

FILE DESCRIPTION

BUREAU FILE

SUBJECT JOHN ROGGE

FILE NO. 62-54144

SECTION NO. SUB A

SERIALS 8-20-40

THRU

4-5-59

## NOTICE

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File No: 62-54144ARe: JOHN ROBBEDate: 11/78  
(month/year)

Serial	Date	Description (Type of communication, to, from)	No. of Pages		Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
			Actual	Released	
NR	8-20-40	WASH TIMES HERALD	1	-	OUTSIDE SCOPE OF RELEASE
NR	12-12-40	WASH POST	1	-	OUTSIDE SCOPE OF RELEASE
NR	1-20-40	WASH TIMES HERALD	1	-	OUTSIDE SCOPE OF RELEASE
NR	12-26-40	GRAND RAPIDS HERALD	1	-	OUTSIDE SCOPE OF RELEASE
NR	10-22-46	DAILY WORKER	1	-	OUTSIDE SCOPE OF RELEASE
NR	10-23-46	DAILY WORKER	1	-	OUTSIDE SCOPE OF RELEASE
NR	10-25-46	WASH POST	2	-	OUTSIDE SCOPE OF RELEASE
NR	10-25-46	DAILY WORKER	1	-	OUTSIDE SCOPE OF RELEASE
NR	10-27-46	WASH STAR	2	-	OUTSIDE SCOPE OF RELEASE
NR	10-27-46	WASH POST	2	-	OUTSIDE SCOPE OF RELEASE
NR	10-28-46	N.Y. PM.	5	-	OUTSIDE SCOPE OF RELEASE
NR	10-28-46	CTO NEWS	1	-	OUTSIDE SCOPE OF RELEASE

File No: 62-54149-4Re: JOHN ROGERDate: 4/78  
(month/year)

Serial	Date	Description (Type of communication, to, from)	No. of Pages		Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
			Actual	Released	
NR	10-28-46	DAILY WORKER	1	-	OUTSIDE SCOPE OF RELEASE
NR	10-29-46	WASH NEWS	1	-	OUTSIDE SCOPE OF RELEASE
NR	10-29-46	PM DAILY	3	-	OUTSIDE SCOPE OF RELEASE
NR	10-30-46	DAILY WORKER	1	-	OUTSIDE SCOPE OF RELEASE
NR	11-4-46	CFO NEWS	1	-	OUTSIDE SCOPE OF RELEASE
NR	11-10-46	WASH TIMES HERALD	1	-	OUTSIDE SCOPE OF RELEASE
NR	11-5-46	LA DAILY NEWS	1	-	OUTSIDE SCOPE OF RELEASE
NR	11-12-46	WASH. POST	1	-	OUTSIDE SCOPE OF RELEASE
NR	11-26-46	WASH STAR	1	-	OUTSIDE SCOPE OF RELEASE
NR	3-15-47	PM DAILY	1	1	
NR	3-16-47	NY PM	1	1	
NR	4-9-47	TIMES HERALD	1	1	

File No: 62-54144-ARe: JOHN DOBBSDate: 4/78  
(month/year)

Serial	Date	Description (Type of communication, to, from)	No. of Pages		Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
			Actual	Released	
NR	4-10-47	WASH. TIMES HERALD	2	2	
NR	5-10-47	DAILY WORKER	1	1	
NR	7-1-47	WASH POST	1	1	
NR	7-1-47	TIMES HERALD	1	1	
NR	9-10-47	DAILY WORKER	1	1	
NR	11-8-47	TIMES HERALD	1	1	
NR	11-8-47	L.A. TIMES	1	1	
NR	11-13-47	DAILY WORKER	1	1	
NR	12-15-47	DAILY WORKER	1	1	
NR	12-26-47	DAILY WORKER	1	1	
NR	1-8-48	DAILY WORKER	1	1	
NR	2-11-48	L.A. TIMES	1	1	

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(month/year)

Serial	Date	Description (Type of communication, to, from)	No. of Pages		Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
			Actual	Released	
NR	1-21-48	DAILY WORKER	1	1	
NR	1-21-48	P.M. DAILY	1	1	
NR	3-9-48	HERALD TRIBUNE	1	1	
NR	3-9-48	N.Y. WORLD TELEGRAM	1	1	
NR	3-9-48	N.Y. TIMES	1	1	
NR	4-3-48	C.G. STAR	1	1	
NR	4-28-48	BROOKLYN EAGLE	1	1	
NR	5-22-48	N.Y. TIMES	1	1	
NR	6-8-48	N.Y. WORLD TELEGRAM	1	1	
NR	7-27-48	N.Y. TIMES	1	1	
NR	7-23-48	DAILY WORKER	1	1	
NR	7-29-48	N.Y. HERALD TRIBUNE	1	1	

File No: 62-54144-A Re: JOHN ROGGEDate: 4/28  
(month/year)

Serial	Date	Description (Type of communication, to, from)	No. of Pages		Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
			Actual	Released	
NR	8-20-48	DAILY WORKER	2	2	
NR	9-4-48	N.Y. HERALD TRIBUNE	1	1	
NR	9-23-48	NY HERALD TRIBUNE	1	1	
NR	10-11-48	DAILY WORKER	1	1	
NR	10-18-48	N.Y. STAR	1	1	
NR	10-31-48	NY DAILY MIRROR	1	1	
NR	10-20-48	N.Y. TIMES	1	1	
NR	10-21-48	NY STAR	1	1	
NR	11-29-48	DAILY WORKER	1	1	
NR	1-24-49	WASH TIMES HERALD	1	1	
NR	1-27-49	DAILY WORKER	1	1	
NR	2-1-49	N.Y. TIMES	1	1	

File No: 62-54144ARe: JOHN ROGERDate: 4/78  
(month/year)

Serial	Date	Description (Type of communication, to, from)	No. of Pages		Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
			Actual	Released	
NR	2-15-49	DAILY WORKER	1	1	
NR	3-9-49	TRAY TIMES RECORD	1	1	
NR	3-17-49	DAILY WORKER	1	1	
NR	5-8-49	WASH. POST	1	1	
NR	5-17-49	WASH. POST	1	1	
NR	5-27-49	YOUNGSTOWN WINDicator	1	1	
NR	6-15-49	HOUSTON POST	1	1	
NR	6-29-49	DAILY COMPASS	1	1	
NR	7-27-49	ATLANTA DAILY WORLD	1	1	
NR	8-11-49	N.Y. TIMES	1	1	
NR	11-3-49	TIMES HERALD	1	1	
NR	11-7-49	C.G. DAILY TRIBUNE	1	1	

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(month/year)

Serial	Date	Description (Type of communication, to, from)	No. of Pages		Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
			Actual	Released	
NR	11-24-49	N.Y. COMPASS	2	2	
NR	12-15-49	N.Y. COMPASS	2	2	
NR	12-24-49	N.Y. COMPASS	2	2	
NR	12-23-49	WASH. STAR	1	1	
NR	2-14-50	N.Y. COMPASS	1	1	
NR	2-20-50	N.Y. COMPASS	1	1	
NR	3-3-50	DAILY WORKER	2	2	
NR	3-9-50	WASH. STAR	1	1	
NR	3-5-50	WASH. STAR	1	1	
NR	3-10-50	DAILY WORKER	1	1	
NR	3-17-50	TIMES HERALD	1	1	
NR	3-26-50	TIMES HERALD	1	1	

File No: 62-54144-ARe: JOHN ROGGEDate: 4/78  
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			Actual	Released	
NR	3-29-50	DAILY WORKER	1	1	
NR	5-5-50	DAILY WORKER	2	2	
NR	6-2-50	WASH POST	1	1	
NR	6-2-50	DAILY WORKER	1	1	
NR	6-2-50	N.Y. HERALD TRIBUNE	1	1	
NR	6-3-50	N.Y. TIMES HERALD	1	1	
NR	3-5-50	BROOKLYN EAGLE	2	2	
NR	5-5-50	N.Y. HERALD TRIBUNE	1	1	
NR	6-5-50	N.Y. HERALD TRIBUNE	1	1	
NR	8-14-50	TIMES HERALD	1	1	
NR	8-19-50	WASH. NEWS	1	1	
NR	8-15-50	WASH NEWS	1	1	

File No 62-59144-A Re JOHN ROGEEDate 4/78  
(month/year)

Serial	Date	Description (Type of communication, to, from)	No. of Pages		Exemptions used or, to whom referred (Identify statute if (b)(3) cited)
			Actual	Released	
NR	8-28-50	N.Y. NEWS	1	1	
NR	10-11-50	WASH. CITY NEWS SERVICE	1	1	
NR	11-22-50	DAILY WORKER	1	1	
NR	11-24-50	WASH. STAR	1	1	
NR	12-5-50	N.Y. POST AND HOME NEWS	3	3	
NR	1-7-51	NEW LEADER	5	5	
NR	12-5-50	N.Y. COMPASS	1	1	
NR	11-24-51	WASH. STAR	1	1	
NR	3-15-52	WASH. STAR	1	1	
NR	3-5-53	HARVARD LAW SCHOOL RECORD	2	2	
NR	4-5-59	EVENING STAR	1	1	

U. S. Department of Justice

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FOR  
P.I.  
MAR 29 1978 BY

62  
521A4 SUB A

FEDERAL BUREAU

of

INVESTIGATION

*serials* 10-28-46  
10-21-48  
10-18-48 3-9-48

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Transfer-Call 421

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  - Mr. Clegg.....
  - Mr. Coffey.....
  - Mr. Glavin.....
  - Mr. Ladd.....
  - Mr. Nichols.....
  - Mr. Rosen.....
  - Mr. Tracy.....
  - Mr. Carson.....
  - Mr. Egan.....
  - Mr. Gurnea.....
  - Mr. Hendon.....
  - Mr. Pennington.....
  - Mr. Quinn Tamm.....
  - Mr. Nease.....
- M. J. [Signature]*

PM,

**Rogge: Un-American Probers Un-American**

O. John Rogge, former Justice Dept. special prosecutor, told a Federal District Court in Washington that the House un-American Affairs Committee is more un-American than a group it had under investigation.

Rogge, speaking on behalf of the Joint Anti-Fascist Refugee Committee of New York, whose 16 board members were cited for contempt of Congress last April for their alleged failure to produce records for the un-American Activities Committee, asked Justice Matthew McGuire to grant favorable instructions to grand jurors now hearing evidence against the refugee group.

"The committee which was engaged in un-American Activities was the Congressional committee," Rogge said.

Rogge was dismissed from the Justice Dept. last year after revealing in a speech some of the results of his investigation into Nazi connections in this country before and during the war.

*[Handwritten scribbles and signatures]*

Unamerican Activity

INDEXED 215  
 62-59144-A  
 NOT RECORDED  
 EX-76 76 APR 8 1947

109  
 58 APR 15 1947

CLIPPING FROM THE  
 N. Y. P.M.  
 DATED 3-16-47  
 FORWARDED BY

Mr. Tolson ✓  
 Mr. E. A. Tamm ✓  
 Mr. Clegg ✓  
 Mr. Coffey ✓  
 Mr. Glavin ✓  
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 Mr. Quinn Tamm \_\_\_\_\_  
 Mr. Nease \_\_\_\_\_  
 Miss Gandy \_\_\_\_\_

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*Activities*

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*July 1947*

INDEXED 62-54177-A  
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 EX-72

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50 MAR 29 1947

MAR 15 1947

# CAPITOL STUFF

By JOHN O'DONNELL

10

**T**HERE was quite an uproar here in Washington six months ago when Attorney General Tom Clark, with the O.K. of President Truman, brusquely kicked Special Assistant O. John Rogge out of the Department of Justice.

Rogge at that time was the pet of the witch-hunters who were doing some heavy squealing and howling up and down the land and over the air waves. This was all to the effect that every native-born American who was a pre-Pearl Harbor isolationist (as this writer was and is) or who dared to criticize the omnipotent wisdom of the Departed Franklin was a low creature who nourished ideas of treason and sedition. Such fellows, they said, should be promptly laid by the heels, stretched on the rack and, if possible, dispatched from this vale of tears by the ancient and effective sentence to be hanged, drawn and quartered.

Out of this came the obscene legal buffonery of the mass sedition trials, still cluttering up the criminal calendar. These, while damaging to the prestige and dignity of the Federal courts, provided a low comedy relief much needed in wartime.

**L**AST week in this Capital, out of the records of one of these trials (in which the defendant American citizen was acquitted) comes testimony and facts which support Truman and Clark in the far-seeing wisdom of getting clear of ardent Prosecutor Rogge.

This is the testimony concerning the methods used by Rogge and his team of special assistants in Germany to "persuade" German civilians to testify against Americans whom the Department of Justice under Rogge were attempting to convict.

Of particular interest is the way in which Rogge and his team "softened up" witnesses Baron Heribert von Strempel, former First Secretary of the German Embassy here; von Strempel's chief, Hans Thomsen, and the former consul-general in New York, Dr. Heinrich "Hans" Borchers.

**R**OGGE wanted statements from these—who themselves were not accused of crime—for use in the perjury case against Douglas M. Stewart, of Scribner's Commentator.

The Federal jury here acquitted Stewart.

The court record tells a story of a side of American justice in wartime which is depressing.

It's the first time that we ever heard of Department of Justice officials using solitary confinement, starvation, and threats against witnesses not accused of crime to get them to tell a story that would make a case stand up in court.

And it's important because it was this same Rogge, after "getting statements" from these and other German officials, came back to this country last fall with a "report" into which he dragged the names of former President Hoover, James A. Farley, former Vice President John N. Garner, former Senator Burton K. Wheeler, of Montana, John L. Lewis and others.

**V**ON STREMPPEL, backing up in court here the statement that he gave after his "softening up" period by Rogge's men, revealed that although he never had been accused of any crime:

- (1) He had been placed in solitary confinement for four weeks;
- (2) That the interrogation lasted for eight months;
- (3) That he lost 40 pounds in weight and was threatened with life imprisonment by a former German official, who had since become an American citizen and Department of Justice worker, unless he made the statements the Rogge's Department of Justice team wanted.

**T**ESTIFYING under questioning by the U. S. attorney who had vouched for the credibility of the witness, the German von Strempel told the jury that he was first taken to a detention place known as Alaska House, later placed in solitary.

The trial record reads:

**Q**—During the course of the interrogation by Mr. Rogge you have stated that sometimes you were interrogated in the afternoon and sometimes all day long? **A**—That is correct.

**Q**—And during that period while you were being interrogated did I understand that you were not given anything to eat? **A**—That is correct.

- Mr. Tol
- Mr. E.
- Mr. Clegg
- Mr. Glavin
- Mr. Ladd
- Mr. Nichols
- Mr. Rosen
- Mr. Tracy
- Mr. Carson
- Mr. Egan
- Mr. Gurnea
- Mr. Harbo
- Mr. Hendon
- Mr. Jones
- Mr. Leonard
- Mr. Pennington
- Mr. Quinn Tamm
- Mr. Nease
- Miss Gandy

*July 1947*

**Q**—Just explain how that was. **A**—Well, the situation was when Mr. Rogge arrived there he first ordered that I should be thrown in a cell. I was taken out of Alaska House and again placed in solitary confinement. My tie was taken away, my belt, my shoes and again I was treated as a criminal outlaw. I understood that to soften me up. I protested to Mr. Rogge. After three days I was released from solitary.

**T**HE record shows Defense Attorney Warren E. Magee moving to suppress the attack here when, peculiarly enough, the questioning by U. S. Attorney John B. Pratt had placed the evidence regarding Rogge methods before the jury. When Pratt was attempting to offer in evidence the statement given by von Strempel to Rogge, Magee declared:

"The witness has stated that this statement was taken under duress; he was thrown in a cell; he gave it under force and threat and was told that if he did not cooperate he would be placed in solitary confinement; and then he signed it. Is that correct, your honor?"

**A**. I was all the time under duress as I have explained in detail.

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*TIMES HERALD*

165-59144-A  
NOT RECORDED  
85 APR 15 1947

APR 9 1947

100-10473

- Mr. Tolson \_\_\_\_\_
- Mr. E. A. Tamm \_\_\_\_\_
- Mr. Clegg \_\_\_\_\_
- Mr. Glavin \_\_\_\_\_
- Mr. Ladd \_\_\_\_\_
- Mr. Nichols \_\_\_\_\_
- Mr. Rosen \_\_\_\_\_
- Mr. Tracy \_\_\_\_\_
- Mr. Carson \_\_\_\_\_
- Mr. Egan \_\_\_\_\_
- Mr. Gurnea \_\_\_\_\_
- Mr. Harbo \_\_\_\_\_
- Mr. Hendon \_\_\_\_\_
- Mr. Jones \_\_\_\_\_
- Mr. Pennington \_\_\_\_\_
- Mr. Quinn Tamm \_\_\_\_\_
- Mr. Nease \_\_\_\_\_
- Miss Gandy \_\_\_\_\_

*Handwritten initials/signature*

## CAPITOL STUFF

By JOHN O'DONNELL

**I**N THIS column yesterday we pointed to sworn testimony which accused the Department of Justice team headed by ousted sedition-prosecutor O. John Rogge of using the Nazi and Communist third-degree technique to force German civilian witnesses to sign statements against native-born Americans who either opposed the Roosevelt foreign policy or were pre-Pearl Harbor isolationists.

The Rogge investigators in Germany and Rogge himself were accused by German witnesses brought to this country by the Department of Justice of "softening up" the foreign witnesses by tossing them into solitary confinement, starving them and threatening them with life imprisonment in Germany until a "satisfactory" statement for use against Americans in American courts was forthcoming.

Rogge was fired from the Department of Justice last October 31 after his return from Germany and his delivery of a speech in which he smeared a group of prominent Americans—all, at one time or another, political opponents of the late President Roosevelt—by linking them to the statements which he received as a Department of Justice official from Germans prominent under Hitler.

**I**NTERESTING to note in this connection is that Rogge when fired from the Department of Justice issued a statement defending his conduct in which he declared:

"After all, the study of how one totalitarian government attempted to penetrate our country may help us with another totalitarian government attempting the same thing."

Now Rogge pops up as defense counsel for a group cited for contempt by the House Committee on Un-American Activities for refusal to permit the congressional body to examine its books and records.

The present clients of former sedition-trial prosecutor Rogge are officials of the Joint Anti-Fascist Refugee Committee, an organization whose activities have brought it under the scrutiny of the House body charged with exposing the activities in this country of totalitarian and other Communist groups and Red sympathizers.

**W**HEN the Government last week lost its case against anti-Roosevelt magazine editor Douglas M. Stewart, of Scribner's Commentator, thousands of words were piled into the record accusing Rogge and his Department of Justice assistants.

Some of the harshest charges came from star Government witness Baron Herbiery von Stempel. He admitted on the stand that he signed the statement used against Stewart, only after he had been questioned for eight months, thrown into solitary confinement, starved so that he lost 40 pounds and was threatened with life imprisonment.

G. I. R. 5

*file*  
*Other*

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Mr. Tolson \_\_\_\_\_  
 Mr. E. A. Tamm \_\_\_\_\_  
 Mr. Clegg \_\_\_\_\_  
 Mr. Glavin \_\_\_\_\_  
 Mr. Ladd \_\_\_\_\_  
 Mr. Nichols \_\_\_\_\_  
 Mr. Rosen \_\_\_\_\_  
 Mr. Tracy \_\_\_\_\_  
 Mr. Carson \_\_\_\_\_  
 Mr. Egan \_\_\_\_\_  
 Mr. Gurnea \_\_\_\_\_  
 Mr. Harbo \_\_\_\_\_  
 Mr. Hendon \_\_\_\_\_  
 Mr. Jones \_\_\_\_\_  
 Mr. Pennington \_\_\_\_\_  
 Mr. Quinn Tamm \_\_\_\_\_  
 Mr. Nease \_\_\_\_\_  
 Miss Gandy \_\_\_\_\_

VON STREMPER'S former chief in Washington, Chargé d'Affaires Hans Thomsen, in examination before trial ordered by Chief Justice Bontha J. Laws, testified that he was placed in solitary confinement before Rogge's questioning. He said he lost 36 pounds and was threatened with being named a defendant in the Nurnberg trials unless he "co-operated" with the Department of Justice men seeking to build up their prosecution of Americans suspected of sedition.

Q.—(By Defense Counsel Warren E. Magee): Doctor, what were the conditions generally in the American zone as to the treatment of prisoners, whether they had enough food, that you were able to observe?

A.—It was difficult for me to observe, of course, being behind barbed wire all the time but the treatment in this stockade was very rugged.

Q.—(By Justice Department Attorney A. B. Landa): Did you ever hear any threats about indefinite stay in concentration?

A.—No, sir. I only know that Herr von Stempel was threatened by Mr. Kempner (a former German official who became an American citizen and a member of the Department of Justice "team").

Q.—(By Landa): What was that? *Dr Robert M. W. Kempner*

A.—I am sure he (Von Stempel) will repeat it. He (Kempner) said: "You will be shot as a spy if you do not talk . . . You will never see your family again—and things like that."

VON STREMPER, in his examination, repeated the story of the threats against him until he agreed to sign the desired statement accusing the Americans Rogge intended to bring to trial. Von Stempel declared he protested when he was told that he would have to swear that the statement was made "of his own free will" and was told by a Department of Justice attorney:

"Don't bother about that. It's just a matter of form."

"Never in my life was my memory so refreshed," said Von Stempel with grim humor.

*file*

# Asks Court to Ban Un-American Committee as Unconstitutional

WASHINGTON, May 9.—O. John Rogge, former assistant to the Attorney General, today asked the courts to rule the House Un-American Committee unconstitutional. Rogge, attorney for 17 executive board members and the executive secretary of the Joint Anti-Fascist Refugee Committee, entered a motion before Judge Alexander Holtzoff, of the U.S. District Court, District of Columbia, to dismiss charges of conspiracy when the Anti-Fascist Refugee Committee refused to hand over records to John S. Wood (D-Ga), the House Committee's chairman, on the ground that the subpoena was invalid and that the committee lacked jurisdiction.

Rogge's brief today declared that "the setting up of such a permanent committee of investigation" limits freedom and "violates" the First Amendment.

"The House resolution here involved is couched in language which has no defined or recognizable meaning in law or by 'general acceptance,'" the brief declared. "It gives to a few men, nominally the servants of the people and their government, the opportunity to sit in perpetual judgment on the thoughts and opinions of their fellows."

In the mere opportunity to administer "such a grant, lies the genesis of fascism and the end of constitutional democracy," the 70-page brief declared.

Adding that no common definition of the words "un-American" and "subversive" had been provided, Rogge declared that the resolution had failed to set up "recognizable standards" and had set "a congressional investigation in motion without direction or destination."

*Activities*

*with Harry Campbell*

INDEXED

62-54144-A

NOT RECORDED  
81 MAY 13 1947

EX-55

This is a clipping from Page 12 of the DAILY WORKER

Date 5-10-47  
Clipped at the Seat of Government.

50 MAY 19 1947

# U.S. Again Loses Sedition Case, May Take It to Supreme Court

The United States Court of Appeals here yesterday morning, in a 2-1 decision, held that the Justice Department was not diligent in bringing a new trial after the first one ended with the acquittal of Chief Justice Edward C. Tamm in the District Court three years ago. So Chief Justice Charles E. Hughes, in a sharply worded dissenting opinion last December, ordered the Justice Department to bring a new trial. Justice Henry W. Brand, in dissent, pointed out that although the prosecutor, O. John Rogge, was doubtful about the case, he never opposed a speedy trial and more than two years ago asked for a date to be set. He said that it was his view that Chief Justice Tamm went beyond his authority when the Justice Department last night said the ruling was being

studied, and might be taken to the Supreme Court. That came the close of a prosecution which began more than five years ago, when investigators found that there were many common themes in the propaganda of outright Nazi and Japanese agents and that of the American well-wishers. Prosecutor William Power Maloney filed a grand jury inquiry which brought a conspiracy indictment in 1942 and a second indictment a few months later. Maloney was pressing for a trial date to be set early in 1943, when he was removed by Attorney General Francis Biddle, under pressure from isolationist Senators and Congressmen. Rogge took Maloney's place and a year more during which he conducted a new investigation which brought a third indictment. Maloney had said he could try the case in from three to six weeks. As it was redrafted by Rogge, the case dragged on for nearly eight months and was far from being finished when it was cut short by the death of the presiding chief justice.

Meanwhile, Rogge has developed doubts that a conviction would be obtained, which were not allayed by evidence he brought back from Germany last year. Attorney General Tom C. Clark has ordered the case to be retried. The case is now being handled by the Justice Department.

- Mr. Tolson
- Mr. E. A. Tamm
- Mr. Clegg
- Mr. Coffey
- Mr. Glavin
- Mr. Ladd
- Mr. Nichols
- Mr. Rosen
- Mr. Tracy
- Mr. Carson
- Mr. Egan
- Mr. Hendon
- Mr. Pennington
- Mr. Quinn Tamm
- Mr. Nease
- Miss Gandy

# Dismissal of Sedition Case Upheld by Court of Appeals

## 2 to 1 Verdict Assails Justice Department For Lack of Diligence in Its Prosecution

Dismissal of the wartime mass sedition case in which 28 defendants were tried in District Court here for an alleged act of espionage yesterday was upheld by the U.S. Court of Appeals by a 2-1 vote.

The majority opinion, written by Chief Justice Croner, accused the Justice Department for lack of diligence in prosecuting the case and backed up the action of Chief Justice Laws of District Court in dismissing the case December 1948.

The defendants included Joseph S. Avery Williams, Mrs. Elizabeth Dillmy, George Deatherage, Lawrence Dennis, Gerald B. Wilbur, George Sylvester Viereck, and others.

A final appeal planned by the appellants was pointed out that the trial court is empowered to dismiss an indictment if there is unnecessary delay in bringing a defendant to trial.

Although many observers expected that the Justice Department would welcome the ruling, an official spokesman said the department was considering the original appeal to the Supreme Court.

All action in the trial, which began in April 1944, ceased eight months later when the presiding judge, then Chief Justice Elmer Judge, died of a heart attack.

John Joseph Council for the Defense of the Home and Foreign Refuge Committee was convicted of contempt of Congress in District Court last week when the Government disclosed that the committee had disclosed information to the press.

no unnecessary delay and there had been no denial of a speedy trial.

Pellegrini, who also was a defendant in the sedition case, prepared a statement in which he expressed regret that the Government chooses to deny me formal opportunity to prove my innocence of the charges.

Forty-seven months of honorable service in the United States Armed Forces would not be a legal atonement for my participation in the trial on the merits of any charge.

The eight-month trial covered more than 17,500 pages of testimony. The Justice Department sought to prove that the defendants attempted to set up a spy ring and that they had undermined armed forces and the morale of the country.

James J. Laughlin, a defense attorney who has been ordered out of the courtroom and excluded from the case charged that the Government had used the trial to discredit the defendants.

The trial was held in the Federal Court of Appeals for the District of Columbia.

- Mr. Tolson
- Mr. E. A. Tamm
- Mr. Clegg
- Mr. Glavin
- Mr. Ladd
- Mr. Nichols
- Mr. Rosen
- Mr. Tracy
- Mr. Carson
- Mr. Egan
- Mr. Gurnea
- Mr. Harbo
- Mr. Hendon
- Mr. Jones
- Mr. Leonard
- Mr. Quinn
- Mr. Nease
- Mr. Gurnea
- Mr. Harbo
- Mr. Hendon
- Mr. Jones
- Mr. Leonard
- Mr. Quinn
- Mr. Nease

*TIME WEEK*  
*APRIL 1, 1949*

Dismissal of the case leaves the Government out hundreds of thousands of dollars in the salaries and expenses of judges, attorneys and investigators who worked on the case.

Justice Laws' original dismissal of the indictments cited "lack of diligence" and declared that holding of the indictments returned originally in 1942 would be "unjust and un-American."

710

# Says House Un-Americans Prefer Franco

CHICAGO, Sept. 9. — By its prosecution of opponents of Franco, the House Un-American Activities Committee is giving support to the Fascist dictator of Spain, O. John Rogge, former U. S. Assistant Attorney General charged here.

Leaders of the joint anti-fascist committee, who were recently tried and sentenced as a result of a witch-hunt by the House Un-American Committee, were picked on because the committee "prefers Franco to the people who fought Franco," Rogge told a press conference.

Voicing his opinion that the Un-American committee was "unconstitutional," Rogge said it "third degrees liberals while treating fascists who are members of anti-democratic movements with respect."

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62-54144-A

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EX-8141

OCT 8 1947

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This is a clipping from  
Page 2 of the  
DAILY WORKER

Date 9-10-47  
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Government

50 OCT 13 1947  
*68*

FIVE

- Mr. Tolson \_\_\_\_\_
- Mr. E. A. Tamm \_\_\_\_\_
- Mr. Clegg \_\_\_\_\_
- Mr. Glavin \_\_\_\_\_
- Mr. Ladd \_\_\_\_\_
- Mr. Nichols \_\_\_\_\_
- Mr. Rosen \_\_\_\_\_
- Mr. Tracy \_\_\_\_\_
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- Mr. Harbo \_\_\_\_\_
- Mr. Hendon \_\_\_\_\_
- Mr. Jones \_\_\_\_\_
- Mr. Leonard \_\_\_\_\_
- Mr. Pennington \_\_\_\_\_
- Mr. Quinn Tamm \_\_\_\_\_
- Mr. Nease \_\_\_\_\_
- Miss Gandy \_\_\_\_\_

*file*

## Rogge Predicts Roundup of Reds

LOS ANGELES, Nov. 7 (UP). Mass arrests of Communists and "fellow travelers" on the eve of Congress' special session Nov. 17 were predicted today by O. John Rogge, former special assistant to the U. S. Attorney General.

