. They are legitimate organizations that we were told to attempt to get into.

The third group of which I had a choice was the Methodist Youth Center, and he knew me to be a Catholic although I will say right now and in front of everybody that I wasn't what you would call a practical Catholic.

In one breath he told me that I would have a choice of going into the Youth Group of the Methodist Church on 10th and Wisconsin Avenue which I will say is not a Youth Group in any way, shape or manner; and at the same time he said I could consider Cardijn Center. I told him I wanted to join the Democratic Party. [Laughter.]

I did not say that because the Democratic Party was in any way, shape, or manner a Communist-front organization and I would say after this was over and I had a free choice of joining parties, I did join the Democratic Party.

Mr. TAVENNER. You were given a choice as to what organization you could get into. What was the purpose of the Communist Party in asking you to try to get into one of these organizations, some of which were religious?

Mr. ONDREJKA. Not only at that time when they were considering going underground, but several years later the same situation became known again and the purpose of going into an organization as outlined to me was this. For instance, were I to go into the Cardijn Center, which is the Catholic center, they have discussions about peace. In a group like that you know that the people are interested in peace which is good and which is the American way.

Our purpose in going into the organization would be to rally these peace forces and attempt to get them to back the Stockholm peace pledge. That is the type of infiltration which would take place even with one single member like myself going into the Cardijn Center.

There is another type of infiltration. I can give you an example of how the party did use a perfectly legitimate, respectable group for their own purposes. What I have in mind is this: In 1952 the chairman of the West Allis cell of the Communist Party asked me to be moderator of a cost-of-living committee.

The West Allis cell was a group of 4 people known either as the West Allis cell or the West Allis Women's group. What they did was this: There were not necessarily in this particular cell, but there were 4 Communist women that came up to our home in the afternoon and they had gotten the leader of one of the women's group on the east or north side of Milwaukee to front for this cost-of-living committee hearing. This lady had secured one of the aldermen of the city of Milwaukee, a member of the mayor's commission on human rights, and one of the ministers in Milwaukee to speak at this meeting, and I might say that because of the nature of who asked them it was again a perfectly legitimate reason to come and speak at this meeting.

Mr. TAVENNER. Was this a plan originated by the Communist Party?

Mr. ONDREJKA. It was a plan originated by the Communist Party.

That afternoon in my home they made remarks like this about the poor innocent lady they used, "We can't push her any further because the old so-and-so is starting to get wise." So it was time to hold the meeting without pushing her further.

The Communist leader and myself decided that afternoon that we would have written questions so they would not have to stand up and identify themselves. They would write questions in regard that the cost of living is a direct responsibility of this heavy armament on the part of the Government.

Mr. TAVENNER. When was this meeting being held?

Mr. ONDREJKA. This meeting was held, I believe, in approximately April or May of 1952.

Mr. TAVENNER. At that period, then, it was the Communist Party line to try to reduce the defense preparations of this country?

Mr. ONDREJKA. Exactly.

Mr. TAVENNER. By one means or another?

Mr. ONDREJKA. And that was the purpose of this meeting.

Mr. SCHERER. Was that the purpose of their peace propaganda activity?

Mr. ONDREJKA. Yes, sir.

Mr. SCHERER. As you pointed out the one group that you talked to, namely the Catholic group, was sincerely interested in peace?

Mr. ONDREJKA. You would go in there and push peace, that is right.

Mr. SCHERER. The Communists were interested merely in the peace propaganda because it weakened this country's efforts against Russia or against the Chinese Communists?

Mr. ONDREJKA. Absolutely, and I think when we get to these party classes I will give an example of where the State chairman of the party said so in front of the members, that that was the effect.

Mr. TAVENNER. These pointed questions that raised the Communist Party line, you say were to be in writing?

Mr. ONDREJKA. That is right. We would not take any oral questions. They were to be in writing and I, by reading the questions, would know which ones to pick out and give to the speakers.

Mr. TAVENNER. You were to be the moderator?

Mr. ONDREJKA. That is correct, sir.

Mr. TAVENNER. Is it correct to say that one purpose in putting these questions in writing was so that the identity of the person raising the question, the member of the Communist Party, could not be discovered in that group?

Mr. ONDREJKA. That is correct, sir, and that is exactly the way we did it.

Mr. WILLIS. And also to control the type of discussion?

Mr. ONDREJKA. The type of questions that would go in if there were too many; you would pick the ones you wanted to submit.

Mr. TAVENNER. Under those circumstances it would be impossible for a person in attendance who had no actual knowledge of what had been planned to come to the conclusion that it was a Communist-manipulated meeting?

Mr. ONDREJKA. Absolutely not.

Mr. SCHERER. Nor would it have been possible for the speaker to get an embarrassing question under that setup.

Mr. DOYLE. In other words, as late as April 1952 in this city of Milwaukee, there was a definitely conceived plan by the Communist Party in Milwaukee with the backing of the State Communist chairman of the State of Wisconsin which was designed to weaken the national defense of the United States of America, militarily speaking?

Mr. ONDREJKA. That is correct, sir, except that I do not know if the plan emanated from the State chairman. I received my instructions from the chairman of the West Allis Women's cell.

I would like to mention that except on particular occasions where I had the occasion to be at a party class my instructions were always from the man right on top of you. There is no such thing that you all sit in a group and it is a big democratic procedure where you answer back and forth. The information comes downward; not the other way.

Mr. DOYLE. Let me get this clear, Mr. Tavenner, also. In no way that you learned certainly, or I assume in no way did this prominent woman whoever she was, and I do not want you to name her unless

she is known to be a member of the Communist Party, which I assume she is not, and in no way did the city alderman of the city of Milwaukee know that they were being sucked into this affair?

Mr. ONDREJKA. That is absolutely right. No one would have known. That is how I mentioned the fact of how a group of four could influence a whole meeting.

Mr. TAVENNER. Where was this discussion group or panel discussion held?

Mr. ONDREJKA. It was held, sir, at the West Side Turner Hall.

Mr. TAVENNER. Did it take the procedure that you outlined?

Mr. ONDREJKA. It did, sir, except for certain things. We had expected a far larger audience and some of the things went wrong including myself as moderator, that I didn't keep the best control of the thing; but the meeting was held.

Mr. DOYLE. About how many were present?

Mr. ONDREJKA. I would say about 40, sir.

Mr. TAVENNER. Let us return to the question we were discussing.

Mr. ONDREJKA. The only other name that I would mention would be Harvey Silverstine because I just mentioned him a few minutes ago. He is the brother of Ted Silverstine. He is the one that was under age, but in spite of it we took him into the party before he was 16 years old. He was also active in the Labor Youth League and in YPA.

I know there were some that left right after that, but that concludes the names.

Mr. TAVENNER. In the course of your testimony you mentioned a person by the name of Victor Edelstein. Do you know where he is now?

Mr. ONDREJKA. Yes, I do. Victor Edelstein and his wife, Bernice Edelstein are now living in New York.

Mr. TAVENNER. So they are not employed and have not been employed for some time at Allis-Chalmers?

Mr. ONDREJKA. That is correct, sir. If I am not mistaken the last week that Victor Edelstein worked at Allis-Chalmers was the last week in September of 1954.

Mr. TAVENNER. Let me go into one other question at this point. Do you recall any special work of the Communist Party in this area in nationality groups?

Mr. ONDREJKA. Yes, I do, sir, except that that would be in the nature of hearsay. I know for a fact that there was a nationality group of the Communist Party here in Milwaukee which met in West Allis which is a suburb out here. I know some of the members of that group, but I only know them through hearsay and therefore I cannot mention them.

Mr. DOYLE. I want to emphasize the fact that a congressional committee does not rest on hearsay; that we deliberately make an effort to protect any person's reputation. I want to compliment the witness for not relying on hearsay. I mention that among other reasons because I know there are several distinguished members of the Milwaukee bar present again this morning. We are glad they are here. I had the pleasure of speaking last night to a group of students at the great Marquette University, law students, and I was asked about hearsay and whether or not we relied on it; and I want to call attention

to the fact that we did not rely on it, we did not invite it, we do not want it.

Mr. ONDREJKA. Mr. Tavenner, if I may in addition to speaking purely of Communists having a group in a nationalities group, I would like to refer once more to a different type of situation where again we have infiltration of a nationalities group.

One of the people—I don't remember if I named them in the youth group of a party or not—but I knew him as Michael. His name was Michael Vaquer, who was a Puerto Rican.

Mr. TAVENNER. Was he a member of the youth group?

Mr. ONDREJKA. Youth group of the Communist Party. It was his activity to organize a social club of the Puerto Ricans who had been coming to Milwaukee at that time.

Mr. TAVENNER. What do you mean by a social club?

Mr. ONDREJKA. A group composed of these people in an effort to band them together because of the fact that they were somewhat lost coming from various sections into Milwaukee.

Mr. TAVENNER. Not a social group of the Milwaukee Communist Party?

Mr. ONDREJKA. No. At their founding they had a dinner which would be a fund-raising organization for them. We in the Communist Party were instructed that we had to attend this Puerto Rican banquet. I remember myself, my wife, and Agnes Slater were there. At this particular meeting we had a speaker from the People's Progressive Party who spoke on the situation in the particular Milwaukee foundry and how these Puerto Ricans were being exploited because of the fact that time after time he had refused in violation of the National Labor Relations Board to have a union in his plant.

He spoke in English, this particular speaker. Michael Vaquer interpreted in Spanish for the benefit of this Puerto Rican audience. We were supposed to make contact with these people in an effort to bring them into our front groups, particularly the Labor Youth League, which is exactly what happened and subsequent to that time we did have a fairly large group of these Puerto Rican peoples that attended our Labor Youth League meetings and I distinctly remember that at one of our Labor Youth League educationals we had a girl who was going across the country giving speeches at the various Labor Youth League meetings. I do not know her name, but she spoke on the germ warfare charges in China and at that particular meeting again because of the large number of Puerto Rican people, Michael Vaquer was to interpret for them. That is how we got people from this particular nationality group.

Mr. DOYLE. We will recess for another 5 minutes.

(Whereupon, a brief recess was taken.)

Mr. DOYLE. The committee will please reconvene.

Let the record show that all 3 members of the subcommittee are again present.

I want to take this occasion to again thank the photographic staff of the Milwaukee papers for their cooperating in not taking pictures of the witnesses during the time they are testifying. That is one of our regulations that we always ask to have observed, and the Milwaukee papers are certainly very cooperative and we appreciate it.

We in Congress believe pretty fully in the freedom of the press and we hope that it is not considered as an interference with the freedom

when we continue to ask cooperation which they have so graciously given.

Proceed, Mr. Tavenner.

Mr. TAVENNER. Mr. Ondrejka, you mentioned in several places in your testimony the work that you have done in the Civil Rights Congress organization. What connection was there between the Communist Party and the Civil Rights Congress?

Mr. ONDREJKA. Sir, my activity in the Civil Rights Congress was very limited except for the purposes of attending their meetings. In other words, on almost every issue that came up we referred to Hollywood 10. Yesterday we referred to Harold Cristoffel.

The Civil Rights Congress held a meeting at the Wisconsin Hotel where Harold Cristoffel was the main speaker. At that time they pointed him out as being the first martyr under these congressional investigations and he was the first labor leader that had been martyred by them.

At other times, including up to 2 weeks ago, they continually, week in and out, sent out literature under the banner of the Civil Rights Congress which usually would have inside a space for petitions and various things that they were interested in. Some of the most important types of thing they were interested in at that time, of course, was the matter of the Martinsville 7 that was referred to, the Trenton 6, the case of Willie McGee, the case of this Lieutenant Gilbert; and these leaflets were the type of thing they would be sending on their mailing list, and also at the various affairs they had.

They would have meetings and, of course, every meeting of any type was also a fund-raising meeting and not to take any of your time, but just to mention how they raise funds at these meetings including the Civil Rights Congress meetings was this: The person that was in charge of procuring money would be on the stage and would ask for pledges for various groups, a nationality group or a group of young people concerned, and you would make a pledge of maybe \$25 and it would work down until there were \$5. Then they would ask for all \$5 pledges in cash. After they got through with the \$5 pledges everybody was to hold up a dollar bill. That holds true for all communist open meetings we held. After they were through with that they would say keep enough money for streetcar fare and they would come around for your change. That is the type of system they would use for raising funds at these various functions.

I might say in Civil Rights Congress work, as I mentioned before, that anything I had to do with Civil Rights Congress, I went through Josephine Nordstrand.

I mentioned this Mosinee meeting. Following that meeting Josephine called me to her office and asked me to prepare a leaflet on the Mosinee situation. Like I said, I wrote one and by the time she got through penciling the thing it was hers, not mine, because she did not like the mild-mannered wording.

Yesterday, one of the gentleman on the bench questioned whether they were concerned with the truth or falsity of any charges when they prepared these propaganda leaflets and so forth.

I distinctly remember in the summer of 1950 where the Milwaukee Sentinel was conducting a series of articles on vice among youth in the sixth ward, including both whites and colored peoples. Now, many of the people involved were members of our Young Progressives

of America. What had happened is they would tell their folks they were going to a YPA meeting and would go somewhere else and have a gay old time and go home and say they were at a YPA meeting.

On this particular occasion I was walking down the street from the apartment where I lived, and Betty Gossell and Ted Silverstine picked me up and said we had to prepare a press release to the Milwaukee Sentinel condemning them for their articles. We went up to the Civil Rights Congress and simultaneously I prepared one for the Young Progressives of America.

I distinctly remember it because I started out by blasting the Sentinel for using sensationalism instead of journalism. That is the way I started mine.

Josephine Nordstrand thought it was nice. She wrote hers and we sealed them in envelopes and gave them to Silverstine to mail, and she turned to Silverstine and said, "How about that? Is there any truth to the stuff?" Without knowledge she typed out a statement to the paper. They were not concerned with the truth or falsity nor was the party concerned with the truth or falsity.

Mr. TAVENNER. You referred to printed pamphlets, circulars, and bulletins from the Labor Youth League and the YPA and also from the Civil Rights Congress. Where were these various publications printed?

Mr. ONDREJKA. The magazine I have given you from the Young Progressives of America was printed in New York. In addition to that the Young Progressives of America often put out leaflets or made their own petitions up which was done from labor from the YPA itself, and we provided our own paper; but what the Young Progressives of America did was to use the mimeograph machine that was in the People's Progressive Party quarters where we held most of our meetings.

In the case of the Labor Youth League, when we wanted to mimeograph something for the Labor Youth League we used the mimeograph of the Civil Rights Congress. In other words, neither youth group ever owned a mimeograph machine of their own. The YPA used the PPP's and the Labor Youth League used the Civil Rights Congress'. Of course, the Labor Youth League have a bi-monthly magazine known as the Challenge which later became known as the New Challenge. It was the duty of the Milwaukee chapter of the Labor Youth League to take a bundle, and I think the next bundle we received at that time was 100 copies and we were to sell those. On Sunday afternoons volunteers would go from house to house attempting to sell this magazine to the people.

In addition to that there were 1 or 2 leaflets under the title of the Challenge. I could not remember the content of the thing but I distinctly remember that those we did not charge for.

On one particular night my wife and I covered a 10-block area peddling them to every house in the area. That was one of the types of activity. That was the only printed one from the Labor Youth League which was the Challenge and later they came out with a new edition known as the New Challenge.

As to the Civil Rights Congress or the Peoples Progressive Party, we received that through the years through the mail and it was always in mimeographed form.

Mr. DOYLE. Tell us how many copies you sold in the 10-block area?
 Mr. ONDREJKA. It is a leaflet printed in New York with the Challenge across which we distributed for nothing. It was from National Avenue to the viaduct and about 10 blocks the other way.

Mr. DOYLE. What was the price of the pamphlet if it had a price to it?

Mr. ONDREJKA. If I am not mistaken, sir, the price of that pamphlet was 10 cents. I distinctly remember that while we were paying and forced to pay for them, out of those hundred there were about 80 left unsold every 2 weeks. Subsequently we got the bundle sold and I think it was cut to 80 copies, but we still never sold those.

Mr. TAVENNER. Did the membership of these various groups change as time went on? Was there a turnover in membership?

Mr. ONDREJKA. Yes, I would say that except for the old hard core Youth Group Party members in these groups, there was a terrific turnover especially in the Young Progressives of America. You would have people coming in, maybe go to a social or 1 or 2 meetings, and that would be the end. You would not see them.

In the case of the Labor Youth League it was slightly more constant. That is because some of the people in there from the Youth Group of the party attended the meetings because it was a requirement that every member of Youth in the Communist Party had an obligation to attend these Youth Group meetings; I mean the Labor Youth League meetings, and in addition we had Communist speakers speak at the Labor Youth League meetings which we never would have done in the YPA.

Mr. TAVENNER. Can you give the committee a fair idea of the membership of these various groups at the time that you were active in the Communist Party?

Mr. ONDREJKA. In 1949 I think our mailing list of the YPA, and those are people that had been at a meeting or two and we got their names, probably comprised as many as 150 people. As I recall the largest YPA meeting of people at a definite meeting would have been around 35 or 40 people.

As to the Labor Youth League the first meeting, the founding meeting where Mark Berman spoke, we had approximately 40 and never came close to that figure.

I might add in the waning years in 1952 we attempted time after time to reactivate these groups and our membership held a constant 13 to 15 people, something like that.

Mr. TAVENNER. Did you have any means of acquiring knowledge as to the Communist Party membership in the Milwaukee area?

Mr. ONDREJKA. No, sir; I did not. The only way I could say that I had a knowledge, a general knowledge, was this: In addition to all these groups that we have mentioned this morning what the Communist Party had is what they called open meetings of the Communist Party which were open both to public and to the Communist Party. What I recall now is the first such meeting I ever attended was in one of the small halls of the Milwaukee Auditorium, I think around Lincoln's Birthday.

This particular meeting was a meeting open to the public and the party membership. Elizabeth Gurley Flynn was the main speaker and Bill Herron the second speaker. The May Day meeting was open to all groups.

In addition to this type of meeting they had what was known as a Communist Party meeting by invitation only. The reason why I bring this up is this: That not even every Communist was invited to attend these meetings at least if you were new, because I joined the Communist Party in November of 1949 but it was not until around June of 1950 that I started to receive invitations to attend these closed party meetings that were by invitation only; and I know for a fact that there were other meetings being held prior to that time.

It was at these meetings that I could make some estimate of the active membership of the Communist Party. For instance, what I recall to be the largest membership I saw at a meeting was when Fred Blair, the vice chairman of the Communist Party of the State of Wisconsin, gave a report on the Korean war. At that meeting there were possibly 120 people in attendance.

It was at that meeting that Fred Blair said that the war of the North Koreans is a war of the working peoples the world over.

Mr. SCHERER. Was that the meeting attended only by persons who had received these written invitations?

Mr. ONDREJKA. Invitations only. Other than that I wouldn't know just how to gage the membership of the Communist Party. I only know those groups that I was in.

Mr. TAVENNER. How many separate groups of the Communist Party were you aware of in the city of Milwaukee?

Mr. ONDREJKA. In 1951 after the party did go underground in the latter part of 1951 I know of a Seaman Body group. I know of an Allis Chalmers group. I know of the West Allis Women's group. I know of a nationality group. I know of a Waukesha branch which would include the suburbs outside of West Allis and I know of a South Side group.

Mr. TAVENNER. Do you have any knowledge of Communist Party organizations throughout the State of Wisconsin other than Milwaukee?

Mr. ONDREJKA. I did not, sir. The only thing is that I know that there are other groups within the State because it was at the secret meeting in June of 1951 in the city of Chicago where Gil Green, who was one of the original 11 sentenced—it was a week before he was to go to prison. He was on bail and because of that, consequently, he could not come into Wisconsin to speak, so a group of party functionaries were invited to go to Chicago to hear Gil Green because of the fact that he could not come to Wisconsin. That group contained people from the entire State.

Mr. TAVENNER. I have not asked you any question up to the present time as to whether or not you received any special training in the Communist Party. I would like to ask you whether you did.

Mr. ONDREJKA. I received training. I do not know if that falls under the category of special training. What I had done is attended a series of 12 classes at one time and a year later I had attended another series of classes on another phase of political economy.

Mr. TAVENNER. Begin at the beginning and tell us what your experience was in those training classes.

Mr. ONDREJKA. In December or approximately December of 1949—it may have been November, but I think it was December—we held a series of classes at Jefferson Hall which is on Fond du Lac Avenue. At that time the person who started teaching these courses was the

COMMUNIST ACTIVITIES IN THE MILWAUKEE, WIS., AREA 703

man by the name of Andrew Reams who was the State chairman of the State of Wisconsin at that time. We met at Jefferson Hall. We paid, I think, a \$2 fee for the initial 6 week course. That was to cover the book Political Economy, by Eaton which was to be the standard textbook. In addition there would be outside assignments given.

As I recall it, I would say that there was approximately between 15 and 20 people because I am basing it now on that one meeting where we didn't have a colored person. We had 16 on that particular day. We had about between 15 and 20 people in attendance. This was a course which I would say was more or less based on economics. The only way the party used such a type of thing is you would be talking about surplus value in your study of economics and, of course, the instructor would show how in the United States a certain thing goes to the greedy rich where in the Soviet Union it goes the other way. In that respect you had the propaganda, but basically it was a course in economics as distinguished from the one that I will relate a year later.

The first 4 sessions, I think, of this class were taught by Andrew Reams who was the State chairman of the party. At the time Andrew Reams left the State of Wisconsin. I do not know if Jack Kling replaced him immediately, but I do know that one of the other courses Murray Wolfson taught. At another one of these weekly lectures Fred Blair, the vice chairman of the Communist Party of the State of Wisconsin, also taught. That was the last session of the original six.

At that session he pointed out that because we had to pay rent for this room we would hold our meetings in a private home, and he also announced the fact that I, meaning myself, was to take over the second series of six and do the lecturing.

It so happened that the place that these classes were to be held was at the residence of Sigmund and Grace Eisenscher, which is the address on Vliet Street.

The first meeting that I was supposed to lecture we could not get enough people to come to hear somebody who was not an old lecturer. We had about five people. The reason I remember distinctly is that we did not have a formal lecture. We had a session, though. Sig Eisenscher was not attending the course. We were talking about money because Sigmund Eisenscher told Elizabeth Blair that under a system of pure communism there would be no need for money. She could not understand and he explained to her. He used two examples that night. One was the loaf of bread, the other shoes. I said, all right, if you went to a store and got what you wanted, why wouldn't you go to a store and take a hundred pair of shoes because you liked shoes?

At that time Sig said that if anybody did that under pure communism that they would be taken to the crazy house because there would be so much for everybody that they wouldn't have to do that; that when you wore out one pair you would get another. The question was posed, "When was this coming?" but he said he didn't know; that is the way it would be some day.

We did not have a class that night. The remainder of this series of courses was taught by a student instructor at the University of Wisconsin who was Murray Wolfson. This course did not conclude until sometime in March of 1950.

Now, if I go into the second series.

The second series of classes started in March or April of 1951. This set of classes was to a much smaller class and it was taught by the then State chairman of the Communist Party of Wisconsin, Jack Kling, and this was more in the nature of a political course rather than economics. It was divided into eras. The pre-World War era; the era of colonialism; the era of World War II; the post-World War era. It was divided, I think, into two sections. The first two were held at the home of Jack Kling and the remainder at the home of Sigmund and Grace Eisenscher, who at that time had moved on the east side of town.

As to the nature of the type of courses that they were teaching, at every class one of the people in attendance was required to give an outside report. The one I have distinctly in mind is Elizabeth Blair, the ex-wife of the vice chairman of the State Communist Party, Fred Blair, who gave a report on peace and the Stockholm peace pledge and related it to peace in Korea.

It was at the end of that lecture that the State chairman of the Communist Party of Wisconsin said to her, "Do you honestly believe that we can have such a thing as peace?"

She said, "Of course, that is why we are running around peddling the peace pledge."

He pointed out that as Communists we cannot accept a document of that. He quoted, and I do not remember the book. It is a 1927 edition of somebody's report. Anyway, related to our present circumstances, we could have a little bit of peace in Korea, a little bit in Indochina, but we have to get it in our minds that there was an inevitability of conflict between the capitalist and Socialist powers, and that was Communist theory and unless we accepted that at that meeting we were not good Communists.

Mr. DOYLE. Do you mean military conflict?

Mr. ONDREJKA. He mentioned that because of the decadence of the capitalist system, it would inevitably have to end in military conflict.

Mr. DOYLE. Do I understand then that he indicated by what he said, or you took it from what he said, that he felt that the conflict in Korea where the North Koreans were coming down to South Korea, and the conflict in Indochina were part of that conflict?

Mr. ONDREJKA. No, I believe that he thought we could have peace in Korea, a spot there, or somewhere else, but eventually we had to make up our minds that this conflict was inevitable and because of the theories expounded, that some day the capitalistic system would come to such decay that they would have to fight.

He mentioned at that same meeting already what has happened, that France is no longer a capitalistic country but is now a parasite that gets what the United States wants to throw in their direction; that eventually the United States would represent the forces of capitalism and the Soviet Union and Eastern democracies would represent the forces of socialism.

Mr. SCHERER. He said that in what year?

Mr. ONDREJKA. That was in April of 1951, sir.

Mr. TAVENNER. Were there classes on any other level in the Communist Party besides those which you have described?

Mr. ONDREJKA. Yes, there were, except that the one I have particular reference to I did not attend; but in 1950 I know for a fact that they sent at least one person from Milwaukee to a party leadership

school in Chicago for a 1-week class. She was there the entire week.

Mr. TAVENNER. What position in the Communist Party here did that person hold?

Mr. ONDREJKA. That person did not hold a position, not because of the fact that she was not a trusted member. She has been a member of the Communist Party or has worked for them from the time she was 10 years old until the present time and is now 29. She comes from a family of open Communists. I was told by the South Side division leader of the Communist Party, who was Jerry Rose, that it was my duty to attempt to teach her more theory and see if I couldn't spark her up to become more aggressive for a leadership role. At the same time nothing was denied her when she was put on a different type of basis.

They agreed through the district organizer, Mort Altman, to have a courier go from the district office to her for anything she wanted to know.

Mr. DOYLE. Was that Mr. Altman, the witness that was here yesterday?

Mr. ONDREJKA. That is Mr. Mortimer Altman, the witness here yesterday.

Mr. DOYLE. Is he the man whose wife owned the rug shop and he worked for her?

Mr. ONDREJKA. That is correct, sir. Before I go further, Mr. Tavenner, I might want to mention that Mortimer Altman was one of the people that attended the second series of classes taught by Jack Kling and held in the homes of Jack Kling and Sig Eisenscher. I might mention the others.

Mr. TAVENNER. I think you should.

Mr. ONDREJKA. The one I mentioned was Mortimer Altman. I just alluded to Elizabeth Blair, the ex-wife of the chairman of the State.

The other party that was there that attended these classes was Grace Eisenscher, the wife of Sigmund Eisenscher.

The other person that attended these classes was John Killian. The other member that attended this series of 7 or 8 classes was Gloria Killian, the wife of John Killian—

Mr. TAVENNER. I believe the name of Mr. Killian was mentioned yesterday as Jack Killian?

Mr. ONDREJKA. I believe I know him more as Jack than John. If I mention John Killian it might be the same person I refer to as Jack Killian at some other time.

I might also add in that regard that during the course of these instructions every person had a chance to make one report. That is every week a different person was assigned a report to make.

Mr. TAVENNER. Do you recall each of those individuals making reports?

Mr. ONDREJKA. I do not, sir. I do remember the fact that Elizabeth Blair made hers on Korea. I remember that I had a report to make and I remember that the week before I made mine John Killian made his. I do not remember Gloria Killian or Grace Eisenscher, and I might add there was one other lady that did attend these courses. I do not know her name.

I might also say that Sigmund Eisenscher was aware of the fact that we were holding these classes in his home because I remember

him coming in from work and he would stop and say something, but he did not sit in on the classes.

Mr. TAVENNER. That was this second group of classes?

Mr. ONDREJKA. That was this second series held in the early part of 1951.

Mr. TAVENNER. Can you be more specific as to the date?

Mr. ONDREJKA. I would say, sir, that those classes were held maybe in March, April, and May of 1951.

Mr. TAVENNER. Do I understand that this other person that you mentioned, whom you did not identify, you knew her name and later forgot it; or is it a case where you never learned her name?

Mr. ONDREJKA. No, sir; it is not a case where I never learned her name. I heard her name mentioned there. I know that she originated from Russia because they were talking about when she came over. I did not know her name. If it was mentioned then, by this time I forgot because it isn't a case where it is like Sigmund and Grace Eisenscher where I saw them frequently, or the case of Gloria and Jack Killian. I would know those names because I contacted them time and time again. In the case of this lady I know her by sight and that is all.

Mr. WILLIS. You attended 2 or 3 series of classes?

Mr. ONDREJKA. The first series was divided into 2 sections. The first series were held at Jefferson Hall. The second part of the same course was held in the home of Sigmund Eisenscher. A year later I had a different series.

Mr. WILLIS. Did those persons that you named a while ago attend the whole series of lectures as you did, or just some of them?

Mr. ONDREJKA. I would say if there were 7 series they may have attended 6. It is possible that at one time or another somebody couldn't be there. It is my recollection that Mort Altman, Grace Eisenscher, Elizabeth Blair, and myself and John and Gloria Killian attended the greater part of these courses while this one lady to whom I have alluded probably did not attend more than 2 sessions.

Mr. TAVENNER. You stated that during the period of time that you were taking your course at Marquette you were employed by the Allen-Bradley Manufacturing Co.?

Mr. ONDREJKA. That is correct, sir.

Mr. TAVENNER. What was the nature of your employment there?

Mr. ONDREJKA. I was a machine operator at Allen-Bradley Co. I worked third shift while I was in school. I still work third shift from 11 to 7.

Mr. TAVENNER. At the time that you became a member of the Communist Party in 1949 was there a cell or group of the Communist Party organized within Allen-Bradley Manufacturing Co. plant?

Mr. ONDREJKA. At the time I became a member of the Communist Party in 1949 I did not work at the Allen-Bradley Co. I worked as a salesman in a retail shoe establishment.

Now in February of 1951 I returned to the Allen-Bradley Co. At that time there was no cell at Allen-Bradley. I might mention that November of 1951 was the first time that I had an inkling that we were considering setting up a communist cell at the Allen-Bradley Co. The reason for that was this: It was approximately November 15 of 1951. I can pinpoint the day because in Milwaukee the Schuster Stores have what they call an annual Christmas parade. It is a Santa Claus on a streetcar. We live in West Allis. We were invited to at-

tend a dinner at the home of Jack and Gloria who at that time lived off North Avenue on the East Side. I did not know the reason for being invited to their home in that particular case. I knew Jack and Gloria Killian because they were officers of the Labor Youth League; Gloria Killian in the capacity of chairman of the Labor Youth League and her husband, I think in the capacity of secretary.

The reason I know both were officers was at the time they were elected they said that the two could work together, because they were husband and wife, on these matters.

To get to this date, we left the house extremely late on that occasion and because of this parade and everything else, by the time we came to John Killian's home they had already eaten and had called and got no answer. They warmed the meal for us. We ate in the kitchen and went in the living room and John Killian told us the reason why he invited us for this particular dinner.

At that time he stated to me that he and I being members of the party both working at Allen-Bradley had to have some coordination of our activities at the Allen-Bradley plant. It was at that time that he was attempting to formulate a plan whereby his wife, Gloria Killian, who was then employed in the union office, the union that represents the workers at the Allen-Bradley plant, himself, myself, and my wife who has no connection whatsoever with the Allen-Bradley plant were to be members of this cell.

Before I go on I would like to clarify one little point. It may seem strange that you take a person completely removed from a plant and make them a member of the plant cell. It is not so strange when you understand the motive behind it, which we will get to when we get to the Allen-Bradley cell. Unfortunately, I don't know what became of that plan that John Killian had mentioned that night because early the following year my wife was assigned to the West Allis women's group and we did not have a cell in Allen-Bradley in 1952.

I might mention the party activity before this cell was formed. In April of 1951, I would say the first week in April, two months after I returned to the Allen-Bradley Co., my wife told me on a Friday night that Jimmy De Witt wanted to see me.

I was a new employee in my 90 days' probation. On the Saturday night following this Friday we held a party social at the home of my wife's dad who is Joseph Rody, Sr., on 89th Street.

Mr. TAVENNER. Do you mean a Communist Party social?

Mr. ONDREJKA. Yes. They had a basement fairly fixed up for that type of thing. During the course of that Saturday evening I was playing cards with both Jack Kling who was chairman of the State party and Fred Blair who was the vice chairman of the State party, and at different times during that night, and not both at the same time, one had taken me earlier and asked me to go and see James De Witt as soon as I could, and later Fred Blair asked me the same thing, and I said Jack already told me about it.

Mr. TAVENNER. I think it is important to know the circumstances under which they told you to go to James De Witt. Did they make any further explanation as to why you were to go to James De Witt?

Mr. ONDREJKA. No; they knew I was working at Allen-Bradley and Jimmy De Witt wanted to see me. They did not say for what purpose. I did not get there on Monday

On Tuesday afternoon I went to the UE district office, which was then on First and Wells. Anyway, it was Wells Street. I got the directions wrong. It is in this direction. I got there and in the room was Jimmy De Witt and another person on this side of the room. I know Jimmy De Witt by sight because I had seen him at three People's Progressive Party conventions. I know him from a party meeting where he spoke.

I said, "I am Mike Ondrejka. Fred Blair and Jack Kling sent me." I did not tell him my wife sent me. He said, "Fine, sit down. I want to talk to you."

We were sitting facing Plankington. The other fellow whom I assume to be Schaffer was sitting at the desk. He said, "First of all, get into the union as soon as you can."

I said, "I cannot do it because my probation trouble was not up. I wanted to make sure that I was in the solid position as far as my job was concerned."

He said, "O. K., wait until your 90 days is up." He said, "Attend all the meetings and do a lot of talking, no matter on what, and build a following." I was to do my best to become a steward. That was the first part he wanted to talk to me about.

He gave me no instructions who to see. He told me those things. The other thing he told me was that he had another job for me which I put in my words originally, to do a job on Joe Preloznik and Barbara Tanner who are 2 ex-officers of the Electrical Union down there. I want to explain that now.

He said, "Mike, as far as Earl and Tony and Herman are concerned, they are O. K. I am not imputing any Communist responsibility to these people whatsoever." That is what he told me. He said Herman, Tony, and Earl are O. K.; Joe and Barbara he is worried about. He was more concerned with Joe.

Mr. TAVENNER. Joe who?

Mr. ONDREJKA. Joe Preloznik, who at that time I believe was the vice president of local 1111 at the Allen-Bradley Co. Barbara Tanner was the recording secretary. He said that Joe Preloznik was taking Barbara Tanner to the Marquette Labor College, being a series of courses at night whereby they got management and labor together and had certain lectures on the matter.

He said, "Mike, between you and I, we know that that Marquette Labor School is being run by the Allis-Chalmers Co.," and he mentioned a figure in the Allis-Chalmers Co. by the name of Johnson who is directly behind it all.

So I was to go into the shop, become friends with Joe Preloznik. Because of the fact I was at Marquette University I was to tell Joe what a lousy situation that school was, what it really stood for, in an effort to break up this relationship between Joe and Barbara going to this school.

I left and those were the only instructions I got from Jimmy De Witt.

Mr. TAVENNER. Did he explain why he didn't want Joe Preloznik to attend this labor school?

Mr. ONDREJKA. Because of the fact that he was afraid he might be taken in by this stuff. That is what he said.

Mr. TAVENNER. Had you met Joe Preloznik at that time?

Mr. ONDREJKA. I know who Joe Preloznik is. Until about a year or possibly 2 years ago when he came on the night shift I knew him for a long, long time; I knew him to be an officer of the union but actually on a social basis I was not in contact with the man at all.

Mr. TAVENNER. You were not personally acquainted?

Mr. ONDREJKA. I did not go out with Joe on the outside of the plant. I talked with him when I saw him in the plant. From that time until 1952 I have never had any outside contact with this Mr. Preloznik.

Mr. TAVENNER. Did you go to Mr. Preloznik and follow the directions given to you by Mr. James De Witt?

Mr. ONDREJKA. I did not, because I was going to school 8 hours a day and working 8 hours a day, and besides that I was on the third shift from 11 to 7 and at that time Joe Preloznik was working days from 7 to 3; and therefore I did not get to see him.

Mr. TAVENNER. Did you follow the other two directions given to you by Mr. De Witt; that is, to become a member of the union and get on your feet and speak and try to develop yourself?

Mr. ONDREJKA. I did, sir, but getting to be a steward was a very difficult situation because there was a steward there and I didn't feel it proper to bump him out and had to bide my time until he was transferred; and immediately when he was transferred in the following year I ran my legs out to get Joe Preloznik and Herman to hold a steward's election and when they were finally held after 4 months without a steward I was elected unanimously.

Jack Killian at his home that time also told me to attempt to become a steward as soon as I could.

Mr. DOYLE. Was Jim De Witt an officer of the union?

Mr. ONDREJKA. Jimmy or James De Witt, I think would come under the term of the district representative from Milwaukee of the United Electrical. In other words, he is appointed as a district representative. He is not an elected official from any local. He services the locals in the State of Wisconsin.

Mr. DOYLE. Do you know him as a member of the Communist Party in the State of Wisconsin?

Mr. ONDREJKA. Sir, I only know him from the fact that I was told by my wife and Fred Blair and Jack Kling to go and see Jimmy De Witt. When I saw him he said "Yes, I was expecting you."

Mr. DOYLE. Do I understand that this union official of the UE from Wisconsin was condemning the labor school at Marquette University?

Mr. ONDREJKA. Absolutely.

Mr. DOYLE. It is not clear to me why he would be condemning the university classes. He was a union leader and I thought they were all interested in getting the facts and as much education to many people, and their union leaders as possible.

Mr. ONDREJKA. I am quite sure that at that time the type of facts taught at Marquette were not the type of instructions that he wanted Joe Preloznik or Barbara Tanner to receive.

Mr. DOYLE. Was it a university class?

Mr. ONDREJKA. It was. It was conducted by some of the finest people I have ever known at Marquette. But nevertheless, he made it quite clear that he did not want them attending that class or getting taken by the type of thing they were teaching.

