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It is noted that the Civil Rights Congress was cited by the Attorney General as coming within the purview of Executive Order 9835.

On April 10, 1952, the "Daily Worker" on page 8, columns 2 and 3, contained an article entitled "CLAUDIA JONES - Inspired by Detroit Hatred of Smith Act". The article stated, "The masses of the American people are in a mood -- even as were Americans during the Alien and Sedition Acts -- to nullify the Smith and McCarran legislation."

"CLAUDIA JONES said that this conviction was reinforced during her four-day visit in Detroit. Miss JONES came here to investigate Detroit aspects of the government case against herself and 15 other New York Communist leaders under the Smith Act. The trial was scheduled to start this week."

JEFFERSON SCHOOL OF SOCIAL SCIENCE

It is noted that the Jefferson School of Social Science was cited by the Attorney General as coming within the purview of Executive Order 9835.

The February 15, 1952, issue of the "Daily Worker" on page 8, column 3, contained an announcement that CLAUDIA JONES would lecture at the Jefferson School, 575 Sixth Avenue, on February 15, 1952. The announcement stated she would lecture on "Negro Women in the Struggle for Peace and Democracy".

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NY 100-18676

The March 2, 1952, issue of "The Worker", section 1, page 8, column 4, contained an announcement stating a "Conference on the occasion of International Women's Day" was to be held on March 15, 1952, at the Jefferson School. The announcement stated that the keynote address would be delivered by CLAUDIA JONES.

LABOR YOUTH LEAGUE

It is noted that the Labor Youth League was cited by the Attorney General as coming within the purview of Executive Order 9835.

The March 12, 1952, issue of the "Daily Worker" on page 4, column 1, contained an article captioned "Students Hear CLAUDIA JONES". The article stated that over 175 students heard CLAUDIA JONES speak on the Negro peoples' document "We Charge Genocide" at Yugoslav Hall last Friday (March 17, 1952). The article stated that the Negro history celebration was sponsored by the New York Student division of the New York Labor Youth League to spur the sale of the above document on the campuses.

The June 16, 1952, issue of the "Daily Worker", on page 5, columns 1 and 2, contained an article reflecting that on June 14, 1952, the Labor Youth League had held a testimonial to CLAUDIA JONES and BETTY GANNETT.

RANK AND FILE COMMITTEE

The February 25, 1952, issue of the "Daily Worker" on page 5, columns 2 and 4, contained an article reflecting that a brochure on CLAUDIA JONES had been prepared and sent to 2000 community leaders from coast to coast. According to the article one of the objects of the brochure was the formation of a National Defense Committee to Defend CLAUDIA JONES. The brochure stated, "From the early age of eighteen, CLAUDIA JONES has dedicated herself to the cause of peace and security."

The article also stated that in the brochure the recipient was asked to join the National Defense Committee for CLAUDIA JONES, make statements against the Smith Act, and contribute to the Committee.

~~CONFIDENTIAL~~

NY 100-18676

The March 3, 1952, issue of the "Daily Worker" on page 4, column 1, contained a letter to the "Daily Worker" from the "Rank and File Union Committee for the Defense of CLAUDIA JONES". The article stated that on February 15th CLAUDIA JONES delivered a speech to the Committee giving them a graphic picture of how the Smith Act effects the workers. The letter asked that more volunteers join the Committee to broaden it into the National Committee for the Defense of CLAUDIA JONES with at least 1,000 members.

WRITINGS

CLAUDIA JONES authored an article in the "USA in Words and Pictures", a periodical published in Germany. In the 1952 No. 16 issue on page 48, an article by the subject captioned "The Warmongers Fear the American Women" concerned the Federal Bureau of Investigation and its apprehension of Smith Act subjects on the West Coast. In her article the subject states, "The attacks of the American gestapo against the women, who valiently fight for peace and social progress, are increasing in a terrifying manner." Later in the article she states, "The American women resolutely fight against these reactionary conspirators for they have recognized that the unity and the struggle for peace is the sole security for a permanent peace."

The February, 1952, issue of "Political Affairs", the theoretical and political magazine of the Communist Party, USA, contained an article by the subject captioned, "The Struggle for Peace in the United States". The article states that President TRUMAN in his recent State of the Union message to Congress glorified Wall Street's expansion, urged the need for more arms and proposed additional taxes; however, according to the informant, he failed to mention the repression of civil rights, the persecution of Communists and the repeal of the Taft-Hartley Law. The subject writes, "TRUMAN'S message confirmed out Party's fear that the war danger is heightened." The subject writes that "lasting peace can be had by co-existence of the U.S.A. and the U.S.S.R., on the basis of peaceful competition, honoring of commitments, negotiations of all outstanding differences, and recognition of the basic democratic right of all peoples to choose their own form of government. It is this deeper ideological meaning, underlying the real concern of certain top monopolists with the 'reckless pace' with which the bi-partisan camp moves to the twin disaster of war and depression, that a people's peace movement must grasp hold of, in order to curb the warmongers."

CONFIDENTIAL

NY 100-18676

The article sets out the manner in which the peace centers operate in practice and the role of the Negro people in the "fight for peace and freedom".

The subject concludes the article by writing, "The Communist Party, whose leaders are victims of Smith Act repression, can be proud of its modest contribution to the struggle for peace. What would our nation have been, had we not had the inspiring leadership of the Party led by WILLIAM Z. FOSTER and EUGENE DENNIS? The whole activity of the Party has been devoted to reversing the present ruinous path of our nation, resulting from the Wall Street bi-partisan policy. The membership, in and out of the organized peace movement, have been selfless in their work for peace, and have experienced and are experiencing many reprisals as the Communist Party fights for its legal rights as an American political party, a fight which is itself, of course, of the essence of the struggle against war. Communists must and do bring to the peace movement the selflessness, enthusiasm and confidence in victory characteristic of Marxists-Leninists, not because they are self-righteous, but because the Party is correct, because its path is the path of the development of human society.

"As Communists we struggle for peace, equality, freedom and Socialism -- we struggle for the best interests of the working class, the Negro people, the farming masses, the vast majority of the American people. To fulfill these high Communist principles, we must learn from the people and we must shed all moods of 'spontaneity' in the peace struggle. The mastery of the united front tactic, the deepening of our ideological weapons, must be strengthened.

"To work to unite all people who understand that our country is in danger of war and fascism; to work so that our nation is not viewed with fear and loathing by the peoples of world; to root our peace struggle basically among the working class and Negro people -- this is the path to the achievement of the correct main line of our Party in this period. That main line seeks the emergence of an anti-fascist, anti-monopoly, people's peace coalition, that will lead to a people's front against war and fascism strong enough to curb the warmongers in 1952 and thus open to all the American people a vista of happiness, security, equality and peace."

NY 100-18676

The February 10, 1952, issue of "The Worker", section 2, page 8, columns 1 to 5, contain an article by the subject on "Negro History Week", which was sub-captioned "Peace and freedom. Negro women are in the forefront of this fight. And one of the biggest steps along this path is the advancement of the fight for full social, political and economic equality of Negro women."

The March 9, 1952, issue of "The Worker" on page 2, columns 1 to 4, section II, contained an article captioned "International Women's Day - 1952" which was written by the subject. The article condemned the Korean War and also emphasized the women's role in stopping the Korean War. In her article the subject wrote "A toast to the Negro women and other women who in alliance with Negro women are proving in the crucible of struggle, how to overcome all obstacles, how, through this process to win equality as women, as Negroes and as workers, for themselves, their families, their people, their class!

"All these toasts in the first place, are inspired by the Soviet women who, because of their great love of mankind, of country, of children, of all peoples, demonstrate the guarantee of equality in their own Socialist country, in all spheres. Children be they dark or fair, are regarded as mankind's future in the USSR where race discrimination is a crime punishable by law".

The November 21, 1952, issue of the "Daily Worker" on page 3, column 3, contained an article by the subject paying tribute to ELIZABETH GURLEY FLYNN and FLYNN'S speech in court during the time when FLYNN refused to answer questions and was cited for contempt.

CIVIL RIGHTS CONGRESS

It is noted that the Civil Rights Congress was cited by the Attorney General as coming within the purview of Executive Order 9835.

NY 100-18676

The March 16, 1952, issue of "The Worker" on page 8, column 2, section 1, reflected that on March 19, 1952, a meeting was to be held at Painters Hall, Local 905, Bronx, under the auspices of the Bronx County Civil Rights Congress to hear "Victims of the Smith Act". Among those listed as speakers was CLAUDIA JONES.

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CITIZENS EMERGENCY DEFENSE CONFERENCE

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The October 19, 1952, issue of "The Worker" on page 8, column 1, section 1, contained an article reflecting that the Bronx Citizens Emergency Defense Conference was sponsoring a rally on October 23, 1952, at Hunts Point Palace to urge the commutation of the death sentence imposed on JULIUS and ETHEL ROSENBERG, the convicted atomic spies. The article stated that the subject was to be a featured speaker.

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NY 100-18676

ELECTION ACTIVITY

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The October 17, 1952, issue of the "Daily Worker," page 2, column 4, contained a schedule of speakers at the New York Radio Station WMCA. These speakers were to talk on the coming election. The subject was listed to appear on Monday, November 3, 1952, at 10:05 PM.

BIRTHDAY CELEBRATION

The February 8, 1952, issue of the "Daily Worker," on page 2, columns 1 to 4, contained an article captioned "CLAUDIA JONES' Birthday to be Celebrated." The article stated that CLAUDIA JONES' birthday celebration was to be held at the United Mutual Auditorium, 310 Lenox Avenue, on February 21, 1952. The article stated that she was 37 years old, having been born in Trinidad on February 21, 1915. The article also stated that during the past two months the subject has spoken against the Smith Act before a wide variety of organizations on the average of three times per week.

The March 3, 1952, issue of the "Daily Worker" on page 7, column 1 to 3, contained an article concerning the subject's birthday party. The article stated that the subject gave credit for the success of the celebration to the warmth of the Communist Party. The article quoted the subject as saying, "I really learned to fight better for the liberation of my people because of my membership in the Communist Party."

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MISCELLANEOUS

The February 12, 1952, issue of the "Daily Worker", page 3, column 1, contained an article captioned "CLAUDIA JONES Hails New Spirit in 'Workers Sub-Drive'". The article concerned a speech delivered by the subject at a Freedom of the Press Association meeting.

It is noted that Freedom of the Press Association publishes the "Daily Worker".

The article quoted the subject as stating, "The press campaign is one of the greatest weapons in our fight for freedom and the best guarantee that our defense of the Bill of Rights, of peace, of civil rights and of working class unity, Negro and white, will echo from the court room throughout the land."

The February 17, 1952, issue of "The Worker, section I, page 3, columns 1 to 2, contained an article reflecting that CLAUDIA JONES was denied permission by the United States District Court to travel to Cleveland the week-end of February 15-16, 1952, to raise funds. The article stated that JONES was previously denied permission to travel to Washington, D.C., to accompany a delegation of Negro women, the Sojourners of Truth and Justice, to protest "institutionalized oppression directed against the Negro people of the United States". Also, according to the article the subject had been denied permission to travel to Washington, D.C., with PETTIS PERRY and ELIZABETH GURLEY FLYNN to protest the continuance of the Korean War.

The February 21, 1952, issue of the "Daily Worker" on page 4, column 5, contained an article reflecting that CLAUDIA JONES was scheduled to speak at Negro History Month at Veterans Hall, 469 West 48 Street. The celebration was to be under the auspices of the Harlem Fair Employment Practice Commission, Sojourners for Truth and Justice and the 13th and 11th Assembly Districts Clubs of the American Labor Party.

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NY 100-18676

It is noted that the American Labor Party was declared to be a Communist front organization by the House Committee on Un-American Activities on March 29, 1944.

The April 7, 1952, issue of the "Daily Worker" on page 1, columns 2 and 3, contained an article entitled "Harlem Rally Cheers Africa Freedom Struggle". The article stated that on April 5, 1952, a street rally was held at 126 Street and Lenox Avenue, sponsored by the Council on African Affairs. The theme of the rally was to urge Congress to speak out against South African MALAN regime. The article stated that CLAUDIA JONES spoke asking for "unity of all working people to win the fight here and in Africa".

It is noted the Council on African Affairs was cited by the Attorney General as coming within the purview of Executive Order 9835.

The April 18, 1952, issue of the "Greek-American Tribune" in Section 1, page 2, contained an article and photographs of a mass protest meeting held April 7, 1952, at the Hotel Capital, 51 Street and Eighth Avenue. The rally was held to protest the death sentencing of eight Greek Communists convicted as spies on March 1, 1952, by an Athens court martial. One of the photographs was that of CLAUDIA JONES addressing the gathering.

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NEW YORK

At New York, New York

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REFERENCE

New York report of SA [REDACTED] ^{b7c} 2/7/52, New York.

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SAC, New York (100-18676)

February 25, 1953

Director, FBI (100-72390)

CLAUDIA VERA SCHOLNICK, WAS.
INTERNAL SECURITY - C
SMITH ACT - 1940

Under date of March 18, 1952, the Bureau furnished to the New York Office eleven copies of the Young Communist League "Review" pursuant to the New York Office's request of March 13, 1952.

This material should be promptly returned to the Bureau if the New York Office has no further need of same in view of the recent conviction of the subject for conspiring to violate the Smith Act.

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67 MAR - 3 1953

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI (100-72390)

DATE: 3/19/53

FROM : SAC, NY (100-18676)

SUBJECT: CLAUDIA VERA SCHOLNICK, wa
INTERNAL SECURITY - C
SMITH ACT-1940

(PS)

Reference is made to Bulet to NY, 2/25/53.

Enclosed herewith are 11 copies of the Young Communists League Review and the February, 1945 issue of American Youth for Democracy "SPOTLIGHT."

BOOK

The above were forwarded to New York from the Bureau by letter of March 18, 1952, and are being returned as requested in relet.

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SECURITY INFORMATION CONFIDENTIAL
FEDERAL BUREAU OF INVESTIGATION

FORM NO. 1
THIS CASE ORIGINATED AT

NEW YORK

FILE NO.