"A dramatic round-up some time within the next 10 days is to whip up a new wave of anti-Soviet hysteria," charged Rogge.

The former sedition trials prosecutor said the arrests will be based "on some phoney passport cases which will be blown up into a huge Soviet spy scare story."

The case, Rogge charged, involves some indictments which are being voted by a special federal grand jury which he said has been in session in New York City since June.

"The midnight raids will be similar to the notorious Palmer arrests of the 1920s," said Rogge.

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NOV 25 1947

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NOV 25 1947

NOV 8 1947

Times Herald  
Page 1

51 NOV 29 1947

R322

*File 9*  
*[Handwritten initials]*

# 60 Indictments Due in Red Hunt

O. John Rogge arrived in town yesterday with a vocabulary full of strong words and phrases which are an impediment in his speech.

The former Assistant Attorney General says the next "facet of the Red hunt sponsored by the Truman administration" will be indictments by a grand jury now sitting in Manhattan against 60 former members of the Treasury Department.

### Persecution Charged

Rogge, who sometimes refers to the President as "the best water boy the big financial interests ever had," told reporters at the Biltmore that the 60, some of whom are his clients, are being persecuted merely because they favored the Morgenthau plan for a weak Germany. But the charges, he said, will be espionage, passport fraud, etc.

Rogge's language, in either conversational or handout form, is sprinkled with the following phrases: "Witch hunt." . . . "Thought control attempted by the loyalty order." . . . "Attempt to whip up a new wave of anti-Soviet hysteria." . . . "American reactionaries fanning another Reichstag fire." . . . "A recurrence of the notorious Palmer arrests of the 1920's." . . . "Grand jury investigations under floodlights." . . .

"Phony passport cases blown up into a huge Soviet spy scare." . . . "Backed by American reactionaries who want a strong Germany." . . . "Isolated instances made into a giant conspiracy." . . . "Political police force." . . . "Heresy hunt." . . . "Downright nonsense and Tom Clark knows it."

Rogge, who is absolutely inexhaustible, will speak at a mass meeting in the Shrine Auditorium tomorrow night to protest against the Federal and county loyalty test laws. It is called by the Mobilization for Democracy and A.F.L. and C.I.O. groups.

Howard Fast, the writer, will share the platform with Rogge and Robert W. Kenny will moderate.

Mr. Tolson	.....
Mr. E. A. Tamm	.....
Mr. Clegg	.....
Mr. Glavin	.....
Mr. Ladd	.....
Mr. Nichols	.....
Mr. Rosen	.....
Mr. Tracy	.....
Mr. Carson	.....
Mr. Egan	.....
Mr. Gurnea	.....
Mr. Hendon	.....
Mr. Pennington	.....
Mr. Quinn	.....
Mr. Nease	.....
Miss Gandy	.....

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EX-106

LOS ANGELES TIMES

NOV 8 1947

60 JAN 21 1948 316

IV

## Seattle Leaders Flit Justice Dept. On 'Raid' Plans

SEATTLE, Wash., Nov. 12.—Fifteen prominent labor and political leaders today wired President Truman demanding that the police-state methods of the Department of Justice be halted, that the New York Grand Jury be discharged and that Attorney General Tom Clark be removed from the Cabinet.

Progressives in the Northwest are shocked and aroused at O. John Rogge's charges of trumped-up "spy-plot" plans for new Palmer raids and "midnight arrests of Communists and Progressives" by the Department of Justice. The New York Grand Jury according to leaks in the New York press is preparing "sensational" exposures on Communist activities.

The New World featured the Rogge story this week in 20,000 copies of a 4-page supplement exposing the character and aim of the Canwell-Bienz (Little Dies) Committee. All northwest capitalist newspapers blacked out the Rogge story.

Rogge and Howard Fast will address a Seattle meeting tomorrow night to discuss the exposure.

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71 NOV 18 1947

This is a clipping from  
Page 2 of the  
DAILY WORKER

Date 11-13-47  
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# Rogge Blasts Witch-hunters

Government unun-busting was blasted by O. John Rogge, noted sedition trial prosecutor, at a CIO teachers' civil rights rally at the Hotel Diplomat yesterday. One thousand teachers were present.

"The big corporations have learned one thing from the Nazis. That is to use the government to do their dirty work," Rogge said.

Rogge was speaking at a rally in defense of Isadore Rubin, New York teacher who is awaiting trial by the Board of Education. Rubin was suspended for joining CIO picket lines in the Brooklyn Trust Co. strike.

Saul Mills, city CIO secretary; Colston Warner, Amherst College professor; George Murphy, Jr., national commander of the United Negro and Allied Veterans and Louis Untermeyer, poet, were scheduled to speak with Rogge.

*file*

*Dr. [unclear]  
[unclear]  
[unclear]*

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EX-106

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71 JAN 10 1948

This is a clipping from  
Page 10 of the  
DAILY WORKER

Date 12-15-47  
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Government

50 JAN 21 1948 3/4

# A Fighter for Civil Liberties

By Miriam Kolkin

By Associated Press

Just a little over a year ago O. John Rogge was fired from the Justice Department for making public the names of high-placed Americans who were links in the Nazi network he uncovered while investigating the 26 indicted wartime seditionists.

Looking back on his summary dismissal as special assistant to Attorney General Tom Clark, Rogge laughed and told me: "Even after that happened, I thought I'd get myself some smart law partners, hire a man who knew labor—from the corporation point of view, of course—and go out after the blue chips. But much has happened in the past year."

Which is a modest way of saying that this tall, Republican midwesterner, who cast his first vote for Herbert Hoover and was slated for a big career in government, has developed into a courageous fighter for civil liberties and a tireless stump speaker.

Rogge is on the opposite side of the fence now from his former government colleagues when he defends in court such people as Errol Christoffel, Allis-Chalmers strike leader, and the officers of the Joint Anti-Fascist Refugee Committee who refused to turn over the records of their Spanish relief work to the House Committee on Un-American Activities.

"Your safest bet in working for the government now," Rogge said ironically, "is to be ultra-conservative and slightly anti-Semitic."

## SEE NAZI PARALLEL

He based this on the questions forced at a group of 63 Treasury Department employes subpoenaed to testify before the federal grand jury in New York whose secret probe of an alleged spy ring is reportedly aimed at smearing the New Deal and former Secretary of the Treasury Henry Morgenthau's plan for a tough peace for Germany. Most of those called in were Jewish.

"A police state atmosphere already exists in Washington," Rogge said. He told about a former co-worker in the Justice Department who wanted to give him certain information which explained why the State Department

was investigating about an American Un-American Committee for laboring with the Nazis.

"I met this person by pre-arrangement at the Raleigh Hotel, two blocks from the Justice Department," he recalled. "In giving me the information, she begged me, in making use of it, not to disclose my own name, for she said someone may have seen me walking with her from the hotel to the Justice Department and then if my name was connected with the matter, they would then connect her with me, and what would her job be worth."

"I was never in Germany under the Nazis, so I don't know what a police state is like, but I wonder how much different the conditions I find in the District of Columbia are from those of Nazi Germany."

Rogge sees the activities of the House Un-American Committee, the President's "loyalty" order and the Taft-Hartley law as key aspects of the "concerted, deliberate and violent attack being made on the civil liberties of the entire American people."

## A STRAIGHTJACKET

Referring to the Taft-Hartley law and reported government plans for the deportation of some 200 labor leaders, Rogge said dryly: "It makes you suspect that the government is engaging in unionbusting under discreditable circumstances."

He saw a terrifying parallel to the conditions in Germany which preceded the Nazis' rise to power. "They used an anti-Communist smokescreen to win control," he said. "And now we see the House

Un-American Committee using the same technique and succeeding in its plan to straightjacket American thought.

"In our hearts," he went on, "we know that we are loyal, and we are good Americans. We know what 'our way of life' means. If it means anything, it means the freedom to say, to think and to write as our conscience may guide us and not as some person with small outlook in Washington or Mississippi may direct."

It is this freedom which Rogge says the American people are in the process of losing.

*Robert A. [unclear]  
7. 8. 1950  
[unclear]*

162-59147-A-3

RECORDED INDEXED

#109  
91-77

This is a clipping from Page 8 & 10 of the DAILY WORKER

Date 12-26-47  
Clipped at the Seat of Government.

JAN 29 1948

International Workers Order

### Rogge Hits Clark List As Unconstitutional

O. John Rogge, former U. S. Assistant Attorney General, in an article which will appear in a forthcoming issue of the IWO's Fraternal Outlook, condemned the current attempts of reactionaries to destroy civil liberties.

Rogge declared: "We Americans are not going to surrender to these men. We are going forward in the great Roosevelt tradition. . . ."

Rogge declared: "Your own great workers' Order has been branded by the arbitrary and, I am convinced as a lawyer, completely unconstitutional decree of an Attorney General of the United States."

A meeting of leaders of IWO lodges representing 52,000 members in New York City adopted a resolution which repudiated and rejected Clark's list "as a politically inspired attempt to destroy the freedom of organization and association of the American people."

*Paul J. [unclear]*  
*John [unclear]*

62-54144  
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76 JAN 15 1948

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This is a clipping from  
Page 6 of the  
DAILY WORKER

17  
EX-105

Date 1-8-48  
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Government.

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Mr. Tolson	.....
Mr. E. A. Tamm	.....
Mr. Clegg	.....
Mr. Glavin	.....
Mr. Ladd	.....
Mr. Nichols	.....
Mr. Rosen	.....
Mr. Tracy	.....
Mr. Carson	.....
Mr. Egan	.....
Mr. Gurnea	.....
Mr. Harbo	.....
Mr. Hendon	.....
Mr. Pennington	.....
Mr. Quinn Tamm	.....
Mr. Nease	.....
Miss Gandy	.....

*Handwritten initials and signatures are present over the routing slip.*

# Truman Hit on Red Check

O. John Rogge, former special assistant to the Attorney General, last night criticized President Truman in connection with loyalty checks in government agencies at a mass meeting sponsored jointly by A.F.L. and C.I.O. unions and Mobilization for Democracy at Shrine Auditorium. Object of the rally was to abolish the Los Angeles County and Federal "loyalty checks" and the House Un-American Activities Committee. Other speakers included Novelist Edward East and Robert V. Kenny, former State Attorney General.

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EX-67

LOS ANGELES TIMES  
 FEB 11 1949

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# Rogge Warm to Wallace Place



John Rogge, former Assistant Attorney General, said yesterday he would consider it "a privilege and a pleasure" to be Henry A. Wallace's running mate on a third party ticket if the nomination were offered him.

"My attention has been called to newspaper accounts quoting Henry Wallace as designating me as an acceptable vice presidential candidate," Rogge said at a press conference. In his office at 401 Broadway. "I want to say that it will be a privilege and a pleasure to be Henry Wallace's running mate, should such an event transpire."

Rogge listed seven government officials and three officials of the World Bank as the powers behind the Truman administration and as "the powerful reactionaries who are heading this country for another depression, fascism and possibly another war. They are:

John Snyder, Secretary of the Treasury; Robert A. Lovett, Under-Secretary of Defense; Major-Gen. William H. Draper, Assistant Secretary of War; Arthur S. Barrows, Under-Secretary of the Air Force; Lewis H. Douglas, Ambassador to Great Britain; and Leo M. Wiggins, Under-Secretary of the Treasury. Members of the World Bank included are John J. McCloy, president of the bank; Robert Garner, vice-president, and Eugene Black, executive director.

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 EX-115

This is a clipping from  
 Page 4 of the  
 DAILY WORKER

Date 1-21-58  
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15 YONG

- Mr. Tolson ✓
- Mr. E. A. Tamm ✓
- Mr. Clegg \_\_\_\_\_
- Mr. Coffey \_\_\_\_\_
- Mr. Glavin \_\_\_\_\_
- Mr. Ladd ✓
- Mr. Nichols ✓
- Mr. Rosen \_\_\_\_\_
- Mr. Tracy \_\_\_\_\_
- Mr. Acers \_\_\_\_\_
- Mr. Carson \_\_\_\_\_
- Mr. Harbo \_\_\_\_\_
- Mr. Hendon \_\_\_\_\_
- Mr. Mumford \_\_\_\_\_
- Mr. Starke \_\_\_\_\_
- Mr. Quinn Tamm \_\_\_\_\_
- Mr. Nease \_\_\_\_\_
- Miss Gandy \_\_\_\_\_

# Rogge Ready to Run If Wallace Wants Him

O. John Rogge, former Assistant U. S. Attorney General and U. S. prosecutor at the Nazi war guilt trials, announced in his New York law office that he would be pleased to run for Vice President on a Third Party ticket with Henry Wallace.

"My attention has been called to newspaper accounts quoting Henry Wallace as designating me as an acceptable Vice Presidential Candidate," said Rogge. "For my part, I want to say that it will be a privilege and a pleasure to be Henry Wallace's running mate should such an event transpire."

Rogge said he hadn't discussed the matter with Wallace, adding that whether he is a candidate himself or not he will stump for Wallace.

"We are steadily moving in the direction of a fascist police state and another world war," he said. "Wallace is our hope of preventing both."

Rogge deplored the trend toward concentration of wealth in the hands of large corporations, citing statistics to the effect that 250 large manufacturing corporations owned two-thirds of the Nation's production facilities.

"The reactionaries in this country with their monopoly-cartel outlook, their philosophy of scarcity rather than abundance, are trying to sell us a gold brick," said Rogge.

EX-93

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JAN 21 1948

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Mr. Tolson	.....
Mr. E. A. Tamm	.....
Mr. Clegg	.....
Mr. Glavin	.....
Mr. Ladd	.....
Mr. Nichols	.....
Mr. Rosen	.....
Mr. Tracy	.....
Mr. Carson	.....
Mr. Egan	.....
Mr. Gurnea	.....
Mr. Hendon	.....
Mr. Pennington	.....
Mr. Quinn Tamm	.....
Mr. Nease	.....
Mr. [unclear]	.....

*Don*  
*Office*

129

**Rogge to Head Wallace Group**

O. John Rogge, former assistant United States Attorney General, has been named chairman of a committee that will establish the New York State Wallace-for-President campaign organization, Henry A. Wallace's national headquarters announced yesterday. The group will set up a permanent state committee April 3, comprised of leaders of the American Labor party, Progressive Citizens of America, labor unions and other organizations.

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74 APR 5 1948

EX. 176

The New York State Wallace Committee

52 APR 8 1948

CLIPPING FROM THE  
*Herald Tribune*  
MAR 9

# Wallace Seen Possible 2-Ticket N. Y. Candidate

The possibility that Henry A. Wallace will run on two tickets in New York State next November arose today with a call for the formation of a New York State Wallace Committee.

O. John Rogge, former assistant U. S. Attorney general, issued the call for a statewide conference to be held here April 3. The conference will be held to place the third-party candidacies of Mr. Wallace and his running-mate, Sen. Glen Taylor (D., Idaho), on a permanent basis, Mr. Rogge said.

Mr. Wallace is assured of the nomination and the ballot line of the Communist-dominated American Labor party. Whether there will be a second line—one that would lure non-labor people, such as upstate farmers—will be up to the April 3 convention, it was announced.

"We are forming the state committee," said Mr. Rogge, "because everywhere in the state the groups of Wallace supporters that are springing up are seeking contact with others like themselves.

"In the rural districts, the upstate wards, and the metropolitan areas there is ample evidence that many hundreds of thousands are ready to organize behind Mr. Wallace's candidacy, because they know that this time their vote will go to a genuine liberal candi-

date pledged to a program for peace and abundance."

Among signers of the call were Dr. George B. Cannon, Charles Collins, Eugene Connolly, Olin Downes, Alfred Drake, Dr. W. E. DuBois, Rev. G. Shubert Frye, Prof. Paul W. Gates.

Also E. Y. Harburg, Ira A. Hirschmann, Leo Isacson, Ada B. Jackson, Leo Jandreau, Paul J. Kern, the Rev. John Howland Lathrop, Canada Lee, Vito Marcantonio, S. J. Perelman, Lee Pressman.

Also Michael J. Quill, Michael J. Rubenstein, Prof. William R. Sears, John Sloan, Louis Untermeyer, Mark Van Doran, Mary Van Kleek and James Waterman Wise.

Mr. L. A. Tamm  
Mr. Clegg  
Mr. Glavin  
Mr. Ladd  
Mr. Nichols  
Mr. Rosen  
Mr. Tracy  
Mr. Egan  
Mr. Gurnea  
Mr. Hendon  
Mr. Pennington  
Mr. Quinn  
Mr. Nease  
Miss Gandy

EX-37  
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33 APR 12 1948

EX-37

SPW

The New York State Wallace Committee

50 APR 19 1948

CLIPPING FROM THE

World Telegram

MAR 9 1948

# STATE COMMITTEE FOR WALLACE DUE

## Conference Called for April 3 to Put 3d Party Candidacy on 'Permanent' Basis

A call for a state-wide conference to be held here on April 3, at which the third-party candidacy of Henry A. Wallace and Senator Glen Taylor of Idaho will be placed on a "permanent" basis, was issued yesterday by an initiating committee under the chairmanship of O. John Rogge, former assistant United States Attorney General.

The New York State Wallace Committee to be formed at the conference will have as its nucleus the American Labor Party and the Progressive Citizens of America, constituting the present principal organizational support of the Wallace candidacy. In addition, it was said, the new committee will aim to coordinate the plans of other groups and individuals, particularly from up-state.

Defining the purposes of the projected state committee, Mr. Rogge said it would plan state-wide strategy of the Wallace-Taylor combination, attempt to reach "great blocks of unorganized voters" partial to Mr. Wallace's program, and seek to strengthen "electoral machinery on every level."

### Second Line Possibility

The wording of Mr. Rogge's statement appeared to political observers to strengthen the possibility, about which there has been previous speculation, of the addition of a second line on the ballot for the Wallace forces. If this action should eventuate at the conference it was held likely that the

tag "Progressive" would be used as in Pennsylvania where on Sunday Mr. Wallace addressed the founding convention of the Progressive party of Pennsylvania. A progressive designation would have to be made by petitions circulated throughout the state but the addition of this line, Wallace leaders were said to feel, would catch many voters, particularly up-state farmers, who might not be inclined to vote the labor party line. It is regarded as a virtual certainty that Wallace, who has the endorsement of the ALP state executive committee, is assured of the line of the ALP, which is a regularly constituted party in this state.

At headquarters of the National Wallace for President Committee, 39 Park Avenue, it was said yesterday that the decision on a second or Progressive line rested with the new state committee to be set up by the conference, but it was admitted that this was at least a possibility. The decision to hold the conference in the city was made only recently, it was learned, and a meeting place has not been selected as yet.

**Sees Thousands Ready**  
In his announcement Mr. Rogge said: "We are forming the state committee because everywhere in the state the groups of Wallace supporters that are springing up are seeking contact with others like themselves. In the rural districts, the up-state wards, and the metropolitan areas there is ample evidence that many hundreds of thousands are ready to organize behind Mr. Wallace's candidacy because they know that this time their vote will go to a genuine liberal candidate pledged to a program for peace and abundance." Showing no partiality, Mr. Rogge attacked Governor Dewey as well as the Democrats. "It is a sorry sight," he said, "to see a Governor's chair once held by a statesman of stature, now held by

a politician of great ambitions and petty talents, a reactionary bound and-war program touted by Truman and Vandenberg."

The list of sponsors for the state committee was issued with the notation that affiliations were made for identification purposes only.

### Among the sponsors listed were:

- Zlatko Balokovic, Dr. George B. Cannon, Robert Coates, Charles B. Lina, Eugene Connolly, Dr. Leo Dovidoff, Olin Downes, Alfred Drake, Dr. W. E. DuBois, Rev. G. Shubert, Frye, Prof. Paul W. Gale, E. J. Harburg, Ira A. Hirschmann, Leo Isaacson, Ada B. Jackson, Leo Jan dreau, Paul J. Kern, the Rev. John C. Lindhelm, Vito Marcantonio, John Martin, S. J. Perlman, Leo Pressman, Abraham L. Pomerantz, John Quill, Michael J. Rubenstein, Michael William R. Sears, John Sloan, Alvin Udell, Louis Untermeyer, Mark Van Doren, Mary Van Kleek, Henry Wilcox Sr., James Waterman Wise and William C. Wolcott.

Mr. Tolson  
Mr. E. A. Tamm  
Mr. Clegg  
Mr. Glavin  
Mr. Ladd  
Mr. Nichols  
Mr. Rosen  
Mr. Tracy  
Mr. Carson  
Mr. Egan  
Mr. Gurnea  
Mr. Harbo  
Mr. Hendon  
Mr. Pennington  
Mr. Quinn  
Mr. Nease  
Mr. Mohr  
Mr. Winterrowd  
Mr. Tele. Room  
Miss Gandy

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53 APR 12 1948

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*S. J. [unclear]*

The New York State Wallace Committee

PR 201948

CLIPPING FROM THE

*Times*

MAR 9 1948

MAILED BY S. N. [unclear]

# Rogge may bare facts on fascists

The famous Rogge report on native American fascists—long suppressed by order of the Truman Administration—may be made public in Chicago within the next few weeks.

O. John Rogge, who compiled the damning report as part of his preparations for the trial of 28 anti-Semites, white supremacists, labor-haters, and red-baiters on a charge of sedition, made that disclosure this week.

The report, drawn up by Rogge while he was assistant Attorney General of the U. S., will probably be made part of the court record in U. S. District Court here.

ROGGE said he may enter it into the record as part of his defense against a libel suit brought against him by Mrs. Elizabeth Dilling Stokes, Chicago anti-Semite who also is suing The Chicago Star for a half million dollars.

The suit against The Star will not be heard in court for some time.

Next Friday, April 9, Judge Michael Igoe will hear arguments on Mrs. Stokes' motion that Rogge be compelled to make public the report. Her motion is unnecessary, Rogge indicated here.

"I'll welcome this opportunity to give wide publicity to the report," he declared. "In fact, I had already asked my attorney to make it part of my reply to her complaint."

The report covers 394 printed pages, plus a table of contents and an index. It numbers more than 80,000 words.

According to Rogge, the report "names names, dates, and places" and is based upon investigation conducted by government detectives here and abroad.

The actual trial is tentatively scheduled to begin before Judge Igoe April 15.

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*G. I. R. - 9*

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EX-84  
62-54144-A  
F. C. I.  
74 MAY 24 1948  
*W. H. ...*

*5 Jan*

Clipped from  
THE CHICAGO STAR  
Dated 4-2-48  
Page 3

*197*

5 MAY 27 1948

*lol*

# U. S. IS HEADED FOR FASCISM, ROGGE DECLARES

The United States is headed "down the road to fascism" and the proposed selective service and universal military training would bring this country to a state of Nazi-like militarism that would lead to war, O. John Rogge, former Assistant U. S. Attorney General, asserted last night.

*File - 9*

The State chairman of the Wallace for President organization participated with three other speakers, one supporting his views and two opposing, in a symposium on the need for selective service and UMT at Prospects Heights High School, Classon Ave. and Union St. The Bedford-Eastern Parkway Chapter, American Veterans Committee, which has gone on record as opposed to the measures, sponsored the meeting.

Mr. Rogge charged that the atmosphere of crisis was being manufactured by reactionary forces seeking to make the American people afraid to criticize and protest against steps leading to fascism "in the interest of still bigger profits for the few at the expense of the many."

"And they are trying," he declared, "to give us militarism as a cure for the coming depression."

### Youth Draft Not Answer

"If there really is a crisis, if it is really true that some country is going to come here and attack us, you are not going to meet it by drafting 18-year-olds. In this mechanized, atomic age, that is Maginot Line thinking. What you would need is a highly mobilized, trained force of experts, and you are not going to get them by drafting 18-year-olds."

John Henry Martin, principal of Oyster Bay High School, attacked the idea of UMT as militarily unsound and financially wasteful. Addresses favoring military training for American youth as a necessary safeguard were delivered by Vernon Eagle, a member of the board of directors of the National Security Committee, and Mrs. Ernesta Barlow, vice president of the Citizens Committee for Military Training of Young Men, Inc.

Mr. Tolson	.....
Mr. E. A. Tamm	.....
Mr. Clegg	.....
Mr. Glavin	.....
Mr. Ladd	.....
Mr. Nichols	.....
Mr. Rosen	.....
Mr. Tracy	.....
Mr. Carson	.....
Mr. Egan	.....
Mr. Gurnea	.....
Mr. Hendon	.....
Mr. Pennington	.....
Mr. Quinn Tamm	.....
Mr. Nease	.....
Miss Gandy	.....

*G. I. R. - 9*

*W. J. ...*  
*Phy ...*  
*My ...*

**7 JUN 8 - 1948**

RECORDED - 162-54179-A  
EX-138  
48 MAY 21 1948  
*502W*

CLIPPING FROM THE  
*Brooklyn Eagle*  
N. Y. APR 28 1948  
N. Y. DIVISION

Mr. Tolson	.....
Mr. E. A. Tamm	.....
Mr. Clegg	.....
Mr. Glavin	.....
Mr. Ladd	.....
Mr. Nichols	.....
Mr. Rosen	.....
Mr. Tracy	.....
Mr. Egan	.....
Mr. Gurnea	.....
Mr. Harbo	.....
Mr. Hendon	.....
Mr. Pennington	.....
Mr. Quinn	.....
Mr. Nease	.....
Miss Gandy	.....

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**Wallace Aide Appointed**  
 O. John George, chairman of the New York State Wallace for President Committee, announced yesterday the appointment of Daniel Schen, vice president of the New York District, United Public Workers of America, CIO, as campaign director of the New York Labor Committee for Wallace and Taylor. Headquarters of the labor committee will be at 570 Seventh Avenue.

*file* 7  
*hook*  
*AM*  
*Admiral*

G. I. R. -10

RECORDED - 124

INDEXED - 124

62-54114-A  
 FBI  
 71

*5/22/48*

EX-20

CLIPPING FROM THE

N. Y. *Times*  
 DATED *5/22/48*  
 FORWARDED BY N. Y. DIVISION

57 AUG 2 1948

# Letters From Readers

## Statement by Mr. Rogge And Editorial Reply.

By O. John Rogge.

I believe in freedom. I deny that this makes me pro-Communist. Just as Jefferson was, so I am opposed to any tyranny over the mind of man. I deny that this makes me pro-Communist.

I think there are those among us who are trying to exercise tyranny over the minds of many Americans, who are trying to assault our freedom, who are trying to make us a nation afraid, a nation of second class citizens, if you please. If they succeed, we shall lose what I have always regarded as our best and most valuable characteristic, our freedom.

You assert that I am closely aligned with Communists and Communist fronts. I deny it. You assert that my utterances follow the Communist party line. I deny that my utterances follow any line but my own. My utterances come from my own heart, and I refuse to let anyone tyrannize my own thinking.

As far as press interviews are concerned, I must confess that I have not had the courage ever to grant a separate interview to anyone from the Daily Worker, although I have granted such interviews to representatives of other newspapers who requested it. The only time representatives from the Daily Worker have been present have been at press conferences to which all the press have been invited. Maybe this paragraph should make me admit that I, too, to some extent have been cowed and tyrannized by the witchhunt which is now going on in this country, a witchhunt of more terrifying proportion than any this country has ever experienced.

If we survive and are lucky enough to keep our freedom, due, at least in part, to the efforts of persons such as myself who still dare to fight for it, we shall one day be sorry for this witchhunt, just as mankind has always been sorry afterward for the witchhunts in which mankind has periodically engaged from the time of the persecutions of the Christians in early Rome down to the witch-hunt now going on.

If your paper is interested in reporting the facts rather than in unjustly smearing a man's reputation, then you will print a retraction of the untrue statement

which your paper made of me in its May 12 edition. I repeat my request that you do so.  
Manhattan.

**Editor's Note:** The foregoing letter was written by O. John Rogge, former special assistant to the Attorney General, who is now in private practice. It is a reply to a letter written by the World-Telegram offering to publish Mr. Rogge's statement after he took exception to a news article in the World-Telegram of May 12 which listed him among a group of pro-Communists. He demanded a retraction. Mr. Rogge denies he is "closely aligned with Communists and Communist fronts."

Mr. Rogge's record shows that, in the past year or so, he:

1. Addressed meetings of three organizations designated as Communist and subversive by the Department of Justice, namely, the Civil Rights Congress, Joint Anti-Fascist Refugee Committee and American Committee for the Protection of Foreign Born.

2. Spoke, along with known Communists, at a mass rally of the New Masses, Communist party magazine.

3. Wrote the introduction to a pamphlet by Albert E. Kahn, a speaker and delegate at the New York State convention of the Communist party in 1945.

4. Appointed Daniel Allen as state labor campaign director for the Wallace-for-President movement. Mr. Allen had previously been identified under oath as a member of the Communist party.

5. Addressed a testimonial dinner recently tendered Mr. Rogge by the Communist - controlled American Labor party.

6. Wrote a series of signed articles for The United Voice, official organ of the Communist Party and controlled Wholesale and Warehouse Local 65.

7. This month hailed "the courage of my friend Paul Robeson" for refusing to tell the Senate Judiciary Committee if he is a member of the Communist party. Mr. Rogge likened Mr. Robeson, who has long been active in the Communist movement, to Jefferson, Holmes and Brandeis.

