

Harry Bridges Is Ruled Not A Communist

My H. J. G.
Landis Finds Coast C.I.O.

Chief Is Neither Party
Member Nor Affiliate

Final Decision Now
Up to Miss Perkins
Dec 30 1939
Trial Examiner Offers No
Opinion on 2d Issue:
Do Reds Urge Violence?

By The Associated Press

WASHINGTON, Dec. 29.—James M. Landis, Harvard Law School dean, acting as a special Labor Department examiner, submitted today to Miss Frances Perkins, Secretary of Labor, a finding that Harry Bridges, West Coast Congress of Industrial Organizations leader, is neither a member of nor affiliated with the Communist party.

Dean Landis's finding was set forth in a letter to the Labor Secretary transmitting his report on the deportation proceedings instituted by the department against Bridges, at which Dean Landis presided.

He made no specific recommendation as to whether Bridges should be deported as an alien, although his finding was negative on the principal grounds for deportation.

Dean Landis informed the Secretary that the evidence submitted "does not permit" a finding that the C. I. O. leader has Communist affiliations.

Bridges has denied that he was a Communist.

Charge Filed in March, 1938

The deportation proceedings were instituted in March, 1938, on the ground that Bridges was a member of an organization advocating the overthrow of the government by force and violence.

The thirty-nine-year-old C. I. O. leader, who came into labor prominence during the 1934 maritime strikes on the west coast, is a native of Australia. He came to the United States in 1920.

The hearing afforded Bridges an opportunity to show cause why he should not be deported, and the government was faced with the obligation of proving two essential points to win its case.

It was required to prove, first, that Bridges was a member of the Communist party or affiliated with it at the time the warrant was served upon him in March, 1938, and, second, that, if he was a member of or was affiliated with the party, the organization advocated the overthrow of the government by force and violence.

In his report to Secretary Perkins Dean Landis said he did not deem it necessary to make a finding as to whether the party "advocates, advises or teaches the overthrow of the government of the United States by force or violence." . . .

Miss Perkins Has Final Say

The next step in the case—approval or rejection of the Landis finding—is up to Secretary Perkins.

Legal experts said that if she approved the finding her action would cancel the warrant issued against Bridges and close the case.

The Bridges proceedings have been a subject of controversy in and out of Congress ever since the department issued the warrant. Most of the criticism was aimed at Miss Perkins for what appeared to be a long delay in proceeding to the actual hearing. She replied repeatedly that the delay was unavoidable until the Supreme Court could rule on a somewhat similar deportation case involving the question of Communist party membership as grounds for deportation.

The high court here in the other case—onvolving Joseph G. Strecker, of Hot Springs, Ark.—that an alien could not be deported solely because he once held membership in the Communist party. The court did not rule directly on whether a Communist could be deported.

Dean Landis's report was compiled from an 8,000-page record accumulated during an eleven-week hearing at Angel Island, San Francisco. The hearing ended Sept. 14. His report, running 75,000 words and covering 152 printed pages, has not yet been made public by the Labor Department.

The text of Dean Landis's letter outlining his finding follows:

"To the Secretary of Labor:

"I have the honor to submit herewith my findings in the matter of the deportation of Harry R. Bridges.

"These findings are, perhaps, un-

(Continued on page 6, column 4)

Harry Bridges Adjudged To Be No Communist

(Continued from page one)

usually long and detailed but I have thought it desirable to state in full the bases which underlie my conclusions. I have, therefore, set forth substantially every item of evidence contained in the long and voluminous record and attempted to give it that weight that it deserves. Any other method of approach seemed to me futile, for conclusions as to the credibility that should attach to the witnesses in this proceeding can be satisfactorily reached only after painstaking and minute analysis of their testimony. That process alone permits a fleeting doubt to be dismissed or to ripen into the conviction that what is paraded as truth bears the unmistakable marks of falsehood.

"Inasmuch as my conclusions are that the evidence does not permit the finding that Harry R. Bridges is either a member of the Communist party or affiliated with that party, I have not deemed it necessary to find whether or not, upon the extended evidence presented by this record, that party advocates, advises or teaches the overthrow of the government of the United States by force or violence or causes to be written, circulated, distributed, printed, published, or displayed printed matter advising, advocating or teaching the overthrow of the government of the United States by force or violence.