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|--|----------------------------------|---|--|
| REPORT MADE AT NEW YORK | DATE WHEN MADE 3/23/53 | PERIOD FOR WHICH MADE 2/16 - 2/26/53 | REPORT MADE BY [REDACTED] <i>b7c</i> |
| TITLE COMPROS - NEW YORK; ELIZABETH GURLEY FLYNN, wa; ET AL | | CHARACTER OF CASE INTERNAL SECURITY - C; SMITH ACT OF 1940; CONTEMPT OF COURT | |
| SYNOPSIS OF FACTS: <i>Claudia Veta Sebaldick aka Claudia Jones</i> Severances granted as to defendants AMTER, 1/11/52, and BACHRACH, 7/2/52 on grounds of illness; as to defendants FINE, JACKSON, MARRON and STEINBERG, 4/15/52, as they were fugitives; and judgements of acquittal granted 9/23/52 to defendants BEGUN and GERSON. Defendants AMTER, BACHRACH, BEGUN, BITTELMAN, CHARNEY, FLYNN, GANNETT, GERSON, JEROME, JOHNSON, JONES, LANNON, MINDEL, PERRY, TRACHTENBERG, WEINSTOCK and WEINSTONE pleaded not guilty 7/3/51. Bail revoked and all defendants except AMTER and BACHRACH remanded 7/11/51 on grounds defendant MINDEL's surety, FREDERICK V. FIELD, was personally disqualified and CRC bail fund was not good surety for other defendants. AMTER's CRC bail fund revoked 7/11/51 but he was released on own recognizance until 7/21/51 when he made bail. After other hearings in USDC, SDNY, and Circuit Court of Appeals upheld above bail revocation, the other defendants were released on bail posted by individual sureties. On 12/21/51 EDWARD CONGER, D.J., denied defendants' pretrial motions filed 9/12/51 on various grounds including unconstitutionality of Smith Act, failure of Grand Jury to include Negroes and manual workers and a motion to suppress all evidence received from telephone conversations and intercepting mail of defendants and quashed subpoenas served | | | |
| APPROVED AND FORWARDED <i>[Signature]</i> DATE 6-3-77 <i>1cc/A10</i> | | DO NOT WRITE IN THESE SPACES 100-92390-1 NOT RECORDED 87 APR 8 1953 <i>[Handwritten signatures]</i> | |
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NY 100-81752

Synopsis: (cont'd)

in connection therewith. Judge CONGER deferred decision on defendants' motion for an order directing pretrial subpoena of documents presented to Grand Jury or to be introduced at trial until 2/4/52 when he directed the Government to furnish defendants for inspection within twenty days before trial all Grand Jury exhibits and all books and documents to be introduced by Government at trial except such as would disclose identity of informants. On 3/12/52 Judge CONGER ordered the Government to make available to the defendants within twenty days before trial the exact documentary exhibits introduced before the Grand Jury and to specify such articles in magazines, newspapers and other periodicals the Government intended to introduce at the trial but that the Government need not specify the exact portions of books and pamphlets it intended to introduce at the trial. On 3/13/52 Judge CONGER ordered sealed for the trial judge a list of Government exhibits to be introduced at the trial which would disclose the identity of informants if made available to the defendants. Trial began 3/31/52 before EDWARD J. DIMOCK, D.J. A hearing on defendants' jury challenge began 4/2/52 and ended 4/15/52 when challenge dismissed and defendants' motion for ninety day continuance denied. During hearing defendants called two witnesses and the Government one. Impanelling of jury began 4/15/52 and completed 4/23/53. Government began presentation of case 4/28/52 and rested 9/5/52 after presenting ten witnesses. Juror CHARLES CHATTERTON excused for illness 8/1/52 and was replaced by Alternate Juror NOBLE L. JONES. Motions for judgements of acquittal granted as to defendants BEGUN and GERSON but

NY 100-81752

Synopsis: (cont'd)

denied as to other defendants, 9/23/52. Defendants began their case 9/30/52 and called four witnesses before resting 12/3/52, at which time the Government also rested. Witnesses listed. Government and defense counsel executed stipulation 11/13/52 concerning payments made by Department of Justice and FBI to informants who were Government witnesses. On 11/19/52 defendant FLYNN was twice found guilty of contempt of court for refusing to answer proper questions and was sentenced under Title 18, Section 401, USC, to imprisonment until such time as she purged herself or for a period not to exceed thirty days for each contempt, the sentences to run concurrently. Execution of sentences stayed until FLYNN completed testimony and she was remanded to the custody of the USM, 12/3/52. On 12/11/52 Judge DIMOCK denied defendants' motions for a mistrial, for a postponement of trial, for a dismissal of indictment and announced no evidence of contempt of court found in connection with possible disclosure of closed hearing on 6/30/52. On 12/17/52 jurors polled and all denied having expressed any belief Marxism advocates the overthrow of the Government or having heard Juror 12, Mrs. SYBIL KANE, express any conclusions as to trial issues. Judge DIMOCK then excused Mrs. KANE from further jury service and denied defendants' motion for mistrial on basis of interference with jury. On 12/18/52 Alternate Juror ANNA L. MILLER was assigned as Juror 12. Defendants' motion for mistrial and for judgment of acquittal denied 12/19/52. Hearing on defendants' offer of proof on issue of clear and present danger denied 1/5/53. Summations began 1/5/53 and ended 1/15/53. Judge charged jury 1/15/53. Jury deliberated from 1/15/53 to 1/21/53 at which time it returned a verdict of guilty as to each defendant tried. All defendants remanded. Defendants' motion for an order arresting judgment and for a judgment

NY 100-81752

Synopsis: (cont'd)

of acquittal or in the alternative for a new trial denied 1/30/53. On 2/3/53 defendants FLYNN, PERRY, TRACHTENBERG, WEINSTOCK, BITTELMAN, JOHNSON and JEROME each sentenced to three years imprisonment and fined \$6,000.00; defendants LANNON, MINDEL, CHARNEY, WEINSTONE and GANNETT sentenced to two years and fined \$4,000.00 and defendant JONES sentenced to one year and one day imprisonment and fined \$2,000.00. All were committed fines. Total number of years sentenced for all thirteen defendants, 32 years and 1 day. Total fines, \$64,000.00. On 2/3/53 bail set at \$20,000.00 for defendants BITTELMAN, GANNETT, JONES and MINDEL and \$25,000.00 for other convicted defendants. Defendants filed notices of appeal 2/3/53. On 2/10/53 Judge DIMOCK stayed execution of fines pending appeal on condition each defendant submit to an examination by the Government to determine each defendant's assets and agree to post bail to cover such assets as were discovered except those necessary for ordinary living expenses. Defendants released on bail posted by individual sureties between 2/10/53 and 2/17/53. Sureties listed. Parole reports and disposition sheets enclosed. INS notified of conviction of aliens BITTELMAN, GANNETT and JONES.

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NY 100-81752

TABLE OF CONTENTS

| | <u>Page</u> |
|---|-------------|
| I. SEVERANCES | 5 |
| II. BAIL AND SURETIES | 5 |
| III. NOTICES OF APPEARANCE OF DEFENSE ATTORNEYS . . . | 21 |
| IV. PRETRIAL MOTIONS | 24 |
| V. TRIAL | 27 |

NY 100-81752

DETAILS:

All information set out in this report appears in the record of Criminal Docket C.136-7 of the United States District Court, Southern District of New York.

Defendant CLAUDIA VERA SCHOLNICK hereinafter will be referred to as CLAUDIA JONES, the name by which she is commonly known.

I. SEVERANCES

Defendant ISRAEL AMTER was severed on January 11, 1952 on a motion of the Government on grounds of illness.

Defendants SIDNEY STEINBERG, FRED MORRIS FINE, DR. JAMES EDWARD JACKSON and WILLIAM NORMAN HARRON were severed from trial on April 15, 1952 on a motion of the Government as these defendants were fugitives. The defendants' motion to sever MARION ABT BACHRACH on grounds of illness granted on July 2, 1952 with the consent of the Government. Defendants' motion for a judgement of acquittal granted September 23, 1952 as to defendants SIMON WILLIAM GERSON and ISIDORE BEGUN.

II. BAIL AND SURETIES

On July 3, 1951 SYLVESTER J. RYAN, District Judge, enlarged the bail limits of defendants AMTER, BACHRACH, BEGUN, BITTELMAN, CHARNEY, FLYNN, GANNETT, GERSON, JEROME, JOHNSON, JONES, LANNON, MINDEL, PERRY, TRACHTENBERG, WEINSTOCK and WEINSTONE to include the Eastern District of New York as well as the Southern District of New York.

On July 11, 1951 Judge RYAN revoked the bail of defendant MINDEL furnished by FREDERICK V. FIELD, as FIELD was personally disqualified and revoked the bail of AMTER, BEGUN, BITTELMAN, CHARNEY, FLYNN, GANNETT, GERSON, JEROME, JOHNSON, JONES, LANNON, PERRY, TRACHTENBERG, WEINSTOCK and WEINSTONE on the grounds that the bail fund of the Civil Rights Congress

NY 100-81752

(hereinafter referred to as the CRC) was not a good surety. Judge RYAN released AMTER on his own recognizance until August 1, 1951 when he was to post a \$500.00 bond. All other defendants, except AMTER and BACHRACH, were remanded to the custody of the United States Marshal. It is to be noted that defendant BACHRACH's bail was previously posted on June 28, 1951 by her mother, MILDRED ABT, 141 East 56 Street, New York, New York.

On July 12, 1951 Judge LEARNED HAND of the Circuit Court of Appeals ordered released all defendants who had been remanded by order of Judge RYAN on July 11, 1951 until a hearing could be held to determine the question raised by the Government as to the legality of the CRC bail.

On July 13, 1951 Judge RYAN reinstated the bond of all defendants remanded by him on July 11, 1951.

On July 16, 1951, after a hearing, Judge RYAN ordered revoked the bail posted by FREDERICK V. FIELD as surety for MINDEL and the bail posted by the CRC for the defendants listed above. Judge RYAN continued the above defendants in previous bond until noon on July 17, 1951 to obtain new bail.

On July 17, 1951 THOMAS SWAN, Chief Judge, Circuit Court of Appeals, denied the defendants' motion for a stay of execution of Judge RYAN's order of July 16, 1951 revoking bail provided for the above defendants by the CRC and FREDERICK V. FIELD and requiring new bail by July 17, 1951.

On July 17, 1951 ALEXANDER HOLTZOFF, District Judge, remanded MINDEL and all defendants listed above whose bail was posted by the CRC for lack of suitable bail, with the exception of FLYNN, who was released on \$10,000.00 bail and AMTER.

Bail for the following defendants pending trial, was posted on the following dates by sureties set out below following the revocation of the bail posted for the above defendants by the CRC and for MINDEL by FREDERICK V. FIELD

Defendant GEORGE CHARNEY was released on July 13, 1951 when his father, JACOB L. CHARNEY, 1683 Boston Road, Bronx, New York, as surety, posted a property bond in the sum of \$10,000.00, on unencumbered property owned by JACOB L. CHARNEY and valued at \$41,000.00, located at 1401-5 Wilkens Avenue and 865 Jennings Street, Bronx, New York. JACOB L. CHARNEY

NY 100-81752

furnished the Government with a confession of judgement for \$10,000.00 in favor of the United States Government on July 13, 1951 and the confession was filed against the property on July 16, 1951.

Defendant ELIZABETH GURLEY FLYNN was released on July 17, 1951 on \$10,000.00 bail posted by GRACE HUTCHINS, 85 Bedford Street, New York, New York, as surety.

Defendant PATTIS PERRY was released on July 17, 1951 on \$10,000.00 bail posted by LYDIA GIBSON MINOR, Mount Airy Road, Croton-on-Hudson, New York, as surety.

Defendant JACOB MINDEL was released on July 17, 1951 on \$5,000.00 bail posted by REBECCA MINDEL, 2354 Bronx Park East, Bronx, New York, as surety.

Defendant LOUIS WEINSTOCK was released on July 20, 1951 on bail posted by the following sureties in the amount set out below:

\$6,000.00

ALEX SCHWARTZ
3228 Irwin Avenue
New York, New York

\$2,000.00

FRIEDA SCHWARTZ
3228 Irwin Avenue
New York, New York

\$2,000.00

YOLANDA WEINSTOCK
609 West 173 Street
New York, New York

Defendant ISRAEL AMTER was released on July 20, 1951 on \$500.00 bail posted by himself as surety.

Defendant SIMON WILLIAM GERSON was released on July 21, 1951 on \$10,000.00 bail posted by HELEN L. ALFRED, 337 Ridgeway Road, South Orange, New Jersey, as surety.

Defendant CLAUDIA JONES was released on July 23, 1951 on bail posted by the following sureties in the amounts set out

NY 100-81752

below:

\$10,000.00

SARAH V. MONTGOMERY
310 West 11 Street
New York, New York

\$10,000.00

SIDNEY J. GLUCK
57 Montague Street
Brooklyn, New York

Defendant VICTOR JEREMY JEROME was released on July 24, 1951 on bail posted by the following sureties in the amounts listed below:

\$1,000.00

Reverend ELIOT WHITE
12 Monroe Street
New York, New York

\$2,500.00

HOWARD FAST
43 West 94 Street
New York, New York

\$1,500.00

HERBERT APTHEKER
1015 Washington Avenue
Brooklyn, New York

\$1,000.00

ALICE JEROME
320 Second Avenue
New York, New York

\$2,000.00

WILDO SALT
43 West 94 Street
New York, New York

\$2,000.00

BARBARA GILES
176 West 87 Street
New York, New York

Defendant ALEXANDER LEO TRACHTENBERG was released on July 25, 1951 on bail posted by the following sureties in the amounts set out below:

\$5,000.00

GRACE HUTCHINS
85 Bedford Street
New York, New York

NY 100-81752

\$1,000.00

DAVID GOLDWAY
467 Central Park West
New York, New York

\$2,000.00

HOWARD SELSAM
501 West 138 Street
New York, New York

\$2,000.00

JOSEPH FURST
151 East 83 Street
New York, New York

Defendant WILLIAM WOLF WEINSTONE was released on July 26, 1951 on bail posted by the following sureties in the amounts set out below:

\$3,000.00

CARL SOLOMON
1824 East 21 Street
Brooklyn, New York

\$5,000.00

MARY WALDMAN
103-15 112 Street
Richmond Hill, Long Island,
New York

\$2,000.00

HENRIETTA WEINSTEIN
203 Burrstone Road
New Hartford, New York

Defendant ALEXANDER BITTELMAN was released on August 1, 1951 on bail posted by the following sureties set out in the amounts listed below:

\$2,000.00

ERVIN WAGNER
336 East 107 Street
New York, New York

\$2,000.00

EVELYN GILBERT
67 Jane Street
New York, New York

\$2,500.00

ESTHER STERN
1192 Walton Avenue
Bronx, New York

NY 100-81752

\$3,000.00

ESTHER KOCH
1040 East 12 Street
Brooklyn, New York

\$10,500.00

SIMON FEDERMAN
625 Ocean Avenue
Brooklyn, New York

Defendant ALBERT FRANCIS LANNON was released on August 3, 1951 on \$5,000.00 bail posted by DANIEL LEVITT, 84 Quentin Road, Brooklyn, New York, and \$5,000.00 posted by STANLEY BLUMENTHAL, 615 Watkins Street, Brooklyn, New York, as sureties.

Defendant ISIDORE BEGUN was released on August 14, 1951 on \$10,000.00 bail posted by his wife ALICE BEGUN, 1406 Townsend Avenue, Bronx, New York, as surety.

Defendant ARNOLD SAMUEL JOHNSON was released on August 16, 1951 on bail posted by the following sureties in the amounts set out below:

\$8,000.00

AURELIA JOHNSON
Wife of Defendant JOHNSON
56 Seventh Avenue
New York, New York

\$1,000.00

NORMAN BERKOWITZ
111 East 88 Street
New York, New York

\$1,000.00

PAULINE CAMENIR
1501 Boston Road
Bronx, New York

Defendant BETTY GANNETT was released on July 23, 1951 on bail posted by the following sureties in the amounts set out below:

\$5,000.00

BERNARD LEWIT
2855 Park Avenue
New York, New York

NY 100-81752

\$ 5,000.00

GERTRUDE YARIS
122 West 90 Street
New York, New York

\$10,000.00

MEYER GARBER
43 Bryant Street
Springfield, Massachusetts

Following conviction on February 3, 1953 Judge DIMOCK set bail at \$20,000.00 for defendants LANNON, MINDEL, JONES, BITTELMAN and GANNETT. Judge DIMOCK set bail at \$25,000.00 for the other defendants.