Mr. DOYLE. I am always disappointed, may I say, when I find union leaders that do not want their union members to be as fully informed

as possible. I have never been a union man. I have never been an attorney for a labor union yet I am always endorsed in my campaigns for election by the CIO and the AFL, and out West, at least, I have never heard of a union leader condemning university classes. I am shocked that they do it here.

The committee in a minute or two will recess until 1:30. If it is not clear to any of you folks that are in the courtroom as to why we are taking advantage of this witness' knowledge of the methods used by the Communist Party in Milwaukee and Wisconsin, and are going into it to the extent that we are, may I remind you that under Public Law 601 passed in 1946, by virtue of which law we are here in Wisconsin, our duty is to investigate the extent, character, and objects of un-American subversive propaganda activities in the United States and the diffusion within the United States of subversive propaganda that is instituted from foreign countries or is of domestic origin, and which attacks the principle of the form of government as guaranteed by our Constitution and all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

So if it appears that we are taking time to get as much help as possible as to methods used by the Communists or by any subversive group, it is because our duty as a subcommittee is to report back to the full committee of Congress what we think might be well to do in remedial legislation. The whole purpose of these committee meetings is with reference to legislation.

The committee will stand in recess until 1:30.

(Witness excused.)

(Whereupon, at 12 noon the hearing was recessed to reconvene at 1:30 p. m. the same day. Remainder of this hearing is printed in part 2 of this series.

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2 INVESTIGATION OF COMMUNIST ACTIVITIES
IN THE MILWAUKEE, WIS., AREA—Part 2

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HEARINGS
BEFORE THE
COMMITTEE ON UN-AMERICAN ACTIVITIES
HOUSE OF REPRESENTATIVES
EIGHTY-FOURTH CONGRESS
FIRST SESSION

MARCH 29, 30, AND MAY 3, 1955

Printed for the use of the Committee on Un-American Activities
INCLUDING INDEX

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COMMITTEE ON UN-AMERICAN ACTIVITIES

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(The first part of the testimony of Michael J. Ondrejka, also heard on March 29, 1955, is printed in pt. 1 of this series.)

PUBLIC LAW 601, 79TH CONGRESS

The legislation under which the House Committee on Un-American Activities operates is Public Law 601, 79th Congress [1946], chapter 753, 2d session, which provides:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * **

PART 2—RULES OF THE HOUSE OF REPRESENTATIVES

RULE X

SEC. 121. STANDING COMMITTEES

* * * * *

17. Committee on Un-American Activities, to consist of nine members.

RULE XI

POWERS AND DUTIES OF COMMITTEE

* * * * *

- (q) (1) Committee on Un-American Activities.
- (A) Un-American activities.

(2) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (i) the extent, character, and objects of un-American propaganda activities in the United States, (ii) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (iii) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

RULES ADOPTED BY THE 84TH CONGRESS

House Resolution 5, January 5, 1955

RULE X

STANDING COMMITTEES

1. There shall be lected by the House, at the commencement of each Congress, the following standing committees:

(q) Committee on Un-American Activities, to consist of nine members.

RULE XI

POWERS AND DUTIES OF COMMITTEES

17. Committee on Un-American Activities.

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Combined 

INVESTIGATION OF COMMUNIST ACTIVITIES IN THE MILWAUKEE, WIS., AREA—PART 2

TUESDAY, MARCH 29, 1955

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE COMMITTEE
ON UN-AMERICAN ACTIVITIES,
Milwaukee, Wis.

PUBLIC HEARING

The Subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 9:15 a. m., in the marble courtroom, Federal Building, Milwaukee, Wis., Hon. Clyde Doyle (chairman of the subcommittee) presiding.

Committee members present: Representatives Clyde Doyle (chairman), Edwin E. Willis, and Gordon H. Scherer.

Staff members present: Frank S. Tavenner, Jr., counsel, and W. Jackson Jones, staff investigator.

(At this point, the chairman of the subcommittee called the members to order and then proceeded with the testimony of Michael J. Ondrejka. This testimony is printed in part 1 of this series. The subcommittee recessed at 12 noon and then continued with the testimony printed herein at 1:30 p. m.)

AFTER RECESS

Mr. DOYLE. The committee will reconvene and the record will show that all of the three members are present.

Proceed, Mr. Counsel.

Mr. TAVENNER. Mr. Joe Prelozник, will you come forward, please?

Mr. DOYLE. Will you please raise your right hand and be sworn? Do you solemnly swear to tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. PRELOZNIK. I do.

Mr. DOYLE. Please be seated.

Mr. TAVENNER. What is your name, please?

TESTIMONY OF JOSEPH FRANK PRELOZNIK

Mr. PRELOZNIK. Joseph Frank Prelozник.

Mr. TAVENNER. Would you spell your name, please, Mr. Prelozник?

Mr. PRELOZNIK. P-r-e-l-o-z-n-i-k.

Mr. TAVENNER. Where do you reside, Mr. Prelozник?

Mr. PRELOZNIK. In Milwaukee.

Mr. TAVENNER. How long have you lived in Milwaukee?

Mr. PRELOZNIK. All my life with the exception of the time I spent in the Navy.

Mr. TAVENNER. What is your present age?

Mr. PRELOZNIK. Twenty-nine.

Mr. TAVENNER. Will you tell the committee, please, briefly what your educational training has been?

Mr. PRELOZNIK. Eight years of grammar school, 3½ years of high, and 2½ years at Marquette University, in prelaw.

Mr. TAVENNER. When did you take your work at Marquette in prelaw?

Mr. PRELOZNIK. From the years 1950 to 1953. It wasn't continuous.

Mr. TAVENNER. Mr. Chairman, in calling this witness I have not done so with any thought or any belief or any information that this witness has ever been a member of the Communist Party, but I want to ask him the question under oath.

Have you ever been a member of the Communist Party?

Mr. PRELOZNIK. No; I definitely have not been a member of the Communist Party at any time.

Mr. TAVENNER. The reason for calling you, Mr. Preloznik, is that your name was brought before the committee in the last few minutes of the testimony of Mr. Ondrejka and I propose to have Mr. Ondrejka return to the witness stand after asking you a very few questions.

Mr. Ondrejka told the committee that he was called in and advised to get in touch with you and see that you ceased your studies at the labor school at Marquette University.

When were you attending the labor school there?

Mr. PRELOZNIK. I attended the Marquette Labor School, which holds evening sessions and is separate from the prelaw education which I was getting at Marquette from the period of 1950 to 1953. I didn't attend all of the sessions during those years, but off and on I was attending the labor school.

Mr. TAVENNER. What was your purpose in taking this course at Marquette University?

Mr. PRELOZNIK. The Marquette Labor School offered courses on bargaining agreements, procedure, parliamentary law, public speaking, all things which would be beneficial to someone who is in the labor movement and especially to one who is in the official capacity in a union.

Mr. TAVENNER. As a young man in your union were you endeavoring to take advantage of this opportunity to improve yourself along the lines that you have just mentioned?

Mr. PRELOZNIK. Yes; definitely so.

Mr. TAVENNER. Were you aware of any desire on the part of any of your associates in the field of labor that you should not attend that school?

Mr. PRELOZNIK. Yes; the international representative at that time, Phil Smith, raised objections to my attending the Marquette Labor School with the president of our local.

Mr. TAVENNER. Do you know what reason he gave, if any?

Mr. PRELOZNIK. The reasons were that the approach they have is strictly for business and it would do nothing to promote the labor interests that we had in our shop.

Mr. TAVENNER. How were you employed at the time that you were attending this labor school?

Mr. PRELOZNIK. Well, off and on I was working full time in the shop and other periods of that time I was working as financial secretary of the local and attending school under the GI bill.

Mr. TAVENNER. What shop was that?

Mr. PRELOZNIK. The Allen-Bradley Co.

Mr. TAVENNER. How long have you been employed at the Allen-Bradley Co.?

Mr. PRELOZNIK. I have continuous service at the Allen-Bradley Co. since 1946.

Mr. TAVENNER. During that entire time were you a member of the union in that shop?

Mr. PRELOZNIK. I was a member of that union from 1947 until 1953.

Mr. TAVENNER. Was that local 1111 of the United Electrical, Radio, and Machine Workers of America?

Mr. PRELOZNIK. Yes.

Mr. TAVENNER. Did you, during that period, rise to any position of leadership in your union?

Mr. PRELOZNIK. Yes, I was a steward, vice president and financial secretary of the local. I was also a delegate to the 11th district council which convenes 4 times annually and also a delegate to the convention on 3 separate occasions.

Mr. TAVENNER. You have told the committee that you were never a member of the Communist Party. I would like to ask you whether you attended any meetings, Communist Party meetings, which you knew were Communist Party meetings?

Mr. PRELOZNIK. No, I definitely did not.

Mr. TAVENNER. In light of your answers to these questions I am not going to ask you to speculate on who may have been members of the Communist Party and who were not, because of the fact that by your own testimony you have disqualified yourself from giving direct testimony on that subject; but I want to ask you whether or not you did, during the course of your membership in that union, come to the conclusion that there were Communists in that union?

Mr. PRELOZNIK. Yes. I felt that way although I had nothing to substantiate it, and that was one of my reasons for breaking; I felt that the organization was devoting more time to the political future and political ideologies than it was to the working conditions and to the needs of the people in the shop.

Mr. WILLIS. I do not want to cut in, but I want to follow you. You said "that was one of my reasons for breaking." What do you mean by that?

Mr. PRELOZNIK. One of my reasons that I resigned as financial secretary of the local.

Mr. SCHERER. You not only resigned as financial secretary, but you dropped your membership?

Mr. PRELOZNIK. No; I did not drop my membership.

Mr. SCHERER. Did you ever drop your membership?

Mr. PRELOZNIK. I didn't drop it. They dropped me. What we felt was that UE was not representing the people as it should be and we attempted to organize a CIO organization within the shop. When they discovered this aspect of it, they refused to accept my dues among others.

Mr. SCHERER. In what year were you expelled by the UE?

Mr. PRELOZNIK. That was in the fall of 1953.

Mr. SCHERER. Investigation by this committee proves that your assumptions were correct.

Mr. TAVENNER. Will you tell the committee, please, whether in the early days of your work within that union you had the support of persons you later found out to be members of the Communist Party?

Mr. PRELOZNIK. Yes; I had the support of people who have been named before this committee.

Mr. TAVENNER. Did a time arrive when you felt there had been any change in attitude on their part toward you and your leadership in the union?

Mr. PRELOZNIK. Yes, and that arose in 1952. I think it best to present an overall picture of UE, which at one time represented 500,000 workers and now represents less than 100,000. This characterized a weakness that was prevalent not only in our local but throughout the country, and consequently, our local wasn't able to bargain and negotiate in the manner that it had previously. We were never given complete details on the losses that UE had been taking, or the financial status of the union. We were always led to believe that our union was still growing and that it was in terrific financial condition.

Subsequently, I found out that these things were untrue; and what worried me in the shop was when the union was forced to make concessions that it never had in the past, and when I queried the officers or the international representatives on this situation I received no cooperation and no assistance. I didn't have the answers.

I was in a confused state primarily because I didn't have the facts that are being presented to the committee here about the Communist Party apparatus and how it has manipulated into organization and controlled it. Consequently, hindsight now gives me a much better view of what transpired then.

Mr. TAVENNER. Were you opposed to any effort of control by the Communist Party of the activities of your union?

Mr. PRELOZNIK. I was never in a position to know. At no time during my history with UE did I ever know of anyone in UE as being a party member.

Mr. SCHERER. You just had strong suspicions from their conduct?

Mr. PRELOZNIK. From their conduct.

Mr. SCHERER. And the policies that they advocated insofar as the administration of union affairs?

Mr. PRELOZNIK. That is correct.

Mr. SCHERER. They followed the party line as you understood the party line?

Mr. PRELOZNIK. Well, an illustration of that is when I attended a district council meeting in Chicago. The chief steward from one of the shops out there went to the Warsaw Peace Conference, or one of those trips abroad, and he also made a trip into Russia. He gave a completely one-sided picture and an illustration of that was that he was traveling in a Russian plane from Poland to Russia and he noticed that there were no safety belts, and he queried the stewardess about the fact that there were no safety belts. The stewardess gave him the reply that "This is made with the good, sound trade labor. It isn't made under the capitalistic system, and consequently, there is no room for imperfection in the mechanization of the plane, so there is no need for a safety belt."

Well, from that you can draw an assumption, but certainly nothing that you could fight tangibly with.

I was in the position where I resigned quietly because I did not have the facts with which to combat something like that.

Mr. SCHERER. Did anybody believe what he said?

Mr. PRELOZNIK. No, I was sort of nauseated with the comment and I made a comment to that effect to the president of the local, and he more or less agreed with me that it was a little ridiculous.

Mr. TAVENNER. That is all I have to ask this witness, Mr. Chairman.

Mr. DOYLE. Any questions, Mr. Willis?

Mr. WILLIS. No.

Mr. DOYLE. Have you any questions, Mr. Scherer?

Mr. SCHERER. No. Although this witness has been on the stand only a few minutes, I think he has contributed much by his testimony to the theme that I think our counsel is trying to develop in this hearing. I think he is to be congratulated for coming forward and testifying.

Mr. DOYLE. I agree with you and I had planned to do so on behalf of the committee.

Before I do that, very briefly may I say that your picture of the awareness of the Communist conspiracy trying to get control of labor unions wherever they could is the picture we have discovered all over the country. Right along with their policy in trying to infiltrate and get control of the labor unions is the fact that they place the interests of the Communist Party ahead of the union always. In other words, the Communist Party becomes dominant in the affairs of the union, not the union affairs ahead of the others.

Thank you very much and I want to compliment you on getting your education wherever and as fast as you can. You younger American men and women ought to take advantage of night classes in Marquette or any other university and get all the schooling you can. Your country deserves you as educated men and women. Thank you very much.

Mr. PRELOZNIK. You are welcome.

Mr. TAVENNER. Mr. Ondrejka, will you return to the stand, please?

TESTIMONY OF MICHAEL J. ONDREJKA—Resumed

Mr. TAVENNER. Mr. Ondrejka, you have told us about the efforts made to establish or at least the agreement to establish a cell of the Communist Party at the place where you were employed.

Immediately after that period, which I believe was in 1952—am I correct that that was in 1952?

Mr. ONDREJKA. That is correct.

Mr. TAVENNER. Were you assigned to any particular group of the Communist Party?

Mr. ONDREJKA. No, I was not, as I alluded to this morning. I worked in some of these front organizations. I was still active in Labor Youth League until it died of its own, and the same with Young Progressives of America. My contact was with the South Side division, Gerald Rose or also Jerry. The reason I was in such close contact with him was that in addition to being head of our South Side cell he was also head of the cell that my wife was in and also spent some time at our home.

Mr. TAVENNER. Did you say that the name was Gerald Rose?

Mr. ONDREJKA. I have always known him as Jerry, but in the telephone book it is Gerald.

Mr. TAVENNER. Jerry and Gerald are one and the same person?

Mr. ONDREJKA. That is correct, sir.

Mr. TAVENNER. Will you tell the committee, please, what your next assignment was to a Communist Party group or cell?

Mr. ONDREJKA. At the beginning of 1953 there were two things going on in the house simultaneously. I will probably finish with the first and then we can devote ourselves to this last problem.

That was the fact that at that time they had set up a series of classes on a party divisional level. Jerry Rose introduced me to the education director and introduced him to me as the name of Rudy.

Mr. TAVENNER. What was the last name?

Mr. ONDREJKA. Jerry Rose only introduced him as Rudy. He did not give a last name. From January 1953 possibly for a few months they had a small class in my home on Sunday mornings. That was a divisional level. Jerry was divisional leader of the South Side so possibly there was one from each division. There were 4 girls attending these classes on the divisional level.

Mr. TAVENNER. Will you give us the names of all the persons who attended this school on the divisional level as you spoke of it?

Mr. ONDREJKA. The ones that attended those classes were Lily Rody Ondrejka, Phyllis Waldman Berger who is the wife of Sid Berger, whom I testified to this morning, Evelyn Silverstine, who was the wife of Ted Silverstine, and Mary Lee Phillips whom I had not identified previously. For further edification she was one of the members of the West Allis women's group cell. Her husband, Jimmy Phillips, was an organizer who went underground in 1951.

Mr. TAVENNER. You mean an organizer of the Communist Party?

Mr. ONDREJKA. That is right, one of the organizers who went underground in 1951.

Mr. TAVENNER. How long did those classes last?

Mr. ONDREJKA. They went on over a period of several months. I know when they came in because I would have to watch my child so my wife could attend this class. I was in the kitchen. They were in the other room. I didn't hear all the classes which they were developing. I happened to run across one of their study outlines which I brought along today. That was study outline number 3 based on section 1 of the report to the Communist Party, Soviet Union by Malenkov. They would do their studying from pages 5 to 30 from the pamphlet, *On the Threshold of Communism*.

The reason they held these classes was they would come up with study points. In this there are 23. Those would be the basis on which the groups would have their discussion at the following meeting.

A typical point for discussion at the next meeting would be, "Summarize the Economic Trends in a peace camp led by the U. S. S. R. and the imperialistic camp led by the United States," or "Has the war economy been for prosperity, good times for the American people; in particular how do the American billionaires try to bribe the American people with war orders and so forth."

Another sample question: "What have been some of the aggressive acts not only in the case of arms but also in the United Nations by

the United States." This is the type of thing they set up at these meetings. This happens to be on of them.

Mr. DOYLE. Is there not any reference there to a study of the United States Constitution or any of the United States Government programs? Is there anything complimentary or directing the study of our own American form of government on any of this literature?

Mr. ONDREJKA. In all of the classes I was in I can definitely say it was the same procedure. It was continual praise of either the Eastern democracies or People's China, or the Chinese volunteers of North Korea, or the defense of the Koreans by themselves where the United States was always labeled as being imperialistic.

Mr. DOYLE. In any class which you attended, as in the Communist Party or the YPA or Labor Youth League, did you ever see anything in writing or hear any declaration orally made by any of the leaders urging the young people whom I assume were all American born to study about their own Government, to study the American Constitution, to support it?

Mr. ONDREJKA. The only reference that I could answer you with as to the American Constitution is when they insisted that the Government, the courts, the Congress and what have you were violating the Bill of Rights or the freedom of speech, or so on, insofar as it applied to a Communist. Other than that I have never heard anything constructive or in praise of this country. Everything has been a continual declaration against this country, where the evils were, without any effort to be constructive criticism. Like this film I showed you that the Bill of Rights is being violated but there was no study of our Constitution or principles or anything else.

Mr. WILLIS. Yesterday Mr. Eisenscher said that while he wouldn't expose and expound his views before this committee he would freely do so on the street corners, and he seemed to be advocating unbridled license without sanction.

Was there any discussion during those meetings that Mr. Eisenscher could have so expressed himself on the street corners of Moscow in favor of democracy and be free from sanction or criticism or arrest? Did they ever try to compare the two systems?

Mr. ONDREJKA. No, I have never heard such comparison. I would only like to add that as for my own sake it is a little sickening to see these people under the guise of something else to deny their communistic ties and then speak on the street corner under the guise of being Americans and fighting for something else, and at the same time they will speak before 700 people and say one thing and get them in front of a body where they are under oath and they don't have guts to say what they said on the corner, and they refuse to say that.

Mr. WILLIS. I think you have put your finger on it. To me it is not such a mark of bravery to appear before a committee of Congress and talk about not wanting to talk under compulsion or before a committee which is in itself a factual evidence of contempt. They have their own ideas about that. That is not so brave. That is good propaganda.

We seek cooperation from those people and I think they miss the point. I think they should quote just a little bit more of the truly great liberal Justice Holmes when he said quoting, I think, Voltaire: "Freedom of speech begins with your right to disagree but defending with your life your right to say." And I think Christianity itself im-

poses certain sanctions and not flaunting of licentiousness. We do have a right to impose laws on obscenity and I think it is obscene on the Constitution itself to see the performance of some of these witnesses before committees of Congress.

I feel that you want unbridled license and temerity to come before a committee of Congress and say "I refuse to testify before you but I reserve my right to lambast you on the street corner."

That is not bravery. That is destroying or trying to destroy the very Constitution that they seek to have protection under.

Mr. SCHERER. There is just one little difference. Here they are under oath and out on the street corner they do not face the penalty of perjury.

Mr. WILLIS. But you do not have to be under oath to be honest, and I think Mr. Eisenscher demonstrated that he was not completely frank when he invoked the fifth amendment, when at the same time he said he would not fear to express himself elsewhere, but he seeks the protection of fear against incrimination only when he appears before a committee of Congress.

That is not bravery, and it is less than honesty.

Mr. DOYLE. May I make one observation. Of course, I heartily agree with my distinguished colleague from Louisiana, Mr. Willis. I think what you said, Congressman Willis, is well illustrated by Mr. Eisenscher's conduct yesterday. He pleaded the amendment and then after I had dismissed him from subpoena he withdrew from his pocket that which he had several copies of all the time—a prepared statement for the press. He did not have the backbone to present that statement to this committee during the time he was testifying. It was full of lies and falsehoods and misrepresentations, and he knew it. He did not have the guts to produce it in public where we could question him about it.

That is the custom; that is the habitual custom of the Communists in this country.

For instance, one of the statements in there was that this committee was trying to destroy union labor, organized labor, and he knew it was a lie.

I am making this frank statement because I want this group in the courtroom, and I want him if he is here again, and any of his Communist friends in the room, and the students that are here from Marquette University—and I see several of them and I am glad they are here—to know that we would have welcomed yesterday a chance to have this man that we know to be a Communist present that statement to us and let us get a chance to answer it. He did not have the guts or the gumption to do it.

That is what you call freedom of the press and freedom of speech. He was afraid to produce it so we could answer it truthfully.

Proceed, Mr. Tavenner.

Mr. TAVENNER. Mr. Ondrejka, I notice that the 15th of the items for discussion in this study outline is compare the policies of the Soviet Union and the United States toward the countries defeated in World War II.

May I ask you as to this and the other topics here which you may not have actually heard discussed in this meeting, whether or not it was the practice in the Communist Party to handle subjects of this kind in

such a way as to reflect upon the foreign policy of the United States, but always support the Communist policy of the Soviet Union?

Mr. ONDREJKA. There is absolutely no question about that. Every country in Eastern Europe was now a democracy and in our classes, in our pamphlets and everything else, like especially after China went over to the communistic side, there were pamphlets; the Turnabout in China was one sold in the bookstore.

The eastern countries in Europe were now democracies. They would compare to what they had before and to the western countries, but the eastern countries were always set up as a good example of what democracy is.

Mr. TAVENNER. I notice that the 21st point is that Victor Perlo, an economist, estimated that a program for peace could immediately provide jobs. Do you know Victor Perlo?

Mr. ONDREJKA. I do not, sir.

Mr. TAVENNER. Has he to your knowledge been before any Communist Party group in this area?

Mr. ONDREJKA. I could not say, sir. Not to my knowledge.

Mr. TAVENNER. Victor Perlo is the head of what was known as the Perlo group of the underground in the city of Washington back in about 1934 which group has been brought to light and exposed by the work of this committee.

Mr. ONDREJKA. In line with what you have just said the only other thing that I have picked up at the house is the official Communist Party publication for Wisconsin known as the Viewpoint. You are speaking of what that would provide. It says "Peace dollars versus war dollars." They say so many million dollars will buy one bomber or so many homes; so many destroyers or so many old-age pensions. That is in line with what we said this morning about changing our viewpoints regarding disarmament.

The other point is this thing Mr. Scherer alluded to yesterday in regard to the Rosenbergs and how they use an incident like that to knock down your own country. They speak there:

Julius and Ethel Rosenberg stand as real working-class heroes, among the bravest and noblest people of all time. They scorned to become perjurers under threat of death, and died unflinchingly and unafraid. They live on in the hearts of all decent people, whose faith in humanity is stronger by the example of their principled courage.

In every nation hatred of American imperialism now reaches a new pitch as the big-business rulers of the United States reenact the crimes of Hitler. And here in America this new deadly threat to our civil liberties * * *

That is the type of thing we got in these publications. This is the official publication of the Communist Party.

Mr. DOYLE. What is the date of that publication?

Mr. ONDREJKA. July 1953, sir, issued by the Communist Party of Wisconsin.

Mr. DOYLE. That is pretty recent.

Mr. SCHERER. Of course, they completely ignored the record in the Rosenberg case.

Mr. TAVENNER. Mr. Chairman, I wish to offer in evidence the study outline No. 3 produced by the witness and ask that it be marked "Ondrejka Exhibit No. 2," for identification purposes only, and to be made a part of the committee files.

Mr. DOYLE. It is so ordered.

Mr. TAVENNER. I also offer the bulletin entitled "Viewpoint," the July 1953 issue, and ask that it be marked "Ondrejka Exhibit No. 3," for identification purposes only, and to be made a part of the committee files.

Mr. DOYLE. It is so ordered.

Mr. ONDREJKA. The thing I have not mentioned are the names of the West Allis Women's Club. The members of that cell were Bernice Edelstine, who was chairman of that cell; Lily Rody Ondrejka; Betty Trokan, and Mary Lee Phillips. So that would bring us now to January 1 of 1953.

At that time the South Side division leader of the Communist Party, Jerry Rose, came to my home, took my dues for 1953 and told me that I was about to be assigned to another active group. He told me that the person that was going to contact me was Agnes Slater. There was no contact made until February 20 or February 22 of 1953 at which time I was told to be at the home of John and Gloria Killian that morning.

Mr. TAVENNER. Do you recall now how you received that information?

Mr. ONDREJKA. I think I received the information from Jerry Rose himself.

Mr. DOYLE. What day of the week was that?

Mr. ONDREJKA. It was a week day. I don't remember exactly what day it was.

Mr. DOYLE. Were you not working on the job?

Mr. ONDREJKA. I was, sir. I had many meetings that were going to follow. I went immediately from work in the morning, but as to the actual date it wouldn't matter because I worked 11 to 7 every night.

At this meeting there was John Killian, Gloria Killian, Agnes Slater, myself, Jerry Rose, and Ted Silverstine in his capacity as youth coordinator of the party.

Jerry Rose did the speaking at this meeting. He mentioned the fact that both John Killian and I were doing creditable jobs in Allen-Bradley plant. At this time we both were stewards, and he felt that there had to be a coordination of our activities in the plant, and therefore, at this meeting we had set up a cell.

Mr. TAVENNER. Is that not the same thing that Mr. Killian had told you quite some months before?

Mr. ONDREJKA. A year previous; that is correct, sir. He told us at that time that he and Ted were not to be members of that cell. He was the South Side division leader, but in addition to the 4 of us, John Killian, Gloria Killian, Agnes Slater, and myself, there was a fifth whom he was not going to disclose at that time, and on February 20 or 22 of 1953 was the formal organization of the Allen-Bradley cell. The prior year any activities at the Allen-Bradley plant would be gotten straight from Jerry Rose by word of mouth.

One thing, for instance, where Jerry Rose came to my home to discuss a matter with me is this: I had decided in 1952 that for the 1953 election it was time that there be some opposition within the union because the people weren't voting, and because the very same man ran for president unopposed except for one time. I had attempted to get Joseph Preloznik, the man that just testified before me, to run for president of the union, and I had told the union president that if

Joe wasn't going to run, I would run for the purpose of having some opposition to create interest in the election.

At that time in 1952 Jerry Rose came to my house, took me for a ride, which is very common—we often discussed things while riding in his car—and told me that it would be wrong for me to run against Herman Kenny. He did not bring up the question of the non-Communist affidavit. He felt that it would have to raise issues—the only way to run a campaign was to create issues. That is the type of activity between the South Side division and the union at that time.

At that time we had an Allen-Bradley cell composed of these 4 plus the unannounced fifth.

In February and March of 1953 I had conducted a tax service in local 1111 union office. It was while I was doing this tax service during the noon hours that one of the employees of local 1111 would come out to my table where I was doing the tax work. As this person ate lunch I would be questioned as to various phases, such as the Korean war. I would be brought into that subject and asked who I thought was responsible, and I immediately surmised that it was the series of questions in regard to my reliability as a party member, so I know at that time was the first report I had ever made about this particular person as being suspected of being the fifth Communist in our group.

Around March 1 of 1953 Jerry Rose, who was not an employee of the Allen-Bradley Co., who was in no way connected with local 1111 but who is the South Side division leader of the Communist Party, walked into that office without knocking, and when he came in I was sitting there and looked up and it was as though I slapped him across the face as he recoiled and immediately composed himself and asked if this person was in the union office. He sat with this person at the union office for about 15 minutes and he left.

In April 15 of 1953, give or take a couple of days, at a cell meeting we were told by John Killian, who was the chairman of my cell that he had discussed the matter with Jerry Rose and I believe the bundle of the special edition of the May Day Daily Worker that we were to take was 100 and the reason why he would have discussed this with Jerry Rose was this: When we set up this cell all activity was to funnel down from Jerry Rose to the chairman of the cell. He was to meet weekly with the South Side division leader in order to prepare an agenda which was a written agenda.

On this particular occasion we had decided to send a copy of the special edition, the May 1 edition of the Daily Worker, or the May Day edition of the Daily Worker to all the stewards. At that time we chipped in, the paper itself was paid for out of funds from the group, the Allen-Bradley cell, but the postage was to be made up by members of the group. I paid my postage that morning.

At the end of this meeting I had told John Killian that I would be glad to sit there the rest of the morning with him, that we might go through a telephone directory and get the names of the stewards so that we would have a mailing list to send them to. He said, "that isn't necessary because I will go to the union office and get them from one certain individual." He said to me, "In case you didn't know it this individual is the fifth member of our cell," and he asked if I was surprised; and the reason I remember is because he asked that question and I said, "No, I suspected it the day Jerry Rose was in the office."

Mr. TAVENNER. The person whose name he gave you as being the undisclosed member of your cell was actually the person that Rose had visited in the union office?

Mr. ONDREJKA. That is correct, sir.

Mr. TAVENNER. You have not mentioned the name of that individual?

Mr. ONDREJKA. I do not mention this person's name because of the fact that I was told by Jerry Rose at the first meeting it was an undisclosed fifth. I was told by John Killian who the member was but because of the fact that this member worked on days while we held our meetings at 8 o'clock in the morning, John Killian said that he would take the agenda which was written, plus the discussion notes that resulted from the meeting and he would go down early in the afternoon before work and brief this individual on it.

Now, I distinctly remember many times where the following week Agnes Slater was dropped from our group because of the fact that now this individual was a formal member that I knew of.

Mr. TAVENNER. Is that the undisclosed person?

Mr. ONDREJKA. So we dropped Agnes Slater to keep it in a group of four, and at subsequent meetings we would discuss who was present. He would say his wife had to go somewhere, she wouldn't be there and this undisclosed person could not be there. I would say Gloria Killian absent for such and such, undisclosed person cannot be there because of work. That is the way I wrote my reports.

Mr. TAVENNER. And the reason you are not giving that name is that the only way you can identify that individual is through hearsay testimony of John Killian?

Mr. ONDREJKA. And Jerry Rose. I had given you the name and you had said you preferred to take it up in executive session whereby this undisclosed person can answer in that hearing rather than publicly.

Mr. TAVENNER. Have you given this information to the staff?

Mr. ONDREJKA. I have, sir. As to this May Day meeting, at the subsequent meeting of our cell I had again attempted to help them along because for one thing I wanted to know the name of who the Daily Worker was going to, the special edition, and I had asked if I could help type the plain wrappers because they never sent the May Day edition so you could see the sides. It was put in a plain wrapper and the name was put on.

He said "There is no need for you to help because Gloria can whip those out in a few minutes with the list." Whether he had a list or not that was what he told me.

Mr. TAVENNER. You have no knowledge of your own that they were actually mailed?

Mr. ONDREJKA. I do not, sir. The only thing I know is that at that time, same period of time, my wife's cell also had a special edition of the Worker May Day edition and I mailed hers for her, but I don't know what became of the money we put in for postage or who John Killian sent those to.

Mr. TAVENNER. Back at the time of the organization of this particular cell of the party, I am not sure that you told us who was chosen as the chairman.

COMMUNIST ACTIVITIES IN THE MILWAUKEE, WIS., AREA 723

Mr. ONDREJKA. I am sorry. John Killian was chosen as the chairman and Gloria was the other officer because it would be far easier for them to get together.

Mr. TAVENNER. John Killian and his wife?

Mr. ONDREJKA. That is correct, sir. Anyway, until May there actually wasn't too much activity and then, of course, we were involved in contract negotiations. There was trouble. In the contract negotiations we didn't know if there was going to be a strike or not, and at the time we held a series of meetings, many of the meetings being between John Killian and myself at his home because Gloria at that time I think started to work and Agnes had been dropped from our organization, and of course the undisclosed one couldn't be there.

The type of thing to do was, for instance at that time it was decided that the way to get control of the union was not through the officers itself but to have a committee set up. What they had attempted to do was to have many committees, legislative committee, educational committee, welfare committee and so on within the union itself. It was our job to get on as many committees as possible. John Killian immediately got on the legislative committee and as head of each committee was one of the members of the executive board of local 1111.

At this particular meeting John told me the method he had used and how they had gotten around the member of the executive board who was Dody Marino. She was not connected with the Communist Party. She was an executive board member and head of the legislative committee. He became head of that committee and the people on the committee didn't come, so actually it operated as a committee of one who was John Killian.

He also told me how he went to Madison with James De Witt or Jimmy De Witt, whom I named earlier as not a Communist but as a labor representative. He said Dody got tired of waiting so she went back to Milwaukee on the bus, so he and De Witt went in to represent the local on the matter. It didn't matter if no one came to the meetings.

He was to gain control of the committee and the policy of the Communist Party was to be carried out on that level rather than on an upper level.

Some of the other things that happened there is that I now refer to not a meeting at John Killian's home but a meeting at my home. This meeting again was attended by the youth coordinator of the party, Ted Silverstine, as well as the South Side division leader, Jerry Rose.

Mr. TAVENNER. What group was this?

Mr. ONDREJKA. This was the Allen-Bradley cell once again. They came to my house, and there were many things under discussion, one of which was that the youth coordinator of the party insisted that simultaneous with our cell that they operate a labor youth league and his reasons for having the same were as follows.

Mr. TAVENNER. That doesn't mean a youth group league of the Communist Party?

Mr. ONDREJKA. At this time you know the Labor Youth League had taken over the duties of the youth of the party, but at the same time did not carry that banner of the Communist Party. At that time John and I were in a series of discussions to set up a young group within the

local itself, more or less on the order of a social group, but to get them more active in unionism which was the good end in itself because the younger people didn't care about the unions, didn't attend meetings or anything else.

But Ted Silverstine, the youth coordinator of the party activities of the youth said at that time, if that is all you are interested in is getting people active in the union without teaching them communism, you are wasting your time. That was the party reaction as far as how much interest they had in labor.

At that time I insisted that the time was not ripe for a Labor Youth League there because at that time the Labor Youth League was declared subversive by the Attorney General's Office, but I was overruled and it was decided that there was to be a labor youth league.

The second part of this meeting concerned the same individual that testified just before I did, Joe Preloznik. Joe Preloznik was already out as financial secretary and he had transferred from the day shift to the night shift. At that time I was having a lot of contact with him, and both John Killian and Jerry Rose made it quite clear that they were slightly alarmed by the situation, and that it was now my duty to go into that shop and publicly repudiate Preloznik in any shape or manner whatsoever. They told me in no uncertain terms what the party reaction was toward Joe Preloznik, the fact that they had much information to denounce him; they swore at him at that meeting, the same man that they had helped some years before. They said he was an FBI agent because of the fact that he was approached by the FBI, which he immediately related to his union president and made no secret of the fact that he was visited by them.

They insisted that he was an FBI man and I had to lay off of him as far as social contact. I told them at that time that I thought they were wrong. I would not repudiate the contract, and we left the meeting with nothing accomplished because I refused to go into the shop and smear this man.

During the following period not only did Jerry Rose work on me regarding this Preloznik matter, but he would go to my home and visit my wife after 11 at night and tell her what her responsibilities were regarding my shop.

Once you have something like that starting in a shop, you have the whole Communist Party involved also. He spent from that time on until I was out of the party telling my wife to work on me, what her obligation was to break up such a contact with a CIO man.

I knew from that time that it was the beginning of the end as far as I was concerned with the Allen-Bradley and that association.

We still held meetings. I did attend a CIO steelworkers' meeting in possibly August of 1953.

Now, I knew it was going to cause trouble because of the dissension in the shop. I thought that the CIO was going to take that part. I was told on a Monday morning if I wanted to attend that meeting that night to observe the thing.

I did attend that meeting but I left myself one out. That is the fact that before I went to the meeting I told my wife I was going to the meeting, why I was going, to protect the interests of the Communist Party, that if the other group came in John Killian would still be in the UE and I would have a finger on Joe in the other situation.

It so happened that the movement to break the UE was crushed, but the day after I had attended this meeting Jerry Rose came scooting up to my house very anxiously about the situation, and I explained to him why I had gone there. I brought my wife into the room to explain that I had told her about it, that it wasn't done as a secret, and from that time on until November I was engaged in a series of discussions with the South Side division leader, Jerry Rose, whereby he was attempting to show me what party line thinking was on matters like that.

One of the meetings was held at my home, one was held at the Mitchell Street coffee shop. Several of them were held in his car.

I had held the position and I knew I couldn't switch it at that time because there was a lot of dissension in the union. People were aware of the fact that it was a Communist union. I could not see why the Communist Party could not operate as effectively in some other union that the people wanted than in the UE.

At the time, he told me that, "it was contrary to party thinking, it was independent thinking because the UE is our union." That is a direct statement by him, and, "if you are critical of the leadership," he said, "so is the party critical of the leadership in this plant, but it is the duty of John Killian and yourself to set up such a broad base on the bottom level that it would not matter who were the officers of the union."

And at that time he cited to me a perfect example of how, when Communists use proper thinking, follow party line thinking on labor, that works out; and he cited to me the example of Ford's local 600 in Detroit. He had told me that at that time Reuther and his labor-breaking raiding bunch went into the Ford local, pulled out the leadership and put in their own administrative body.

Mr. TAVENNER. I might say that that was just a day or two after the completion of our hearings with reference to local 600.

