Prices Soaring, OPA Wreckers to Blame Schneiderman Decision

Chaos' to Mask arm Bloc Howls

The People First: That's Been Schneiderman's Lifetime Slogan

Ends 5 - Year Court Battle

and a counted for the contribution of the Communist enterly by a 17 per ent above rise in food prices. Thee food prices are now 17 per ent above the prices. Thee food prices are now 18 per ent above that May.

While prices are spiralling, prof. the seventing spec. The Department of the Communist sound be presented by the corporate profits in the percent higher, than no the first quarter of his year are 18 of the Act of this year are 18 of the Communists could be presented by the seventing profits in the section of the Very National Polysy National Activities and the communists could be presented by the seventing profits in the section of the Soviet Union quarter of his year are 18 of the Act the Absorbe plenary meeting and Rear Admiral Edward. Marquart of the United States Army, bowered the constitution of the Communists beared at the Community to the Community to the Community to the United States Army, bowered the submitted on the Community to the Community t

These species, profoundly weighing the problems and tasks on the
home front in the present crucial seal of the Headquarters for Eastmoment of the war, sharply focusing the attention of labor and the Army. Rear Admiral Marquart is
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"Tyblute to Russia Week," below

nist for July, Advance of the Comminate a nation-wide observance of inst for July, Advance of clear for this private in the highest peak in held from June 20 to June 21 as a several years.

The Pienum Issue of The Committee Pienum Issue of The Committee, Pienum Issue of The Committee, will be dedition to the resolutions delivered by the National Committee, will be deture the main political report delivered by its General Stain, Mayor F. H. LaGuardia, Secretary, Earl Erowder, and the Stainey Hillman, president of the main sub-reports by Eugene Dennis, Amalgamated Clothing Workers, Boy Fundam and John Williamson, and Winthrop Addrein, president of the National West Fundam and July Williamson. Many other key contributions made meeting will appear. in, and Winthrop Adrich, president of de the National War Fund, also will research the present and entertainment will be presented.

Tickets, priced at 25 and 50 cents, paramy be obtained at Resident War state Resident 11 B. 35th St.

Exceptional measures are being II taken to ensure that the vital por littical study and discussion material II in the July issue of The Communist reaches all Party branches, and that



To speak at Randall's Island rally honoring Soviet Union Sunday. JOSEPH E. DAVIES

in welding more firmly the unity of the nation for all-out war, in exposing and isolating the defeatists Five Senators Warn of

adequate quantities of this issue are on hand to meet the denand. To the degree that the rich contents of the Penum Issue are studied and mastered. It will help enormously

William Schneiderman's name school and two and one-half years it, read among other things the By Mac Gordon

Last week Secretary of Labor Schneiderman was born and became its director.

By Mac Gordon Last week Secretary of Labor Schneiderman was born and became its director.

By Mac Gordon Schneiderman was born and became its director the most of living Tastriayn (toor Schlafferad) in the country at the see of 3, young Schneiderman from Mr. Wilke described how Schneider and advance his son's educational was a youth, became during the increase in the cost of living the formation of the year up to his farth, but to for working its first job when he was of Marrian. This group fant of the period from Jan. Individe many as youth, became during the nation stronger to earn a living and help scheme when the powerty and many set syouth, became during the powerty was and powerty and the country statice when the powerty and The decision of the United States Supreme Court yesterday, that William Schneiderman, California state secretary of the Communist Party, may not be deprived of his

At that time, Solicitor General of user-per neurory, to a nocal arresponding to the per neurory, to a nocal arresponding to the per neurope, the neurope of a cerebral made a rousing speech in Schmelderman. Wendell Wilkle hemmorhage at her home in Chappens of a cerebral made a rousing speech in Schmelder Wilkle hemmorhage at her home in Chappens of the communist party in this country is age of 68 years.

She has long been associated with the communist party in this country is movement. In this only seed that the perfect of the person of the country, been in Russia, abecame on the communist Octer. The President of The Person o

Stratford Hotel, A few weeks ago at another lunch Mr. Pew assaled the member of the Workers' (Communist S50,000 income limit on incomes, another lunch Mr. Pew assalled the member of the Workers' (Communist S50,000 income limit on incomes, and the S00,000 income limit on the S00,000 in the Communist bogey and survey further to unify the Communist bogey and the S00,000 in the Quotations from the same littlements of the Navy Department, well as the prosentation of the Navy Department, well as the property of the Navy Department, in the United States and, in the United States and, in the U

CHEE LAI (Zual Robern). So. GO GHEE LAI (Zual Robern). Song of China. Three Jo-lach record with booket. Altum X-109. So. Sy TIGHTRIG MEN OF . NORWAY. Three 10-inch records with booket. Album K-14. So. D. EMGOLLACY. Three III. Lah. Accords with 1990 Re-Album K-10. THE RED ARMY CHORUS of the U.S.S.R. Four 10-inch records with English Translations. Album E-103 FOLK SONGS OF THE U.S.S.R. Four 10-inch records, Album K-110 \$2.62

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rise in food prices. These food ending May 15 was accounted for prices are now 17 per cent above ilmost entirely by a 1.7 per cent While prices are spiralling, prof-

Conference

Reports CP

'Communist'

U.S., Soviet Admirals Weeps About Initative; Makes General France String to June munist Party as advocating to deprive the call. Rutledge inquired it solicitor General Francis Farty as advocating to June munist Party as advoca

conspiracy at home, and on the Thirty-five Red Navy nen will curning tsares involved in the 1944 accompany Read Admiraj Akulin elections, will be published in a special Pienum Issue of The Communistor July, Advance orders for this mate a nation-wide observance of important number already place its "Thibute to Russia Week" being direutation at the highest peak in salute to the Soviet people, who salute to the Soviet people These speeches, profoundly weigh. Relief.