The above defendants were released on bail pending appeal after each of the individual sureties for each defendant had submitted an affidavit setting forth the source of the money posted. Unless otherwise indicated, the money was obtained by the surety from personal assets. The defendants were released as follows:

Defendant BITTELMAN was released on February 10, 1953 on bail posted by the following sureties in the amounts set out below:

\$2,500.00

ESTHER STERN
1192 Metropolitan Avenue
Bronx, New York

\$3,000.00

ESTHER KOCH
1040 East 12 Street
Brooklyn, New York

\$2,000.00

ERVIN WAGNER
100 Arden Street
New York, New York

\$12,500.00

SIMON FEDERMAN
162 West 34 Street
New York, New York

\$2,000.00 previously posted as bail for defendant BITTELMAN during the trial by EVELYN GILBERT was withdrawn by her on February 10, 1953.

Defendant JONES was released on February 10, 1953 on \$20,000.00 bail posted by previous sureties SIDNEY GLUCK and SARA V. MONTGOMERY, each of whom re-deposited the \$10,000.00

NY 100-81752

previously deposited as bail for CLAUDIA JONES. GLUCK's affidavit listed his address as 9708 Metropolitan Avenue, Forrest Hills, New York.

Defendant MINDEL was released on February 10, 1953 on \$20,000.00 bail posted by his wife, REBECCA MINDEL, 2854 Bronx Park East, Bronx, New York.

Accompanying affidavits of the following reflected they had loaned the sum set out to REBECCA MINDEL for the purpose of bail for defendant MINDEL.

\$6,600.00

ANNA LURIA
Sister of REBECCA MINDEL
200 West 93 Street
New York, New York

\$5,000.00

MURIEL SYMINGTON
310 Windsor Place
Brooklyn, New York

\$3,400.00

JOSEPH ZUCKERMAN
2856 Bronx Park East
Bronx, New York

The affidavit of ANNA LURIA also stated that the \$3,000.00 originally loaned by LURIA to REBECCA MINDEL for bail posted for defendant MINDEL on July 17, 1951 was again loaned to REBECCA MINDEL for present bail.

Defendant GANNETT was released on bail on February 10, 1951 when previous sureties re-deposited bail originally posted for GANNETT on July 23, 1951. The affidavit of surety BERNARD LEWITT listed his address as 2855 Barker Avenue, Bronx, New York.

Defendant FLYNN was released on February 11, 1953 on bail posted by the following sureties in the amounts set out below:

\$20,000.00

GRACE HUTCHINS
85 Bedford Street
New York, New York

\$ 5,000.00

MEYER GARBER
43 Bryant Street
Springfield, Massachusetts

NY 100-81752

The affidavit of GRACE HUTCHINS reflected that of the above \$20,000.00, \$10,000.00 in United States Treasury Bonds, was loaned to HUTCHINS by MARCUS GOLDMAN, 1234 Rebecca Road, Hollin Hills, Alexandria, Virginia.

Defendant TRACHTENBERG was released on February 11, 1953 on bail posted by the following sureties in the amounts listed below:

| | |
|-------------|--|
| \$15,000.00 | GRACE HUTCHINS 85 Bedford Street New York, New York |
| \$ 2,000.00 | DAVID GOLDWAY 467 Central Park West New York, New York |
| \$ 2,500.00 | HOWARD SELSAM 501 West 138 Street New York, New York |
| \$ 3,500.00 | Dr. JOSEPH FURST 151 East 83 Street New York, New York |
| \$ 1,500.00 | JOSEPH FELSHIN, wa: Joseph Fields 1134 Beach 27 Street Far Rockaway, New York |
| \$ 500.00 | DOXEY A. WILKERSON 913 St. Marks Place Brooklyn, New York |

The affidavit of DAVID GOLDWAY stated that \$1,000.00 of the amount posted by him was loaned to GOLDWAY by VICTOR PERLO, 47-37 190 Street, Flushing, Long Island, New York.

It is to be noted that Assistant United States Attorney JAMES B. KILSHEIMER, Southern District of New York, had rejected an affidavit of VICTOR PERLO as surety for defendant TRACHTENBERG previously submitted by defense counsel, Mrs. MARY KAUFMAN.

NY 100-81752

Defendant LANNON was released on February 13, 1953 on bail posted in the following amounts by the sureties set out below:

\$15,000.00

STANLEY BLUMENTHAL
843 Stone Avenue
Brooklyn, New York

\$ 5,000.00

DAVID LEVITT
97-09 34 Avenue
Corona, Long Island, New York

The affidavit of STANLEY BLUMENTHAL stated that for purposes of posting the above amount as bail for LANNON, he had borrowed \$5,000.00 from DAVID GREENBLATT, 255 Haven Avenue, New York, New York, and \$5,000.00 from GRACE HUTCHINS, 85 Bedford Street, New York, New York.

Defendant PERRY was released on February 13, 1953 on bail posted in the following amounts by the sureties listed below:

\$15,000.00

United States Treasury
Bonds by ROSE PERRY, wife
of defendant PERRY, 501
West 138 Street, New York,
New York.

\$10,000.00

LYDIA GIBSON MINOR
Mount Airy Road
Croton-on-Hudson, New York

The affidavit of ROSE PERRY stated she had borrowed \$10,000.00 in United States Treasury Bonds from Mrs. ROSE COE, 769 Argyle Road, Brooklyn, New York and \$5,000.00 in bonds from Mrs. PERRY's sister, MARY MANOSIA, 2137 68 Street, Brooklyn, New York.

Defendant JOHNSON was released on February 13, 1953 on bail posted in the following amounts by the sureties listed below:

\$23,000.00

AURELIA JOHNSON
Wife of defendant JOHNSON
56 Seventh Avenue
New York, New York

NY 100-81752

\$1,000.00

PAULINE CAMENIR
1501 Boston Road
Bronx, New York

\$1,000.00

NORMAN BERKOWITZ
111 East 88 Street
New York, New York

The affidavit of AURELIA JOHNSON stated that of the above sum, \$8,000.00, which was originally posted by her as bail for defendant JOHNSON during the trial, was borrowed by her from the following sources: \$2,000.00 from WALDO SALT, 31 Grace Court, Brooklyn, New York; \$500.00 from Reverend MARION FRENYEAR, South Hartford, New York; \$1,000.00 from MILTON OST, 107 East 10th Street, New York City; \$3,500.00 from Miss DORA SINGER, 2755 Barker Avenue, Bronx, New York; \$1,000.00 from RALPH DWORKIN, 676 St. Mary's Place, Bronx, New York.

The affidavit of AURELIA JOHNSON also stated that the additional \$15,000.00 was borrowed by her from the following sources:

\$5,000.00

United States Treasury Bonds
from MURIEL SYMINGTON, 310
Windsor Place, Brooklyn, New
York.

\$5,000.00

Mrs. DOROTHY HAVEN
Fall Village
Connecticut

\$3,000.00

Mrs. HARRIET MAGIL
210 West 107 Street
New York, New York

\$2,000.00

Dr. ISAAC STAMMLER
391 East Mosholu Parkway
Bronx, New York

Defendant WEINSTOCK was released on February 16, 1953 on bail posted in the following amounts by the sureties set out below:

\$19,000.00

ALEX SCHWARTZ
3228 Irwin Avenue
Bronx, New York

NY 100-81752

\$3,000.00

FRIEDA SCHWARTZ
3228 Irwin Avenue
Bronx, New York

\$3,000.00

YOLANDA WEINSTOCK
Sister of defendant WEINSTOCK
609 West 173 Street
New York, New York

The affidavit of ALEX SCHWARTZ stated that he was re-depositing \$6,000.00 originally posted as bail for defendant WEINSTOCK on July 19, 1951 and that this money was borrowed by him from the following sources:

\$3,000.00

HARRY KUNITZ
620 Fort Washington Avenue
New York, New York

\$1,000.00

ALVIN GROSS
3689 Southwest First Avenue
Miami, Florida

\$1,000.00

HENRY SCHWARTZ
3214 Kingsbridge Avenue
Bronx, New York

\$ 500.00

ALBERT GROSS
140-A Van Cortlandt Park South
Bronx, New York

\$ 500.00

MEYER GROSS
130-18 226 Street
Laurelton, Long Island
New York

ALEX SCHWARTZ's affidavit continued that of the additional \$13,000.00 posted by him, \$1,000.00 came from his personal assets and the balance was borrowed by him from the following sources:

\$1,000.00

ROSE WEINSTOCK
Wife of defendant WEINSTOCK
24 Metropolitan Oval
Bronx, New York

NY 100-81752

| | |
|------------|--|
| \$1,000.00 | JOHN WEINSTOCK Son of defendant WEINSTOCK 1676 53 Street Brooklyn, New York |
| \$1,500.00 | MORRIS DAVIS 405 Georgia Avenue Brooklyn, New York |
| \$1,000.00 | BELLE SUNDEEN 1569 48 Street Brooklyn, New York |
| \$2,000.00 | ALBERT GROSS 140-A Van Cortlandt Park South Bronx, New York |
| \$2,000.00 | MURRAY WOOD 1440 East Avenue Bronx, New York |
| \$1,500.00 | LOUIS ROMAN 57 West 175 Street Bronx, New York |
| \$2,000.00 | FRANK WEDL 401 East 89 Street New York, New York |

Defendant CHARNEY was released on February 16, 1953 on bail posted in the following amounts by the sureties listed below:

| | |
|-------------|---|
| \$5,000.00 | HATTIE CHARNEY Wife of defendant CHARNEY 130 West 16 Street New York, New York |
| \$10,000.00 | JACOB L. CHARNEY Father of defendant CHARNEY 1683 Boston Road Bronx, New York |

The balance of \$10,000.00 for defendant CHARNEY's bail was secured by a property bond on unencumbered real property valued at \$41,000.00 at 1401-05 Wilkins Avenue and

NY 100-81752

895 Jennings Street, Bronx, New York, owned by JACOB L. CHARNEY. The real property bond was accompanied by an affidavit stating real property was as above stated.

On February 16, 1953 JACOB L. CHARNEY signed a confession of judgement for \$10,000.00 in favor of the United States Government to secure performance by JACOB L. CHARNEY as surety for defendant CHARNEY. The above confession of judgement was filed against the above property. JACOB L. CHARNEY was also required to submit to Assistant United States Attorney JAMES B. KILSHLEGER, Southern District of New York, as soon as possible, a report on the ownership of the above property from the Guaranty Title and Trust Company. In connection with the \$10,000.00 cash bail posted for defendant CHARNEY, JACOB L. CHARNEY furnished an affidavit stating that this \$10,000.00 consisted of \$1,800.00 from his personal assets and \$8,200.00 from the assets of the partnership firm of Charney Paper and Twine Company, 97 Wooster Street, New York, New York, in which JACOB L. CHARNEY is co-owner with his son, LEWIS CHARNEY who are the sole owners of the firm and accompanying affidavit of LEWIS CHARNEY, 154-32 23 Avenue, Whitestone, Long Island, New York, brother of defendant CHARNEY, confirmed the statement regarding the above \$8,200.00 withdrawn from the firm of Charney Paper and Twine Company and consented to the use of the funds as bail for defendant CHARNEY.

Defendant WEINSTONE was released on February 17, 1953 on bail posted in the following amounts by sureties set out below:

\$8,000.00

MARY WALDMAN
Sister of defendant WEINSTONE
57 Birch Road
Malverne, Long Island, New York

\$4,000.00

HENRIETTA WEINSTEIN
Sister of defendant WEINSTONE
203 Burrstone Road
New Hartford, New York

\$5,000.00

CARL SOLOMON
1824 East 21 Street
Brooklyn, New York

NY 100-81752

\$8,000.00

MONETTE WEINSTONE
Wife of defendant WEINSTONE
4322 47 Street
Sunnyside, Long Island, New York

The affidavit of MARY WALIMAN stated that of the \$8,000.00 that was posted by her, \$3,000.00 was from her personal assets and \$5,000.00 originally posted for defendant WEINSTONE pending trial was borrowed by her from the following sources:

\$1,000.00

LJBA HOROWITZ
3705 West Fourth Street
Los Angeles, California

\$2,250.00

A joint account of MARY
WALDMAN and her husband,
SAMUEL WALDMAN.

According to MARY WALDMAN's affidavit, the balance of the \$5,000.00, consisting of \$1,750.00, was obtained from her own personal assets.

The affidavit of HENRIETTA WEINSTEIN stated that of the \$4,000.00 posted by her, \$2,000.00 consisted of money originally posted by her as bail for defendant WEINSTONE pending trial and was borrowed from her husband, AARON WEINSTEIN. The additional \$2,000.00 was obtained from her own personal assets.

The affidavit of CARL SOLOMON stated the above money was obtained from the personal assets of CARL SOLOMON and his wife, MALVINA L. SOLOMON, and that \$3,000.00 of this amount was originally posted as bail for defendant WEINSTONE pending trial and was obtained from the same source.

The affidavit of MONETTE WEINSTONE stated that the \$8,000.00 posted by her was borrowed from the following sources:

\$2,000.00

JEANNETTE TURNER
4144 48 Street
Long Island City, Long Island,
New York

NY 100-81752

\$4,000.00

DOROTHY COOPER
153 West 82 Street
New York, New York

\$2,000.00

JOSEPH S. KLEIN
150 Riverside Drive
New York, New York

Defendant JEROME was released on February 17, 1953 on bail posted in the following amounts by the sureties set out below:

\$3,500.00

HOWARD FAST
43 West 94 Street
New York, New York

\$7,000.00

BARBARA GILES
176 West 87 Street
New York, New York

\$3,000.00

Reverend ELIOT WHITE
12 Monroe Street
New York, New York

\$2,000.00

HERBERT APTHEKER
1015 Washington Avenue
Brooklyn, New York

\$7,500.00

ALICE JEROME
Wife of defendant JEROME
320 Second Avenue
New York, New York

\$2,000.00

WILDO SALT
31 Grace Court
Brooklyn, New York

The affidavit of BARBARA GILES stated that of the \$7,000.00 deposited by her, \$2,000.00 consisted of money originally posted as bail for JEROME pending trial and was obtained by her from her husband, EDMUND WEIL. The additional \$5,000.00 was obtained from the personal assets of BARBARA GILES.

NY 100-81752

and her husband, EDMUND WEIL.

The affidavit of ALICE JEROME stated that of the \$7,500.00 posted by her, \$1,000.00 was originally deposited as bail for JEROME during trial and was obtained by her from funds which ALICE JEROME "had put aside for my children, CARL and FRED JEROME."

The affidavit of ALICE JEROME continued that the additional \$6,500.00 was borrowed from the sources set out below:

| | |
|------------|---|
| \$ 500.00 | CYRIL PHILLIPS 2349 Eighth Avenue New York, New York |
| \$4,000.00 | DOROTHY HAVEN Fall Village Connecticut |
| \$1,000.00 | LEAH LEWENTHMAN 4120 46 Street Sunnyside, Long Island, New York |
| \$1,000.00 | MURRAY BRALL 4142 42 Street Sunnyside, Long Island, New York |

On February 17, 1953 Judge IRVING R. KAUFMAN signed an order enlarging the bail limits of defendant WEINSTONE to include the Eastern District of New York. The other defendants by the terms of their bail are limited to the Southern District of New York.