Mr. ONDREJKA. I did not know that, sir, but I know that happened. But he said, and these are the words of Jerry Rose: "In spite of Reuther's attempt to split that union because of the fact that there was good party line foundation on the bottom levels," that he was, "completely ineffective and they held the same power they held before that time."

These discussions continued until November. I could not possibly turn on the man because I knew my effectiveness as an FBI agent was long since over. I took it on the basis that I was not changing my viewpoint on the matter, so on one particular morning in November we went for a long ride and went through all this again.

I told him that he may be right, but in my own mind I thought I was right.

He told me they felt they had no choice but to drop me from the party. At that very morning when I was dropped, he said, "Mike, there is no question about security that you could possibly be an FBI agent," which is certainly reasonable in view of my own family connection, but he said, "we cannot tolerate such independent thinking on the part of any member."

He told me that I was to go back into the shop. I was to introduce the steward that would replace me, take him to the members, tell the members that I made a mistake, that the UE was the only union.

Secondly, I was to do a public repudiation of Joe Preloznik and on that basis they would determine whether I got into the party.

I was not going to repudiate an innocent man and that was the end of my activities, other than because of my family relationship I was still able to gather information for the FBI, but certainly not on the same basis as before.

Mr. TAVENNER. That ends your work in the Communist Party?

Mr. ONDREJKA. That is correct, sir.

Mr. TAVENNER. When did it first become known publicly that you had been in the Communist Party for the Federal Bureau of Investigation?

Mr. ONDREJKA. On November 17 or 18 of 1954.

Mr. TAVENNER. Was that at the time that you were presented as a witness?

Mr. ONDREJKA. No; it was not, sir. It was 2 months before that. It was at that time that I was presented with a summons and complaint for a civil action here in Milwaukee, that being my wife's divorce action.

Mr. TAVENNER. Had you told her of your activity?

Mr. ONDREJKA. That is correct, sir. When I was filed with the papers I called up for counsel to the proper body, and that night I told her of my activity and the fact that I would have no choice but to counterclaim with an allegation, as the allegation now is.

Mr. TAVENNER. We do not want to go into that.

Mr. ONDREJKA. She was aware of it, and at that time I gave it to the parties that are interested in breaking up the Red conspiracy at Allen-Bradley.

Mr. TAVENNER. Mr. Chairman, I have no further questions.

Mr. DOYLE. Any questions, Congressman Willis?

Mr. WILLIS. I have no questions.

Mr. DOYLE. Mr. Scherer?

Mr. SCHERER. I have no questions.

Mr. DOYLE. May I ask the witness this question: I have never discussed it with you. I have no idea of what your answer is going to be, sir.

Under Public Law 601, which you have heard me mention briefly, this committee is charged with going into all questions with reference to possible remedial legislation in this field of subversive activities. I am asking you frankly to give us the benefit publicly of any thoughts you may have as to the functioning of this sort of a committee by the United States Congress.

You have been here for 2 or 3 days working with our investigators to a certain extent; you have been questioned by our distinguished counsel and by us.

Have you any suggestion to make in the field of legislation or congressional procedures for the benefit of your own country?

Mr. ONDREJKA. I would like to say this, sir. Certainly I am no expert on the matter, but I do have one opinion and that is this: I believe that the Internal Security Control Act of 1950 whereby Communists will have to register as Communists—it is my opinion that when these people have to go out into the shop regardless of what position they hold, steward, officer, and anything else, and it is disclosed that they are Communists, they are going nowhere because the average American is not going to take that stuff knowingly.

It is easy enough for them to address 700 or 5,000 people at a meeting and deny that they are a Communist, that they are just good liberals. Then when this law becomes effective they are going to disclose what they are and people will know.

As far as I am concerned, between the Smith Act and the Internal Security Control Act we have good legislation except for the fact that the one act has to be tested in the Supreme Court.

In regard to the congressional committee, I have never appeared before one and as far as my treatment is concerned, I was glad that I could appear under oath and certainly my treatment has been fine.

May I say one thing under oath? There has been a lot of rumor, and it is part of this Communist attempt to discredit. There have been a lot of other attempts through their leaflets. I am not concerned with those, but there has been the underhanded way of saying "Did Mike receive a \$2,000 bribe for coming out in the open publicly." If somebody would ask that question if I received a \$2,000 bribe I would appreciate it now.

Mr. DOYLE. I will ask you now.

Mr. ONDREJKA. You are asking me the question and I now state under oath, that the only amount of money ever received was 6 days lost pay for the time I testified in the Federal case in Chicago, and any attempt by any other person to make it \$2,000, \$2,500 or \$1,000 or \$500 is nothing but an attempt to discredit me, and I say let that man come under oath and state where he got that information.

Mr. DOYLE. I am going to ask you one more question. I think yesterday a couple of those witnesses may have had you in mind, Mr. Eggleston; possibly they had him in mind, too. Both these men whom we believe the record shows to be Communists pleaded the fifth amendment, too, which is their privilege provided they did it in good faith and necessarily; which we do not think they did.

What is your motive? Why did you, as a young American, turn against the Communist Party? Why did you go into the association with the FBI and expose the Communist conspiracy?

Mr. ONDREJKA. I went in because of the fact at that time when the FBI agents talked to me they mentioned the need for someone with the type of background I had that they felt could easily work himself into the party. I know that once I was in, there was no question, and having lived the type of life I have lived, in the close personal contact because I have lived communism day in and day out it was nothing to sit down at our table and brag about the fact that the North Koreans were driving our troops out of Korea.

I can see now where it was one of the wisest decisions I ever made.

Mr. DOYLE. Have you any other questions?

Mr. WILLIS. Yes, I would like to ask one question, and you brought it out yourself. You said that you have been testifying under oath which, of course, is true. With no implications whatsoever, especially the rumblings that you talked about and the accusations that might be hurled upon you because of your action in going to the FBI and testifying here today, I ask you this question: You know that you are under oath and you know the rules of being under oath, do you not?

Mr. ONDREJKA. I certainly do.

Mr. WILLIS. You have made some accusations and you have detailed those accusations and you have given time, place, circumstance, names, occasions, homes, clubs, and elsewhere identifying and naming these

people. I understand that some of them may be in the audience or may be called upon to testify here.

Now, I say, realizing as you do that if you have lied you are subject to perjury, that I think it is a grand opportunity for those people whom you have named to come forward and denounce you and let us and the courts decide who is telling the truth. Are you willing?

Mr. ONDREJKA. I welcome the opportunity for those that have denounced me in these past months to take the stand and say that it is a lie.

Mr. WILLIS. I will say if they are clean and they do not, they are missing a good chance.

Mr. DOYLE. Thank you, Mr. Ondrejka. As chairman of this committee I want to say that if there are any of you folks in this room who have been named by this gentleman as a Communist, we will give you the opportunity to come forward promptly to deny it. Of course, you are going to have to submit yourself to cross-examination. We would not give you that opportunity and have you turn around and plead the fifth amendment.

In other words, if any person within the hearing of my voice or otherwise wants to come forward in good faith and face the committee and give us a chance to question him about a denial, if he makes it, of this young man's testimony or any other witness' testimony we will not be like Mr. Eisensch. We will open the book and let the facts fall where they belong.

I want to thank you, young man, for your cooperation with your own Nation. You have rendered a great service. I hope you will place your native ability, which is very manifest, in the interests of our country as contra-distinguished from the Communist conspiracy and totalitarian form of government.

Mr. ONDREJKA. I thank you.

Mr. DOYLE. Mr. Tavenner, your next witness?

(Witness excused.)

Mr. TAVENNER. Mr. John J. Killian.

Mr. DOYLE. Mr. Killian, will you please raise your right hand? Do you solemnly swear to tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. KILLIAN. I do.

Mr. DOYLE. Please be seated.

TESTIMONY OF JOHN J. KILLIAN, ACCOMPANIED BY COUNSEL, M. MICHAEL ESSIN

Mr. TAVENNER. What is your name, please?

Mr. KILLIAN. John J. Killian.

Mr. TAVENNER. It is noted that you are accompanied by counsel. Will counsel please identify himself?

Mr. ESSIN. Counsel for Mr. Killian is M. Michael Essin, attorney, 623 North Second Street, Milwaukee 3, Wis.

Mr. TAVENNER. When and where were you born, Mr. Killian?

Mr. KILLIAN. I was born in Milwaukee, Wis., on October 15, 1925.

Mr. TAVENNER. Where do you now reside?

Mr. KILLIAN. I now reside in Milwaukee.

Mr. TAVENNER. Have you lived in Milwaukee all your life?

Mr. KILLIAN. Except for my years of military service in the United States Army and for the time when I was a student at the University of Wisconsin Law School in Madison, I have always resided in Milwaukee.

Mr. TAVENNER. When were you in the United States Army?

Mr. KILLIAN. I was in the United States Army from April 1944 until June of 1946.

Mr. TAVENNER. Is there anything about your service you desire to tell the committee?

Mr. KILLIAN. No, sir; except that I was very glad to serve my country and I learned a great deal, especially from my overseas service of some 18, 19 months.

Mr. TAVENNER. Will you tell the committee, please, what your educational training has been?

Mr. KILLIAN. I attended parochial grammar school in Milwaukee, public school, and I attended 3 years prelaw training at the University of Wisconsin in Milwaukee, and I attended for 2 years the law school of the University of Wisconsin in Madison.

Mr. TAVENNER. When did you terminate your work in the law school at Madison?

Mr. KILLIAN. In August of 1950, to the best of my recollection. I attended the summer session and I don't recall exactly when the term ended.

Mr. TAVENNER. Do you recall whether on the campus at Madison there was an organization known as the Young Progressives of America?

(Witness conferred with counsel.)

Mr. KILLIAN. Sir, I cannot be compelled to testify against myself. I invoke the fifth amendment.

Mr. DOYLE. I direct you to answer that question, please.

Mr. KILLIAN. Same answer, sir.

Mr. WILLIS. Young man, I do not know you and we seek cooperation. You could do us and yourself and your country a lot of good if you were frank with us and answered these questions. I think you would be put in a better light in your own community. Do you not want to reconsider that question?

Mr. KILLIAN. Same answer, sir.

Mr. TAVENNER. After completing your legal training at Madison, Wis., did you return to Milwaukee?

Mr. KILLIAN. Yes, I did, sir.

Mr. TAVENNER. In what business did you engage on your return?

(Witness conferred with counsel.)

Mr. KILLIAN. Sir, I would like to point out that you made a misstatement inadvertently. I did not complete my legal training.

Mr. TAVENNER. I believe you used the word "terminate," however, maybe we misunderstood you.

Mr. KILLIAN. When I returned to Milwaukee in September of 1950 I was unemployed and looking, seeking employment for a period.

Mr. TAVENNER. For how long a period were you seeking employment?

Mr. KILLIAN. To the best of my recollection perhaps a month.

Mr. TAVENNER. Then what employment did you obtain?

Mr. KILLIAN. I was hired by Briggs & Stratton Corp. as a stock-room worker.

Mr. TAVENNER. How long were you employed by that organization?

Mr. KILLIAN. To the best of my knowledge about 9, 10 months, sir.

Mr. TAVENNER. That would bring you up into the year 1951, I believe?

Mr. KILLIAN. It would, sir; close to it.

Mr. TAVENNER. What was your next employment?

Mr. KILLIAN. My next employment, I believe, was with the Seaman Body Division of the Nash-Kelvinator Corp.

Mr. TAVENNER. How long were you employed by that company?

Mr. KILLIAN. Approximately 3½, 4 months when I was laid off.

Mr. TAVENNER. What was the reason for that; do you know?

Mr. KILLIAN. I was laid off, sir. There was a cutback in employment.

Mr. TAVENNER. What was your next employment?

Mr. KILLIAN. I was unemployed for a period.

Mr. TAVENNER. How long a period?

Mr. KILLIAN. I don't recall exactly, a matter of weeks and the next place I was employed was at the City Services Oil Co.'s warehouse.

Mr. TAVENNER. How long were you employed by City Service?

Mr. KILLIAN. A matter of perhaps 5 or 6 weeks.

Mr. TAVENNER. What was your next employment?

Mr. KILLIAN. I was again without employment for a period; a very short period, and my next employment was with the Badger Paint Corp.

Mr. TAVENNER. How long were you employed by that company?

Mr. KILLIAN. Two or three weeks to the best of my recollection.

Mr. TAVENNER. What was your next employment?

Mr. KILLIAN. My next employment was with the Allen-Bradley Corp.

Mr. TAVENNER. When did that employment begin?

Mr. KILLIAN. September of 1951.

Mr. TAVENNER. Are you still employed by Allen-Bradley?

Mr. KILLIAN. I am, sir.

Mr. TAVENNER. What has been the nature of your duties there?

Mr. KILLIAN. I am engaged in the fabrication and assembly of metal enclosures for the switches which are made there.

Mr. TAVENNER. Do you know whether Allen-Bradley engages in defense work for the United States Government?

Mr. KILLIAN. Not to my knowledge, sir.

Mr. TAVENNER. Since September 1951 when your employment began at Allen-Bradley, have you been a member of the union which had bargaining rights at that plant?

Mr. KILLIAN. Yes, I have, sir.

Mr. TAVENNER. What is that union?

(Witness conferred with counsel.)

Mr. KILLIAN. The union is local 1111, UE.

Mr. TAVENNER. Had you belonged to that union prior to your employment at Allen-Bradley?

(Witness conferred with counsel.)

Mr. KILLIAN. No, sir; it is impossible.

Mr. TAVENNER. Were you elevated to any position within your union?

COMMUNIST ACTIVITIES IN THE MILWAUKEE, WIS., AREA 731

(Witness conferred with counsel.)

Mr. KILLIAN. Sir, I cannot be compelled to testify against myself. I invoke the fifth amendment.

Mr. DOYLE. May I ask would it incriminate you, in your judgment if you told the truth as to whether or not you became an officer of your union?

Mr. KILLIAN. Same answer, same reason, sir.

Mr. SCHERER. He has already opened the door. He said he was a member.

Mr. DOYLE. I direct you to answer the question.

Mr. KILLIAN. Same answer, sir.

Mr. SCHERER. The witness is clearly in contempt, Mr. Chairman.

Mr. DOYLE. We will let the record speak.

Mr. TAVENNER. I hand you a photostatic copy of a document and ask you to examine it, please, and state to the committee what it is?

(Document handed to witness.)

(Witness confers with counsel.)

Mr. KILLIAN. Sir, this purports to be an affidavit of a non-Communist union officer.

Mr. TAVENNER. What was the date on which the oath was taken in that affidavit?

Mr. KILLIAN. I quote from the document, sir: "Ninth day of December 1952."

Mr. TAVENNER. What office was it for which the affiant prepared the affidavit?

(Witness confers with counsel.)

Mr. KILLIAN. Sir, I am reading from the document and it does not appear that any specific office was indicated.

Mr. TAVENNER. I think that is correct. Will you read the body of the affidavit into the record?

Mr. KILLIAN. I now read, and quote from the document. Do you wish me to begin?

The undersigned, being duly sworn, deposes and says:

1. I am a responsible officer of the union named below.
2. I am not a member of the Communist Party or affiliated with such party.
3. I do not believe in, and I am not a member of nor do I support any organization that believes in or teaches the overthrow of the United States Government by force or by any illegal or unconstitutional methods.

Local 111, United Electrical, Radio and Machine Workers of America (UE), United Electrical, Radio and Machine Workers of America (UE).

Mr. TAVENNER. What is the name of the affiant as shown by this document?

Mr. KILLIAN. I continue to read from this document, "John J. Killian."

Mr. TAVENNER. What address is given?

Mr. KILLIAN. "1233 South 17th Street," I read from the document.

Mr. TAVENNER. Where did you live in December 1952, Mr. Killian?

(Witness conferred with counsel.)

Mr. KILLIAN. At 1233 South 17th Street, sir.

Mr. TAVENNER. Will you examine the signature of the name appearing there and state whether or not it is your signature or a facsimile thereof?

(Witness conferred with counsel.)

Mr. KILLIAN. Sir, I cannot be compelled to testify against myself. I invoke the fifth amendment.

Mr. TAVENNER. I desire to introduce the document in evidence and ask that it be marked "Killian Exhibit No. 1," and that it be incorporated in the transcript of the record.

Mr. DOYLE. It is so ordered.

KILLIAN EXHIBIT No. 1

UNITED STATES OF AMERICA NATIONAL LABOR RELATIONS BOARD

AFFIDAVIT OF NONCOMMUNIST UNION OFFICER

(See instructions on reverse)

The undersigned, being duly sworn, deposes and says:

1. I am a responsible officer of the union named below.
2. I am not a member of the Communist Party or affiliated with such party.
3. I do not believe in, and I am not a member of nor do I support any organization that believes in or teaches, the overthrow of the United States Government by force or by any illegal or unconstitutional methods.

Local 1111, United Electrical, Radio and Machine Workers of America (UE)

United Electrical, Radio and Machine Workers of America (UE)

(Signature) JOHN J. KILLIAN,
(Address) 1233 S. 17th St.,
Milwaukee 4, Wisc.

(The notary public or other person authorized by law to administer oaths must fill in completely all blank spaces below.)

Subscribed and sworn to before me this 9th day of December 1952.

A notary public or other person authorized by law to administer oaths and take acknowledgments in and for the county of Milwaukee, State of Wisconsin.

My commission expires November 15, 1953.

SONYA K. ESSIN.

[SEAL]

Mr. TAVENNER. Mr. Killian, as properly read by you this affidavit states: "I am not a member of the Communist Party or affiliated with such party."

Will you tell the committee, please, whether or not on December 9, 1952, you were a member of the Communist Party or affiliated with it?
(Witness conferred with counsel.)

Mr. KILLIAN. Sir, I cannot be compelled to testify against myself and I invoke the fifth amendment.

Mr. TAVENNER. The affidavit which you read further states that
The undersigned deposes and says: I do not believe in, and I am not a member of nor do I support any organization that believes in or teaches the overthrow of the United States Government by force or by any illegal or unconstitutional methods.

On December 9, 1952, were you a member of any organization that believed in or taught the overthrow of the United States Government by force or any illegal means or unconstitutional methods?
(Witness conferred with counsel.)

Mr. KILLIAN. I cannot be compelled to testify against myself. I thereby invoke the fifth amendment.

Mr. SCHERER. Of course, that affidavit is made under oath, is it not, Mr. Counsel?

Mr. TAVENNER. Yes, sir.

Mr. SCHERER. Subject to pains and penalties of perjury.
(Witness conferred with counsel.)

Mr. TAVENNER. Yes, sir.

Mr. SCHERER. What is the statute of limitations on perjury, Mr. Counsel?

Mr. TAVENNER. Three years.

Mr. SCHERER. In view of the testimony of Ondrejka, and in view of the refusal of this witness to answer on the grounds that it will incriminate him, I am going to move in executive session that this testimony be referred to the Department of Justice for prosecution for perjury.

Mr. DOYLE. I think the other two members of this subcommittee, Mr. SCHERER, will join you and we will all recommend to the full committee at Washington that this matter be referred to the Department of Justice to find out who is lying.

Mr. SCHERER. There is no question who is lying.

Mr. DOYLE. Someone is and I do not think it was Ondrejka.

Mr. TAVENNER. Mr. Killian, while employed at Allen-Bradley plant were you aware of the existence in that plant of a cell or organized group of the Communist Party?

(Witness conferred with counsel.)

Mr. TAVENNER. That is, composed of employees in that plant?

Mr. KILLIAN. Sir, I cannot be compelled to testify against myself. I invoke the fifth amendment.

Mr. TAVENNER. Were you not in fact the chairman of the Communist Party cell?

Mr. KILLIAN. The same answer, sir.

Mr. TAVENNER. Located within that plant?

(Witness conferred with counsel.)

Mr. TAVENNER. Are you acquainted with an individual by the name of Joe Preloznik?

(Witness conferred with counsel.)

Mr. KILLIAN. Sir, I cannot be compelled to testify against myself. I invoke the fifth amendment.

Mr. TAVENNER. Mr. Chairman, I request that the witness be directed to answer the question.

Mr. DOYLE. I direct you to answer the question, especially in view of the fact that I have seen you in the courtroom all day with your counsel, sitting close by the front so you must have seen the gentleman when he was testifying. I direct you to answer.

(Witness conferred with counsel.)

Mr. TAVENNER. I may remind the witness in that regard that counsel for the committee announced when the witness, Joe Preloznik, was called, and you may not have heard it, that he had no information indicating any former Communist Party membership on the part of Mr. Preloznik, and he was asked the question and denied that he had ever been a member of the Communist Party. Therefore it is a little difficult for me to understand why you now contend that to answer a question as to whether you knew him might tend to incriminate you.

Mr. KILLIAN. Could you please restate the question before the committee, sir?

Mr. TAVENNER. Will you go back and read the question to him as to whether or not he knew the gentleman?

(Question read by the reporter as above recorded.)

(Witness conferred with counsel.)

Mr. KILLIAN. Sir, do you intend by your question to ask me whether I knew him through my employment in the plant at Allen-Bradley prior to today?

Mr. DOYLE. The gentleman has already asked you the question. That is what he has asked you.

(Witness conferred with counsel.)

Mr. KILLIAN. Sir, I cannot be compelled to testify against myself. I invoke the fifth amendment.

Mr. WILLIS. Mr. Chairman, have you ordered him to answer the question?

Mr. DOYLE. I will again order him to answer the question.

Mr. KILLIAN. Same answer, sir.

Mr. DOYLE. May I ask you to turn around and look at the third man to the right of the gate there. Please do that.

Mr. SCHERER. Stand up, Mr. Preloznik.

Mr. DOYLE. Will you look at that gentleman? Are you acquainted with him?

(Witness conferred with counsel.)

Mr. KILLIAN. Same answer to the question as before, sir.

Mr. DOYLE. I direct you to answer the question.

Mr. KILLIAN. Same answer, sir.

Mr. WILLIS. Young man, we are not trapping you or fooling you. Why do you not reconsider that question?

Mr. SCHERER. Mr. Tavenner has given him opportunity to answer it, has explained it to him. If he wants to, in view of that, subject himself to contempt we cannot go any further than we have gone.

(Witness conferred with counsel.)

Mr. WILLIS. I meant to say to reconsider his position on this question and others.

(Witness conferred with counsel.)

Mr. DOYLE. May I state here that I think I am correct and my colleagues agree with me? There is only one narrow area within which a witness is justified legally in claiming the fifth amendment privilege against self-incrimination. I will read it. This is "when a witness fears that his truthful answer will place him in immediate danger of criminal prosecution." That is as the committee members understand the law to be.

Mr. KILLIAN. Sir, I must consult counsel.

(Witness conferred with counsel.)

Mr. KILLIAN. Sir, after consideration and consultation with counsel I reaffirm my previous decision to refuse to be forced to testify against myself.

Mr. SCHERER. Witness, you heard the testimony today of Ondrejka. Is any part of the testimony given by Ondrejka to this committee false?

(Witness conferred with counsel.)

Mr. KILLIAN. Sir, I cannot be compelled to testify against myself. I invoke the fifth amendment.

Mr. SCHERER. Is any of the testimony of Ondrejka as it specifically relates to you false?

(Witness conferred with counsel.)

Mr. KILLIAN. The same answer, sir. I invoke the fifth amendment.

Mr. SCHERER. Is the testimony of Ondrejka as it relates to you true?

(Witness conferred with counsel.)

Mr. KILLIAN. Same answer, sir.

Mr. SCHERER. You heard his testimony today, did you not?

Mr. KILLIAN. Yes, I did, sir.

Mr. TAVENNER. Is there any explanation that you desire to give of the factual situation which Mr. Ondrejka presented to the committee insofar as it related to you?

(Witness conferred with counsel.)

Mr. KILLIAN. In answer to the question of the committee counsel I again invoke the fifth amendment.

Mr. TAVENNER. You just have nothing to say?

(Counsel conferred with witness.)

Mr. KILLIAN. Is that a question, sir?

Mr. TAVENNER. No, I think it is a rather obvious comment. Are you now a member of the Communist Party?

Mr. KILLIAN. I cannot be compelled to testify against myself. I invoke the fifth amendment.

Mr. TAVENNER. Were you a member of the Communist Party at the time you gave the non-Communist oath under the Taft-Hartley Act?

(Witness conferred with counsel.)

Mr. KILLIAN. I cannot be compelled to testify against myself. I invoke the fifth amendment.

Mr. TAVENNER. Have you ever been a member of the Communist Party at any time?

Mr. KILLIAN. Same answer, sir.

Mr. TAVENNER. I have no further questions.

Mr. SCHERER. When you made that affidavit to which Mr. Tavenner referred, were you telling the truth?

(Witness conferred with counsel.)

Mr. KILLIAN. I invoke the fifth amendment. I cannot be compelled to testify against myself.

Mr. DOYLE. Are there are questions, Congressman Willis?

Mr. WILLIS. How old are you?

Mr. KILLIAN. Twenty-nine years of age, sir.

Mr. WILLIS. Are you married?

Mr. KILLIAN. Yes, I am, sir.

Mr. WILLIS. Do you have any children?

Mr. KILLIAN. I do, sir.

Mr. DOYLE. Any questions, Congressman?

Mr. SCHERER. No questions.

Mr. DOYLE. May I just say this to you as the father of American-born children, as one American to another, why do you not get out of the Communist conspiracy and support the Nation that gave you birth instead of being a party, which we believe you are, to the Communist conspiracy which is abroad in the world? This is no time for me to lecture to you. I do not mean that, but for God's sake get out of it. Do something to strengthen your country instead of weakening it.

The witness is excused unless counsel has some other questions.

Mr. TAVENNER. No, sir, I have not.

Mr. DOYLE. We will recess for 5 minutes.

(Witness excused.)

(Whereupon, a brief recess was taken.)

Mr. DOYLE. The committee will reconvene. The record will please show that the committee reconvened and the full membership of the subcommittee is in their places.

Again I want to thank the audience for your cooperation in being so quiet and helpful.

Call your witness, Mr. Tavenner.

Mr. TAVENNER. Mr. Gerald Rose, will you come forward, please?

Mr. DOYLE. Mr. Rose, will you please raise your right hand and be sworn?

Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. ROSE. I do.

Mr. DOYLE. Be seated, please.

TESTIMONY OF GERALD ROSE, ACCOMPANIED BY EDWARD H. SNYDER, COUNSEL

Mr. TAVENNER. What is your name, please, sir?

Mr. ROSE. Gerald Rose.

Mr. TAVENNER. Will counsel accompanying the witness please identify himself for the record?

Mr. SNYDER. Edward H. Snyder, 739 North Broadway, Milwaukee, Wis.

Mr. TAVENNER. Mr. Rose, are you also known by the name of Jerry Rose?

Mr. ROSE. Yes, sir.

Mr. TAVENNER. When and where were you born, Mr. Rose?

Mr. ROSE. I was born in Milwaukee April 25, 1925.

Mr. TAVENNER. Do you now reside in Milwaukee?

Mr. ROSE. I do.

Mr. TAVENNER. Have you lived in Milwaukee all of your life?

Mr. ROSE. All of my life except for the period when I was in the Army, for a period of time when I was at school and for 2 short months I was out of town.

Mr. TAVENNER. What was the period when you were in the Army?

Mr. ROSE. I was in the Army Air Corps from August 31 or August 20, 1943, to November 2, 1945.

Mr. TAVENNER. Did you serve overseas?

Mr. ROSE. Yes, sir, I did.

Mr. TAVENNER. In what theater?

Mr. ROSE. In the Mediterranean theater.

Mr. TAVENNER. Will you tell the committee, please, what your educational training has been?

Mr. ROSE. Grammar school, high school, sir. I received my B. A. from the University of Wisconsin.

Mr. TAVENNER. What year did you receive your B. A. degree?

Mr. ROSE. In 1950.

Mr. TAVENNER. How long were you at the University of Wisconsin as a student?

Mr. ROSE. I was in Milwaukee at the University of Wisconsin extension from 1946 to, I believe, the early part of 1948. Then I transferred out to the University of Wisconsin at Madison.

Mr. TAVENNER. Did you have any form of employment other than around the campus while you were in attendance at the University?

(Witness conferred with counsel.)

Mr. ROSE. Yes. That is, in Madison, sir?

Mr. TAVENNER. Yes, sir.

Mr. ROSE. Well, what sort of employment do you mean?

Mr. TAVENNER. I am asking you. If I knew, it probably would not be necessary for me to ask you.

Mr. ROSE. I did work as a waiter for a while on campus.

Mr. TAVENNER. I said other than on the campus.

Mr. ROSE. Yes, I was washing trucks for a while off campus and during summer vacations.

Mr. TAVENNER. Did you have any other employment during that period of time besides what you have told us, whether you were paid compensation for it or not?

(Witness confers with counsel.)

Mr. ROSE. I refuse to answer that question since I cannot be compelled to be a witness against myself under the fifth amendment.

Mr. DOYLE. I instruct you to answer that question, Witness. Certainly Congress is entitled to check on your identity, and you are testifying. You know best what you were doing in those years. For the purposes of identification and other purposes, we believe we are entitled to have your honest, frank answer. Therefore, I instruct you to answer that question.

(Witness confers with counsel.)

Mr. ROSE. The same answer, sir; the same reason.

Mr. TAVENNER. Mr. Rose, I have before me an excerpt from the Milwaukee Journal, date of July 8, 1949, the title of which is, "University of Wisconsin Reds Expel Member. Group Denies Actions Linked to State Ouster of Blair." The date line is Madison, Wis. Then we will read:

Expulsion of the University of Wisconsin student from the Communist Party for a display of white chauvinism was announced Friday.

Do you recall anything about that incident, Mr. Rose?

(Witness confers with counsel.)

Mr. ROSE. I refuse to answer this question since I cannot be compelled to be a witness against myself under the fifth amendment.

Mr. TAVENNER. The next paragraph of the article reads:

Gerald Rose, spokesman for the student section of the Dane County Communist Party, disclosed the action but refused to name the student.

You are referred to here as the spokesman for the student section of the Dane County Communist Party. Were you a member of that section at that time?

(Witness confers with counsel.)

Mr. ROSE. I invoke the fifth amendment, sir.

Mr. TAVENNER. On your return to Milwaukee, after the completion of your studies in the University of Wisconsin, how did you become employed?

(Witness confers with counsel.)

Mr. ROSE. To the best of my recollection, I believe I worked for a trucking company for a few months at that time.

Mr. TAVENNER. What was your next employment?

Mr. ROSE. Then I got a job at International Harvester.

Mr. TAVENNER. Your next employment?

Mr. ROSE. This is to the best of my recollection. I worked for the Heil Co.

Mr. TAVENNER. How long did you work there?

Mr. ROSE. I believe it was only for a few days, sir.

Mr. TAVENNER. What was your next employment?

Mr. ROSE. The Louis Allis Co.

Mr. TAVENNER. How long did you work there?

Mr. ROSE. Several months, sir.

Mr. TAVENNER. When did your employment terminate, about what date?

Mr. ROSE. Well [referring to notes] let me check here. Do you mind if I figure that out, sir?

Mr. DOYLE. You are entitled to refer to your written memoranda if you cannot remember where you worked and want to refresh your memory. Go ahead.

Mr. ROSE. As to the dates, sir. Would you repeat the last question in relation—

Mr. TAVENNER. My question was, When did that last employment terminate, about what date?

Mr. ROSE. At Louis Allis?

Mr. TAVENNER. Yes.

Mr. ROSE. That was approximately in January of 1952.

Mr. TAVENNER. What was your next employment?

Mr. ROSE. I then went to Nash Aircraft.

Mr. TAVENNER. How long were you employed there?

Mr. ROSE. I believe it was until September or October of that same year.

Mr. TAVENNER. What was your next employment?

Mr. ROSE. At the Harnischfeger Co.

Mr. TAVENNER. How long were you employed by that company?

Mr. ROSE. Into the beginning of 1953 I guess.

Mr. TAVENNER. What was your next employment?

Mr. ROSE. Then I went to work for Grede Foundries.

Mr. TAVENNER. How long were you employed there?

Mr. ROSE. For approximately a month.

Mr. TAVENNER. What was your next employment?

Mr. ROSE. I was unemployed for a period of several months.

Mr. TAVENNER. By choice or because you were unable to get work?

Mr. ROSE. I was unable to get work.

Mr. TAVENNER. Were you engaged in any other work during that period when you were unemployed?

(Witness confers with counsel.)

Mr. ROSE. I refuse to answer that question since I cannot be compelled to be a witness against myself under the fifth amendment.

Mr. DOYLE. I instruct the witness to answer the last question.

(Witness confers with counsel.)

Mr. ROSE. I again invoke the fifth amendment.

Mr. TAVENNER. What was your next employment after your one-month employment at Grede Foundries?

Mr. ROSE. I believe, sir, I worked for Plankinton Co.

Mr. TAVENNER. How long did you work there?

Mr. ROSE. About a month, sir.

Mr. TAVENNER. What was your next employment after that?

Mr. ROSE. I then got employment at the Express Freight Lines.

Mr. TAVENNER. Were you there more than a month?

Mr. ROSE. Yes, sir.

Mr. TAVENNER. How many months?

Mr. ROSE. I believe it was about 2 or 3 months.

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Mr. TAVENNER. Then what was your next employment?

Mr. ROSE. I got a job at Cudahy Packing.

Mr. TAVENNER. How long were you employed there?

Mr. ROSE. Well, from that period of time—

(Witness confers with counsel.)

Mr. DOYLE. How many months? That is a good way to phrase it.

(Witness confers with counsel.)

Mr. ROSE. I was employed at the Cudahy Packing for about 13, 14 months, sir.

(Witness confers with counsel.)

Mr. TAVENNER. When did your employment terminate?

Mr. ROSE. Just a second. During that period of time I was laid off, although I still carried my seniority at Cudahy.

Mr. TAVENNER. When did your employment terminate at Cudahy?

Mr. ROSE. I believe it was February of this year, sir, or January, the latter part of January.

Mr. TAVENNER. Will you tell us, please, why your employment was of such brief duration in all these many instances, except the last that you gave us, over such a relatively short period of time?

(Witness confers with counsel.)

Mr. ROSE. In a number of cases, I was laid off for lack of work. In other cases I was told that my work was unsatisfactory.

(Witness confers with counsel.)

Mr. ROSE. And also a couple of places I quit to get a better job.

Mr. SCHERER. Were you doing any particular work for the Communist Party, were you carrying out any assignment with respect to these various places by which you were employed?

(Witness confers with counsel.)

Mr. ROSE. Will you restate that question, please?

Mr. SCHERER. I think you had better read the question.

(Question read by the reporter.)

(Witness confers with counsel.)

Mr. ROSE. I refuse to answer this question since I cannot be compelled to be a witness against myself under the fifth amendment.

Mr. SCHERER. Is the real reason that your employment was of such duration because of the fact that you were assigned a specific job to do at these plants for the Communist Party rather than for the reasons you stated?

(Witness confers with counsel.)

Mr. ROSE. I invoke the fifth amendment on this question, sir.

Mr. SCHERER. Did you use the name of Rose at all of these plants that you told us about?

(Witness confers with counsel.)

Mr. ROSE. Yes.

Mr. SCHERER. Did you ever use any other name at any other time?

(Witness confers with counsel.)

Mr. ROSE. No.

Mr. SCHERER. Is Rose your correct name?

Mr. ROSE. Yes, it is.

Mr. TAVENNER. What was your employment after February 19 of this year?

Mr. ROSE. Well, I was unemployed for a few weeks.

Mr. TAVENNER. Then what was your next employment after that?

(Witness confers with counsel.)

Mr. ROSE. I became employed at American Motors, sir.

Mr. TAVENNER. Are you still employed there?

Mr. ROSE. Yes, sir.

Mr. TAVENNER. Mr. Rose, during the course of the testimony here, Mr. Ondrejka identified you as having been just a few years ago the South Side division leader or director of the Communist Party in the city of Milwaukee. He has also advised this committee of your activity in the formation of a Communist Party cell and the giving of directions with regard to the formation of the Communist Party cell at Allen Bradley plant in the city of Milwaukee.

He has also advised us that you gave him certain directions with regard to a person by the name of Joe Preloznik, in that Mr. Ondrejka was expected to go back into the union and discredit Mr. Preloznik. He has advised us that you told him that the Communist Party line was to support the UE, that the UE was your union, meaning the Communist Party union.

I want to give you this opportunity to tell the committee whether there is any part of that testimony which is untrue.

(Witness confers with counsel.)

Mr. ROSE. I invoke the fifth amendment, sir.

Mr. TAVENNER. As a matter of fact, you were the South Side division leader of the Communist Party, were you not?

(Witness confers with counsel.)

Mr. ROSE. I invoke the fifth amendment, sir.

Mr. TAVENNER. You did organize the Communist Party in the company that I mentioned, that is, the Allen Bradley Co.?

Mr. ROSE. I invoke the fifth amendment, sir.

Mr. SCHERER. Are you still a member of the UE Union?

(Witness conferred with counsel.)

Mr. SCHERER. Were you ever a member of the union?

Mr. ROSE. No.

Mr. DOYLE. I cannot help but notice, witness, that you consulted with your counsel before you said no.

Mr. SCHERER. Were you ever a member of the UE?

Mr. ROSE. I answered that question, sir.

Mr. SCHERER. I don't recall. I said, "are you a member of the UE today?" Now, were you ever a member of the UE?

Mr. ROSE. No, sir.

Mr. TAVENNER. You have stated that you are not a member of UE. Are you a member of the Communist Party at this time?

(Witness conferred with counsel.)

Mr. ROSE. I refuse to answer this question, sir, since I cannot be compelled to be a witness against myself under the fifth amendment.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. WILLIS. Have you ever been a member of the Communist Party?

Mr. ROSE. I invoke the fifth amendment, sir.

Mr. DOYLE. Mr. Scherer?

Mr. SCHERER. Witness, you have invoked the fifth amendment to almost all of the significant questions that have been asked you, claiming that to answer these questions might tend to incriminate you.

Now, as I told two of the previous witnesses, the 83d Congress passed a law which gives to this committee with the approval of the Federal court the right to grant immunity. In other words, this committee can say to you that you shall not suffer any penalty of any kind whatso-

ever if you testify and answer the questions we ask you. Now, if this committee should grant you immunity, and I am inclined to think that maybe you are one of the witnesses to which we might grant immunity, would you then answer the questions that have been asked you today and to which you have pleaded the fifth amendment?