"Respectfully yours,

JAMES M. LANDIS,
"Trial Examiner."

Longest Hearing in History

SAN FRANCISCO, Dec. 29 (AP).—The Harry Bridges deportation decision today climaxed the longest and perhaps most publicized deportation hearing in Labor Department history.

Thirty-one witnesses were produced by Thomas B. Shoemaker, chief government counsel, in a tiny hearing room on Angel Island—the Ellis Island of the West—in the attempt to fix on Bridges the stigma of Communism and on the Communist party in the United States

the design of violent overthrow of the government.

The trial of the Congress of Industrial Organizations director began on July 10, 1939, and lasted ten weeks.

The Bridges defense—financed largely by \$25,000 contributed by C. I. O. and American Federation of Labor unions—virtually ignored, except by denial, the government's showing that Bridges had a Communist party card, attended party meetings and had a party name ("Rossi," allegedly after San Francisco's bald, conservative Mayor). The showing stated no time or place of affiliation and was unsupported by documentary evidence.

The lean, thirty-nine-year-old president of 25,000 longshoremen and warehousemen became his own most potent accuser and defender in hours of searching examination before Dean James M. Landis, of the Harvard Law School.

'Affiliation' was Key Word

Since deportation law makes Communist "affiliation" as damaging as actual membership, Mr. Shoemaker concentrated on Bridges's social views and admitted contacts with known Communists. Dean Landis, on departing to sift the 1,540,000-word transcript of testimony, indicated that his findings would depend heavily on a legal definition of how close a connection is connoted by the word "affiliation."

The Australian-born Alfred Benton Bryant Bridges but referred to as "the alien" throughout the trial—admitted accepting the assistance, political aid and sometimes picketing support of the Communist party but not its program.

Defense Attorneys Richard Gladstein and Aubrey Grossman, assisted by Carol King, of New York, made the defense mainly an effort to discredit government witnesses and to show that the deportation arrest warrant, issued in March, 1938, was inspired by an employer-police conspiracy.

The conspiracy, they contended, resorted to "improper methods" to obtain affidavits and witnesses and place them in the hands of receptive Pacific Northwest immigration officials.

The first government witness, Maj. Laurence Milner, of Corvallis, Ore., placed Bridges in two Communist meetings, but admitted previous perjury under oath. The second, an ex-Communist house painter, John L. Leech, of Portland, said he had sat with Bridges in Red gatherings and charged that "Comrade

Rossi" had been elected to the National Communist Central Committee.

Dean Landis said Leech's testimony, if true, was "an important brick in the government's case," but Leech admitted he could not deny previous false testimony. He repudiated his signed statement, produced by the defense, which said he had been offered money for anti-Bridges testimony. Leech said he had signed it in fear of Communist reprisals, and his wife and two of his daughters upheld that assertion.

The name of Earl Browder, general secretary of the Communist party in the United States, entered the record when Aaron Sapiro, attorney, testified that Browder had told him Bridges was "one of the hardest members to handle." Sapiro said Bridges had once told him that "the Communist party runs the waterfront, and I run the Communist party."

Defense attacks on Sapiro disclosed he had been disbarred in Federal court and had been indicted once with Al Capone and others in Chicago, but not convicted.

"Only Friends We Had"

There were Communists in his unions, Bridges said, and mostly he "found them good union men." But if he made a "united front" with Communists to win the 1934 Coast-wide waterfront strike, it was because "they were the only friends we had." He said he dismissed them when their presence became a burden. And he made "united fronts" with Democrats and Republicans as readily, he said, when it served labor's interest.

"Sometimes I get a little irritated when my views are ascribed to the Communist party, because I had them before the Communist party came into being," he added.

He explained that Australia—he was born in Kensington, New South Wales, in 1900—was an early proving ground for advanced labor legislation and technique.

The hearing highlighted his career after joining a San Francisco longshore gang in 1922. He rose to prominence in the 1934 strike, and in the three-month waterfront strike of 1936-'37 he helped other maritime unions to win the gains the longshoremen had made earlier. In 1937 also he led coast stevedores en masse from the A. F. of L. into the C. I. O. and became west coast C. I. O. director. Soon after the

deportation hearing his status was changed to California director.