III. NOTICES OF APPEARANCE OF DEFENSE ATTORNEYS

On July 16, 1951 HAROLD I. GAMMER, 9 East 40 Street, New York, New York, and MICHAEL I. BEGUN, nephew of defendant ISIDORE BEGUN, 370 Seventh Avenue, New York, New York, filed a motion for leave to withdraw as attorneys for the defendants. The motion was granted by Judge SYLVESTER J. RYAN to the extent

NY 100-81752

of assigning further counsel to assist attorneys CAMMER and BEGUN as follows:

ABRAHAM POMERANTZ
295 Madison Avenue
New York, New York

CAROL WEIS KING (now deceased)
220 Broadway
New York, New York

MARY KAUFMAN
43 West 94 Street
New York, New York

VICTOR RABINOWITZ
76 Beaver Street
New York, New York

ABRAHAM UNGER
100 Fifth Avenue
New York, New York

LEONARD BODIN
76 Beaver Street
New York, New York

The motions in all other respects were denied.

On July 26, 1951 the above attorneys were relieved as attorneys for the defendants after a stipulation to that effect was entered into by the above attorneys and IRVING SAYPOL, then United States Attorney, Southern District of New York, and was so ordered by ALEXANDER HOLTZOFF, District Judge, Southern District of New York.

On August 20, 1951 FRANK SERRI, 66 Court Street, Brooklyn, New York, was substituted as an attorney for defendant LANNON.

On November 8, 1951 an argument on pretrial motions began. Professor THOMAS I. EMERSON of the Yale Law School argued on behalf of all defendants their motion attacking the

NY 100-81752

Constitutionality and validity of the indictment, JOSEPH FORER, of the Washington, D.C. Bar, argued the defendants' motion to suppress evidence allegedly obtained by wiretapping and FRANK SERRI argued the other five motions. The appearances of Professor EMERSON and JOSEPH FORER were for the purpose of arguing pretrial motions only.

On January 5, 1952 FRANK SERRI and FRANK T. McTERNAN, 66 Court Street, Brooklyn, New York, filed as attorneys for defendants TRACHTENBERG, BEGUN, WEINSTONE, BITTELMAN, GERSON, WEINSTOCK, GANNETT, JONES, BACHRACH, JEROME, JOHNSON and CHARNEY. McTERNAN was identified by SERRI as a member of the California Bar with offices in Los Angeles, California.

On January 15, 1952 FRANK SERRI, of 66 Court Street, Brooklyn, New York, and McTERNAN, of 150 Nassau Street, New York, New York, filed as attorneys for ISRAEL AMTER and JACOB MINDEL.

On February 29, 1952 MARY M. KAUFMAN, 43 West 94 Street, New York, New York, filed as attorney for defendants GANNETT and BEGUN.

On April 17, 1952 JAMES F. WRIGHT, of Washington, D.C., was admitted to court to act as counsel for defendants BACHRACH, JOHNSON and CHARNEY. On April 21, 1952 the following substitution of attorneys was filed: JAMES T. WRIGHT as attorney for defendants BACHRACH, JOHNSON and CHARNEY; MARY M. KAUFMAN as attorney for defendants GANNETT, BEGUN and WEINSTOCK; JOHN T. McTERNAN as attorney for defendants BITTELMAN, JEROME, MINDEL and JONES and FRANK SERRI as attorney for defendants LANNON, TRACHTENBERG, GERSON and WEINSTONE. The address of the above attorneys was listed as 150 Nassau Street, New York, New York.

It is to be noted that PETTIS PERRY and ELIZABETH GURLEY FLYNN acted as attorneys pro se during the trial.

On December 4, 1952 MARY M. KAUFMAN, filed as attorney for defendant FLYNN as to contempt proceedings.

On January 22, 1953 MARY M. KAUFMAN filed as co-counsel for defendant JONES.

IV. PRETRIAL MOTIONS

On July 3, 1951 pleas of not guilty to the indictment were entered before Judge SYLVEST J. RYAN by defendants AMTER, BACHRACH, BEGUN, BITTELMAN, CHARNEY, FLYNN, GANNETT, GERSON, JEROME, JOHNSON, JONES, LANNON, MINDEL, PERRY, TRACHTENBERG, WEINSTOCK and WEINSTONE.

Judge RYAN set July 18, 1951 as the deadline for filing any motions concerning the indictment. On July 16, 1951 Judge RYAN extended the time for motions to August 2, 1951. On July 18, 1951 JOHN F.X. MCGOHEY, District Judge, Southern District of New York, set August 20, 1951 as the final date for pretrial motions.

On August 20, 1951 EDWARD J. DIMOCK, District Judge, set September 17, 1951 as the date for return of motions.

On December 21, 1951 EDWARD CONGER, District Judge, denied the defendants' pretrial motions filed September 12, 1951 and argued on November 8, 1951 to dismiss the indictment because the Grand Jury failed to include Negroes and manual workers, to postpone trial for six months because of public hysteria, to dismiss the indictment because no legal evidence was presented to the Grand Jury and undue influence was exerted upon it, for a bill of particulars, for dismissal of the indictment because of the unconstitutionality of the Smith Act, to suppress all evidence received from monitoring telephone conversations and intercepting mail of the defendants and quashed subpoenas served by the defendants in connection with the last motion on the Attorney General and the Director of the Federal Bureau of Investigation on November 1, 1951 and on the Special Agent in Charge of the New York Office on September 12, 1951. Judge CONGER also quashed the defendants' subpoena served on the Director of the Bureau of the Census on September 14, 1951.

In connection with the defendants' motion for an order directing pretrial subpoena of all documents presented to the Grand Jury or to be presented at the trial, Judge CONGER directed the Government and defense counsel to submit proposed orders embodying respectively what materials the Government.

NY 100-81752

would consent to exhibit and what material the defendants primarily sought, stating he would hold a hearing on question after the orders were submitted.

On January 24, 1952 Judge SYLVESTER J. RYAN denied the defendants' motion to sever defendant MINDEL on the ground of illness.

On February 4, 1952 Judge CONGER denied the defendants' motion to reargue five of the defendants' motions denied by him on December 21, 1951 and granted the defendants' motion for the Government to furnish within twenty days before the trial, for the defendants' inspection, all Grand Jury exhibits and all books and documents the Government intended to introduce at the trial except such as would disclose the identity of informants.

On February 20, 1952 Judge RYAN again denied the defendants' motion for severance of defendant MINDEL.

On February 26, 1952 the defendants filed a motion for a thirty day continuance.

On February 27, 1952 the defendants filed a motion challenging the array and moved to quash and dismiss the entire jury panel venire and jury list.

On March 3, 1952 Judge EDWARD J. DIMOCK set March 31, 1952 as the date for the beginning of the trial.

On March 11, 1952 Judge DIMOCK ordered the Government to furnish the defendants a numbered list of all books, papers, documents and objects which had been presented to the Grand Jury or were to be offered in evidence at the trial and to designate portions of newspapers, magazines and periodicals presented to the Grand Jury or to be offered in evidence at the trial.

On March 12, 1952 Judge CONGER ordered the Government to produce and make available to the defendants at least twenty days before the date set for the trial all books, papers, documents and objects which had been presented to the Grand Jury or were to be offered as evidence in the trial.

Judge CONGER further ordered that if the Government

NY 100-81752

should claim that the inspection by the defendants of any such books, papers, documents and objects would disclose the identity of confidential informants then the court, after a hearing, would determine how to protect against the disclosure of these informants and the method, manner and circumstances of the Government's acquisition of the materials; that the Government should make available to the defendants the documentary exhibits introduced before the Grand Jury in the manner and form in which they were introduced; that the Government should specify such articles in magazines, newspapers and other periodicals which the Government intended to introduce at the trial, but that the Government need not specify such portions or parts of these magazines, newspapers and other periodicals that it intended to use at the trial; and that the order should not be construed as a limitation of or a restriction of the right of the Government to introduce into evidence at any stage of the trial such documents and material as were relevant to establish the offense charged.

On March 13, 1952 Judge CONGER ordered sealed for the trial judge a list of Government exhibits to be introduced at the trial which would disclose the identity of informants if made available to the defendants.

On March 25, 1952 the defendants filed a motion for a ninety day continuance or in the alternative for one hundred and sixty peremptory challenges requesting ten challenges for each defendant.

NY 100-81752

V. TRIAL

On March 31, 1952, the trial of the sixteen defendants began. Defense Counsel filed an offer of proof challenging the jury panel, claiming that the method of selection discriminated against manual workers, Negroes, and Puerto Ricans.

Hearings on defendants' challenge to the jury began on April 2, 1952 and ended on April 15, 1952, when Judge DIMOCK dismissed the challenge and denied defendants' motion for a ninety day continuance. Judge DIMOCK also denied defendants' motion for ten peremptory challenges for each defendant and granted twenty-two challenges to defendants, plus two additional challenges for the alternate jurors. Judge DIMOCK limited the Government to six peremptory challenges and two peremptory challenges for alternate jurors.

In the hearings on defendants' challenge of the jury panel, the defendants called as witnesses WILLIAM J. BORMAN, Jury Clerk, United States District Court, Southern District of New York, and JAMES J. DOYLE, Deputy Clerk, United States District Court, Southern District of New York. The Government called DAVID L. KAPLAN, Chief of Occupation and Industries Statistics Section in the Population and Housing Division of the United States Bureau of Census.

The impaneling of the jury began on April 15, 1952 and was completed on April 23, 1952, when twelve trial jurors and four alternate jurors were sworn.

On April 22, 1952, Judge DIMOCK granted JAMES T. WRIGHT and Mrs. MARY M. KAUFMAN of Defense Counsel the right to make opening statements to the jury after the conclusion of the Government's case.

The opening statements to the jury were begun by the Government on April 24, 1952 and completed by Defense Counsel on April 28, 1952.

On April 28, 1952, the Government began presentation of its case and rested September 5, 1952, after calling ten witnesses.

NY 100-81752

The following witnesses for the Government testified in the order set out below:

Professor LOUIS F. BUDENZ, Tuckahoe, New York

JOHN LAUTNER, New York City

HARVEY MARSHALL MATUSOW, New York City

BERENICE BALDWIN, Detroit, Michigan

LOUIS ROSSER, Los Angeles, California

CHARLES NICODEMUS, Dawson, Maryland

RALPH VERNON LONG, Durham, North Carolina

MARY STALCUP MARKWARD, Arlington, Virginia

WILLIAM GARFIELD CUMMINGS, Toledo, Ohio

THOMAS AARON YOUNGLOVE, St. Louis, Missouri

On May 2, 1952, Judge DIMOCK denied defendants' motion for transfer of EUGENE DENNIS to New York from the Federal Penitentiary at Atlanta, Georgia, defendants having claimed that frequent consultation with him was necessary since he was the Communist Party leader who was most familiar with the activities of the Party during the pertinent period of the indictment. On May 6, 1952, Judge DIMOCK granted permission to Defense Counsel McTERNAN and Defendant FLYNN to confer with DENNIS at the Federal Penitentiary, Atlanta, Georgia, in order to prepare the cross-examination of Government Witness BUDENZ.

On May 28, 1952, Judge DIMOCK announced that he was restricting Government and Defense Counsel in their public comments and their contacts with the press regarding the trial to the limits set out in Canon 20 of the Rules of Professional Ethics of the American Bar Association. Judge DIMOCK declared that defendants PETTIS PERRY and ELIZABETH GURLEY FLYNN, as

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NY 100-81752

attorneys pro se, were bound by the same restrictions as other counsel. Judge DIMOCK stated that the other defendants were free to make public comments regarding the trial subject only to the law binding all litigants.

On June 3, 1952, Defense Counsel McTERNAN moved for a mistrial on the basis of a public address by United States Attorney MYLES J. LANE on June 1, 1952, in which he mentioned Communist espionage as disclosed in the case of the United States versus JULIUS ROSENBERG, Et Al. The motion was denied on June 4, 1952.

On July 30, 1952, Defense Counsel McTERNAN moved for a mistrial because of the publication by Senator McCARRAN of a pamphlet prepared by the Federal Bureau of Investigation captioned, "Documentary Proof that the Communist Party, USA, Teaches and Advocates the Overthrow and Destruction of the United States Government by Force and Violence," dated March, 1952.

Judge DIMOCK questioned the jurors and was informed by them that none of them had read the above pamphlet. On August 1, 1952, the motion was denied.

On August 1, 1952, Juror CHARLES CECIL CHATTERTON was excused for illness, and Alternate Juror NOBLE L. JONES replaced CHATTERTON as Juror Number 10.

On August 28, 1952, a motion was made for the severance of Defendant MINDEL on grounds of illness, but decision was reserved. The motion was later renewed and denied.

On September 16, 1952, Judge DIMOCK announced the finding that a prima facie case of conspiracy existed after May, 1945, and he stated that the connection of the defendants generally to the conspiracy had been established.

Judge DIMOCK stated that testimony as to incidents prior to May, 1945, would be received only against a particular defendant as to the intent of that defendant. Judge DIMOCK

4

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NY 100-81752

then ordered stricken, on motion of defendants, testimony of Government Witness LAUTNER concerning his teaching activities in the 1930's while assigned to Section 18 of the Communist Party in New York City, on the ground that his teaching in that period was not sufficiently relevant to Communist Party doctrine to which the Party stated it was returning at the time of its reconstitution in 1945.

On September 16 and September 17, 1952, Judge DIMOCK denied defendants' motion to strike other testimony of LAUTNER and other Government witnesses.

On September 23, 1952, following argument on motion for judgment of acquittal, Judge DIMOCK granted defendants' motions acquitting BEGUN and GERSON, but denied the motion as to the remaining defendants.

On September 30, 1952, the defendants began presentation of their defense and called the following witnesses, in the order listed:

GERALD L. CHURCH, Colonel, Army of the United States

ABRAHAM B. MAGIL, New York City

ELIZABETH GURLEY FLYNN, New York City

WILL HARRISON, Santa Fe, New Mexico

On July 17, 1952, upon completion of recross-examination of Government Witness JOHN LAUTNER, Defense Counsel JOHN T. McTERNAN stated that defendants had no further cross-examination except in regard to an Army questionnaire which was executed by LAUTNER in Camp Ritchie in 1942. McTERNAN then served LAUTNER with a subpoena returnable July 23, 1952.

On July 21, 1952, pursuant to a defense subpoena served on the Department of the Army, Colonel GERALD L. CHURCH, Army of the United States, Chief, Personnel Branch, G-2, appeared and testified that the Department of the Army was unable

b7c
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NY 100-81752

to locate any questionnaire filled out by JOHN LAUTNER while at Camp Ritchie, Maryland, reflecting information as to his Communist Party membership. LAUTNER was then excused by the defense and was not recalled pursuant to the above subpoena.

On December 1, 1952, during redirect examination of ELIZABETH GURLEY FLYNN, with the permission of the Court, WILL HARRISON, former Editor of the Santa Fe "New Mexican," was called as a defense witness and testified that HARVEY MARSHALL MATUSOW, one of the witnesses called by the Government, had been paid twelve dollars by the Santa Fe "New Mexican" for an article which had appeared in the newspaper on November 30, 1952. MATUSOW, on recross-examination, denied payment for this article. MATUSOW also appeared in Court on December 1, 1952, in answer to a defense subpoena, and was there identified by HARRISON as the person to whom the money was paid. Both were then excused.

On September 8, 1952, defendants served a subpoena on the Attorney General for the production of all records of payments by the Department of Justice and by the Federal Bureau of Investigation to all informants who had been called by the Government as witnesses in this case. The subpoena was returnable on September 25, 1952. The subpoena was adjourned on that and subsequent dates until November 13, 1952, when the Government and Defense Counsel executed a stipulation concerning such payments.