Mr. Tolson	.....
Mr. E. A. Tamm	.....
Mr. Clegg	.....
Mr. Glavin	.....
Mr. Ladd	.....
Mr. Nichols	.....
Mr. Rosen	.....
Mr. Tracy	.....
Mr. Carson	.....
Mr. Egan	.....
Mr. Gurnea	.....
Mr. Hendon	.....
Mr. Pennington	.....
Mr. Quinn	.....
Mr. Nease	.....
Miss Gandy	.....

**C.I.R.-7**  
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**RECORDED 50**

**62-54144-A**  
JUL 26 1948  
*[Handwritten signature]*

CLIPPING FROM THE

**World Telegram**

**N. Y. JUN 8 1948**

DATED  
FORWARDED BY N. Y. DIVISION

- Mr. Tolson
- Mr. Clegg
- Mr. Glavin
- Mr. Ladd
- Mr. Nichols
- Mr. Rosen
- Mr. Tracy
- Mr. Egan
- Mr. Gurnea
- Mr. Harbo
- Mr. Hendon
- Mr. Jones
- Mr. Quinn Tamm
- Mr. Nease
- Miss Gandy

## ALP NAMES ROGGE IN SURROGATE RACE

Marcantonio Ends Rumors He  
Would Back Democrat if  
Party Supported Him

By WARREN MOSCOW

The threat voiced consistently in recent weeks by leaders of the American Labor party to decline to endorse Tammany's candidate for Surrogate and enter a strong contender of its own was made good last night.

Representative Vito Marcantonio, leader of the ALP, announced that his group had selected O. John Rogge, former Assistant United States Attorney General and a leader in the Wallace forces in New York State, as its candidate for the Surrogate's post. Mr. Rogge's name will be filed with the Board of Elections today as a substitute for Nathan Danbroff, who was filed as an interim nominee on Tuesday and whose name was withdrawn yesterday.

The step leaves George Frankenthaler as the unopposed designee of the Republican and Liberal parties, Mr. Rogge as the ALP candidate, and with the Tammany candidate finally to be selected either in the primary or by last-minute compromise.

This means a three-man race, with the odds shifted definitely in favor of the Republican nominees for an office to which the Democrats have previously had no difficulty in electing any candidate they placed in nomination.

A Final End to Rumors

The Marcantonio announcement also put to an end rumors in circulation for months that the Representative would throw his party's support to the Tammany nominee for Surrogate in return for Tammany putting up a sham battle to defeat the left-wing member of Congress in his race for re-election from the upper East Side.

Mr. Marcantonio said last night that he never had any intention of entering into any such deal, and in announcing the Rogge selection, added:

"The American Labor party in New York County is proud to present to the voters for the

*file*

G. I. R. - 2

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62-59199-A

AUG 10 1948

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CLIPPING FROM THE

N. Y. Times

DATED 8/10/48  
FORWARDED BY N. Y. DIVISION

337  
67 AUG 16 1948

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Mr. Marcantonio said last night that he never had any intention of entering into any such deal, and in announcing the Rogge selection, added:

"The American Labor party in New York County is proud to present to the voters for the office of Surrogate the name of a distinguished Franklin D. Roosevelt Democrat, a former Assistant Attorney General and a distinguished lawyer."

Mr. Rogge, 44 years old, was born in Illinois, and was graduated from the University of Illinois and from Harvard Law School. In the early Nineteen Thirties he was employed as an attorney by the Reconstruction Finance Corporation to sue the Central Republic Trust Company, the Dawes bank, to recover from stockholders part of the \$93,000,000 loan which had been made to it by the RFC. He recovered some \$9,500,000.

At the start of the Wallace-for-President campaign he was frequently mentioned as a possible Vice-Presidential nominee on the Wallace ticket before Senator Glen Taylor was selected and he is now the New York State manager of the Wallace-for-President committee.

Meanwhile, on the Tammany side before the Rogge selection became known the stalemate caused by the refusal of General Sessions Judge Francis L. Valente to withdraw from the race continued. Friends of Judge Valente said yesterday that they were sure he would not withdraw on the ground that his name had been unjustly besmirched and that he could not do so gracefully now.

The Americans for Democratic Action while not announcing any endorsement by its group of a candidate for Surrogate commended the Republican party for its nomination of Mr. Frankenthaler and called on the other parties to "nominate men at least as well qualified."

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AUG 10 1948

CLIPPING FROM THE

N. Y. Times

DATED 8/10/48  
FORWARDED BY N. Y. OFFICE

# O. John Rogge Named as Candidate Of ALP for Surrogate's Post

O. John Rogge was named as the American Labor Party candidate for Surrogate early yesterday morning. Rogge, a former assistant U. S. Attorney General and now state manager of the Wallace for President Committee, replaced Nathan Dombroff, who was the interim ALP designate for the post.

Rep. Vito Marcantonio, state ALP chairman, declared yesterday:

The ALP is proud to present to the voters of New York County for Surrogate a distinguished American, a genuine Franklin D. Roosevelt Democrat, a former as-

stant Attorney General, an outstanding constitutional lawyer and defender of the anti-fascist cause in the courts of the United States, the honorable O. John Rogge."

Rogge's nomination finally quashed inspired rumors which have appeared in the commercial press for months that the ALP would make a "deal" with Tammany Hall and support the latter's candidate for Surrogate, General Sessions Judge Francis L. Valente.

Rogge's designation assured a three-cornered battle, with former Supreme Court Justice George Frankenthaler previously named as the Republican candidate. Frankenthaler has been endorsed, in addition, by both the county and state committees of the Liberal Party.

The friction in the Democratic Party over the Valente nomination

continued unabated, meanwhile. Valente, whose candidacy was opposed by Mayor O'Dwyer and backed by the controlling Hugo Rogers faction in Tammany, was understood to be refusing to withdraw under fire in behalf of some compromise choice.

*Handwritten notes:*  
Baumgardner  
J. B. K.  
8-25-48

This is a clipping from Page 5 of the Daily Worker

Date 7-23-48  
Clipped at the Seat of Government.

*Handwritten initials:*  
J. B. K.

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62 AUG 31 1948

- Mr. Tolson .....
- Mr. Clegg .....
- Mr. Glavin .....
- Mr. Ladd .....
- Mr. Nichols .....
- Mr. Rosen .....
- Mr. Tracy .....
- Mr. Egan .....
- Mr. Gurnea .....
- Mr. Harbo .....
- Mr. Mohr .....
- Mr. Pennington .....
- Mr. Quinn Tamm .....
- Mr. Nease .....
- Miss Gandy .....

# Rogge Rejects Reported Deal On Surrogate

## A.L.P. Designee Asserts He Would Refuse Tammany Judgeship Nomination

O. John Rogge, former Assistant United States Attorney General and American Labor party designee for Surrogate of New York County, served notice yesterday on Hugo E. Rogers, Borough President of Manhattan and leader of Tammany Hall, that he will not accept a Democratic nomination for justice of the Supreme Court or enter into any other deal that will eliminate him from the race for Surrogate.

"I will make no deal of any sort," Mr. Rogge said at his law offices, 401 Broadway. "There is one vacancy to be filled on the Supreme Court in this district in the impending campaign, due to the expiration of the term of Justice Kenneth O'Brien. It is good government for all political parties to renominate a man who has served a long term on the bench satisfactorily so that he may be re-elected without a fight.

"I am not interested personally in any judicial nomination other than that for Surrogate, and I intend to remain in the fight until the votes are counted on Nov. 2.

### Opposes Party Deals

"Even if it were put to me on the basis that I cannot be elected Surrogate but that I can be elected Justice of the Supreme Court, I would not consider it. For I am opposed to deals by party bosses, made for their own benefit and not for the people, as they are so frequently represented.

"No one can nominate me for Supreme Court Justice and then compel me to accept it. I have the final decision in this situation, and I have made it. It is this: I am a candidate for Surrogate, and nothing else."

Reports that Mr. Rogers was considering shelving Justice O'Brien in order to obtain the American Labor party nomination for Surrogate for General Ses-

G. I. R. - 8  
INDEXED - 23

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CLIPPING FROM THE  
*News Tribune*

JUL 29 1948

62 SEP 1 1948

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 Surrogate but that I can be elected  
 Justice of the Supreme Court, I  
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 not for the people, as they are so  
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 O'Brien in order to obtain the  
 American Labor party nomination  
 for Surrogate for General Ses-  
 sions Judge John A. Mullin, the  
 Tammany nominee for Surrogate,  
 has created considerable resent-  
 ment among the judicial associates  
 of Justice O'Brien.

**Republican Is Backed**

Representative Vito Marcian-  
 tonio state chairman of the Amer-  
 ican Labor party as well as chair-  
 man of its New York County com-  
 mittee, supported Mr. Rogge's  
 stand.  
 Former Supreme Court Justice  
 George Frankenhater, the Re-  
 publican designee for Surrogate,  
 has been also formally named by  
 the liberal party. The liberal  
 party mailed their substitute des-  
 ignations to the Board of Elec-  
 tions on Tuesday, and as they were  
 postmarked before midnight, they  
 were accepted. Mr. Frankenhater  
 was substituted for Leo Ro-  
 sett, who declined.  
 The liberals named John Ellis,  
 Republican opponent of Repre-  
 sentative Marcantonio in the 18th  
 Congress District. In the 20th  
 Congress District they are support-  
 ing Representative Sol Bloom,  
 Democrat.

The liberals also are backing  
 Surrogate Court Justice Gerald  
 S. Cukin, Democrat, in the 2d  
 District. Justice Cukin also has  
 the Republican designation.

62 SEP 1 1948

CLIPPING FROM THE  
*News Tribune*  
 JUL 29 1948  
 WASHINGTON DC NY

62-54177  
 INDEXED  
 61 R. 8  
 AUG 20 1948

(7-1)

# ALP SPURNS

# TAMMANYEAL

## Rogge Pledges Clean Surrogacy

By Arnold Sroog

O. John Rogge, American Labor Party candidate for N. Y. County Surrogate, yesterday decisively spurned a Tammany offer of a deal which would take him out of the race, and declared that he was "in this thing to fight for clean government."

Calling attention at a press conference in his law offices at 401 Broadway to "the persistent rumors" of a deal, Rogge confirmed that the offer had been made twice in the past two weeks and rejected categorically each time. The terms of the rejected deal called for Rogge to drop out of the race for Surrogate, drawing ALP support to Democratic candidate John Mulvaney, and receive instead Democratic and ALP nomination for the Supreme Court, which would assure his elec-

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62-54199-A

NOT RECORDED

98 SEP 8 1948

EX-87

This is a clipping from  
Page 14/11 of the  
Daily Worker

Date 8-20-48

Clipped at the Seat of  
Government.

FIVE

The first offer, Rogge revealed, came from the Mayor's brother, Paul O'Dwyer, Democratic candidate for Congress in the 21st district, who is running with ALP endorsement. The second offer, made on Aug. 11, two days after O'Dwyer's bid, came from a group of N. Y. County ALP leaders headed by Councilman Eugene Connolly.

### MARCANTONIO HITS DEAL

Rogge was joined in his denunciation of the deal by Rep. Vito Marcantonio, ALP State chairman, who in a separate statement endorsed the stand taken by Rogge and spiked as "lies" press stories that he was involved in the deal. Marcantonio pointed out in his statement that it was he who first proposed Rogge for the Surrogacy, that he fought in behalf of Rogge and that he "consistently insisted that there be no change in the designation."

Marcantonio's statement was borne out by Rogge, who revealed that the ALP leader had met with him Wednesday night and insisted that he remain in the race.

"Marcantonio has been as clear on this as I have," Rogge told the reporters.

He charged in a prepared statement that the rumors of deals were "a measure of the desperation of Tammany Hall," which was fighting to retain its grip on the \$2,000,000 annual patronage plum which the Surrogate's Court

(Continued on Page 11)

(Continued from Page 1)  
has represented in the past through assignment of estates to favorite lawyers.

"So great is the booty from the Surrogate's Court," Rogge stated, "that the professional politicians are moving heaven and earth to obtain my withdrawal as a candidate. So extraordinary have their efforts been, that they have involved as intermediaries many innocent and well-meaning people, who I do not believe have any personal interest in my withdrawal.

"My good friend Paul O'Dwyer was one of those who made this suggestion (of a deal). Regardless of this fact, I intend to campaign for Paul's election. Even from within my own ALP a delegation visited me and asked that I seriously consider the question of withdrawal. On this delegation were Councilman Eugene Connolly, Alvin Udell, Mendell Lurie and Hy Glickstein."

Udell, Lurie and Glickstein are members of the ALP County Committee. Rogge explained that the offer made to him through these intermediaries was made "with the objective of building the new party." The argument was, he said, that it

would be better for the ALP to win a sure Supreme Court Justice-ship rather than campaign for a doubtful Surrogacy.

### REJECTS VIEWPOINT

Rogge said that he rejected this point of view because it would not help build the new party.

"The only way to build this new party," he declared, "is to make no deal whatsoever."

Recalling Mayor O'Dwyer's bitter description of a rival Tammany faction some weeks ago as "scavengers and gutter club boys" who want to "rob the estates of orphans and widows," Rogge declared that he planned to go on the air in a series of eight broadcasts "to tell the people just how that looting goes on." Negotiations are now in progress with WMCA.

He charged that Mayor O'Dwyer has "made his peace" with the same people whom he denounced and "is now in bed with them."

"The Republicans," he added, "would do the same thing. The Republicans and Democrats have played together in the past."

Questioned by reporters as to whether there was any question as to continued support of his campaign by the ALP, Rogge stated

that he expected "the full support of the rank and file" and that he "hoped" to get it from the leaders. When pressed, however, he stated that there was "no doubt" in his mind that he would get the support of the ALP leadership.

Questioned by the Daily Worker, Rep. Marcantonio made his support for Rogge crystal clear.

"Be certainly has my support—unconditionally," said Marcantonio.

Rogge, who is leaving for Europe Saturday in connection with the One-World memorials for the late Mayor Fiorello H. LaGuardia, said he would begin his campaign for "clean government" immediately upon his return early next month.

"I hope I may count upon the friends of the late Mayor in the course of this fight to stop the return of New York City politics to the tin-box days."

### DENIES TRIB RUMOR

Marcantonio in his statement flatly denied the rumor, carried in yesterday's Herald Tribune, that he would be the beneficiary of the Rogge deal through some sort of write-in campaign in the Democratic primary by which he would win the nomination over the regular Democrat John Morrissey.

"I'm somewhat amused to see the Republicans cry out against deals," Marcantonio continued. "It is significant that neither the Tribune nor the Telegram has said a single word of the deals between Flynn (Democratic boss Edward J. Flynn) and the Republicans in the Egan or of the Cashmore-Crews (Democratic and Republican leader in Brooklyn) deal in Brooklyn—all having one objective, the ganging up against ALP candidates like Leo Isacson and Lec Pressman.

"Judgeships have been thrown into these deals without any regard for the integrity of the bench.

"It is high time that both parties should know that the ALP is an integral part of the new national Progressive Party. We stand on our own and we build our own party, as the genuine opposition to the Republican Party in the place and instead of the Democratic Party, which is rapidly disintegrating."

Mr. Tolson	_____
Mr. Clegg	_____
Mr. Glavin	_____
Mr. Ladd	_____
Mr. Nichols	_____
Mr. Rosen	_____
Mr. Tracy	_____
Mr. Carson	_____
Mr. Egan	_____
Mr. Gurnea	_____
Mr. Harbo	_____
Mr. Mohr	_____
Mr. Pennington	_____
Mr. Quinn Tamm	_____
Mr. Nease	_____
Miss Gandy	_____

*R*

*O-John*

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**"Dividing the Inheritance"**

To the New York Herald Tribune:  
 Your editorial on the appearance of Mr. Rogge at a conference in Wroclaw, Poland, is interesting. To your simple-minded newspaper, it is apparent that . . . "he (Rogge) . . . journeyed to Wroclaw in the simple-minded hope of demonstrating the Wallace theory that all that is necessary is to make friends with Mr. Stalin." Further, you feel that Mr. Rogge's plea to the conference that . . . "human beings should be taught to think for themselves" . . . was a weak one. Why, pray tell?

Of course, neither Mr. Wallace nor Mr. Rogge has been guilty of oversimplifying the problem of world peace. That crime as well as that accusation flourish most hardily in their opposition press. Peace cannot be won unless we are willing to fight for those measures which will bring peace. It is not to achieve peace, but it is to fight for peace, when a recorded speech of Mr. Wallace tells an audience at Wroclaw that Americans do not want war. It is not the complete achievement of democracy, but it is fighting for democracy when Mr. Rogge is able to give the peoples of Eastern Europe a lecture on freedom of conscience. Such exchanges should be more frequent.

LAZARE NESIN.  
 Westfield, Mass., Aug. 31, 1948.

[Our correspondent mistook the sense of the editorial in question. We suggested that the Rogge plea was "weak," not in itself, but as an answer to the savage Russian assault upon any idea of independence of thought.—Ed.]

*[Handwritten signature]*

G. I. R. - 5

62-59174-A

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43 SEP 20 1948

60 SEP 22 1948

CLIPPING FROM THE  
 N. Y. *Herald Tribune*  
 DATED SEP 4 1948  
 FORWARDED BY N. Y. DIVISION

- Mr. Tolson
- Mr. Clegg
- Mr. Glavin
- Mr. Ladd
- Mr. Nichols
- Mr. Rosen
- Mr. Tracy
- Mr. Egan
- Mr. Gurnea
- Mr. Harbo
- Mr. Hendon
- Mr. Pennington
- Mr. Quinn Tamm
- Mr. Nease
- Miss Gandy

**State Council of Arts Unit  
To Hear Report by Rogge**

O. John Rogge will report on the recent World Congress of Intellectuals in Wroclaw, Poland, to which he was a delegate, at an open meeting of the science and technology division of the New York State Council of Arts, Sciences and Professions, at 8:30 tonight at the Cornish Arm, Eighth Avenue and Twenty-third Street.

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G. I. R. 2

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68 DEC 17

*S. J. [Signature]*

G 7 DEC 16 1948

CLIPPING FROM THE  
N. Y. *Herald-Tribune*  
DATED SEP 23 1948  
FORWARDED BY N. Y. DIVISION

*file*

# City Demos Pin Hopes On Mullen, Not Truman

O. John Rogge, American Labor Party candidate for Surrogate, charged yesterday that Tammany Hall, abandoning hope for its national ticket and desperate for a source of patronage to keep itself alive, was spending more money to elect John Mullen as Surrogate than to reelect a President.

He accused Mayor O'Dwyer, who a few weeks ago declared "Tammany is in the gutter, where it belongs," with making peace with the gutter organization, with replacing "one group of scavengers with another more to his liking," and with helping them in their efforts to control the lucrative estates-and-bankruptcies patronage.

The New York Surrogate hands out between \$1-million and \$2-million a year in political favors, Rogge said. Declaring that even this sum will not keep the Tammany tiger as fat and as well-fed as it has been, Rogge added that it will, nevertheless, keep it from starving.

## HITS GOP MAN, TOO

A second issue in the campaign, Rogge said, "is exposing the complicity of the Republican-Liberal Party candidate, who is also committed by his machine backers to retain the same wasteful practices which for years has made the Surrogate's Court one of the most outrageous political pork barrels in the country."

Rogge made his charges at a press conference at his office, 401 Broadway, which marked the formal opening of his campaign.

"By the time this campaign is over," Rogge promised, "the public will know which district leaders were paid off, who got the gravy, how the Surrogate's patronage is used to keep political hacks happy, and why Tammany, with O'Dwyer's approval, was so anxious to control this office that they offered me a job worth \$350,000—a Supreme Court nomination which, with the ALP endorsement, was tantamount to election to a 14-year term at \$7,000 a year—if I could with

*7-1*

*G.I.R. 3*

*INDEXED - 68*

**62-54199-A**

NOT RECORDED

78 100 18 1948

*EX-1*

*See file  
Mullen*

This is a clipping from  
Page 5 of the  
Daily Worker

Date 10-11-48  
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 Mr. Coff  
 Mr. Glav  
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 Mr. Rosen  
 Mr. Tracy  
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 Mr. Egan  
 Mr. Hendo  
 Mr. Penni  
 Mr. Quinn  
 Mr. Nease  
 Miss Gandy

V. J.R.

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# Rogge Connects Frank Costello To Hugo Rogers in Surrogate Fight

Frank Costello, king of the slot machines and a powerful wire-puller in the New York City political setup, was responsible for the election of Manhattan Borough President Hugo L. Rogers as leader of Tammany Hall, it was charged yesterday by O. John Rogge, American Labor Party candidate for surrogate.

Rogge said that Rogers was a "one-time counsel" for Costello, "was pushed up the political ladder by Costello," and is "still working with Costello in the present surrogate campaign, in which General Sessions Judge John A. Mullen is Tammany's candidate."

In a speech at the New York Ethical Culture Society at 2 W. 84th St., Rogge pledged that before the week was out he would disclose the names of people who re-

ceive the bulk of patronage from the surrogate's court.

Rogge said he would explain how the system worked for the benefit of the political party whose candidate gains the surrogate's office.

Asserting that the issue in the surrogate's campaign was one of "clean government versus machine government . . . and one of exposing the sordid relationships which exist between racketeers and politicians" in the city, Rogge listed what he called four major Costello victories in recent months.

These he said, were: The election of Rogers as Tammany Hall leader; designation of General Sessions Judge Francis L. Valente, who later withdrew, as the Tammany candidate for surrogate; the ouster of Frank Sampson, an opponent of the Costello faction, as Tammany leader, and the restoration of two

Tammany district leaders fired by Mayor William O'Dwyer.

Rogge said the relationship between Costello and Rogers dated back almost 20 years when Rogers was then in private law practice. He said the Seabury investigation had disclosed that Rogers had been employed by the Automint Vent Co. to defend small shopkeepers arrested for having slot machines in their establishments.

In 1945, Rogge continued, it was Costello's insistence that gained Rogers the Tammany nomination for borough president. He added that Costello tried to prevent the nomination of District Attorney Frank S. Hogan "because Hogan had exposed the activities of one Francesca Stello, the legitimate name of Frank Costello." Mayor O'Dwyer, however saw to it that Hogan was nominated, Rogge said.

*file*  
*G. L. W.*

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*N Y Star* OCT 18 1948

# The New Surrogate

**THE BAR ASSOCIATION** has placed its O. K. on both George Frankenthaler and Judge John Mullen for Surrogate. The lawyers say both men are fit.

They have turned down O. John Rogge, who runs on the Communist-front American Labor Party ticket. Their objection to Rogge is that he has not been around here long enough, does not know our ways. He sort of put his foot in his mouth when he once said he would not know where the Surrogate's court is.

He might have looked it up.

The Bar Association endorsements do not mean what they used to, because, in the recent past, these lawyers have not been too careful in checking on judges. They have been too polite, if you know what we mean.

Nevertheless, what they say about Frankenthaler and Mullen is right. Both are good men.

We prefer George Frankenthaler, who has an advantage over Mullen because he has no unfavorable ties and connections.

Judge Mullen was not the first choice of the Democrats.

He was a compromise candidate after a vulgar and ugly fight inside Tammany Hall, which shook that organization and scandalized the community.

Apparently, New York's chief of rackets, Frank Costello, tried to come into possession of the Surrogate's court. It is a good pitch.

That resulted in a fight, not to keep that widows' and orphans' court clean, but to gain control of its rich patronage.

Never was a fight more shocking! Never was a court reduced to so miserable a status!

In fact, the new leader of Tammany Hall publicly bargained with Republicans and American Laborites to withdraw their candidates and he would slip them a couple of Supreme Court Judgeships—just like that.

And when that was criticized, it was suggested that this was normal, usual procedure. Well, it ought not to be normal procedure. It puts all our courts in disgrace.

Rogge, as part of his campaign, is gathering data to show, he says, that the Surrogate's court is not clean.

He will hardly be able to do that. But it will shock the citizens to discover how lawyers have been favored in that court, to feather their own nests.

Mr. Tolson \_\_\_\_\_  
Mr. E. A. Tamm \_\_\_\_\_  
Mr. Clegg \_\_\_\_\_  
Mr. Glavin \_\_\_\_\_  
Mr. Ladd \_\_\_\_\_  
Mr. Nichols \_\_\_\_\_  
Mr. Rosen \_\_\_\_\_  
Mr. Tracy \_\_\_\_\_  
Mr. Egan \_\_\_\_\_  
Mr. Gurnea \_\_\_\_\_  
Mr. Harbo \_\_\_\_\_  
Mr. Mohr \_\_\_\_\_  
Mr. Pennington \_\_\_\_\_  
Mr. Quinn Tamm \_\_\_\_\_  
Mr. Nease \_\_\_\_\_  
Miss Gandy \_\_\_\_\_

If any court requires study and supervision of this one, which looks after dead men's estates, men who can no longer defend their property, protect their families from those who would prey on the helpless.

And it ought not to be acceptable that things were always done that way, or that lawyers have always been given what they call "references."

Our courts must be beyond suspicion. There ought to be no tolerance for even dubious practices.

On his record, his training, his background, his wide experience at the bar and on the bench, George Frankenthaler is ideally suited to administer the complexities of this important court.

George Frankenthaler is the kind of man who would not stoop to indecent deals or to remembering political obligations because "that's the way it always has been done." He will not be a politician's judge.

That is why we shall vote for George Frankenthaler and hope that you do, too.

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## ROGGE CHARGES 20 GOT COURT 'PLUMS'

ALP Candidate for Surrogate  
Says 'Political Favorites'  
Were Named to Posts

Twenty "political favorites" received almost 40 per cent of all the guardianship appointments made last year by the New York County Surrogates' Court, O. John Rogge asserted yesterday.

Mr. Rogge, a former assistant United States Attorney General, is running for Surrogate on the American Labor party ticket.

For the last five weeks a study of the Surrogates' Court's public records has been in progress, the ALP candidate said at his law office at 401 Broadway. This investigation by researchers on his staff has revealed evidence of a "political pork barrel situation," he said.

### 749 Appointments Made

There were 749 guardianship appointments made during 1947 by the two New York County Surrogates, Mr. Rogge noted. He then charged that 285 of these went to nineteen men and one woman, most of whom are "easily identified with either the Democratic or Republican machines."

To bolster his allegation Mr. Rogge distributed a three-page mimeographed statement, including a list of the alleged "political favorites."

This showed that one man received forty-one appointments and none of the individuals enumerated got less than ten. The one woman was not identified but the names of all the men were mentioned and also their political positions in many cases.

### Says Democrats Get Most

"The Democrats get the most of it," he observed, "but you'll notice there are some Republicans in there, too."

At another point in his discussion of his charges Mr. Rogge said:

"In going through this list you'll see there are a few who seem to be outstanding members of the bar. I don't know about their being fronts for political organizations."

Mr. Rogge said that he would not make a definite allegation of wrongful practice by any person on the list, but said:

"I've been advised that the system is for a district leader to make the designation (for an appointment). I also understand that of the fees a person who is appointed gets he keeps only 30 per cent. Thirty-five per cent goes to his district leader for his clubhouse and the other 35 per cent to Tammany."

Questioned about the reference to Tammany, Mr. Rogge said he "understood the Republicans have the same sort of arrangement."

### Further Revelations Promised

The ALP candidate promised further revelations, probably tomorrow morning. He said that

*Sept 20 1948*  
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This is a clipping from page 21 of the New York Times for

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*5. [Signature]*

# Voters Get Pick of 3 Top-Men ju

## Frankenthaler, Mullen and Rogge Have Fine Record

(One of a series on the election)

By ELEANOR MOREHEAD

Each of the three candidates for New York County surrogate admits that the other two are men of outstanding merit. Even the most partisan politician reluctantly agrees that this November New York County voters have three top-rank men from whom to choose in electing a replacement for Surrogate James A. Delehanty, who is retiring this year.

The three are George Frankenthaler, former Supreme Court justice, Republican and Liberal party candidate; General Sessions Judge John A. Mullen, Democratic candidate, and O. John Rogge, formerly a special assistant to the U. S. attorney general, American Labor party candidate.

### \$28,000-a-Year Job

They are seeking a 14-year term which carries a salary of \$28,000 annually. Yet neither Frankenthaler nor Mullen can legally complete the term because of age. Frankenthaler, now 62, by law can serve only eight years. The constitutional age limit is 70, with retirement mandatory on Dec. 31 of the year in which the surrogate reaches that age. Mullen, now 58, would have to retire in 12 years. Only Rogge, who is 45, could fill his term.

The office is the most important local one to be filled. Designed to protect the estates and interests of widows, orphans and incompetents, and to guarantee that wills are handled properly, the surrogate must appoint hundreds of lawyers each year to administer the millions of dollars involved.

### Rated High by Machines

Political machines on the hunt for loot rate the surrogates' posts as the most important source of patronage in the city, and for this reason it is generally accepted that only men of the utmost probity and ability should be elected.

There are the candidates:

Frankenthaler attended public schools here and before he was 17 years old was graduated from City College. Too young to enter law school, he spent a year as office boy in a law office, then went to Columbia Law School.

An active Republican for 30 years, Frankenthaler never sought



O. John Rogge

defeated in the December landslide that year by Irving Levy, who ran on the Democratic and ALP tickets.

During his 41 years of private practice Frankenthaler has handled civil cases exclusively, many involving corporation interests worth millions of dollars. He emphasizes the business knowledge and financial knowledge and experience he has gained as counsel for these interests and the management of his own "relatively substantial" affairs.

Frankenthaler also stresses his work as surrogate. He claims to have done more surrogate's work than anything else, and is recognized as an authority in this highly specialized field by both the bar and the incumbent surrogates. In many such cases he has established legal precedents.