(Witness conferred with counsel.)

Mr. ROSE. Sir, when that situation arises, I will meet it then.

Mr. SCHERER. By pleading the fifth amendment, you tell us that the only reason that you are not answering these questions is because you fear some possible action upon the part of the authorities which may deprive you of your liberty, that you may incriminate yourself in some way. Now, if that is removed, why can't you tell us now whether you would answer those questions?

(Witness conferred with counsel.)

Mr. SCHERER. I am not asking you to answer the questions now.

Mr. ROSE. I will answer the question at the proper time, sir.

Mr. SCHERER. You will answer our questions if we should grant you immunity? Is that what you mean?

(Witness conferred with counsel.)

Mr. ROSE. Well, when that situation arises, sir, where you will give me immunity, I will answer that question at that time for you.

Mr. SCHERER. Then you will decide at that time whether you are going to answer the questions or not?

(Witness conferred with counsel.)

Mr. SCHERER. Is that what you mean?

Mr. ROSE. Yes, sir.

Mr. SCHERER. Your answer now indicates to me then that you are not invoking the fifth amendment in good faith [Witness conferred with counsel] because the only thing you say in invoking the fifth amendment is that you fear criminal prosecution. Why can't you say now, if that fear is removed, not only the fear removed but the actuality of prosecution removed, whether you will answer these questions?

(Witness conferred with counsel.)

Mr. ROSE. I refuse to answer this question, sir, under the fifth amendment.

Mr. SCHERER. I just repeat then that it must be obvious to all of us that you are not invoking the fifth amendment in good faith.

I have no further questions.

Mr. DOYLE. I would like to ask the witness something about the fifth amendment. You seem to be or claim to be familiar with it. At least you stand on it, but you only quote one sentence in connection with it. What else is in the fifth amendment besides this one sentence that you have used?

(Witness conferred with counsel.)

Mr. DOYLE. What else is in the text of the fifth amendment?

Mr. ROSE. Well, as far as I know, there is the question of that an individual is, all individuals are, entitled to due process of law.

Mr. DOYLE. What else?

(Witness conferred with counsel.)

Mr. DOYLE. I am not asking you to ask your attorney what is in it. Maybe he does not know all of it.

Mr. ROSE. It contains a number of things. I am not familiar with those other things, sir.

Mr. DOYLE. Let me read it to you as part of your education :

No person shall be held to answer for a capital or otherwise infamous crime, unless on a presentment or indictment of a grand jury, except in cases arising in the land or naval forces, or in the militia when in actual service in time of war or public danger ; nor shall any person be subject for the same offense to be twice put in jeopardy of life or limb ; nor shall be compelled in any criminal case to be a witness against himself ; nor be deprived of life, liberty, or property, without due process of law ;

That is the other point you remember—

nor shall private property be taken for public use without just compensation."

If I am not mistaken, you recited 9 different places of employment that you engaged in in Milwaukee between January 1952 and the present date. What other employment in addition to these 9 places did you engage in, either nighttime or daytime? Did you do any writing for compensation? Did you do any organization work or lecturing? If so, what?

(Witness conferred with counsel.)

Mr. ROSE. I invoke the fifth amendment, sir.

Mr. DOYLE. Have you any other question, Mr. Tavenner?

Mr. TAVENNER. Where do you now reside?

Mr. ROSE. I now reside in Milwaukee, sir.

Mr. TAVENNER. At what address?

Mr. ROSE. I now reside at 924-A West Greenfield Avenue.

Mr. TAVENNER. How long have you lived there?

(Witness conferred with counsel.)

Mr. ROSE. I refuse to answer this question, sir, under the fifth amendment.

Mr. DOYLE. May I instruct you to answer, and I want to make it clear that the rules of this committee only permit legal counsel to advise a witness as to his constitutional rights. We never allow a lawyer, if we can help it, to tell a witness what to say except on his constitutional rights. I am stating that again for the future witnesses, because it ought to be perfectly clear by this time that we stand upon that premise.

I am instructing you to answer that question.

(Witness conferred with counsel.)

Mr. DOYLE. I think we are entitled to know where you have lived. The United States Government is entitled to know where its citizens live.

Mr. ROSE. I refuse to answer that question, sir, under the fifth amendment.

Mr. DOYLE. I want to give you another opportunity to answer it. I am instructing you to answer that question.

(Witness conferred with counsel.)

Mr. ROSE. I still refuse to answer, sir, under the fifth amendment.

Mr. DOYLE. I thought probably you would.

Any other questions, Mr. Tavenner?

Mr. TAVENNER. No, sir.

Mr. DOYLE. Any other questions, gentlemen?

The witness is excused.

(Witness excused.)

Mr. TAVENNER. Mr. Mark Berman.

Mr. DOYLE. Mr. Berman, will you please raise your right hand and be sworn?

Mr. BERMAN. Would you mind if they got done, because I would like to be—

Mr. DOYLE. Composed?

Mr. BERMAN. That is right. You hit the nail on the head.

Are the photographers done, Mr. Chairman?

Mr. DOYLE. You ask them.

Mr. BERMAN. You can do all you want, but I am just wondering if you are done.

Mr. DOYLE. Let us proceed.

Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BERMAN. I do.

Mr. DOYLE. Be seated.

If the press will desist, please, for the balance of this gentleman's testimony.

I am sure, counsel, that you heard my pronouncement of the committee rule. The presence of counsel is limited to advice as to constitutional rights, not to put words into the mouth of the witness.

Mr. FAIRCHILD. I understand the rule.

TESTIMONY OF MARK BERMAN, ACCOMPANIED BY THOMAS FAIRCHILD, COUNSEL

Mr. TAVENNER. What is your name, please, sir?

Mr. BERMAN. I am Mark Berman.

Mr. TAVENNER. Will counsel please identify himself for the record?

Mr. FAIRCHILD. Thomas Fairchild, 135 West Wells Street, Milwaukee, Wis.

Mr. TAVENNER. When and where were you born, Mr. Berman?

Mr. BERMAN. I was born March 1, 1928, on the outskirts of Flushing, N. Y.

Mr. TAVENNER. Where do you now reside?

Mr. BERMAN. I now reside in Milwaukee.

Mr. TAVENNER. What address?

Mr. BERMAN. At 3495 Borth Bremen.

Mr. TAVENNER. How long have you lived in Milwaukee?

Mr. BERMAN. I have lived in Milwaukee since approximately October of 1949.

Mr. TAVENNER. Will you tell the committee, please, what your educational training has been?

Mr. BERMAN. I attended the elementary schools, completed high school, and attended, though not consecutively, 12 straight months each year but for a 4-year period the University of Wisconsin in Madison.

Mr. TAVENNER. What were the years when you were there?

Mr. BERMAN. Between approximately September 1945 and June 1949, though I want to make clear I was not there 12 months per year in 4 straight years.

Mr. TAVENNER. Yes, I understand.

Mr. Berman, I hand you a photostatic copy of the Daily Cardinal, which is a paper published by the University of Wisconsin at Madison under date of May 21, 1948. In the upper left hand corner of this paper is a photograph. Will you examine it, please, and state what it is that you see there?

Mr. BERMAN. You said, Mr. Tavenner, the upper left hand corner?

Mr. TAVENNER. Yes.

Mr. BERMAN. In answer to your question of what I see, and I am describing in the upper left hand corner of this photostatic thing here, it says, "No. 90542, 1948 membership card Communist Party of the U. S. A., name: Mark Berman, Madison, Wis. Date issued October 20, 1947; signature of State chairman," above which is Fred B. Blair.

On the lower left hand side of the copy of this which is in the upper left hand side of the whole thing is a seal which is not completely legible. It says something about Wisconsin Committee, and says "Communist Party of the"—and that is all that is legible.

Mr. TAVENNER. Can you from your recollection supply the illegible information that you spoke of?

(Witness conferred with counsel.)

Mr. BERMAN. Well, Mr. Chairman—I mean, Mr. Tavenner; excuse me. I would refuse to answer that question on the grounds that it might tend to incriminate me.

Mr. DOYLE. You say you would refuse. Do you refuse to answer it?

Mr. BERMAN. I do refuse, Mr. Chairman.

Mr. TAVENNER. Does the photostat of the card show a signature?

(Witness conferred with counsel.)

Mr. TAVENNER. You read a name, but I want to know whether it is a signature or a typewritten name?

Mr. BERMAN. It seems to be a matter of interpretation. I mean it appears. In this I am just stating opinion. It appears that there are two signatures on it.

Mr. TAVENNER. Will you examine the name that appears there, "Mark Berman," and state whether or not it is in your handwriting?

Mr. BERMAN. I refuse to answer that question, Mr. Tavenner on the grounds that the answer to that question might also tend to incriminate me.

Mr. TAVENNER. Will you tell the committee, please, how many Communist Party cards you have held?

Mr. BERMAN. I refuse to answer that question on the grounds that that question also might tend to incriminate me.

Mr. TAVENNER. I know from what you have said that the date of this Communist Party card in the name of Mark Berman was dated in 1947. Had you been a member of the Communist Party at any time prior to 1947?

Mr. BERMAN. I refuse to answer that question, Mr. Tavenner, on the same grounds as before; the answer might tend to incriminate me.

Mr. TAVENNER. On the second page of the photostat you will see that a debate was held at the university or at least a public meeting was held in which you stated the reasons why you were a member of the Communist Party and another individual stated the reasons he was not a member of the Communist Party. Do you see that?

Mr. BERMAN. I see, Mr. Tavenner, what appears to be a description of what you are referring to.

Mr. TAVENNER. Did you engage in the public discussion that was indicated occurred?

Mr. BERMAN. I would refuse to answer that question also on the grounds that it, too, might tend to incriminate me, the answer.

Mr. TAVENNER. Were you active in the work of the Communist Party while you were a student at the University of Wisconsin?

Mr. BERMAN. Same answer, Mr. Tavenner. I refuse to answer that question, also, on the grounds that it might tend to incriminate me.

Mr. TAVENNER. I desire to introduce the document into evidence, Mr. Chairman, and ask that it be marked "Berman Exhibit No. 1," for identification purposes only, and to be made a part of the committee files.

Mr. DOYLE. It is so ordered.

Mr. TAVENNER. Did you come to Milwaukee in 1949 upon the completion of your work at the University of Wisconsin?

Mr. BERMAN. Eventually I did come to Milwaukee.

Mr. SCHERER. Where did you go to after you left the university?

Mr. DOYLE. Possibly the gentleman lived here all the time while he was attending the university?

Mr. BERMAN. I don't remember exactly what I did in the period between which I graduated and the period in which I came to Milwaukee to reside, so I couldn't—

Mr. SCHERER. When did you finish the university?

(Witness conferred with counsel.)

Mr. BERMAN. Did you mean did I get a degree from the university?

Mr. SCHERER. When did you terminate your connection with the University of Wisconsin?

Mr. BERMAN. I have already answered that question; June of 1949.

Mr. SCHERER. When you terminated your relationship with the school did you leave Madison?

Mr. BERMAN. Yes; I did.

Mr. SCHERER. Where did you go?

(Witness conferred with counsel.)

Mr. BERMAN. I was more or less, to use the expression, bumming around the country; I mean it, I took a vacation, took a rest.

Mr. SCHERER. Over how long a period did you bum around the country?

Mr. BERMAN. Approximately until, as I recall, approximately until October of 1949.

Mr. SCHERER. How many months was that?

Mr. BERMAN. Approximately three and a half, four months.

Mr. SCHERER. And you can not tell us any places you visited during that time?

(Witness conferred with counsel.)

Mr. BERMAN. Mr. Scherer, I would refuse to answer that question on the grounds that the answer might tend to incriminate me.

Mr. SCHERER. A few minutes ago you said that you did not remember where you were during that period. How can you take the fifth amendment now if you do not remember where you were?

Mr. BERMAN. I take it on my constitutional grounds, sir.

Mr. SCHERER. Did you go out of the country during that period?

Mr. BERMAN. I refuse to answer that question, sir, on the grounds that the answer might tend to incriminate me.

Mr. SCHERER. The fact is you were not bumming or taking a vacation. You were on an assignment for the Communist Party, were you not?

Mr. BERMAN. I refuse to answer this question, sir, on the grounds that it, too, might tend to incriminate me.

Mr. SCHERER. Were you telling us the truth a few minutes ago when you said that you were bumming and on a vacation during that period?

Mr. BERMAN. I would refuse to answer that question, sir, on the grounds that it might tend to incriminate me.

Mr. SCHERER. Do you mean you are taking the fifth amendment to a question as to whether or not a few minutes ago you told us the truth? That is a new one.

Mr. DOYLE. I will instruct the witness to answer that. That is a new one.

(Witness conferred with counsel.)

Mr. BERMAN. Could I hear the question again?

Mr. SCHERER. I think I am going to withdraw the question at this point. Go ahead, Mr. Tavenner.

Mr. TAVENNER. On your return to Milwaukee what employment did you have?

Mr. BERMAN. I procured employment at what is now known as the American Motors Corp. in January of 1950.

Mr. TAVENNER. What work did you engage in in Milwaukee between October of 1949 and January 1 when you became employed?

Mr. BERMAN. I would refuse to answer that question, Mr. Tavenner, on the grounds that said answer might tend to incriminate me.

Mr. TAVENNER. How long did you remain employed by American Motors?

Mr. BERMAN. I am presently employed by American Motors.

Mr. TAVENNER. Have you been employed continuously since January 1, 1950, by that company?

(Witness conferred with counsel.)

Mr. BERMAN. I have worked continuously for the American Motors Corp. from January of 1950, and I am employed there presently, though there were intermittent layoffs due to cutbacks, failure to sell cars, et cetera.

Mr. TAVENNER. During the time you were employed by American Motors were you a member of a union having bargaining rights with that organization?

Mr. BERMAN. You said "were." I am presently employed there.

Mr. TAVENNER. That would cover it.

Mr. BERMAN. And the question?

Mr. TAVENNER. Have you been a member of a union at any time since the beginning of your employment with American Motors?

Mr. BERMAN. Yes.

Mr. TAVENNER. What is the name of the union?

Mr. BERMAN. Local No. 75 UAW-CIO.

Mr. TAVENNER. During that period of time have you occupied any office or position within your union?

(Witness conferred with counsel.)

Mr. BERMAN. Mr. Tavenner, in regard to that question I would like to say that the chairman of the subcommittee made the statement at the beginning of the hearing that this hearing would not be involved in the question of unions and union matters, and it would not take up the question of conflict between companies and unions or one union and another union, and my feeling is—I do not wish to misinterpret, but I do feel that the line of questioning at this point is somewhat in contradiction with the statement with which the subcommittee chairman opened the hearings on yesterday.

Mr. TAVENNER. You will recall, also, that the chairman said that wherever it had information of a reliable character that an individual was a member of the Communist Party they would follow it regardless of where it led.

Mr. DOYLE. That is correct, Mr. Tavenner, and I made it crystal clear that we would try to follow the Communist conspiracy whether it went into a union, a church, a university or any place else. That is what we are doing, sir, with you.

Mr. TAVENNER. Please answer the question.

(Witness conferred with counsel.)

Mr. BERMAN. The question just once again, please.

Mr. TAVENNER. My question was whether or not you have been an official or held any position within your union during the period of time that you have been employed at American Motors?

Mr. BERMAN. I have not been what is called an official, but I have served as a head steward of my department. I was elected as a member of the union election committee by the membership.

Mr. TAVENNER. Will you give us the date when you became steward?

Mr. BERMAN. At this point I could not give the date. I mean I don't recall the date.

Mr. TAVENNER. You have been employed there only since January 1, 1950?

(Witness conferred with counsel.)

Mr. TAVENNER. You can come within a month, certainly, of the time.

Mr. BERMAN. In regards to the question of head steward, approximately at the beginning of 1955, sometime in January.

Mr. TAVENNER. January 1955. Is that an elective office or an appointive office?

Mr. BERMAN. It is an elective office.

Mr. TAVENNER. Were you a member of the Communist Party at the time you ran for that office?

Mr. BERMAN. I refuse to answer that question, sir, on the grounds that the answer might tend to incriminate me.

Mr. TAVENNER. Have you ever denied before the membership of your union that you were a member of the Communist Party?

Mr. BERMAN. I would refuse to answer that question, sir, on the grounds that an answer might tend to incriminate me.

Mr. TAVENNER. Actually you have been engaged in various extensive work for the Communist Party since the fall of 1949 in Milwaukee, have you not?

Mr. BERMAN. I refuse to answer that question on the grounds that the answer might tend to incriminate me.

Mr. TAVENNER. As a member of the Youth Group of the Communist Party in Milwaukee you were the organizer of the Labor Youth League in the fall of 1949, isn't that true?

Mr. BERMAN. The same answer; I refuse to answer that question on the grounds that the answer might tend to incriminate me.

Mr. TAVENNER. It is because of that that you would not answer the question as to what you did just prior to your obtaining employment in 1950 in Milwaukee because you were giving full time to the Communist Party in the fall of 1949, is that not correct?

Mr. BERMAN. I refuse to answer that question for the same reason; the answer might tend to incriminate me.

Mr. SCHERER. It is obvious, then, that the witness lied to us when he said that during those 2 years or during the time that he left Madison and came to Milwaukee, he was merely bumming around the country and taking a vacation.

Mr. TAVENNER. Mr. Berman, the committee heard the testimony of Mr. Ondrejka that you were active in the preparation of the material, or at least the supervision of the preparation of the material, for a Communist paper entitled Unity; that on one occasion he saw on a table a stack of the issues of that organization; that he overheard Jack Kling, who was then the head of the Communist Party for the State of Wisconsin, take you to task for certain inaccuracies or typographical errors for the construction of that material that was in the magazine, and that Kling said that he expected something better of you with a paper of this description.

Will you tell the committee, please, what you know about the printing of that paper?

Mr. BERMAN. Are you asking a question?

Mr. TAVENNER. I certainly am.

Mr. BERMAN. I am refusing to answer that question or to give the information. I am refusing to answer the request and the question on the grounds that the answer might tend to incriminate me.

Mr. TAVENNER. Was that paper published in the city of Milwaukee?

Mr. BERMAN. The same answer; I refuse to answer on the grounds that it might tend to incriminate me.

Mr. SCHERER. Was anything Ondrejka said with reference to you untrue?

Mr. BERMAN. I refuse, Mr. Scherer, to answer your question on the same grounds, that said answer might tend to incriminate me.

Mr. SCHERER. Is it not a fact that everything Ondrejka said about you and your activities in the Communist Party was true?

Mr. BERMAN. I refuse to answer that question as well on the same grounds; that the answer might tend to incriminate me.

Mr. SCHERER. If what Ondrejka said about you was untrue would you tell us?

Mr. BERMAN. I refuse to answer that question, as well, on the same grounds. Said answer might tend to incriminate me.

Mr. TAVENNER. Mr. Chairman, I think I should call to the committee's attention that the publication of this Communist pamphlet or bulletin by the Wisconsin auto section of the Communist Party is a violation of the law from the standpoint of the printer under the 1954 amendment to the Internal Security Act of 1950 unless the printing press or the other paraphernalia used in the printing of it was registered as provided by law.

(At this point, Mr. Scherer left the room.)

Mr. TAVENNER. The staff has conducted some further investigation of that matter and though it is not in a position to announce anything with regard to the printer of it, if the printer is the outfit that the staff thinks it is, it has not complied with the law, and the committee may desire to consider whether or not it will refer the matter to the Department of Justice for further investigative and prosecutive action.

Mr. DOYLE. I will say, counsel, that the committee will be interested in knowing whether or not there has been a violation of law by the printer or the Communist Party or anyone, and if there has been, let us cite it to the Department of Justice.

There have been plenty of violations by the Communist conspiracy without letting it get by with any violation of law.

Mr. TAVENNER. If the testimony of Mr. Ondrejka about this witness is true, he is in a position to give the Government that information. I think the committee should consider having his immunity waived and having him give the testimony on the point of this criminal violation.

Mr. DOYLE. Do you have further questions, Mr. Tavenner?

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. BERMAN. I refuse to answer that question, sir, on the grounds that said answer might tend to incriminate me.

Mr. TAVENNER. Have you ever been a member of the Communist Party?

Mr. BERMAN. I refuse to answer the question on the same grounds that the question might tend to incriminate me.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. DOYLE. Mr. Willis?

(At this point, Mr. Scherer reentered the room)

Mr. TAVENNER. Mr. Chairman, I would like to ask an additional question or two.

Mr. DOYLE. Proceed.

Mr. TAVENNER. Mr. Berman, have you advised the committee whether or not you worked at the Nash-Kelvinator Co.?

(Witness conferred with counsel.)

Mr. BERMAN. The Nash-Kelvinator Co. is the name of the company which I referred to before, but which has lately become the American Motors Co., and that is the name that it is now known as.

Mr. TAVENNER. So your testimony before related to that same employment, though we did not identify it as such.

When did you begin working for the Nash-Kelvinator Co., now the American Motors?

Mr. BERMAN. As I previously stated sometime in January of 1950.

Mr. TAVENNER. Did you work for any other concern during 1950?

(Witness conferred with counsel.)

Mr. BERMAN. I can't recall.

Mr. TAVENNER. You can't recall whether you had any other employment or otherwise during 1950?

Mr. BERMAN. I can't recall, sir, because I can't recall every occasion which we had what is referred to as seasonal layoffs and I know they have been numerous, but I can't recall when they were.

Mr. TAVENNER. Let me see if I can refresh your recollection. Did you work for the Long Life Rug Co.?

Mr. BERMAN. I refuse to answer this question, sir, on the grounds that said answer might tend to incriminate me.

Mr. DOYLE. I instruct you to answer. How in the world could whether or not you worked for this Long Life Rug Co. in this city incriminate you or tend to? Is that not a legitimate business?

(Witness conferred with counsel.)

Mr. BERMAN. I refuse to answer that question, sir, on the grounds that the answer might tend to incriminate me.

Mr. TAVENNER. Is your recollection refreshed now at this point as to where you worked during 1950 since I asked you that question?

(Witness conferred with counsel.)

Mr. SCHERER. I recall that the Long Life Rug Co. is the company owned by the wife of Mortimer Altman, who testified here the other day, and when I asked him who the other employees were he took the fifth amendment.

Mr. DOYLE. That is right. He said he did not own any of the rug business, his wife owned it all.

Mr. BERMAN. Will you repeat the question, please?

Mr. TAVENNER. I asked you if my question to you about the possibility of your having worked at the Long Life Rug Co. refreshed your recollection as to where you did work during that year.

Mr. DOYLE. So that the witness will have it clear, I instructed you to answer.

Mr. BERMAN. I will refuse to answer that question on the grounds that the answer might tend to incriminate me.

Mr. WILLIS. Mr. Tavenner, on the question of timing, his testimony is that he left college in June and roamed around until October of 1949. You had better go back and ask him from that time and do not restrict it, please, to 1950 because there won't be any escape.

Mr. TAVENNER. Have you worked with the Long Life Rug Co. at any time?

Mr. BERMAN. I would refuse to answer that question, sir, on the same grounds as previously stated; the answer might tend to incriminate me.

Mr. DOYLE. You say you would refuse. Do you refuse?

Mr. BERMAN. I do refuse.

Mr. DOYLE. Then I do instruct you to answer that question.

Mr. BERMAN. I still, sir, do refuse to answer that question on the grounds that the answer might tend to incriminate me.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. DOYLE. Have you any questions, Congressman Willis?

Mr. WILLIS. No questions.

Mr. DOYLE. Congressman Scherer?

Mr. SCHERER. Yes.

The witness, in response to some questions I asked him earlier refused to say whether any part of the testimony of the witness, Ondrejka, was true or whether it was false, basing his refusal to answer on the ground that to do so might tend to incriminate him.

Witness, I am going to ask you whether or not after you leave the hearing room like so many other witnesses of your caliber have done, you are going out and say that Ondrejka lied about you or lied in his testimony, or that he was an informer or stool jigeon? Are you going to do that after you leave the hearing room?

Mr. BERMAN. I refuse to answer that question, sir, on the same grounds. I do refuse to answer that question on the grounds that the answer might tend to incriminate me.

Mr. SCHERER. I have no further questions.

Mr. DOYLE. I think in view of the witness' reference to my preliminary statement at the announcement of this hearing yesterday morning, and I believe I have noticed you, Mr. Witness, in the courtroom both all day yesterday and all day today prior to the time you were called—

Mr. BERMAN. Just a correction on that. I was not in the room here all day yesterday. I came for just a short while in the afternoon.

Mr. DOYLE. You were here all this morning.

Mr. BERMAN. I think pretty much so.

Mr. DOYLE. In view of your reference to my 3-page statement, I think I will read just quickly the 2 paragraphs that seem pertinent in view of your observation about the union situation.

(Witness conferred with counsel.)

Mr. DOYLE. I will quote again:

The purpose of this present investigation starting this morning is to determine first whether there has been any planned Communist activity in this important area, and to show the nature, extent, character, and objection thereof.

It is not limited to this, however. The committee is especially interested in ascertaining the methods used by the Communist Party in infiltrating local industrial units, civic organization or other groups, and the extent of its influence in economic and social phases of our society.

The committee wants it understood that in the conduct of the hearing it proposes to follow and uncover if it can the Communist Party activities of any person as to whom reliable information indicates Communist Party affiliation whether that person be in the field of labor or any other field.

Now, sir; that is what I said and I want to say to you that we believe we have reliable information, as our questions indicated, of your continuous Communist Party activity. We are determined, as far as we can as American Congressmen, that the Communist conspiracy is not going to infiltrate.

As far as we can cooperate with respectful, decent organized labor we are going to see to it that you do not take over any organization in our Nation whether it is labor or otherwise.

Mr. Counsel and members of the committee, I was asked twice this afternoon whether or not our committee had any recent evidence, other than what came before this committee, of the fact that the Communist Party in our Nation advocates the use of force and violence. I will not read it all, but I will ask without objection to put into the record just 3 paragraphs in an opinion by the distinguished Illinois judge of the United States District Court, Northern District of Illinois, Eastern Division, in the case of the *United States of America, plaintiff, v. Claude Mack Lightfoot, defendant*, with which I am sure my distinguished colleagues are familiar. This was made by the distinguished court judge on November 1, 1954. I will read just 3 paragraphs and ask your O. K. to put the text of the full decision in the record of this hearing.

Quoting the judge:

The extracts show that from a stated belief in the principles of Marxism-Leninism a reasonable mind could conclude beyond a reasonable doubt the corresponding belief in the use of force and violence for the overthrow of the Government of the United States. In fact many courts have apparently so construed them.

I find that, considering the documentary evidence plus the testimony of the witnesses, there was evidence from which a reasonable mind could conclude beyond a reasonable doubt that the Communist Party was, during the indictment period, one which advocated the overthrow of the Government by force and violence as speedily as circumstances would permit.

Having found upon ample evidence that the advocacy of the party was of the use of force and violence for the purposes described, the jury could hardly have found that the defendant did not have knowledge of this advocacy. Considering his writings in evidence, which call for a dedication to Marxism-Leninism, and all the testimony of the witnesses, I find that there was evidence from which a reasonable mind would conclude beyond a reasonable doubt that the defendant knew that the Communist Party advocated the overthrow of the Government of the United States by force and violence, and that he intended to bring about such overthrow by force and violence.

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DECISION OF JUDGE PHILIP L. SULLIVAN, UNITED STATES DISTRICT COURT, CHICAGO, IN THE LIGHTFOOT CASE

I have been keenly aware that this is not an ordinary criminal case; throughout the trial, I have been sensitive to the justice of defendant's contention that it would be difficult to secure a fair verdict on this issue; and I have been aware that many of us tend to discard our normal thinking and reactions when we hear the word "communism." For these reasons, I wish to make an exhaustive study of the evidence submitted, with a view to using my power under rule 29 of the Federal Rules of Criminal Procedure to direct a judgment of acquittal if it should appear that the verdict of the jury was not supported by evidence from which a reasonable mind could conclude guilt beyond a reasonable doubt.

This study has convinced me that the verdict of the jury was supported by the required evidence.

The defendant was indicted under section 2 of the Smith Act (title 18 U. S. C. A., sec. 2385) which provides:

"Whoever organizes or helps or attempts to organize any society, group or assembly of persons who teach, advocate, or 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 society, group or assembly of persons knowing the purposes thereof * * *" [Italic supplied].

The indictment charges that from on or about July 25, 1945, and continuously thereafter, up to and including the date of the indictment (May 14, 1954), the Communist Party was a society of persons advocating the overthrow of the Government of the United States by force and violence as speedily as circumstances would permit; and that the defendant was a member of that organization during the same period, knowing these purposes, and intending to bring about such overthrow by force and violence as speedily as circumstances would permit.

That defendant was a member of the Communist Party was admitted by himself as well as by his counsel, and established by formal proof.

The evidence of the Government tending to prove the "advocacy" of the party falls into several categories. First: There was evidence tending to show that: The party has "secret" members; in schools conducted by it, training was uniform and according to an established pattern; it is a highly organized group, built on well-defined administrative levels and maintaining discipline within its ranks. This evidence was of course significant as showing the deviation of the Communist Party from normal political parties, and an interference may fairly be drawn from it that significant reasons for the deviation exist.

Second: There was evidence to show its teachings and beliefs. This evidence established that the Communist Party is a political party "basing itself on the principles of scientific socialism, Marxism-Leninism." To prove the meaning of this term, there have been introduced a number of extracts from the books which have been described as the "classics" of Marxism-Leninism. A few of these works, on which it was testified the Communist Party relies, are: Communist Manifesto: Stalin, Foundations of Leninism; Lenin, Left Wing Communism, An Infantile Disorder; Stalin, Problems of Leninism.

The extracts show that from a stated belief in the principles of Marxism-Leninism, a reasonable mind could conclude beyond a reasonable doubt a corresponding belief in the use of force and violence for the overthrow of the Government of the United States. In fact, many courts have apparently so construed them.

I find that, considering the documentary evidence, plus the testimony of the witnesses, there was evidence from which a reasonable mind could conclude beyond a reasonable doubt that the Communist Party was, during the indictment period, one which advocated the overthrow of the Government by force and violence as speedily as circumstances would permit.

Having found upon ample evidence that the advocacy of the party was of the use of force and violence for the purposes described, the jury could hardly have found that the defendant did not have knowledge of this advocacy. Considering his writings in evidence, which call for a dedication to Marxism-Leninism, and all the testimony of all the witnesses, I find that there was evidence from which a reasonable mind could conclude beyond a reasonable doubt that the defendant knew that the Communist Party advocated the overthrow of the Government of the United States by force and violence, and that he intended to bring about such overthrow by force and violence.

Now in company with that quotation by this distinguished Federal court judge, I want to say to the witness, why do you not get out of

that conspiracy? Why do you not place your natural talents in support of the Nation which gave you birth and the birth of your children and your lovely family, and gave you a chance for public education? Why do you not serve our own Government and Nation instead of the Marxism-Leninism conspiracy which right today advocates the forceful, violent overthrow of our constitutional form of government; and you know it does. Why do you not get out of it?

That is the reason this committee is here. We know without peradventure of a doubt that the Communist Party, of which we believe this young witness and these other witnesses who have pleaded the fifth amendment are members, and in which we believe they have been active, is a damnable conspiracy and that is the reason we are here in Milwaukee: To help expose this damnable conspiracy. I do not hesitate to tell any American man to get out of it.

Who is your next witness, Mr. Tavenner?

Mr. BERMAN. Mr. Chairman, am I dismissed?

Mr. DOYLE. Yes, and we thank you for being so patient.

(Witness excused.)

Mr. TAVENNER. Mr. Berger, will you come forward, please.

Mr. BERMAN. Six dollars a day is nonunion and scab wages and I don't want it.

Mr. DOYLE. It is the payment that your Government pays. It is just like you Communists to call it wages; that the United States Government pays scab wages because you think of it as a scab. I am ashamed of you.

Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BERGER. Yes, sir.

TESTIMONY OF SIDNEY D. BERGER, ACCOMPANIED BY THOMAS R. AMLIE, COUNSEL

Mr. TAVENNER. What is your name, please, sir?

Mr. BERGER. Sidney D. Berger.

Mr. TAVENNER. Will counsel please identify himself for the record?

Mr. AMLIE. The name is T. R. Amlie, 1726 Height Street, Madison, Wis.

Mr. TAVENNER. When and where were you born, Mr. Berger?

Mr. BERGER. December 30, 1925, city of New York.

Mr. TAVENNER. Where do you now reside?

Mr. BERGER. The city of Milwaukee, Wis.

Mr. TAVENNER. What is your address in Milwaukee?

Mr. BERGER. 1334 North 15th Street.

Mr. TAVENNER. How long have you lived in Milwaukee?

Mr. BERGER. 1949.

Mr. TAVENNER. Will you tell the committee, please, what your educational training has been?

Mr. BERGER. Grammar school elementary grades, high school, college, postgraduate work, 10 years of religious studies, 4 years of musical studies and at present I am enrolled at the Wisconsin State College in Milwaukee.

Mr. TAVENNER. Will you tell us, please, where you received the various types of training which you have described?

Mr. BERGER. Do you mean advanced training, college?

Mr. TAVENNER. Yes, advanced college training.

Mr. BERGER. I was a student of government and public administration at the College of the City of New York, a free institution.

Mr. TAVENNER. During what period?

Mr. BERGER. I enrolled there in 1942, received my degree in June of 1948; but I was away for several years in the United States Army Air Force.

Mr. TAVENNER. What years were you in the Air Force?

Mr. BERGER. I enlisted in December of 1943 and was discharged in November of 1945.

Mr. SCHERER. When you were in the United States Air Force were you a Communist?

(Witness conferred with counsel.)

Mr. BERGER. On the grounds that any answer to this question will be placing me in the position of being a witness against myself I will refuse to answer.

Mr. WILLIS. Did you take allegiance to the Government of the United States when you were in the Air Force?

Mr. BERGER. Absolutely, sir.

Mr. WILLIS. And you will not answer the question as to whether you were a Communist at the same time?

Mr. BERGER. The same answer.

Mr. WILLIS. Meaning what specifically? Let us get it in the record.

Mr. BERGER. As I cited to Mr. Scherer's question.

Mr. TAVENNER. Have you completed giving us a statement of the places you took your various courses and advanced training?

Mr. BERGER. No, sir. I told you that I was graduated from CCNY and I did one semester of postgraduate work at the University of Wisconsin at Madison.

Mr. TAVENNER. When was that?

Mr. BERGER. That was in September of 1948 until January of 1949.

Mr. TAVENNER. Is there anything since that?

Mr. BERGER. I enrolled for the spring semester of 1951 at Marquette University, but dropped out after several weeks of classes. I was out of school then, that is I wasn't enrolled at a college until this spring semester again at Wisconsin State although I have been doing studies in music and on a private basis for many years.

Mr. TAVENNER. Maybe I misunderstood you, but I thought you indicated in answer to my first question about your education that you had spent a number of years in religious study.

Mr. BERGER. That is correct, sir.

Mr. TAVENNER. I have not understood where that occurred, and when?

Mr. BERGER. This was from the ages of 5 or 6 until 16 continuously.

Mr. TAVENNER. You came to Milwaukee in 1949?

Mr. BERGER. That is correct.

Mr. TAVENNER. What was your purpose in coming to Milwaukee?

(Witness conferred with counsel.)

Mr. BERGER. Well, it seems like a funny question. I had no purpose other than that for almost a year I had been traveling around the country and had not settled down, and when I arrived here did not have very much intention of what I was going to do or knowledge of what I was going to do. I came to Milwaukee as I had been to a number of cities in traveling around the United States.

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Mr. TAVENNER. You did not receive any suggestion by the Communist Party to locate in this area or anything of that character; is that what I understand you to mean?

(Witness conferred with counsel.)

Mr. BERGER. On advice of counsel I shall not answer the question because of the previous reason that I do not wish to find myself in the position of becoming a witness against myself.

Mr. SCHERER. Then you did not come to Milwaukee under the circumstances you told us just a few minutes ago, that you just picked out Milwaukee like you picked out any other city. That was not the truth, then, was it?

Mr. BERGER. Is that your interpretation, sir?

Mr. SCHERER. I am asking you.

Mr. BERGER. I will cite my previous answer.

Mr. SCHERER. Were you telling us the truth a few minutes ago when you said you selected Milwaukee?

Mr. BERGER. I was under oath when I made that statement, sir.

Mr. SCHERER. I am asking you were you telling the truth when you said that you just selected Milwaukee with no particular direction, no particular reason?

Mr. BERGER. I swore under oath to answer questions truthfully.

Mr. SCHERER. That is not the question. I am asking you whether you told us the truth when you said that.

Mr. Chairman, I ask that you direct the witness to answer.

Mr. DOYLE. I do, Mr. Witness. I direct you to answer the question.

(Witness conferred with counsel.)

Mr. BERGER. Of course, the answer was true.

Mr. SCHERER. It was true?

Mr. BERGER. And I say, of course, that I took the oath and I, of course, intend to abide by the oath.

Mr. SCHERER. Then, again Mr. Tavenner's question, did you come here at the instruction of the Communist Party?

Mr. BERGER. Again I cite the answer that I gave.

Mr. SCHERER. What was that answer?

(Witness conferred with counsel.)

Mr. BERGER. On the advice of counsel I decline to answer since this question may place me in such a position that I shall be a witness against myself.

Mr. SCHERER. To me your answers are totally inconsistent. If you came here with no purpose at all, you just happened to pick out Milwaukee, and then the next question is asked you whether you came here at the direction of the Communist Party and you refuse to tell us; obviously your answers are totally inconsistent.

Mr. BERGER. I am sorry you can't follow my reasoning, sir.

Mr. SCHERER. Frankly, I cannot.

Mr. BERGER. This is why I have hired counsel.

Mr. SCHERER. If you had not come here at the direction of the Communist Party would you so tell us?

Mr. BERGER. I believe I told you before how and why I came to Milwaukee.

Mr. SCHERER. I am asking you now if you had not come here at the instruction of the Communist Party would you so tell us?

Mr. BERGER. Well, I don't see that this is any different from the question I just refused to answer.

Mr. SCHERER. I ask that you direct the witness to answer.

Mr. DOYLE. I direct you, Mr. Witness. It is a different question.