On November 18, 1952, while on cross-examination, Defendant FLYNN was asked if she knew HOWARD "STRETCH" JOHNSON. Defendant FLYNN refused to answer and was then directed to do so by Judge DIMOCK. Trial was adjourned to November 19, 1952 to give Defense Counsel the opportunity to present additional arguments concerning FLYNN'S refusal to answer.

On November 19, 1952, Defense Counsel offered Defendant FLYNN'S affidavit setting forth the membership of the various Commissions of the Communist Party, USA, and offered to stipulate as to the material contained in the affidavit. Special Assistant to the United States Attorney DAVID

NY 100-81752

L. MARKS withdrew the question concerning HOWARD "STRETCH" JOHNSON and said he would use the information in the proposed stipulation as the basis for further inquiry.

On the same date, while still on cross-examination, Defendant FLYNN refused to answer a question as to whether CLARA BODIAN participated in meetings of the Women's Commission of the Communist Party, USA. When directed to answer by Judge DIMOCK, Defendant FLYNN refused to do so. Judge DIMOCK then found Defendant FLYNN guilty of contempt of court for her refusal to answer, and sentenced her to the custody of the Attorney General until she purged herself, with confinement not to exceed thirty days, under Title 18, Section 401 of the United States Code.

On the same date, Defendant FLYNN refused to answer a question as to whether she knew LOU DISKIN. Upon her refusal to answer when directed to do so by Judge DIMOCK, she was again found guilty of contempt of court and sentenced to an additional term of thirty days, to run concurrently with her first conviction for contempt. On defendants' motion, Judge DIMOCK stayed execution of sentence until Defendant FLYNN completed her testimony.

On December 2, 1952, after Defendant FLYNN had completed her testimony, Judge DIMOCK put the same questions to Defendant FLYNN concerning CLARA BODIAN and LOU DISKIN for which she had been held in contempt for refusing to answer on November 19, 1952. Defendant FLYNN again refused. At the request of Defense Counsel, her commitment was postponed to December 3, 1952, on which date she was remanded to the custody of the United States Marshal for the service of her sentences. She was released on December 31, 1952 upon completion of sentences.

On December 11, 1952, Judge DIMOCK denied defendants' motions for a mistrial or a postponement of trial and for dismissal of the indictment.

On the same date, Judge DIMOCK announced that Attorney ALBERT C. BICKFORD of 120 Broadway, New York City, had reported

b7
7

NY 100-81752

to Judge DIMOCK that he had found no evidence of contempt of court in connection with the possible disclosure of the subject of a closed hearing which was held on June 30, 1952 in Judge DIMOCK'S chambers. BICKFORD was appointed on July 9, 1952 by Judge DIMOCK to conduct the investigation into a possible contempt of court.

On December 15, 1952, Judge DIMOCK announced that he had taken judicial notice that "a clear and present danger exists."

On December 17, 1952, Defense Counsel McTERNAN moved for a mistrial on the basis of interference with the jury, and pointed out that Mrs. JULIA VAN DERNOOT, 25 East 77 Street, New York City, had testified that Juror Number 12, Mrs. SYBIL KANE, had told Mrs. VAN DERNOOT that all jurors had concluded that Marxism was evil and the defendants were guilty. McTERNAN claimed that a fair trial was impossible.

On the same date, the jury was polled by Judge DIMOCK and all jurors denied having expressed any belief that Marxism advocated the overthrow of the Government, or of having heard Mrs. KANE express any conclusion as to the trial issues. Judge DIMOCK denied defendants' motion for a mistrial, but excused Mrs. KANE from service on the jury, stating that he felt defendants were entitled to have even the suspicion of prejudice removed.

On December 18, 1952, Defense Counsel KAUFMAN made application for further investigation of the jurors on the basis of an affidavit of Mrs. KAUFMAN to the effect that Mrs. SYBIL KANE had telephonically informed KAUFMAN that all but one or two jurors had expressed opinions on the case; that at least four had strong views adverse to the defendants; that others had expressed the same views, but not so strongly; and that KANE would identify the jurors in question to the Court. The application was denied. Defendants' motion for a mistrial was renewed and denied.

Alternate Juror Miss ANNA L. MILLER was assigned as Juror Number 12.

NY 100-81752

On December 19, 1952, Judge DIMOCK denied defendants' motions for a judgment of acquittal, for further investigation of the jurors, and for a mistrial.

On January 5, 1953, Judge DIMOCK denied a hearing on defendants' offer of proof on the issue of clear and present danger. Judge DIMOCK also denied a hearing requested by defendants on the issue of the unconstitutionality of the Smith Act.

Defendants' summations to the jury were begun on January 5, 1953 and were completed on January 13, 1953.

The Government's summation was made by Special Assistant to the United States Attorney DAVID L. MARKS on January 13 through January 15, 1953.

On January 14, 1953, Judge DIMOCK denied defendants' motion for mistrial on the ground of inflammatory references in the Government's summation with respect to current events in the Soviet Union, Defense Counsel McTERNAN having claimed that MARKS had identified defendants with newspaper reports of alleged anti-Semitism in the Union of Soviet Socialist Republics. Judge DIMOCK also denied defendants' motion for a mistrial on the grounds that the Government summation mis-stated the record when Special Assistant to the United States Attorney MARKS said that defendant CHARNEY'S military record did not disclose his true employment, listing him only as an "organizer."

On January 15, 1953, Judge DIMOCK charged the jury and defendants filed objection to the charge. The case was submitted to the jury on January 15, 1953, which deliberated until January 21, 1953, on which date a verdict of guilty as charged was returned against all defendants. All defendants were remanded to the custody of the United States Marshal.

On January 30, 1953, Judge DIMOCK denied defendants' motions for an order arresting judgment on the ground that the indictment was deficient, and for a judgment of acquittal or, in the alternative, for an order granting a new trial.

NY 100-81752

On February 3, 1953, Judge DIMOCK imposed sentences and set bail for defendants as follows:

| <u>Defendant</u> | <u>Imprisonment</u> | <u>Fine</u> | <u>Bail</u> |
|------------------------|---------------------|-------------|-------------|
| ALEXANDER BITTELMAN | 3 years | \$6,000 | \$20,000 |
| GEORGE CHARNEY | 2 years | \$4,000 | \$25,000 |
| ELIZABETH GURLEY FLYNN | 3 years | \$6,000 | \$25,000 |
| BETTY GANNETT | 2 years | \$4,000 | \$20,000 |
| VICTOR JEREMY JEROME | 3 years | \$6,000 | \$25,000 |
| ARNOLD SAMUEL JOHNSON | 3 years | \$6,000 | \$25,000 |
| CLAUDIA JONES | 1 year, 1 day | \$2,000 | \$20,000 |
| ALBERT FRANCIS LANNON | 2 years | \$4,000 | \$20,000 |
| JACOB MINDEL | 2 years | \$4,000 | \$20,000 |
| PETTIS PERRY | 3 years | \$6,000 | \$25,000 |
| ALEXANDER TRACHTENBERG | 3 years | \$6,000 | \$25,000 |
| LOUIS WEINSTOCK | 3 years | \$6,000 | \$25,000 |
| WILLIAM WOLF WEINSTONE | 2 years | \$4,000 | \$25,000 |

Judge DIMOCK stated that defendants were to be imprisoned for the terms stated above at a place of confinement to be designated by the United States Attorney General, with the defendants to stand committed until the fine was paid or until they were otherwise discharged according to law.

On February 3, 1953, notices of appeal were filed by all thirteen defendants.

NY 100-81752

On February 10, 1953, Judge DIMOCK signed an order staying execution of defendants' fines pending their appeal from their convictions on condition that each defendant submit to an examination by the Government to determine the assets of each defendant and agree to post a bond to cover such assets as were discovered, except for those necessary for the ordinary living expenses of each defendant.

Parole reports and disposition sheets are enclosed to the Bureau.

The Immigration and Naturalization Service has been advised locally by letter of the convictions of the aliens BITTELMAN, GANNETT, and JONES.

ENCLOSURES TO THE BUREAU - 54

Original and two copies of parole reports, and one copy of the disposition sheet, on each of the following subjects:

ALEXANDER BITTELMAN
GEORGE CHARNEY
ELIZABETH GURLEY FLYNN
BETTY GANNETT
VICTOR JEREMY JEROME
ARNOLD SAMUEL JOHNSON
CLAUDIA JONES
ALBERT FRANCIS LANNON
JACOB MINDEL
PETTIS PERRY
ALEXANDER TRACHTENBERG
LOUIS WEINSTOCK
WILLIAM WOLF WEINSTONE

Also enclosed are disposition sheets on Defendants GERSON and BEGUN, for whom judgments of acquittal were granted on September 23, 1952.

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NY 100-81752

ADMINISTRATIVE PAGE

LEADS

NEW YORK

Will follow and report action on defendants' appeal.

Will follow and report prosecutive action against the severed defendants, ISRAEL AMTER, MARION BACHRACH, FRED MORRIS FINE, Dr. JAMES EDWARD JACKSON, WILLIAM NORMAN MARRON, and SIDNEY STEINBERG.

REFERENCE

Report of SA [REDACTED] New York, 7/10/51.

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cc: Mr. Belmont

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Assistant Attorney General Warren Olney III
Criminal Division

August 9, 1953

RECORDED-65 100-72390-142
EX-127 Director, FBI

CLAUDIA VERA SCHOLNICK, wa
Claudia Jones
Internal Security - C
Smith Act of 1940
FBI File 100-72390

Classified by 1259 JJP
Exempt From GDS Category 2
Date of Declassification - Indefinite

Classified by SP8 BTW/ro 10/23/78
Declassify on: OADR
12-8-83

[REDACTED]

[REDACTED]

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EXCEPT WHERE SHOWN
OTHERWISE

The above is being furnished for your information.

2 cc - The Commissioner
Immigration and Naturalization Service

Attention: Mr. Raymond F. Farrell
Assistant Commissioner
Investigations Division

- Tolson _____
- Ladd _____
- Nichols _____
- Belmont _____
- Clegg _____
- Glavin _____
- Harbo _____
- Rosen _____
- Tracy _____
- Gearty _____
- Mohr _____
- Winterrowd _____
- Tele. Room _____
- Holloman _____
- Sizoo _____
- Miss Gandy _____

COMM. FBI
AUG 3 1953
MAILED 30

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI (100-72390)

FROM : SAC, New York (100-18676)

SUBJECT: GLAUDIA VERA SCHOLNICK, was
IS-C

DATE: August 17, 1953

*Card UTD
8-25-53*

It is recommended that a Security Index Card be prepared on the above-captioned individual.

X The Security Index Card on the captioned individual should be changed as follows: (Specify change only)

NAME _____

ALIASES _____

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 12-8-83 BY SP8 bjs/ke

NATIVE BORN _____ NATURALIZED _____ ALIEN _____

COMMUNIST _____ SOCIALIST WORKERS PARTY _____ INDEPENDENT SOCIALIST LEAGUE _____

MISCELLANEOUS (Specify) _____

TAB FOR DETCOM _____ TAB FOR COMSAB _____ RACE _____ SEX _____

DATE OF BIRTH _____ PLACE OF BIRTH _____

BUSINESS ADDRESS (Show name of employing concern and address) _____

Sec. of National Womens Commission, CP, USA

268 7th Avenue, NY, NY

NATURE OF INDUSTRY OR BUSINESS (Specify from Vital Facility List) _____

RESIDENCE ADDRESS _____

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OTHERWISE

NOT RECORDED
51 AUG 18 1953

282
62 AUG 26 1953
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[Handwritten signature]

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NY 100-18676

TABLE OF CONTENTS

| | <u>Page No.</u> |
|--|-----------------|
| I. RESIDENCE..... | 3 |
| II. STATUS WITH IMMIGRATION AND NATURALIZATION SERVICE (INS)..... | 3 |
| III. CONVICTION UNDER SMITH ACT..... | 3 |
| IV. COMMUNIST ACTIVITIES..... | 5 |
| V. GENERAL INFORMATION..... | 14 |

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NY 100-18676

DETAILS:

All informants utilized in this report are of known reliability, unless otherwise stated.

I. RESIDENCE

(c) [redacted] advised on July 24, 1953, that the subject was residing at 504 West 143rd Street, New York City.

II. STATUS WITH IMMIGRATION AND NATURALIZATION SERVICE (INS)

(c) [redacted] advised on August 13, 1953, that the subject remains on a status of supervised parole with INS under Section 240 of IMN Act of 1952.

(c) [redacted] further stated that a deportation order is still outstanding in regard to the subject and that she will be deported to British West Indies, as soon as no criminal action remains against her. [redacted] stated that INS sent an agent to ask the subject if she desired to choose a country to be deported to, but the subject refused to talk to the agent.

(c) [redacted] further advised that the subject was presently at the Furrier's Camp, Monticello, New York, on vacation. The informant further stated that continued Communist activity on the part of the subject would be a violation of her parole and she would be subject to prosecution.

III. CONVICTION UNDER SMITH ACT

An indictment was returned by Federal Grand Jury in the Southern District of New York on June 20, 1951, against the subject before Federal Judge KAUFMAN. The subject pleaded not guilty to the indictment, and following a jury trial the jury found the subject guilty for violation of the Smith Act of 1940, on January 21, 1953, in the United States District Court for the Southern District of New York.

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NY 100-18676

On February 3, 1953, Judge EDWARD J. DIMOCK of the United States District Court, Southern District of New York, sentenced the subject to one year and one day in prison and a fine of \$2,000. The fine was a committed fine and Judge DIMOCK stated that the defendant was to stand committed until the fine was paid or until the defendant was otherwise discharged according to law, and bail was set at \$2,000.

On February 3, 1953, a notice of appeal was filed for the subject. On February 10, 1953, Judge DIMOCK signed an order staying execution of the subject's fine pending appeal from the conviction, on condition that the subject submit to an examination by the Government to determine her assets, and agree to post a bond to cover such assets, as were discovered except for those necessary for the ordinary living expenses of the subject.

INS was locally advised by letter of the subject's conviction, inasmuch as she is an alien.

Results of efforts to locate a bank account for the subject in the New York Area were negative.

It is to be noted that the subject's earnings for the years 1946 and 1950, according to her income tax returns were \$2,304.44 and \$2,600.

It is to be further noted that CLAUDIA JONES did not file any tax return for the years 1945, 1947, 1948 and 1949.

The subject was released on February 10, 1953, when bail was posted by previous sureties, SIDNEY GLUCK and SARAH V. MONTGOMERY. The subject is presently on bail pending appeal of her conviction.

The "Daily Worker" of February 3, 1953, Page 1, Column 2, carried an article entitled "'13' Tell Judge They'll Keep Up Fight for Peace" This article stated that CLAUDIA JONES, dynamic young Negro workers leader asked Judge DIMOCK to consider the effect of this frameup verdict on America's children.

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NY 100-18676

The article further stated that CLAUDIA JONES pointed out that no evidence of any "conspiracy" was produced against her and that she is being given a one year sentence for opposing the Korean war and another year for fighting for the freedom of the Negro people.

The article stated that the subject joined along with eleven other defendants in stating that regardless of the prison term they would not desist in their fight for peace.

It is to be noted that the "Daily Worker" is an East Coast Communist daily newspaper.

