

The Bridges Verdict

The report of Dean Landis supporting his decision that Harry Bridges is not a member of the Communist party nor "affiliated" with it in the meaning of the term as used in the deportation statute, illustrates the difficulties involved in establishing a charge of the sort. For the most part, Communists in joining the party take assumed names; secrecy surrounds not only their membership but their meetings, so that if they care to deny the fact of their membership, proof of it must be sought from under-cover agents or disgruntled associates with an ax to grind. Such witnesses are always vulnerable. How vulnerable they were in the Bridges case is the main thesis of Dean Landis's exhaustive report. Their testimony does not persuade him that Bridges is or ever was a member of the party.

It is equally inadequate, the trial examiner believes, in proving his affiliation with the party. He did accept and even solicit aid and assistance from the party. During the 1934 maritime strike he supported and received support from "The Western Worker," official Communist organ, and all along he has worked and conferred with avowed Communists in the realization of his trade-union aims. Dean Landis admits this, but, relying on previous Federal court decisions, he contends that "the intermittent solicitation and acceptance of such help must be shown to have ripened into those bonds of mutual cooperation and alliance that entail continuing reciprocal duties and responsibilities before they can be deemed to come within the statutory requirement of affiliation."

Finally the Supreme Court, in the Strecker case, has raised another obstacle to deportation on the strength of membership in or affiliation with an organization which allegedly advocates the violent overthrow of the government. This is that the tie must be one that exists at the time of the alien's arrest. Previous membership doesn't count. Of course, since Dean Landis rejected the evidence that Bridges was a Communist at any time, this particular obstacle did not play a part in his verdict.

It is a verdict which, considering its author, must be accepted as the product of a splendid legal scholarship and conscience. Nevertheless, it is disappointing. In the first place, if an alien like Bridges, notoriously allied with Communists if not one of them, can thus escape being considered in the Communist category, even an approach to enforcement of the deportation law becomes something of a joke. In the second place, what most of us hoped for from the hearing has not been forthcoming, and that is a settlement of the question whether the Communist party is a subversive organization in the definition of the statute.

Dean Landis, no doubt with full propriety, has avoided this question as did the Supreme Court in turning Strecker loose. He does note that Federal courts in the past have assumed the subversive character of the party and acted accordingly in deportation proceedings, but he suggests that the assumption needs review "in the light of changing economic and political conditions." Then, since he finds that Bridges is not a Communist, he dismisses the subject as irrelevant, and leaves the public and the Communist party, for that matter, groping in the dark. This is a pity, for the very obvious reason that in the absence of an authoritative appraisal of Communist aims and advocacy the country must remain the prey of a controversy already prolific of prodigious name calling and bitterness.

Would-Be Fascist Leader Admits Detroit Racket

Put on 3-Month Probation After Spending Funds Collected to "Fight Isms," Smith Puts Out "Red Network"

(Special to the Daily Worker)

DETROIT, Dec. 31.—A budding Gerald L. K. Smith, one Harry Waddell, came to grief in Detroit's Federal Court when he was put on probation for three years for the crime of attempting to use the mails to defraud, while going around the city organizing the "National Constitutional Guardians" an organization to

"fight Communism and fascism."

Waddell admitted that it was just a racket, and that he had gotten only one person to become a member of his organization at \$3 a head and \$1 a year dues. He obtained \$300 from business men for publishing a book that never saw the printers. The book was to "tell all" about the subversive elements.

All the profits said Waddell in court, were to be given over to the fight "against isms." The only thing that happened was that he spent all the money according to his confession in court.

The judge told him, "You had a noble idea but you went at it in the wrong way."

Waddell is one of the many who are attempting in Detroit to get their pipeline attached to the golden stream of dollars that feeds Coughlin and Gerald Smith. What happened with Waddell is that he could not make the right connections, such as Gerald L. Smith and Silver Charlie Coughlin whose radio programs cost thousands of dollars yearly all which they claim is "donated."

This week Gerald L. K. Smith published a Detroit "Red Network" book with pictures of union leaders, such as R. J. Thomas, UAW-CIO pres.; George Addes, UAW-CIO secretary-treasurer, and many others who have been in the forefront of the struggle to defeat the Martinites and other company agents of the auto barons.

Smith in his last Sunday night broadcast tried to defend himself in answer to a splendid radio expose conducted by the Michigan Civil Rights treasurer Rev. Owen Knox who demanded that Smith state a number of facts as to his finances, past history and connections with Huey P. Long and others including the notorious Silver Shirter Pelley.

The only defense that Smith had in his answer was that Civil Rights Federation was "slandering him."

The Labor and progressive forces in Detroit are moving against Smith and his time in Detroit is short. He will end up in the same way as "Constitutional Guardian" Waddell, in court.

Senators to Ask C. I. O. To Wagner Act Hearing Group Studying Changes Also to Invite Miss Perkins

WASHINGTON, Dec. 29 (P).—Senator Albert D. Thomas, Democrat, of Utah, announced today that the Senate Labor Committee, of which he is chairman, would give John L. Lewis and other Congress of Industrial Organizations leaders a chance on Feb. 5 and 6 to recommend changes in the Wagner national labor relations act.

The committee began hearings last session on proposed changes in the act. Senator Thomas said that after the C. I. O. leaders were heard Miss Frances Perkins, Secretary of Labor, would be invited to make a "closing statement" for the Labor Department.

He predicted that the Senate committee would then await completion of the investigation of the Labor Board by a special House committee before acting on any amendments. He added, however, that this decision would be "up to the committee."

During the last session C. I. O. leaders vigorously opposed any amendments to the labor act or changes in its administration. On the other hand, amendments were urged by the American Federation of Labor and numerous business and industrial spokesmen. More recently the C. I. O. chieftains have been urging amendments to the labor act, including the addition of criminal penalties for violations.

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