Ing the problems and tasks on the General Miller is Inspector Génbonne front in the present cruchal
moment of the war, sharply focusing the attention of labor and the Army. Bear Admiral Maquert is
nation on the struggle against the Commandant of the Third Naval
defaatist Hoover-Lewis-trotskytie District.

several years.

The Pienum Issue of The Communist, in addition to the resolutions adopted by the National Communist, in addition to the resolutions adopted by the National Communist, in addition to the resolutions adopted by the National Communist, in addition to the resolutions and the pienum resolutions and that adequate quantities of this issue are no hand to meet the demand. To the degree that the rich consensis of the Pienum resolutions and with resolutions and the resolutions and vicinity and vicinity and vicinity and vicinity and vicinity and vic

in welding more firmly the unity of the nation for all-out war, in ex-posing and isolating the defeatists Front, and in achieving

Rallies for Garment Area USSR Today

And it composite profits in the est at the light of current sper-cent higher than in-the-first committee, held ast week-end, but are deduced.

These facts are particularly per-wer to fill and unconditional vicus are deduced.

These facts are particularly per-wer to fill and unconditional vicus and taste on the light of current set of the Communist Party said there.

These facts are particularly per-wer to fill and unconditional vicus amounted yes testerday by Allen the Communist Party and there.

The communist Party and the pressing the anti-Axis of the United States of



JOSEPH E. DAVIES

To speak at Randall's Island rally honoring Soviet Union Sunday.

Crisis on Home Front (Continued from Page 1) the importance of incentive wages in increasing the productivity of

which had been created occasionally to coordinate the home front and which bogged down, such as the coff Economic Stabilization. ASK STRONG POLICY the centive wage scheme was approved cent increase portedly resulted in a 20 to 25 per by the War Labor Board, it has rethe nation's labor force. "In one plant where a group in-

"If the Office of War Mobiliza- brief period," the report said. the weaknesses of "Incentive wage plans adapted o particular plants—protected by

to particular plants—protected by minimum safeguards and administered jointly by management and lator—is a proven way of increasing production."

The report declared that there is a "failure to integrate military "array of every describion, Cots, atores, DR, A. BROWN, Surgeo Dentits, 221 Sections of the property of the

sued. Argument recommenced on referred to March 12.

At this time, again speaking in the error,

hemmorhage at her home in Chap— mands arousing speech in schneider— lage of 63 years, yesterday at the Communist Party in this country is An unfortunate typographical size of 63 years associated wit. John in Kasais, also came to this country. Born in Rassia, she came for the progressive movement in this on the Communist Party in this country. Born in Rassia, she came for the communist locker. Daily Worker carrying the heading to this country at the age of three, for re-hearing of the case was is— The "East Side Marks OD Founding," on Party in the Communist Cocker. The funeral will take place today used. Argument recommenced on referred to as the "Nazi East Side Rarks of Choppedua.

At this "In-Mrs. Edith: Heller, wife of A. A. Schieren, but postponed for the 1942-Heller, died auddenly of a cerebral made a rousing season to controlled a Wilkele success will observe the ceremony. the month endirg May 15. This of 3, young Schneiderman from Mr. William state increase in the cost of civilibrond knew the poverty and man, as a youth, became disturbed struggle to earn a living and help. Schneiderman, for the past eight delt. William schneiderman was the people and the nation.

1041, to May 15 of this year up to 241 per cent.

241 per cent.

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Stratford Hotel. A few weeks ago at when we workers (Comanother lunch Mr. Pew assalled the member of the Workers (Comstrate lunch Mr. Pew assalled the member of the Workers (Comattorney in a the United States, Navy
and the United States, Navy
and the United States, Navy
and t

port and then "trucked" in to the Queensborough Playground. There the entire student body, faculty, and

zenship had applied, not to cur-rent conditions, but to political

equally "revolutionary" statemes by Abraham Lincoln, made about the same time. Supreme Court Justice Wi Mr. Willkle read to the court

ource for 1942 was \$1,260,254.

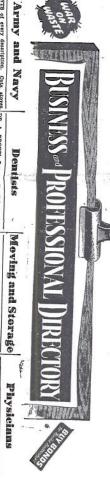
In his Sun Shipyard, Mr. Pew's the made much of quosations from the Victory Corps to a high rank the form of a reign of terror satinst and "tokence" myth, the prosent He-I ambulance plane in behalf of Schneiderman in this case feeling about "initiative" has taken be Communist Manifesto of Marx ing mayal offerer who will accept it the form of a reign of terror satinst and Engels, published in 1848, for the Navy Department, the white quotations from the 1932 Perty were carefully kept out of seven by company guards on the testimony.