On June 9, 1953, the defense counsel for the subject filed a motion for an order granting the subject permission to travel to or from any point within the Southern and Eastern Districts of New York. Attached to this motion was an affidavit of ELIZABETH GURLEY FLYNN in which she urged the following points among other counts for granting of the motion:

1. Continued confinement of the defendants to the Southern District of New York would make it virtually impossible to raise funds to pay enormous expenses of appeal.
2. Experience of the defendants during the course of trial disclosed that ability to raise funds depended on the direct personal appeal of the defendants to people throughout the United States.

District Judge SYLVESTER RYAN, Southern District of New York, denied the motion to permit the subject and other defendants to travel to and from any point within the Southern or Eastern Districts of New York, on June 17, 1953.

IV. COMMUNIST ACTIVITIES

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[REDACTED]

(C)

[REDACTED]

(C)

[REDACTED]

(C)

[REDACTED]

It is to be noted that the American Committee for the Protection of Foreign Born has been designated by the Attorney General of the United States pursuant to Executive Order 10450.

"The Worker" of January 4, 1953, Page 16, Column 1, carried a notice that on Sunday, January 11, 1953, from 3 to 6 p.m.,

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NY 100-18676

a reception would be held in honor of Negro Leaders Under Attack. Among these leaders was the name of the subject. Also to be greeted at this reception were PAUL ROBESON and PETTIS PERRY and WILLIAM L. PATTERSON.

In regard to PAUL ROBESON, LOUIS BUDENZ has stated that he knew ROBESON as a concealed member of the Communist Party.

PETTIS PERRY was one of the thirteen defendants convicted with the subject for violation of the Smith Act.

WILLIAM L. PATTERSON is National Executive Secretary of the Civil Rights Congress.

The Civil Rights Congress has been designated by the Attorney General of the United States pursuant to Executive Order 10450.

"The Worker" is the Sunday edition of the "Daily Worker" which, as previously stated, is an East Coast Communist newspaper.

The above-mentioned reception was to be held under the auspices of the National Committee to Defend Negro Leadership, 1660 Fulton Street, Brooklyn, New York.

[REDACTED]

All b1, b7d

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

NY 100-18676

(c)
[REDACTED]

(c)
[REDACTED] that CLAUDIA JONES entered Communist Party Headquarters on this date at 268 7th Avenue, New York City, with the following Communist Party leaders:

- LOUIS WEINSTOCK
- AL LANNON
- ELIZABETH GURLEY FLYNN
- BETTY GANNETT

[REDACTED]

(c)
[REDACTED]

(c)
[REDACTED]

The "Daily Worker" of March 4, 1953, Page 7, Column 2, carried an article which stated that in celebration of International Women's Day, the Sunday Forum would present "The Woman Question and the Working Class" with CLAUDIA JONES as the speaker. The forum

All 61, 67d

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~~CONFIDENTIAL~~

NY 100-18676

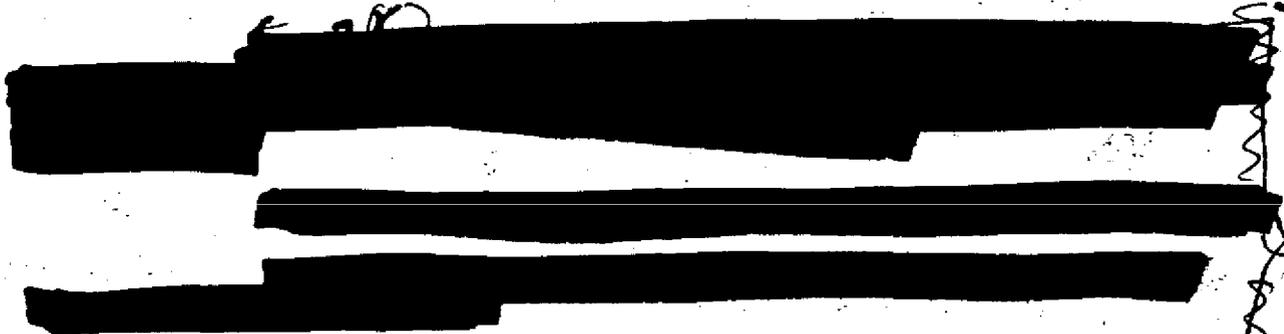
was to take place on Sunday, March 8 at the Jefferson School of Social Science, 575 6th Avenue, New York City.

The Jefferson School of Social Science has been cited by the Attorney General of the United States pursuant to Executive Order 10450.

The "Daily Worker" of March 11, 1953, Page 3, Column 2, carried an article which stated that all thirteen defendants at the recent Smith Act trial at Foley Square would be guests of honor at a Bronx-wide mass meeting on Sunday at 2:30 p.m. The article further stated that Mrs. MARY KAUFMAN, attorney whose devastating cross-examination marked the trial, would be among the speakers, as well as ELIZABETH GURLEY FLYNN, PETTIS PERRY and CLAUDIA JONES.

The article further stated that the function was sponsored by the Bronx Committee for the Repeal of the Smith Act.

The "Daily Worker" of March 12, 1953, Page 8, Column 3, carried an article entitled "CLAUDIA JONES Cites Women's Fight for Peace". The article stated that the subject declared that peace is the central thread of our dedication of International Women's Day in 1953 and that the subject called on leaders of the labor-progressive movement to "grasp the significance of the tremendous peace ferment among American women". The article further stated that Miss JONES spoke at this International Women's Day Forum at the Jefferson School of Social Science.



All b1, b7d

~~CONFIDENTIAL~~

NY 100-18676

[REDACTED]

The "Daily Worker" of March 18, 1953, Page 8, Column 4, carried a notice that a rally would be held on Wednesday, March 18, sponsored by the Fur Workers's Freedom of the Press Committee. The notice stated that this rally was for the purpose of "Exposing the Lie of Soviet Anti-Semitism In Eastern Europe". The notice further stated that CLAUDIA JONES would be a speaker at the rally.

(c)
[REDACTED]

All b, b7d

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~~CONFIDENTIAL~~

NY 100-18676

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

The "Daily Worker" of April 22, 1953, Page 7, Column 1, carried an article entitled "CLAUDIA JONES Praises Inspiring Story of Political Refugee from Racist Justice". The article dealt with the book entitled "This Is My Husband" by ESTHER COOPER JACKSON, published by the National Committee to Defend Negro Leadership and the article was authored by the subject and showered praise upon the above-mentioned book.

It is to be noted that ESTHER JACKSON'S husband is JAMES E. JACKSON, JR., convicted Communist leader and presently a fugitive.

CLAUDIA JONES stated in this article that "because of this pamphlet, many will more deeply understand

All b1, b7d

~~CONFIDENTIAL~~

NY 100-18676

~~CONFIDENTIAL~~

that it is because of JACKSON'S choice of being a Communist, because of his devotion to the cause of peace and freedom because of his opposition to the force and violence of jim-crow and exploitation of the workers--these are the real reasons why he and his family and other Smith Act families are persecuted today."

^(c)
[redacted] advised that the subject was in attendance at the United May Day Committee's Celebration at Union Square, New York City, on May 1, 1953.

It is to be noted that the United May Day Committee comes within the purview of Executive Order 10450.

[redacted]

^(d)
[redacted]

[redacted]

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100-72390-143 pp 12-17

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NY 100-18676

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ADMINISTRATIVE PAGE (Cont'd)

LEAD

NEW YORK

At New York, New York

Will continue to follow and report subject's activities.

REFERENCE

Report of SA [REDACTED] 1/19/53, New York.

b7c

~~CONFIDENTIAL~~

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Baumgardner

DATE: 001 29 1953

FROM : [Redacted] b7c

SUBJECT: CLAUDIA JONES
Bufile 100-72390

DETAILS:

A review of the Attorney General's denaturalization and deportation list (62-98134) dated 10/7/53 reflects that the subject is being considered under this program.

The Internal Security section has interposed no objection to this action.

ACTION:

None. For your information.

- Tolson _____
- Ladd _____
- Nichols _____
- Belmont _____
- Clegg _____
- Glavin _____
- Harbo _____
- Rosen _____
- Tracy _____
- Gearty _____
- Mohr _____
- Winterrowd _____
- Tele. Room _____
- Holloman _____
- Slane _____
- Miss Gandy _____

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DATE 12-8-83 BY SP8 BT/hab

100-72390-
NOT RECORDED
37 NOV 14 1953

b7c

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI (100-72390)

DATE: 1/25/54

*LVA
code*

FROM : SAC, New York (100-18676)

Card U.T.D.

2-5-54

SUBJECT: CLAUDIA VERA SCHOLNICK, was
IS-C

It is recommended that a Security Index Card be prepared on the above-captioned individual.

X

The Security Index Card on the captioned individual should be changed as follows: (Specify change only)

NAME _____

ALIASES _____

*0-167
1/25/54
3-25-54
9/9
1-1-54
1/25/54*

**ALL INFORMATION CONTAINED
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DATE 12-8-83 BY SP2 BT/hz**

NATIVE BORN _____ NATURALIZED _____

COMMUNIST _____ SOCIALIST WORKERS PARTY _____ INDEPENDENT SOCIALIST LEAGUE _____

MISCELLANEOUS (Specify) _____

TAB FOR DETCOM _____ TAB FOR COMSAB _____ RACE _____ SEX _____

DATE OF BIRTH _____ PLACE OF BIRTH _____

BUSINESS ADDRESS (Show name of employing concern and address) _____

OK
Secretary of National Womens Commission, CP, USA

OK
268 7th Avenue, New York, New York (*483* On Sick leave at residence)

KEY FACILITY DATA:

GEOGRAPHICAL REFERENCE NUMBER _____ RESPONSIBILITY _____

INTERESTED AGENCIES _____

RESIDENCE ADDRESS _____

10-10-10
NOT RECORDED

12 JAN 27 1954

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PP

EM *b7c* 354

FEB 8 1954

INT. SEC.

b7c

Director, FBI (100-3-74-34)

4/6/54

SAC, New York (100-81752)

COMPROS - NY
IS-C

On 3/31/54 Attorney HARRY SACHER filed on behalf of himself and Attorney MARY M. KAUFMAN in United States Court of Appeals for the Second Circuit an Appellants' Reply Brief for the case "U. S. verses FLYNN; ET AL".

A photostatic copy of this brief is enclosed to the Bureau and another photostatic copy is being placed in the NYO Library.

Enc. 1

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REGISTERED

- 1 - NY 100-80641 (CP, USA - Organization)
- 1 - NY [REDACTED]
- 1 - NY 100-18676 (C. JONES)
- 1 - NY [REDACTED]

b7c

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DATE 12-8-83 BY SP8BTJ/tcb

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141 APR 19 1954

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b7c

60 APR 27 1954

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FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT **NEW YORK**

| | | | |
|---|-------------------------------------|---|------------------------------|
| REPORT MADE AT NEW YORK | DATE WHEN MADE MAY 3 1954 | PERIOD FOR WHICH MADE 4/16, 19, 20, 22, 26, 27/54 | REPORT MADE BY b7c |
| TITLE CLAUDIA VERA SCHOLNICK, was | | CHARACTER OF CASE INTERNAL SECURITY - C SMITH ACT OF 1940 | |

SYNOPSIS OF FACTS:

Subject continues to reside at 504 West 143rd Street, NYC. Subject's Supervisory Parole Order presently in effect due to court injunction restraining INS, dated 8/7/53. Decision on Supervisory Order expected from District Judge EDWARD FELDMAN within a month. Subject's examination in Supplementary Proceedings on 11/9/53 to determine ability of subject to pay fine imposed by Smith Act conviction set forth. Argument on appeal in US vs. ELIZABETH GURLEY FLYNN, ET AL, scheduled for 5/10/54, in US Court of Appeals, Second Circuit. Subject's contacts and CP activities set forth. Subject has been hospitalized and continues to receive treatment for a heart condition. Reported as involved in an auto accident on 10/13/53.

APPROPRIATE AGENCIES AND FIELD OFFICES ADVISED BY ROUTING SLIP(S)

Classification (S)

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE

Classified by 1259
Exempt From GDS Category 2
Date of Declassification Indefinite

DETAILS: OTHERWISE

All informants utilized in this report are of known reliability unless otherwise indicated.

RESIDENCE

b1 [redacted] advised on April 16, 1954 that the subject continues to reside in Apartment 6A, 504 West 143rd Street, New York City.

AGENCY **RAB, INS**
REQ. REC'D
DATE FORW. **5-13-54**
HOW FORW. **R/S O-6**

[redacted] b7c

Classified by SP8 BJS/TLB
Declassify on: OADR 12-8-83

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|---|---|--|
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| COPIES DESTROYED [redacted] | COPIES OF THIS REPORT 5 - Bureau (100-72390) (RM) 1 - USA, SDNY (RM) 1 - INS, NYC (RM) 3 - New York (100-18676) TO [redacted] | 100-72390-144 RECORDED-66 INDEXED-66 MAY 1954 5-6-54 |

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NY 100-18676

~~CONFIDENTIAL~~

EMPLOYMENT

b1
b7d

[REDACTED]

STATUS WITH IMMIGRATION AND NATURALIZATION SERVICE (INS)

b1 On February 24, 1954, [REDACTED] (c) advised that the Supervisory Order on the subject is not in effect at the present time because of the court injunction based on the constitutionality of the Walter-McCarran Act. According to the informant temporary restraining orders were obtained by the subject in United States Court, Southern District of New York, on August 7, 1953 enjoining INS from requiring the subject to comply with the Supervisory Order. Final decision by the court on the Supervisory Parole Order has been reserved since October 6, 1953.

The "Daily Worker" of August 14, 1953, page 1, column 3, revealed that the provisions of the Supervisory Order were as follows:

1. Terminate Communist Party membership.
2. Report to Ellis Island once a week.
3. Disassociate from Communists.
4. Restricted to a fifty mile radius of Times Square, New York City.

In reference to the Supervisory Parole Order, Assistant United States Attorney HAROLD J. RABBY, Southern District of New York, on April 22, 1954, advised that District Judge EDWARD WEINFELD, expected to render a decision in this matter within a month. Based on statements by the attorneys, representing each party, that neither party has been unduly prejudiced by the delay, Judge WEINFELD has further reserved a decision.

CONVICTION UNDER THE SMITH ACT

C.P. An examination in Supplementary Proceedings of defendant, CLAUDIA JONES, upon her voluntary appearance, was held on November 9, 1953 at 4 P.M., United States Court House, United States District Court, Southern District of New York. The examination in Supplementary Proceedings was conducted to determine the ability of the subject to pay the fine imposed upon her as a consequence of her conviction in the United States

Age 38 in 1953

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NY 100-18676

District Court, Southern District of New York, on January 21, 1953, for conspiring to violate the Smith Act of 1940. It is to be noted that the subject's fine is \$2000 which was ordered on February 3, 1953, by Judge EDWARD J. DIMOCK of the United States District Court, Southern District of New York.

The defendant, having been duly sworn, testified as follows:

"Q. Miss JONES, I wish to remind you that you have been sworn under oath to tell the truth in this examination and that your failure to do so might subject you to criminal and civil penalties, do you understand?

"A. I do.

"Q. What is your full name?

"A. CLAUDIA JONES.

"Q. Where do you reside?

"A. 504 West 143rd Street.

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

"A. About ten years.

"Q. How old are you?

"A. Thirty-eight.

"Q. Are you married?

"A. Divorced.

"Q. Do you live alone at this address?

"A. My father resides with me.

"Q. What is his name, please?

"A. CHARLES CUMBERBATCH.