### Overemphasis on Patronage

He claims that, as a result of the recent Tammany uproar over selection of a candidate for the court, the patronage system has been over-emphasized and misinterpreted. As proof, he cites the fact that the incumbents' and their predecessors, although Democrats, innumerable times have appointed him as special guardian and referee in important cases.

The non-partisan Citizens Union endorsed Frankenthaler as having "exceptional qualifications . . . in respect to character, ability, industry and judicial temperament."

It rated Democratic contender Mullen as "qualified . . . an admirable record as a judge, and has won general esteem for his character, ability and judicial temperament."

Rogge was not listed as qualified because he has had no experier



John A. Mullen

went on the bench he was appointed by three presiding Appellate Division judges as a referee over committees appointed to handle estates of incompetents. In the course of this work he acquired wide knowledge of estates, fees, investments and allowances.

From 1933 to 1939 Mullen was special counsel for the superintendent of banks of New York State, during which time he helped liquidate six banks.

In 1939 he was elected to the Court of General Sessions on the direct recommendation of the bar associations, and with the indorsement of both the Democratic and Republican parties.

O. (for Oetic) John Rogge (rhymes with Log-ee), who helped smash the Huey Long machine and was chief prosecutor in the mass sedition trials, is one of the most unorthodox men in political life today.

"Rogge seems to be almost unique among public servants in that his mind is a complete blank as far as political considerations go," wrote Alva Johnson in a series of Saturday Evening Post articles in 1940.

For instance in a practically unheard of reversal of political form, Rogge charged four leaders of his own party with attempting to arrange a deal with Tammany in exchange for getting him to withdraw from the race. The four thereupon assured him of their support.

### Wrote Book on Law

Rogge was born in Cass County, Ill., northwest of Springfield. He was graduated from the University of Illinois in 1922, and from Harvard Law School in 1925.

He began law practice with a Chicago firm, remaining there until



George Frankenthaler

vard Law School on fellowship, and while prepared a volume entitled a Social Science.

He then returned to the firm, and remained there until 1937 when he went to Washington as special counsel to the Federal Reserve and Exchange Commission. In 1938 he was made general in charge of litigation for

### Prosecuted Sedition

From May, 1939, until 1943 was an assistant attorney general. He returned to government in 1943 when the chief of the general, Francis E. Biddle, called him to take charge of the sedition trials, which ended in November, 1944, because of the death of the presiding judge.

He continued in the general's office until he was primarily dismissed by Attorney General Tom Clark in 1945.

Rogge, in a series of lectures before Sen. Burton K. Wheeler, Lewis, and other prominent figures, called attention to the situation into the U. S. Harbor.

Rogge who believes that Union proposals would result in evils of patronage, real patronage cannot be eliminated. He feels that a system should operate in and that publication of and fees is therefore ne

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would have to retire in 12 years. Only Rogge, who is 45, could fill his term.

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Political machines on the hunt for loot rate the surrogates' posts as the most important source of patronage in the city, and for this reason it is generally accepted that only men of the utmost probity and ability should be elected.

There are the candidates:

Frankenthaler attended public schools here and before he was 17 years old was graduated from City College. Too young to enter law school, he spent a year as office boy in a law office, then went to Columbia Law School.

An active Republican for 30 years, Frankenthaler never sought public office, but in 1944 was appointed by Gov. Thomas E. Dewey to the Supreme Court bench to fill the vacancy left by Judge Samuel Rosenman, who went to Washington to become special counsel to the late President Roosevelt. Frankenthaler served from January to December, and ran that year to

ized as an authority in this highly specialized field by both the bar and the incumbent surrogates. In many such cases he has established legal precedents.

### Overemphasis on Patronage

He claims that, as a result of the recent Tammany uproar over selection of a candidate for the court, the patronage system has been over-emphasized and misinterpreted. As proof, he cites the fact that the incumbents and their predecessors, although Democrats, innumerable times have appointed him as special guardian and referee in important cases.

The non-partisan Citizens Union endorsed Frankenthaler as having "exceptional qualifications . . . in respect to character, ability, industry and judicial temperament."

It rated Democratic contender Mullen as "qualified . . . an admirable record as a judge, and has won general esteem for his character, ability and judicial temperament."

Rogge was not listed as qualified because he has had no experience in the Surrogate Court here. However, the ALP candidate practiced for several years in the Illinois Surrogate Courts.

### Differ on Revision Plan

Both Frankenthaler and Mullen agree that the Citizens Union plan for revising the court's system of appointments further to safeguard against patronage is unsound, while Rogge has heartily indorsed it.

Mullen, too, has an excellent record, is a highly respected judge and a former assistant district attorney. He has served many times as a referee supervising committees in charge of the affairs and estates of incompetents. Some observers believe his burden in this campaign is his nomination as the Tammany candidate.

Mullen, also a native of New York City, attended public schools, and in 1914 got his law degree from Columbia.

A member of the bar for 34 years, he built up a wide practice covering nearly all phases of the law. He has had extensive practice in the Surrogate's Court, and has been appointed referee and special guardian in hundreds of cases. In addition, for 10 years before he

O. (for Oetje) John Rogge (rhymed with Log-ee), who helped smother the Huey Long machine and was chief prosecutor in the mass sedition trials, is one of the most unorthodox men in political life today.

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He began law practice with a Chicago firm, remaining there until 1930.

In 1930 Rogge returned to Har-

lim to take election trials, which in November, 1940, resulted in the death of the president.

He continues in the general's office, and was primarily dismissed from the office of General Tom Clark.

Rogge, in a series of articles in the Saturday Evening Post, Sen. Burton K. Lewis, and others, has written to what Rogge is a traitor into the harbor.

Rogge who he says is a Union proposal, evils of patronage, patronage cannot be freely. He feels that the courts should open and that public and fees is there.

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# ROGGE TO URGE BREAK WITH FRANCO ON NATIONAL TOUR

File

O. John Rogge, former special assistant U. S. Attorney General, will urge a complete break in diplomatic and economic relations with Franco Spain in a speaking tour that will carry him from coast to coast, it was announced yesterday by Dr. Edward K. Barsky, national chairman of the Joint Anti-Fascist Refugee Committee.

Rogge will address mass meetings in Los Angeles, San Francisco, Detroit, Cleveland, Boston and New York, scheduled as part of Free Spain Week, Dr. Barsky said. The meetings are among 50 demonstrations scheduled in this country during Free Spain Week, Dec. 2 to 9, under the auspices of the anti-fascist group.

The meetings in the United States, Dr. Barsky reported, are being held simultaneously with more

than 3,000 demonstrations against Franco in 18 North American, South American and European countries.

To date, he announced, anti-fascist organizations in the following countries have announced participation in the international demonstration: Argentina, Bolivia, Canada, Cuba, England, France, Czechoslovakia, Hungary, Italy, Iran, Mexico, Panama, Puerto Rico, Switzerland, Tunisia and Venezuela.

Rep. Vito Marcantonio will be the principal speaker at the Liberation Rally to be held in Manhattan Center, Monday, Dec. 6, at 8 p.m., it was announced yesterday by Mary Van Kleeck, chairman of the meeting which is being held under the auspices of the Manhattan Division of the Joint Anti-Fascist Committee.

The Manhattan Center rally is one of several in New York, and more than 50 in cities throughout the country which have been scheduled during the week of Dec. 2 to 9 as part of Free Spain Week.

James Waterman Wise and Howard Fast are among speakers who will share the platform with Congressman Marcantonio at the rally which will press for economic and diplomatic sanctions against Franco Spain.

Norman Atkins, singer, and the Katherine Dunham Dancers will provide entertainment at the Dec. 6 event.

B.A.R.

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AS DEC 17 1948

This is a clipping from  
Page 7 of the  
Daily Worker

Date 11-29-48  
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# Fired Workers Hit Loyalty Quiz

## N. Y., Cleveland Units Hire Rogge Law Firm

Plans for an organized fight against dismissal or suspension of government workers under the President's loyalty order were announced yesterday in New York and Cleveland.

One group of dismissed workers revealed they have formed the Federal Employees Defense committee and have engaged the law firm headed by O. John Rogge, former assistant U. S. attorney general, to test the constitutionality of the loyalty purge procedure.

*file*

At the same time Bertram A. Washington, president of the Cleveland branch of the National Alliance of Postal workers, announced an injunction against the loyalty order will be sought in District court. A score of members of the Cleveland union have been threatened with dismissal on loyalty grounds.

The group that has engaged Rogge appealed to federal workers throughout the country to join their organization.

Rogge said "the sole issue is failure of the government in its search for disloyal employees to provide adequate safeguards for individuals against malicious gossip, racial and religious prejudice and anonymous informants."

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*Rogge*  
*Washington*  
*file*

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This clipping is from the morning edition of The Washington Times Herald  
1-24-49

U.S. & CANADIAN

# Rogge to Defend 3 Trenton Negroes Sentenced to Death

By Abner W. Berry

O. John Rogge, former Assistant U. S. Attorney General, announced yesterday that he had been retained as counsel for three of the six Trenton, N. J., Negroes railroaded to death sentences last August charged with murdering an aged white furniture dealer. The three other defendants will be defended by four court-appointed attorneys. "I am in the case of the defendant," Rogge told reporters in his office at 401 Broadway, "because I regard it as the Northern Scottsboro case."

Associated with Rogge in the defense of his clients will be William L. Patterson, of the New York Bar, secretary of the Civil Rights Congress; Emanuel H. Bloch, New York, and Earl B. Dickerson, Illinois. The men they represent are Collis English, 23, James H. Thorpe, 24, and Ralph Cooper, 23.

The present case grew out of the Jan. 27, 1948, murder of a 70-year-old William H. Huggins, Trenton furniture dealer. All told, more than 15 persons were arrested in one week, the police picked up and present six Negroes in February, 1948, forcing statements of guilt from five of them. The trial, which lasted 55 days, produced only these statements—which all of the defendants repudiated in a final defence of guilt. No state witness was able to identify the defendants, and evidence favoring them was barred by the court and the prosecution.

The trial ended on August 6, 1948, when an all-white jury of 12 women and three men brought in a guilty verdict followed directly by sentence of death by Judge Charles P. Hutchinson.

## SENTENCE APPEALED

The sentences was appealed to the New Jersey Supreme Court. Meantime, families of the three men represented by Rogge sought assistance from the Civil Rights

Congress, signing William J. ... person as an attorney. The ... then retained Rogge. Rogge challenged the validity of the sentences on a number of grounds yesterday, among them:

- The fact that Judge Hutchinson erred in reporting the jury's findings to read, "guilty of murder in the first degree," when the jury fixed no degree of guilt. On Jan. 2, 1949, the Court of Error and Appeals granted a Writ of Error to defense and ordered the report of the jury's findings corrected in the record.

- That the defendants were held by the police for as long as four days before being taken before a committing magistrate. The U. S. Supreme Court ruled that holding a prisoner an unreasonable length of time before a hearing is ground for setting aside a conviction.

- That there is evidence that brutality was used to "extort" statements of guilt.

Present with Rogge yesterday were three relatives of his clients—Mrs. Emma English, mother of Collis, her daughter, Mrs. Bessie English-Mitchell and James H. Thorpe, Sr., father of Thorpe. Also present were two associates—attorneys Patterson and Bloch. Attorney Dickerson was not present but will be present when the appeal is argued in the Jersey Supreme Court.

## MOTHER SPEAKS

Mrs. English, the mother, spoke for all the relatives when she said simply: "They took all that I had when they took my son. He was all that I had to help me. Maybe later, after we have won this case, then we can live in peace."

The other three defendants in the case are, John MacKenzie, 25, Horace Wilson, 37, and McKinley Forrest, 35. They will be defended by Judges James S. Turpe

and Frank Schatzbach, III, and attorneys Robert Queen and James A. Waldron, all of Trenton. Rogge said that counsel for all the men will work as a team.

*Richard Logston*

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53 MAR 24 1949

This is a clipping from Page 3 & 11 of the Daily Worker

Date 1-27-49  
Clipped at the Seat of Government.

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# ROGGE UNWILLING TO RUN FOR MAYOR

## Declares He Has No Intention of Seeking Office—Separate ALP Ticket Forecast

By WARREN MOSCOW

O. John Rogge, who was the American Labor Party's candidate for Surrogate of New York County last November, announced yesterday that he had no intention of running for Mayor on that party's ticket this fall. Mr. Rogge had been mentioned frequently as a possible ALP nominee, in the event that Representative Vito Marcantonio did not choose to run for the post.

Despite Mr. Rogge's statement and the fact that Mr. Marcantonio is regarded now by friends as unlikely to make the race, information from ALP sources is that the party will nevertheless nominate a candidate for Mayor and not merely endorse Mayor O'Dwyer. Equally good information from the Democratic side is that the Mayor, regarded as a certain candidate to succeed himself, would be subject to strong pressure to decline an ALP nomination if it were offered.

### ALP Now Has Rival Groups

The ALP, it has become known, is split into two groups, one headed by Mr. Marcantonio, and the other by City Councilman Eugene P. Connolly, Hyman Glickstein and Samuel M. Blinken. The Connolly-Glickstein-Blinken group is represented as opposed to continued open participation of Communists in the affairs of the Labor party, on the ground that the future of the ALP lies with the future of the national Progressive party, and that the Communist tinge hurt the Wallace candidacy immeasurably in the last national election.

Mr. Marcantonio, now state chairman of the party, is believed to be pretty well in control outside of New York County. Inside the county it is possible, though not certain, that he will face a primary fight this year.

Mr. Rogge split more or less openly with Mr. Marcantonio after his defeat for Surrogate last fall, with Mr. Rogge apparently believing reports that votes were being traded in the Marcantonio sphere of influence in Harlem to the detriment of his candidacy.

Mr. Rogge did not shy away from this in his statement yesterday, saying that discussions of the Mayoralty race suggested "an unhealthy preoccupation with the possibility of political deals."

### For Non-Partisan City Rule

He said that "the administration of the government of the City of New York should be completely non-political and non-partisan in the tradition of the late Fiorello H. La Guardia, rather than as it is under the present administration."

In eliminating himself as a mayoralty possibility, Mr. Rogge wrote personal letters to political reporters saying:

"It has been called to my attention that political writers and others in this city are speculating as to whether I will be a candidate for the office of Mayor in the forthcoming election. To keep conjecture from piling on conjecture, I wish that you would assure your desk that while I appreciate the publicity, I am not a candidate for either the office or the nomination. I am trying to keep up with a busy law practice and I expect this will occupy my time for the months to come."

G. I. R. 4

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This is a clipping from  
page 28 of the  
New York Times for

2-1-49

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**Rogge to Speak**  
O. John Rogge, former U. S. Assistant Attorney General will speak at the installation of officers by the Bronx Women's Division of the American Labor Party tomorrow (Wednesday) at 8:30 p.m. at Crestmor Mansion, 107 E. Burnside Avenue.

*1-11-49*

G.I.R.-7

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This is a clipping from  
Page 3 of the  
Daily Worker

MAR 23 1949

Date 2-15-49  
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Mr. Tolson \_\_\_\_\_  
 Mr. E. A. Tamm \_\_\_\_\_  
 Mr. Clegg \_\_\_\_\_  
 Mr. Glavin \_\_\_\_\_  
 Mr. Ladd \_\_\_\_\_  
 Mr. Nichols \_\_\_\_\_  
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 Mr. Gurnea \_\_\_\_\_  
 Mr. Hendon \_\_\_\_\_  
 Mr. Pennington \_\_\_\_\_  
 Mr. Quinn Tamm \_\_\_\_\_  
 Mr. Nease \_\_\_\_\_  
 Miss Gandy \_\_\_\_\_

**ROGGE ASSERTS U. S. GOING DOWN ROAD TO FASCISM IN FRIGHT**

Syracuse (AP) — O. John Rogge, former assistant U. S. attorney general, declared last night the Syracuse Board of Education was "trying to impose thought control" in denying him use of a public school for a speech.

Rogge, who campaigned last fall for Henry A. Wallace, Progressive Party candidate for president, addressed 200 persons in a foyer at Hotel Syracuse.

"While we are talking about communism we are going down the road to fascism, American style," he asserted.

Attacking the loyalty checks on government workers under President Truman, Rogge said:

"We are a nation of scared pygmies compared with the giants of the past like Jefferson and Lincoln."

Earlier at Utica, Rogge accused the Syracuse board of "doing the very thing — denying freedom of speech — that we accuse the Russians of doing."

"I am a fairly orthodox individual

and believe in the Declaration of Independence and the Constitution of the United States," he added. "If we deny any person the right to speak we weaken America."

Rogge addressed a meeting at Cornell University sponsored by the Political Action Committee of the Young Progressives of America. He discussed the "Trenton" case in which he is defense counsel for six Negroes charged with murder.

*8-C*

*G.I.R.-7*

*Rowell*  
*M. J. [unclear]*

*File 5-189*

CLIPPING FROM: Times Record  
 Troy, New York

DATE: MAR 9 - 1949

Forwarded by Albany Office

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NOT RECORDED

43 APR 6 1949

APR 8 1949

# Syracuse ALP Fights Attack on Free Assembly

By George Sheldrick

Chairman, Communist Party of Onondaga County

SYRACUSE, N. Y., March 16.—The action by local authorities in denying use of a public school to citizens who wished to hear O. John Rogge, former U. S. Assistant Attorney general, is one of a series of violations of the Bill of Rights in this city.

Rogge was scheduled to speak on the case of the "Trenton Six" at a meeting held under the auspices of the American Labor Party and the Young Progressives of America.

Irving Feiner, a university student, was arrested and held in \$1,000 bail, when he spoke at a street corner meeting to advertise the Rogge talk.

On Feb. 24, the YPA had contracted with the Board of Education to use Madison public school, Area 8 for the Rogge talk and March 19 for a meeting to hear Pete Seeger and Laura Duncan in a cultural program.

But a few days after U.S. Attorney General Tom Clark came here, March 1, the fireworks began. Thurlow M. Southwick and Irving J. Davis, reactionary Legion heads, demanded the Board of Education revoke the permit for the Rogge meeting.

Mayor Costello rushed back from a vacation visit in New Orleans. A lengthy conference was held at City Hall. At 11 p.m., March 7, less than 24 hours before the Rogge meeting, Percy M. Hughes, president of the Board of Education, banned the use of the school. Costello lauded the ban.

## ALP ACTS

With but a few hours remaining before the meeting, the ALP and YPA went into high gear. Hundreds of telephone protests against the ban were made to the Mayor

250 people jammed the ballroom while over 150 were turned away.

Rogge blasted Mayor Costello and other city officials tying their action to the Truman witch-hunt. He charged that the ban was an attack on the rights of the Negro people and all freedom-loving Americans.

To advertise the change in the meeting place, a few hours before the meeting, the ALP organized a motorcade with a sound truck. It stopped on a corner in the 15th Ward where Feiner, a combat veteran and a Syracuse University student, was arrested after he had assailed the action of the Board of Education. Feiner was arraigned on charges of disorderly conduct and derogatory language against public officials. Police Court Judge Bamerick set the outrageously high bail of \$1,000. As the ALP points out, gamblers and others have been set free on much smaller bonds. Sidney H. Greenberg, labor attorney and ALP leader, defended Feiner.

A radio news broadcast reports Judge Bamerick justifying the excessively high bail on Feiner because the judge says the police records show that Feiner called upon the colored people to "rise up and fight." The reporter quoted Bamerick as follows: "I don't like that . . . that is stirring up a kin to

a riot by tending those people to acts that might be dangerous."

Feiner appears for trial Friday before this same Negro-baiting Judge who can sentence him to six months and a \$250 fine.

## WIDE PROTEST

Wide protests are rising against the high-handed, reactionary actions of the city officials. Ministers, Negro leaders, labor leaders, workers, Syracuse University professors, students are aroused and indignant. The top Republican newspapers in this city, although they have heaped mountains of abuse and lies on the ALP have not editorially yet supported the ban on the Rogge meeting.

A student committee of 15 visited the Mayor's office to protest the ban. The mayor refused to see them and the Mayor's secretary advised the students to come in about 10 days. The students then proceeded to police headquarters to see Chief Kinney, who completely was not around.

## ALP MOBILIZING

THE ALP is mobilizing all of its forces for this fight. They have organized a headquarters in the

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G. I. R. 3

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This is a clipping from Page 6 of the Daily Worker

Date 3-17-49  
Clipped at the Seat of Government.

INDEXED  
NOT RECORDED  
MAY 25 1949

# Rogge's Indignation Warps Him

By Sterling North

Our Vanishing Civil Liberties  
by O. John Rogge. Gaer. 257  
pp. 32.

**BECAUSE**, despite his recent record, I still respect the integrity of this author, I would not make the un-American error of condemning him or his book by association.

Mr. Rogge is an honest though embittered liberal of the far left wing; a brilliant lawyer, an erstwhile assistant attorney general who helped to smash the Huey Long machine, conducted the Government's mass sedition case against 30 American pro-Nazis (1943-45); and helped to uncover the unholy alliance between the German cartels and certain American business interests. His dismissal by Tom Clark is a national disgrace.

Since leaving the Justice Department, however, Mr. Rogge has shown far less insight into the nature of Communist subversion than he did of fascist subversion in his days as an investigator and prosecutor.

In one respect Mr. Rogge continues to serve the American people well. His is the most articulate voice raised against the fantastic perversion of justice practiced by the House Un-American Activities Committee and the loyalty boards which have usurped quasi-judicial functions for their star chamber inquisitions.

In another respect (unfortunately closely allied in noncritical minds with the first) he has done a major disservice to his country by seemingly defending the right of the Communist Party to continue its work in conditioning malcontents for the eventual overthrow of the American Government by violence.

### The First to Fall

**MR. ROGGE** is not, I am convinced, a Communist. None of the civil liberties for which he fights is allowed under the iron heel of a Politburo. Non-conformists of his courageous (if sometimes misguided) stripe usually fall in the first purge made by any dictatorship of the proletariat.

But this sympathy for the mercurial, his righteous indignation at the Gestapo tactics of pseudo-courts, and his personal distaste for the Dies-Thomas-Rankin variety of politics, has pushed him farther and farther into the equally dangerous position of giving aid and comfort to our other mortal enemies—the party line leftists.

For the sake of argument let us admit that all of the individuals and organizations Mr. Rogge has recently defended are completely innocent of subversive activity (which I do not believe for a moment). Let us further admit (which is true) that many innocent men have been ruined by anonymous accusations, smeared by association and denied virtually every protection guaranteed us in the Bill of Rights.

Such abrogation of civilized justice would be the norm, not the shocking exception, were the Communists to win either a world war or a revolution.

In page after page and chapter after chapter, Mr. Rogge is right in insisting that the current method of investigating alleged subversives is in itself criminal: denying the accused the right even to know of what or by whom he is accused; denying him the right to present friendly witnesses or cross-examine unfriendly ones; denying him the right of trial by jury; denying him often even the right to read a prepared statement in his own defense.

Men and women called before the House Un-American Activities Committee and the loyalty boards are frankly condemned before they are tried.

### An Equal Danger

**ON THE** other hand the Communists (like the Fascist subversives before them) are taught the use of democratic liberties in an effort to destroy them; and like the Nazi subversives who made a mockery of Mr. Rogge's Washington trials, the Communists seek to make a mockery of every fair trial in which they are involved.

Mr. Rogge's book is a real contribution to our knowledge of high-handed "justice" now being used as a political propaganda weapon. It fails, however, to unmask, except by accidental implication, the methods whereby Hoogen at Moscow seek to work actual justice.

The danger on the Left is at least as great as the danger on the Right. Never has there been a more profound need for balance, for exact, severe and impartial justice. Judges, not politicians or officers of the armed forces, should sit on the benches of the courts that try the men seeking to overthrow our Government. Any lawyers who write books like this one should hate not special forms of tyranny, but every form of tyranny. Mr. Rogge should not destroy his very real usefulness to democracy by allowing himself to become the unconscious tool of a group which takes every democratic principle for which he himself has always stood.

- Mr. Tolson ✓
- Mr. Clegg \_\_\_\_\_
- Mr. Glavin \_\_\_\_\_
- Mr. Ladd ✓
- Mr. Nichols ✓
- Mr. Rosen \_\_\_\_\_
- Mr. Tracy \_\_\_\_\_
- Mr. Egan \_\_\_\_\_
- Mr. Gurnea \_\_\_\_\_
- Mr. Harbo \_\_\_\_\_
- Mr. Mohr \_\_\_\_\_
- Mr. Pennington \_\_\_\_\_
- Mr. Quinn Tamm \_\_\_\_\_
- Mr. Nease \_\_\_\_\_
- Miss Gandy \_\_\_\_\_

*Wal Ruben*  
*W. Johnson*  
*B. B. [unclear]*

G I R A

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- Mr. Tolson
- Mr. Clegg
- Mr. Glavin
- Mr. Ladd
- Mr. Nichols
- Mr. Rosen
- Mr. Tracy
- Mr. Egan
- Mr. Gurnea
- Mr. Harbo
- Mr. Mohr
- Mr. Pennington
- Mr. Quinn Tamm
- Mr. Nease
- Miss Gandy

**Rogge's Record.**

In your May 8 issue there appeared a review by Mr. Sterling North of the book *Our Vanishing Civil Liberties*, by O. John Rogge.

I assume that this review is written in good faith and Mr. North means just what he says. In the review we find this:

"In one respect Mr. Rogge continues to serve the American people well. His is the most articulate voice raised against the fantastic perversion of justice practiced by the House Un-American Activities Committee and the loyalty boards which have usurped quasi-judicial functions for their star chamber inquisitions."

Further, we find this:  
 "None of the civil liberties for which he fights is allowed under the iron heel of a Politburo."

Mr. North must have some knowledge of the mass sedition trial of 1944. Mr. Rogge was assigned to that case. I think in 1941 or 1942, and every possible artifice, design, trick and Politburo and subterfuge was used to deny the accused persons their constitutional and civil rights.

Subsequent events have borne me out since he was fired from the Department of Justice—one of the most humane acts ever performed by Attorney General Clark. He has allied himself with the cause of the Communists.

After reading Mr. North's review I would be not at all surprised to see a book on the matter hit any day on the evils of gambling by Sam Beard, and one by James LaFontaine on the perils of dice. If this comes to pass I trust you will review it.

JAMES J. LAUGHLIN,  
 Washington.

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YOUNGSTOWN VINDICATOR  
Youngstown, Ohio  
May 27, 1949

Page 1, Columns 7-8

Re: O. JOHN ROGGE  
FORMER DEPARTMENT OF JUSTICE EMPLOYEE

*How*  
*John*

### Snipes at U. S. Bring Cheers As Smiling Rogge Talks Here

The United States was criticized by nearly 30 members of the Progressive Party in Youngstown Thursday night as they applauded former assistant U. S. Attorney General O. John Rogge in a Y. M. C. A. meeting room, and urged him to make further denunciations of the American government, its leaders and the press.

Rogge attacked what he called "un-American" tactics in hearings of government workers accused of disloyalty. He cited many cases where he said supported his charge that America is fast becoming a police state with controlled thinking the aim of "liberty robbers."

Coming directly from Columbus where he had been lobbying against the Bartunek and Selbert internal security bill, Rogge exhorted Progressives to strengthen for the future.

"If we continue to remain inert and inactive, we'll lose our free speech and liberty," he said.

In a pamphlet distributed about the city before the meeting, the history of the Communist Party in Ohio is lauded. The "profit-greedy corporations of Ohio" are speeding up "their mad drive to war and to more effectively suppress all people's movements for improved wages and living conditions," the pamphlet declares.

The Bartunek-Selbert bill is called an obvious attempt to outlaw the Communist Party by the "sinister design of Ohio trusts."

At the bottom of the page, the (Continued on Page Five, Col. 5)

### Snipes at U. S. Bring Cheers

(Continued from Page One)

words "For further information write to: Communist Party." A Cleveland address is given.

Deriding what he called "witch hunts," Rogge smiled broadly as he said that under present conditions, he, too, might be called a Communist. In another part in his talk, he defended the aims and accomplishments of the Reds, scoffing at reports that there is no individual freedom in Russia.

Rogge said with a deprecating smile that it was true that Russians couldn't very well espouse the cause of capitalism in their native country, and added in the next breath that if the Progressive don't keep lobbying against the "loyalty" bill before the state legislative body, a Communist won't be able to espouse Communism in this country.

One of the more ardent "yellow travelers" in the audience used the question period to suggest that anti-Communists be shipped out of the country.

*Buyer*  
*10*

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HOUSTON POST  
June 15, 1949

FBI - HOUSTON  
JUN 16 1949

# Reds Would Hold Peace, Says Rogge

By BRIAN SPINKS

It is possible to get along with the Russians instead of fighting them if men of goodwill sit down around the conference table and try to find the way, O. John Rogge, former assistant United States attorney general, told a Houston audience Tuesday night.

HE BELIEVES that both sides can learn and profit from each other, and he hopes that peace can be preserved long enough so that both sides will have the opportunity to learn.

Mr. Rogge spoke under the auspices of the Progressive Party of Texas before a non-segregated audience in the Taylor School.

He told the group that with an administration and a state department in Washington that insist on thinking in purely negative, destructive terms, the only solution for the problem of peace and preservation of civil liberties, about which he also is concerned, is political action.

THE ONLY WAY it will be possible to get men of goodwill in the state department, he said, is by building the Progressive Party into the major political party of the nation.

