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DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT OF COLUMBIA

Holding a Criminal Term
April Term, A.D. 1940

District of Columbia, ss:

The Grand Jurors of the United States of America, in and for the District of Columbia aforesaid, upon their oath, do present:

INDUCTMENT

That on the twenty-eigth day of May, 1938, the House of Representatives of the United States adopted a resolution known as H. Res. 282, of the following tenor:

*H. Res. 282

In the House of Representatives, U.S. May 26 1938.

Resolved, That the Speaker of the House of Representatives be, and he is hereby, authorized to appoint a special committee to be composed of seven members for the purpose of conducting an investigation of (1) the extent, character, and objects of un-American propaganda activities in the United States, (2) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (3) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

That said special committee, or any subcommittee themof, is hereby authorized to sit and act during the present Congress at such timesand places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such bookis, papers, and documents, by subpens or

Subpense shall be issued under the signature of the chairman and shall be served by any person designated by him. The chairman of the committee or any momber thereof my administer caths to witnesses. Every person who, having been summered as a witness by authority of said committee, or any substantities thereof, willfully makes default, or who, having appeared, refuses to answer any question pertinent to the investigation heretofore authorized, shall be held to the penalties provided by section 102 of the Revised Statutes of the United Status (U.S.C., title 2, sec. 198).

Sec. 2. The committee shall file its report to the House on Jamus 3, 1939, or may file same earlier in the event the House is not in session, with the Speaker of the House for printing as a public document.

Attest.

South Triuble

(Seal of Rease of)
(Representatives of)
(the United States.)

Class

and on the third day of February, 1939, the House of Representatives of the United States adopted another resolution, known as H. Res. 26, of the following tener:

M. Ros. 36

In the House of Representatives, U.S.,

February 3, 1959.

Resolved, That the Special Committee to Investigate Ha-American Propaganda and Activities is authorized to continue the investigation began under authority of H. Res. 258 of the Seventy-fifth Congress, and for such purposes said condition shall have the same power and authority as that conferred upon it by said H. Res. 252 of the Seventy-fifth Congress and shall report to the Bouse as soon as practicable, but not inter than James 3, 1940, the results of its investigations, together with its recommendations for necessary legislation.

Attents

(Seal of House (of representatives (of the United States, South Trimble Clark

and on the temperature day of January, 1940, the Breet of Representatives of the United States adopted another Seculation, known as H. Ree. 321, of the Schlewing temps

T. Nos. 321

In the House of Representatives, S.S.

January 25, 1910.

Received, That the Special Countities to Encertigate UnAmerican Activities is authorized to continue the investigation
began under anthority of H. Res. 252 of the Seventy-Cifth Congrees, and continued under H. Res. 26 of the Seventy-cisth Congrees, and for such purposes said countities shall have the case power and
anthority as that conferred upon 14 by said H. Re. 253 of the
Seventy-Cifth Congress and shall repirt to the Russe as seen
as practicable, but not later than Jermany 3, 1611, the
results of its investigations, together with its recommendations for
necessary logiciation.

Attouts

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Clark

by whitee of which resolutions the Spanker of the Rence of Representatives of the United States was authorized to appoint a special countities of additions of Representatives for the purpose of conducting the terminal Countities of gation described in said resolution H. Res. 200, and add special countities.

when so appointed, was authorized to continue in existence and to pursue and prosocute the said investigation until at least the third day of January, 1941; and pursuant to said resolvation H. Res. 262, the Speaker of the House of Representatives did, shortly after the adoption of said resolution H. Res. 262, appoint a special committee of the House of Representatives, which committee became known as the "Openial Committee to Investigate un-American Activities," and will hereafter, in this indictment, be called "the committee"; and the said committee did, in fact, thereupon proceed to exercise that authority and make such investigation and is continuing so to do at the time of the returning of this indictment,

CHARGE PART

And the Grand Jurers aforesaid, upon their outh aforesaid, de further present:

That while the anid committee are functioning under the authority of the resolutions aforesaid and had under inquiry the matters, questions and things referred to in each resolution H. Rec. 252, one Albert Musberg was by authority of the Souse of Representatives of the United States, summed as a witness to appear before the said countries at a hearing thereft, to give testiment and to produce papers touching upon the said matters, questions and things; and the said Albert Musberg did in fact appear before the said countries at a hearing thereof in the City of Washington, in the District of Gelushia, on, to wit, the treaty-minth day of March, 1980, and was then and there duly score as a witness before said countries to the tiently conserving the said matters, questions and things; and thereupon one J. B. Matther, an employee of said countries, did; for and on behalf of said countries, a question of the said countries being then and there present, proposed to the said Albert Blumberg, a certain question in the following verter

[&]quot;Is Barbara Builton, known as such by ker party name, a number of the Communist Party in Baltimore?"

said J. B. Matthews thereby meaning and intending, as the said Albert Flumberg then and there well understood, to elicit from the said Albert Flumberg, facts which then were within his knowledge touching the question whether a person she used the name Barbara Batton and was known by that name, was a member of the Communist Party in the City of Militarre, in the State of Maryland; which question was pertinent to the matters, questions and things then under inquiry and investigation to the said committee, in that the said committee and members thereof had been and were informed and believed that the Communist Party and numbers thereof had been and were engaged in un-intridum propagands activities in the United States and in the diffusion within the United States of subversive and un-incriden propagands of a demostic origin and also propagands that hed been instigated from foreign countries, and in the difficules within the United States of subversive and un-american prepagated fint attacked the prinsiple of the form of government as guaranteed by the Comptitution of the United States; and the eard Albert Dismberg them and there unlawfully did refuse to answer said question; against the form of the statute in such case made and provided, and against the peace and government of the said United States.

SECOND COUNTS

And the Grand Jurors aforesaid, upon their onth aforesaid, de further present:

That the Some of Representatives of the United States did adopt certain resolutions under authority of which a certain countities was appointed, which countities conducted and still conducts a certain investigation; the allegations conducting all of while, contained in the first count of this indictment — that is to say, all the ablegations in said first count which begin immediately after the subtitle "implimitation range, and first count and end immediately before the subtitle "implimitation in said first count — are incorporated by reference into this count as fally as though here repeated.

And the Grand Jurore aforemaid, upon their oath aforemaid, do further prepent:

That while the said countities was functioning under authority of the resolutions aforesaid and had under inquiry the authors, quantions and things referred to in said resolution H. Res. 252, one Albert Blueberg was by authority of the Rouse of Representatives of the United States, summed as a witness to appear before the said countities at a hearing thereof, to give testimony and to produce papers toucking upon the said authors, quentions and things; and the said Albert Blueberg did in fact appear before the said countities at a hearing thereof in the City of Washington, in the District of Columbia, on, to with, the testip-mints day of March, 1980, and was then and there duly seems as a witness before said countities to testify consensing the said suffers, questions and things; and therespon one Martin Bies, Chairman of the said countities, did, for and on behalf of said countities, a quorum of the said countities being them and there present, proposed to the said Albert Blueberg, a certain question in the following words:

"The is the secrebary of the Young Communist League in Baltimore?"

said Hartin Dies thereby meaning and intending, as the eaid Albert Blusberg them and there well understood, to elicit from the eaid Albert Blusberg facts which were then within his knowledge touching the question of the identity of the person who was secretary of an organization knownes the Young Communist Langue in the City of Haltimore, in the State of Maryland; which question was pertinent to the matters, questions and things which question was pertinent to the matters, questions and things which riquity and investigation by the said committee, in that the said committee and members thereof had been and were informed and believed that the Young Communist League in Haltimore was a part of SMR was again clinton with the Communist Party and that the Young Committee League in Haltimore and members thereof, and the Communist Party and members thereof had been and were engaged in un-investee youngands activities in the

United States and in the diffusion within the United States of subversive and un-inversees propagates of a desestic origin and also propagates that had been instigated from foreign countries, and in the diffusion within the United States of subversive and un-incritan propagates that attacked the principle of the form of government as guaranteed by the Countitation of the United States; and the said Albert Blueberg them and thereundantelly did refere to answer said question; against the form of the statue in such each under and provided, and against the passe and government of the said United States.