N.Y.
CONFIDENTIAL

NY 100-18676

- CONFIDENTIAL
- "Q. What sort of an apartment do you have?
- "A. It's a five-room apartment.
- "Q. How much rent do you pay?
- "A. With the fifteen per cent rent increase - \$60.95.
- "Q. Does your father contribute to any part of the rent or expense of running the house?
- "A. He was - He does contribute when he works; he isn't working now.
- "Q. Are you employed at present?
- "A. I am.
- "Q. By whom?
- "A. Communist Party, United States of America.
- "Q. In what capacity?
- "A. I am the National Executive Secretary of the National Women's Club.
- "Q. Where is your office located?
- "A. 267 7th Avenue.
- "Q. What salary do you receive?
- "A. At present I get \$50 a week; that's after taxes are deducted.
- "Q. What is your salary before taxes?
- "A. \$50 the total; that's the total salary; with the deductions I get about 43 something.
- "Q. How long have you been employed in this capacity?
- "A. Since 1947.

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CC 30
~~CONFIDENTIAL~~

NY 100-18676

"Q. What is the highest salary you have earned since 1947?

"A. \$50; We had cuts; the highest salary has been \$50.

"Q. Do you have any other sources of income at present beyond your salary?

"A. No I do not.

"Q. Did you have any other sources of income within the last three years beyond your salary?

"A. No I have not.

"Q. From writings?

"A. No.

"Q. Do you have any bank accounts?

"A. I do not.

"Q. Does your father have any bank account?

"A. He does not.

"Q. Do you have any safe deposit box?

"A. No.

"Q. Does your father?

"A. No he does not.

"Q. Do either you or your father own any stocks, bonds, real estate?

"A. No nothing like that.

"Q. Do either you or your father own an automobile?

"A. We do not.

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NY 100-18676

~~CONFIDENTIAL~~

"Q. Do you have any life insurance on your life?

"A. I do not.

"Q. Do you have any children?

"A. No.

"No further questions - examination closed."

Assistant United States Attorney JAMES B. KILSHEIMER, Southern District of New York, advised on April 5, 1954 that the records of the United States Court of Appeals, Second Circuit, reflect that the argument on appeal in United States vs. ELIZABETH GURLEY FLYNN, ET AL, is scheduled for May 10, 1954.

COMMUNIST ACTIVITIES

[REDACTED]

"The Worker" issue of October 25, 1953, page 8, carried an article entitled, "A Plea for Peace and Life for our Children". This article is a review by CLAUDIA JONES, of a book entitled, "The Game of Death" by ALBERT E. KAHN.

[REDACTED]

The IWO has been designated by the Attorney General of the United States pursuant to Executive Order 10450.

The subject writes that KAHN'S book shows and reveals how the nation's schools are being transformed into "instruments of national policy" where children are indoctrinated with the theory of predatory war, racist ideology and killing as their standard - this is the book's greatest contribution. KAHN illustrates the growing conversion of our schools by showing pictures symbolic of the United States today:

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NY 100-18676

Children trooping to school with white sheets to cover their little bodies in atomic drills; children being separated from their parents because of the parents' stand for peace and anti-Negro persecution; the orgy of witch hunts; reactionary legislation; cuts in Federal school appropriation; and discharge of teachers for their political beliefs; terrorization of children by the FBI because of the political viewpoints of their parents. The author shows that all agencies of the Government combined to transform the children from human beings to robots, conditioned to favor and participate in world slaughter. A complete chapter of the book dwells on the persecution of the Negro children.

According to the subject, this book will awaken American parents to the need for a crusade against the dangers facing their sons and daughters, as well as spike the liking assertion that the wielders of atomic war and destruction are endangering the children of America.

"The Worker" is the Sunday edition of the "Daily Worker," an East Coast Communist publication.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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NY 100-18676

[REDACTED]

The CRC has been designated by the Attorney General of the United States pursuant to Executive Order 10450.

[REDACTED]

It is to be noted that the American Committee for the Protection of the Foreign Born has been designated by the Attorney General of the United States pursuant to Executive Order 10450.

[REDACTED]

[REDACTED]

The "Party Voice", volume 1, number 11, dated February, 1954, contains an article entitled, "The Precious Charters of Liberty", by CLAUDIA JONES. A review of this issue discloses that it is a "Special Issue" on Negro History Week for 1954.

The author treats the topic of McCARTHYISM and refers to McCARTHY and his backers as patently anti-Negro because they are anti-democratic, and anti-peace.

McCARTHY supporters, according to the author, group themselves around powerful Texas monopoly oil interests, well known for their openly-admitted racist, anti-Negro connections.

All 61, 67d

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NY 100-18676

The writer also criticized the EISENHOWER Administration for placing the Negro question as one of "inter-racial difficulty" seemingly placing equal responsibility on Negro and White. However, according to the author, the Communists know this to be untrue because the Communist Party basically clarifies the Negro question in the United States by placing it as a national question and one of special oppression. The Communist Party has emphasized why the white workers must fight for full economic, political, and social equality of Negro workers in their own self-interests.

The author dedicates herself during the celebration of Negro History Week that she will have no rest until the Negro is set free.

[REDACTED]

All b1, b7d

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NY 100-18676

GENERAL INFORMATION

[REDACTED] (c)

[REDACTED] (c)

[REDACTED] (c)

[REDACTED] (c)

The records of the Bureau of Accidents, New York City Police Department, reflected that the subject was involved in an automobile accident on October 13, 1953. The subject was a passenger in a taxi which collided with a truck at the intersection of 17th Street and 6th Avenue. The subject was taken to St. Vincent's Hospital, where she received medical treatment and was discharged.

[REDACTED] (c)

[REDACTED] (c)

- P -

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NY 100-18676

ADMINISTRATIVE PAGE (CONT'D)

LEAD

NEW YORK

At New York, New York

Will continue to follow and report subject's activities.

REFERENCE: Report of SA [REDACTED] New York, 8/27/53.

b7c

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Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI. (100-17685)

DATE: 6/24/54

JK
JK
FROM : SAC, New York. (66-6941)

SUBJECT: [REDACTED] *b7d*

T.K.

Relet from New York to Bureau dated May 7, 1954, and Bulet to New York dated June 10, 1954.

Enclosed herewith are amended pages one, four, thirteen, *b7c* fourteen and fourteen A, and seventeen, of report of SA [REDACTED] dated 1/19/53 and captioned CLAUDIA VERA SCHOLNICK, was; IS-C, SMITH ACT OF 1940.

Amended pages have been inserted in New York copies of this report, and amended pages are being furnished to USA SDNY and INS, New York City.

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DATE 12-8-83 BY SP8BTS/TUS

- 1 - BF 100-72390 (CLAUDIA VERA SCHOLNICK) (³⁰ Encls.)
- 1 - NY 100-18676 (CLAUDIA VERA SCHOLNICK)

100-72390-137
7-1-54-TIK

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100-72390-145
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b7c
Amesbury

E. 301

5 5 JUL 7 1954 RECEIVED

Posted 1-20-55

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FEDERAL BUREAU OF INVESTIGATION

Form No. 1
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|---|----------------------------------|--|--|
| REPORT MADE AT NEW YORK | DATE WHEN MADE 1/13/55 | PERIOD FOR WHICH MADE 8/11; 9/3, 13, 23; 10/4, 15; 11/15, 17, 18/54; 1/12/55 | REPORT MADE BY [REDACTED] |
| TITLE CLAUDIA VERA SCHOLNICK, was | | | CHARACTER OF CASE INTERNAL SECURITY - C; SMITH ACT, 1940 |

SYNOPSIS OF FACTS: Subject continued to reside at 504 West 143rd Street, NYC, and continued her employment by the CP, USA, 268 7th Avenue, NYC, until 1/11/55. On 10/14/54, US Court of Appeals, Second Circuit, affirmed the conviction of the subject. Subject continued on bail pending appeal to the Supreme Court which was filed 11/13/54. On 1/10/55, Supreme Court refused to review subject's conviction and on 1/11/55, she was remanded to jail. Injunction to prohibit District Director, INS, NYC, from placing subject under supervisory parole taken under advisement by a three judge panel on 6/30/54. On 12/1/54, injunction was dismissed and subject compelled to comply with supervisory parole. Subject's contacts and CP activities set forth.

1105
12-8-83
AGENCY *INS, NYC*
REQ. REC'D
DATE FORW. *1-20-55*
HOW FORW. *R/S-0-6*
BY *HOB:mt*

DETAILS: All informants utilized in this report are of known reliability unless otherwise indicated.

RESIDENCE
b1 [REDACTED] advised on November 15, 1954 that the subject continued to reside in Apartment 6-A at 504 West 143rd Street, New York City, until January 11, 1955.

According to Assistant United States Attorney GEORGE H. BAILEY, Southern District of New York, subject presently lodged in Women's House of Detention, New York City.

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EMPLOYMENT

[REDACTED] (6) b1, b7d

CONVICTION UNDER SMITH ACT

The argument on the appeal in the case entitled "United States Versus ELIZABETH GURLEY FLYNN, ET AL" (which includes the subject) was heard before the United States Court of Appeals for the Second Circuit on May 10 and May 11, 1954. Judgment was reserved at this time.

The subject was continued at liberty on bail pending appeal of her conviction on January 1, 1953 in the United States District Court, Southern District of New York, on charges of violation of the Smith Act of 1940.

On October 14, 1954, the United States Court of Appeals, Second Circuit, unanimously affirmed the conviction of the subject.

Assistant United States Attorney LEONARD B. SAND, Southern District of New York, advised on June 24, 1954, that Judge EDWARD A. CONGER, Southern District of New York, had granted travel motion of the subject, and would probably sign the order on June 25, 1954, which would extend through September 30, 1954.

Travel motion permitted the subject to reside at the boarding house of Mrs. IRENE RIDELL, 200 Beach 69th Street, Arverne, Rockaway Beach, Long Island, and to travel to and from this address to the Southern District of New York.

N.Y.

Assistant United States Attorney GEORGE H. BAILEY, Southern District of New York, advised on November 16, 1954 that the appellant (ELIZABETH GURLEY FLYNN, ET AL) filed Petition for Certiorari in the United States Supreme Court on November 13, 1954, in the case of the United States

~~CONFIDENTIAL~~

NY 100-18676

~~CONFIDENTIAL~~

versus ELIZABETH GURLEY FLYNN, ET AL, which includes the subject.

According to Assistant United States Attorney BAILEY, the Supreme Court on January 10, 1955 refused to review defendants conviction. The same date, Federal Judge IRVING R. KAUFMAN signed an order revoking bail and remanding 12 of the defendants.

On January 11, 1955, the subject was remanded to jail by Federal Judge EDWARD J. DIMOCK and she is presently lodged in the Women's House of Detention, New York City.

STATUS WITH IMMIGRATION AND NATURALIZATION SERVICE (INS)

According to Assistant United States Attorney HAROLD R. TYLER, Jr., Southern District of New York, application of defendant appellants ALEXANDER BITTELMAN, BETTY GANNETT and the subject for an injunction to prohibit District Director, INS, New York City, from placing them under supervisory parole was taken under advisement on June 30, 1954 by a three judge panel consisting of Presiding Justice HAROLD MEDINA, EDWARD WEINFELD and JOHN F. X. MC GOHEY.

Assistant United States Attorney THOMAS BOLAN advised on December 21, 1954 that judgment entered December 1, 1954 dismissed defendant-appellants application. Defendant-appellants now compelled to comply with supervisory parole, order of INS, but INS modified original order requiring that they report once a week so that they will be permitted to report only once a month at INS Office, 70 Columbus Avenue, New York City.

COMMUNIST PARTY ACTIVITIES

(c)
[REDACTED]

(c)
[REDACTED]

All b1, b7d

~~CONFIDENTIAL~~

NY 100-18676

~~CONFIDENTIAL~~

[REDACTED]

[REDACTED]

(c)
[REDACTED]

(c)
[REDACTED]

The YCL has been designated by the Attorney General of the United States pursuant to Executive Order 10450.

All b1, b7d

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

NY 100-18676

Volume 23, Page 3229, of the transcript on March 11, 1954, taken during the Smith Act trials, St. Louis, Missouri, reflected that the defendant, MARCUS ALPHONSE MURPHY, acting as his own attorney, cross-examined witness, OBADIAH JONES.

During the course of this cross-examination, he asked if the witness knew the names of the "top leading officers, Negroes, in the Communist Party?" He then asked if the witness knew BENJAMIN DAVIS JR., HENRY WINSTON, PETERS PERRY and CLAUDIA JONES. When the witness replied in the affirmative to these questions, MURPHY then said, "Then you do know some of the leading officers of the Communist Party who are Negroes."

[REDACTED] (c)

[REDACTED] (c)

[REDACTED] (c)

All b1

- 5 -
~~CONFIDENTIAL~~

NY 100-18676

The "Daily Worker" is an East Coast Communist newspaper. "The Worker" is the Sunday edition of that paper.

"The Worker" of August 1, 1954, Page 10, Column I, under the heading "Draft Program of the Communist Party", contained an article by the subject entitled "The People in the Fight Against McCarthyism." This article concerns itself with Negro rights and examples of Negro oppression in the United States.

COMMUNIST PARTY FRONT ACTIVITY

All b1, b7d

~~CONFIDENTIAL~~

NY 100-18676

(c)
[REDACTED]

The Jefferson School of Social Science has been designated by the Attorney General of the United States pursuant to Executive Order 10450.

[REDACTED]

[REDACTED]

(c)
[REDACTED]

The "Daily Worker" of June 28, 1954, Page 3, Column 1, reflected that the subject would take part in a tribute to BEN DAVIS, imprisoned Communist leader and former New York City Councilman, the following evening.

The "Daily Worker" of June 29, 1954, Page 5, Column 3, contained an article written by the subject entitled "Jimcrow Cruelty in Federal Jails." This article concerns itself with praise for BEN DAVIS. There is a notation in this article that it was reprinted from "Masses and Mainstream."

(c)
[REDACTED]

The "Daily Worker" of July 1, 1954, Page 3, Column 1, contained an article entitled "Packed Rally Honors Ben Davis." This article states that at a rally held Tuesday night at the United Mutual Auditorium, 310

All b1, b7d

~~CONFIDENTIAL~~

~~CONFIDENTIAL~~

NY 100-18676

Lenox Avenue, New York City, "CLAUDIA JONES, herself a Smith Act Victim, declared that the Communist Party, of which she is a leader, sorely needs the leadership of BEN DAVIS and other Smith Act victims. Miss JONES had written a pamphlet, soon to be published, on DAVIS and his service to the people."

[REDACTED]

[REDACTED]

The Civil Rights Congress has been designated by the Attorney General of the United States pursuant to Executive Order 10450.

[REDACTED]

MISCELLANEOUS

NY

[REDACTED]

[REDACTED]

[REDACTED]

All 61, 67d

~~CONFIDENTIAL~~

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100-72390-146 pp 9-12

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~~CONFIDENTIAL~~

NY 100-18676

ADMINISTRATIVE PAGE (Cont'd)

LEAD

NEW YORK

At New York, New York

Will continue to follow and report the subject's activities.

REFERENCE

Report of SA [REDACTED]
New York.

b7c

5/3/54.

~~CONFIDENTIAL~~

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI (100-72390)

DATE: 1-18-55

FROM : SAC, New York (100-18676)

Ward U.T.D.
2-1-55 acw

SUBJECT: CLAUDIA VERA SCHOLNICK

~~SECRET~~
IS-C

OK UNAVAILABLE SECTION
TV

It is recommended that a Security Index Card be prepared on the above-captioned individual.

