

# Liberties Union Aids Mrs. Dilling

Will Battle for 28

In Subversion Case

CHICAGO, Oct. 2 (C.T.P.S.). Holding that the Government has made out no real case to back its charges of subversive activities against Mrs. Elizabeth K. Dilling and 27 other persons named in a blanket indictment, the American Civil Liberties Union today directed that its members should take steps to fight the removal of the defendants to Washington, for trial.

These developments were contained in a communication from the union's office in New York to Charles Liebman, counsel for the Chicago Civil Liberties committee.

## Present Danger Test

The union said that conspiracy to obstruct recruiting and enlistment by publications before the war could not be proved if weighed by the "clear and present danger test."

Emphasizing that the union is not concerned with the character of the defendants, it declared it was acting to protect freedom of speech and "to check resort to repressive measures which may go much further in curbing honest criticism in relation to the war."

## Like Many Others

Utterances quoted in the indictment, the union said, are not essentially different from those which appear in scores of newspapers and journals and which have been echoed in Congress. Whether any of them could be construed as advising insubordination is "highly questionable," the statement held.

Attorney William Scott Stewart, counsel for Mrs. Dilling, said he would file a petition before Federal Judge William H. Holly next Monday asking leave to appeal from the court's recent order removing her to Washington for trial. The petition, if granted, would permit Stewart to appeal the removal order to the United States Circuit Court of Appeals.