In support of his contention that it is possible to get along with the Russians, Mr. Rogge discussed his personal contacts with them at "peace conferences" he attended in Europe. Although there were deep ideological differences between him and the Russians, he said, it was possible to discuss those differences intelligently.

In criticizing United States foreign policy, Mr. Rogge charged that this country by spending billions abroad in the cold war, although it may have won some temporary allies, has destroyed a whole reservoir of goodwill by supporting fascism and reaction.

HE QUOTED ONE of his conference speeches in which he accused the Truman administration of deliberately letting the militarists run this country while profiteers run the world.

He is concerned, he declared, by the growing suppression of

- Mr. Tolson .....
- Mr. Clegg .....
- Mr. Glavin .....
- Mr. Ladd .....
- Mr. Nichols .....
- Mr. Rosen .....
- Mr. Tracy .....
- Mr. Egan .....
- Mr. Gurnea .....
- Mr. Harbo .....
- Mr. Mohr .....
- Mr. Pennington .....
- Mr. Quinn Tamm .....
- Mr. Nease .....
- Miss Gandy .....

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HE QUOTED ONE of his conference speeches in which he accused the Truman administration of deliberately letting the militarists run this country while profiteers run the world.

He is concerned, he declared, by the growing suppression of liberty in this country. He has just written a book which he calls "Our Vanishing Civil Liberties." He charged the professed enemies of totalitarianism with adopting the worst features of the system they are seeking to destroy.

Herman Wright, state chairman of the Progressive Party, preceded Mr. Rogge on the platform. He took the national and state platforms of the Democratic party in 1948 apart and charged that not a single promise made in them has been fulfilled. He promised that his party will be a permanent one.

**BEN RAMEY** succeeded in raising several hundred dollars in contributions for organizational work of the party in Harris County. The objective is to organize some precincts so solidly that they will be permanently Progressive, he said. He succeeded in selling at least two copies of Mr. Rogge's book for \$20 apiece.

Mr. Rogge praised the party as a force that is helping the American people to grow up.

G.I.R.A.

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HOUSTON POST



# L.F. STONE

## Do Government Employees Have Any Rights? 5

Washington, June 24—Federal Judge Alexander Holtzoff met the issues squarely in dismissing the suit brought by former Assistant Attorney General C. John George on behalf of 26 Post Office employees involving loyalty proceedings. The suit, the first full-fledged test of its kind, asked a declaratory judgment holding unconstitutional the President's executive order establishing a Federal employees' loyalty inquiry.

This suit, which will become a historic case on appeal, could not have been heard by any judge more favorably disposed to the loyalty purge. As special assistant to the Attorney General from 1924 to 1935, when Holtzoff was appointed to the bench, the judge was legal adviser to J. Edgar Hoover, director of the FBI. By all accounts he shares the preconceptions which underlie the loyalty purge.

It is perhaps to these circumstances that the country owes a clean-cut decision, free of weak hairsplittings, admirably adapted to test this whole issue. Judge Holtzoff simply ruled that government employees as employees can invoke neither the First Amendment nor the due process clause; that they have no rights of free speech or fair trial which may be asserted against either the substance or the procedure of the loyalty purge.

### Given In Broadest Possible Terms

These propositions were laid down in the broadest possible terms. There is no reference in the decision to radicals or Communists. It is applicable to anyone in the Government service, whatever his political affiliation. It thus presents the basic questions straightforwardly on appeal.

On the question of whether the loyalty purge invaded the right of Government employes to freedom of political discussion, the judge ruled the Government has a perfect right to pick and choose its own employes, and it would have a perfect right, if it saw fit to do so, to get rid of them for making utterances which they have a right to make under the Constitution.

The decision is equally blunt in dealing with the question of whether the President's loyalty order establishes fair trial procedure. "If the requirements of due process laid down by the Fifth Amendment of the Constitution were applicable to the discharge of a Government employe from the service," Judge Holtzoff ruled, "this order would not comply with the requirement."

This, too, has the virtue of frankness, as did his assertion that there was no right of review in the courts. "I say so," he added, "with the full realization of the fact that such a dismissal may have very serious and even devastating consequences to the employe in question."

On this score of candor, the decision is open to criticism in only one respect. Its invocation of an old decision of Mr. Justice Holmes (153 Mass. 216) to make it appear that this "great champion of personal rights" would have favored the Loyalty probe. Judge Holtzoff quotes a single sentence from the case, "The petitioner may have a constitutional right to talk politics, but he has no constitutional right to be a policeman." The inference is unwarranted.

The Holmes decision dealt with the removal in 1891 of a New Bedford policeman under a regulation including members of the police force to take part in local politics, or to solicit political contributions. The policeman claimed he had merely "talked politics." The analogy is not with the present-day loyalty purge but with those provisions of the Hatch Act which seek to keep the Federal Civil Service out of partisan politics.

Would Bar Court Act?

It remains to be seen whether the Supreme Court will agree with the Draconian rule of Holtzoff. The position taken by Holtzoff would protect loyalty purge practices, however highhanded, from rebuke in the courts under any circumstances.

This position is so sweeping as to be scarcely tenable. If Judge Holtzoff's reasoning is good law, if the operations of the executive branch are as exempt from judicial scrutiny as he says, either of the two major parties is free on taking office to purge the Civil Service of its opponents on the grounds of disloyalty.

Justice Holtzoff began with the premise that "for the courts to endeavor to control the day-to-day administration of the Executive Branch of the Government would be a source of serious mischief. This is sound and well buttressed by precedent, but we are not dealing here with 'day-to-day' matters."

### On appeal, the Supreme Court

will be passing on a system—a system of testing the "loyalty" of Federal employes by standards so vague and in accordance with a procedure so unfair as to taint the whole administration of justice in this country. It will be passing on a system which is spreading, through the medium of the Attorney General's arbitrary blacklist, into private industry. It will be passing on a system which provides another excuse for spying on the political views of ordinary citizens, in order to gather information for use should they apply for Government employment.

### Upsets Our Legal System

The loyalty order stands our legal system on its head. It puts the burden on the accused. To allow the rights of several million Federal employes to be treated in this way is as dangerous to everyone's rights as would be denial of fair trial to any other minority group.

The Holtzoff decision provides the rationale for judicial approval of police state tactics in the United States. To accept it is to say, in effect, that legitimate security precautions cannot be taken in a relatively few sensitive government jobs without subjecting the entire Civil Service to anonymous informants, through police and kangaroo courts. I find it hard to believe the Supreme Court will endorse such sweeping and sinister nonsense.

- Tolson ✓
- Ladd ✓
- Clegg ✓
- Glavin ✓
- Nichols ✓
- Rosen ✓
- Tracy ✓
- Harbo ✓
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- Tele. Room
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- Gandy

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- Mr. Tolson \_\_\_\_\_
- Mr. Ladd \_\_\_\_\_
- Mr. Clegg \_\_\_\_\_
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- Mr. Nichols \_\_\_\_\_
- Mr. Rosen \_\_\_\_\_
- Mr. Tracy \_\_\_\_\_
- Mr. Harbo \_\_\_\_\_
- Mr. Mohr \_\_\_\_\_
- Tele. Room \_\_\_\_\_
- Mr. Nease \_\_\_\_\_
- Miss Gandy \_\_\_\_\_

## Rogge Ignores Rift In Progressive Party Ranks

*File*

O. John Rogge, former Assistant Attorney General of the United States, totally ignored the rift in the Georgia Progressive Party ranks, Monday night at Frazier's Cafe Society but devoted the major portion of his address to a scathing attack upon the government's Loyalty Board.

Rogge cited in his hour-long address, cases he had tried before the Loyalty Board and said under its rule "we've become a nation of spies and informers."

He accused the United States of being "in the process of receiving a gold brick and that gold brick is fascism."

Rogge charged that "with new ideas afloat in the world we have become afraid. They have been trying to scare us so long that we no longer believe. In the United States the old absolute has been challenged."

### HOBBS BILL

Rogge labeled the Hobbs Bill "the concentration bill."

He decried police brutality and legal-style convictions and said the civil liberties of minorities in the whole of the United States were in jeopardy.

Rogge said that the blacklist of millions of workers by the executive arm of government had taken over the work of the Dies Committee.

"This is the first case in history of political incant," Rogge assailed. "The most vicious single order is the loyalty order and unless we do something about it we are headed for fascism American style."

He stated further that there are only a few people in the United States who want everybody to talk about the danger of Communism while we go down the road to fascism. One of the insidious things about fascism is that people get accustomed to oppression.

"We have reached the end of a hypocritical road where we can no longer prate about democracy and do nothing about it."

*Magdalen*

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Atlanta Daily World  
July 27, 1949  
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150 SEP 14 1949

FEDERAL BUREAU OF INVESTIGATION  
JUL 28 1949  
ATLANTA  
ROUTED TO  
*Bureau*

# CLARK IS ACCUSED BY ROGGE, EX-AIDE

Leader in Wallace Party Tells  
Hearing on Court Nominee  
He Runs 'Witch Hunt'

By LEWIS WOOD

Special to The New York Times

WASHINGTON, Aug. 10 — O.

John Rogge, a former Assistant Attorney General and a leader in the Progressive party headed by Henry A. Wallace, sharply attacked today the selection of Attorney General Tom C. Clark for the Supreme Court. He spoke at hearings on the nomination of Mr. Clark proceeded before the Senate Judiciary Committee.

The erstwhile Federal officer denounced as attempts to "out-Dies the Dies Committee" the lists of subversive organizations issued by Mr. Clark. He said there were "blacklists," which indicated men for "guilt by association." He accused Mr. Clark of conducting "a loyalty witch hunt," and "a cold war against anyone who indulged in independent thinking."

Senate approval of the Clark nomination was further assured, meanwhile, when Senator Robert A. Taft, chairman of the Senate Republican Policy Committee, said there would be no organized opposition. The policy committee, meeting today, decided that individuals might object to the nomination, but no concerted action would be taken. Mr. Taft added that he knew of no Republican opposition to the naming of Senator J. Howard McGrath as Attorney General to succeed Mr. Clark.

Mr. Rogge had an unhappy time on the witness stand. He was bombarded with questions even by Senators from whom some hostility toward Mr. Clark had been expected. His allotted twenty minutes extended beyond an hour and a half when he and various Senators engaged in disputes over communism, Marxism, wiretapping, loyalty tests and the like.

Commanding Mr. Rogge to reply more directly and not to argue ideologies, Chairman Pat McCarran finally recessed the hearing

until later when other opponents of Mr. Clark appeared.

In October, 1946, Mr. Rogge, then a special assistant to the Attorney General, was dismissed from the Department of Justice by Mr. Clark for "wilfully violating" department regulations. Mr. Rogge had made a speech at Swarthmore College describing plans of Nazi leaders to defeat President Roosevelt in 1936, 1940 and 1944. Mr. Clark said the speech was based on a confidential report to the Attorney General resulting from Mr. Rogge's investigations in Germany of Nazi propaganda in the United States. Mr. Rogge replied that he had felt he had permission to use the material.

Senator Homer Ferguson of Michigan stepped in when Mr. Rogge criticized the loyalty tests at the hearing. He asked how the witness would have determined loyalty of individuals. Mr. Rogge replied that he would assume that most Americans reared here were loyal.

"Oh, you're not that gullible," broke in Senator Ferguson. "I assume you would just let things go along, despite the testimony in the Coplon trial and in the trial of the men in New York."

When Mr. McCarran then sought to curtail the testimony, Senators Ferguson and Herbert R. O'Connor of Maryland protested that it was "a good thing to expose the radical theories of these witnesses."

Mr. Rogge said that despite all the endorsements of Mr. Clark the nominee did not measure up to the requirements of the Supreme Court. To confirm the Attorney General, added Mr. Rogge, would be a step toward "erection of an American type of fascism." He charged Mr. Clark with approving wire-tapping "on a very extensive scale," and of too often saying one thing publicly and doing another privately.

The witness, once head of the Justice Department Criminal Division, referred to the "mass addition" trial, which he prosecuted here in 1944-45 and that was subsequently dismissed.

*Handwritten notes:*  
Lanning  
G.I.R. 1

This is a clipping from  
page 2 of the  
New York Times for

August 11 1949  
Clipped at the Seat of  
Government

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52 OCT 14 1949

# New Deal's Weird Witch Hunt Lands Rogge as Red Defender

## Mass Sedition Prosecutor Shifts Role; Ex-Defense Lawyer Gets a Judgeship

By WALTER TROHAN

Eight years after the launching of the wartime mass sedition trial finds a strange shift in the fortunes of prosecuting and defense counsel in the New Deal witch hunt.

In New York, O. John Rogge, who was chief prosecutor of the mass seditionists, is denouncing as unconstitutional the law under which he sought to jail 30 defendants. He is attacking the law as one of the defense counsel for the 11 Communists recently convicted of conspiring to overthrow the government.

In Washington, Frank H. Myers, who was smeared by New Dealers for defending Charles B. Hudson, one of the alleged seditionists, is presiding in the Municipal court under a Presidential judicial appointment.

### Rogge Smeared at Him

Judge Myers is one of the most respected and highly regarded members of the court here. At the time he undertook Hudson's defense, on appointment by the court without pay and at a sacrifice of his earning capacity, Myers was subjected to sneers from prosecutor Rogge.

The seditionists and the Communists were tried under the Smith act, which the New Deal pushed through Congress June 28, 1940. Under this act the sedition cases were launched late in 1941. In 1942 and 1943 indictments were brought by Rogge under the act against first 28 and then a total of 30 persons.

The majority of those who were indicted were anti-New Dealers. The indictments included a handful of German Bundists, anti-Semites and crackpots.

The witch hunt dragged through five years at a cost of \$1,000,000 to \$1,500,000. It ended in 1947 when the Department of Justice failed to appeal to the Supreme court an Appellate court decision upholding dismissal of the case in the federal district court.

Two federal courts reprimanded the Department of Justice for its conduct of the case. The case was conducted by Rogge.

Rogge did not question the constitutionality of the law at any time during the years the case dragged through courts. Had the defendants been convicted, Rogge would have had to uphold the law on appeal.

### Imported Nazis to Testify

Recently, as attorney for one of the convicted Communists, he denounced the law as unconstitutional before federal Judge Medina in New York. John P. X. McGohey, who was the federal prosecutor, reminded Rogge that Rogge had not questioned constitutionality of the law when he was prosecuting the seditionists.

As prosecutor of the seditionists, Rogge left no stones unturned in his drive to jail the defendants. He went to the Nurnberg war crime trials in search of evidence which might bolster the sagging sedition case.

He transported two German diplomats to testify against an American magazine editor tried for perjury in connection with testimony before the sedition grand jury. The magazine editor was acquitted when it was shown Rogge had employed Gestapo methods to bring the Nazi diplomats to testify they had paid the editor \$10,000 to spread German propaganda in this country.

*File Rogge file*

- Mr. Clegg \_\_\_\_\_
- Mr. Glavin \_\_\_\_\_
- Mr. Ladd \_\_\_\_\_
- Mr. Nichols \_\_\_\_\_
- Mr. Rosen \_\_\_\_\_
- Mr. Tracy \_\_\_\_\_
- Mr. Egan \_\_\_\_\_
- Mr. Gurnea \_\_\_\_\_
- Mr. Harbo \_\_\_\_\_
- Mr. Mohr \_\_\_\_\_
- Mr. Pennington \_\_\_\_\_
- Mr. Quinn Tamm \_\_\_\_\_
- Mr. Nease \_\_\_\_\_
- Miss Gandy \_\_\_\_\_

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NOV 3 1949

# ROGGE ATTACKS SEDITION LAW HE ONCE DEFENDED

## Lawyers in Mass Trial Find New Roles

(Chicago Tribune Press Service)  
Washington, Nov. 6.—Eight years after the launching of the war time mass sedition trial finds a strange shift in the fortunes of prosecuting and defense counsels.

In New York, O. John Rogge, who was chief prosecutor of the seditionists, is denouncing as unconstitutional the law under which he sought to jail 20 defendants. He is attacking the law as one of the defense counsel for the 11 Communists recently convicted of conspiring to overthrow the government.

In Washington, Frank H. Myers, who was smeared by New Dealers for defending Charles E. Hudson, one of the alleged seditionists, is presiding in the Municipal court under a Presidential judicial appointment.

### A Respected Jurist

Judge Myers is one of the most respected and highly regarded members of the court here. At the time he undertook Hudson's defense on appointment by the court without pay and at a sacrifice of his earning capacity, Myers was subjected to sneers from Prosecutor Rogge.

The seditionists and the Communists were tried under the Smith act, which the New Deal pushed thru congress on June 23, 1940. Under this act the sedition cases were launched late in 1941. In 1942 and 1943 indictments were brought by Rogge under the act against first 28 and then a total of 20 persons.

The majority of those who were indicted were anti-New Dealers. The indictments included a handful of German bundists, anti-Semites and crackpots.

### Cost More Than Million

The witch hunt dragged thru five years at a cost of 1 to 1½ million dollars. It ended in 1947 when the department of justice failed to appeal to the Supreme court an Appellate court decision upholding dismissal of the case in the federal district court.

Two Federal courts reprimanded the department of justice for its conduct of the case. The case was conducted by Rogge.

Recently, as attorney for one of the convicted Communists, he denounced the law as unconstitutional before Federal Judge Medina in New York. John F. X. McGohey, who was the federal prosecutor, reminded Rogge that Rogge had not

questioned the constitutionality of the law when he was prosecuting the seditionists.  
During the trial, McGohey at one point objected to the defense counsel's statements. Judge Medina wearily remarked that the court had "heard everyone else in the case and might as well listen to" Rogge.

As prosecutor of the seditionists

Rogge left no stones unturned in his drive to jail the defendants. He went to the Nuremberg war crime trials in search of evidence which might bolster the sagging sedition case.

### Used Gestapo Methods

He transported two German diplomats to testify against an American magazine editor tried for perjury in connection with testimony before the sedition grand jury. The magazine editor was acquitted when it was shown Rogge had employed Gestapo methods to bring the Nazi diplomats to testify they had paid

the editor \$10,000 to spread German propaganda in this country.

Before his appearance in the New York communist trial, Rogge had appeared in Washington as counsel for 16 members of a group which the house un-American activities committee branded as Communist. They were charged with contempt of congress for refusing to turn over books and records of the Joint Anti-Fascist Refugee committee. All 16 were found guilty. A test of the convictions was affirmed by the Appellate court and is now before the Supreme court.

Mr. Tolson	_____
Mr. Ladd	_____
Mr. Clegg	_____
Mr. Glavin	_____
Mr. Nichols	_____
Mr. Rosen	_____
Mr. Tracy	_____
Mr. Egan	_____
Mr. Gurnea	_____
Mr. Harbo	_____
Mr. Mohr	_____
Mr. Pennington	_____
Mr. Quinn	_____
Mr. Nease	_____
Miss Gandy	_____

CHICAGO DAILY TRIBUNE

NOV 7 1949

62-54199-A

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# The Loyalty Order in Action

By O. JOHN ROGGE

The Washington circus operates with many rings. At times people take their eye off the main ring, the big show. Labor is in that ring. Labor is supposed to sit up, bark, and jump through a hoop, when the ringmaster snaps the whip.

On March 21, 1947, President Truman issued Executive Order 9835, now known as the Loyalty Order. Its promulgation proves that the Emperor's Thought Control Bill is among the spoils of war collected from a defeated Japan. One of its results will be the emasculation of the American trade union movement.

Executive Order 9835, issued in violation of the First, Fifth, Ninth and Tenth Amendments to the Constitution, is the most open assault on American civil liberties since the adoption of that Constitution. Its effects reduce the Constitution to a scrap of paper. World War I Palmer raids to the level of a boy scout investigation. Under this order the FBI has already pried into the private lives of more than two million government employees. The expense has been fantastic, the results ridiculous—until you realize that the purpose of the probe has been to discourage organization, and to prohibit liberal or progressive attitudes among government employees.

The Loyalty Order makes government employees second-class citizens. For this reason intelligent and independent people, in increasing numbers, think twice and then refuse government employment.

Existing laws already protect government service from actual disloyalty. These laws provide ample punishment for individuals who reveal confidential documents, engage in sabotage, treason, or the advocacy of force to overthrow the government. What does the Loyalty Order add? Nothing but a slick, well-oiled frame-up apparatus.

The Order provides that a government employee may be considered disloyal on the basis of "membership in, affiliation with, or sympathetic association with . . . organization . . . designated by the Attorney General as totalitarian, fascist, communist, or subversive."

The Order does not answer the question: Loyalty to what? Its op-

This is a chapter of O. John Rogge's book "Our Vanishing Civil Liberties," which is being serialized unabridged in THE COMPASS. Mr. Rogge has brought his book up to date, where necessary, with postscripts.

the abandon of a little boy with a slingshot in the choir room. But imagine, if you will, an Ernle Adamsom sitting in the post of Attorney General!

Executive Order 9835 has elevated the stoopigee, the labor spy, and the informer, to the status of a "loyal American." It sets up within each government agency a group which investigates all the agency's employees and applicants. Final disposition of any case lies in the hands of the Civil Service Commission's Loyalty Review Board. What we have today, therefore, is an intrastate political thought-control system which investigates the beliefs and personal associations of government workers, and workers in industries which have government contracts classified as "Confidential."

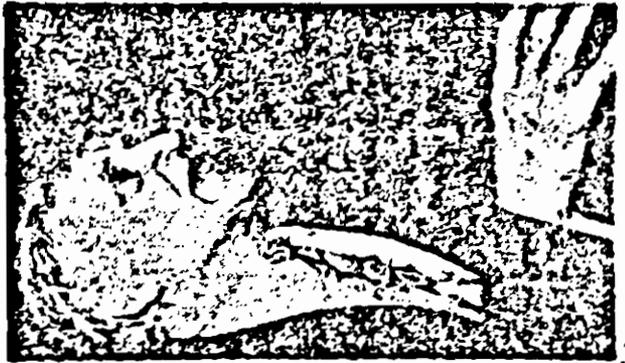
Overnight the Loyalty Order inspired suspicion, fear, and mutual distrust in our national capital. Let me give you an example. While I was trying the case of the members of the Joint Anti-Fascist Refugee Committee's Executive Board, a Mrs. Shura Lewis gave a speech in a Washington high school. Her temperate words exploded in a burst of lurid and intemperate headlines. Here is the story, as told by Professor Henry Stiebel, Commander, in Harper's Magazine, September, 1947:

boys and girls. Did they stand up for intellectual freedom? Did they insist that high-school children had the right and duty to learn about other countries? Did they protest that students were to be trusted to use intelligence and common sense? Did they affirm that the Americanism of their students was staunch enough to resist propaganda? Did they perform even the elementary task expected of educators above all, of analyzing the much-criticized speech?

"Not at all. The District Superintendent of Schools, Dr. Howard Corning, hastened to agree with the annihilation of Representatives Rankin and Dirksen. The whole thing was, he confessed, a very unfortunate occurrence, and had 'attracted the whole school system.' What Mrs. Lewis said, he added gratuitously was 'repugnant to all who are working with youth in the Washington schools,' and 'the entire affair contrary to the philosophy of education under which we operate.' Mr. Danow, the hapless principal of the Western High School, was 'the most shocked and regretful of all.' The District of Columbia Committee would be happy to know that though he was innocent, he had been properly reprimanded!"

By just such a process as this did Hitler de-brain his educators and teach German youth contempt for knowledge!

From my own experience I can contribute another example of Washington's "loyalty atmosphere." A former associate of mine in the Department of Justice wanted to give me some information



CLARE HOFFMAN

Objected to 'Smear File' the rope in the handman's house. Let's look at the Loyalty Order in action.

A civilian employee of the War Department in Tokyo was dismissed. He received a letter of which this is an accurate paraphrase:

Paragraph 1: You are dismissed for reasons which are confidential. Paragraph 2: You are given five days in which to answer the charges in Paragraph 1. Please read Paragraph 1, and tell me how you would answer the charges.

A San Francisco physician came to me with a similar letter. Its contents had enraged him. He had visited authorities to demand the exact nature of the charges against him, and a hearing at

which he could defend himself. The letter which he received in reply to his demands began with this sentence:

"In reply to your letter of 23 September, 1947, this is to state that a hearing cannot be given you due to the fact that the reasons for disqualification, if known would have disqualified you for appointment initially."

Don't try to understand this sentence. It is nonsense — the calculated nonsense. Such language is the official double-talk of a "loyalty" administration. State administrators have copied the procedure, shouted, "Me, too," set up local committees, and proceeded with all the arrogance of back-room party tyrants.

Why was the Tokyo civilian employee dismissed? Well, I know that he had once helped organize teachers in a state university. He was also a subscriber to a book club which the old Dies Committee had inscribed on one of its gargantuan laundry lists of "subversives."

Does organizing teachers make a man disloyal? One day the Commandant of the Philadelphia Navy Yard fired an electrician who subsequently received an official letter that read:

... you have been reliably reported to have been active in the membership and to have participated in furthering the purposes of organizations reputed to have policies directed at the breakdown of the principles upon which the government of these United States are founded, particularly an organization known as "Nature's Friends."

Leave aside for the moment the paranoic assumption that membership in "Nature's Friends" denotes a subversive, and consider other aspects of this letter. "By other aspects of this letter," they have been reliably reported. (Continued on Page 20)

contracts which have been classified as "Confidential."

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"On May 6, a Russian-born girl, Mrs. Shura Lewis, gave a talk to the students of the Western High School of Washington, D. C. She talked about Russia—its school system, its public health program, the position of women, of the aged, of the workers, the farmers, and the professional classes—and compared, superficially and uncritically, some American and Russian social institutions. The most careful examination of the speech—happily reprinted for us in the Congressional Record—does not disclose a single disparagement of anything American unless it is a quasi-humorous reference to the cost of having a baby and of dental treatment in this country. Mrs. Lewis said nothing that had not been said a thousand times, in speeches in newspapers, magazines, and books. She said nothing that any normal person could find objectionable.

"Her speech, however, created a sensation. A few students walked out on it. Others improvised placards proclaiming their devotion to Americanism. Indignant mothers telephoned their protests. Newspapers took a strong stand against the outrage. Congress, rarely concerned for the political or economic welfare of the citizens of the capital city, reacted sharply when its intellectual welfare was at stake. Congressmen Rankin and Dirksen thundered and lightened; the District of Columbia Committee went into a huddle; there were demands for housecleaning in the whole school system, which was obviously shot through and through with Communism.

"All this might be ignored, for we have learned not to expect either intelligence or understanding of Americanism from this element of our Government."

shocked and regretful of all. The District of Columbia Committee would be happy to know that though he was innocent, he had been properly reprimanded!"

By just such a process as this did Hitler de-brain his educators and teach German youth contempt for knowledge!

From my own experience I can contribute another example of Washington's "loyalty atmosphere." A former associate of mine in the Department of Justice wanted to give me some information which she had come across in the course of her duties. It would explain why the State Department did not deal with an American who had collaborated with the Nazis and was then under indictment.

By pre-arrangement we met in the Raleigh Hotel, two blocks from the Department of Justice. She gave me the information—then begged me not to let my name be linked with hers in any way, or what would her job be worth? This is not pre-war Berlin, but post-war Washington!

Congress itself has not been immune from loyalty checks. The Civil Service Commission keeps confidential files of "leads" for possible subversive investigations. The Commission has observed how many former members of Congress apply for federal jobs when they are defeated for re-election. Accordingly, the loyalty files of the C.S.C. contained references to Congressmen, including Clare E. Hoffman of Michigan, and Fred E. Busbey of Illinois.

Hoffman and Busbey got wind of this, and arose in holy wrath. They called the files "smear files." Hoffman characterized them as "a lot of junk," and described the statements on the file cards as "largely rumors and hearsay." Busbey joined him in charging the C.S.C. with using "Gestapo tactics." Hoffman threatened to press contempt charges against Arthur S. Fleming, a C.S.C. Commissioner, and to fight any appropriations to maintain files with reference to Congressmen.

The C.S.C. agreed to destroy all cards in its loyalty files which referred to members of Congress. Hoffman and Busbey were content. They had no objection to "smear files," "junk," or "Gestapo

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of organizations reported to have policies directed at the breakdown of the principles upon which the government of these United States are founded, particularly an organization known as "Nature's Friends."

Leave aside for the moment the paranoid assumption that membership in "Nature's Friends" denotes a subversive, and consider other aspects of this letter. "You have been reliably reported." By (Continued on Page 20)

## Thought-Control And Loyalty

(Continued from Page 8)

whom? When? Was the informant a man or woman of veracity? "Organization reputed to have policies directed at the breakdown of principles upon which the government of these United States are founded . . ." Who "reputed" these organizations to foster the breakdown of such principles? What principles? Surely the principles you, I, and a million others believe in are very different from the principles of a Taft, a Rankin, a Hartley—or a Commandant sitting on a Loyalty Board!

Do you have an enemy who happens to be a government employee or a worker in any plant with a government contract? I will tell you how to dispose of him. Write a postcard to the F.B.I. Do not sign it. A signature would be a gratuitous gesture of courage. If anonymity is more cowardly, it is certainly more comfortable.

In this postcard state that your enemy's wife read something by Theodore Dreiser, subscribed to the New Republic, and once welcomed a Negro into your home, through the front door. You might even suggest that your enemy once visited the Soviet Embassy (during the war, of course), and received one hundred dollars for which no receipt was given.

Mail your postcard, and rest assured—your enemy is finished! The F.B.I. will conduct a secret investigation. Your enemy will end up before a Loyalty Board where your postcard will be a vital but secret part of the evidence against him. He will not have the chance to face you, his accuser. He will have to defend himself against charges he has never heard. He may be fired. He may be allowed to resign. He may even be cleared. But in any case, he is a marked man.