Mrs. Heller

In November, 1941, the United states of the largest vocational in November, 1941, the United states of the largest vocational in the shooting Constitution of the Communist well as from the asle of screp ruber, and offered to a visition secured view of the case, which was offered to a visition secured in the state of the states of the largest vocational in the United States of the largest vocational in the United States of the states of the state of the states of the largest vocational in the United States of the states of the largest vocational in the United States of the largest vocational in the United States of the states of the largest vocational in the United States of the states of the states of the largest vocational in the United States of the states of the largest vocational in the United States of the states of the largest vocational in the United States of the states of the largest vocational in the United States of the states of the largest vocational in the United States of the states of the states of the largest vocational in the United States of the states of the largest vocational in the United States of the states of the largest vocational in the United States of the states of the largest vocational in the United States of the states of the largest vocational in the United States of the largest vocational in the United States of the states of the states of the largest

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Warn of Front

importance of incentive wages increasing the productivity of nation's labor force.

n one plant where a group inhe War Labor Board, it has reive wage scheme was approved edly resulted in a 20 to 25 per period," the report said. during a

r-is a proven way of increas-production." ncentive wage plans adapted ticular plants—protected by um safeguards and admin-jointly by management and declared that there

"fallure to integrate military many that the segy with material and ship-requirements and to plan the efficient use of resources don these requirements." hile our armies and Allies or for more production, huge of key materials and depois ughout the nation, the report "Side by side with shortess" and the properties of materials are found in others."

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o stabilization linked with an all mobilization program, the rt straddled the vital issue of iddes to roll back prices. In lacircles this was considered an artest shortcoming in an other significant and peretrating

Dr.

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noring Hero Sons thers Christen Ships Conts-Suits-Dresses

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age of 63 years. Speechast with communist party in this country is An unfortunate typographical age of 63 years. Speechast one programs of a legal party, A man error was made in a new story application of the communist total. The progressive information in this on the Communist total, total, country, Born in Russia, site came (or good total). Daily Worker carrying the heading to this country at the age of three, for re-hearing of the case was is: The "East Side Unity Ohorus" was the funeral will take place today such. Argument recommended on reterred to as the "Russ East Side from Fernaliff Orematorium in March 12.

Chappaqua.

At this time, again speaking in the error.

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istoric Supreme Court Decision on Schneide -

We brought this case here on certorart 314 U.S. 587, because its importance and its possible relation to freedom of thought. The question is whether the naturalization of petitioner, an admitted member of the Communist Party of the United States, was properly set aside by the courts below some twelve years after it was granted. We agree with our breithren of the minority that our relations with Russia, as well as our views regarding its government and the merits of Communism are immaterial to a decision of this case. Our concern is with what these and whether the government has proved its case under them. Court in the Schneiderman case.

The decision was switten by
Associate Justice Frank Murphy.

We brought this case here on
certionard 314 U.S. 567, because
its importance and its possible

Following are

While it is our high duty to carry out the will of Congress, in the performance of this duty we should have a jealous regard for the rights of petitioner. We should have a jealous regard for the rights of treatom and tolerance in which our nation was founded, and by a desire to secure the beasings of liberty in thought and action to all those upon whom the right of American citizenship has been conferred by skaute, as well as to the native born. And we certainly should presume that Congress was motivated by these left, withclicky. lofty principles

religious beliefs. Here they have boped to achieve a political status as citizens in a free world in which men are pivileged to think and oet and speak according to their convictions, without few of purisuants or without few of purisuants or should not overlook the fact that we are a heterogeneous people. In some of our larger cities a majority of the school children are the offspring of parents only one generation, if that far, removed from the steerage of the immigrant ship, children of those who sought refuge in the new word from the cruelty and oppression of the old, where men have been burned at the stake, imprisoned and driven into exile in counties numbers for their political and religious beliefs. Here they have honed at the stake, imprisoned and We are are directly concerned only the right of this petitioner the circumstances surround-nis naturalization, but we in not overlook the fact



JUSTICE FRANK MURPHY

United States District Oourt for the Southern District of California. He had not been arrested or subjected To censure pripr to 1937, and there is nothing in the record indicating that he was ever connected with any overtillegal or violent action or with any disturbance of any sort.

We granted certiorari and after having heard argument and re-argument now reverse the judg-ments below [of the District Court and the Constitution authorizes Chrout Court 2 Ap-

Congress to establish an uniform rule of maturalization" (Art. I. 8, cl. 4), and we may assume that maturalization is a privilege, to be given or withheld on such conditions as Congress sees fit.

1. But because of our furnity rooted tradition of freedom of belief, we certainly will not presume in constraing the naturalization acts that Congress meant to dircumscribe the liberty of political thought by general phrases in those statutes. As Othef Justice Hughes said in dissent in the MacIntosh case, such general phrases in those statutes, as Othef Justice Hughes with the theory and practice of our government in relation to freedom of considence. "I when the petitioner was naturaled in 1927, the applicable statutes did not prescribe Comments beliefs or affiliation as such Tray did forbild the naturalization of diffeolievers in organized government or members and the consideration of diffeolievers in organized processing the consideration of diffeolievers in organized process of the consideration of diffeolievers in organized government or members and the consideration of diffeolievers in organized government or members and the consideration of diffeolievers in organized governments or members and the consideration of diffeolievers in organized governments belief to the consideration of the consideration of diffeolievers in organized governments or members and the consideration of the considerati