Mr. BERGER. Then please repeat it.

Mr. SCHERER. If you had not come here at the direction of the Communist Party would you so tell us?

(Witness conferred with counsel.)

Mr. BERGER. I will stand on the same grounds, sir.

Mr. SCHERER. In other words, you are taking the fifth amendment?

Mr. BERGER. Yes, sir.

Mr. TAVENNER. Were you a member of the Communist Party while living in New York prior to your coming to the city of Milwaukee?

(Witness conferred with counsel.)

Mr. BERGER. I cite my previous answer, sir.

Mr. TAVENNER. Were you a member of the Communist Party while you were in attendance at the City College of New York?

Mr. BERGER. I cite my previous answer, and I would like to just extend it one step further and say that I consider these questions an invasion of my right to free speech, thought, and association under the first amendment to the Constitution, though, of course, I will refer to the fifth amendment privilege as afforded me.

Mr. SCHERER. Mr. Tavenner, when did the witness say he came to Milwaukee?

Mr. TAVENNER. In 1949.

Mr. SCHERER. Did we not have some testimony in Detroit that about that time the Communist Party sent out of New York a lot of these young fellows with educational backgrounds such as this to colonize industry?

Mr. TAVENNER. Yes, that testimony was in Flint, Mich.

Mr. DOYLE. I remember that testimony very well.

Mr. SCHERER. Some of them came out of New York. What college did he go to in New York?

Mr. TAVENNER. The City College of New York.

Mr. SCHERER. A number of them came from the City College of New York under the direction of the Communist Party.

Mr. BERGER. I take it that this isn't meant as a slur upon my former college?

Mr. DOYLE. Not at all.

Mr. SCHERER. We are quoting the testimony.

Mr. BERGER. I also take it that you are not referring to Matusow.

Mr. TAVENNER. Did he attend the City College of New York to your knowledge?

Mr. BERGER. I know nothing about that character but what I read in the newspapers.

Mr. TAVENNER. Do you know Mr. Howard Falk?

(Witness conferred with counsel.)

Mr. BERGER. I am afraid I don't.

Mr. TAVENNER. He was in attendance at the City College of New York in September 1949.

Mr. BERGER. I would say there were some 15,000 or more students at that college.

Mr. TAVENNER. Did you meet any of the students at the City College of New York who went into the Buick plant and other automobile production companies in the city of Flint prior to their leaving New York?

(Witness conferred with counsel.)

Mr. BERGER. I am afraid I just haven't made it my business or pleasure to follow the careers of anyone else in my class.

Mr. TAVENNER. Were you requested to go out into industry by any member of the Communist Party while you were in attendance at City College of New York?

(Witness conferred with counsel.)

Mr. BERGER. Sorry, sir. I will cite my previous reference in refusing to answer questions of this type.

Mr. DOYLE. In other words, merely to make your answer fuller, do you stand on the fifth amendment?

Mr. BERGER. The first and fifth amendments, sir.

Mr. SCHERER. I am beginning to think that this fellow just didn't come here to Milwaukee by accident.

Mr. BERGER. You have the right to free thought.

Mr. SCHERER. Particularly when he takes the fifth amendment to the question as to whether or not he came here at the direction of the Communist Party?

Mr. TAVENNER. What has been your employment since you have been in Milwaukee?

Mr. BERGER. It covers a great many jobs because this has been a hard-hit town for employment, that is since 1949, if you would study our economic conditions. There were long stretches of unemployment for me.

Mr. TAVENNER. Let us begin at the beginning. You arrived here at what time in 1949?

Mr. BERGER. Sometime during the summer.

Mr. TAVENNER. How soon after your arrival did you become employed?

Mr. BERGER. I don't think for many months.

Mr. TAVENNER. What was your first employment?

Mr. BERGER. God, I was doing day labor around town. I can't remember every one of them, but there are day-labor agencies in this town.

Mr. TAVENNER. What was your first place of regular employment?

Mr. BERGER. The Grede Foundry.

Mr. TAVENNER. When did your employment begin at the Grede Foundry?

Mr. BERGER. I do believe it was January or February of 1950.

Mr. TAVENNER. How long did that employment last?

Mr. BERGER. Until sometime in March, I think.

Mr. TAVENNER. March of 1950?

Mr. BERGER. Yes.

Mr. SCHERER. Before we leave that, Mr. Tavenner, I may not have listed this as carefully as I should, but what was his educational training?

Mr. TAVENNER. His educational training was in Government between 1942 and 1948, and then from September 1948 to 1949 he was at the school in the University of Wisconsin.

Mr. SCHERER. What was his training; what type of training?

Mr. TAVENNER. What was your course of training in Wisconsin?

Mr. BERGER. What studies was I taking?

Mr. TAVENNER. Yes.

Mr. BERGER. I was there for 1 semester and took 4 unrelated subjects.

Mr. SCHERER. Will you answer Mr. Tavenner's question? What subjects did you take?

Mr. BERGER. I was enrolled to do graduate work in economics.

Mr. SCHERER. What did you major in while you were at the City College of New York?

Mr. BERGER. It could be considered government and economics.

Mr. SCHERER. What type of work did you do when got this first job with the Grede Foundry Co.?

Mr. BERGER. Quite rugged labor.

Mr. SCHERER. Was that plant organized?

Mr. BERGER. By Mr. Grede, yes.

Mr. SCHERER. You know what I mean. Did they have a union in the plant?

Mr. BERGER. They had no union.

Mr. TAVENNER. How long did that employment continue?

Mr. BERGER. I would say until sometime in March if I remember accurately, Mr. Tavenner.

Mr. TAVENNER. What was your next employment?

Mr. BERGER. I became quite ill about that time and was in veterans hospital and unable to work for a long period after that.

Mr. TAVENNER. My question was what was your next employment.

Mr. BERGER. The A. O. Smith Corp.

Mr. TAVENNER. How long were you employed by that corporation?

Mr. BERGER. From the latter part of June 1950 until sometime in January of 1951.

Mr. SCHERER. What did you do at the A. O. Smith Co.?

Mr. BERGER. Not quite so rugged labor.

Mr. SCHERER. What type?

Mr. BERGER. It was manual work. They called it labor.

Mr. SCHERER. What did the A. O. Smith Co. produce?

Mr. BERGER. Automobile chassis.

Mr. SCHERER. Did they have any defense contracts?

Mr. BERGER. If they did I was unaware of them. I worked in the division producing automobile chassis.

Mr. SCHERER. Your work was entirely different from what your training had prepared you for. What you did was entirely foreign to your training in college, was it not?

Mr. BERGER. Hard work isn't terribly foreign to me; no.

Mr. SCHERER. Not foreign to you, but foreign to your training. You said you majored in government and economics. You have not told us yet the type of work you did. You just said it wasn't as hard a labor job as the other plant.

Mr. BERGER. Yes.

Mr. SCHERER. You were not trained for the work you did at A. O. Smith Co., were you?

Mr. BERGER. No; I suppose not.

Mr. SCHERER. It was foreign to your college background?

Mr. BERGER. You might say.

Mr. TAVENNER. What was your next employment after leaving A. O. Smith Co.?

Mr. BERGER. I believe that it was the Abel & Bach Corp.

Mr. TAVENNER. Have you omitted any employments that you had prior to the one time that you are now giving us?

Mr. BERGER. No, I believe I told you that if there were small jobs, two-bit, two-week jobs, I don't remember them all.

Mr. TAVENNER. Did you work at the Long Life Rug Co.?

Mr. BERGER. When?

Mr. TAVENNER. Any time?

Mr. BERGER. You are in some kind of chronological order, and I don't think you are in order.

Mr. TAVENNER. We have not arrived there yet. Excuse me. Go ahead. How long did you work at the Abel & Bach Co.?

Mr. BERGER. I would say until February or March.

Mr. TAVENNER. What year?

Mr. BERGER. Fifty-two.

Mr. SCHERER. What kind of company was this Bach corporation?

Mr. BERGER. Primarily a luggage concern and they also made television cabinets.

Mr. SCHERER. Did they have any defense contracts that you know of?

Mr. BERGER. I wouldn't think so.

Mr. SCHERER. What type of work did you do there?

Mr. BERGER. I was an inspector.

Mr. SCHERER. During the time that you worked at the companies that you have already mentioned did you engage in any Communist Party activities?

(Witness conferred with counsel.)

Mr. BERGER. At the advice of my counsel I decline to answer this question.

Mr. SCHERER. Let us make it more specific. Did you engage in any Communist Party activities in these plants?

Mr. BERGER. The same citation.

Mr. TAVENNER. After the completion of your employment at Abel & Bach in March 1952 what was your next employment?

Mr. BERGER. The Nash Body Corp.

Mr. TAVENNER. How long were you employed by Nash Body?

Mr. BERGER. I was continuously on their employment rolls from then until today.

Mr. TAVENNER. When I asked you a moment ago about your employment by the Long Life Rug Co. you said that I was out of the proper chronology.

When, then, were you employed by the Long Life Rug Co., because you brought us up to date and you have said nothing about it?

Mr. BERGER. During one of many layoffs that workers are faced with at Nash Body Corp., and if I remember correctly it might have been sometime during 1953 for a few weeks.

Mr. SCHERER. Did you get that job at Long Life Rug Co. through the Communist Party or because of your associations in the Communist Party?

(Witness conferred with counsel.)

Mr. BERGER. Well, irrespective of what I think of the question I will decline to answer it for the same reasons that I have so far refused to answer questions of this type.

Mr. SCHERER. Who was the owner of Long Life Rug Co.?

Mr. BERGER. I am afraid I don't accurately know.

Mr. SCHERER. Did you know Mortimer Altman?

Mr. BERGER. Did I know him? What does that mean, "did I know him?"

Mr. SCHERER. With all this education that you have had you should know what the question means, "Did you know Mortimer Altman?"
(Witness conferred with counsel.)

Mr. BERGER. I shall decline to answer the question, sir, on the grounds that I previously cited.

Mr. SCHERER. Was he not connected with the Long Life Rug Co.?

Mr. BERGER. The same answer, the same reason.

Mr. SCHERER. You knew Mortimer Altman to be a top functionary of the Communist Party in this area, did you not?

Mr. BERGER. Same answer, same reason.

Mr. SCHERER. As a result of your meeting Mortimer Altman in the Communist Party you got the job in his plant or his wife's plant?

Mr. BERGER. Same answer for the same reason.

(Witness conferred with counsel.)

Mr. SCHERER. Is it not a fact that most of the people employed there were members of the Communist Party?

(Witness conferred with counsel.)

Mr. BERGER. I decline for the same reason stated.

Mr. DOYLE. About how many employees, Mr. Berger, were there working at the same time you were? About how many, if you recall? Were there 6 or 5?

(Witness conferred with counsel.)

Mr. BERGER. No, sir, I think it was far fewer than that. It was not a thriving business. There might only have been 1 or 2. I am not saying with accuracy.

Mr. DOYLE. If there were 1 or 2, it was you, then, and Mr. Altman. Is that your recollection?

Mr. BERGER. I believe there was someone else.

Mr. DOYLE. There were three then?

Mr. BERGER. I said I can't remember.

Mr. DOYLE. Who was the employer or the boss of the activity that you engaged in at the Long Life Rug while you were there? Was it Mrs. Altman, a woman, or was it Mr. Altman?

Who was the person who gave you a check every week?

Who gave the directions of what you should do as an employee?

(Witness conferred with counsel.)

Mr. SCHERER. Who appeared to run the Long Life Rug Co.?

Mr. BERGER. Mrs. Esther Altman.

Mr. DOYLE. That is all, Mr. Tavenner.

Mr. SCHERER. Pardon me, Mr. Counsel; who is the other witness that worked at the Long Life Rug Co.?

Mr. TAVENNER. No other witness admitted, he worked there.

Mr. SCHERER. But we asked a witness.

Mr. TAVENNER. The witness previous to this, Mr. Mark Berman.

Mr. SCHERER. Do you know Mark Berman?

(Witness conferred with counsel.)

Mr. BERGER. I decline to answer, sir, for the same reasons that I have previously stated.

Mr. SCHERER. Did you see the previous witness that testified?

Mr. BERGER. I saw him, yes, sir.

Mr. SCHERER. You were in the room. Do you know that man?

Mr. BERGER. I decline to answer the question.

Mr. SCHERER. Did you ever see him before?

Mr. BERGER. Same answer, same reason.

Mr. SCHERER. Was he one of the employees at the Long Life Rug Co. at the time you were there?

(Witness conferred with counsel.)

Mr. BERGER. He was not.

Mr. SCHERER. I have no further questions.

Mr. DOYLE. I might state this for the benefit of any witnesses that are here, or counsel. We are going to finish hearing the testimony of the witness we have subpoenaed no matter if we stay here until midnight tomorrow and all day tomorrow night. We are going to finish the hearings.

Mr. TAVENNER. Mr. Berger, we have heard during the course of this hearing testimony from Mr. Ondrejka in which he advised us that Sidney Berger did considerable traveling in the State of Wisconsin visiting ministers and priests in various areas of the State for the purpose of promoting the American Peace Congress to be held in Chicago.

(Witness conferred with counsel.)

Mr. TAVENNER. Did you ever engage in work of that character?

Mr. BERGER. I can't recall hearing such testimony, but nevertheless I will decline to answer.

Mr. TAVENNER. I think possibly I have misstated the testimony. I believe his testimony was that instead of being interested in the Peace Congress that I mentioned, you visited various ministers and priests throughout the State in connection with various peace campaigns. Is that how you recall the testimony?

Mr. BERGER. I recall that this was said here this morning. Did I hear it?

Mr. TAVENNER. Yes.

Mr. BERGER. I heard it.

Mr. TAVENNER. That is substantially what the testimony was, was it not?

Mr. BERGER. Yes, that is what he said.

Mr. TAVENNER. Was he truthful in his statements with regard to your participation in that matter?

(Witness conferred with counsel.)

Mr. BERGER. Truth or falsity is not something I wish to discuss. I decline to answer the question for the reasons I have previously given in refusing to answer questions of this nature.

Mr. TAVENNER. If you are basing your answer on your disinclination to answer questions of this kind I am sure the committee would not accept that.

Mr. BERGER. Sir, I told you I was disinclined; I would not allow myself to be put in a position of testifying. This is my disinclination.

Mr. TAVENNER. Are you clearly placing yourself on the fifth amendment?

Mr. BERGER. Yes, sir.

Mr. TAVENNER. Mr. Ondrejka testified that your work in this regard was very successful. Will you tell the committee in what way it was successful if it was?

(Witness conferred with counsel.)

Mr. BERGER. I again resort, and gratefully, to the privileges afforded me by the first and fifth amendments of the Constitution of our Republic.

Mr. TAVENNER. I hand you a photostatic copy of the Daily Worker for June 28, 1951, page 5, and ask you to read a paragraph which Mr. Jones will point out to you.

(Document handed to witness.)

Mr. TAVENNER. Will you read it aloud, please, sir?

Mr. BERGER. The particularly isolated paragraph?

Mr. TAVENNER. Yes.

Mr. BERGER (reading):

In a report on a 1,600-mile tour through Wisconsin on behalf of the Peace Congress Sidney Berger wrote this week that thousands of farmers are looking towards a peace congress with hope.

Mr. TAVENNER. Did you take the trip alluded to in that news article of the Daily Worker?

Mr. BERGER. I must decline to answer for the reasons stated.

Mr. DOYLE. Mr. Tavenner, may I ask the young man this question: How in the world could your activities in the interests of world peace incriminate you? Are we not all interested in getting an enduring world peace? I would not be in Congress, for instance, 30 seconds if I was not working for that end.

If you took a 1,600-mile trip or a 100-mile trip in the interests of world peace, how in God's name could it incriminate you?

(Witness conferred with counsel.)

Mr. DOYLE. Of course, if you were traveling as an agent of the Communist Party, that is another thing, because their contention of a basis of world peace is that we lose our liberty as a freedom-loving people.

I can understand that but I am being sincere in my question. You had a wonderful religious training from the time you were 6 until you were 16, according to your own testimony. I, as a man, believing in God, can understand why you would be interested in world peace, but how in God's name could it incriminate you to say so? What are you afraid of? Could there be any criminal prosecution? I cannot conceive of a circumstance in which you could possibly be prosecuted in a criminal case because you took a 1,600-mile trip in the interests of world peace.

Mr. SCHERER. Unless as you said, Mr. Doyle, he did it as an agent of the Communist Party. That is the only conclusion you can draw then, from his refusal to answer on the ground that it might incriminate him. You cannot draw any other conclusion than that he did it as an agent of the Communist Party. Otherwise he certainly cannot take the fifth amendment and if he did, then he would be invoking the fifth amendment improperly.

Mr. DOYLE. May I be perfectly frank with you again, witness. My conception of the Communist Party representations of their basis for an enduring world peace is that they are phony reasons, a phony basis. Perhaps that is what you are thinking of when I ask you these questions. I concede that the Communist Party basis for world peace is phony and is threatening to our liberty as a freedom-loving people; but on the basis of world peace how in the world could you be prosecuted criminally?

(Witness conferred with counsel)

Mr. DOYLE. Proceed, Mr. Tavenner.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. BERGER. The same answer, the same reasons.

Mr. TAVENNER. Have you ever been a member of the Communist Party?

Mr. BERGER. I cite my previous answer.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. DOYLE. Any questions, Mr. Willis?

Mr. WILLIS. No, no questions.

Mr. DOYLE. Mr. Scherer, questions?

Mr. SCHERER. I have no questions.

Mr. DOYLE. I know you have been in the courtroom all day and therefore you will realize, witness, that I am not targeting you. Let me urge you that which I have done with the other witness. For heaven's sake get out of the Communist conspiracy. I do not care in what denomination or sect your religious training was. You apparently have had great religious training which no doubt should be a great inspiration to you.

Mr. BERGER. It is.

Mr. DOYLE. If it is, and you have just said it is, why do you not direct that great religious inspiration toward the democratic way of life instead of to a totalitarian conspiracy advocating the use of force and violence, even as late as this decision you heard me read by the great Federal judge—

(Witness conferred with counsel.)

Mr. DOYLE. November 1954. Why do you not direct it against that conspiracy instead of with it? I think you owe it to your Nation to get out of it and give your talents, which are apparently very plentiful, to your country. You did not volunteer much, but I could tell by your answers that you are pretty well read and have had a fine schooling. Young men in your generation have so much to give that you should not be taking away strength from the country that gave you birth, and that is what you are doing in the Communist conspiracy.

I think you know it, but you are afraid to take a positive position. I do hope I have not done you an injustice, but I do not think I have. I feel I would do myself an injustice if I had not taken this opportunity to say this to you because I respect every man's religion very greatly.

You are excused, Mr. Berger.

Mr. BERGER. Congressman Doyle, I had another subpoena.

Mr. DOYLE. This will take the place of that one.

Mr. BERGER. Thank you.

(Witness excused.)

Mr. TAVENNER. Mr. Murray Wolfson, would you come forward, sir?

**TESTIMONY OF MURRAY WOLFSON, ACCOMPANIED BY COUNSEL,
JACK GOODSITT**

Mr. TAVENNER. What is your name, please, sir?

Mr. WOLFSON. Murray Wolfson, W-o-l-f-s-o-n.

Mr. TAVENNER. Will counsel please identify himself for the record?

Mr. GOODSITT. Jack L. Goodsitt.

Mr. DOYLE. Mr. Tavenner, I want to swear the witness before you begin the questioning.

Do you solemnly swear to tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. WOLFSON. Yes, sir.

Mr. TAVENNER. Your name is still Mr. Wolfson?

Mr. WOLFSON. Yes, sir, it is.

(At this point, Mr. Scherer left the room.)

Mr. TAVENNER. When and where were you born, Mr. Wolfson?

Mr. WOLFSON. I was born in New York City on September 14, 1927.

Mr. TAVENNER. When did you come to Milwaukee?

Mr. WOLFSON. In September of 1950 or possibly the end of August 1950.

Mr. TAVENNER. Will you tell the committee, please, what your educational training has been?

Mr. WOLFSON. Yes, sir. I attended primary school in New York City and high school there and took a bachelor's degree, bachelor of science in economics and statistics at the City College of New York. I graduated in 1948. I entered in 1943. That period of training was interrupted by a period in the service.

Mr. TAVENNER. While you were attending the City College of New York did you become acquainted with Mr. Berger, who just left the stand, Mr. Sidney Berger?

(Witness conferred with counsel.)

Mr. WOLFSON. No, sir.

Mr. TAVENNER. Upon your arrival here in September 1950 what was your first employment?

Mr. WOLFSON. At the Geuder, Paeschket & Frey Co.

Mr. TAVENNER. In what business is that company engaged?

Mr. WOLFSON. It is engaged in fabrication of ironing boards, pots, and pans, and so on.

Mr. TAVENNER. How long were you employed by that company?

Mr. WOLFSON. I was employed there from September of 1950 until the end of that year, possibly January of the following year.

Mr. TAVENNER. What was your next employment?

Mr. WOLFSON. At the J. I. Case Co. in Racine, Wis.

Mr. TAVENNER. That took you away from Milwaukee?

Mr. WOLFSON. Yes, sir.

Mr. TAVENNER. Did you move your residence to Racine from Milwaukee?

(Witness conferred with counsel.)

Mr. WOLFSON. If you meant that I established my home in Racine, yes.

Mr. TAVENNER. When did you move to Racine?

Mr. WOLFSON. January of 1951, I imagine, it was toward the beginning, possibly before the turn of the year.

Mr. TAVENNER. How long did you continue to live in Racine?

Mr. WOLFSON. Until the fall of the following year.

Mr. TAVENNER. While you were in Racine did you learn of the existence of an organized group of the Communist Party at that place?

Mr. WOLFSON. Sir, I refuse to answer that question on the grounds that it may tend to incriminate me.

Mr. TAVENNER. Did you return to Milwaukee when you left Racine?

Mr. WOLFSON. Yes, sir.

Mr. TAVENNER. What employment did you take there?

Mr. WOLFSON. At the Heil Co. in Milwaukee.

Mr. TAVENNER. How long were you employed by that company?

Mr. WOLFSON. Two and a half years, including a 6-month layoff for lack of work.

Mr. TAVENNER. That brings you up to what date?

Mr. WOLFSON. That brings me to the summer of last year.

Mr. TAVENNER. 1954.

Mr. WOLFSON. Yes.

Mr. TAVENNER. How are you employed now?

Mr. WOLFSON. I am employed as a salesman and a bookkeeper, sir.

Mr. TAVENNER. How long have you been so employed?

Mr. WOLFSON. Roughly 6 months. Probably a little longer than that. I would have to sit and figure out the time.

Mr. TAVENNER. Did you engage in any type of educational training here in the city of Milwaukee after your arrival here in 1950?

(Witness conferred with counsel.)

Mr. WOLFSON. Sir, will you clarify that question a little bit and tell me what you mean? Do you mean public institutional training?

Mr. TAVENNER. I will be more specific about it. Did you teach in any Communist Party class or group?

Mr. WOLFSON. Sir, I refuse to answer that question on the grounds it may tend to incriminate me.

Mr. TAVENNER. Let me hand you a 1955 issue of Unity. Did you distribute the same issues of that paper at the main gate of Allis-Chalmers on March 3, 1955?

Mr. WOLFSON. Sir, I refuse to answer that question on the grounds it may tend to incriminate me.

Mr. TAVENNER. I desire to offer the document in evidence and ask that it be marked "Wolfson Exhibit No. 1," for identification purposes only, and to be made a part of the committee files.

Mr. DOYLE. It is so ordered.

That same document has been identified with another number previously, hasn't it?

Mr. TAVENNER. It has.

Mr. DOYLE. This is the one that says, "published by Wisconsin auto section, Communist Party."

Mr. TAVENNER. That is correct?

(At this point, Mr. Scherer reentered the room.)

Mr. WOLFSON. Sir, I refuse to answer that question on the ground that it may tend to incriminate me.

Mr. TAVENNER. Is it published in the city of Milwaukee?

Mr. WOLFSON. I refuse to answer that question on the grounds that it may tend to incriminate me.

Mr. TAVENNER. Are you a member of the Communist Party?

Mr. WOLFSON. I refuse to answer that question on the grounds that it may tend to incriminate me.

Mr. TAVENNER. Have you ever been a member of the Communist Party?

Mr. WOLFSON. Sir, I refuse to answer that question on the grounds that it may tend to incriminate me under the fifth amendment.

Mr. SCHERER. I was out of the room. Did this witness testify as to his present employment?

Mr. DOYLE. He said he had been a bookkeeper and salesman for the last 6 months.

Mr. WOLFSON. Roughly 6 months. I would have to figure the time.

Mr. DOYLE. What line of business is that for? Is it in some industrial plant or what?

(Witness conferred with counsel.)

Mr. WOLFSON. Will you repeat that question again, sir?

Mr. SCHERER. By whom are you employed?

Mr. WOLFSON. I refuse to answer that question on the grounds that it may tend to incriminate me.

Mr. SCHERER. Was he asked that question while I was out?

Mr. DOYLE. No.

Mr. SCHERER. Do you know John Gilman?

Mr. WOLFSON. I refuse to answer that question on the grounds that it may tend to incriminate me.

Mr. SCHERER. You are employed by him now, are you not?

Mr. WOLFSON. Sir, I refuse to answer that question on the grounds that it may tend to incriminate me.

Mr. SCHERER. Gilman is the owner of the Allied Linoleum Co., isn't he?

Mr. WOLFSON. I refuse to answer that question on the grounds that it may tend to incriminate me.

Mr. SCHERER. Isn't the Allied Linoleum Co. the center of Communist activity?

Mr. WOLFSON. Sir, I refuse to answer that question.

Mr. SCHERER. That is the reason you are taking the amendment when asked those questions?

Mr. WOLFSON. Sir, I refuse to answer that question on the grounds that it may tend to incriminate me.

Mr. DOYLE. In the interests of identification of who you are and what you are doing, I am directing you to answer the question. We are entitled to have your identity fixed and placed.

Mr. WOLFSON. Sir, I refuse to answer that question on the grounds that it may tend to incriminate me.

Mr. DOYLE. Is the company for which you are bookkeeper and salesman engaged, or has it been since you are in its employ, in furnishing supplies to the United States Government such as linoleum or any other supply?

(Witness conferred with counsel.)

Mr. WOLFSON. No. Not to my knowledge.

Mr. SCHERER. Since you have answered that question you must answer, then, by whom are you employed?

Mr. DOYLE. I instruct you to answer the question.

Mr. WOLFSON. Sir, I refuse to answer that question on the grounds that it may tend to incriminate me.

Mr. SCHERER. He can refuse but he is guilty of contempt if he does, probably. Would you direct him to answer the question?

Mr. DOYLE. I directed him to answer the question. You understood my direction to you to answer that question?

Mr. WOLFSON. Yes, sir, I did.

Mr. SCHERER. I have no further questions.

Mr. DOYLE. May I say to you briefly that which you have heard me say to the other, especially the younger men who have been witnesses before us and pleaded the fifth amendment. You are a graduate from the University of Wisconsin. That is a State institution as

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I recall. Therefore you were educated with public funds. Is that not true?

Mr. WOLFSON. Yes, sir.

Mr. DOYLE. Why do you not give back to the State of Wisconsin the investment they have in you as a graduate and a major in economics? Give it back to the State of Wisconsin in the form of service to strengthen the sinews of democracy instead of weakening them by being a member of the Communist conspiracy which is worldwide. Why don't you do it and bless civilization instead of cursing it by being a member of the Communist conspiracy?

You are about the age my son would be if he hadn't been killed in the war. I do not hesitate to say that to you. You ought to be ashamed of yourself to be tied up. I would not dare say that if we did not have a record that puts you in the Communist Party and you know I would not dare say it. This little book here contains the record, and the members of the committee here have known pretty well the identity of every witness that appeared before us. So has our legal counsel. We are not shooting in the dark when we ask these questions.

Get out of it and make the Nation proud of you instead of considering you a liability along with the rest of the Communist conspirators.

May I say this to you, and you know it as a university graduate. You know when Earl Browder was deposed as chairman of the Communist Party, do you not?

Mr. WOLFSON. Are you asking me that?

Mr. DOYLE. Yes. That cannot incriminate you; that was public knowledge. You know that, do you not, as a matter of public information?

(Witness conferred with counsel.)

Mr. SCHERER. You are wasting your breath. You will make no impression upon this witness at all.

Mr. DOYLE. I just wanted to ask him.

(Witness conferred with counsel.)

Mr. DOYLE. You know that is a fact, do you not? If you do not want to answer that question, let me remind you that he was deposed shortly after the Duclos letter came to the United States. You are familiar with that, too, I am sure. I can tell by your attitude and your answers that you are perfectly familiar with the history of the Communist Party in this country since you are a young man.

That being true, you know that as a result of the Duclos letter and other things, Earl Browder was deposed in 1945 or 1946; you know that ever since that time the Communist line in this country has been force and violence, to overthrow our Nation, and I know you know it.

Yet you went into the Community Party knowing that and have stayed in it knowing that. So have the rest of the crew that have appeared before us this afternoon and pleaded the amendment. It is a guilty conscience you all ought to have. You are charged with it under this decision by the famous Judge Sullivan in Chicago.

Have you any other witness, tonight, Mr. Tavenner?

Mr. TAVENNER. No, sir.

Mr. WOLFSON. Do I understand I am dismissed?

Mr. DOYLE. Yes, you are, sir.

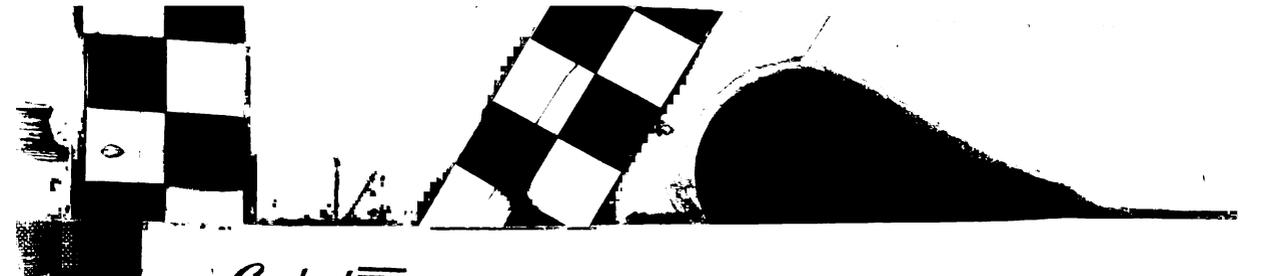
(Witness excused.)

Mr. DOYLE. The committee will stand in recess until 9.

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All witnesses who have been subpoenaed to appear tomorrow will please be here by 9 o'clock. We will work until late tomorrow night and the next day if necessary to get our hearing concluded.

(Whereupon, at 5:50 p. m., Tuesday, March 29, 1955, the hearing was recessed to reconvene at 9 a. m., Wednesday, March 30, 1955.)



**INVESTIGATION OF COMMUNIST ACTIVITIES IN THE
MILWAUKEE, WIS., AREA**

WEDNESDAY, MARCH 30, 1955

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE COMMITTEE
ON UN-AMERICAN ACTIVITIES,
Milwaukee, Wis.

PUBLIC HEARING

The subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 9 a. m., in the marble courtroom, Federal Building, Milwaukee, Wis., Hon. Clyde Doyle (chairman of the subcommittee) presiding.

Committee members present: Representatives Clyde Doyle (chairman), Edwin E. Willis, and Gordon H. Scherer.

Staff members present: Frank S. Tavenner, Jr., counsel, and W. Jackson Jones, staff investigator.

Mr. DOYLE. Let the committee reconvene.

Let the record show that it is 9 o'clock. The full personnel of the subcommittee of the House Un-American Activities Committee is present; the distinguished gentleman from Ohio, Mr. Scherer, on my left; the distinguished gentleman from Louisiana, Mr. Willis, on my right, and I am Representative Doyle from Los Angeles, Calif., acting as subcommittee chairman.

Mr. Tavenner, will you proceed?

Mr. TAVENNER. Yes, sir. I think I should call to the committee's attention that I have just discovered that the witnesses who are subpoenaed for today are subpoenaed to appear here at 10 o'clock. It is true that you announced yesterday that the hearing would reconvene this morning at 9 o'clock, but I am not sure that all the witnesses are here. If they did not happen to be here yesterday they would have no way of knowing that.

I would like to call as the first witness, Mr. James DeWitt. Is he here?

Mr. DOYLE. Mr. DeWitt, will you please raise your right hand and be sworn? Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. DEWITT. I do.

Mr. DOYLE. I want to say that we appreciate you and your counsel, Mr. DeWitt, coming this morning at 9 o'clock instead of 10, which was the hour set for the subpoena. We appreciate that cooperation.

**TESTIMONY OF JAMES DeWITT, ACCOMPANIED BY M. MICHAEL
ESSIN, COUNSEL**

Mr. TAVENNER. What is your name, please sir?

Mr. DeWITT. James DeWitt.

Mr. TAVENNER. Will counsel accompanying the witness please identify himself for the record?

Mr. ESSIN. Counsel for Mr. DeWitt is M. Michael Essin, attorney, 623 North Second Street, Milwaukee 3, Wis.

Mr. TAVENNER. When and where were you born, Mr. DeWitt?

Mr. DeWITT. I was born in Wells County, Ind., in 1905.

Mr. TAVENNER. Where do you now reside?

Mr. DeWITT. Milwaukee, Wis.

Mr. TAVENNER. What is your present occupation?

Mr. DeWITT. I am a field organizer.

Mr. TAVENNER. A field organizer for what?

Mr. DeWITT. For the United Electrical, Radio, and Machine Workers of America.

Mr. TAVENNER. Will you tell the committee, please, briefly what your formal educational training has been?

Mr. DeWITT. I had seven grades of grammar school.

Mr. TAVENNER. How long have you been field organizer for the UE?

Mr. DeWITT. About 6 years.

Mr. TAVENNER. In what district are you field organizer?

Mr. DeWITT. Wisconsin.

Mr. TAVENNER. Does it have a number, or is the name Wisconsin?

Mr. DeWITT. It is part of district No. 11.

Mr. TAVENNER. What area does district No. 11 include?

Mr. DeWITT. It includes Illinois, Wisconsin, Minnesota.

Mr. TAVENNER. Prior to the period of 6 years ago when you first became field organizer in UE, what was the nature of your employment.

Mr. DeWITT. I was a field representative for the United Farm Equipment Workers.¹

Mr. TAVENNER. The United Farm Equipment Workers merged with the UE, did it not, to form the present organization?

Mr. DeWITT. That is right.

Mr. TAVENNER. What was the date of the merger?

Mr. DeWITT. 1949, I believe.

Mr. TAVENNER. How long had you been a field organizer in the United Farm Equipment and Metal Workers Union?

Mr. DeWITT. For 9 years.

Mr. TAVENNER. What territory did your district consist of?

Mr. DeWITT. Wisconsin.

Mr. TAVENNER. That would take you back to 1940 approximately when you first became a field organizer for the Farm Equipment Workers?

Mr. DeWITT. That is right.

Mr. TAVENNER. Prior to 1940 what was your employment?

Mr. DeWITT. Field organizer for the CIO.

Mr. TAVENNER. In what area of the country?

Mr. DeWITT. Wisconsin.

¹ Reference to United Farm Equipment and Metal Workers Union, CIO.

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Mr. TAVENNER. What branch of the CIO was it?

Mr. DEWITT. I worked for the State CIO and the national CIO both.

Mr. TAVENNER. For what period of time were you so employed?

Mr. DEWITT. Two years with the State CIO and 1 year at the national CIO.

Mr. TAVENNER. That takes you back to about 1936?

Mr. DEWITT. 1937.

Mr. TAVENNER. What was the nature of your employment prior to 1937?

Mr. DEWITT. Works Project Administration.

Mr. TAVENNER. What was the nature of your employment with the WPA?

Mr. DEWITT. Timekeeper.

Mr. TAVENNER. Where?

Mr. DEWITT. Milwaukee.

Mr. TAVENNER. What branch or section of the WPA was it in which you were employed?

Mr. DEWITT. I don't remember. It was just the WPA.

Mr. TAVENNER. What was the nature of your duties as timekeeper?

Mr. DEWITT. Well, a timekeeper checks people in and off the job.

Mr. TAVENNER. That was actually in the field, those engaged in work?

Mr. DEWITT. That is right.

Mr. TAVENNER. How long were you so employed?

Mr. DEWITT. About a year.

Mr. TAVENNER. Prior to that what was the nature of your employment?

Mr. DEWITT. Unemployment.

Mr. TAVENNER. For how long?

Mr. DEWITT. Since 1930.

Mr. TAVENNER. Do you recall in what district of the UE the general area of Albany, N. Y., and Schenectady, N. Y., are included?

Mr. DEWITT. I don't get the question. What was that?

Mr. TAVENNER. Wisconsin you stated was in district 11?

Mr. DEWITT. Yes.

Mr. TAVENNER. What district of the UE would it be which would have jurisdiction over the area of Albany, N. Y., and Syracuse and Schenectady, N. Y.?

(Witness conferred with counsel.)

Mr. DEWITT. I don't know.

Mr. TAVENNER. Do you know what district of the UE it would be that has jurisdiction over Lynn, Mass.?

Mr. DEWITT. I don't know. I have only worked in Wisconsin.

Mr. TAVENNER. That is true, but having been a field organizer of UE for 6 years I would expect you to know something about the organization outside of your own district.

Mr. DEWITT. A field organizer doesn't make policy for the union.

Mr. TAVENNER. I didn't ask you any question of policy. It is true, is it not, that the field organizers from all over the UE jurisdictions are transferred from one district to another as occasion requires it?

Mr. DEWITT. I have never been transferred.

Mr. TAVENNER. But you do know that field organizers in other districts have from time to time been assigned to district No. 11?

Mr. DEWITT. They may have. I don't know.

(Witness conferred with counsel.)

Mr. TAVENNER. Do you know what general area of the country is embraced within district No. 9 of the UE?

Mr. DEWITT. I think it is Indiana. I am not sure.

Mr. TAVENNER. And Detroit, Mich.?

Mr. DEWITT. I don't know.

Mr. TAVENNER. Do you know who the president of district No. 9 is at the present time?

(Witness conferred with counsel.)