**TOMORROW:** The case of George Halliwick.

NY COMPASS

NOV. 24, 1949

OUR VANISHING CIVIL LIBERTIES

# Anti-Red Slogans Protect the Thugs

By O. JOHN ROGGE

The immediate results of the indictments against the 12 Communist leaders gratified all except us "premature anti-fascists" who do not believe it premature ever to defend civil liberties. The indictments encouraged the very force and violence of which they accused the defendants. The ugliest elements in our society understand that they may now commit any crime in the book if they state that their actions were "aimed against Communism."

In November, 1948, a group of thugs attacked Robert G. Thompson, one of the Twelve, and knifed him. City officials made no serious attempt to investigate the crime or apprehend Thompson's assailants. The press claimed that the matter was exaggerated. Then followed insinuations and innuendoes. Although Thompson was knifed, and suffered a head injury, the press intimated that he was not really attacked. It was a political trick of the Communists to gain sympathy and publicize the trial of the Twelve.

Confusion, force, and violence!

This is an installment of O. John Rogge's book "Our Vanishing Civil Liberties," published by Gaer Associates, which is being serialized and abridged in THE COMPASS. Mr. Rogge has brought his book up to date, where necessary, with postscripts.

How comfortable do you feel when the slogan of anti-Communism affords protection equally to the monopolist and the thug?

A subsequent event of an uglier nature, corroborated the attack on

Dallas and this committee handed it on a platter.

In this border area Slav and Teuton have fought for centuries. Never did either treat the other with the monstrous barbarity with which German "science" sought via extermination camps to depopulate the Slavic lands. A crusade "liberates" them led by a New York corporation lawyer served the Hitlerized cartels, defended the Axis as "dynamic" and supported the America First movement will look like obscure joke that it is.

Secondly, this is a backward peasant area, where the way of the great majority has been roughly equivalent to that of a capitalist Europe and an alliance of priests and feudal landowners lived on the poverty and ignorance of the serf. Industrialization is one hope of freedom from poverty. Communism is now bringing industry capitalism failed to supply. That is the essence of the historic change.

Capitalism could only develop in East Europe on any considerable scale if in the East, as earlier in the West of Europe, revolutionary outbreaks had overthrown the power of the Church and the feudal lords and cleared the way for free private enterprise.

But the West European capitalist was scared stiff of revolution of any kind by the 19th Century. He preferred the easy profits to be obtained from leasing the European handovers, grabbing an occasional concession and obtaining the cheap bread and materials made possible by peasant labor to the more glamorous but less certain profits of large scale development.

Dallas represents a return to this kind of "freedom." He is a tendermerit of international politics, and the dead men he has stuffed and pressed for his committee will look like the model of a dying kind of evil in Europe.

pro discovered an "error" in Burke's statement. The convenient discovery of this "error" altered Burke's original admission of indecent exposure, an admission which revolved around the word in question.

The verdict was set aside and a new trial ordered. I have yet to see a trade unionist win a new trial on the basis of any comparable "error."

In the second trial—and "trial" is a word which unduly dignifies the proceedings—Judges Alfred J. Hoffmann, William Northrup, and

as good to the East European peasant workers as Denikin, Kold and Petlura looked to the Russ after the last war, when the Bolsheviks a favor by back men who meant just one thing to the peasantry—the loss of the land to their old masters.

It would be a delusion to have that these leftover...

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# OUR VANISHING CIVIL LIBERTIES

(Continued from Page 6)

Paul Kleinbord. The judge sentenced them to an indeterminate sentence. They were to stay in jail until such time as they would answer the Grand Jury's questions, or until they would give the Grand Jury an excuse to issue indictments against them!

In all this time, nobody accused the defendants of committing any illegal act or breaking any law before they testified to the Grand Jury. If you still have any shadow of a suspicion that this was not outright persecution, explain, if you will, why Jane Rogers had to call upon public support for a fight to get permission for her young children to visit her. Denverites also had to fight to get milk to Mary and Kleinbord, both of whom are ill men. Mary suffers from chronic bronchitis, and Paul Kleinbord is tubercular.

Denver was the curtain-raiser for Los Angeles. Los Angeles officials had many inspirations for their actions. The Attorney General inspired them by his threats to prescribe doctrine. The press inspired them. The Denver case inspired them. But their true muse was really the national election. In the course of the election campaign, politicians charged that the Los Angeles administration was "Red." What do you do when you are accused of being a "Red"? Our heroes of Los Angeles knew only one answer: act like fascists. They did so, and with rare exceptions.

The Los Angeles case was one of the most flagrant examples of indecent legal haste that I can remember. On Oct. 25, 1948, authorities issued subpoenas to Frank Edward Alexander, Wesley Busby, Phillip Beck, Ben Dobbs, Dorothy Baskin Forest, Samuel Harry Kasinowitz, Margaret Iris Noble, Muriam Brooks Sherman, Delphine Murphy Smith, and Henry Steinberg. (The list has since grown, but I will confine myself to the story of these original 10.)

Those subpoenaed were ordered to appear before the Grand Jury. The Government had on hand Max H. Goldschtein, Special Assistant to the Attorney General, and his associate, James M. Carter.

This was no usual investigation. The defendants (and I insist that they became defendants the moment they were served) received their subpoenas at 7 o'clock in the morning. The subpoenas were returnable at 2 o'clock the same afternoon. Why the haste? Was it to make it difficult for these men and women to prepare any defense, and to put obstacles in the way of their attorneys?

The firm of Gallagher, Margolis, McTernan, and Tyre, represented them. Mr. Margolis and Mr. McTernan accompanied the defendants.

Here are the key questions which the Grand Jury asked these witnesses:

1. Do you know the names of the county officers of the Los Angeles Communist Party?
2. Do you know the table of organization of the Los Angeles Communist Party?
3. Do you know Mr. Ned Sparks?

4. Do you know Mr. Vincent Russo?

The defendants refused to answer the questions on the grounds that they invaded liberty of conscience and might prove self-incriminating. Again, they were unquestionably right. The proof is at hand.

Read the four questions. Was the Grand Jury seeking information? Of course not. The answers to these questions were public record. Surely the court, the United States, the FBI, and a few thousand Californians, knew the names of the county officers of the Los Angeles Communist Party. Surely the officials knew the fundamental organizational structure of the Communist Party there. (The use of the Army term "table of organization" was solely for the purpose of suggesting that the Communist Party is a military rather than political organization.) Surely they knew that Ned Sparks is an open and public Communist Party official. And what of Vincent Russo? That question was so patently unwarranted that the jury dropped it later. Vincent Russo was in the courtroom at the time.

The defendants went directly from the Grand Jury room to the courtroom where they appeared before Judge Peirson M. Hall of the District Court, Southern District of California, Central Division. Judge Hall first listened to arguments by defense counsel for a continuance. Mr. Margolis and Mr. McTernan argued the obvious: they had no time to prepare an adequate defense for their clients. Judge Hall denied the request although courts ordinarily grant a continuance even to murderers, burglars, or rapists, under such circumstances.

Judge Hall then ordered the defendants to go back to the Grand Jury room and answer the questions. The defendants returned, but still refused to answer. I am happy that they did because I feel that they defended me and my own civil liberties by their actions.

I will give you a one-sentence character sketch of Judge Peirson M. Hall. When another man (not of the original 10) received a similar subpoena and refused to answer similar questions, Judge Hall remarked, in the courtroom, "I would like to ask him some questions we ordinarily ask the Mexicans and others who come up here."

The Grand Jury—blue ribbon, of course—remained in session until midnight, without any opportunity to consult effectively with counsel. The defendants ran from Grand Jury rooms to court, and back again, and back over again. After they refused to answer the questions the second time, Judge Hall ordered them handcuffed and imprisoned until such time as they would agree to answer. Then he refused to set bail!

Here is a brief exchange which will illustrate the judicial objectivity of Judge Peirson M. Hall. Mr. McTernan was arguing for a postponement so that he and his colleagues could have time to prepare their work.

COURT: They (the defendants) have had an opportunity to consult counsel, have they not?

McTernan: There have had an opportunity to consult counsel, yes. I have told you the limitations under which counsel have worked all day. I am sure your Honor will agree that there are few situations in which lawyers are called out of bed to handle cases of this kind.

COURT: It depends on how late they sleep counsel.

McTernan: The question, your Honor, is how much opportunity they have had to prepare themselves to research the law and to equip themselves to defend the position in court on which their clients stand the risk of losing their liberty. We submit to your Honor that we have not had such an opportunity.

"It depends on how late they sleep counsel."

Perhaps Judge Peirson M. Hall would like to tell the public the last time he held court at 7 o'clock in the morning.

Naturally, the defendants did not get bail until people put up a considerable battle in their behalf.

Harold L. Ickes, writing in the New York Post, commented as follows on the Los Angeles case:

"I have not been able to find in our eastern press any mention of what has come to be known on the Pacific Coast as 'The Case of the Los Angeles Ten.' This was a case of six men and four women thrown into jail and held without bail for approximately nine days, without a complaint filed or a trial held. They had refused to answer in the chambers of United States District Judge Peirson Hall and before a Federal Grand Jury, questions relating to their political opinions and associations, presumably suspect as to Communism.

"Certainly the conduct of this case, as it has come to me, has been sensational enough to make headlines. Moreover, there appears to have developed a situation as to which every American should be informed. The issue involved is the right of the private citizen to enjoy the guarantees in the Constitution.

"I am acquainted with some of the ten, although I do know Judge Hall. I know nothing of any of them, individually, except that the wife of Mr. Hollister Noble, the novelist, was active in behalf of Progressive Party candidates in the San Fernando Valley of California. I do not know whether she, or any others of the ten, was among Henry Wallace's Communist or 'fellow-traveler' supporters. However, I do know about freedom of opinion and freedom of association under the Constitution. I have a conviction about throwing people into jail without bail before a trial and even before any charge has been made."

Mr. Ickes concluded this column by reprinting a letter from Mr. Noble, recounting the details.

Once America is divided into two groups, one to which law and liberty apply, and one to which they do not, no American can live with the assurance that he has guarantees against legal lynching.

We may learn too late, as the German liberals learned too late, that "they said Communist, but they meant us."

TOMORROW: The Truman-Sike-Brotzberg-Northern Style.

OUR VANISHING CIVIL LIBERTIES

A Plea for Return To the Constitution

This is the concluding installment of O. John Rogge's book, "Our Vanishing Civil Liberties," published by Geer Associates, which was serialized unabridged in THE COMPASS.

By O. JOHN FOGGE

On the international scene John Foster Dulles, Dewey's man Friday in foreign affairs, and Truman's confidential foreign policy adviser, reaches complete agreement with Charles deGaulle, who has demanded the abolition of the trade unions in France;

Congressmen propose the inclusion of Franco Spain in our relief program; Elite Guard prisoners have been granted amnesty;

Ise Koch and Franz von Papen go free, while von Kesselring leaves jail to spend two weeks in the Alps with his wife; Authorities groom Hjalmar Schacht to act as a "financial genius" for them, as he did for Hitler;

The occupation facility encourages the leaders of I. G. Farben to resume their old cartel agreements with GuPont, General Electric, Westinghouse, and Standard Oil; American officials return Ruhr heavy industry to Germany in monopoly control, and remove industrial restraints;

Having sabotaged our reservoir of goodwill in Europe, American policy-makers see a vast investment dissipated in support of Chiang Kai-shek's feudal militarism; In Greece we advise some of the former military leaders of Nazi Security Battalions how to conduct war against the guerrilla movement;

I offer in evidence this list woefully incomplete, but sufficient to make clear the pattern which these events assume. An influential French news-

paper, a policy which also operates behind the anti-Communist smokescreen, when it wrote, "What can we think of American justice if it imposes a sentence on one of its worst war criminals in history that in France would be imposed on one guilty only of the theft of a cow?"

The France that watches us bring trade union leaders to trial in a France whose walls bear commemorative signs, reading: "Jean Grandel, Secretary of the Chemical Workers Union, died in prison, October 5, 1943."

"Rene Gautier, Secretary of the Railroad Workers Union, executed by collaborationists, January 8, 1944."

"Francis Dumas, Treasurer of the Textile Workers Union, shot at sunrise by the Germans, March 4, 1944."

The world has not forgotten fascism. Millions know its disguises. They read of our anti-Holsherk campaign, and they toss at night, remembering in horror the anti-Boishevik campaign of the Rome-Berlin-Tokyo Axis and its nightmare ending in the massacres of Buchenwald and Heisen. An America which liberates the torturers of Europe and makes us

European ally worth having. The European remembers how, in 1933, German monopoly introduced the concept of the "super-man," the great blonde "Aryan."

The same European today hears American monopoly dogmatize about the "western world" or echo Churchill's pap about Anglo-Saxon superiority.

The European remembers the vision of world conquest with which Germany's leaders tempted its people. Today the same European reads of the "American century," and in that phrase he can hear the cry of "German blood-bond" echo in the beer halls.

The European remembers how Germany invaded nation after nation under the pretext of protecting German minorities. The same European observes American military advisers, equipment, and troops, in Greece, Turkey, and China, where they preserve "western democracy" in the person of the Greek king, his Nazi wife, the despots of Turkey, and the successors to Chiang Kai-shek's corrupt feudal regime. The European who still shrinks from the heat of the German boot-burnings, watches American officials put books on trial.

The European who recalls Hitler's proscription of labor and liberal organizations, reads the

I have seen people starve in France, with Marshall Plan aid, and prosper in Poland without it. I compromised with what I believed to be evil, and I burned my notes. But later, in the case of the Trenton Six, I refused to let a court silence me. I think I am a better man for it, and I ask you to

socialist government. I am no revolutionary. I would not think of uttering such sentiments as Jefferson's call for blood to water the tree of liberty. I would not write of our 48 states as the did of his 13, saying, "one-tenthillion for 48 states"

(Continued on Page 21)

Mr. Tolson \_\_\_\_\_
Mr. E.A. Tamm \_\_\_\_\_
Mr. Clegg \_\_\_\_\_
Mr. Glavin \_\_\_\_\_
Mr. Ladd \_\_\_\_\_
Mr. Nichols \_\_\_\_\_
Mr. Rosen \_\_\_\_\_
Mr. Tracy \_\_\_\_\_
Mr. Harbo \_\_\_\_\_
Tele. Room \_\_\_\_\_
Mr. Nease \_\_\_\_\_
Miss Gandy \_\_\_\_\_

Handwritten signatures and initials, including "A. J. Fogge" and "W. B. Mumford".

myself lay excessive claims to courage, but I think I have acquired some in the last two years. It is true that in the Halitsky case, I compromised with what I believed to be evil, and I burned my notes. But later, in the case of the Trenton Six, I refused to let a court silence me. I think I am a better man for it, and I ask you to

In Greece we witness some of the former military leaders of Nazi Security Battalions now to conduct war against the guerrilla movement.

I offer in evidence this list, which is incomplete, but sufficient to make clear the pattern which these events assume. An influential French newspaper subverted our foreign

The world has not forgotten the night remembering in horror of the anti-Bolshevik campaign of the Rome-Berlin-Tokyo Axis and its nightmare ending in the factories of Buchenwald and Belsen. An America which liberates the torturers of Europe and provides its own labor leaders will find no

the Greek King, his Nazi wife, the despots of Turkey, and the corrupt feudal regime. The European who still shrinks from the heat of the German book-burnings, watches American officials put boots on this.

The European who recalls Hitler's proscription of labor and general organizations, reads the Attorney General's "subversive list" with the deepest suspicions. The European cannot forget the German boast of a secret weapon — nor the American monopolist's boast of exclusive possession of the atom bomb.

In April, May, and June of 1948, I was conducting an investigation in Germany. I spoke to professors, business men, manufacturers, lawyers, industrial workers, clerks, chauffeurs, housewives. Some were at large, some were in custody. Of all these, only two confessed to ever having been a Nazi. One of these two was Hermann Goering. The other was Paul Schmidt, head of the press department of the German Foreign Office. While I was there, all the Germans who thought they had found a sympathetic ear, warned me to beware of Communism.

I would prefer my warnings to come from other sources. I am doubly suspicious of these warnings when I hear them from the mouths of Americans who have long records of appeasing and befriending fascism. I am not talking of the past alone. These gentlemen can spare me the pose that they have "learned their lesson," that appeasement was a great failure, and therefore — miraculous conclusion — they will not "ap- pease" Russia!

The men who appeased fascism yesterday are appeasing fascism today — in Europe, and at home. I have returned from a second postwar trip to Europe. From the European's point of view, the only thing that is not possible today is war. I have seen the Economic Commission for Europe, an organ of the United Nations, at work. Without fanfare or the publicity which accompanies the Marshall Plan, this body promotes trade and peaceful relations among all of Europe. It has sent machinery from the west to the east, enabling the east to develop its own resources and to export urgently needed raw materials to the west.

Justicialists ever reaches the people who need it.

I am no revolutionary. I would not think of uttering such sentiments as Jefferson's call for blood to water the tree of liberty. I would not write of our 48 states as he did of his 13, saying, "one rebellion for 19 states in the course of eleven years is but one for each state in a century and a half. No country should be so long without one." I would not, as did Lincoln, emphasize a people's right to dismember and overthrow a government.

I truly value our institution of private property. I feel that I have more than average ability, and that I work harder than most people. Accordingly, I give myself better than an even chance to acquire more of the material things of life than many others. I am selfish enough to want this, but I do not want others to pay with their necessities for my luxuries. I believe that American labor needs wage raises. I do not believe that any fight for a wage raise presages Communism. I do not think we are in danger of a conspiracy against private property. I do not believe that a mysterious little group of Communists is about to take over Washington. I think it is a miserable canard against the memory of Franklin D. Roosevelt to claim that he peppered Washington with secret red agents. I also believe what is obvious on the face of it: that literally millions of people throughout the world want a form of socialism rather than capitalism. I believe in the right of the people of any nation to determine their own form of government.

My plea for America is a simple one. I ask only that America return to the simple orthodoxy of the founding Fathers, and the clear language of the Bill of Rights. I plead for the life of a document: the Constitution of the United States.

Your verdict will require courage and a sense of freedom. I cannot

Attention: Mr. J. ... court silence me. I think I am a better man for it, and I ask you to (Continued on Page 21)

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DEC 21, 1949

# Our Vanishing Civil Liberties

(Continued from Page 6)

remember that by fighting for the freedoms to which we were born, we will win those freedoms to which our children will be born.

History will make its own judgment without regard to our decision, and history will assign the proper places to those who would deprive us of our liberties.

Because Socrates taught the youth of Athens to know themselves, his enemies charged him with corruption and condemned him to drink the hemlock. We remember Socrates. We remember that Plato said of him, "he was the wisest and justest and best." But who can tell us the names of those who condemned Socrates?

Because Jesus brought a philosophy of peace and brotherhood to a turbulent world he, too, was sentenced to death. Can you name the men who nailed Him to the Cross?

After Jesus came the persecutions of the Christians. In A.D. 304 the Christians. If the Tiber rises complained:

"There is no rain; ascribe it to the Christians. If the Tiber rises as high as the city walls, if the Nile does not send its water over the fields, if there is an earthquake, if there is famine or pestilence, straightway the cry is, 'Away with the Christians to the lions!'"

Need I paraphrase this for our day when the Grand Jury and the Loyalty Board have replaced the lions?

You know the names of Savonarola, of John Huss and Bruno, of Servetus and Joan of Arc. Tell me, then, who sentenced these to be burned at the stake?

By what name did his wife call the inquisitor who examined Galileo under the threat of torture and extracted a tongue-in-cheek recantation?

Name me the early Americans who drove Roger Williams and Anne Hutchinson from Massachusetts. Name me those who hunted down John Brown.

An assassin murdered Abe Lincoln within the memory of living men, yet we already confuse that murderer with a famous actor who bore the same last name. We know those who died for the eight-hour day in Haymarket, but we have forgotten the man who sat in judgment.

Yes, history has its own scrap heap reserved for those who blast human hopes and throttle human freedoms. Posterity will reserve the same anonymity for our witch-hunters unless they aspire to persecutions so brutal, so widespread, that we link them with such forbears as Torquemada and Miller.

Perhaps the heroes of my book are not of the stature of the heroes of history who met death or persecution. Yet let us reflect how much of our comfort and freedom has been purchased with

NY COMPASS

DEC 21, 1949

Because Jesus brought a philosophy of peace and brotherhood to a turbulent world he, too, is sentenced to death. Can you name the men who nailed him to the Cross?

After Jesus came the persecutions of the Christians. In A.D. 204 the Christians. If the Tiber rises complained:

"There is no rain; ascribe it to the Christians. If the Tiber rises as high as the city walls, if the Nile does not send its water over the fields, if there is an earthquake, if there is famine or pestilence, straightway the cry is, 'Away with the Christians to the lions!'"

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Yes, history has its own scrap heap reserved for those who blast human hopes and throttle human freedom. Posterity will reserve the same anonymity for our witch-hunters unless they aspire to persecutions so brutal, so widespread, that we link them with such forbears as Torquemada and Hitler.

Perhaps the heroes of my book are not of the stature of these heroes of history who met death or persecution. Yet let us reflect how much of our comfort and freedom has been purchased with the liberty of good men and women who took their convictions with them to the jail cells, and sometimes to the gallows.

I know that the possible verdict of history will not stop the men of the monopolies whose immediate interests demand a gag in your mouth and mine. I ask you, and all Americans who are not afraid of themselves and who are willing to defend their beliefs in a free and open court of inquiry, not to await the judgment of history.

Let us make our own testament of loyalty to the Bill of Rights, to the 14th Amendment, and declare that our America is an America without committees to investigate "un-American" activities, without Loyalty Boards and Loyalty Oaths, without trials of doctrine, without political hysteria and jail-by-subpoena, without guilt-by-association, without officially inspired grand juries and attorneys general who decree what shall and shall not be acceptable in political thought.

We millions who want a free labor movement, equality for the Negro people, peace, and bold social progress, have been too

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- Tele. Room \_\_\_\_\_
- Nease \_\_\_\_\_
- Gandy \_\_\_\_\_

*sub*

*P. J. ...*

## Rogge Acts to Re-enter 'Trenton Six' Case

By the Associated Press

TRENTON, N. J., Dec. 23.—O. John Rogge and two other lawyers recently ousted as defense counsel for the "Trenton Six" charged with murder, have begun a Federal court action to get back into the case.

The action, filed here yesterday, asked that Mercer County Judge Charles P. Hutchinson be permanently restrained from removing the three lawyers from the case. Judge Hutchinson barred the three from his courtroom on December 16, declaring he no longer could endure their "studied discourtesy and contempt for the court."

Rogge, a former Assistant United States Attorney General, said at a press conference in New York yesterday that he believed it was the first time in American jurisprudence that an attorney has been removed from a capital case before start of the trial.

Rogge and the other two lawyers, William Patterson and

Emanuel H. Bloch, all of New York, were hired by the left-wing Civil Rights Congress. At the time of their ouster, they were taking steps to secure additional trial evidence from Trenton police. The trial, which is to begin February 8, will be the second for the six colored men who were found guilty of the murder of a 72-year-old Trenton shopkeeper during a holdup last year and sentenced by Judge Hutchinson to die in the electric chair.

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**Stand Against Fascism**  
**By O. JOHN ROGGE**

Mr. Rogge has been writing of the need of progressives to unite on the basis of their areas of agreement regardless of their differences on other issues and regardless also of name-calling, both from without and within. He cites Lincoln's willingness to join with the Abolitionists—in the early days of the Republican Party—even though they went further than he cared to go.



**ROGGE**

When it came to working with others who took the same view he did, Lincoln had taken a comparable position on several earlier occasions. The preceding year, on Aug. 11, 1855, he wrote to Owen Lovejoy, a radical anti-slavery man and an organizer of the Republican Party in Illinois:

"I have no objections to 'use' with anybody provided I can fuse on ground which I think is right; and I believe the opponents of slavery extension could now do this, if it were not for the K. N. (Know Nothing) fun. In many speeches last summer I advised those who did me the honor of a hearing to 'stand with anybody who stands right'—and I am still quite willing to follow my own advice."

Some eight years earlier, on Mar. 22, 1848, he wrote to Usher P. Linden of Illinois:

"Your third question is, 'And have we as a party ever gained anything by falling in company with Abolitionists?' Yes. We gained our only national victory by falling in company with them in the election of Gen. Harrison. Not that we fell into Abolition doctrines, but that we took up a man whose position induced them to join us in his election."

Harrison was elected President in 1840.

Linden was a Democrat who had turned Whig in 1838 and who returned to the Democratic Party when "the Whigs were merged in the Abolitionists."

And almost eleven years earlier, on Oct. 3, 1845, Lincoln wrote to Williamson Durley, a Whig of Hennepin, Ill.

"When I saw you at home, it was agreed that I should write to you and your brother Madison. Until I then saw you, I was not aware of your being what is generally called an Abolitionist, or, as you call yourself, a Liberty man; though I well knew there were many such in your country. I was glad to hear you say that you intend to attempt to bring about, at the next election in Putnam, a union of the Whigs

Jennings Perry is on vacation. His column will be resumed in this space on Feb. 21.

proper and such of the Liberty men as are Whigs in principle on all questions save only that of slavery. So far as I can perceive, by such union, neither party need yield any thing on the point in difference between them. If the Whig Abolitionists of New York had voted with us last fall, Mr. Clay would not be President, Whig principles—the ascendant, and Texas not annexed; whereas by the division all that either had at stake in the contest was lost."

On this business of name-calling and with reference to keeping our eyes on issues and making it plain that our program is not a radical one, those of us who are today trying to build a united front against fascism can take some pointers from Lincoln:

We shall not allow ourselves to be frightened or stampeded when someone starts name-calling. Neither shall we indulge in it ourselves. Instead, we shall keep our eyes on issues.

We shall not indulge in Red-baiting, for we know that this leads to the destruction of those who place human rights above property rights. We remember what happened in Nazi Germany, and in Fascist Italy and Spain. We see what is happening here. We see that those who put human rights first are splintering themselves into helplessness.

Labor is in the throes of this vicious process. The CIO has expelled the United Electrical Workers, its third largest union, and set up machinery to try 10 more, and nine of the leaders of these 10. Subsequently, Phillip Murray, the CIO's president, announced that its loyalty purge was to be extended to the California CIO Council. The vague charges against these 11 unions, their leaders, and the California CIO Council is that they are following the Communist Party line, whatever that may mean. And on the very day that the CIO took action

Mr. Clark	.....
Mr. Glavin	.....
Mr. Nichols	.....
Mr. Rosen	.....
Mr. Tracy	.....
Mr. Egan	.....
Mr. Gurnea	.....
Mr. Harbo	.....
Mr. Hendon	.....
Mr. Pennington	.....
Mr. Quinn	.....
Mr. Nease	.....
Miss Gandy	.....

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MAR 21

# Unite Against Fascism

By G. JOHN ROGGE

Mr. Rogge has cited political and social equality for Negroes and the fight for political freedom as two areas of general agreement on which progressives might unite.



ROGGE

Democrats will agree with me that those who put human beings first will not be able to find solutions to our problems within the framework of the Republican Party. However, they will suggest the Democratic Party.

I reply that the Democratic Party, with its loyalty order, loyalty oaths, loyalty checks, loyalty purges, its House Committee on Un-American Activities, its deportation and attempted deportation of various labor leaders, its indictment of other labor leaders, its sellout of labor generally, its trial of doctrine, and its numerous other repressive measures, has done just as much if not more than the Republican Party in taking us down the road to a fascist form of authoritarianism.

In all truth there is now no substantial difference between the Democratic and Republican parties. Both are subjecting us to a bipartisan scheme, not only on a foreign but also on a domestic level. Both are in the control of the same big business monopoly interests.

Even in the New Deal days the Democratic Party was already an uncomfortable vehicle for those who wanted to put human beings first. Its composition included Southern reactionaries and Northern big city machines—in those days it was (and still is) Tammany in New York, Hague in New Jersey, and Kelly Nash in Chicago. To this combination Franklin Roosevelt was able to bring labor.

But the people are entitled to something better than this. That something better is the Progressive Party.

Let those in the Democratic and Republican parties who put corporations first unite. They have already done so in fact. Let them now do so in name. They can even find a name from the past history of

Jennings Perry is on vacation. His column will be resumed in this space tomorrow.

the Democratic party: Democratic Republicans. Then all those who put human beings first can settle down to the job of building the Progressive Party.

The first thing that those of us who are trying to build a united front against fascism will have to meet is the assertion that the Progressive Party is Communist-led. This will be in line with the common tendency of indulging in name-calling rather than paying attention to the issues involved. Nevertheless, I shall take up the assertion and deny it, for it is not true.

On the other hand, it is a fact, and we shall not hesitate to say it, that the Communists will usually support us, just as the Communists usually supported President Roosevelt and the New Deal, and just as the Abolitionists supported the Republican Party, although they were radical. The Progressive Party is a united front, and a united front is just what its name implies. It is a coalition of all left-of-center forces. However, those in charge of the Progressive Party will be Progressives and not Communists, just as those in charge of the Republican Party were Republicans and not Abolitionists.