As to whether he thought the classes should be arrayed against one another, Bridges testified: "It is not a question of what I think—they are. I cannot dodge it in my every-day life." But he disclaimed any theories as to ultimate upheaval. "I generally stay with the practical matters."

On social ownership, he said: "I certainly believe that . . . we could have a lot more municipal or government ownership than we have now, and we couldn't do a much worse job with the means of production than private industry has."

On American institutions, he said: "I don't think the American form of government can be bettered anywhere else in the world." But, "if I were a member today of a trade union in Germany, I would be in the center of a movement to overthrow the government of Germany . . . because there is no democracy there."

Harper Knowles, who gave the special House Committee Investigating Un-American Activities testimony on west coast Communism in 1938, testified under subpoena as a hostile defense witness that the American Legion's Radical Research Committee in California, headed by him, placed Bridges at the top of its subversive file.

Doyle Proves Anti-Climax

Knowles admitted, however, that it was "possible" that money might have been offered to witnesses against Bridges by Knowles' associate, Stanley Morton ("Larry") Doyle, of Lamberton, Minn., former west coast anti-radical investigator and special prosecutor, and former head of the American Legion Forty and Eight Society.

The case ended in an anti-climax, with the belated arrival of Doyle, after admittedly dodging defense subpoenas. His appearance was unproductive, and ended with Doyle sprinting to cash his witness-fee check and Gladstein rushing to a telephone to stop payment on it.

The government produced Maj. Gen. David Prescott Barrows, former president of the University of California and political scientist, to testify that the Communist party does advocate violent overthrow of the United States government. Gen. Barrows had mobilized the National Guard in the 1934 strike. His testimony was bulwarked with a huge pile of Left-Wing and Communist writings and documents.

Bridges' Ruling Stirs Congress Repercussions

(Continued from page one)

Democrat, of Nebraska, one of the group of lawmakers who have urged that Bridges be deported, said he was "rather surprised, but I must assume that Dean Landis examined the evidence very carefully in every way."

Senator Arthur Capper Republican, of Kansas, a member of the Senate Immigration Committee, said that he would be "a little doubtful" of the Landis conclusion, but that he did not know whether it was of sufficient importance "for Congress to dig into it."

It was accepted at the Capitol as a foregone conclusion that Miss Frances Perkins, Secretary of Labor, would not reject the findings of Dean Landis—in the absence of some development indicating he had been misled during the lengthy hearings he conducted on the west coast.

If Miss Perkins accepts the report, the deportation warrant issued against him in March, 1938, will be canceled. The warrant was based on the allegation that Bridges was a Communist.

In an 80,000-word report, Dean Landis summed up his estimate of the "political beliefs and disbeliefs" of the west coast labor leader in these words: "That Bridges' aims are energetically radical may be admitted, but the proof fails to establish that the methods he seeks to employ to realize them are other than those that the framework of democratic and constitutional government permits."

The trial examiner found that Bridges has frequently "welcomed" aid and help from Communists during strikes; that he had associated "with persons admittedly Communists," that he sympathized "with many of the objectives that the Communist party at times has embraced," and that he refused to discriminate among Communist members of his unions.

But Dean Landis accepted Bridges's

testimony that he was not and never had been a member of the Communist party.

At the same time the trial examiner rejected the testimony of most of the thirty-one witnesses who appeared against Bridges.

These included American Legion leaders, city and state police, and numerous others who said they had seen Bridges at meetings restricted to Communist party members, had heard him tell of his membership, and testified that Bridges used a party name "Rossi" allegedly after San Francisco's conservative Mayor.

Dean Landis termed most of this testimony "far from reliable," "hearsay," and described one witness as a "self-confessed liar."

The report called attention to defense contentions that these witnesses and others were engaged in a conspiracy to "get rid of Bridges because of his admittedly militant and radical labor leadership."

"Persons engaged in bitter industrial struggles tend to seek help and assistance from every available source," the report said after recalling Bridges's testimony that he could not question help from Communists, Republicans or Democrats.

The report said that there was no question about Bridges being an alien. It added that he landed in San Francisco in April, 1920, and filed first papers for naturalization in 1921, but was denied final papers in 1928 because the seven-year filing period had elapsed. First papers were filed again in 1928, and again were permitted to lapse. A new application, filed in 1936, is still pending.

Scales 7,000 Years Old

Man has been using some sort of scale for weighing since at least 5,000 B. C.