Mr. DEWITT. I decline to answer on the grounds I cannot be compelled to be a witness against myself under the fifth amendment.

Mr. TAVENNER. John Gojack is president; is he not?

Mr. DEWITT. Same answer.

Mr. SCHERER. Just a minute. I think you should direct him to answer that question, Mr. Chairman, as to whether he knows a fellow union official.

Mr. DOYLE. I will direct the witness to answer the question.

(Witness conferred with counsel.)

Mr. DEWITT. Same answer, the fifth amendment. It is my privilege.

Mr. TAVENNER. In what district of the UE is the general area of Ohio?

Mr. DEWITT. I don't know.

Mr. TAVENNER. Are you acquainted with Mr. Decavitch who was at one time president of the district in which Ohio is a part?

(Witness conferred with counsel.)

Mr. DEWITT. I never heard of the man.

Mr. TAVENNER. Mr. DeWitt, the committee has received considerable evidence in the areas which I have mentioned or from those areas. In 1954 and also in 1953 James Davis, an organizer in UE with his residence at Albany, N. Y., testified at length regarding Communist Party activities among organizers of the UE in the general area of Albany and also of Lynn, Mass. He gave the committee much valuable information on the subject.

Mr. Decavitch, who was president of his district of the UE in Ohio was one of the early witnesses who appeared before this committee back in 1949 or 1950 and gave this committee a great deal of valuable information regarding the same subject in the area with which he was familiar.

Now, due to the vast experience that you have had as an organizer, both within the UE and one of the organizations which merged with the UE to form the present organization, and also due to information that the committee has regarding you, we are of the opinion that you are in a position to give the committee equally valuable information regarding the extent of the operations of the Communist Party in district No. 11, or at least that part of it with which you are familiar, the State of Wisconsin, and the methods used by the Communist Party in that area, and in the field in which you are engaged.

I would like to call upon you to give the committee such facts as are within your knowledge.

(Witness conferred with counsel.)

Mr. DEWITT. Are you asking a specific question?

Mr. TAVENNER. I am asking you to cooperate with this committee in giving the facts within your knowledge regarding the Communist Party activities, extent of its operations and the methods of its operations among UE organizers in the State of Wisconsin.

First I will put the question in a general way. Are you aware of any program of the Communist Party to exert its influence in that field in district No. 11.

(Witness conferred with counsel.)

Mr. DEWITT. I exercise my rights under the fifth amendment. I cannot be compelled to be a witness against myself, decline to answer your question. I am a labor organizer, remember.

(Witness conferred with counsel.)

Mr. SCHERER. You say you are a labor organizer?

Mr. DE WITT. That is right. I have stated so before.

Mr. SCHERER. And as such you have no knowledge of Communist Party activities within the UE?

Mr. DE WITT. I exercise my rights under the fifth amendment, decline to answer. I cannot be compelled to be a witness against myself.

Mr. SCHERER. Then you are not only a labor organizer, are you?

(Witness conferred with counsel.)

Mr. DE WITT. Same answer.

Mr. SCHERER. What do you mean by the same answer?

Mr. DE WITT. Fifth amendment. I cannot be compelled to be a witness against myself.

Mr. SCHERER. When you just said in response to one of the questions Mr. Tavenner asked, that you were a labor organizer, did you mean that that was your sole occupation and duty?

Mr. DE WITT. I previously stated what my occupation was. The record will show.

Mr. SCHERER. Do you not have another occupation and duty?

(Counsel conferred with witness.)

Mr. DEWITT. Once more I have to invoke the fifth amendment.

(Counsel conferred with witness.)

Mr. DE WITT. I cannot be compelled to be a witness against myself.

Mr. SCHERER. We assume from your answer, and we can draw no other conclusion, but that you do have another occupation or activity which is of a criminal or illegal nature.

Mr. DE WITT. My asserting my rights under the fifth amendment does not presume anything.

Mr. SCHERER. It does not preclude us from drawing such conclusions either.

Mr. DE WITT. You gentlemen have the right to your own opinions.

Mr. TAVENNER. Who is the president of district 11?

(Witness conferred with counsel.)

Mr. DE WITT. Ernest DeMaio.

Mr. TAVENNER. How many field organizers are there in district 11?

Mr. DE WITT. I don't know.

Mr. TAVENNER. How many are there in the State of Wisconsin?

Mr. DE WITT. Two.

Mr. TAVENNER. We have heard testimony from Mr. James Davis, the person I mentioned a little while ago, that it was the plan of the Communist Party in Lynn, Mass., and also in upstate New York to have the organizers of the UE meet in Communist Party meetings

prior to the district meetings that were held of the UE for the purpose of discussing programs which they would endeavor to put into effect within UE.

Did you ever meet in this area in a meeting of such a kind and for such a purpose?

(Counsel conferred with witness.)

Mr. DE WITT. I decline to answer on the grounds I cannot be compelled to be a witness against myself under the fifth amendment of the United States Constitution.

Mr. TAVENNER. Let us come down to the city of Milwaukee then. As organizer of the UE in this area were you the senior representative of the UE in the city of Milwaukee?

Mr. DEWITT. There isn't any such thing. I am a field organizer as I stated previously.

Mr. TAVENNER. As field organizer you are assigned to seniority locals, are you not, to do organizational work in those locals?

(Witness conferred with counsel.)

Mr. DEWITT. I decline to answer under the grounds I cannot be compelled to be a witness against myself under the fifth amendment of the United States Constitution.

Mr. TAVENNER. What are your duties as an organizer of the UE?

(Witness conferred with counsel.)

Mr. DEWITT. The general duties of any organizer is to service the locals, handle grievances, negotiate contracts and organize workers.

Mr. SCHERER. Mr. Chairman, the question was not the duties of any organizer. We wanted to know what his duties were. That was the question.

Mr. DEWITT. The duties of an organizer in UE are identical to an organizer of any organization; to handle grievances, negotiate contracts and organize workers.

Mr. TAVENNER. You started to say service grievances in the locals. What locals were under your jurisdiction?

Mr. DEWITT. I decline to answer. Under the fifth amendment I cannot be compelled to be a witness against myself.

Mr. SCHERER. Mr. Chairman, I ask you to direct the witness to answer the question.

Mr. DOYLE. I direct you to answer the question, Mr. DeWitt.

Mr. DEWITT. The answer is the same. Under the fifth amendment I cannot be compelled to be a witness against myself.

Mr. SCHERER. The question as I understand it is what locals were under his jurisdiction. Is that right, Mr. Tavenner?

Mr. TAVENNER. Yes, sir.

Mr. DOYLE. That is the question I directed him to answer.

Mr. DEWITT. I have declined to answer under the ground that under the fifth amendment I cannot be compelled to be a witness against myself. I restate that.

Mr. SCHERER. Do you mean to tell this committee, Witness, that after you tell us here that you were an organizer for the UE, that you honestly believe it would incriminate you to tell us which locals are under your jurisdiction?

(Witness conferred with counsel.)

Mr. DEWITT. I previously stated that I decline to answer on the grounds that I cannot be compelled to be a witness against myself under the fifth amendment of the United States Constitution.

Mr. TAVENNER. Do the locals which are under your jurisdiction have bargaining contracts in plants which have defense contracts with the United States?

Mr. DEWITT. I don't know.

Mr. TAVENNER. How many locals are there of the UE which you service as organizer?

(Witness conferred with counsel.)

Mr. DEWITT. Once more I declare that I cannot be compelled to be a witness against myself under the fifth amendment of the United States Constitution. I decline to answer.

Mr. SCHERER. Mr. Chairman, I ask that you direct the witness to answer the question as to how many locals are under his jurisdiction.

Mr. DOYLE. I direct you to answer the question.

Mr. DEWITT. The answer is the same. Under the fifth amendment I decline to answer.

Mr. SCHERER. I am at a loss, Mr. Chairman, to see how telling us the number of locals that are under his jurisdiction, could possibly incriminate this witness. It is obviously using the fifth amendment in bad faith as so many of his kind do.

Mr. DOYLE. I am at an equal loss. I do not know if Mr. DeWitt was in the courtroom the first day of these hearings when I stated our position in the matter with reference to unions. I want to read that part of my statement again because I think it is apropos here possibly.

When we are questioning a witness whom we have reason to believe is active in the Communist Party, either past or present, the fact that he may be a union representative or member is no concern to us because our job is to follow the Communist Party conspiracy wherever it leads. Therefore I will read the part of the statement again:

The committee wants it understood in the conduct of its hearings it is not interested in any dispute between employer or employees or between one union or another. Neither is it interested in the internal affairs of any union. It proposes, however, to follow and uncover if it can the Communist Party activities of any person as to whom reliable information indicates Communist Party affiliation, whether that be in the field of labor or of any other field.

I want to state again, because I know there are in the audience here some guests who were not here yesterday, that we would not be questioning Mr. DeWitt along this line unless we believed we had reliable information that he has been or is an active member of the Communist Party.

The fact that he is a field representative of that great union does not deter us from following the line of the communist conspiracy in its effort to control the UE or any other union which they possibly can.

That, Mr. DeWitt, as you know, is the reason we are questioning you. I am not undertaking to hurt the union in any way. I certainly would not be sitting here as subcommittee chairman for 30 seconds if that was the purpose of this committee, because I am always endorsed for reelection by CIO and A. F. of L.—thank God not by the Communist Party which you know and I know is trying to get its filthy fingers in control of any labor union they can.

So I wish to reiterate that Congress will not be stopped nor deterred from investigating and following through, if we can, the extent of the Communist Party conspiracy and activity in the UE or any other

union where we have reliable information that that is what they have been trying to do.

Mr. SCHERER. Mr. Chairman, I think we should make this observation also at this time. In view of the questions that are being asked by members of unions I think we should say that both the CIO and the A. F. of L. have done a remarkable job in the past years in getting rid of any Communist influence that may have raised its head (witness conferred with counsel) in those unions. They have been able to do so in some instances as the result of testimony taken before this committee and the committees of the Senate.

Mr. DOYLE. I am glad you made that observation, Mr. Scherer, and I wish to state here that while I do not have the text of Mr. Walter Reuther's release of about a year ago, I remember having that text before me when our committee hearings were held in Seattle, Wash., and I read that text in which Mr. Walter Reuther urged all members of labor unions under CIO to cooperate with congressional committees and if they possibly could, conscientiously, to refrain from using the fifth amendment.

Proceed, Mr. Tavenner.

Mr. TAVENNER. Are you aware of the fact, Mr. DeWitt, that the headquarters of the Communist Party for the State of Wisconsin for the past 6 years have been located in the city of Milwaukee?

Mr. DEWITT. I decline to answer on the grounds I cannot be compelled to be a witness against myself under the fifth amendment.

Mr. TAVENNER. Were you personally acquainted with the chairman of the Communist Party for the State of Wisconsin, Jack Kling, who was succeeded by Sigmund Eisenscher?

Mr. DEWITT. I decline to answer on the grounds I cannot be compelled to be a witness against myself under the fifth amendment of the United States Constitution.

Mr. TAVENNER. Were you acquainted with Fred Blair, a functionary of the Communist Party here?

Mr. DEWITT. Same answer. Under the fifth amendment of the United States Constitution I cannot be compelled to be a witness against myself.

Mr. TAVENNER. Did you from time to time confer with any of these individuals, those that I have asked you about, in connection with the performance of your duties as a field organizer of the UE?

Mr. DEWITT. I decline to answer. I cannot be compelled to be a witness against myself under the fifth amendment.

Mr. TAVENNER. We have the testimony here, Mr. DeWitt, that you requested Mr. Michael Ondrejka to come to see you about a matter, and that you addressed him through his wife, a well-known member of the Communist Party in this area. Is that true or false?

Mr. DEWITT. I decline to answer. I cannot be compelled to be a witness against myself under the fifth amendment.

Mr. TAVENNER. Did you get in touch with the former Lil Rody, subsequently the wife of Mr. Ondrejka?

Mr. DEWITT. The same answer. Under the fifth amendment I cannot be compelled to be a witness against myself.

Mr. TAVENNER. Mr. Ondrejka testified to this committee that at a social function of the Communist Party he was advised by the two highest ranking Communist officials in the State of Wisconsin, one being Jack Kling and the other being Fred Blair, that you wanted to

see him. We would be very much interested to know the circumstances under which you sought to interview Mr. Ondrejka and communicated that desire through the head of the Communist Party of the State of Wisconsin. If it be true will you tell us?

Mr. DEWITT. I decline to answer. Under the fifth amendment I cannot be compelled to be a witness against myself.

Mr. TAVENNER. Did you have a conference with Jack Kling or Fred Blair with regard to Mr. Ondrejka?

Mr. DEWITT. I decline to answer under the fifth amendment. I cannot be compelled to be a witness against myself.

Mr. TAVENNER. Mr. Ondrejka has testified that after receiving the suggestion from his wife and after having been directed by the two executive heads of the Communist Party in the State of Wisconsin to come to see you, he did go to see you on the following Tuesday, and at that conference you indicated that you were expecting him. Did you have such a conference with him?

Mr. DEWITT. I decline to answer on the grounds that I cannot be compelled to be a witness against myself under the fifth amendment of the United States Constitution. Thank God we got that amendment, too.

Mr. TAVENNER. You mean thank God because you feel that you can hide behind the fifth amendment and not give this committee the answers to the important questions it is asking you.

Mr. DEWITT. Thank God the fifth amendment protects the innocent as well as the guilty.

Mr. DOYLE. We will join you in that, Mr. DeWitt. We join you in that observation.

Mr. TAVENNER. Were you aware that a young man by the name of Joe Preloznik who was in one of the local unions which you were required to service as a field organizer of the UE was attending the Marquette Labor School?

(Counsel conferred with witness.)

Mr. DEWITT. I don't understand your question. What are you asking me?

Mr. TAVENNER. I say were you aware that Mr. Joe Preloznik was attending the Marquette Labor School?

Mr. DEWITT. I decline to answer. I cannot be compelled to be a witness against myself under the fifth amendment.

Mr. TAVENNER. We were advised by Mr. Ondrejka that you did not want this young man to be attending the school. Is that true or is it false?

Mr. DEWITT. I decline to answer under the fifth amendment. I cannot be compelled to be a witness against myself.

Mr. TAVENNER. Mr. Ondrejka has testified that functionaries of the Communist Party after that time brought a great deal of pressure upon him, Mr. Ondrejka, to appear before the union and do everything he could to embarrass that young man and to discredit him before the eyes of the rank-and-file members of local 1111. Did you have any knowledge of that?

Mr. DEWITT. I decline to answer under the fifth amendment.

Mr. TAVENNER. Did you partake in any way in the formulation of a plan to injure that young man in his union?

Mr. DEWITT. Same answer under the fifth amendment. I cannot be compelled to be a witness against myself.

(At this point, Mr. Scherer left the room.)

Mr. TAVENNER. Are you at this time a member of the Communist Party?

Mr. DEWITT. I decline to answer on the grounds that I cannot be compelled to be a witness against myself.

Mr. TAVENNER. Have you ever been a member of the Communist Party?

Mr. DEWITT. I decline to answer. The same answer under the fifth amendment; I cannot be compelled to be a witness against myself.

Mr. TAVENNER. Were you a member of the Communist Party as early as 1936?

Mr. DEWITT. I decline to answer under the same provision as before, the fifth amendment.

Mr. TAVENNER. Mr. Sigmund G. Eisenscher testified before the committee that he was a candidate for Governor of the State of Wisconsin. I am advised that he may have refused to testify to that. I thought he had so testified; but you know, do you not, that he was a candidate for Governor in this State?

(Witness conferred with counsel.)

Mr. DEWITT. Decline to answer under the fifth amendment; I cannot be compelled to be a witness against myself.

Mr. TAVENNER. That is a matter of record in which his name was on the ticket. There should be no reason for your declining to testify as to something which is public knowledge. Will you reconsider your answer?

Mr. DEWITT. Same answer.

Mr. TAVENNER. I hand you a document entitled, "Nomination Paper."

(Witness conferred with counsel.)

Mr. TAVENNER. I will ask you to state what it is.

(Document handed to witness.)

(At this point Mr. Scherer returned to the room.)

(Witness conferred with counsel.)

Mr. DEWITT. Well, it purports to be nomination papers, Independent and nonparty and candidates.

Mr. TAVENNER. Read it, please.

Mr. DEWITT. It purports to be [reading]:

Milwaukee, Wis., Governor, name of candidate: Sigmund G. Eisenscher.

Mr. TAVENNER. Continue to read.

Mr. DEWITT. What else do you want me to read? Should I read the whole thing?

Vocation: Salesman—

anything else?

Mr. TAVENNER. Keep reading.

Mr. DEWITT (reading):

Resident post office address of nominee: 3131 West Wells Street, Milwaukee.
Principle represented: Communist.

Mr. TAVENNER. Do you see your name as one of the signers of the petition about three-quarters of the way down?

(Witness conferred with counsel.)

Mr. DEWITT. I am reading here a name.

Mr. TAVENNER. What is that name?

Mr. DEWITT. It says, "James DeWitt."

Mr. TAVENNER. What address does it say that name has?

Mr. DEWITT. "1621 West Wells Street."

Mr. TAVENNER. Whose address is that?

Mr. DEWITT. I don't know. It purports to be this guy's address here.

Mr. TAVENNER. Where do you live?

Mr. DEWITT. 1621 West Wells Street.

Mr. TAVENNER. Same address. Are there two James DeWitts living at that address?

Mr. DEWITT. Not that I know of.

Mr. TAVENNER. You do not know of any other one at that address except yourself?

Mr. DEWITT. I certainly don't.

Mr. TAVENNER. Did you sign the petition?

Mr. DEWITT. I decline to answer under the fifth amendment.

Mr. TAVENNER. I desire to offer the document in evidence and ask that it be marked "DeWitt Exhibit No. 1," for identification purposes only, and to be made a part of the committee files.

Mr. DOYLE. It is so ordered.

(The document referred to was marked "DeWitt Exhibit No. 1," received in evidence, and filed for the information of the committee.)

Mr. TAVENNER. Were you a member of the Communist Party at the time of the filing of this petition?

(Witness conferred with counsel.)

Mr. DEWITT. I decline to answer under the fifth amendment. I cannot be compelled to be a witness against myself.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. DOYLE. Do you have questions, Congressman Willis?

Mr. WILLIS. No questions.

Mr. DOYLE. Do you have questions, Congressman Scherer?

Mr. SCHERER. Just one moment.

Mr. DOYLE. Proceed, Mr. Tavenner.

Mr. TAVENNER. We had considerable testimony here, Mr. DeWitt regarding the operation of the Civil Rights Congress. Were you one of the original organizers of the Civil Rights Congress in this area?

Mr. DEWITT. I decline to answer on the grounds that I cannot be compelled to be a witness against myself under the fifth amendment.

Mr. DOYLE. What is the status, Mr. Tavenner, of the Civil Rights Congress?

Mr. TAVENNER. At the present time?

Mr. DOYLE. Yes.

Mr. TAVENNER. Mr. Chairman, I would hesitate to testify on the subject except to say that it is a cited organization.

Mr. DOYLE. That is what I mean. It was cited when, and by whom?

Mr. TAVENNER. It was cited as subversive and Communist by Attorney General Tom Clark by letter released by him on December 4, 1947, and again September 21, 1948.

Cited as an organization formed in April 1946 as a merger of two other Communist-front organizations (International Labor Defense and the National Federation for Constitutional Liberties); "dedicated not to the broader issues of civil liberties, but specifically to the defense of individual Communists and the Communist Party" and "controlled by individuals who are either members of the Communist Party or openly loyal to it."

That was the citation by the Committee on Un-American Activities Report No. 1115, September 2, 1947. When I stated what I did about

the present organization I thought you had reference to the present organization here in the city of Milwaukee.

Mr. DOYLE. I referred to the documented record.

Mr. TAVENNER. I would hesitate to express any opinion about it. We do have a witness subpoenaed who is thought to be its present executive secretary.

Were you a member of the Civil Rights Congress?

Mr. DEWITT. I decline to answer under the fifth amendment. I cannot be compelled to be a witness against myself.

Mr. TAVENNER. Were you convicted of violating the corrupt practices law of the State of Wisconsin in 1947 with relation to a campaign for election of Edmund Barberich, candidate for Congress from Milwaukee?

(Witness conferred with counsel.)

Mr. DEWITT. That is right.

Mr. TAVENNER. Were you carrying out in connection with that offense for which you were convicted any directives of the Communist Party?

(Witness conferred with counsel.)

Mr. DEWITT. I decline to answer on the grounds I cannot be compelled to be a witness against myself under the fifth amendment.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. DOYLE. Any questions, Congressman Willis?

Mr. WILLIS. No questions.

Mr. DOYLE. Any questions, Congressman Scherer?

Mr. SCHERER. No questions.

Mr. DOYLE. Mr. DeWitt, I wish to remark briefly to you what I have said to other witnesses who claimed the fifth amendment. In doing so may I make this observation in a preliminary way: I am very sure that I, as a member of the United States Congress for going on 9 years now in my native State of California, am only one of the large number of men and women there who appreciate the great service which organized labor has done and is doing toward raising the standards of living for the working people of our great nation.

We are quite aware of the fact that the Communist Party conspiracy in this country is part and parcel of the same conspiracy that is worldwide. When I was last in Europe and Asia for Congress officially, I was privileged to ask many American ambassadors, American consuls and foreign intelligence, and our own American intelligence whether or not, in their judgment, there is any connection between the military and subversive aggression in Korea and Indonesia and other parts of the world emanating from the Soviet Union and the same subversive conspiracy in the United States of America, and they all told me it was one and the same program to try to ultimately take over the economic, social, and political control of the whole world.

I make that statement to you, sir, because you are reputed to be one of the most able and most active organizers in the field of UE. Therefore, you are in a position to do more good than most men and also more harm.

Therefore, I just want to say very sincerely, but vigorously, to you, why do you not get out of any connection you have directly or indirectly with the Communist Party and Communist conspiracy?

(Witness conferred with counsel.)

Mr. DOYLE. I would not say that, if we did not think we had a record as a tie-in between you and it. I pray you to get out of that sort of connection if it still continues this morning and do all you can to strengthen the bonds of democracy within the great UE organization, instead of doing anything that would lead any of your members to think less of our great Nation by reason of emphasizing what the Communist conspiracy does and which was reflected last night by one of the known Communists in this room when he went out of this room and called the witness fee, \$6 which is allowed by Congress, a scab. I should think the red blood of any patriotic American would rise up and so sharply discountenance that sort of conduct on the part of any American that he would find it entirely too hot to be allowed to stay in organized labor in any connection.

So I want to tell you, Mr. DeWitt, as I have the other witnesses who have pleaded the fifth amendment, that we fight for the fifth amendment perhaps more than any other group in the country unless it be the courts or the bar associations.

I want to urge you to get out of the Communist conspiracy if you still maintain this morning any contact with it whatsoever, direct or indirect, and put your native ability as a great union leader toward strengthening the sinews of organized labor instead of letting the Communist conspiracy get ahold any further than they have.

Wipe it out. Erase it.

I want to ask you just one question: Did you ever participate in the Communist Party caucus in connection with the elections or program of the UE in Wisconsin prior to the holding of the elections?

Mr. DEWITT. I decline to answer under the fifth amendment. I cannot be compelled to be a witness against myself, Mr. Chairman.

Mr. DOYLE. That is all.

Mr. DEWITT. Mr. Chairman, you have said I am in a position to do a great deal of good. Thousands of people in the State of Wisconsin will testify to the good I have done for them. That represents the policy of the union I work for.

Mr. DOYLE. We compliment you on all of the non-Communist programs which the UE and you have fostered. I compliment you on them, but to the extent which you have been a part directly or indirectly of cooperating or furthering the Communist program in the State of Wisconsin and the UE, I condemn that activity and I condemn UE for allowing it if they have.

Mr. DEWITT. Mr. Chairman, I have been in the labor union for 18 years. I stay there because the people want me there because I have done a lot of good for those people.

Mr. DOYLE. Thank you very much. The witness is excused.

(Witness excused.)

Mr. TAVENNER. Mr. John Gilman.

Mr. ESSIN. May I say for Mr. Gilman's attorney, Mr. Brawley, that he was sitting next to me in the afternoon and he wasn't here when the chairman of the committee made his announcement about when the hearing would start this morning.

Mr. TAVENNER. I have been told that he is here now.

Mr. GILMAN. My attorney will be here [displaying medal collection].

Mr. DOYLE. Just put that under cover, sir. We are not going to allow this to be a sideshow. That is not involved in this hearing.

Mr. GILMAN. I will put it under cover. I want it to be next to me.
Mr. DOYLE. We are not going to allow you to come here and make a sideshow.

Mr. GILMAN. May I sit down, sir?

Mr. DOYLE. Not just yet. Go back until we call on you.

Mr. TAVENNER. Do you want a few more minutes before we call you?

Mr. GILMAN. It is perfectly all right. My attorney is parking his car and will be here any moment.

Mr. DOYLE. I think you will need an attorney. We will wait until he gets here. We will take 5 minutes' recess.

(Whereupon, a brief recess was taken.)

Mr. DOYLE. The committee will reconvene.

The record will show that all committee members are present.

Is Mr. Gilman's legal counsel here?

Mr. BRAWLEY. Yes, I am his counsel.

Mr. DOYLE. Is your client here?

Mr. BRAWLEY. I assume so.

Mr. DOYLE. Mr. Tavenner, are you ready?

Come forward, Mr. Gilman. Will you raise your right hand and be sworn. Do you solemnly swear to tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. GILMAN. I do, sir.

Mr. DOYLE. Please be seated.

TESTIMONY OF JOHN GILMAN, ACCOMPANIED BY GEORGE R. BRAWLEY, COUNSEL

Mr. TAVENNER. What is your name, please, sir?

Mr. GILMAN. My name, sir, is John Gilman.

Mr. TAVENNER. It is noted that you are accompanied by counsel. Would counsel please identify himself for the record?

Mr. BRAWLEY. George R. Brawley, 623 North Second Street.

Mr. TAVENNER. When and where were you born, Mr. Gilman?

Mr. GILMAN. I was born on September 16, 1920, in a town called Chester, Pa.

Mr. TAVENNER. Are you now a resident of Milwaukee?

Mr. GILMAN. I am, sir.

Mr. TAVENNER. When did you move to Milwaukee?

Mr. GILMAN. I moved to Milwaukee in 1948.

Mr. TAVENNER. The committee is informed that prior to that time you were a member of the armed services of the United States and you served with distinction for 9 months in Europe; you were a machinegunner; you were awarded the Distinguished Service Cross with Silver Star, a combat infantryman's badge, the Purple Heart, and the Distinguished Unit Citation. That is true, is it not?

Mr. GILMAN. That is partially true, sir. There are other unit citations and other awards which weren't included.

Mr. DOYLE. Tell us the other awards you were given.

Mr. GILMAN. Is that a question? I mean do you insist on that? Is that an insistence?

Mr. DOYLE. We believe you want to tell us, so go ahead.

(Witness conferred with counsel.)

Mr. GILMAN. There are 4 combat stars awarded for 4 distinct battles. The Rhineland, the invasion of Normandy—I am not giving them in order, sir—Central Europe and northern France. There is also a regimental citation which was read to the troops, and there is also a battle-ground citation which was read to the troops of which I have been able to get copies while overseas which I didn't bring with me or didn't feel it was necessary to make a record of that to the committee.

There is a clasp with the Good Conduct Medal, and I might say in this regard that some people don't value the Good Conduct Medal or they don't think it is too valuable in the Army because it is a matter of practice for an average soldier to get the Good Conduct Medal. I valued the Good Conduct Medal because it also includes fidelity. I got that with a clasp which means 2 Good Conduct Medals.

There was also—did you mention the Presidential Citation? That is a distinguished unit citation. You did mention that, sir. You mentioned the Purple Heart and the cluster.

Mr. TAVENNER. Yes, I mentioned the Purple Heart but not the cluster.

Mr. GILMAN. That is an additional Purple Heart.

I think that just about covers my citations outside of other parts of my Army record.

Mr. TAVENNER. That is a very full and distinguished record.

Mr. DOYLE. Mr. Counsel, may I make this clear to this distinguished veteran, that Congress is always glad to recognize not only men that have been decorated in war, but any man who served patriotically in war whether he was decorated or not. Some of us have knowledge of boys who fought so that men like you might live and in order that we might live. We in Congress conceive it is the veteran's duty to come home and be patriotic in peace as well as to serve and win medals in time of war.

We are glad you are here, and now our legal counsel will question you on what we find our duty in peacetime, Mr. Gilman, which is to get your cooperation and your help as a decorated veteran in uncovering groups of people who would subvert and destroy our Nation which you fought to preserve.

Proceed, Mr. Tavenner.

Mr. SCHERER. These citations were all in the Second World War, were they not, Mr. Tavenner?

Mr. TAVENNER. Yes.

Mr. SCHERER. That was when we were a cobelligerent with Communist Russia against Nazi Germany, was it not?

Mr. TAVENNER. Yes, sir.

Mr. Gilman, the committee has received testimony as to the activities of Josephine Nordstrand as head of the Civil Rights Congress in the city of Milwaukee, and the committee has information that you succeeded her as the executive secretary of that organization, and that you are presently the executive secretary of it. Am I correct, in that you are the present executive secretary?

(Witness conferred with counsel.)

Mr. GILMAN. Mr. Counsel or Mr. Chairman, with all due respect to the lawmaking body, the House of Representatives and to all our institutions in our Nation, and to our Constitution and our Bill of Rights, I will have to answer that question in a refusal on the basis of the fifth amendment because such an answer may tend to incriminate me.

Mr. TAVENNER. Mr. Gilman, have you been associated in Milwaukee with the American Committee for Protection of Foreign Born?

Mr. GILMAN. Mr. Counsel or/and Mr. Chairman, distinguished colleagues, with all due respect to our American institutions, including the House of Representatives and the Senate and the President and the Judiciary and our Constitution and the Bill of Rights I will invoke amendment No. 5 on the basis that I cannot answer that question. It may tend to incriminate me.

(Witness conferred with counsel.)

Mr. SCHERER. Did you ask the witness about his educational background?

Mr. TAVENNER. No, sir, I have not done so yet.

Mr. Gilman, the committee was very much interested in Eisenscher Exhibit No. 1 which is an application for post office box which was used by Communist Party headquarters for the State of Wisconsin. The date of that application was as late as September 30, 1954. As a result of the filing of that application Mr. Eisenscher was assigned box No. 1088. He gave your name as one of the references at the time he made that application.

I hand you a photostatic copy of a card——

(Witness conferred with counsel.)

Mr. TAVENNER. Purporting to be verification of reference of applicant for box bearing date of August 30, 1954.

Will you look at it, please?

(Document handed to witness.)

Mr. TAVENNER. Will you state whether or not it is your verification of Mr. Sigmund G. Eisenscher——

(Witness conferred with counsel.)

Mr. TAVENNER. By reason of his having given you as a reference?

Mr. GILMAN. Mr. Counselor, Mr. Chairman, I refuse to answer that question on the very same basis that I have stated before; that it may tend to incriminate me, article V, Bill of Rights.

Mr. TAVENNER. Will you examine the document again, please, and state whether or not you see a signature at the bottom of it?

Mr. GILMAN. Yes.

Mr. TAVENNER. You do see one?

Mr. GILMAN. Yes.

Mr. TAVENNER. What is the name appearing there?

Mr. GILMAN. You wish me to read from the document?

Mr. TAVENNER. Yes.

Mr. GILMAN. I will do so. "John Gilman."

Mr. TAVENNER. It is in handwriting; is it not?

Mr. GILMAN. It appears to be so.

Mr. TAVENNER. There is no doubt about that; is there?

Mr. GILMAN. No, there is no doubt in my mind that it is handwriting.

Mr. TAVENNER. Is it your handwriting?

Mr. GILMAN. I wouldn't swear to it. I couldn't say.

Mr. TAVENNER. You mean you are doubtful as to whether or not that is your signature?

Mr. GILMAN. I refuse to answer that question, Mr. Counselor. I couldn't say. It may be.

Mr. DOYLE. Why do you not come out and give an honest to God truthful answer? You know whether or not it is. Why do you not

help your Government? This is a straight across-the-table question. Why do you hedge on it? Why do you not tell counsel whether or not it is?

Mr. GILMAN. My answer to that, Mr. Chairman, is I stand on my constitutional rights. I do not wish to be incriminated by my own testimony and that is why we have the fifth amendment which I am invoking.

Mr. TAVENNER. Were you acquainted with Mr. Sigmund G. Eisenscher on August 30, 1954?

(Witness conferred with counsel.)

Mr. GILMAN. Mr. Counselor, Mr. Chairman, I wish to state that I refuse to answer this question on the same basis that I just answered the previous question, article V of the Bill of Rights, on the basis that such an answer might tend to incriminate me.

Mr. TAVENNER. Did you know on August 30, 1954, that Mr. Sigmund Eisenscher was the chairman of the Communist Party for the State of Wisconsin?

(Witness conferred with counsel.)

Mr. GILMAN. Mr. Chairman, I am once again invoking the fifth amendment on my answer to that question on the basis that it may tend to incriminate me.

Mr. DOYLE. This is the document, is it not, where I think the witness was asked about the signature, and he said it may be. Is that the one?

Mr. GILMAN. Yes, sir.

Mr. DOYLE. You verified that instrument, Witness?

Mr. GILMAN. I verified nothing, sir. I just said it may be.

Mr. DOYLE. You ought to know your own signature.

Mr. TAVENNER. This verification card is for the purpose, Mr. Chairman, of obtaining this information.

"Will you kindly advise this office if, in your judgment, the applicant is responsible and trustworthy." The document is signed as indicated by the witness.

Did you at any time serve on a commission of the Communist Party which had for its purpose the disciplining of a member of the Communist Party even by expulsion if necessary?

Mr. GILMAN. Mr. Chairman, Mr. Counselor, I am invoking article V of the Bill of Rights on the basis that any answer I might give may tend to incriminate me.

Mr. TAVENNER. Were you one of a group called the security commission of the Communist Party in the city of Milwaukee at any time since 1950?

Mr. GILMAN. Mr. Counselor, Mr. Chairman, I am invoking the fifth amendment for the same reason, that I previously stated.

Mr. TAVENNER. Were you 1 of 2 or 3 persons who expelled Merle Snyder from the Communist Party in 1950?

Mr. GILMAN. Mr. Counselor, Mr. Chairman, I am invoking the fifth amendment for the same previous reason.

Mr. TAVENNER. Do you know whether Mr. Merle Snyder was given an opportunity to answer charges preferred by the Communist Party or given any semblance of a trial?

Mr. GILMAN. Mr. Counselor, Mr. Chairman, I am invoking article V of the Bill of Rights on the basis it may tend to incriminate me.

Mr. TAVENNER. Did you grant Mr. Snyder any rights of any kind in the matter then deemed very important to him?

Mr. GILMAN. My previous answer was that I invoked the Bill of Rights, the fifth amendment. It is my present answer for the same reason.

Mr. DOYLE. You had better be careful. You will overwork that fifth amendment.

Mr. SCHERER. Do you deny, Witness, that you knew Merle Snyder? (Witness conferred with counsel.)

Mr. GILMAN. I have the same answer as the previous question, sir, the fifth amendment on the basis it may tend to incriminate me.

Mr. SCHERER. Mr. Snyder, would you stand up, please? Witness, would you look at that gentleman to your left?

Mr. DOYLE. Do not plead the amendment as to whether or not to take a look at him.

(Witness conferred with counsel.)

Mr. DOYLE. You have not looked at him yet.

[Witness turns.]

Mr. SCHERER. Would you tell us how well you knew him?

(Witness conferred with counsel.)

Mr. GILMAN. I state as I stated before I stand on my constitutional grounds. I am invoking the fifth amendment on the basis that any answer might tend to incriminate me along that line.

Mr. SCHERER. The fact is that you knew Merle Snyder while both of you were members of the Communist Party, did you not?

Mr. GILMAN. Is that a question, sir?

Mr. SCHERER. Is that not a fact? That is my question.

Mr. GILMAN. I invoke the fifth amendment for the previous reason.

Mr. TAVENNER. Were you acquainted with James R. Eggleston?

Mr. GILMAN. Mr. Counselor, Mr. Chairman, I am citing the fifth amendment as a reason for not answering that question on the basis that any testimony I give may tend to incriminate me.

Mr. TAVENNER. Mr. Eggleston identified you as a person known to him to have been a member of the Communist Party. Do you desire to refute that or explain it in any way?

Mr. GILMAN. I stand on my constitutional grounds in refusing to answer that question, sir, by invoking article V of the Bill of Rights.

Mr. TAVENNER. Were you a member of the Communist Party at any time while you were affiliated with the Civil Rights Congress?

Mr. GILMAN. Mr. Counsel, and Mr. Chairman, I am invoking the fifth amendment in refusing to answer that question on the basis that any answer that I give may tend to incriminate me.

Mr. SCHERER. Was Mr. Eggleston's testimony about your connection with the Communist conspiracy false?

Mr. GILMAN. Mr. Scherer, I am invoking article V of the Bill of Rights in my answer to that question and my reason was stated previously.

Mr. SCHERER. You knew Jim Eggleston well, did you not?

Mr. GILMAN. I am invoking article V of the Bill of Rights on the same answer that I stated previously.

Mr. SCHERER. I understand here that you are not denying any of the testimony that Jim Eggleston gave about you, are you?

Mr. GILMAN. Is that a question, sir?

Mr. SCHERER. That is a question. You understand.

Mr. GILMAN. Mr. Scherer, I am invoking the fifth amendment for the same previous reason.

Mr. SCHERER. Look to your left, there, at the gentleman seated closest to you.

Mr. DOYLE. Look at him before you plead the amendment.

(Witness conferred with counsel.)

Mr. GILMAN. I was conferring with counsel.

Mr. DOYLE. You have a perfect right to do so. He is a very distinguished counsel. I am glad you are here, counsel.

Mr. SCHERER. Stand up, Jim.

Mr. GILMAN. Oh.

Mr. DOYLE. I notice that you were surprised at who it was.

Mr. GILMAN. No; I was surprised because he was right next to me and I was looking back there, sir.

Mr. SCHERER. You know Jim Eggleston, do you not?

Mr. GILMAN. Mr. Scherer, I am invoking the fifth amendment for the same previous reasons.