nized government or memi organizations teaching dis f. Polveamists and advec-

the principles of the Constitution. At this point tells appropriate to mention what will be more fally developed later—that under our traditions belief are personal and not a matter of mere association, and that men in athering to a political party or other organization not of the platforms or asserted principles. Said to be among those Communist principles in 1977 are: the abolition of private property without compensation; the decision of a new prodesarian sipe upon the ruins of the old botracoils state; the creation of a dictatorship of the prodesariat; demail of political rights to others than members of the Party or of the prodesarian sipe upon the acceptance of the party or of the prodesariat and the creation of a world of Soviet republies. Statements that American democracy "is a fraud" and that the purposes for which the American democracy accepted. to the principle of the Constitu-tion, because of his membership in the League or the Party, the government has disrected our at-tention first to petitioner's testi-mony that he subscribed to the principles of these organizations, and then to organizations, and then to organizations by principles and statements by Party leaders which are said to be fundamentally at variance with the historiches. advocated overthrow by force and violence of the government, Constitution and laws of the United our history many stneare people whose attachment to the general constitutional acheme cannot be doubted have, for various and even divergent reasons, urged differing degrees of governmental ownership and control of natural recources, basis means of production, and banks and the media of exchange, either with or without compensation. And something once regarded as a species of private property was abolished without compensating the owners when the institution of alayery was forbidden. Can it be gaid that the author of the Emañcipation Proclamation and the supporters of the Thirteenth Amendment were not attached to the Constitution? We conclude that lack of attachment to the Constitution is not shown on the basis of the changes which petitioner resistant in the basis of the changes which petitioner is the constitution is not shown on the basis of the changes which petitioner is the constitution is not shown on the basis of the changes which petitioner is the constitution in the constitution is not shown on the basis of the changes which petitioner is the constitution in the constitution in the constitution is not shown on the basis of the changes which petitioner is the constitution in the constitution in the constitution is not shown on the basis of the changes which petitioner is the constitution in the constitution in the constitution is not shown on the basis of the changes which petitioner is the constitution in the constitution in the constitution is not shown on the basis of the changes which petitioner is the constitution in the constitution in the constitution is not shown on the basis of the changes which petition is not shown on the basis of the changes which petition is not shown on the constitution in the constitution is not shown on the constitution in the constitution is not shown on the constitution in the constitution is not shown on the constitution in the constitution is not shown on the constitution in the constitution is not shown on the constitution in the constitution is not shown on the co stitution as outlined al the government. It is tr the fifth amendment private property, even taking for public use

Turning now to a seriatim consideration of what the government asserts are principles of the Communist Party, which petitioner believed and which are opposed to our Constitution, our conclusion remains the ame—the government has not proved by "clear, unequivocal and convincing" evidence that the naturalization court could not have been satisfied that petitioner was attached to the principles of the Constitution when he was naturalization when he was naturalization when he was naturalization of the constitution when he was naturalization.

are stressed.

Those principles and views are not generally accepted — in fact they are distasteful to most of us—and they are distasteful to most of us—and they all for considerable change in our present form of government and society. But we do not think the government has carried the burden of proving by evidence which does not leave the issue in doubt that petitioner was not in fact attached to the principles of the Constitution and well disposed to the good order and happiness of the United States when he was naturalized in 1927.

The constitutional fathers, fresh from a revolution; did not force a political straight-lacket for the generations to come. Instead they wrote Article V and the first amendment, guaranteeing freedom of thought, soon followed. Article V contains procedural provisions for constitutional change by amendment without any present limitation what soewer except that no state may be deplyed of equal representation in the Senate with no state may be deplyed of equal representation in the Senate with anothing changes under in the Constitution Sine 1887 refule the that the attack of the constitution of the first reduce the constitution of the first reduce the constitution of the first reduce the that the attack of the constitution of the constitution and the many important and for teaching changes under in the constitution of the first reduce the change of the constitution of the first reduce the change of the constitution of the life reduce the change of the constitution of the state of the change of the constitution of the life reduce the change of t

even against c use without sut throughout above by s true that nt protects en against se without

support of its

We have already disposed of the principle of nationalization of the agents of production and exchange with or without compensation. The erection of a new proletariat state upon, the rulus of the old oburgeois state, and the creation of a dichatorship of the old oburgeois state, and the creation of a dichatorship of the proletariat is one loosely used, upon which more words than light have been shed. Much argument has been directed as to how it is to be achieved, but we have been offered no precise definition here. In the general sense the term may be taken to describe a state in which the workers or the masses, rather than the bourgeoiste or capitalists are the dominant class, not a dictatorable in the sense of absolute and total rule by one individual. So far as the record before us indicates, the concept 4.8 a mid one, capable of adjustment to different fement conditions. In different contrains

munist International states the protestarian state will grange religious freedom, while at same time it will cerry on as religious propaganda.

We should not hold that pure the same time it will cerry on as religious propaganda.

thener is not attached to the Constitution by reason of his possible bits belief in the creation of some form of world union of some form of world union of soviet regulation of with regard to those who believe in Pan-Americanism, the League of Nations, Union Now, or some other form of international collaboration or collective security which may grow out of the present indocaust. A distinction here would be an findication on based on the fact that we might agree with or tolerate the latter but dislike or

disagree with the former.
Apart from the question wyether the alleged principles of the Party which petitioner assertedly believed were so fundamentally opposed to the Constitution that he was not attached to its principles in 1927, the government contends that petitioner was not attached because he believed in the use of force and violence instead of peaceful democration methods to achieve his desires. In support of this phase of its argument the government asserts that the organizations with which petitioner was actively affiliated advised, advocated and thaught the overthrow of the government, Constitution and laws of the United States by force and violence, and thats petitioner therefore believed in that meth-

therefore believed in that method of governmental change.

