

Justice Dept. Refuses Probe Of 'Front' Trial Acquittals

Officials Decline to Do Anything About Real Fifth Columnists

By Adam Lapin

(Daily Worker Washington Bureau)

WASHINGTON, July 12.—The Department of Justice has flatly rejected requests that it reopen prosecution of the Christian Front terrorists who planned to bomb the Daily Worker and other buildings in New York.

Officials of the department informed this correspondent that they do not even plan to look into charges that there were serious irregularities in the trial of the 17 Christian Fronters who were recently acquitted.

The department is content to let the whole matter drop—without any further investigation either of the Christian Front or of Father Coughlin and the other forces behind this terrorist organization.

INNOCENT TO SUFFER

This decision by the Department of Justice is particularly serious at the present time when stories of bombings and bomb scares are being headlined in all the reactionary newspapers.

What has happened is that the department has refused to do anything about the real Fifth Columnists—about a real terrorist gang which planned real bombings with real munitions stolen from government armories.

The decision of the department means in effect that the persecution of innocent people as a result of "Fifth Column" hysteria will continue. Paintings of sunrises over Brooklyn Bridge will be studied intently by the ever-alert F. B. I., and vacationists who thought of bagging a few squirrels will be charged with all kinds of sinister intentions.

Even more important, the action of the Department of Justice has increased the possibility of frame-ups on phony bombing charges

against Communist and other workers' organizations.

On July 5, Rev. L. M. Birkenhead, director of the Friends of Democracy, wrote to Attorney General Robert Jackson charging that Mrs. Helen Titus, foreman of the jury which tried the Christian Fronters, was herself the first cousin of a man prominent in Christian Front circles.

KIN OF FRONT LEADER

Rev. Birkenhead quoted a speech by Rev. Edwin Brophy at a Christian Front meeting to the effect that Mrs. Titus is his cousin.

This Rev. Brophy is actually the leading theoretician of the Christian Front, and is the author of an anti-Semitic pamphlet on Christian Front principles.

Now it would appear that Rev. Birkenhead's letter would at the very least deserve serious consideration—and investigation.

The charges in the letter were all the more important when taken in conjunction with the fact that United States Attorney Harold M. Kennedy conducted his case against the Christian Front as if he were the defense attorney of the terrorists and praised their anti-Semitic, fascist doctrines as "good, sound American principles."

Three days after the Birkenhead letter was sent to Jackson, this correspondent called up the Department of Justice and asked what was being done about the matter.

The first response of officials there was that they had never heard of the letter, and did not know to whom it had been referred in the Department.

A little later their memory appeared slightly refreshed, but they were still unable to find the letter.

Finally, this correspondent was told yesterday that the Birkenhead letter had been received but that nothing would be done about it.

Officials at the Department said that even if Mrs. Titus was related to Rev. Brophy there were still no grounds for legal action or for reopening the case.

Asked if an investigation was being conducted either of the facts in the Birkenhead letter or of the general circumstances surrounding the Christian Front trial, they replied that it was not and that none was being planned.

HOOVER SHIELDS COUGHLIN

From the very start of this case, J. Edgar Hoover himself has followed a policy which shielded Father Coughlin from any revelations which would expose his link with the terrorists who stood trial.

On the very day after the arrests Hoover rushed into print to declare that he "understood that the

Rev. Charles E. Coughlin, radio priest, had no connection with the Christian Front."

Yet in the latest issue of Social Justice (July 8), Father Coughlin's own personal organ, there is a boastful statement that the acquittals in Brooklyn "not only vindicated the 14 young men accused of crimes against their government, but it also cleared the Christian Front and vindicated the 'Absent Defendant'—Father Coughlin."

Here is a brazen admission that Father Coughlin himself, though not present, was actually on trial. Yet J. Edgar Hoover still sticks to his "understanding" that Coughlin has no connection.

TOLD OF THREAT

But even long before Coughlin's own admission, Hoover's "understanding" was forcefully challenged.

On January 18, 1940, four days after the arrests, 12 outstanding New York educators and clergymen sent a wire to Hoover and to the Department of Justice pointing out the obvious connections of the radio priest with the 17 original defendants of the Christian Front.

They sent the following telegram demanding an investigation:

"His (Father Coughlin's) threat in a radio speech to use the 'Franco way if necessary' seems to us an incitement to the sort of seditious conspiracy for which the 17 men, including John F. Cassidy, are under arrest.

"We are convinced that the 17 members of the Christian Front under arrest charged with seditious conspiracy could not have undertaken their fantastic program without financial and moral support and other assistance from higher-ups.

"We respectfully suggest that you order a careful check along this line of inquiry and order the prompt investigation of the Rev. Charles E. Coughlin's connection with the so-called Christian Front and its leader, John F. Cassidy, one of the 17 under arrest.

"It appears to have been in response to Father Coughlin's urgent call for formation of 'platoons' that the Christian Front was formed. He had publicly praised the heroism and zeal of the Christian Front.

"On several occasions he has given open encouragement to Cassidy. . . .

"Documentation and support of the foregoing statements will be forwarded to you."

The signers of the telegram included Dr. Guy Emery Shipley, editor of the Churchman; Rev. John Haynes Holmes, Prof. Clyde Miller, Prof. Paul Brissenden and Prof.

Wesley Mitchell of Columbia University; Prof. Benjamin Harrow, of City College; Rev. A. Clayton Powell, and A. Philip Randolph, president of the Brotherhood of Sleeping Car Porters.

MANY PROTESTS

This protest was the only one of scores that were sent to Washington at the time, and the pressure of public opinion became so great that the Department of Justice was compelled to promise an investigation.

Attorney General Jackson announced that he was assigning O. John Rogge, head of the criminal division of the Department, to investigate the Christian Front and all associated with it.

But that investigation never took place, or if it did, its results were hushed up, for not a word has ever been heard about it since.

Today, in spite of all the evidence, in spite of all the protests, in spite of Coughlin's own admissions, in spite of all the charges of irregularities in the Brooklyn trials, the Department of Justice arrogantly announces that the case "is closed" and that nothing further will be done.

So "Fifth Column" hysteria will continue—fanned and promoted by the Roosevelt administration and by Department of Justice officials such as J. Edgar Hoover.

When there are actual bombings as occurred recently at the World's Fair, little or nothing will be done by Federal or local police officials to ferret out the culprits.

And the Department of Justice will take no action against the terrorists of the Christian Front — against real terrorists and "Fifth Columnists."