Mr. SCHERER. You knew Jim Eggleston when both of you were active in the Communist Party, did you not? The only thing you did not know was that he was an undercover agent for the FBI, is that right?

Mr. GILMAN. Mr. Scherer, with all due respect to your office I am invoking my constitutional right of the fifth amendment in answer to that question for the same previous reason.

Mr. TAVENNER. Did you come to Milwaukee in 1947?

Mr. GILMAN. That is right, sir.

Mr. TAVENNER. What had been your educational training prior to your coming to Milwaukee?

Mr. GILMAN. When I was 6 years old—

Mr. TAVENNER. You need not go back that far. Do you have college training?

Mr. GILMAN. Yes, sir.

Mr. TAVENNER. Where?

Mr. GILMAN. I attended the University of Wisconsin and I received the bachelor of science degree and I also attended the graduate school for one-half year.

Mr. TAVENNER. When did you obtain your degree at Wisconsin?

Mr. GILMAN. I obtained my degree of bachelor of science, I believe it was in 1948, February, sir.

Mr. TAVENNER. What was your specialty in the postgraduate school? What were you specializing in?

Mr. GILMAN. I entered the university earlier in 1938 and engaged in 1 year of engineering, mechanical engineering. I returned from the Army and switched over, changed my course to letters and science, majoring in economics.

Mr. TAVENNER. Did you follow the same field in your post-graduate studies?

Mr. GILMAN. Yes, sir.

Mr. TAVENNER. Then in 1948 or 1949 you returned to Milwaukee?

Mr. GILMAN. I returned to Milwaukee in May, the latter part at the end of my post-graduate semester of 1948, sir.

Mr. TAVENNER. How did you become employed after your return to Milwaukee?

Mr. GILMAN. I opened up a floor-covering establishment when I came to Milwaukee.

Mr. TAVENNER. Are you still engaged in the same business?

Mr. GILMAN. Yes, sir.

Mr. DOYLE. What is the name of that business?

Mr. GILMAN. The Allied Linoleum Store, sir.

Mr. DOYLE. Was the address of that store the address you gave when you maybe signed that post office verification?

Mr. GILMAN. I am not familiar with the address, sir.

Mr. DOYLE. You saw the address on the post office verification when you said maybe that was your signature. I would like to know whether that was the address of your store or your residence.

(Witness conferred with counsel.)

Mr. DOYLE. Will you refresh the witness' memory as to the address that is on the verification, please, Mr. Tavenner?

Mr. TAVENNER. Yes, sir; 1860 North Prospect Avenue.

(Witness conferred with counsel.)

Mr. DOYLE. Was that your residence at that time or your store at that time?

(Witness conferred with counsel.)

Mr. TAVENNER. Mr. Chairman, I think the address which I have given is indicated on the application by Mr. Eisenscher as his address rather than the address of this witness. There is no address of this witness on the document I asked him to identify.

Mr. DOYLE. All right, thank you; my mistake.

Mr. TAVENNER. It is noted, Mr. Gilman, that you are a person who has had considerable educational advantages, that you have been in business for yourself from the very termination of your educational training until the present time. There is no record of any unemployment in your case or any difficulty in obtaining work to do. I want to ask you whether or not you became a member of the Communist Party before you came to Milwaukee?

Mr. GILMAN. Mr. Counselor, Mr. Chairman, I am invoking the fifth amendment of our Bill of Rights on the basis that what I might say might tend to incriminate me.

Mr. TAVENNER. Did you become a member of the Communist Party in Dane County, Wis.?

Mr. GILMAN. I am invoking the very same amendment, sir, for the very same reason to that question, sir.

Mr. TAVENNER. Were you a member of the Young Progressives of America while in attendance at the University of Wisconsin?

Mr. GILMAN. I am invoking the fifth amendment to that question, sir, on the grounds that it may tend to incriminate me.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. GILMAN. I am invoking article V of the Bill of Rights for the same reason as I stated previously.

Mr. TAVENNER. Were you a member of the Communist Party at any time?

Mr. GILMAN. Mr. Counselor, and Mr. Chairman, I am invoking article V of the Bill of Rights for the same reason as previously mentioned two questions back.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. DOYLE. Congressman Willis?

Mr. WILLIS. No questions.

Mr. DOYLE. Congressman Scherer.

Mr. SCHERER. Both Sid Berman and Sigmund Eisenscher were employed by you; were they not?

(Witness conferred with counsel.)

Mr. GILMAN. Mr. Scherer, I am invoking article V of the Bill of Rights to my refusal to answer that question on the grounds that any testimony I may give in that matter may tend to incriminate me, sir.

Mr. DOYLE. I direct the witness to answer.

Mr. GILMAN. I am standing on my constitutional grounds, article V of the Bill of Rights, on the basis that any answer I may give may tend to incriminate me, sir.

Mr. DOYLE. If the Communist conspiracy had its way there would not be any article V of the Bill of Rights and you know it.

Have you any other question, Mr. Scherer?

Mr. SCHERER. I have no further questions.

Mr. DOYLE. Mr. Gilman, I want to be as brief as I can, but I want to say that every time you pleaded the fifth amendment this gold star on my coat just wanted to come off, it was so ashamed of a distinguished veteran like you, according to your record, being a member of the Communist Party; then you come in here and plead the fifth amendment after receiving those decorations at the hands of your Government for your distinguished service.

I want to say just a word or two to this man. I think I have a right to. I am speaking for all the fathers that lost their sons in the war. I cannot understand, sir, how in the world you could come home from those battles and keep identified with the Communist conspiracy after you saw what you must have seen overseas. I am not going to take advantage of this sort of occasion to preach to you because you cannot answer back too well. I understand that. But I would like to talk to you when we were not in this courtroom.

Mr. GILMAN. Well, sir, may I ask you a question?

Mr. DOYLE. Go ahead.

Mr. GILMAN. Could I at some time in the future write you a letter of what I think about my war record? Would that be all right?

Mr. DOYLE. I am not interested in your war record. You have the material evidence. For one reason or another you were decorated several times. I know some boys that were decorated both while they were alive and after they were killed in war; so do not talk to me about your war record. It is a peace record I am interested in. [Applause.]

You come back here and you habitually practice infiltration into groups; you take that picture frame of medals with you and display it on the platform of places where you speak just as you tried to display it here when you first came in. I do not see any humility about that.

Mr. GILMAN. I sacrificed my life for that.

Mr. DOYLE. You did not sacrifice your life. You are dead alive.

One word more, please. I am trying to say this so that you will never forget it as long as you live. Why don't you in God's name get out of that combination of Communist activity and direct your humility and your service in the interests of your own great Nation that gave you those decorations and gave you the chance to immediately come back home here to make a fine living in your Allied Linoleum Co.? Why do you not quit hiring these men that are known to you as Communists and Communist leaders? Why do you not refuse to? Why do you not clean your own skirts and get a medal for peace instead of war?

I think that is all, Mr. Counsel.

(Witness excused.)

Mr. TAVENNER. Mr. George L. Sommers.

Mr. DOYLE. Will you please raise your right hand? Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SOMMERS. I do.

Mr. DOYLE. I might state to counsel that Mr. Gilman gave me a copy of a press release after he was dismissed from the subpoena. The press release was very short, but his record of medals won in the war was very long. Proceed, Mr. Tavenner.

**TESTIMONY OF GEORGE L. SOMMERS, ACCOMPANIED BY M. MICHAEL
ESSIN, COUNSEL**

Mr. TAVENNER. What is your name, please sir?

Mr. SOMMERS. George Lewis Sommers.

Mr. TAVENNER. It is noted that the witness is accompanied by counsel. Will you identify yourself, please?

Mr. ESSIN. Counsel for Mr. Sommers is M. Michael Essin, attorney, 623 North Second Street, Milwaukee 3, Wis.

Mr. TAVENNER. When and where were you born, Mr. Sommers?

Mr. SOMMERS. Minneapolis, Minn., 1918, August 23.

Mr. TAVENNER. Where do you now reside?

Mr. SOMMERS. 5631 South 45th Street, Milwaukee 15, Wis.

Mr. TAVENNER. What is your present occupation?

(Witness conferred with counsel.)

Mr. SOMMERS. Maltster.

Mr. TAVENNER. When did you come to Milwaukee?

Mr. SOMMERS. You mean for permanent residence?

Mr. TAVENNER. Yes.

Mr. SOMMERS. The very first week probably of January 1944, although I did live here for a couple of months in 1943.

Mr. TAVENNER. Will you tell the committee, please, what your educational training has been?

(Witness conferred with counsel.)

Mr. SOMMERS. Grade school and high school.

Mr. TAVENNER. What was your occupation before coming to Milwaukee in 1944 and prior?

Mr. SOMMERS. Prior?

Mr. TAVENNER. Yes, before 1944. Were you in the Armed Forces of the United States?

Mr. SOMMERS. No; I wasn't.

Mr. TAVENNER. Prior to coming to Milwaukee what was your employment?

(Witness conferred with counsel.)

Mr. SOMMERS. Well, Mr. Chairman, I have had quite a few jobs and done a lot of things. Do you want me to work backward or start at the beginning?

Mr. TAVENNER. Let us go backward and we will quit when we go too far.

Mr. SOMMERS. Before I was employed in the Malt House I worked for a well-drilling company. Part of the time—you see we go out on jobs—at Whitewater.

Mr. TAVENNER. Where was your residence at that time?

Mr. SOMMERS. Milwaukee.

Mr. TAVENNER. I understood you to say that you came to Milwaukee in 1944, January 1944?

Mr. SOMMERS. Yes.

Mr. TAVENNER. I asked you what your employment was before 1944, before you came to Milwaukee.

Mr. SOMMERS. Well, as I previously stated, I was here for a couple of months in 1943.

Mr. TAVENNER. Let us skip the couple of months. Other than that how were you employed and where did you reside?

Mr. SOMMERS. Well, I lived in Minneapolis.

I had better start from the very beginning of where I started working. Otherwise I will get all mixed up.

(Witness conferred with counsel.)

Mr. TAVENNER. Not too much in detail, just in a general way.

Mr. SOMMERS. In Burlington, Iowa, for about a year for Iowa Ordnance plant.

Mr. TAVENNER. When was that?

Mr. SOMMERS. In 1941 I am quite sure.

(Witness conferred with counsel.)

Mr. SOMMERS. After that I went to Oakland, Calif., and worked for a while in a foundry as a sand tester, and then I went to the shipyards in Oakland, Calif., and worked as a trainee welder and I left Oakland and went back to Minneapolis and worked as a welder for Brown Steel Tank Co.

Then I signed up and I went on a job on the Alaskan Highway for E. W. Elliott Co. I was hired in Minneapolis, but their office is in Seattle, I believe it is. After that I came back and went back to work at Brown Steel Tank, I think.

Mr. TAVENNER. Is that in Minneapolis?

Mr. SOMMERS. Yes. Then—let's see. I believe then I came to Milwaukee for a short period of time and I worked at, I think this was in 1943 I worked for Allis-Chalmers for about I would imagine 3 weeks or maybe a little longer, and then I quit there and went to a job in Canada.

I worked for Al Johnson Construction Co. They hired out of New York, but I got the job in Minneapolis. I went to an airbase. Then I came back to Minneapolis and came back to Milwaukee.

Mr. TAVENNER. You have been engaged in brewery work since 1944, then, up to the present time?

(Witness conferred with counsel.)

Mr. SOMMERS. What do you mean by brewery work?

Mr. TAVENNER. Did you not indicate that your occupation was of a type that you were employed in a brewery? Maybe I do not know enough about it to know.

Mr. SOMMERS. No; I did not. It is a malting company.

Mr. TAVENNER. I see. What position did you take in January 1944? Was it this same thing?

(Witness conferred with counsel.)

Mr. TAVENNER. How were you employed in 1944 when you first came here?

Mr. SOMMERS. Oh, in 1944, I think I went to Schlitz and if I get this right now I worked there, I would say, about possibly 3 weeks, maybe

a little longer; and then I heard about a job, it was advertised in the papers here. So I went down and applied for it. It was at Hanford, Wash.

Mr. TAVENNER. How long?

Mr. SOMMERS. Gosh, not too long. Possibly a month.

Mr. TAVENNER. Let us proceed a little more rapidly if we can.

Mr. SOMMERS. Then I came back to Milwaukee and went down to the employment office and got a job with a well-drilling company. Then after that, in November 9, 1944, I got a job with my present employer and I have been there ever since.

Mr. TAVENNER. Was there any labor union in the malting company in which you were employed which had bargaining rights with that company?

(Witness conferred with counsel.)

Mr. SOMMERS. Yes.

Mr. TAVENNER. What was that union?

(Witness conferred with counsel.)

Mr. SOMMERS. Do you want to know what the union is now?

Mr. TAVENNER. What it was then while you were employed there.

Mr. SOMMERS. They have changed their affiliation since then.

Mr. TAVENNER. Give us what it was then and what it is now.

(Witness conferred with counsel.)

Mr. SOMMERS. I can't remember what it was exactly. I think it was independent at that time.

Mr. TAVENNER. What is it now?

Mr. SOMMERS. It is the A. F. of L.—CIO local 9.

Mr. TAVENNER. Local 9, United Brewery Workers.¹ Is that not the name of it?

Mr. SOMMERS. Yes; I believe it is.

Mr. TAVENNER. Why, you know it is; do you not?

Mr. SOMMERS. Yes; I know it is.

Mr. TAVENNER. Local 9. How long has it had that designation? You say it was changed from an independent to the United Brewery Workers of the CIO?

(Counsel conferred with witness.)

Mr. SOMMERS. I am not sure, Mr. Chairman.

Mr. TAVENNER. When did that occur?

Mr. SOMMERS. I am not sure.

(Witness conferred with counsel.)

Mr. TAVENNER. It has been a number of years ago, hasn't it?

Mr. SOMMERS. Yes.

Mr. TAVENNER. Mr. Sommers, the committee is well aware of the anti-Communist character of the United Brewery Workers.

(Counsel conferred with witness.)

It is hard for us to understand that that organization has knowingly permitted anyone to be an officer of its organization who is known to them to be a member of the Communist Party. What office did you hold in the union?

(Witness conferred with counsel.)

¹ Reference to International Union of United Brewery, Flour, Cereal, Soft Drink, and Distillery Workers of America—CIO.

Mr. SOMMERS. Mr. Chairman, counsel, the thing I am thinking about is I was a delegate to the CIO council. That is not a constitutional office.

Mr. TAVENNER. Yes; that is my error. You were a delegate to the CIO council?

Mr. SOMMERS. Yes.

Mr. TAVENNER. In what years?

(Witness conferred with counsel.)

Mr. SOMMERS. I am not sure, Mr. Chairman.

(Witness conferred with counsel.)

Mr. SOMMERS. I think it was around 1949 and 1950. I am not sure.

Mr. TAVENNER. What I am getting around to is that we have a feeling that if you were a member of the Communist Party at any time as has been testified to here before this committee, that you are probably no longer a member of the Communist Party and I want to call on you to cooperate with this committee to give it such facts as you may have within your knowledge during the period you were a member, if you were a member.

You are not a member of the Communist Party now, are you?

(Counsel conferred with witness.)

Mr. SOMMERS. Mr. Chairman, on the grounds that anything I may say—I cannot be made to testify against myself, fifth amendment.

Mr. TAVENNER. You were a member of the Communist Party at the time you were on the CIO council, though, were you not?

(Witness conferred with counsel.)

Mr. SOMMERS. On the grounds that anything I say may tend to incriminate me I use the fifth amendment.

Mr. TAVENNER. You were expelled as a member of the CIO council, were you not?

(Witness conferred with counsel.)

Mr. SOMMERS. On the ground that anything I say may tend to incriminate me, fifth amendment.

Mr. TAVENNER. Was it not because of your Communist Party affiliations at that time that you were expelled by the CIO county council?

(Witness conferred with counsel.)

Mr. SOMMERS. On the ground that anything I say may tend to incriminate me I cannot be made to testify against myself, fifth amendment.

Mr. TAVENNER. But in recent years your affiliation with the Communist Party has been very slight, has it not?

(Witness conferred with counsel.)

Mr. SOMMERS. Mr. Counselor, Mr. Tavenner, on the grounds that anything I say may tend to incriminate me, I refuse to answer the question based on the fifth amendment.

Mr. TAVENNER. During the year 1949 according to the testimony introduced before this committee, during these hearings, you were a member of the East Side section of the Communist Party in Milwaukee. Is that testimony false?

Mr. SOMMERS. On the grounds that I cannot be made to testify against myself I use the fifth amendment.

Mr. TAVENNER. Were you not a member of the East Side section of the Communist Party?

Mr. SOMMERS. The answer is the same as the previous answer, fifth amendment.

(Witness conferred with counsel.)

Mr. TAVENNER. Have you ever been a member of the Communist Party?

Mr. SOMMERS. On the grounds that anything I say may tend to incriminate me I refuse to answer the question; fifth amendment.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. DOYLE. Do you have questions, Congressman Willis?

Mr. WILLIS. No questions.

Mr. DOYLE. Congressman Scherer?

Mr. SCHERER. I have no questions.

Mr. DOYLE. I think I will share with you, Witness, what Mr. Scherer, the distinguished Congressman from Ohio said to me just now while we were listening to your testimony and reading your testimony in connection with the written document we have about your former activities in the Communist Party.

He said, "I have a feeling that this witness, if he is not already out of the Communist Party wishes he were and will get out." That is confidential between us two Congressmen but you are entitled to know it, and I am telling you for this reason:

Why do you not join the increasing number of American young men and women who are cooperating with Congress in this difficult field and come clean and offer your services to Congress to ferret out this Communist conspiracy here in Milwaukee? We invite you to join that increasing number of men and women that have come to the point where they sense that their highest duty is to their Nation instead of to the Communist Party. We invite you to do that, to make up your mind pretty suddenly to do that very thing and turn your talents toward that.

Mr. TAVENNER. Mr. Chairman, may I make a further suggestion? I am so convinced that the committee members are right in their feelings about it that I believe this witness ought to be given an opportunity to consider his position further and come back if he desires before this committee finishes its hearing today and set himself straight.

Mr. WILLIS. Mr. Tavenner, I think you were very fair, extremely fair.

Young man, you were given every opportunity by implication of the questions. He practically told you that he believed that you are probably not now a Communist and maybe you have made a mistake in the past. I think it would be a wonderful thing if you got out for honest reasons. I really do. You would do yourself, the Government, your coworkers, your community, your church as you probably have one, and yourself and wife and children if you have any, a real service.

I would take advantage of that offer.

Mr. SCHERER. Witness, would you be interested in first testifying in executive session?

(Witness conferred with counsel.)

Mr. SCHERER. I think that perhaps if there were not some people in this courtroom this man would testify. That is the reason I suggest that he might want to testify in executive session.

(Witness conferred with counsel.)

Mr. SOMMERS. Mr. Chairman, on the grounds that anything I say may tend to incriminate me I refuse to answer the question Mr. Scherer directed to me based on the fifth amendment.

Mr. DOYLE. It is just another case where we have gone out of the way and we are glad to do so where there is any chance in the world to get the cooperation of a citizen who we believe regrets the connection and wants to get out of it.

We have done all over the Nation just what we have done with you, Witness.

Mr. SCHERER. I am thoroughly convinced, Mr. Chairman, that if there were not certain influences in this hearing room, this witness would and could tell us a lot about the efforts of the Communist Party to infiltrate here.

Mr. DOYLE. You are dismissed from the subpoena, but I want to renew our invitation. I will make the same invitation to anyone that happens to hear my voice, that if you have any desire to cooperate with the committee the way it has been working in performing its duty, contact immediately Mr. Tavenner, our distinguished counsel, or Mr. Jones, one of our investigators and we will try to hear you this afternoon or tonight.

(Witness conferred with counsel.)

Mr. SOMMERS. Mr. Doyle, I have two subpoenas, one for April 4.

Mr. DOYLE. Just forget the April 4 one.

Mr. SOMMERS. Thank you.

(Witness excused.)

Mr. DOYLE. We will take a recess for 5 minutes.

(Whereupon, a short recess was taken.)

Mr. DOYLE. The committee will stand in order after this recess and let the record show that the three members of the subcommittee are all present.

I want to again thank the guests of the committee in the courtroom for your very considerate attention. The courtroom is full and overflowing. We realize that it is not comfortable to stand in this warm room hour after hour.

On behalf of the committee and staff I want you to know that we appreciate your remaining as quiet as possible. We will finish our hearings sometime this afternoon.

You might be interested to know who the young man was who came to the desk just now and greeted me and the other members of the committee. He is one of a group of Marquette University students. The group has been in the courtroom off and on during these 3 days. They are studying the operation of their own congressional committees. I want to compliment the students on coming here and furthering their education. We feel it is very important that all American citizens learn everything they can about their own Government and how it operates. So it is refreshing to find this group of university students who are going out of their way to come here and study how this congressional committee operates because, after all, we men are their Congressmen as well as the Representatives for each of our congressional districts.

Most people do not realize the Members of Congress are United States Representatives who happen to be elected from their respective districts.

Mr. Tavenner, are you ready?

Mr. TAVENNER. Yes, sir.

Mr. DOYLE. Proceed.

Mr. TAVENNER. Mr. Harry Virgil.

Mr. DOYLE. Do you solemnly swear to tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. VIRGIL. I do.

Mr. DOYLE. Please be seated.

**TESTIMONY OF HARRY VIRGIL, ACCOMPANIED BY M. MICHAEL
ESSIN, COUNSEL**

Mr. TAVENNER. Let the record show that the witness is accompanied by the same counsel who accompanied the preceding witness.

Will you state your name, please, sir?

Mr. VIRGIL. Harry Virgil.

Mr. TAVENNER. When and where were you born, Mr. Virgil?

Mr. VIRGIL. Mt. Carmel, Ill., January 20, 1911.

Mr. TAVENNER. Where do you now reside?

Mr. VIRGIL. Milwaukee.

Mr. TAVENNER. How long have you lived in Milwaukee?

Mr. VIRGIL. Since 1932. I will correct that, Mr. Chairman. I believe it was 1933 rather than 1932.

Mr. TAVENNER. What is your occupation?

Mr. VIRGIL. Salesman.

Mr. TAVENNER. Have you served in the Armed Forces of the United States?

Mr. VIRGIL. No, sir. Pardon. I would like to consult with my attorney on one thing. I think I have given a correct answer.

Mr. TAVENNER. All right.

(Witness conferred with counsel.)

Mr. VIRGIL. I want to add to that, Mr. Tavenner, that for I think a period of about a year I did serve in the National Guard of Illinois.

Mr. TAVENNER. Will you tell the committee, please, what your formal educational training has been?

Mr. VIRGIL. High school and a few subjects at night school in college.

Mr. TAVENNER. You came to Milwaukee in 1933?

Mr. VIRGIL. I think approximately.

Mr. TAVENNER. How were you first employed upon coming to Milwaukee?

Mr. VIRGIL. Salesman.

Mr. TAVENNER. Is that the same employment that you are now engaged in?

Mr. VIRGIL. No.

Mr. TAVENNER. Would you begin, say, with 1940 and tell us what your employment has been since that time?

(Witness conferred with counsel.)

Mr. VIRGIL. From 1940 up until 1946 or 1947—again I am not sure—I was employed as an organizer for various CIO unions and after leaving there I went to work in a plant, worked a year and a half.

Mr. TAVENNER. What plant?

Mr. VIRGIL. Unit Crane & Shovel.

Mr. TAVENNER. Is that a plant in which the CIO had bargaining rights at the time?

(Witness conferred with counsel.)

Mr. VIRGIL. Yes, sir.

Mr. TAVENNER. What were the CIO unions which you were organizer for?

(Witness conferred with counsel.)

Mr. VIRGIL. Various unions. I am not sure of the chronology of it. They were packinghouse—

Mr. TAVENNER. What date?

Mr. VIRGIL. Well, there is where I am confused on dates. Packinghouse workers was one. I believe that I worked for the retail clerks subsequent to 1940 but I am not sure because I left there around that time. The woodworkers; ¹ Food, tobacco and agricultural workers. ²

Mr. TAVENNER. That was over a period of how long?

Mr. VIRGIL. Oh, roughly 5, 6 years.

Mr. TAVENNER. You would say from 1942 up through 1947 or 1948?

Mr. VIRGIL. No, 1946 or 1947 was the termination date, I know.

Mr. TAVENNER. After 1947 how were you employed?

Mr. VIRGIL. Well, as I stated before I was in this plant, the Unit Crane & Shovel. I was laid off there in the late fall or early winter. Again, the year I am twisted on. I went from there to selling cemetery lots. I sold cemetery lots for a period of a year and a half or so. Then I went into the type of employment I am in now, food selling.

In between now and previously on the same job I spent a couple of years as an appliance salesman.

Mr. TAVENNER. Now, Mr. Virgil, there has been considerable testimony before this committee during this hearing indicating activity on your part in the Communist Party. We heard the testimony of Mr. Ondrejka that you played an important part in his recruitment into the Communist Party, not that you were the first person by any means who talked with him about it, but that Mr. Merle Snyder took him to your home as a part of the negotiations which resulted in his becoming a Communist Party member.

The committee has information that you engaged in other Communist Party recruiting which has not yet been the subject of the testimony. The committee was advised during the hearings that you were a functionary of the East Side section of the Communist Party.

If those things be true you are in a position to have considerable knowledge about the activities of the Communist Party in Milwaukee and the committee will want you to give such information as you have.

Now, let us begin by my asking you whether or not you were the section organizer of the East Side section of the Communist Party?

(Witness conferred with counsel.)

Mr. VIRGIL. Mr. Tavenner, Mr. Chairman, I cannot be compelled to be a witness against myself. Therefore, I invoke the fifth amendment of the Constitution.

Mr. TAVENNER. And refuse to testify?

Mr. VIRGIL. And refuse to testify.

(Witness conferred with counsel.)

Mr. TAVENNER. Did you engage in any recruiting of members for the Communist Party?

Mr. VIRGIL. Again I invoke the fifth amendment for the same reason previously stated.

¹ Reference to International Woodworkers of America, CIO.

² Reference to Food, Tobacco, Agricultural, and Allied Workers Union of America.

Mr. SCHERER. Are you familiar with the testimony that Ondrejka gave concerning your activities in connection with the Communist Party?

(Witness conferred with counsel.)

Mr. VIRGIL. Mr. Scherer, other than what Mr. Tavenner has stated here I have not been here and I am not familiar.

Mr. SCHERER. What Mr. Tavenner stated was in substance part of the testimony of the witness Ondrejka.

Mr. TAVENNER. May I interrupt you a moment? I was in error in asking this witness about being the organizer of the East Side section of the Communist Party. The testimony was that he was chairman. So I think in presenting your question you should clear that up.

Mr. SCHERER. With that correction it was my opinion that Mr. Tavenner stated correctly what the witness Ondrejka stated as to your activities in the Communist Party. Was any of that false as related by Mr. Tavenner?

Mr. VIRGIL. Again, Mr. Scherer, because I cannot be compelled to be a witness against myself I invoke the fifth amendment and refuse to testify.

Mr. SCHERER. If any of that testimony that Ondrejka gave as related by Mr. Tavenner was false would you so state?

Mr. VIRGIL. Again I invoke the fifth amendment, for the same reasons previously stated and refuse to testify.

Mr. TAVENNER. Were you acquainted with Merle Snyder?

(Witness conferred with counsel.)

Mr. VIRGIL. Mr. Tavenner, because I cannot be compelled to appear as a witness against myself I invoke the fifth amendment and refuse to testify.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. VIRGIL. Again I invoke the fifth amendment because I cannot be compelled to appear as a witness against myself, and therefore I refuse to testify.

Mr. TAVENNER. Have you ever been a member of the Communist Party?

Mr. VIRGIL. Again the fifth amendment. I cannot be compelled to appear as a witness against myself and I refuse to testify.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. DOYLE. Mr. Willis?

Mr. WILLIS. No questions.

Mr. DOYLE. Mr. Scherer?

Mr. SCHERER. No questions.

Mr. DOYLE. I want to make just very briefly, Mr. Virgil, the same observation to you that you have heard me make to these other citizens who have pleaded the fifth amendment. I want to urge you to get out of whatever relationship you are in, if you are still in the Communist Party to get out of it and quit your activity in it and put your native ability in support of your own American institutions. Why do you not do that? I want to urge you to.

The witness is dismissed.

(Witness excused.)

Mr. DOYLE. The committee will stand in order again and the record will show all committee members present.

Proceed Mr. Tavenner.

Mr. TAVENNER. Mr. Merle Snyder.

Mr. DOYLE. Mr. Snyder, do you solemnly swear to tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. SNYDER. I do.

Mr. DOYLE. Please be seated.

TESTIMONY OF MERLE SNYDER

Mr. TAVENNER. What is your name, please, sir?

Mr. SNYDER. My name is Merle Snyder.

Mr. TAVENNER. When and where were you born, Mr. Snyder?

Mr. SNYDER. I was born in Huron, S. Dak., in 1921, April.

Mr. TAVENNER. Are you now a resident of Milwaukee?

Mr. SNYDER. I am.

Mr. TAVENNER. What is your occupation?

Mr. SNYDER. I am an engineer.

Mr. TAVENNER. Are you aware of the practice of this committee in permitting all persons who appear before it, whether in open session or executive session, to have counsel accompanying them if they so desire?

Mr. SNYDER. I am.

Mr. TAVENNER. It is noted that you do not have counsel with you. Do you desire counsel or do you prefer to go ahead without counsel?

Mr. SNYDER. I prefer no counsel.

Mr. TAVENNER. Will you tell the committee, please, what your educational training has been?

Mr. SNYDER. I have high school and 2½ years of technical engineering.

Mr. TAVENNER. When and where did you receive that technical training?

Mr. SNYDER. At the Bradley Polytechnic Institute in Peoria, Ill.

Mr. TAVENNER. When did you complete your training?

Mr. SNYDER. The training, Mr. Tavenner, was not complete. I didn't finish. It was roughly in, I think, 1946 or thereabouts.

Mr. TAVENNER. When did you come to Milwaukee to make this city your home?

Mr. SNYDER. I think that was 1946.

Mr. TAVENNER. Were you a member of the Communist Party when you came to Milwaukee?

Mr. SNYDER. No.

Mr. TAVENNER. There was a period of time, however, when you were a member of the Communist Party, is that not true?

Mr. SNYDER. Yes, that is true.

Mr. TAVENNER. It has been testified here by Mr. Ondrejka that you are the person who actually recruited him into the Party. Is that correct?

Mr. SNYDER. I believe that is correct, yes.

Mr. TAVENNER. Mr. Ondrejka testified that recruiting occurred through the medium of the Young Progressives of America, that he was very active in that organization at that time, and one thing led to another and finally he became a member of the Communist Party. Were you a member of the Young Progressives of America?

Mr. SNYDER. Yes, I was.

Mr. TAVENNER. I think it was so testified by Mr. Ondrejka.

I wish you would tell the committee, please, the circumstances surrounding your becoming a member of the Communist Party.

Mr. SNYDER. I was a member of the Young Progressives Party and a member of the People's Progressive Party and while working in the People's Progressive Party and the Young Progressives I became acquainted with people who later I found out were Communist Party members. In that way, through constant association, I think I gradually drifted into the party and became a party member, was asked to become a party member and did. That is briefly how I joined the Communist Party.

Mr. TAVENNER. Then this is another instance where a front organization served as a very effective recruiting ground for the Communist Party?

Mr. SNYDER. I would say, yes. The principles on which the Progressive Party were founded at first to me seemed harmless enough, but after looking it over now I can understand that it was exactly that, a front for recruiting.

Mr. TAVENNER. What year did you become a member?

Mr. SNYDER. That was in the early part of 1949, I believe, January.

Mr. TAVENNER. Who was the person or who were the persons in the Young Progressives of America or the Progressive Party, either one, who were responsible for your actual recruitment into the party?

Mr. SNYDER. I would say the one most responsible would have been Harry Virgil.

Mr. TAVENNER. Is that the same person who just testified from the stand ahead of you?

Mr. SNYDER. That is.

Mr. TAVENNER. Are there any other circumstances that you can give us now about his recruitment of you into the Communist Party?

Mr. SNYDER. Leading up to my recruitment, Harry and his wife, Ida, were very active in the Progressive Party with regard to mimeographing leaflets, distribution, mailings and the like, and I became involved in that same activity. Would you refresh my memory on what exactly you wanted, Mr. Tavenner?

Mr. TAVENNER. I wanted to know just what Mr. Virgil said to you if anything, or whether you approached him, or just what the facts are about your actual recruitment into the party.

Mr. SNYDER. As I recall it I asked Harry Virgil—I don't think I asked him. I made a statement, "You are a member of the Communist Party, aren't you, Harry," and he did not give me a direct answer. He gave me quite an evasive answer, but one that led me to believe, of course, that he was; which I already did believe. Subsequently, after more work and more visits at Harry's apartment I asked to become a member of the Communist Party.

Mr. TAVENNER. And you became a member?

Mr. SNYDER. I became a member.

Mr. TAVENNER. What group or branch of the Communist Party were you assigned to?

Mr. SNYDER. The East Side section.

Mr. TAVENNER. Who was the chairman of that branch of the Communist Party?

Mr. SNYDER. Al Hirsch was chairman at that time.

Mr. TAVENNER. Mr. Chairman, he is a person who testified before this committee on the first day.

Do you recall who became chairman at a later date?

Mr. SNYDER. My recollection is only that Al Hirsch was chairman of the East Side section.

Mr. TAVENNER. In what phase of Communist Party activity did you devote most of your time and attention?

Mr. SNYDER. Mostly the distribution of literature and the selling of the Sunday Worker. I believe it is the Sunday Worker instead of the Daily Worker. It came out every Sunday, and at least I was selling Workers.

Actually there weren't too many activities in the East Side group there that I was connected with. I did a lot of distributing. I will tell you that.

Mr. TAVENNER. These circulars that you speak of, were they gotten out by this particular group, the East Side group of the Communist Party or were they gotten out by one of the front organizations of the party or both?

Mr. SNYDER. I would say both, and I would also say we received much literature and mail from, I would imagine, New York or some place like that. I couldn't tell you the exact place. We would distribute that literature, too.

Mr. TAVENNER. Would you give the committee, please, the names of those that you can now remember who were members of the East Side branch of the Communist Party?

Mr. SNYDER. There was Al Hirsch as chairman. Harry and Ida Virgil; George Sommers; Otis Daigle.

Mr. TAVENNER. Will you spell that last name?

Mr. SNYDER. I believe it is spelled D-a-i-g-l-e.

Mr. TAVENNER. If you can give the committee any further identifying information relating to these people as to how they were employed it might be of some aid to the committee in the matter of identification.

Mr. SNYDER. I think I can do that. Al Hirsch was, I believe, connected with the CIO News. Harry Virgil, when I knew him was a salesman. He sold lots in cemeteries. George Sommers, I believe, was working for a malting company at the time. Otis Daigle, I believe he ran a rooming house or something like that. I don't know if he was employed otherwise. There was another member, Jack Meister—

Mr. TAVENNER. Will you spell the last name?

Mr. SNYDER. M-e-i-s-t-e-r. I believe he owns several apartment houses around the city, and Mike Ondrejka also became a member about a month before we changed groups. There was a termination of our attending the East Side group. I don't exactly recall when that was. Mike, by the way, was a shoe salesman for the Burt Shoe Store, I believe it was. I think that is all the members at the time.

Mr. TAVENNER. Did you continue your activities in the Young Progressives of America after becoming a member of the Communist Party?

Mr. SNYDER. Yes; I did.

Mr. TAVENNER. In the continuation of that work and other work of the Communist Party, did you have occasion to meet other members of the Young Progressive Party besides those whose names you have given us?

Mr. SNYDER. Yes; I did.

Mr. TAVENNER. I am going to ask you to tell us who those people are, but I want to know what your basis of identification of them is; that is, how you knew that they were members of the Communist Party?

Mr. SNYDER. Well, on that basis, Mr. Tavenner, there are many people that I believe to be Communists. However, I can give you no definite basis or tie-in and such. I think I should omit their names.

Mr. TAVENNER. That is exactly correct and it is the reason I asked you the question that way, because I don't want your belief in the matter no matter how sound your belief may be about it. I want you to give us identification of only those that you know with certainty were members of the Communist Party.

Mr. SNYDER. I would like to start off so that it will be easier for me in this manner: The people who lived with me; and take off from there.

Sidney Berger lived with me at my apartment; Herb Major lived with me. I will go then from there. Mark Berman: He used to come to our apartment and would stay overnight occasionally. Well, he chaired a couple of meetings.

Jerry Rose also was coming to my apartment, also a member of the YPA. Mark Berman also a member of the YPA. Betty Gossell, chairman of the YPA; Ted Silverstine a member of the YPA, also a member of the—you see, all these people that I am naming now are members of the Communist Party as I knew them. My memory fails me. It should be better than this.

Jim Eggleston, a member of YPA, also used to come to the apartment on occasion. Sally Mattis—

Mr. TAVENNER. Will you spell that last name?

Mr. SNYDER. M-a—it is either "t" or double "t"—i-s. I don't know which.

Mr. TAVENNER. Let me ask you this: Did you have any occasion to be affiliated with any group of the party within the field of labor, any cell in a manufacturing plant?

Mr. SNYDER. No.

Mr. TAVENNER. Therefore, you would not have the opportunity of knowing members of the Communist Party in such groups unless you met with them?

Mr. SNYDER. Unless I would have met with them, yes.

Mr. TAVENNER. Do you recall having met with any of those groups?

Mr. SNYDER. No, no labor groups.

Mr. TAVENNER. I interrupted you. Are there any others that you can now recall?

Mr. SNYDER. Murray Wolfson, I recall. He taught a class in political economy at which I attended. Lillian Rody attended the class with me in political economy which was strictly for Communist Party members. If you are asking me about the youth group now—

Mr. TAVENNER. Any group that you met with.

Mr. SNYDER. Well, actually I only met with the youth group and the East Side section, so I think I had better confine my testimony to that.

Mr. TAVENNER. And also the school that you said you attended or the study class.

Mr. SNYDER. At this study class or this political economy course that was taught first by Andrew Reams, and then Murray Wolfson

took over; I believe that Fred Blair dubbed in one session. I am not sure.