Apart from his membership in
the League and the Party, the
record is barren of any conduct
or statement on petitioner's part
which indicates in the alightest
that he believed in and advocated
the employment of force and violence, instead of peaceful persuasion, as a means of attaining
political ends. To find that he
so believed and advocated it is
necessary, therefore, to find that
such was a principle of the organtantion to which he belonged and
then impute that principle
these organizations and his
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whether advocacy of tal overthrow by for lence is a principle has perplexe some time of governmen-y of governmen-r force and vio-ple of the Com-he United States the unrestricted right to organ-ize, to strike and to picket and the unrestricted right of free speech, free press and free as-semblage for the working class. The 1928 program of the Com-munist International states that the projektrian state will grant religious freedom, while at the same time it will carry on anti-

In the juret place this phase of the government's case is subject to the admitted infirmities of proof by imputation. The difficulties of this method of proof are here increased by the fact that there is, unfortunately, no absolutely accurate test of what a political writings are often overpellited writings are often opportunistic devices, as much honored in the ritings are often opportunistic devices, as much honored in the basis of the present record we cannot say that the observance. On the basis of the present record we cannot say that the observance. On the basis of the present record we cannot say that the Communist Party is so different in this respect that its principles stand orth with partect clarity, and especially is this so with relation to the orthorial issue of advocacy of force and violence, upon which the government admits the evidence is sharply conflicting. The present of this conflict is the second weakness in the government, from the documents are the south the documents in evidence to those culled out by the government.

The reality of the conflict in the record before us can be pointed out quickly. Of the relevant proof to 1927 documents remains and interest and leaders, the fourth is a world program, the further are writings of culsarading the abortive library shall said to surpstaing. It is authors after stated, however every that there were certain contracts, which this back-often in the p ground its tone is not surptished.

Its authors laker stated, however, that there were certain comprises, "such as the United states and England in which the workers may hope to secure that ends by penceful means."

Lemin doubted this in his militant work, The State and Revolution, but this was written on the eye of the Bolshevitz revolution. Busis and mely be interpreted as intended in part to

to prove the alleged lack of attachment by "clear, unequivocal and convincing" evidence. That burden has not been carried. The government has not proved that relitioner's beliefs on the subject of force and violence were such that he was not attached to the Constitution in 1927.

tactics.

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is that the Party

violence only as a method of preventing an attempted forcible counter-overthrow once the Party has obtained control in a peaceful manner, or as a method of last resort to enforce the majority will if at some indefinite future time because of peculiar dreumstances constitutional or 1927 desired to achieve its purpose by peaceful and democratic means and as a theoretical mat-ter justified the use of force and violence only as a method of peaceful channels were no longer

There is a material difference between agitation and extortation calling for present violent action which creates a clear and present danger of public disorder of other substantive evil, and mere doctrian justification or prediction of the use of force under hypothetical conditions at some indefinite future time—prediction that is not calculated or intended to be presently acted upon, thus leaving opportunity for general discussion and the calm processes of thought and reason. . . . Because of this difference we may assume that Congress intended, by the general test of "attachment" in the real test of "attachment" in the 1905 Act, to deny naturalization to persons failing into the first eategory but not to those in the ascond. Such a construction of the statute is to be favored because it preserves for movitales as well as citizens the full benefit of that freedom of thought which is a fundamental feature of our boilities institutions. Under the conflicting evidence in this case we cannot say that the government has proved by such a preponderance of the evidence that the issue is not in doubt, that the attitude of the Community Party of the United States in this

the state the class conscious workers must win the majority to their side. As long as no violence is used against the masses, there is no other road to power. We are not blanquists, we are not in favor of the seizure of power by a minority." The 1938 constitution of the Communist Party of the United States, which petitioner claimed to be the first and only written constitution ever officially adopted by the Party and which he asserted enunciated the principles of the Party and winches we should be considered in the principles of the Party and which he asserted enunciated the principles of the Party and which he asserted enunciated the principles of the Party as he understood them from the beginning of his membership, ostenis. ning of his membership, ostensi-bly eschews resort to force and violence as an element of Party

the Ħ what interpretation of the J by a stitude toward fore widenes is the most probable the basis of the present record that petitioner's testimon; acceptivate at face value hold only that where two in pretations of an organization of the possible, the reprehensible and a bar to uralization and the other missible, a court in a denakuration proceedings, assuming it can re-examine a finding attachment upon a charge illegal procurement, is not tified in cancelling a certific of citizenship by imputing reprehensible interpretation member of the organization the absence of overt acts i cating that such was his in pretation. So uncertain a cl of proof dees not add up to requisite "clear, unequivocal, convincing" evidence for set adde a naturalization de Were the law otherwise, valurights would rest upon was let reed, and 'the security of status of our naturalized clit might depend in consider degree upon the political ten of majority thought and stress of the times. Those consequences foreign to the traditions of this nation, and characteristics of our institu

ang in manusananan, nur we should not overlook the fact that we are a heterogeneous people. In some of our larger cities a majority of the school children are the offspring of parents only one generation, if that far, removed from the steerage of the immigrant ship, children of those who sought refuge in the new word from the cruelty and oppression of the old, where men have been burned at the stake, imprisoned and driven into exile in countiess numbers for their political and religious beliefs. Here they have hoped to achieve a political status as citizent in a free world in which men are privileged to think and not nad speak according to their convictions, without feat of punisment or without fear of punisment or further exile so long as they keep the peace and obey the law.