THIRD COMME

And the Grand Jurors aforesaid, upon their onth aforesaid, do further present:

That the Rouse of Representatives of the United States did adopt certain resolutions under authority of which a certain countities ups appointed, which countities conducted and still conducts a certain investigation; the allegations concerning all of which, contained in the first count of this indictment — that is to may, all the allegations in maid first count which begin immediately after the subtitle "ENDUCTIONS" in said first count and and immediately before the subtitle "CHARGING PARS", in said first count — are incorporated by reference into this count as fully as though here repeated.

And the Grand Jurors aforesaid, upon their outh aforesaid, de further present:

That while the said committee was functioning under authority of the resolutions aforesaid and had under inquiry the matters, questions and things referred to in said resolution E. Sec. 252, one Albert Numberg was by authority of the Touse of Representatives of the United States, summed as a military to appear before the said committee at a hearing thereof, to give testimony and to produce papers touching upon the said satters, questions and things; and the said Albert Numberg did in fact appear before

the said countities at a hearing thereof in the City of Markington, in the District of Columbia, on, to wit, the twenty-minth day of March, 1940, and was then and there daily ensure as a witness before said crandities to testify concerning the said matters, questions and things; and therespon one Robert R. Lynch, counsel for the said countities, did, for and on behalf of the said countities, a querum of said countities being then and there present, proposed to the said Albert Brusberg, a certain question in the following words:

"The are the ether numbers of the committee, Mr. Numberg?"

eald Robert I. Lough thereby meaning and intending, as the said Albert Elimbert then and there well understood, to eligit from the said Albert Munberg facts which then were within his knowledge, toughing the question as to the identity of members of a group known as the "State Executive Countities of the Communist Party" in the State of Maryland; which question was pertinent to the matters, questions and things then under immiry and investigation by the said cosmittee, in that the said consistee and numbers thereof had been and were informed and believed that the said State Museutive Committee of the Committee Party in the State of Maryland was a part of the Communist Party, and that the said State Executive Countities and members thereof and the said domestict Party and members thereof had been and were engaged in turkmerican propagands activities in the United States, and in the diffusion within the United States of subversive and un-interiors propagation of a domestic origin and also propagands that had been instigated from fereign countries and in the diffusion within the United States of subversive and un-incrious propagates that attacked the principle of the form of government as guaranteed by the Comptitution of the United States; and the said Albert Dimberg then and there unlawfully did refuse to answer said question; that had the form of the statute in such once made and provided, and against the peace and government of the said United States.

PORTE COURT

And the Grand Jewers aforesaid, upon their sain aforesaid, de further present:

That the Source of Representatives of the United Sintes did adopt cortain resolutions under authority of which a certain semaintee the appointed, which conditive conducted and still conducts a declain investigation; the allegations concerning all of which, contained in the Siret count of this indictment — that is to say, all the allegations in said first count which begin involvately after the subtitio "IMPUREMENT" in each first count and each involvately before the subtitio "IMPUREMENT", in each first count — are incorporated by reference into this count as fully as though here repeated.

and the trans Strone aforesaid, upon their oath aforesaid, to Surface preparts

That shale the said countities ups functioning under authority of the resolutions aforemid and had under funday the matters, questions and things referred to in said resolution E. Res. 262, one Albert Musberg was by authority of the Boss of Representatives of the United States, semiconel as a ultures to appear before the said countities at a hearing thereof, to give testimony and to produce papers touching upon the said metters, questions and things; and the said Albert Elemberg did in fact appear before the said committee at a hearing thereof in the City of Rachington, in the District of Opinible, on, to wit, the twenty-ninth day of March 1910, and me then and there duly seem as a witness before each countities to tentify concerning the eath matters, questions and thinger and the said Albert Rhanberg did then and there testify, mong other things, that he, the milk Albert Flumberg, did not personally take care of the Daily Norther account, country and intending thursby that has the said Albert Munberg, did not take care of an assount between the Committee Perty of Manytand and a necessary organization knows as the Daily Verker; and therespon one

