

FOR IMMEDIATE RELEASE
TUESDAY, MARCH 31, 1942

DEPARTMENT OF JUSTICE

Acting Attorney General Charles Fahy tonight announced that special agents of the Federal Bureau of Investigation have apprehended Robert Noble and Ellis O. Jones, of Los Angeles, for violation of Section 33, Title 50, United States Code.

Noble and Jones were arrested at Mt. Wilson, California, on direct orders of Attorney General Francis Biddle. They are charged with violating provisions of the 1917 statute which penalize by imprisonment for not more than 20 years or by a fine of not more than \$10,000, or both, disloyal acts or words in time of war. This statute reads:

"Whoever, when the United States is at war, shall willfully make or convey false reports or false statements with intent to interfere with the operation or success of the military or naval forces of the United States or to promote the success of its enemies . . . or shall willfully cause or attempt to cause insubordination, disloyalty, mutiny, or refusal of duty in the military or naval forces of the United States, or shall willfully obstruct the recruiting or enlistment service of the United States, to the injury of the service of the United States, shall be punished by a fine of not more than \$10,000 or imprisonment for not more than 20 years, or both."

In announcing the arrest of Noble and Jones, Mr. Fahy emphasized that it was simply another step in the wide program of enforcement announced by the Attorney General on March 25. At that time, the Attorney General declared that the Department of Justice was prepared to prosecute disloyal acts or utterances whenever clear violations of the law were established and to bring proceedings to cancel the naturalization certificates of American citizens whose course of conduct, activities and statements show their true allegiance to be to a foreign country rather than to the United States. The first prosecutions under this program were announced on March 27, with

the arrest of Rudolph Fahl, of Denver, and George W. Christians, of Chattanooga, for violation of Title I of the Alien Registration Act of 1940 (Smith Act). Meanwhile, United States Attorneys have been directed to institute denaturalization proceedings against members of the German-American Bund and others.

On December 21, 1941, the Attorney General ordered dismissed complaints filed against Noble and Jones at Los Angeles, charging them with violation of Section 33, Title 50, U. S. Code. At that time the Attorney General stated that "every reasonable attempt" should be made to maintain both free speech and public safety and that freedom of speech should be curtailed only when public safety was imperiled.

Noble and Jones have been under observation by the Federal Bureau of Investigation since their release on December 21, Mr. Fahy said, and FBI reports now indicate that their statements and activities since that date have constituted dangerous interference with the conduct of the war in clear violation of the 1917 statute.