This is not a naturalization proceeding in which the givenment is being asked to confer the privilege of eithemship upon a sppilomit. Instead the govback tweive years after full identification by a judical decree, and deprive him of the priceless benefits that derive from that is being that it is not a consequences it is more sections than a taking of one's property, or the imposition of a fine or other penalty. For it is said to assert that nowhere of the sections than a taking of one's property, or the imposition to a father of the sections than a taking of one's property, or the imposition of a fine or other penalty. For it is said to assert that nowhere of the sections than a taking of one's property, or would be difficult to an individual than it is in this country. It would be difficult to exagence its value and laportance. By many it is regarded as the highest boy of critised man. This does not mean that once or farmed about not on legs grounds, sight one or itself around the father way without the cleartest sort of justification and poof. I so the preclosus, either of the preclosus, conferred should not be taken way without the clear in the critical has nearwhile one of the preclosus right of differenthly previously conferred and the law of the preclosus of some the ordinary of the preclosus some presenting to be stated this burden must be met with endied that the burden of when the different him when the different him when the different him and the proof of so it the government in this case. For reasons presenting to be stated this burden must be met with endied the unit of one of the preclosus presenting to be stated this burden must be met with endied the when demand the certification of a clear and convincing character that when defluented that the burden of a clear and convincing character that when defluented that the burden of a clear and convincing character that when defluented that the state of dileterably was granted and the cliar of the preclosus of a clear and convincing character tha

ci. 4), and we may assume that naturalization is a privilege, to be given or withheld on such conditions as Congress sees fit.

... But because of our firmly rooted tradition of freedom of belief, we certainly will not presume in construing the naturalization sation act that Congress meant to droumscribe the literal binase in those statutes. As Ohled Justice Hughes said in dissent in the Machinon teas, such general phrases "should be centarized, not in opposition to, but in accord with, the theory and practice of our government in relation to freedom of conscience..."

When the peditioner was naturalized in 1927, the applicable statutes did not proscribe Community. Pellists or affiliation as such. They of distribution as such. They did fortid the naturalized with the transfer.

gainzed government or members of organization were also barred. Applicants and advocates of political assassination were also barred. Applicants for etti-zenship were required to take an each to support the Constitution, to bear true faith and allegiance to the same and the laws of the full of the same and the laws of the full of the same and the laws of the court of the court of the same and the ass of the court of the court of the same and the sapilarity. And it was to "be made to applicant that immediately preceding the applicant that immediately of the court of the cour

contained to the present total to government and society. But we do not think the government has carried the burden of proving by evidence which does not leave the state in doubt that petitioner was not in face, attached to the principles of the Constitution and well disposed to the good order and happiness of the United States when he was naturalized in 1927.

The constitutional states, fresh from a revolution, did not force a political straight-lacket for the generations to come. Instead they wrote Article V and the first amendment, guaranteeing freedom of thought, soon tollowed. Article V contains procedural provisions for constitutions in change by amendment, guaranteeing freedom of thought, soon tollowed. Article V contains procedural provisions for constitution in the Samte with the state of the same without any present limitation whatever except that no state may be deptyred of equal representation in the Samte with out its consent of the principles of the Constitution. As Justice Holmes and, "surety it cannot show lack or attachment to the principles of tree thought—not attachment than any other it is the principle of free thought—not that more imperatively calls for attachment than the shoreful of desires to improve the Constitution and the shoreful of desires to improve the the principles of free thought—not that more imperatively calls for attachment than any other it is the principle of free thought—not the thought for those who agree with us, but freedom for the thought for those who saree

eschange with or without compensation. The erection of a new professital state upon the ruins of the old bourgeois state, and the creetion of a new professital state upon the ruins of the old bourgeois state, and the creetion of a dictatorable of the proletarist way be concept of the dictatorable of the proletarist way be concept of the dictatorable of the proletarist is one bourgeois as to how it is to be achieved, but we have been after of the state of t

If any provisions of the Constitution can be singled out as requiring menalitied attachment they are the guaranties of the Bill of Rights and especially that of freedom of thought out taked in the first amendment We do not reach, however the question whether petitioner was attached to the penciples of the their denially hold covard persons and organisation that believe in or advocate extensive changes in our existing order, it stoodid be our desires and concern as all diness to upplied the right of free discussion; and free thinking to which we as a people claim primary attachment. To nested this did with it was the people claim primary attachment. To nested this did with the we are called upon to ludge whether a particular individual has falled to manifest attachment to the Constitution would be inculsal indeed.