I remember a Nada Hudson attending. Mary Keith attended a couple of sessions there. She operated the People's Book Store on West Wisconsin Avenue.

Mr. TAVENNER. Is that about all that you can recall at this time?

Mr. SNYDER. That is all I can recall, Mr. Tavenner. There are many people that I could recall. However, I can't remember at this time.

Mr. TAVENNER. In fact you have tried to put this whole matter behind you, haven't you, in the last few years?

Mr. SNYDER. Mr. Tavenner, to be honest with you I thought it would never come up again. I had hoped such.

Mr. TAVENNER. I believe the only other matter that I want to talk to you about is the situation that developed when you were put out of the Communist Party. You have told us that you became a member of the Communist Party in the early part of 1949.

Mr. SNYDER. That is right.

Mr. TAVENNER. How long did you remain a member?

Mr. SNYDER. I was expelled from the Communist Party in October 1950.

Mr. TAVENNER. Were you given any sort of a democratic trial prior to your discharge?

Mr. SNYDER. Ordinarily when you speak of a democratic trial you are speaking of a trial held before a judge and jury and you have counsel, and also you are notified probably several weeks in advance or perhaps months in advance of such a trial.

Mr. SCHERER. Let us not call it a trial. Let us call it a hearing.

Mr. TAVENNER. Let me ask you this: At that particular time, after having been in the Communist Party from 1949, it seems that your place of residence was surrounded by members of the Communist Party. Would it be correct to say that virtually all of your friends at that period of time were persons who were in the Communist Party?

Mr. SNYDER. That is correct.

Mr. TAVENNER. Your whole social life was bound up at that time in the Communist Party?

Mr. SNYDER. That is definitely correct.

Mr. TAVENNER. For how long a period of time was that to which you refer approximately?

Mr. SNYDER. Well, approximately for 2 years.

Mr. TAVENNER. Will you tell the committee, please, just what happened?

Mr. SNYDER. One night in early October I was paid a visit by one Sigmund Eisenscher. He asked me to accompany him in his car. We went out on the far west side on North Avenue, West. We picked up another man whom I did not know, whom I can't recall. We went back to the city and went to the Allied Linoleum Co. where we either met John Gilman or maybe we picked him up. I don't recall. We went in the store and were seated. Sig Eisenscher started questioning me. At first I thought that the questions were directed because they were going to send me to school, to a Marxist school.

Mr. TAVENNER. Why did you think that?

Mr. SNYDER. I had been informed about a month earlier that they were considering sending me to school. I think I may have asked to

be sent to school because I was always rather weak on Communist theory.

At any rate I believe the question period was about a half hour and at the end of that time I was beginning to wonder exactly what was going on because of the type of questions that were being thrown at me, and it was about that time that Sig Eisenscher pulled out a type-written statement, I imagine about 2 pages long and read it to me.

Mr. SCHERER. Did you answer those questions that they asked you during this half hour?

Mr. SNYDER. I did.

Mr. SCHERER. Did you use the fifth amendment?

Mr. SNYDER. No.

Mr. TAVENNER. Was this statement that was presented at that time a statement which had been prepared ahead of the questioning?

Mr. SNYDER. Yes.

Mr. TAVENNER. Ahead of this meeting?

Mr. SNYDER. Yes, it was. Eisenscher then read me the charge of being an FBI agent, of my being suspected of being an FBI agent, that they could not tolerate such people in the Communist Party; therefore, I was as of then no longer a Communist.

Mr. TAVENNER. Were you representing the FBI in any capacity?

Mr. SNYDER. No, none whatsoever.

Mr. TAVENNER. In other words, this statement was false in every respect?

Mr. SNYDER. It was definitely false.

Mr. SCHERER. Did you tell them it was false?

Mr. SNYDER. I did. I would like to explain my attitude at the time. Mr. Tavenner has led up to it. My whole life for 2 years was the Communist Party. I had no outside friends or no outside contacts. My home was far away. I had no relatives here. Therefore, I was very much wrapped up in the Communist Party, and when I was expelled from the Communist Party I thought that this was a real blow. Actually it was a real blow.

I didn't realize until I would say 3 months later what a very good service they had done for me.

Mr. DOYLE. In other words, you felt it was an unfair, unjust and very crippling blow to you at the moment?

Mr. SNYDER. At the moment I thought it was true.

Mr. DOYLE. But later you decided it was a favor?

Mr. SNYDER. I was married 3 months later and have a very fine wife and family. I am sure I wouldn't have these if I had been a member of the Communist Party.

Mr. TAVENNER. You say that this charge was presented against you involving possible connections with the Federal Bureau of Investigation. Do you have any reason to believe that there was some other motive that influenced the Communist Party in taking this action against you, and they just used that as a pretext?

Mr. SNYDER. Of course, it is only a theory of mine.

Mr. TAVENNER. I think you are entitled to present it in light of what occurred.

Mr. SNYDER. I believe in this case that I had incurred the enmity of one Mark Berman. I think that he put the so-called skids under me as far as getting me out of the Communist Party.

I base that theory on the fact that Mark Berman used to borrow my car. At one time he borrowed my car and didn't return it for 3 days, and I had assumed it was a couple of hours or at least that evening I would have my car back. However, 3 days later I went after my car.

Mr. DOYLE. Went where? Did he not return it?

Mr. SNYDER. He didn't return my car, no.

Mr. DOYLE. Did you pay for the gasoline while he had it?

Mr. SNYDER. I imagine that he burned up the gas in the tank that was there. I don't recall if there was more gas in the car when he brought it back or not. At least I went after my car. I was looking for it, and I was walking down on West Michigan Avenue by the Milwaukee Depot and I spotted my car and I also spotted Mark Berman at the same time. I approached him and said that I would sure as the devil like to have my car back. He put me off quite abruptly and told me that I should get away because someone was trailing him and that he had to get away fast. He got away fast.

That evening, however, he did return my car and when he returned it he threw the keys; they went on the floor. He said, "Take your so-and-so car and your keys," and stalked out the door.

I thought that at the time it was a very unreasonable attitude for anyone to have. [Laughter.]

Mr. SCHERER. You just were not a true Communist at heart.

Mr. SNYDER. However, I do think that that is one of the reasons. Mark Berman was quite an important member in the Communist Party and I think that that more than likely influenced the whole affair. Mark just didn't like me after that. That is about all I can say about that.

Mr. TAVENNER. After you were expelled from the Communist Party did you make any effort to get back in?

Mr. SNYDER. No.

Mr. TAVENNER. Since the time of your expulsion have you engaged in any Communist Party activity?

Mr. SNYDER. None whatsoever.

Mr. TAVENNER. Have you anything that you desire to say to the committee in addition to what you have already said about your good fortune in having been mistreated? You are perfectly at liberty to say it.

Mr. SNYDER. I am not much of a talker. As a matter of fact I get quite embarrassed when I do speak. I would say this: That I am very happy to have the experience that I have gotten and still not be a member of the Communist Party. It is something that if everybody in the United States could know actually what I know about the party and not be a Communist, which is quite a contradiction, of course, I don't think we would have any trouble today with communism in the United States.

Mr. TAVENNER. Do I understand from that that you are saying in substance that you feel that with the knowledge you now have of the Communist Party you can be more loyal to your country?

Mr. SNYDER. I can be much more loyal.

Mr. TAVENNER. Because of the mistakes that you know have occurred?

Mr. SNYDER. That is right. I wish to say that I have absolutely no affection for the Communist Party or their way of life. I am very happy that what happened did happen when it did. I like to think

that if it hadn't happened, that if I would not have been expelled that I would have gotten out by myself at a later date. That is what I like to think, at least.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. DOYLE. Congressman Willis?

Mr. WILLIS. I have no further questions.

Mr. DOYLE. Congressman Scherer.

Mr. SCHERER. I have no questions.

Mr. DOYLE. They had an educational class in the history of the United States Constitution, did they not, while you were a member; a class which you attended?

Mr. SNYDER. I don't recall, Mr. Doyle.

Mr. DOYLE. Neither do I, but my remark was made facetiously for effect because I have never heard of a Communist class studying the United States Constitution. I thought that by asking a question that way it would emphasize for your attention and for the record that there is no such thing.

You said for 2 years your whole life was wrapped up in the Communist Party?

Mr. SNYDER. That is correct.

Mr. DOYLE. What do you mean by that?

Mr. SNYDER. That perhaps takes a little explaining. I moved to Milwaukee from Chicago about a year previous to becoming a member of the Communist Party. Upon leaving Chicago coming to a strange place, I had no friends at the time, and my first contacts were with the Young Progressives and with the Progressive Party. I made no attempt to make friends outside of those two groups, and therefore, when I was expelled from the Communist Party it was an expulsion and it was also a complete ignoring of me.

I recall the first night I went back. I believe Mike Ondrejka was in his room. The apartment was mine. Therefore I didn't have to move.

Mr. DOYLE. Did you pay the rent for all the others; that is, sharing?

Mr. SNYDER. I paid the rent of that apartment for the other two. Mike paid his own way.

Mr. DOYLE. For which two did you pay the rent?

Mr. SNYDER. I paid the rent for Sid Berger and Herb Major. That is, the apartment was mine. I just kept the rent up.

Mr. DOYLE. Were they not working?

Mr. SNYDER. Yes and no.

Mr. DOYLE. How long was it yes and no? How long did you pay the rent?

Mr. SNYDER. Sid Berger couldn't seem to hold a job ever, and what jobs he did hold he didn't seem to make enough money to be able to go his share. Herb Major was going to school and Herb did everything he could, I know, to hold up his share, but he couldn't do it and go to school at the same time. I had ability to make enough money so I just furnished the money for our living. That is all.

Mr. DOYLE. You were sort of a Communist angel, then?

Mr. SNYDER. A fool.

Mr. DOYLE. May I ask you just one more question. When this group of Communist leaders in Milwaukee and Wisconsin picked you

up in the automobile and took you to Allied Linoleum Shop, the owner of which testified here earlier today, as I recall it—I think he was the man with some medals in a picture frame, was he not?

Mr. SNYDER. Yes.

Mr. DOYLE. Did they not tell you that you were going on trial and for you to get a lawyer, or that you were going to have a hearing and ask you if you wanted a public hearing before the cell of which you were a member?

Mr. SNYDER. No, I was told that I could appeal this decision to the highest committee or the central committee. I don't recall exactly what that group was now. I believe it was the central committee.

Mr. DOYLE. Did they not hand you a bill of charges before they began questioning you?

Mr. SNYDER. No.

Mr. DOYLE. At no time?

Mr. SNYDER. At no time.

Mr. DOYLE. I want to observe here to my colleagues and counsel that I think that is the history of the Communist Party all over the Nation. We have never heard of a case of a member of the Communist Party being expelled who was ever given a bill of charges or complaints or given a hearing with counsel. You were never told you could plead the fifth amendment?

Mr. SNYDER. No.

Mr. DOYLE. Is that correct?

Mr. SNYDER. No.

Mr. DOYLE. What kind of questions did they ask you before they sprung this prepared statement of 2 sheets on you? Just briefly give us an idea.

Mr. SNYDER. I don't think I can recall anything. Just that I was an FBI agent. I know that there were an awful lot of leading questions that I answered, but not knowing what was going to happen I wasn't too interested in what they were saying.

Mr. DOYLE. You denied then, and now deny under oath that you were ever an FBI agent; is that correct?

Mr. SNYDER. I do.

Mr. DOYLE. Let me thank you on behalf of the United States Congress for having guts enough to be willing to come before this congressional committee and give the United States Congress the benefit of your terrible experience. I know without saying that you have been, since you were expelled, contributing strength to your Nation instead of weakness. We thank you for doing that.

Mr. WILLIS. May I ask a question?

Mr. DOYLE. Yes, indeed, Mr. Willis.

Mr. WILLIS. Regarding your reference to Mark Berman and your theory surrounding the discharge, let me suggest to you that you may not be far wrong, because in this booklet which I have before me prepared by our investigators and given to us, in all seriousness here is the way that man is characterized: "Subject is reported to be the chief of police for the Communist Party in Milwaukee, Wis."

Mr. DOYLE. Thank you, Mr. Willis.

Have you anything else from this witness, Mr. Tavenner?

Mr. TAVENNER. No, sir.

Mr. DOYLE. I think I ought to ask this so that the record will be clear. I have never talked with this witness in my life. I do not know what his answer will be.

Have you received any emolument or compensation or pay, or the promise of anything for testifying as you have before this committee?

Mr. SNYDER. None whatsoever.

Mr. DOYLE. You have not been promised any money in the future or any consideration, financial or property of any sort?

Mr. SNYDER. None whatsoever.

Mr. DOYLE. Thank you.

The witness is excused, with our thanks. [Applause.]

(Witness excused.)

Mr. DOYLE. The committee will stand in recess until 1:15 p. m.

(Whereupon, at 12:20 the hearing was recessed to reconvene at 1:15 the same day.)

AFTERNOON SESSION

Mr. DOYLE. The committee will reconvene at 1:35.

Let the record please show that the committee members of the subcommittee present are Representative Willis from Louisiana, on my right; and I am Representative Doyle from California. Mr. Scherer, the third member of the subcommittee, is temporarily absent. Under the rules of the House the two of us being present is a legal quorum of the three. Therefore, we will proceed.

Are you ready, Mr. Tavenner?

Mr. TAVENNER. Yes, sir.

Mr. Otis Daigle, will you come forward?

Mr. DOYLE. Mr. Daigle, will you please rise and be sworn?

Mr. TAVENNER. May I ask him a question before you swear him?

Mr. DAIGLE. Your Honor, may I object to these pictures being taken?

Mr. DOYLE. Yes; we will ask the press, as long as the witness has objected, to please desist from taking them.

STATEMENT OF OTIS DAIGLE

Mr. TAVENNER. I want to ask you a question or two before you are sworn if you will sit down a moment, please. You were subpoenaed this morning to appear here, Mr. Daigle. A few minutes ago after I returned from lunch I had the investigator find you in the corridor and bring you back here in order to inform you what this was about. I told you that there has been testimony involving you here, and I told you you were entitled to counsel, did I not?

Mr. DAIGLE. Yes, sir.

Mr. TAVENNER. I suggested that you if you could, on this short notice, obtain service of counsel, and you said you would leave and see if you could. So, before going any further I want to find out whether you have obtained counsel?

Mr. DAIGLE. No; I have not. I haven't been able to get anybody yet.

Mr. TAVENNER. Well, you are entitled to have counsel, and in addition to that the rule of the committee is that you cannot be compelled to testify within 24 hours from the time of the service of the subpoena on you.

If you prefer more time to get counsel it is perfectly all right.

Mr. DAIGLE. I would prefer to have counsel.

Mr. TAVENNER. I am glad you prefer to have counsel.

The situation of the committee, however, is such that it is terminating this hearing today. Do you think you could obtain counsel within the next 15 or 20 minutes, or do you need more time?

Mr. DAIGLE. I think I would.

Mr. TAVENNER. You think you would need more time?

Mr. DAIGLE. Oh, yes.

Mr. TAVENNER. Mr. Chairman, in light of this situation may I make a suggestion for your consideration?

Mr. DOYLE. Yes, Mr. Tavenner.

Mr. TAVENNER. I suggest that this witness should be notified as all witnesses have been by the original statement made by the chairman of the subcommittee when we started the hearings, namely that any person whose name has been adversely used in connection with this hearing has a right to come forward and testify.

You have the right to do that now if you choose. I mean, you have a right to offer any explanation of the testimony that you may desire.

On the other hand, in this instance we subpoenaed you and the committee feels that it should not require you to be heard without counsel unless you want to be.

Now, having decided that you have not had time to get counsel of your choice, I think, Mr. Chairman, that probably the procedure we should adopt is that which the committee has had in effect for a long time. That is just to permit this witness to either appear at some future time and testify if he desires to; on the other hand if he wants to submit a written statement to the committee under oath, that we accept that written statement and determine after receiving it whether or not we want to go further and question him.

Mr. DOYLE. Are you sure you heard what our legal counsel said?

Mr. DAIGLE. Yes.

Mr. DOYLE. And you understand that we are not going to ask you to testify without a lawyer being here to advise you of your constitutional rights. You have stated that you feel you probably could not get a lawyer in the short time. That being the case, and because we always want a witness to be advised of his constitutional rights, and because we are adjourning this afternoon, nevertheless we felt, sir, that as an American citizen, you having been named, I think twice in the last day or two by former Communists, as a member of the Communist Party in Milwaukee—may I stand corrected. Has he been named twice?

Mr. TAVENNER. Yes, sir; that is true.

Mr. DOYLE. You have been identified twice in the last day or two by former Communists, admitted Communists who left the party, stating that you were a Communist in Milwaukee.

Mr. DAIGLE. May I ask by who?

Mr. DOYLE. Will you please state which witnesses so testified?

Mr. TAVENNER. Mr. Merle Snyder and Mr. Michael Ondrejka.

Mr. WILLIS. Mr. Chairman, I think what the counsel has said is simply carrying out our rules of fair play. That is all there is to that. I think this invitation for you to request an opportunity to appear or to send us a written statement under oath is a privilege we are giving you, sir, and a privilege we are now offering to anybody who wants to exercise it. That is in the spirit of the rules of our committee.

So what applies to you, simply applies to everybody else in your situation.

Mr. DOYLE. Thank you, Mr. Willis.

In other words, I brought out the reason that you have been named by these two former Communists as a Communist in Milwaukee, and you have been told which two former Communists did name you as a Communist Party member in Milwaukee so that if you elect to appear before us at a later date or to send us a sworn statement before a notary public, either denying or affirming or explaining, we feel then, that we as members of the United States Congress have done our duty by you as an American citizen under the rules of our committee.

Unless you choose to get a lawyer within the next short time and reappear before this committee with your counsel who is entitled to advise you of your constitutional rights under the circumstances, we are going to dismiss you from the subpoena. It was the only way we had to get you in here today to give you this opportunity. We felt you should have the opportunity because, manifestly, the testimony that you were a member of the Communist Party here by these two former Communists might tend to hurt you in some way. We wanted to give you every opportunity to answer that sort of testimony.

So it is up to you, sir, from here on. You are dismissed from the subpoena as far as this committee is concerned. We will not be a party to having you in any way embarrassed or limited by the fact that you have not had the chance to get a lawyer of your own choice.

Is that clear to you?

Mr. DAIGLE. Yes, sir.

Mr. DOYLE. We are giving you an invitation to appear at your own volition later or to send us a sworn statement. In saying that I am not saying that we are binding ourselves to not call you at some later date if we feel that the ends of the welfare of our Nation demand it. We are not waiving our rights in any way to resubpoena you at a later date if we feel it is in the interests of the protection of our national security to do so.

Thank you very much for coming so promptly.

(Witness excused.)

Mr. TAVENNER. Mr. Chairman, that is all that the staff has to present to the committee at this time.

Mr. DOYLE. With those words from our distinguished legal counsel it becomes my duty and privilege to just say a few words in terminating the hearings for these 3 days.

We are finishing a few hours ahead of the time in which we thought we might be able to finish.

On behalf of the committee, I wish to say a few words. First, we wish to reiterate and repeat very sincerely the committee's appreciation of the many courtesies and very tangible acts of cooperation and courtesy and understanding which have been extended us by all the public officials of Milwaukee and of the State of Wisconsin upon whom we have had to make any call or request any cooperation. They have not waited until we have had to ask for it. They have offered it. We appreciate that very much.

Secondly, on behalf of the committee I want to again thank all the members of the Milwaukee press, the newspapers. They have been wonderful in their understanding and interpretation and their accu-

rate reporting, and their photographers have been most courteous and cooperative.

Then the radio stations here in Milwaukee, the men that have recorded the voices of the witnesses and of counsel and of the committee, and the television stations, too, have been most understanding because we have a rule, of course, that the committee in action shall not be televised. It has all be very orderly and understanding.

You visitors and guests of the committee in the courtroom, not only you folks that are here today, but those who were here yesterday and the day before, and are not here now, have been most understanding and cooperative, and we as American Congressmen appreciate that because you have helped us here and have helped us do our work more efficiently.

The courtroom has been crowded every day with all seats occupied and dozens of you standing up and sitting in the window ways.

I think in behalf of the committee if I said anything more it would just be 2 or 3 brief points. We say this to you out of our experience as we have traveled over this Nation in many of the large cities. More than you ever have before, step up your patriotic vigilance and cooperation with all of your local law enforcement officers and personnel, Federal, State, local, in this field of subversive activity.

Second, we want to urge the labor unions, the patriotic orders, the church groups, the young people's groups in the churches and elsewhere, the community committees, the welfare committees both governmental and volunteer, the school and educational agencies both public and private, to be very much aware of the fact that the Communist Party conspirators and nonpatriotic citizens will try to infiltrate those groups, especially, and get control of them secretly.

We want to urge you folks at the local level to more fully than ever discharge your local responsibility to yourself, your great Nation, your great State, and your lovely Milwaukee.

I have been asked several times here in the last 3 days why we do not forget and just omit to call some of these people who several years ago were members of the Communist Party. Therefore, I feel it appropriate to just make a brief remark.

You have heard me mention the Duclos letter. That probably was the dividing line, the dividing date between the ability and the probability of our great system of free competitive enterprise, the American way of life and the Soviet system to get along and understand sufficiently, to have an enduring peace, because when the Duclos letter came to this country in April or May 1945 it made it clear that, as far as the Communist conspiracy was concerned, there was no chance for the United States of America to survive in the same world with the Soviet conspiracy.

So, very briefly I want to comment that it just seems to me that any American citizen who joined the Communist Party after April or May 1945 might well have done it with his or her eye open to the fact that the Duclos letter, which was widely publicized in our Nation, laid down as the fundamental premise, that the United States of America could not survive in the same world with the Soviet conspiracy; and certainly if you allow any uninformed American citizen or any American citizen who intended to be patriotic to the United States first 1, 2, 3 or 4 years after the Duclos letter in 1945, which was

the same time that Earl Browder was kicked out of the chairmanship of the Communist Party, to get his or her eyes open, then it seems to me as an American congressman—and I think to the committee and to all Members of Congress—that certainly any person now, since 1950 especially, stays in the Communist Party with his or her eyes open knowing that it is a conspiracy designed to use force and violence whenever they think the time is ready. I do not think that we Members of Congress have much patience with such American citizens.

Now, my last remark and suggestion to you is that you have heard these witnesses testify that the Communist Party was actively after the young people of our Nation. Certainly they are wise in trying to get the American youth. If they get the youth they get the Nation. Thank God they have not succeeded very much yet.

Therefore, I think we three members who are visitors here with you will say to you in closing that whatever you are going to give your country, give to it every day.

We have had many courtesies and I thank you very much on behalf of the committee.

The committee stands in dismissal as far as these hearings are concerned.

(Whereupon, at 2 p. m., Wednesday, March 30, 1955, the committee adjourned subject to call of the Chair.)

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INVESTIGATION OF COMMUNIST ACTIVITIES IN THE MILWAUKEE, WIS., AREA

TUESDAY, MAY 3, 1955

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE COMMITTEE
ON UN-AMERICAN ACTIVITIES,
Washington, D. C.
EXECUTIVE SESSION ¹

The subcommittee met at 4:10 p. m., pursuant to notice, in room 227 of the House Office Building, Hon. Clyde Doyle (chairman of the subcommittee) presiding.

Committee members present: Representatives Clyde Doyle (chairman), Edwin E. Willis, and Gordon H. Scherer.

Staff members present: Thomas W. Beale, chief clerk, Frank S. Tavenner, Jr., counsel, and W. Jackson Jones, investigator.

Mr. DOYLE. Let the record show that the same subcommittee, by virtue of the authority designating us, by Chairman Walter of the full committee, sits today, Mr. Willis of Louisiana, Mr. Scherer of Ohio, and Mr. Doyle, acting as chairman, of California; this being the same subcommittee that sat in the subcommittee hearings in Milwaukee.

Are you ready, Mr. Tavenner?

The witness will please stand and be sworn.

Do you solemnly swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. RASMUSSEN. I do.

Mr. DOYLE. Will you be seated.

TESTIMONY OF MRS. DARINA RASMUSSEN, ACCOMPANIED BY COUNSEL, M. MICHAEL ESSIN

Mr. TAVENNER. What is your name, please?

Mrs. RASMUSSEN. Darina Rasmussen.

Mr. TAVENNER. Mrs. Rasmussen, it is noted you are accompanied by counsel. Counsel will please identify himself for the record.

Mr. ESSIN. Counsel for Mrs. Rasmussen is M. Michael Essin, 623 North Second Street, Milwaukee, Wis.

Mr. TAVENNER. When and where were you born, Mrs. Rasmussen?

Mrs. RASMUSSEN. I was born on August 21, 1913, at East St. Louis, Ill.

Mr. TAVENNER. What was your maiden name?

Mrs. RASMUSSEN. Morlac.

Mr. TAVENNER. Where do you now reside?

¹ Released by the committee.

Mrs. RASMUSSEN. 3901 Barnard Avenue, Cudahy.

Mr. TAVENNER. How long have you lived there?

Mrs. RASMUSSEN. My family moved to Cudahy in 1917, and lived in Cudahy up until 1939, and I got married and then after my husband's passing, I moved back to Cudahy in 1952.

Mr. TAVENNER. What is your employment?

Mrs. RASMUSSEN. I am the office secretary of the UE^{1a} Local 1111.

Mr. TAVENNER. Where are you employed in that work, at what place?

Mrs. RASMUSSEN. At the union office, at 233 West Greenfield Avenue, Milwaukee.

Mr. TAVENNER. How long have you been so employed?

Mrs. RASMUSSEN. It will be 3 years June 15.

Mr. TAVENNER. So you became employed there June 15, 1952?

Mrs. RASMUSSEN. That is right.

Mr. TAVENNER. What was your employment prior to that time?

Mrs. RASMUSSEN. I worked for the Wisconsin Title Guaranty Co., and I started working there sometime in January of 1952, up until the time I started working at the UE Local 1111 office.

Mr. TAVENNER. Will you tell the committee, please, what your formal educational training has been?

Mrs. RASMUSSEN. I am a graduate of the Washington School, grade school, in Cudahy and a graduate of the Cudahy High School.

Mr. TAVENNER. Are you acquainted with a person by the name of Jerry Rose?

(Witness conferred with counsel.)

Mrs. RASMUSSEN. I refuse to answer that; I assert the privilege not to testify against myself.

Mr. TAVENNER. Are you acquainted with a person by the name of Michael J. Ondrejka?

Mrs. RASMUSSEN. I refuse to answer that; I assert the privilege not to testify against myself.

Mr. TAVENNER. Mr. Ondrejka testified during the course of the hearings conducted by this committee in Milwaukee on March 29, 1955. In the course of his testimony he stated that in February and March of 1953 he conducted a tax service in local 1111 union office. Do you recall his having engaged in work of that kind in your union office?

(Witness conferred with counsel.)

Mrs. RASMUSSEN. I refuse to answer that, and I assert the privilege not to testify against myself.

Mr. TAVENNER. In the course of Mr. Ondrejka's testimony, he also stated that while engaging in that type of work there, Jerry Rose came into the office, and that Jerry Rose was not affiliated in any way with your union. Do you recall Jerry Rose having come into the office?

(Witness conferred with counsel.)

Mr. TAVENNER. At any time in February or March of 1953?

Mrs. RASMUSSEN. I refuse to answer that, and I assert the privilege not to testify against myself.

Mr. TAVENNER. Mr. Ondrejka further testified that Mr. Rose, when he came there, called for you, that is, asked if you were there; and he, Mr. Ondrejka, advised him that you were. Did that occur, to your knowledge?

^{1a} Reference to United Electrical, Radio, and Machine Workers of America.

Mrs. RASMUSSEN. I refuse to answer that; I assert the privilege not to testify against myself.

Mr. DOYLE. I think, Mr. Tavenner, I should suggest this to the witness and counsel, that we as a committee are not familiar with any privilege that you can assert unless it is some constitutional privilege, and you have not mentioned whether it is a constitutional privilege or what it is, or the portion of the Constitution on which you rely.

Mrs. RASMUSSEN. The fifth amendment.

Mr. DOYLE. So that the record will be clear, may I ask whether or not each time that you have asserted your privilege, you referred to the exercising of the privilege under the fifth amendment of the United States Constitution?

Mrs. RASMUSSEN. Yes; that is correct.

Mr. SCHERER. Is any of the testimony of Ondrejka that has been referred to with reference to you or the person, Rose, false?

(Witness conferred with counsel.)

Mrs. RASMUSSEN. I refuse to answer that, and I assert the privilege not to testify against myself, the fifth amendment.

Mr. TAVENNER. Were you acquainted with John Killian?

Mrs. RASMUSSEN. John Killian was a member of UE Local 1111 and a former steward in that local.

Mr. TAVENNER. Was he employed at the plant of Allen-Bradley Co. in 1953?

Mrs. RASMUSSEN. I am not certain, but to my knowledge, I suppose it is true.

Mr. TAVENNER. Mr. Ondrejka testified that there was a group or cell of the Communist Party organized within Allen-Bradley where Mr. Killian and he were employed. His testimony on that subject is as follows:

Now, in April 15 of 1953, give or take a couple of days, at a cell meeting, we were told by John Killian, who was the chairman of my cell, that he had discussed the matter with Jerry Rose; and I believe the bundle of the special edition of the May Day Daily Worker that we were to take was 100; and the reason why he would have discussed this with Jerry Rose was this: When we set up this cell, all activity was to funnel down from Jerry Rose to the chairman of the cell. He was to meet weekly with the South Side division leader in order to prepare an agenda which was a written agenda.

On this particular occasion we had decided to send a copy of the special edition, the May 1 edition of the Daily Worker, or the May Day edition of the Daily Worker to all the stewards. At that time we chipped in, the paper itself was paid for out of funds from the group, the Allen-Bradley cell, but the postage was to be made up by members of the group. I paid my postage that morning.

Now, at the end of this meeting I had told John Killian that I would be glad to sit there the rest of the morning with him, that we might go through a telephone directory and get the names of the stewards that we would have a mailing list to send them to. He said, "That isn't necessary because I will go to the union office and get them from one certain individual." He said to me, "In case you didn't know it, this individual is the fifth member of our cell," and he asked if I was surprised; and the reason I remember is because he asked that question, and I said, "No, I suspected it the day Jerry Rose was in the office."

Did Mr. Killian acquire from you a list of stewards from the union office or from any other place?

Mrs. RASMUSSEN. I refuse to answer that: I assert the privilege not to testify against myself; the fifth amendment.

Mr. DOYLE. I will instruct the witness to answer that question. She has identified John Killian as the man she knew.

(Witness conferred with counsel.)

Mrs. RASMUSSEN. I refuse to answer the question, and I assert the privilege not to testify against myself; the fifth amendment.

Mr. TAVENNER. I then asked Mr. Ondrejka this question :

The person whose name he gave you as being the undisclosed member of your cell was actually the person that Rose had visited in the union office?

Mr. Ondrejka's reply was :

That is correct, sir.

Another question :

Now, you have not mentioned the name of that individual?

Mr. ONDREJKA. I do not mention this person's name because of the fact that I was told by Jerry Rose at the first meeting it was an undisclosed fifth. I was told by John Killian, who the member was but because of the fact that this member worked on days while we held our meetings at 8 o'clock in the morning, John Killian said that he would take the agenda which was written, plus the discussion notes that resulted from the meeting, and he would go down early in the afternoon before work and brief this individual on it.

Now, I distinctly remember many times where the following week Agnes Slater was dropped from our group because of the fact that now this individual was a formal member that I knew of.

Under instructions from the committee, Mr. Ondrejka did not publicly identify that individual because of it being hearsay testimony. However, in executive session before this committee Mr. Ondrejka did identify that individual as you.

Were you a member of a group of the Communist Party of which John Killian was a member?

(Witness conferred with counsel.)

Mrs. RASMUSSEN. I refuse to answer that question; I assert the privilege not to testify against myself, and invoke the fifth amendment.

Mr. SCHERER. Did not you tell the investigator that served the subpoena on you that you were not a member of the Communist Party?

(Witness conferred with counsel.)

Mrs. RASMUSSEN. I refuse to answer; I assert the privilege not to testify against myself, the fifth amendment.

Mr. SCHERER. Did you make any statement to the investigator at all when he served the subpoena?

(Witness conferred with counsel.)

Mrs. RASMUSSEN. I refuse to answer; I assert the privilege of not testifying against myself, the fifth amendment.

Mr. SCHERER. If the investigator tells us that you did tell him that you were not a member of the Communist Party, would you say he was telling the truth or an untruth?

(Witness conferred with counsel.)

Mrs. RASMUSSEN. I refuse to answer that. I assert the privilege of not testifying against myself, the fifth amendment.

Mr. SCHERER. Is it not a fact that you told the investigator who served you with the subpoena to appear here today that you were not a member of the Communist Party?

Mrs. RASMUSSEN. I refuse to answer that, and I assert the privilege not to testify against myself, the fifth amendment.

Mr. SCHERER. I can only assume that you were not telling the truth to the investigator at the time, and hoped you might save yourself an appearance before this committee.

Mr. WILLIS. In order to complete the record, at the time you talked to the investigator, you, of course, were not under oath; is that correct? You are under oath now.

Mrs. RASMUSSEN. I refuse to answer that, and I assert the privilege not to testify against myself, the fifth amendment.

Mr. TAVENNER. Did Mr. John Killian come to your office in 1953 and discuss with you the agenda to be taken up with the Communist Party group composed of himself and others?

Mrs. RASMUSSEN. I refuse to answer that, and I assert the privilege not to testify against myself, the fifth amendment.

Mr. TAVENNER. Were you acquainted with Gloria Killian?

Mrs. RASMUSSEN. I refuse to answer that; I assert the privilege not to testify against myself, fifth amendment.

Mr. TAVENNER. Was Gloria Killian known to you to be a member of the Communist Party?

Mrs. RASMUSSEN. I refuse to answer that, and I assert the privilege of not to testify against myself, fifth amendment.

Mr. TAVENNER. Was Jerry Rose known to you to be a Communist Party functionary in Milwaukee in 1953?

Mrs. RASMUSSEN. I refuse to answer; I assert the privilege not to testify against myself, fifth amendment.

Mr. WILLIS. Why do you refuse to answer any acquaintanceship with Jerry Rose and others, when you just said that you do know John Killian? What is the difference?

Mrs. RASMUSSEN. I refuse to answer, and I assert the privilege not to testify against myself, fifth amendment.

Mr. SCHERER. You are not testifying against yourself if you testify as to Communist Party membership on the part of somebody else, and the fifth amendment does not permit you to refuse to testify as to another party's membership in the Communist Party or another party's criminal acts. It is only a protection to yourself.

(Witness conferred with counsel.)

Mr. TAVENNER. In going back now to your employment, I think that you said that you had been employed in an official capacity by the UE from June 15, 1952. Will you tell me again what the employment was in which you engaged prior to June 15, 1952?

Mrs. RASMUSSEN. I was a tax examiner for a title guaranty firm.

Mr. TAVENNER. What was the name of the firm?

Mrs. RASMUSSEN. It was the Wisconsin Title Guaranty Co.

Mr. TAVENNER. Located in the city of Milwaukee?

Mrs. RASMUSSEN. That is right.

Mr. TAVENNER. How long were you so employed?

Mrs. RASMUSSEN. For about half a year.

Mr. TAVENNER. During that period of time, were you a member of any union, while so employed?

Mrs. RASMUSSEN. No, I was not a member of any union.

Mr. TAVENNER. What was your employment before working in that capacity?

Mrs. RASMUSSEN. Well, I was a housewife from 1939, from the time I got married, up until the time my husband passed away. He passed away on October 30, 1951.

Mr. TAVENNER. Prior to 1939, what was your employment?

Mrs. RASMUSSEN. I was a power machine operator.

Mr. TAVENNER. Working for whom?

Mrs. RASMUSSEN. For the Chase Bag Co. in Milwaukee.

Mr. TAVENNER. How long were you so employed?

Mrs. RASMUSSEN. About 2 years, and I am not sure, but about that time I would say.

Mr. TAVENNER. Do you desire to bring before this committee any person whom we may question regarding their knowledge of matters which would throw light on the subject we have been discussing?

(Witness conferred with counsel.)

Mrs. RASMUSSEN. Well, I could discuss it with my counsel.

(Witness conferred with counsel.)

Mrs. RASMUSSEN. Would you repeat that question so that I can get it clearly?

Mr. ESSIN. I prefer on behalf of my client to have it on the record.

Mr. TAVENNER. The committee desires to give you an opportunity to give it the names of any witnesses you would like called for the purpose of the committee interrogating such individuals regarding the testimony of Mr. Ondrejka in his identification of you as having been a member of the Communist Party. My question is whether or not you desire that we subpoena any witnesses for that purpose.

(Witness conferred with counsel.)

Mr. WILLIS. The question is: Do you want that privilege? That is what it amounts to.

Mrs. RASMUSSEN. I will not accept the offer of the committee on that matter.

Mr. TAVENNER. I have no further questions.

Mr. DOYLE. Do you have any further questions?

Mr. WILLIS. Do you have any children?

Mrs. RASMUSSEN. Yes, sir; I have 2 children.

Mr. DOYLE. Any questions, Mr. Scherer?

Mr. SCHERER. You are employed by whom?

Mrs. RASMUSSEN. By the UE Local 1111.

Mr. SCHERER. In what capacity?

Mrs. RASMUSSEN. As an office secretary.

Mr. SCHERER. Are you a member of the Communist Party today?

(Witness conferred with counsel.)

Mrs. RASMUSSEN. I refuse to answer that question; I assert the privilege not to testify against myself, fifth amendment.

Mr. SCHERER. Have you ever been a member of the Communist Party?

Mrs. RASMUSSEN. I refuse to answer that, and I assert the privilege not to testify against myself, fifth amendment.

Mr. SCHERER. I have no further questions.

Mr. DOYLE. I have no questions.

The witness may be excused; and thank you.

(Witness excused.)

Mr. SCHERER. I move the testimony be released.

Mr. WILLIS. I second that motion.

Mr. DOYLE. I will join with you.

Therefore, let the record show that the subcommittee votes unanimously to recommend to the full committee that we release this testimony.

(Whereupon, at 4:40 p. m., the subcommittee recessed.)

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