Moreover, just as Lincoln said to the Democrats, "Why do not you, Buchanan men, come in and use your influence to make our party respectable?" and just as he said to all others, "And not to Democrats alone do I make this appeal (to protect the Constitution and 'come to the rescue of this great principle of equality'), but to all who love these great and true principles. Come, and keep coming! Strike, and strike again!" so we say to all who place human rights first, whatever their party, whether it be Democratic, Republican or any other party, whether it be within the ranks of ADA or any other group: You say we are Communist-led. We deny the charge. But in any event, come on over. Come on over and make us respectable. Come on over, non-Communist progressives, and take charge of your own Progressive Party. There is no other way. You will not find solutions to our problems within your existing structures. So come on over to the Progressive Party. Come on over and work for human rights within the only framework which gives you a chance of being successful and effective.

(Concluded tomorrow.)

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51 MAY 1

# Around the Globe

By  
Joseph  
Clark

## O. John Rogge and The Question of Tito

THE NEW YORK POST stuck its head out of the marijuana joints and sundry other dives where it spends ten times a hundred nights to complain about the convention of the Progressive Party. What worried the editor of the Post was that "Tito was the forgotten man of the assemblage."

A forest of pulpwood was consumed by the Post for "mobilizing" Soviet troops at Yugoslavia's borders. Not ten times but a hundred times the X-ray eyes of that paper saw Russians massing troops against Tito. Now it's disappointed because the Progressive Party wasn't even bothered, let alone split, by the Tito issue.



However it's not true that Tito wasn't mentioned at the Progressive rally. A good friend and fighter for peace and civil rights, O. John Rogge, had some things to say on the subject. While the main thing between Rogge and us is the area of agree-

ment on the fight for peace and civil rights, it's a healthy thing to air our differences.

"WE SHALL NOT bend reason backwards," Rogge said, "in order to attempt to justify the conduct of the Cominform countries toward Yugoslavia."

And in the same vein he added:

"In the field of foreign policy we must emphasize the rights of smaller nations. . . . Bullying, threatening coercion or unequal treatment . . . by a greater one is a potential threat to peace—whether done by the U. S., by the United Kingdom or by the Soviet Union."

What does the record show about the conduct of the Soviet Union and the New Democracies toward Yugoslavia? And what does it show about the Soviet attitude towards smaller nations?

The first witness we'll call up on that is Tito himself. Now his story is that the Soviet Union pursued unequal economic relations with Yugoslavia. But in an address to the Communist Youth Congress, June 1, 1948, Tito described the help he was getting and from whom:

"Of course, we have received some help from

abroad, namely, from UNRRA, but the principal and most substantial aid came from our great ally, the Soviet Union."

Later an official Yugoslav Department of Information release declared:

"It would be difficult to imagine what would have happened to our economy, during the past year, without the unselfish assistance of the USSR, consisting of fuel, raw materials, semi-finished products and spare parts most urgently needed by our industry and mines. The USSR punctually fulfilled their obligations resulting from the agreement, showing at the same time a complete understanding of our difficulties."

BUT IT WASN'T long before the U. S. government ended UNRRA, imposed a blockade on Yugoslavia and confiscated the Danube river vessels which the Nazis had previously stolen from Yugoslavia. So the Soviet Union and Czechoslovakia and the other people's democracies redoubled their aid to Yugoslavia. A United Nations report in 1948 showed how capital equipment to the tune of \$150,000,000 was arranged for shipment from Czechoslovakia to Yugoslavia. And under the trade agreement with the Soviet Union, Yugoslavia was getting metallurgical plants and equipment, plants for oil and chemicals and coal mining equipment.

The whole pattern of Soviet aid to all the smaller countries composing the New Democracies was one of building up these countries as independent, industrialized countries. This was in sharp contrast to how these countries had been treated by their capitalist friends who had drained them of raw materials and exported manufactured goods to them.

And not only German trade—but present day British and American trade with Yugoslavia is based on draining off the copper and lead and lumber of Yugoslavia. Capital equipment and export-import loans are extended to maintain Yugoslavia as a raw material colony of western imperialism. Oh, yes, they also get war material to serve as a bulwark against the USSR and its neighbors.

Even after Tito smashed his alliance with the new democracies and the Soviet Union in 1948, the latter countries continued economic assistance to Yugoslavia. And it was Tito who visited his

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agreements as a letter he sent to Stalin on April 16, 1948, admitted:

"We do not deny . . . that on our part there was negligence in commercial affairs."

But it was the Rajk trial which revealed the whole Tito cabal in all its ugly colors. Its allegiance was with the camp striving to overthrow the governments of the new democracies. If the Soviet Union is far from friendly to a Franco or the Greek king it would be inconsistent if it had any other attitude toward the Tito regime which was throwing hundreds of Communists and partisan veterans into jail or murdering them outright.

In his speech to the Progressives, Rogge implied that the small nations of the world can make the United Nations work for peace if they don't choose between the U.S. and the USSR. Rogge forgets what Trygve Lie recalled only two weeks ago: that agreement among the big powers, in-

side and outside the UN, is the only basis on which the UN can survive. And, as Elliott Roosevelt points out in his book, *As He Saw It*, his father believed that the foundation stone of the United Nations was American-Soviet-British agreement. That's why FDR proposed the veto clause for the UN charter.

But big power cooperation does not mean that big powers should interfere with the rights of small nations. A socialist country like the Soviet Union believes in the sovereign equality of nations. That's why it gives unselfish assistance to nations as small as Albania. That little country has tripled its pre-war production almost entirely because of Soviet aid.

Rogge has made great sacrifices in defending victims of persecution and in building the Progressive Party. But the record shows he's off base on the question of Tito and the role of the Soviet Union today.

4-26

Tolson ✓  
 Ladd ✓  
 Clegg ✓  
 Glavin ✓  
 Nichols ✓  
 Rosen ✓  
 Tracy ✓  
 Harbo ✓  
 Mohr ✓  
 Tele. Room ✓  
 Nease ✓  
 Gandy ✓

### Rogge, Talking in Kremlin, Urges Atomic Inspections

By the Associated Press

MOSCOW, Mar. 8.—A new plan to forestall an atomic war—international inspection of military facilities without control—was proposed here last night by G. John Rogge, former Assistant United States Attorney General. Mr. Rogge, now a New York attorney and a top policy-maker of Henry Wallace's Progressive Party, recommended to an audience at the Kremlin that a multinational body be permitted "unlimited inspection—not control but inspection—of all atomic energy installations everywhere in the world."

Such a group, he continued, should also inspect "all armed forces, armaments and military bases."

Visiting here as a member of the World Congress of Partisans of Peace, Mr. Rogge said such a plan would "relieve nations of most of their current intelligence and counter-intelligence activities."

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**Rogge on Way to Soviet To Offer Peace Appeal**

By the Associated Press  
 NEW YORK, Mar. 4.—Former  
 assistant Attorney General O.  
 John Rogge left by plane today  
 for Moscow where he said he ex-  
 pects to make a world peace ap-  
 peal before the Soviet Parliament.  
 "I hope to be able to appear be-  
 fore the parliament," he said,  
 and make proposals on the out-  
 lawing of atomic weapons and of

all weapons of mass destruction,  
 and on the necessity of a world  
 disarmament program."  
 Mr. Rogge said he is a member  
 of the executive committee of  
 the World Congress of the De-  
 fenders of Peace. He said he  
 planned to meet members of the  
 committee in Paris before leav-  
 ing for Moscow. A visa to enter  
 Russia is awaiting him in the  
 French capital, he said.

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Date: MAR 15 1950

June 10 1950

## TRIB ADDS A LIE TO REPORT OF ROGGE SPEECH IN USSR

In reporting O. John Rogge's proposal on atomic controls presented to the ~~Supreme Soviet~~ of the USSR, the New York Herald Tribune yesterday added a blatant lie to its story. The Tribune cable from Moscow said:

"Mr. Rogge recommended that a group be set up within the United Nations with the right of unlimited inspection of all existing atomic installations, armaments and military bases. Such a body, he declared, should publish all its findings."

The Tribune added its own parentheses:

"Although Mr. Rogge did not mention it by name, this is part of a plan first devised by Bernard Baruch and supported by the majority of the United Nations. It has been consistently opposed by Russia."

### OUTRIGHT LIE

Baruch proposed nothing of the kind! The heart of his atomic plan is the OWNERSHIP AND MANAGEMENT of all atomic installations all over the world by an international agency in which the U. S. would be assured of a majority vote.

Vishinsky made it clear at the last session of the UN General Assembly that the Soviet plan calls for international control and inspection of atomic installations. Vishinsky said such a commission would be able to go to the Soviet Union, "smell the (atomic) materials, touch them, see them, do anything they want or desire." Vishinsky also added that "in the day to day operations of the inspection and control system there would be NO VETO."

In contrast, it is the U. S. delegation in the UN which has demanded that any census of military installations all over the world SHOULD NOT INCLUDE ATOMIC WEAPONS.

The New York Herald Tribune lied about this as has every capitalist paper in the country which misrepresents the real issue on atomic controls.



ROGGE

*Howard*

*Schiffman  
Brooklyn  
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## Reds Wrong on U.S. 'War Plot,' Rogge Tells Parley on Peace

STOCKHOLM, March 18 (AP). Former U.S. assistant attorney general O. John Rogge complained today he is "a little weary of all these denunciations" hurled at America by European Communists.

Rogge, who recently went to Moscow as vice president of the World Committee of Peace Partisans and became one of the first foreigners ever to speak before Russia's Supreme Soviet (parliament), said he disagreed with Communist members of the organization.

He declared in an interview he did not believe Communist charges that President Truman is planning a war against Russia.

Rogge, one of the top policy-makers for Henry Wallace's American Progressive party, commented particularly on a speech by the Communist French atomic energy chief Frederic Joliot-Curie, yesterday at the opening of a "peace partisans" conference.

"Irrespective of President Truman's decision to manufacture the hydrogen bomb," said Rogge, "I do not believe that he or other

American leaders are planning any war."

Joliot-Curie had told delegates to the conference that American political leaders are driving their people toward a war with Russia because they have "no confidence in their own system."

Rogge said he disagreed with the World Committee of Peace Partisans on two main points:

1. The tendency to "put all the blame for the cold war upon the United States."
2. The contention that the U. S. is planning a war against Russia.

"I think that both sides are to blame for the cold war," Rogge said, "but that it is rather senseless to try to assess the blame."

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# Rogge Gets Job With Yugoslavs

## He and Partners Sign As Tito's U.N. Agents

John Rogge, wartime sedition trial prosecutor, has signed a contract for his law firm to be legal representative of the Yugoslav mission to the United Nations, Justice department records revealed yesterday.

Rogge, who was fired as a special assistant to the attorney general for giving Justice department secrets to unauthorized persons, and members of the firm have registered as Yugoslav agents with the Justice department.

Since leaving the Justice department, Rogge has served as attorney for subversive and radical groups, helped direct Henry Wallace's campaign for President, attended the Communist peace conference in Paris, and made a private visit to Moscow.

Papers filed by Rogge under the foreign agents registration act stated that an agreement was reached with the Yugoslavs on Jan. 10 and a retainer fee of \$10,000 was paid to his law firm Jan. 18.

The agreement provided among other things that the firm would provide "general advice and counsel on problems of international, federal and State laws."

Partners of the law firm are listed as Rogge, Herbert J. Fabrant, Murray A. Gordon and Robert Huron Goldman.

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# Around the Globe

By Joseph Clark

## Rogge Crosses the Yugoslav Rubicon

THE LAST TIME this column discussed our differences with O. John Rogge, we suggested that the area of agreement between us was by far the most important thing. That was borne out by the fact that Rogge did not make his pro-Tito views a divisive question at the Progressive Party convention.

Since that time, however, it would seem that Rogge has gone out of his way to widen the gulf. By word, and now by deed, Rogge has chosen



Titoism as the major tenet of his political belief and activity.

A man is judged by his deeds, and Rogge's current visit to Tito speaks much louder than words. Rogge didn't go to Yugoslavia as a tourist. His mission there does not include visits to Tito's jails to bring aid to the victims of Tito's terror.

It would indeed have been a service to world peace and democracy had Rogge tried to visit Hebrang and Zhuswiv who rot in jail for the crime of supporting friendship with the Soviet Union.

No, Rogge went to Yugoslavia because he supports the path which Tito has taken, a path which led Tito into the arms of the Export-Import Bank and into the espionage schemes of Project X—the plot against the Soviet Union and the New Democracies.

IN PASSING, let us note that the Trotskyites have officially drawn Tito to their bosom. The latest issue of their paper here, The Militant, greets the Titonites' public denunciations of the Soviet Union from every conceivable point of view.

Rogge's words complement his deeds. He crossed the i's and dotted the i's on his Titoite position at the recent Stockholm meeting of the Executive Committee of the World Congress of the Defenders of Peace. At that meeting Rogge disagreed sharply with Joliot-Curie for suggesting that leaders of finance and government in this country pursue an imperialist or pro-war policy.

On this point Rogge declared:

"I want to say that the leaders in the United States, whether in business finance or government, do not want war."

Surely, no one can apply a machine to the wheels of the financial and government leaders here and read their innermost thoughts. But the rest of us can do it today.

That the bomb was dropped at Hiroshima at the opening of the cold war with the Soviet Union, because Japan had already shown it wanted to surrender?

That the U. S. and British zones of Germany were turned back to the Nazis for management, while they were being prepared for a military role against the Soviet Union?

That atomic energy was devoted to making atomic bombs and a decision made to manufacture the H-bomb? At the same time any talk of agreement to end the danger of atomic destruction was vetoed by the Baruch plan, which establishes an international agency to own and manage the atomic energy resources of all countries under a U. S.-controlled majority.

That colonial wars against Indonesia, China, Indo-China, Israel, Malaya, and Korea, were organized under the Truman Doctrine of arming every Chiang Kai-shek who would murder his own people to serve Wall Street?

That the Atlantic Pact was signed as a direct military instrument for aggression against the Soviet Union and the New Democracies?

That, at the very moment when Rogge was allowed to present his views to the Supreme Soviet, the State Department barred a peace delegation, headed by the artist Picasso, from presenting the World Peace Committee's simple program for disarmament and banning atomic weapons?

Rogge's efforts to blame the Soviet Union and Wall Street imperialism equally for the cold war can't stand up in the face of the record. Those who have vilified Rogge's peace efforts will praise his pro-Tito activity. Titoism does not serve America, but the foes of its peace and security.

This is not to say that a peace movement will not unite persons who do hold such views. But the least we can do is to cite the record and show how Socialism has served the cause of peace.

Thanks to S. A. S. for the \$3 for the Daily Worker. How about you?

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FILE

*Torrey*  
*M. Wood*  
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# ROGGE SAYS USSR WANTS A-BOMB BAN

## Defends Yugoslav Regime, Reveals He's on Tito's Payroll

By Joseph Clark

O. John Rogge told a press conference yesterday that he had been allowed to speak his views freely before the Supreme Soviet in Moscow and that Soviet officials had welcomed the Stockholm proposals for banning the atomic bomb and the reduction of armaments.

At the same time, the former U. S. attorney general revealed that he was a paid representative of the Tito government which had retained him for legal services here in January before he made his European trip.

Rogge returned Wednesday after a six day visit to the Soviet Union, a week in Sweden and an extended stay in Yugoslavia. Rogge told the newsmen in his office at 401 Broadway that the cold war was destroying freedom in the United States. He cited the Supreme Court decision on the Dennis case, the Hollywood 10, the Foley Square lawyers, the suspension of New York teachers, the Mundt bill and other repressive measures.

Rogge denied that the sponsors of the cold war here wanted war, but said that they were promoting the war program to bolster

their profits and to eliminate supporters of reform. He said that recent Supreme Court decisions indicated that it would not be the bulwark of democracy he had hoped, and said that a united front within the framework of the Progressive Party should be promoted.

### DEFENDS TITO

Rogge defended the policies of the Tito government and suggested additional aid from the United States for Tito. Queried about Hebrang and Zhuvovic,

former leaders of the Yugoslav liberation war who were imprisoned by Tito, he said he had made no effort to pursue this matter while he was in Yugoslavia. He compared that situation with the suppression of counter-revolutionary and fascist forces in the other eastern European nations.

His specific proposal to end the cold war, Rogge said, was the setting up of a "Watchdog Commission" to supervise atomic and all other armaments in all lands.

(Continued on Page 9)

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## Rogge

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Asked about the Stockholm decision of the World Peace Congress for a petition campaign to ban the atomic bomb, Rogge said he favored the idea. But he suggested that his watchdog commission proposal was a necessary next step.

Rogge praised the mission of Secretary General Trygve Lie to Moscow to bring the big powers together to end the cold war.

Queried about Tito's speech calling for an alliance of Yugoslavia, Austria, Italy and Greece, he said he was opposed to all blocs, but implied that Tito was just seeking friendship with his neighbors.

Rogge praised what he thought were changes in the Tito government resulting from its opposition to the Soviet Union and the People's Democracies in Europe. He said this struggle was leading to discussions of greater "freedom and initiative" in Yugoslavia.

Rogge also issued a statement saying he would try to get the National Lawyers Guild on record repudiating the vote by William L. Standard and Robert F. Silvers in the council of the International Association of Democratic Lawyers for the expulsion of the Yugoslav lawyers.

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# Rogge Admits Lobbying Here For Yugoslavia

*Tele*

London, June 1 (AP).—O. John Rogge, who recently was applauded in the Kremlin, announced today that he is a registered lobbyist for Yugoslavia, Russia's enemy.

The former Assistant United States Attorney General made the statement at a not so peaceful meeting of the executive committee of the Soviet-blessed World Peace Committee. He is a committee vice president.

Rogge thus confirmed bitter assertions by American Negro singer Paul Robinson that Rogge was a "paid lobbyist" for the anti-Soviet Communist regime of Yugoslavia's Premier Marshal Tito.

"I'm a registered lobbyist for Yugoslavia and for a number of organizations," said Rogge, who has offices in New York. "I'm a lawyer and my firm represents a number of clients."

Robeson made the heated statement of "paid lobbyist" after

Rogge had proposed that the world organization reinstate the Yugoslav peace commission which it had ousted a year ago because of its feud with the Cominform. The committee rejected Rogge's resolution.

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# Around the Globe

By  
Joseph  
Clark

## Rogge Earns His Retainer As Tito Representative

*file*

O. JOHN ROGGE has proposed that the Tito clique be invited to attend the second congress of the Defenders of Peace. As the legal representative of the Tito government in this country Rogge evidently is earning his retainer.

As the leaders of the World Peace Congress met in London it surely did not occur to any of them to ask the Franco government to appoint the delegates from Spain to the peace congress in Italy this fall. And for identical reasons they couldn't ask for Yugoslav delegates who have the sanction of Tito.



Rogge's resolution says that the Tito spokesmen should be invited "to expand the areas of agreement rather than to widen the differences between the peace-loving, democratic forces of the world." Surely Rogge must have read Gaston Coblentz' cable from Vienna in the New

York Herald Tribune on May 20, which says:

"There has been a marked change in the thinking of ranking United States Army officers here about the Communist regime of Premier Marshal Tito in Yugoslavia, and the increasing effect of the Marshal's defection from the Cominform on the political and military situation in Southeast Europe."

WHAT'S THIS NEW LINE of the brass hats who are organizing Project X to overthrow the new democracies in southeast Europe and who are uniting their satellites in a war alliance against the USSR? Coblentz continues:

"Today headquarters officers of the American occupation forces in Vienna privately describe Marshal Tito's row with Russia as the 'biggest break' the United States has had in the cold war."

And what are the "democratic" and "peace-loving" assignments which the brass hats have for Tito? Coblentz explains:

"Viewing future American-Yugoslav relations on the basis of experience, the American officers stress that Marshal Tito has one of the largest and probably one of the best armies in Europe, that its detachment from the Soviet bloc has been a windfall for the prospects of defending Greece and Italy, and that it even somewhat improves the position of Austria in a future war."

Now, when those brass hats talk of defending Greece, Italy and Austria, they have in mind the same aggressive military preparations in Southeast Europe as were planned at the London Atlantic war alliance meeting. For a long time they have advocated a Yugoslav-Italian-Greece-Austrian Axis. In his most recent attack against the Soviet Union Tito said he was willing to make such an alliance with those clerical-monarchist-neo-Nazi governments.

The Tito agents have done a finger job for the Department of Justice in support of J. Edgar Hoover's portrayal of American Communists and American partisans of peace as "agents of Moscow."

The same Gaston Coblentz cabled from Belgrade May 8, quoting the Tito newspaper Glas as saying that "the American party carries out the orders" of Moscow. The newspaper demands that American progressives must condemn "the aggressive actions of the Soviet Union." It attacks American fighters for peace because of their "anti-imperialist tirades" against Wall Street.

TO ANYONE but a paid agent of Tito it should be clear that the Tito regime has only one interest in the world peace movement—to disrupt it. But that movement doesn't disrupt so easily. The campaign for signatures to the Stockholm petition for banning the atomic bomb and for branding the first government to use the bomb as a war criminal has aroused tremendous response.

Americans, too, are for peace. Americans, too, are joining this worldwide petition campaign. Americans, too, will refuse to be divided on the decisive issue of our times—peace.

Yes, indeed, delegates from Spain, Greece and Yugoslavia should attend the world peace congress. And they will be present—as representatives of the democratic, peace loving masses of the anti-fascist underground. Would Rogge help by asking his client to allow the prisoners of Tito to leave their dungeons to come to the peace congress? Those men and women are in jail because they believe in friendship and peace with the Soviet Union. Will you help get them to the world peace congress, Mr. Rogge?

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# Rogge Admits Tito Pays Him For Lobbying

By the Associated Press

LONDON, June 1.—O. John Rogge, former assistant United States Attorney General, whose activities in behalf of world peace have met Moscow's approval, now is a "paid lobbyist" for Yugoslavia. This was asserted by singer Paul Robeson and confirmed by Mr. Rogge today at a stormy meeting of the executive committee of the World Peace Committee.

"I'm a registered lobbyist for Yugoslavia and for a number of organizations," Mr. Rogge told a press conference called by the World Peace Committee to hear the results of its work collecting signatures to a petition for abolition of the atomic bomb. "I'm a lawyer," Mr. Rogge said, "and my firm represents a number of clients."

Mr. Rogge, who has offices in New York, was an Assistant Attorney General from 1943 to 1946. He has visited most of the Communist-dominated Eastern European countries.

Mr. Robeson made the "paid lobbyist" charge after Mr. Rogge, a vice-president of the World Peace Committee, had offered a resolution asking that the Yugoslav Peace Committee be readmitted to membership.

## Yugoslavs Expelled Last Year

The Yugoslav committee was expelled last year, thirteen months after Marshal Tito had broken with Moscow.

In a closed session, the committee rejected the resolution.

Later, at the press conference, Mr. Robeson said: "Yugoslavia now has tied itself firmly to the capitalist camp which, at the behest of the Du Ponts and Wall Street, is preparing for a new war."

Half the hour-long conference was taken up by sharp exchanges between Mr. Robeson and two Yugoslav newspaper men who asked why the peace committee always took the Russian line. They received no replies.

J. D. Bernal, British scientist and a vice-president of the committee, said the group's "ban the atom bomb" petition "will have more than 100,000,000 signatures by October, when the campaign will end."

Alexander Korneichuk, dramatist and Russian representative on the committee, said the petition had not been circulated yet in the Soviet Union "but probably will be this summer."

The committee is to meet again in Genoa, Italy, the last two weeks.

OFFICE OF THE LEGAL ATTACHE  
AMERICAN EMBASSY  
LONDON, ENGLAND

NEW YORK HERALD TRIBUNE  
FRIDAY, JUNE 2, 1950  
PARIS, FRANCE

G. I. R. - I

Attorney

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**Reds Bar Rogge**

LONDON, June 2 (AP)—Executives of the Communist-led World Peace committee refused to let O. John Rogge make a scheduled speech after he acknowledged yesterday he is a registered lobbyist for Yugoslavia, he said today.

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Miss Gandy	_____

# Rogge Will Ask Red Parliament To Ban A-Bombs

Self-Styled 'American  
Of Good-Will' Flying  
To Moscow for Talk

Former Assistant United States Attorney General O. John Rogge left LaGuardia Field by plane yesterday for Moscow, via Paris, asserting that he expects to address the Soviet Parliament tomorrow or Tuesday as "an American of good-will" on outlawing atomic weapons and promoting world disarmament.

Rogge said the invitation to make the trip was extended by the "Executive Committee of the World Congress of Defenders of Peace." He described the World Congress organization as a connecting committee of the Paris World Peace Conference.

Rogge said he had decided to leave for Moscow on Friday, and that he did not know how long he will be gone, or whether he will be given an opportunity to confer with Russian Premier Stalin.

### Expects French Visa

He said he expected to receive a visa for Russia on his arrival in Paris, and admitted that he did not know the attitude of the

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## Rogge to Ask Red Plan on A-Bombs

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Soviet toward world disarmament.

"My idea is that we have to learn the world must live in peace," Rogge said, "and that we can't continue on the basis of the cold war. Capitalists and Communists can live at peace with each other."

Rogge said that he wished to be looked upon as someone who wants to try to find ways and means for people of different cultural relations to live in peace." He stated flatly "I am not a Communist."

**Differs with Reds**

He said that he had certain fundamental differences with the Communists and pointed out that there would be disagreements with them on the concentration of wealth, cultural patterns, freedom and free election.

Rogge, who is making his first visit to Moscow, said he has not consulted with the Progressive party, of which he is a leader, on the trip, adding

"I am an American fighting for freedom. I will not pursue the course of H-bomb diplo-

## Rogge Reports Yugoslav Industrialization Gains

O. John Rogge, who returned Wednesday from a two-month tour of Yugoslavia and the Soviet Union, said yesterday he was convinced that the Yugoslavs were successfully achieving "industrialization of their country for the benefit of the people."

Mr. Rogge, at a press conference in his office at 401 Broadway, said he limited his investigation of Yugoslav affairs to the question of industrialization. He said he was aware that freedom was limited in some respects in Yugoslavia, but contended that "there is more freedom there today than there was under the old regime." He added that freedom has also been restricted in the United States, especially in the last three years, as a "means for preserving the status quo." He said the Yugoslavs defend the limitation of freedom in their country as necessary to preserve the results of their revolution.

Mr. Rogge said he would introduce a resolution at the convention of the National Lawyers Guild this week end placing the guild on record as opposed to the expulsion of the Yugoslav Lawyers Association from the International Association of Democratic Lawyers. He said the move to expel the Yugoslavs was part of the attack on Yugoslavia led by the Cominform group of pro-Soviet countries. He said the international association includes lawyers from both sides of the iron curtain, and is devoted to spreading international understanding and peace.

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**Rogge In, Says Robeson  
And He Parted Friends**

O. John Rogge, former Assistant United States Attorney General, said yesterday he and Paul Robeson shook hands and parted friends after a squabble last week in London in which Mr. Robeson charged Mr. Rogge was a paid lobbyist of the Tito government of Yugoslavia. Mr. Rogge admitted then, and repeated yesterday on his return to the United States aboard an American Overseas Airlines plane, that he was a "registered lobbyist for Yugoslavia."

The argument was at the London conference of the bureau of the World Committee of the Defenders of Peace. Mr. Rogge sought to have reinstated in the organization a Yugoslav delegation which had been expelled from the group some months ago because of the Yugoslav government's differences with Russia.

Mr. Robeson fought the reinstatement and charged Mr. Rogge's efforts in behalf of the Balkan country were based on the profit motive, meaning Mr. Rogge's salary as Yugoslav lobbyist. "I believe Yugoslavia is within its rights in insisting on working out its own reforms without taking orders from East or West," Mr. Rogge said yesterday.

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**Rogge Reverses His Stand on Peace Appeal**

*file*

NEW YORK, Aug. 13 (AP)—O. John Rogge, leading American supporter of the Communist-supported Stockholm peace appeal, announced today he had changed his mind and is going to Prague to ask the World Partisans for Peace to brand North Korea as an aggressor.

Rogge, a former U. S. assistant attorney general and New York lawyer who is a national committeeman of the Progressive party, said he would ask the original signers of the Stockholm appeal to outlaw aggression by whatever source and whatever country.

Rogge was the third American to revise his position during the past week.

Henry Wallace, Progressive party Presidential nominee in 1948 resigned from the party Tuesday because it opposed American intervention in Korea.

Lee Pressman, former CIO official, quit the American Labor party Friday saying it reflected the "interests and aspirations" of the Communists.

*Hanson*

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**Reds**

**Switcheroo**

**O. JOHN BOGGE**, Progressive Party member, Muscovite apologist, and one of the original signers of the phony "Stockholm Peace" petition, is on his way to Prague for a meeting of the "Partisans of Peace"—strictly Red—where he will ask members to outlaw aggression instead of the atom bomb. He also wants the Soviet Union to "renounce the use of force in Korea. Red lover Paul Robeson was supposed to make this junket, too, but his passport was invalidated.

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### O. JOHN'S NEW LOOK

LATEST of our lefties to retool for the duration is O. John Rogge, who has called upon the Soviet Union to "renounce the use of force in Korea."

O. John, one of the few foreigners ever to be invited to speak before the Supreme Soviet in the Kremlin and an original signer of the Communist-supported Stockholm peace petition, took off for Czechoslovakia yesterday, uttering things like "I challenge the dogma that capitalism causes wars."

In Prague he is going to propose that the Partisans for Peace, which originated the petition, amend it to demand the outlawry of aggression. Present emphasis is on racking up the atomic bomb.

Paul Robeson was to have been the other official American delegate to the conference, but his passport was invalidated by the State Department last week. With Mr. Rogge now going into his switch and Mr. Robeson detained at home, we fear the United States is going to have small voice in the Prague meeting, if any. "They may even throw me out," says Mr. Rogge. He could be that lucky.