X The Security Index Card on the captioned individual should be changed as follows: (Specify change only)

NAME _____

ALIASES _____

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 12-8-83 BY SP8BJD/KD/TAB PR

NATIVE BORN _____ NATURALIZED _____ ALIEN _____

COMMUNIST _____ SOCIALIST WORKERS PARTY _____ INDEPENDENT SOCIALIST LEAGUE _____

MISCELLANEOUS (Specify) _____ Imprisoned _____

TAB FOR DETCOM _____ TAB FOR COMSAB _____ RACE _____ SEX _____

DATE OF BIRTH _____ PLACE OF BIRTH _____

BUSINESS ADDRESS (Show name of employing concern and address) _____

Unemployed

KEY FACILITY DATA:

GEOGRAPHICAL REFERENCE NUMBER _____ RESPONSIBILITY _____

INTERESTED AGENCIES J 16 JAN 20 1955

RESIDENCE ADDRESS Women's House of Detention, New York City

REGISTERED MAIL 1955 7315
60 FEB 2

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EXCEPT WHERE SHOWN
OTHERWISE

del. drea

b7c

Office Memorandum • UNITED STATES GOVERNMENT

TO : MR. A. H. BELMONT *ap/b*

DATE: January 26, 1955

CONFIDENTIAL

FROM : MR. V. P. *VPK*

cc Mr. Belmont
Mr. Baumgardner
Mr. [redacted]

SUBJECT: COMPROS
NEW YORK CITY
CLAUDIA JONES
INTERNAL SECURITY - C

ALL INFORMATION CONTAINED
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EXCEPT WHERE SHOWN
OTHERWISE

Tolson
Boardman
Belmont
Clegg
Glavin
Harbo
Mohr
Parsons
Rosen
Tracy
Ladd
Nichols
Winterrowd
Tele. Rm.
Holloman
Gandy

[redacted] Supervisor in the New York Office, advised at 3:00 PM that a hearing is to be held in connection with the motion on behalf of Claudia Jones, one of the convicted defendants, for a suspension or reduction of sentence due to ill-health. Assistant United States Attorney Bailey contacted our office and stated he noted in reading our reports, a number of instances in which Claudia Jones attended meetings and engaged in other activities which would be inconsistent with her claim of ill-health. Bailey wanted to utilize this information in his arguments before the Judge. Bailey stated there would be no question of revealing the source of his information because he would not in any case accede to any request for revealing the source, but would withdraw his arguments rather than go into the sources.

[redacted] stated they had reviewed their reports with reference to the information Bailey wanted to use and it falls in three categories:

(1) Public source. New York recommends we permit Bailey to use this material.

DECLASSIFIED BY SP8BTS/TPB
ON 11-10-83

(2) Information received from confidential informants as to Jones' attendance at and activities in large gatherings. This information, of course, could come from one of a number of sources other than our confidential informant. New York recommends we permit the use of this information.

(3) Information obtained as a result of technical coverage. New York recommends we not allow Bailey to use this information.

I told [redacted] they could inform Bailey he could use the public source information and the information received from confidential informants provided it was of a nature which would not jeopardize our source.

VPK:td
(4)

All b7c

CONFIDENTIAL

13 FEB 24 1955

ORIGINAL COPY FILED IN

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI (100-72390)

DATE: 1/31/55

FROM : SAC, New York (100-18676)

"Unavailable Section"

SUBJECT: CLAUDIA VERA SCHOLNICK
SM-C

Card U.T.D.
2-10-55 RA

It is recommended that a Security Index Card be prepared on the above-captioned individual.

The Security Index Card on the captioned individual should be changed as follows: (Specify change only)

NAME _____

ALIASES _____

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DATE 12-8-83 BY SP8 BTB/TAB

NATIVE BORN _____ NATURALIZED _____ ALIEN _____

COMMUNIST _____ SOCIALIST WORKERS PARTY _____ INDEPENDENT SOCIALIST LEAGUE _____

MISCELLANEOUS (Specify) _____ Imprisoned

TAB FOR DETCOM _____ TAB FOR COMSAB _____ RACE _____ SEX _____

DATE OF BIRTH _____ PLACE OF BIRTH _____

BUSINESS ADDRESS (Show name of employing concern and address) _____

OK
Unemployed

KEY FACILITY DATA:
GEOGRAPHICAL REFERENCE NUMBER _____ RESPONSIBILITY _____

100-72390

NOT RECORDED

INTERESTED AGENCIES _____ 16 FEB 1 1955

RESIDENCE ADDRESS Federal Penitentiary for Women, Alderson, West Virginia

REGISTERED MAIL

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EXCEPT WHERE SHOWN
OTHERWISE

FEB 11 1955

RECEIVED
FEB 1 3 10 AM '55

b7c

b7c

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X FOR THIS PAGE X
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Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI (100-72390)
FROM : SAC, New York (100-18676)
SUBJECT: CLAUDIA VERA SCHOLNICK,
wa: Claudia Jones
INTERNAL SECURITY - C
SMITH ACT OF 1940

DATE: 2/23/55

Subject is presently incarcerated at the Women's Federal Penitentiary at Alderson, West Virginia.

The Pittsburgh Office is requested to [redacted] at the penitentiary so that any change in the subject's status or location can immediately be brought to the attention of the New York Office.

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OTHERWISE

5-12/11/53

REGISTERED MAIL

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DATE 12-8-83 BY SP8 BTJ/lrb

~~EXP. PROC.~~

2 - Pittsburgh (RM)

RECORDED - 30

100-72390-147

FEB 25 1955

EX-121

Callahan
Boyd

[redacted]

50 MAR 2 1955

125

| | |
|----------------|-------|
| Mr. Tolson | _____ |
| Mr. Boardman | _____ |
| Mr. Nichols | _____ |
| Mr. Belmont | _____ |
| Mr. Harbo | _____ |
| Mr. Mohr | _____ |
| Mr. Parsons | _____ |
| Mr. Rosen | _____ |
| Mr. Tamm | _____ |
| Mr. Sizoo | _____ |
| Mr. Winterrowd | _____ |
| Tele. Room | _____ |
| Mr. Holloman | _____ |
| Miss Gandy | _____ |

FEDERAL BUREAU OF INVESTIGATION
 UNITED STATES DEPARTMENT OF JUSTICE

AIRTEL
 NEW YORK, NEW YORK, 2/17/55

Transmit the following Teletype message to: BUREAU

CLAUDIA JONES, WAS; IS-C, SMITH ACT OF 1940. ON 2/17/55, AUSA GEORGE H. BAILEY, SDNY, MADE AVAILABLE TO SA [REDACTED] A PHOTOSTAT COPY OF A LETTER DATED 2/15/55 FROM MARGARET C. JONES, ACTING WARDEN, FEDERAL REFORMATORY FOR WOMEN, ALDERSON, WEST VIRGINIA, WHICH WAS ADDRESSED TO AUSA BAILEY AND WHICH ENCLOSED A MEDICAL REPORT ON SUBJECT FROM KATHERINE M. HERROLD, PRISON MEDICAL OFFICER. THIS MEDICAL REPORT ADVISED THAT SUBJECT HAD BEEN DISCHARGED FROM THE PRISON HOSPITAL AND IT HAS BEEN RECOMMENDED THAT SHE BE GIVEN A LIGHT DUTY ASSIGNMENT. HERROLD FURTHER STATES THAT THERE IS NO INDICATION THAT INCARCERATION WILL IN ANY WAY BE DETRIMENTAL TO THE HEALTH OF THE SUBJECT. AUSA BAILEY ADVISED THAT THE ORIGINAL OF THIS LETTER AND MEDICAL REPORT WILL BE DELIVERED TO US DISTRICT JUDGE EDWARD J. DIMOCK, SDNY, ON 2/18/55.

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 OTHERWISE

ALL INFORMATION CONTAINED
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 DATE 12-5-83 BY SP8 BT/K3/B

COPIES DESTROYED
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EX-110
 RECORDED - 82

- ① - BUREAU (100-72390) (REGULAR)
- ① - NY 100-18752 (COMPROS - NY) (7-5)

[REDACTED] (#7-5)
 NY 100-18676

100-72390-148

Approved JJK Sent _____ M Per _____
 Special Agent in Charge

20 FEB 19 1955

MAR 3 1955

cc to [unclear]

let to [unclear]

INT [unclear]

APR 1955

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI (100-72390)

FROM : SAC, Pittsburgh (100-9070)

SUBJECT: CLAUDIA VERA SCHOLNICK, wa.
IS - C, SA of 1940

DATE: March 2, 1955

Relet, New York to Bureau, 2/23/55.

The New York Office is requested to advise this office whether or not it desires that this office should determine and disseminate names of individuals who correspond with the subject, and whether New York desires to be advised of the contents of said correspondence.

REGISTERED MAIL

cc: 2 - New York (100-18676) (RM)

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DATE 12-8-83 BY SP5 BT/MLH
RECORDED-57 / 100-22390-149

MAR 4 1955

MAR 9 1955

EX-124

All b7c



SECRET

- Mr. [redacted] b7c

March 23, 1955

SAC, New York

Director, FBI (100-72390)

CLAUDIA JONES, With Aliases
INTERNAL SECURITY - C

Your attention is directed to an article which appeared in the "Daily Worker" dated March 18, 1955, entitled "Two Prominent Negro Women Act to Free Claudia Jones." This article reveals that a delegation will call on Attorney General Brownell at 8 p.m. April 4, 1955, to intercede for the release of Claudia Jones.

New York Office should furnish to the Bureau promptly any pertinent information received concerning this delegation's scheduled visit to Attorney General Brownell.

b7c
[redacted]
(4)

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DATE 12-8-83 BY SP8 BTJ/lrs

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EXCEPT WHERE SHOWN
OTHERWISE

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- Tolson _____
- Boardman _____
- Nichols _____
- Belmont _____
- Harbo _____
- Mohr _____
- Parsons _____
- Rosen _____
- Tamm _____
- Sizoo _____
- Winterrowd _____
- Tele. Room _____
- Holloman _____
- Gandy _____

MAILED 5
MAR 23 1955
COMM - FBI

RECORDED - 63
EX-103

100-72390-1

2 MAR 24 1955

66 MAR 25 1955

[redacted] b7c

Mr. Belmont
Mr. [REDACTED]

Assistant Attorney General
William F. Tompkins

March 23, 1955

Director, FBI

CLAUDIA JONES, With Aliases
INTERNAL SECURITY - C
FBI File 100-72390

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OTHERWISE

Your attention is directed to an article which appeared in the March 18, 1955, issue of the "Daily Worker," which was entitled "Two Prominent Negro Women Act to Free Claudia Jones." This article reads as follows:

"Mrs. Modjeska M. Simkins, prominent Negro woman publisher of South Carolina, and Mrs. Charlotta A. Bass, former publisher of the California Eagle have addressed a letter to Negro women throughout the country calling for a delegation to Washington, D. C., to intercede with U. S. Attorney General Herbert Brownell, Jr. for the release of Miss Claudia Jones, a young Negro woman convicted and imprisoned under the Smith Act for her political beliefs.

"The delegation is called for Monday, April 4, 1955, at 2 p.m. in Washington, D. C. The letter is also addressed to white women and various people's organizations, including churches, women's organizations, fraternal groups, and trade unions.

"Miss Jones' many friends throughout the country are deeply concerned about her serious illness and its further aggravation due to the jimcrow prison conditions under which she must live. This jimcrow in federal prisons has been again exposed by the recent suit, still pending, against the Government instituted by Benjamin J. Davis, himself a former inmate of the Federal penitentiary at Terre Haute, Indiana."

If any additional pertinent information is received concerning this delegation to the Attorney General, it will be furnished to you promptly.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 12-8-83 BY SP8 BT/ha

- Tolson _____
- Boardman _____
- Nichols _____
- Belmont _____
- Harbo _____
- Mohr _____
- Parsons _____
- Rosen _____
- Tamm _____
- Sizoo _____
- Winterrowd _____
- Tele. Room _____
- Holloman _____
- Gandy _____

RECORDED-48
INDEXED-48

COMM - FBI
MAR 23 1955
MAILED 19

100-72390-151

2 MAR 24 1955

67 MAR 29 1955

All b7c

Clk
me

[REDACTED]

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DATE 12-8-83 BY SP8 BTJ/rb

Blg



MRS. BASS

Two Prominent Negro Women Act to Free Claudia Jones 3

Mrs. Modjeska M. Simkins, is also addressed to white women prominent Negro woman publisher of South Carolina, and Mrs. Charlotta A. Bass, former publisher of the California Eagle have addressed a letter to Negro women throughout the country calling for a delegation to Washington, D.C. to intercede with U.S. Attorney General Herbert Brownell, Jr. for the release of Miss Claudia Jones, a young Negro woman convicted and imprisoned under the Smith Act for her political beliefs.

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The delegation is called for Monday, April 4, 1955, at 2 p.m. in Washington, D.C. The letter

This is a clipping from page 3 of the

- () Daily Worker
- () The Worker
- () New Leader

Date 3-18-55
Clipped at the Seat of Government.

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*Let to NY
Let to Dept.
3/22/55*

b7c

100-72390-151

ENCLOSURE

FILE

b7c

Office Memorandum • UNITED STATES GOVERNMENT

JK
TO : Director, FBI (100-72390)
FROM : SAC, New York (100-108676)
SUBJECT: CLAUDIA VERA SCHOLNICK, was
 IS - C; SMITH ACT OF 1940

DATE: 3/22/55

61
 Re Seattle letter to NY, 2/21/55, wherein testimony before the Committee on Un-American Activities, House of Representatives (Velde Committee), concerning the subject was set out.

For the information of the Seattle Office and per their instructions to advise the Bureau as to the activities of the subject, it should be noted that the subject was convicted for violation of the Smith Act of 1940 on 1/21/53. She is presently incarcerated in the Women's Federal Penitentiary at Alderson, West Virginia.

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100-72390-5152

11 MAR 24 1955

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EX-125

1 - Seattle (100-19485) (Info)

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 MAR 24 2 38 PM '55

Bauer
(Info)
 [Redacted]

360
66 MAR 30 1955

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI (100-72390)

FROM : SAC, New York (100-108676)

SUBJECT: CLAUDIA VERA SCHOLNICK, was
IS - G; SMITH ACT OF 1940

DATE: 3/22/55

Re Pittsburgh letter to the Director, 3/2/55.

It is requested that the Pittsburgh Office obtain and disseminate names of individuals who correspond with the subject. Also, if available, the NYO desires to be advised of the contents of any such correspondence with the subject.

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100-72390-153

11 MAR 24 1955

EX-125

Bart...

3

Confidential

2 - Pittsburgh (100-9070)

FBI

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360
66 MAR 30 1955

All b7c

Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI (100-72390)

FROM : SAC, New York (100-18676)

SUBJECT: CLAUDIA VERA SCHOLNICK, was
INTERNAL SECURITY - C
SMITH ACT OF 1940

DATE: 3/31/55

Card U.T.D. *me*
MAY 9 1955

OK to delete from KF.
ppf

Subject is being removed from the Key Figure list in the New York Division inasmuch as she is presently incarcerated at the Women's Federal Penitentiary, Alderson, West Virginia, after having been convicted for violation of the Smith Act of 1940 on January 21, 1953.

1 - NY 100-96900 (Key Figures, New York Division)(#12-14)

RM

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DATE 12-8-83 BY SP8 BTJ/HP



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MAY 21 1955

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REC'D - CONVECTION

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