Our concern's with what Congress meant to be the extent of the area of allowable thought universal of the statule. By the very generality of the ferms employed it is evident that Congress intended an elastic text, one which should not be circumserabled. The second of thought, it is not to be gress method to drought, it is not to be gress may be a pleased the form of thought, it is not to be gressing that the congress intended an a least to the formed that Congress intended an elastic text, one which should not be circumserabled. The should not be gressing the professed that decessors of 1785 and 1892, the rended or offer maturalization in views coingide with those one. only to those whose political views coincide with those considered best by the founders in 1787 or by the majority in this conners vodes.

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od of governmental change.
Apart from his membership in the League and the Party, the record is barren of any conduct or statement on petitioner's part which indicates in the slightest that the believed in and advocated the employment of force and viocused, in the subjoyment of force and viocused, in the subjoyment of successive and viocused, in the subjoyment of advocated in the subjoyment of the dark in the subjoyment of the first in the subjoyment of advocated it is necessary, therefore, to find that such was a principle of the organization to which he belonged and then impute that principle to film on the basis of his activity in these organizations and his statement that he subscribed to their principles.

For some time the question whether advocative by force and violative is a principle of the community bray of the United States has perplexed courts, administrators, against records and students, on varying records in deportation proceedings some courts have held that administrative mindig that the process of manufactures and students, on varying records in deportation proceedings some courts have held that administrative mindig that the Party did so advocate was not so wanting in evidential support as to amount to a denial of the pricess, others have held to the contrary on different records, and some seem to have taken the post-tion that they will pudically notice that force and violence is a Party principle. This court has never passed upon the question whether the Party does so advocate, and it is unnecessary for us to do so now

With commendable candor the government sdmits the presence of sharply condiduing views on the issue of force and violence as a Party principle, and it also concedes that "some Communist illustration in respect of force and violence is susceptible of an in-derpretablen more rhebotical than literal." It insists, however, that exceptis from the documents on which it particularly relies, are enough to show that the trial court's finding that the Community Party advocated violent overthrow of the government was not "clearly erroneous," and hence can not be set aside.

cate the bases for its conduction to 1977 streaged by the government, with the perfeithent excepts noted in the margin, are: the Communist Manifesto of Marx and Engels; the State and Revolution, by Lami: the statutes, these and conditions of admission to the Communist Enterted to Lami: the chatters, these and conditions of admission to the Communist Enterted Lami, and conditions of admission to the Communist Enterte Communist From Statin. The government also sets forth excepts from other documents which are entitled to little weight because they were published after the critical period. The hombastic excepts set citical period. As previously pointed out, the trial court's findings do not indicate the bases for its conclusions, but the documents published prior to 1927 stressed by the govern-

of general discussion and the calm processes of thought and reason... Because of this difference we may assume that Congress intended, by the general discussion state that congress intended, by the general estept by the of the naturalization to persons falling into the first estept by the not to those in the second. Such a construction of the statute is to be favored because it preserves for novillates as well as citizens the full benefit of that freedom of thought which is a fundamental feature of our political institutions. Toder the conflicting evidence in this case we cannot say that the system ment has proved by auch a preponderance of the evidence that the issue is not in doubt, that the sisue is not in doubt, that the statut of the other stay of the United States in 1927 towards (ove and vighenic tion in the second category. Pettioner testified that he subsocihed to this interpretation of Party principles when he was naturalized, and counted that the Severnment ign not carried its forconsistent with that testimingly. We concluded that the Severnment ign not carried its burden of proving by 'clear, un-equivocal, and convincing' evidence which does not leave 'the fesse in doubly' intended the cliteraship illegally. In so holding we do not decide opportunity

ment's in evidence to those culled out by the government.

The reality of the conflict in the Treord before us can be pointed out quickly. Of the relevant by the pointed out the pointed of the pointed out the present of the present out the present of the present out the present of the present out of the Positive that the present out the present of the Party out the present out the

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should not overlook the fact that we are a heterogeneous people. In some of our larger cities a majority of the school children are the offspring of parents only one generation, if that far, removed from the steering of the immigrant ship, children of those who sought refuge in the new word from the steering of the immigrant ship, children of those who sought tretuge in the new word from the steering of the impirioned and driven into eather no countess numbers for their political and religious beliefs. Here they have hoped to achieve a political and religious beliefs. Here they have hoped to achieve a political in which men are privileged to think as the steer of their convictions, without fas, of their convictions, without fas, of their convictions without fas, of punisment or further shiles on ing as they keep the privilege of citizenship upon an applicant. Instead the government is being asked to confer the privilege of citizenship was conferred upon an applicant. Instead the government seeks to turn the clock back twelve years after full citizenship was conferred upon an applicant. Instead the government seeks to turn the clock back twelve years after full citizenship was conferred upon an individual than it is in this country. It would be difficult to exaggerate its walte and upon the status. In its one-quarter that make an an individual than it is in this country. It would be through the country. It would be construed as far as it is not a purpose of depriving one of the chart has meanwhile one in the stake when the chart as a status in a naturalization proceeding (see United States V. Manal, 176 U.S. 453, 467), in an action instituted and the clitzen has meanwhile met his obligations and has commented to a rate and convincing character that the burden of the stake is made long after the time when the certificate of the clitzenship was conferred the convincing character that when clitzenship was conferred to th

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be given or withined on such that he all conditions as Congress sees fit.