*Baumgardner*  
*Collier*  
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Mr. E. A. Tamm  
Mr. Clegg  
Mr. Glavin  
Mr. Ladd  
Mr. Nichols  
Mr. Rosen  
Mr. Tracy  
Mr. Harbo  
Mr. Mohr  
Tele. Room  
Mr. Nease  
Miss Gandy

# Delegate Rogge Home From Redland Parley

O. John Rogge, former assistant U. S. Attorney General and now a paid propagandist for Communist Yugoslavia, returned yesterday from the Soviet-dominated "World Peace Conference" in Czechoslovakia, still convinced, he said, that he will get somewhere with his personal peace crusade.

Rogge's crusade is aimed at amending the so-called Stockholm peace petition, which now condemns A-bomb aggression, to damn all aggression. The petition has been a major weapon in the Soviet peace offensive, the objective of which is to brand the U. S. an imperialist aggressor.

### His Amendment Ditched.

Landing at LaGuardia Field, Rogge acknowledged that his amendment was "neatly sidetracked" by delegates who endorsed the "foreign policy of Soviet Russia" at Prague. But, he said, he hopes to have better luck when the same group holds a congress in England on Sept. 13. He did not give his reasons.

Rogge said Russia had "countenanced" the Communist-led North Korean aggression and should do something about making peace, but he didn't give his own country a clean bill in the Korean conflict. The U. S., he said, "has a knack of backing the wrong people" and it backed them in Korea.

### Plug for Yugoslavia.

Rogge concluded his remarks with a plug for his client, Yugoslavia, whose agent he has been since Marshal Tito broke with the Kremlin and set up as a "national" Communist.

Yugoslavia, Rogge said, "is the strongest independent force in Europe" and for that reason "the best thing we can do is give a lot of aid to Yugoslavia."



O. John Rogge leaves plane here yesterday.

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FROM News  
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DATED AUG 28 1950  
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(LOYALTY)

O. JOHN ROGGE TOLD THE SUPREME COURT THAT THE JUSTICE DEPARTMENT'S LIST OF SUBVERSIVE ORGANIZATIONS IS "AN ATTEMPT TO EXPLOIT THE ANTI-COMMUNIST HYSTERIA POLITICALLY."

"PUBLICATION OF THIS FAKE AND LIBELOUS BLACKLIST IS PART OF THE CONTEST BETWEEN CONGRESS AND THE ADMINISTRATION TO WHIP UP THE HYSTERIA THAT IS GRIPPING THIS COUNTRY TODAY," ROGGE SAID.

SOLICITOR GENERAL PHILIP B. PERLMAN DEFENDED THE LIST AS A MEANS OF "PROTECTING AND SAFEGUARDING THE CONSTITUTION AND OUR WHOLE FORM OF GOVERNMENT."

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*Outing*

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# Rogge Disowns Abe Lincoln

By Max Gordon

ON THE 87th anniversary of the Gettysburg Address, which more than any other single utterance tied together America's two great revolutionary struggles for freedom, an American rose at an international gathering to repudiate those two revolutionary struggles.

It is ironic that this American, O. John Rogge, was the only spokesman from his country at this gathering—the World Congress of Peace—for the policy of the American government today. But that fact itself is mighty important.

For it tells the world that the present course of the American government is a complete repudiation and reversal of a basic principle upon which our country was founded—the right to revolt against oppression.

Let's note that the press, which considered Rogge's address at the World Peace Congress the only thing worth reporting in detail, omitted that passage of the speech which said:

"With reference to my own country, I have revised downward my estimate of good that I had previously attributed to our own Civil War, and even, in view of the present close ties between the United States and Great Britain, to our own Revolutionary War."

BEFORE HIS "downward revision" Rogge was generally considered a Jeffersonian Democrat, one who was genuinely attached to the tradition known as Americanism.

What does this tradition say about the right of revolution?

But when a long train of abuses and usurpations . . . evinces a desire to reduce them (the people) under absolute despotism, it is their right, it is their duty, to throw off such government and to provide new guards for their future security.

So wrote Jefferson in the Declaration of Independence, the action commemorated by Lincoln in his famous "Four score and seven years ago . . ."

Joseph Starobin is in Europe. His column, Around the Globe, will be resumed on his return.

address. Lincoln himself gave powerful voice to that doctrine when he declared in an address opposing the Mexican War as an unjust war that the people have the "revolutionary right" to overthrow existing government when it becomes oppressive.

THE STRUGGLE by the Koreans to overthrow an oppressive regime imposed upon them by imperialist-hungry Wall Street imperialism is the profound meaning of the war in Korea.

There is no civilian report out of Korea before June 25, whether written by radical or conservative, which does not emphasize that the Rhee regime was as oppressive and bloody a dictatorship as any the world has witnessed, that it was imposed upon the South Korean people by American occupation forces, that it was ready and anxious to spread its dictatorial regime to the rest of Korea by force of arms as soon as the American military gave the word.

Thus, the policy of our government in Korea, using the United Nations as its instrument, is to prevent the Korean people from throwing off the yoke of a bloody oppressor.

Under the whiplash of the U. S. delegation, the UN has now made official the repudiation of this fundamental right to overthrow oppressors. It is "indirect aggression," according to the formula dictated by John Foster Dulles and accepted by the UN majority. Henceforth, Mr. Dulles will have the force of the UN behind him when he moves to protect his investments and those of his Wall Street cronies in any part of the world against the native peoples who will want to throw off the yoke of colonial or feudal or capitalist oppression.

Those of us who are for world peace and cooperation among the great powers repudiate the un-American idea that peace includes acceptance of oppression.

But those amoral gangsters of the pen of politics, of such organizations as the American Legion, who live by agitating for war and hate toward the Soviet Union and China, suddenly become apostles of "peace" when a oppressed peoples rise up in the revolutionary tradition of the Gettysburg Address—to strike off their oppressor and become free nations and peoples.

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This is a clipping from Page 6 of the Daily Worker

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# Rogge's Peace Blast at Warsaw Dents Soviet Propaganda Armor

By Max Hall

Associated Press Staff Writer

O. John Rogge, a hefty man with a hog-caller voice, once did a wrecking job on the Huey Long machine.

Later he prosecuted 30 persons in a fantastic mass sedition trial in Washington.

Still later he became associated with numerous "peace" undertakings under Communist sponsorship here and abroad.

This week he went behind the iron curtain and stuck pins in the Stalinists. He made them furious.

In Warsaw, Poland, at one of those world peace meetings that the Communists are forever sponsoring, Mr. Rogge got the floor Sunday and dramatically denounced Communist aggression and Communist "religious fanaticism," which he called a roadblock to human progress. The booring was terrific.

It was not the first time Mr. Rogge had criticized Russia in such meetings, but he had never gone so far before. Not everybody booed. Some delegates from non-Communist countries applauded. There could be no doubt that the Soviet propaganda drive had been dealt a blow.

### Career Bewilders Americans.

Mr. Rogge's career, so bewildering to most Americans, parallels that of Henry Wallace in some respects.

Both men were kicked out of Truman administration jobs in the fall of 1946.

Both came to believe that it was possible to work with Communists toward the objective of peace. They thought the United States was handling the international situation all wrong. They worked together in the Progressive Party, which put Mr. Wallace up for President in 1948.

Now both men have become disillusioned about the peaceful intentions of world Communism. Mr. Wallace has quit the Progressive Party. Mr. Rogge stayed in the party to try to persuade it to stop blaming the United States for the Korean war. (So far, he has made no headway.) He also tried to change the Communist-sponsored "Stockholm Peace Appeal" and, failing, renounced his support of it.

Mr. Rogge (pronounced Roggy)

is 46 years old. He was born on a farm in Illinois, of German immigrant parents. He made a notable record at the University of Illinois and the Harvard Law School.

As a young Chicago lawyer, he was called into the Government from time to time to prosecute tough cases for the Reconstruction Finance Corporation, Securities and Exchange Commission, and Treasury Department.

In 1939 he joined the Justice Department as Assistant Attorney General in charge of the criminal division. He spent eight months in Louisiana, spreading alarm and prison sentences among political heirs of Huey Long, who had been assassinated in 1935.

He left the Department at the end of 1940, but was brought back in 1943 to prosecute the famous mass sedition case. After seven months of courtroom nightmare, the judge died and a mistrial was declared.

Until the sedition case, Mr. Rogge had seemed utterly oblivious to political considerations or ideologies.

### Turning Point in 1946.

In 1946 came a turning point in his life. He went to Europe to gather evidence for a resumption of the sedition case, and collected a lot of material on American Fascists. He came back zealous and full of fight.

Mr. Rogge made a report to Attorney General Tom Clark. Mr. Clark didn't publish it. Mr. Rogge began making speeches about his findings. Mr. Clark fired him on the ground of violating regulations.

Mr. Rogge entered private practice in New York and continued his anti-Fascist speeches. The American left wing cheered him. Left-wingers brought him law cases. He became a crusader for civil rights. He plunged into peace movements, and went to Paris, London, Prague, Stockholm, Mexico City, and other places to speak at conferences.

Last spring he became a registered lobbyist for the Yugoslav government, which is Communist but anti-Moscow.

That didn't endear him to the Stalinists of the world.

But even before this, he was speaking his mind with increasing frankness at the "peace" meetings. Finally, he has let 'em have it

*Rogge*

*Howard*

*et 9-1*

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- N. Y. Compass \_\_\_\_\_

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File  
C JOHN ROGGE REPORTS

# Hatred, Violence Filled Air At Red 'Peace' Congress

By O. JOHN ROGGE  
Specially written for the N. Y. Post

I attended two meetings in Warsaw of the Second World Congress of the Partisans of Peace and a council meeting of the International Assn. of Democratic Lawyers.

In the Congress I analyzed the power struggle between the Soviet Union and the United States and I pointed out that Communists who take the Cominform position try to convert the world to their point of view with such zealous determination that they are willing to give revolution a violent shove here and there.

I asked progressives, in order to be effective in their fight against reaction in their own countries, and to achieve peace in the world, to declare their independence of the idea that progress is to be identified only with the policies of the Soviet Union. I urged progressives in each country to place the interests of their own country above their own political interests in the council meeting of the International Assn. of Democratic Lawyers. I presented a resolution of the National Lawyers Guild disapproving an attempt by the council to expel the association of Yugoslav lawyers.

The action of the council was based upon the alleged Rajk confession. During the course of my presentation I questioned the validity of this alleged confession. I thus challenged two basic dogmas of Communists who take the Cominform position that all progress is to be identified with the policies of the Soviet Union and that justice has prevailed in the many purge trials which have taken place in the Eastern countries.

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**NEVERTHELESS, I OBSERVED** much support for my position in the Congress.

However, it was not possible to organize this support at War-

*O. John Rogge, who arrived here yesterday by plane, was a member of the American delegation to the recent Communist-dominated "Peace" Congress. Rogge's was one of the few voices raised in opposition to the Communist line which prevailed at the meeting. His personal reaction to the Congress was written in response to a request from the editors of The Post. The Post has often disagreed with Mr. Rogge's views and especially with the belief he long advanced that liberals can co-operate with Communists. We think his report on the Warsaw sessions is especially significant in the light of his previous attempts to work with the Communists.*

—Ed.

saw, although it might have been possible to do so at Sheffield. Polish lawyers remained friendly after my presentation and warmly received me and my wife as guests at a reception which lasted until almost midnight. Interestingly enough, support for my position at the Congress also came from those who did not attend it, especially among the Polish people. Such support was expressed either directly or in various other ways.

I am sure that no people like to have their affairs run for them by some other country. They want this as little from the Soviet Union as they would want it from the United States. We must have a United Nations strong enough to guarantee to each people the right to manage its own affairs without any interference by any other country or combination of countries.

The Congress at Warsaw was not conducted in a live-and-let-live spirit of seeking for peace-

ful ways and means of helping different systems to live together, but rather its two dominant themes were hatred and violence: hatred of the United States and attainment of world revolution by force.

#### **SUCH THEMES LEAD TO WAR**

**NOT PEACE.** I asked myself during the course of the Congress why there was so much denunciation of the United States. It occurred to me that the reason for it might lie in the fact that those who did the denouncing were not really sure of their own position.

They had doubts. After all, if one is sure of a thing—for example, that two and two make four—one does not have to continue to repeat ad infinitum that such is the case. The very words employed in speaking of peace were not conducive to peace but to violence.

Again and again such expressions were used as "fight for peace," "battle for peace," "impose peace." That is, the peace of one side is to be obtained by the use of force.

Now to talk of peace by force is as bad as to talk of preventive war. Here again, however, there is a difference between the East and West. When people from the East talk about peace by force I have never heard them criticized by anyone else from the East. When those in the United States talked about preventive war they were roundly

criticized by Secretary of State Dean Acheson. I had one important agreement with Alexander Fadayev of the Soviet delegation, but it was never put to pap-

er. He proposed a resolution at the end of his speech in which he called not only for a ban on weapons of mass destruction, but also the reduction of armaments and armed forces.

**I TOLD HIM THAT I disagreed**

with his entire speech until he came to his resolution, but that I would agree to his resolution with an amendment. My amendment called for full inspection at all times by an appropriate United Nations body. He agreed to my amendment.

His proposed resolution became point seven in the manifesto. However, there was not a sufficiently clear provision on the unlimited right of inspection by an appropriate United Nations body.

The voting was by delegations. The American delegation under the chairmanship of Charles Howard ruled against any amendments. I accordingly had to vote against the entire manifesto. Howard made an attack upon me which was both unfair and untrue and thereafter became very hostile. His conduct reminded me of a statement by the elder Karamazov: "I did him an injustice and then I hated him."



**O. JOHN ROGGE**

*Asks world's progressives to shelve the policies of the Soviet Union*

Associated Press Photo

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*My New Pla  
By O. John Rogers*

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O.  
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# the new Leader

EXCLUSIVE



'NEITHER EAST NOR WEST'

# My New Plan— for Peace

PAGE 2

JANUARY 29, 1951

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# MY NEW PLAN FOR PEACE

By O. John Rogge

*Former Assistant U. S. Attorney General*

**T**HE SPEECHES of former President Herbert Hoover and Senator Robert A. Taft remind us again that there are many points upon which the right and the left agree. With many of the assertions that Hoover and Taft made, Stalin and Vishinsky are in accord.

What is true of the left and the right is even more true of the extreme left and right. Such agreements between the extremes are not accidents: They arise from basic similarities in their approaches to human problems.

One of these similarities in approach is their common hostility to human freedom, and common objection to the live-and-let-live attitude of the great middle group of moderates toward the world. The basic similarity between the extremes in this respect emphasizes the need for concerted action by the moderates.

The extreme left is well organized. So is the extreme right. The moderates, that large middle group whose members are willing to listen to different points of view and then come to a conclusion, are not. This is not a new fact. The moderates have never been well organized. One of today's problems is how to accomplish their organization.

I should like to see the formation in this country of two effective organizations of moderates: a political party which will oppose reaction; and another group which will look for ways and means by which the West and the East can live in peace. Both groups, in order to be successful in the United States, must have two characteristics. To be-

gin with, they must declare their independence, just as Yugoslavia has done, of the idea that all progress is to be identified with the policies of the Soviet Union. In the second place, in order to carry out such a declaration of independence, both groups must see to it that there are no Communists in their leadership.

## MODERATE POLICIES

Those who advocate Communism in a capitalist country, as well as those who advocate capitalism in a Communist country, may be individuals in rebellion against society. Such persons should not be selected for positions of leadership in progressive organizations if such organizations are to be effective.

Moreover, Communists who take the Cominform position will be unable, because of their adherence to dogma and their orientation toward the policies of the Soviet Union, to carry out the policies of moderates such as Henry Wallace and I and others like us. They should, therefore, not be asked to do so.

The two organizations I have suggested should, if possible, follow a course somewhere between that of Americans for Democratic Action and the American Veterans Committee on the one hand, and the Progressive party on the other. I had the feeling that the ADA and the AVC, by making so much of their anti-Communism, lost sight of the rest of their program. On the other hand, the Progressive party, by allowing a small organized min-

ority to have a voice in its councils, had too difficult a time in trying to maintain its independence.

Some time ago, I decided to have discussions with such people as Francis Biddle, former U. S. Attorney General and now National Chairman of ADA; Harold Ickes, former Secretary of the Interior; and others, to see whether we could agree on a common statement of political action. I especially wanted to have a talk with Francis Biddle. It has not taken place; maybe it will now.

I intended to say to Francis Biddle that he, and others like him, should be more specific in their objections to

nessmen as well as labor leaders, doctors, lawyers, clergymen, scientists, scholars, and members of professional, scientific, academic, church, peace and various other groups and organizations.

I also have a suggested name for my proposed non-Communist peace organization. It is **INDEPENDENT AMERICANS FOR PEACE**.

Once there is an effective peace group in the United States, I should be happy to have a delegation of tough minded Americans, representing such a peace organization, sit down with people from other countries, inclu-



**O. JOHN ROGGE (left) CONFERRING WITH MARSHAL TITO (right): CAN THERE REALLY BE A MIDDLE GROUND**

Communism. They should make it plain that what they are against is not Communism so much as Russian expansionism. Capitalism and Communism may be able to live together at peace in the world; Yugoslavia is proof of this. The question is whether capitalism will be able to live at peace with Russian nationalism.

Francis Biddle and others like him should also make it clear that they are in favor of a broad program of needed changes in human societies—to be accomplished in peaceful ways.

On my part, I and others like me must make it plain that we are equally opposed to Russian expansionism and that we are independent of American Communists. We should then determine how far apart we are.

#### **UNITE ALL PEACE ACTIVITY**

In proposing a peace group for the United States, it is not my intention to suggest simply an additional one to the many already in existence. There are some hundred or more different peace groups in this country. What my proposal envisions is an organization which would serve to unite all peace activity of a non-Communist nature. It would include Republicans as well as Democrats, busi-

nessmen as well as labor leaders, doctors, lawyers, clergymen, scientists, scholars, and members of professional, scientific, academic, church, peace and various other groups and organizations.

#### **ALL BRIDGES NEEDED**

It would be well to have as many bridges as possible between different countries and especially between Eastern and Western countries. I should like to see people from different countries get better acquainted with each other and exchange ideas. Especially should I like to see this take place between the people from the countries involved in today's power struggle—between Russians and Americans, and between Chinese and Americans. I should like to see these countries permit and encourage the exchange of students and teachers, the exchange of books and magazines, the free exchange of knowledge and the free gathering of news—in short, the free interchange of people, ideas and news.

I should like to have the peace organization which we have suggested use every resource at its command—make available to the people of the New China the record of American help and good will toward the Chinese people. One of the best elements of our foreign poli-



ROGGE IN MOSCOW; STALIN AND HOOVER AGREE

has always been the traditional help and friendship of the American people for the people of China, attested by such acts as the use of the Boxer Indemnity for the education of Chinese students and the abolition of extra-territoriality during the Second World War. This does not mean that there are not or have not been individual American leaders or personalities who have not abused that friendship, nor individual Chinese who have not done likewise. But Americans as a whole have long sympathized with the struggle of the Chinese people to maintain their independence and raise their standard of living so as to give a better life to their immense population.

Any further peace meetings, to be successful, must not become identified with the foreign policy of any particular country. They must remain objective. I am inclined to think that countries which have not joined either power bloc, such as India and Yugoslavia, should take the lead in any future peace meetings. Any such future peace meetings should have two characteristics. For one thing, they should leave aside invective; for another, they should be composed of a preponderance of social scientists—anthropologists, sociologists, psychologists and economists, who will give serious consideration to ideas and to looking for peaceful ways and means for ending the existing power struggle, for remedying injustice and for accomplishing needed changes in human societies and needed reforms in human beings.

If others who are trying to find solutions for the conflicts between the East and the West wish to offer comments on my ideas, or give me the benefit of theirs on how to oppose reaction at home and work for peace in the world, I should like to hear from them.

# WHAT DOES

**T**HE EDITORS OF THE NEW LEADER publish O. John Rogge's exclusive statement this week for a variety of reasons. First, as we stated when we presented Henry A. Wallace on a similar occasion (August 26, 1950), "we welcome any cleavage in the Soviet front." Second, we hope—as we did in Mr. Wallace's case—that Mr. Rogge's appearance here will encourage others to follow him out of the pro-Communist movement. Third, we have a tradition to uphold as a democratic forum that is always available to those whose minds are not closed to the power of the truth.

At this point, we wish to exercise our own right to disagree with Mr. Rogge.

For many years, O. John Rogge was a spokesman for movements dominated by the Communist party. In company with Henry Wallace, he was able to lead a considerable number of well-intentioned, if confused, liberals into the Communist orbit. Now that Messrs. Rogge and Wallace have broken with the Communists, we may fairly ask: "How many of those they led into the political wilderness have they led out?" The answer must probably be, "Very few." And therein lies the point we wish to make: Every liberal or progressive who imagines that he can work together with the Communists always strengthens them, for his own defection is rarely accompanied by the defection of the mass of innocents he had originally turned over to the Communists. Messrs. Rogge and Wallace thus owe a responsibility to their former followers to rescue them from Communism.

Mr. Rogge announces that he has broken with the Communists because they show no independence toward the Soviet Union. Does he expect us to believe that their lack of independence has only just been manifested, or that Soviet expansionism has only now become evident and was not reflected in the long series of events from Greece to Korea? We do not find in Mr. Rogge's article any assessment or understanding of the past. We cannot expect him to cry, "Peccavi," but we do expect him to provide some evidence that he is sufficiently aware of the direction of Soviet policy and the nature of Communist peripheral movements to be immunized against further Communist blandishments in the event the party line takes another quarter-turn. In politics, emotion cannot serve as a substitute for intelligence.

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**Rogge Blames Crisis On Reds, Blasts MacArthur**

O. John Rogge returned yesterday from the World Peace Congress in Warsaw and told reporters "the Communist decision to use force is a peril to human freedom."

He blamed the Soviet Union and the Cominform for the Korean war, but reserved some of his anger for "American extremists — Gen. MacArthur, Sen. McCarthy, and Secretary of the Navy Matthews."

Although despairing of the peace congress, Rogge said that "if they ask me to participate in another congress, of course I'll go. We have to find some way for the East and West to get together."

The Korean conflict, he said, can be settled only by establishing a buffer zone north of the 38th parallel. He hopes that the Truman administration will accept such a plan and at the same time agree with the French and British to replace MacArthur.

The new China, Rogge held, must be seated in the U.N., but "we must not tie that up with the Korean settlement. If we do it will look as though we are giving an award for aggression, and we must not do that."

Until there is agreement with China and the Soviet Union on a buffer zone, he would continue to ring Formosa with the 7th Fleet.

This must be done, he explained, "until there is some indication of a live-and-let-live attitude by the Communist part of the world."

At the same time, he added, the U. S. must reject all offers of troops from the "discredited Chiang Kai-shek."

The greatest danger of our time, Rogge said, is that while U. S. leaders said they prepared for war, "we are not a warlike nation."

"But the Communists," he held, "talked peace and prepared for war."

*Rogge*

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# Rogge Due to Resume Story of Peace Efforts In Foreign Agent Case

John Rogge, former assistant to the Attorney General today was to continue his description of "peace" efforts put forth by the Peace Information Center, New York, as he returned to the witness stand at the trial of the organization and five of its former officials on charges of violating the Foreign Agents Registration Act.

The trial is being held in District Court before Judge Matthew J. McGuire and a jury of six men and four women.

Besides the organization itself, the defendants, who are charged with failing to cause the organization to register under the act, are Dr. W. I. E. DuBois, Negro educator and writer, described as former chairman of the Peace Information Center; Mrs. Elizabeth Moos, former director; Krys Eskin, former treasurer; Albert Simon, former executive director and Miss Sylvia Boloff, former secretary.

Madritz Heads Prosecution

The prosecution headed by Kirk Madritz, a special assistant to the Attorney General, is attempting to prove that the New York organization acted as a "city agent" for the Committee of the World Congress of the Deaf and the latter group, an international organization, which passed the so-called Stockholm Appeal, has been stigmatized by Secretary of State Dean Acheson as furthering Soviet aims.

His testimony yesterday, Mr. Rogge, who at one time was a member of the advisory board of the New York group, described the meetings of the World Congress Committee in Europe at which, he said, Dr. DuBois and Mrs. Moos were active.

He quoted Dr. DuBois as stating, at one meeting, that all the troubles of the world were caused by "Capitalist warmongers in the United States."

Overruled on Petition

Mr. Rogge declared that he sought to have the New York group "draw up our own peace petition instead of following the one laid down at Stockholm" but that he was overruled by the other members.

The State Department has set up its own coverage of the trial in order to counteract Red propaganda blasts abroad to the effect that the proceedings are symbolic of Negro persecutions.

Reports on the trial will be sent to State Department in translation "supplied" abroad that they may better meet the Soviet inspired broadsides.

Former Representative Vito Marcantonio is chief defense counsel. In addition to Mr. Rogge, the Government expects to call a number of Federal Bureau of Investigation agents as witnesses today.

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# Rogge Slaps Lien For \$15,000 Fee On Civil Rights Congress

By the Associated Press

NEW YORK, Feb. 15.—O. John Rogge has filed a lien for \$15,000 of Civil Rights Congress funds in an attempt to collect his fee for defending a former left-wing labor leader.

In his effort to obtain the money, Mr. Rogge, a former assistant United States Attorney General, will try to do what the Government failed to do—force trustees of the Civil Rights Congress bail fund to bring into court their records, books, membership list and list of contributors.

The three trustees served six-month contempt of court sentences after they refused to produce the records in court when four of the 11 convicted Communist leaders failed to surrender last July to begin their conspiracy sentences. The court forfeited the \$60,000 bail furnished by the bail fund for the four men.

### To Take Depositions.

Mr. Rogge filed in Federal Court yesterday a notice to take depositions February 25 from William L. Patterson, national executive secretary of the Civil Rights Congress, and the three bail fund trustees, Abner Green, W. A. Hunton and Dashiell Hammett.

Mr. Rogge defended Harold R. Christoffel, former president of the CIO United Automobile Workers local at the Allis-Chalmers Manufacturing Co., plant at Milwaukee.

Christoffel was indicted in Washington on a charge of perjury for denying before a House committee that he had ever been a member of the Communist Party. He was convicted, but the Supreme Court returned the case to the lower court on the question of whether a legal quorum of the committee was present.

### Appeal Still Pending.

In February, 1950, Christoffel was convicted at his second trial, and an appeal is still pending. The Civil Rights Congress bail fund supplied Christoffel's bail.

The New York State Banking department has the \$5,000 bail finally supplied for Christoffel the bail fund. The Federal government has \$10,000 new bail tied by the fund pending his appeal.

- Glavin \_\_\_\_\_
- Nichols \_\_\_\_\_
- Rosen \_\_\_\_\_
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# Speakers In Accord On Russian Danger

Though, as moderator Prof. Robert Braucher put it, there was little disagreement but that there was a "Russian threat," the Law School Forum held at the Rindge Tech Auditorium last Friday, Feb. 27, did not agree on ways to meet the threat.



O. John Rogge

The speakers were O. John Rogge, LL.B. 25, former assistant U. S. At-  
(See FORUM on page four)

- Times-Herald \_\_\_\_\_
- Wash. Post \_\_\_\_\_
- Wash. News \_\_\_\_\_
- Wash. Star \_\_\_\_\_
- N.Y. Herald Tribune \_\_\_\_\_
- N.Y. Mirror \_\_\_\_\_

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## FORUM —(Continued)

torney General, William Henry Chamberlin, editorial contributor to the Wall Street Journal, Quincy Howe, former CBS news analyst, and Owen Brewster, LL.B. '13, former senator from Maine.

Mr. Rogge proposed viewing the situation with an historical perspective in an attempt to gain understanding of Russian culture and aims. Mr. Rogge explained that the Russians did not adopt Christianity until 600 years after it came to the West. They assimilated their Christianity from the Byzantine East, where the Emperor reigned divine.

### Restricted Mobility

Internal mobility was restricted by the institution of serfdom which tied the peasants to the land, Rogge continued. Serfdom also prevented the rise of a middle class. There was no Renaissance, no Reformation, and perhaps the curtain still has not lifted.

Our attitude towards Russia should be one of patience and understanding; we should not rush to put ourselves and all the world in a worse plight than now exists, Mr. Rogge concluded.

Mr. Chamberlin, who was in Russia for 12 years as a correspondent for the *Christian Science Monitor*, saw the threat as more immediate and more inimical to the United States. He viewed the Russian purpose as one negating spiritual values and leading to cruelty and oppression. The Russians, he said, are fostering an organized world-wide fifth column movement aided by perverted idealists.

### Communism Elastic

Quincy Howe pointed to the elasticity of Communism in molding itself to the situation before making its invasion. In America, the workers have lost their chains but a reign of terror and the very employing of Communist methods might well pave the way for Communist success, he said. Americans who face Communism with Communist weapons and choose to see things in blacks and whites as our system against another, there being only two ways of life, present the greatest threat to the United States, Mr. Howe told the audience.

He advised that we use all of those who are ready to aid us, but it is nonsensical to attempt to impose our value system upon all.

The last speaker of the evening, former Senator Brewster, viewed with great alarm the acquisition of 100 million people a year for the last seven years to the folds of Communism. He pointed out that a "theoretical Communism" advocating division of land and wealth, such as we had in our early Pilgrim colonies, has developed into a neo-Fascist dictatorship that must be met by force.

