

Legion's Attack on Ham Fish Goes Before Executive Board

Convention's Denunciation to Be Read At Meeting

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WASHINGTON, May 1.—The American Legion National Executive Committee, in session here today, has before it a special report dealing with the Legion national convention's denunciation of Rep. Hamilton Fish (R., N. Y.) for abuse of his Congressional franking privilege.

The contents of the report, which was prepared by a special subcommittee headed by Harry W. Colmery, Topeka, Kan., past national commander, will not be disclosed until the chairman reads it to the full committee. It can either indorse the resolution of censure passed by the national convention or recommend its withdrawal.

The resolution passed at last year's convention strongly condemns Fish for allowing alleged seditionists to use his Congressional free-mail privilege. The isolationist Congressman immediately demanded the right to defend his actions before the Executive Committee. His request was granted and Fish appeared before that body in Indianapolis in November.

Fish ranted that "the resolution was sponsored by as yet unknown individuals and aimed against me and others . . . who happened to be opposed to our entrance into the war before Pearl Harbor.

"I have never permitted anyone



to use my frank to send out speeches prepared by anyone else, only my own," he declared, ". . . and they have been 100 per cent American."

Two weeks ago today the Americanism Committee of the Seventeenth District of the Legion in California made public a lengthy report entitled *The Case of Hamilton Fish*, which also resulted from the national resolution. It blasted his charge that the resolution was the product of a "smear" campaign.

This California fact-finding body delivered a verdict on Fish directly in line with the resolution of denunciation. It made clear it was not accusing the New York Congressman of "disloyalty" but pointed out that Fish admitted in 1941 it would be "improper" for a Congressman to permit use of his frank by an organization that was "under suspicion."

The report added:

"Measured by his own yardstick, Hamilton Fish was guilty of impropriety and infringed the spirit of his franking privilege. Upon all of the facts the conclusion is inescapable that the American Legion resolutions censuring Congressman Fish for misuse of the franking privilege were justified."

The California division inaugurated the Legion attack on Fish last year after it became known that C. Leon deAryan, of San Diego, then under indictment for sedition, had been mailing in envelopes bearing the Fish frank, copies of speeches made by Fish urging revision of the sedition law. If Fish's amendment had passed, it was charged, the Government would have been forced to drop the sedition proceedings which resulted in the current trial of 30 persons in Washington.