J. B. Matthews, an employee of the said countities, did, for and an behalf of the said countities, a quorum of the said countities being them and there present, propound to the said Albert Munberg, a pertain question in the following words:

"The does?"

the said J.B. Matthews thereby meaning and intending, as the said Albert Blumberg them and there well understood, to elicit from the said Albert Mumberg, facts which were then within his knowledge touching the identity of the parsons she took care, for the Communist Party of Maryland, of its account with the newspaper organization known as the Baily Serbert which question was pertinent to the matters, questions and things then under inquiry and investigation by the said committee, in that the said countities and members thereof had been and were informed and believed that the Communist Party and members thereof and the Communist Party of Maryland and members thereof had been and were engaged in un-inerican propagands. activities in the United States, and in the diffusion within the United Static of subversive and un-American propagands of a demostic origin and also propagands that had been instigated from foreign countries and in the diffusion within the United States of subversive and un-incrison propegards that attached the principle of the form of government as guaranteed by the Countibution of the United States; and the said Albert Munberg then and there unlawfully did refuse to answer said question; against the form of the statute in such case made and provided, and against the peace and government of the said United States.

PIPER COURT:

And the Grand Jerore aforesaid, upon their oath aforesaid, do further present;

That the Bouse of Representatives of the United States did giors cortain resolutions under authority for which a certain committee was appointed, which committee conducted and still conducte a certain investigation: the allegations concerning all of which, contained in the first count of this indictment — that is to say, all the allegations in mid

first count which begin immediately after the subtitle "INCOMMENT" in said first count and end immediately before the subtitle "CHAMBING PARTS," in said first count — are incorporated by reference into this count as fully as though here repeated.

And the Grand surors aforemid, upon their oath aforemid, do further present:

That while the said countities was functioning under authority of the resolutions and land under inquiry the matters, questions and things referred to in said restliction H. Res. 262, one Albert Missberg was by authority of the fisuse of Representatives of the United States, susmoned as a witness to appear before the said countities at a hearing thereof, to give testimony and to produce papers touching upon the said matters, questions and things; and the said Albert Musberg did in fact appear before the said countities at a hearing thereof in the City of Eachington, in the District of Columbia, on, to wit, the twenty-minth day of March, 1940, and the them and there daily swern as a witness before said countities to testify concerning the said matters, questions and things; and thereupon one Martin Dies, Chairman of the said countities, did, for and on behalf of the said countities, a quores of said countities being then and there present, propound to the said Albert Busheng, a certain question in the following words:

"The is the City Secretary for Mashington?"

the said Martin Dies thereby menning and intending, as the said Albert

Blumberg then and there well understood, to elicit from the said Albert

Blumberg, facts which were then within his knowledge touching the question

of the identity for the person who then held an office in the Committee Party

known as the office of City Secretary for the City of Mashington, in the

District of Gelembia; which question was pertinent to the authors; questions

and things then under inquiry and investigation by the said committee and

that the said Committee and members thereof had been and were informed and

believed that the Communist Party and numbers thereof had been and were

and in the diffusion within the Wilton States of subversive and vaAmerican propagates of a demostic origin and also propagates that had
been instigated from foreign countries and in the diffusion within the
United States of subversive and wa-merican propagates that attucked the
principle of the form of government as generated by the Canetitution
of the United States; and the said Albert Elumberg than and these walamfully did refuse to answer and question; against the form of the
statute in such case made and provided, and against the peace and government
of the said United States.

Afternoy of the United States in and for the District of Columbia.