ol. But because of our firmly it or order and the life, we certainly will not present the testing of the betause of our firmly it or order and the life, we certainly will not present the testing of the sume in constraint to consumer in the life we certainly will not present in the station acts that Congress meant to care until the Hughes said in dissent in the MacIntosh case, such general phrases in those statutes. As Chief Justice Hughes said in dissent in the individual of the Hughes said in dissent in the distance of the Hughes said in dissent in the individual of the Hughes said in dissent in the individual of the Hughes said in dissent in the individual of the Hughes said in practice of the Hughes said in practice of the Hughes said in 1927, the applicable statutes did not proscribe Communist beliefs or affinishm were not also barred. Applicants for cititizenship were required to take an also barred. Applicants for cititizenship were required to take an also barred. Applicants for cititizenship were required to take an also barred. Applicants for cititizenship were required to take an also barred. Applicants for cititizenship were required to take an also barred. Applicants for cititizenship were required to take an also barred. Applicants for cititizenship were required to take an also barred. Applicant "has required by the said ontinuously within the United States, and to renounce all allegance to the profession that the bourt" of naturalization that madeliately preceding the applicant that the bourt" of naturalization that the bourt of the United States, and that the bourt were the state of the constitution of the United States, and that the bourt of the Constitution of the United States, and that the bourt of the Constitution of the United States. Since the United States is meaning. On the bourt of actachment correctly to the proof adduced, it is necessary to accertain its meaning. On the sould be applicated to the proof adduced

government and society. But we do not think the government has carried the burden of proving by sevidence which does not leave the issue in doubt hat petitioner was not in fact attached to the principles of the Constitution and well disposed to the good order and happiness of the United States when he was naturalleed in 1927.

The constitutional fathers, fresh from a revolution, did not force a political straight-jucket for the generations to come. Instead they wrote Article V and the first amendment, guaranteeing freedom of thought, soon followed. Article V contains procedural provisions for constitutional change by amendment without any present limitation wintscover except that no state may important and fractional contains the separate with and the many important and fractional to the formatical intercential of the Constitution since 1767 refute the data that attachment to any particular provision or provisions is essential, or that one who advorate radical changes in the Constitution.

As Justice Edomest Said. "Surely it cannot show lack of attachment to the principles of the Constitution of the formatical ing thought because," If there is any principle of the Constitution that one to agree the Constitution and the sincerity of desires to improve the Constitution and the sincerity of desires to improve the Constitution and the sincerity of desires to improve the Constitution and the sincerity of desires to improve the Constitution and the sincerity of desires to improve the Constitution and the sincerity of desires to improve the Constitution and the sincerity of desires to improve the Constitution and the sincerity of desires to improve the Constitution and the sincerity of desires to improve the Constitution and the sincerity of desires to improve the Constitution and the sincerity of desires to improve the Constitution and the sincerity of desires to improve the Constitution and the sincerity of desires to improve the Constitution and the sincerity of desires to improve the Constitution and the sincerity

Individually hold toward persons and organization that believe in our existing order, it should be our desire and concern at all times to uphold the right of free discussion and free thinking to which we as a people claim primary staehment. To neglect this duty in a proceeding in which we are called upon to hidge whether a particular individual has falled to manifest at tachment to the Constitution would be frented indeed. Our on-beriff's with what congress meant to be the extent of the area of allowable thought under the statute. By the very generality of the terms employed it is evident that Congress intended to offer naturalization only to those whose solutions of thought, it is not to be presumed that Congress in the Act of 1005, or its predecessors of 1795 and 1302, intended to offer naturalization only to those whose political views coincide with those considered but these one

of the agents of production and exchange with or without compensation. The erection of a new diproleariat stake upon the rulus of the old burgeois state, and the creation of a dicitatorship of the proleariat stake upon the rulus of the old burgeois state, and the proleariat may be considered together. The concept of the dictorship of the proleariat may be calcived, but we have been offered as to how it is to be a schered, but we have been offered in the series of a state in the second of the state of the workers or the masses, rather than the bourses of the state of the command the conditions. In different conditions in different conditions. There are only a two dictatorship would take in this country. It does not appear that it would necessarily mean the end of representative soverment of the constitution of the send of representative soverment of the constitution of the send of representative soverment of the community. The 1929 platform of the Community relevant, advocated the abolition of the Smate, of the majority. The 1929 platform of the Supreme Court and of the constitution and hence the shollton of the Smate, of the constitution and hence the shollton of the Smate, of the constitution and hence the shollton of the Smate, of the constitution and hence the shollton of the Smate, of the constitution and hence the shollton of the Smate, of the constitution and hence the shollton of the Smate, of the constitution and hence the shollton of the Smate, of the constitution and hence the shollton of the Smate, of the constitution and hence the shollton of the Smate, of the constitution and hence the shollton of the Smate, of the constitution and hence the shollton of the Smate, of the constitution and hence the shollton of the Smate, of the sound of the constitution and hence the shollton of the shol

dod governmental change.

Apart from his membership in the League and the Party, the record is barren of any conduct or statement on petitioners part which indicates in the slightest that he believed in and advocated the employment of from and viocated the employment of from and viocated the employment of from and viocated the pence, instead of peaceful persuitation, as a means of attaining political ends. To find that he so believed and advocated it is necessary, therefore, to find that such was a principle of the organization to which he belonged and then impute that principle to him on the beats of this sativity in those organizations and his statement that he subscribed to their principles.

whether advocacy of governmental overthrow by force and violence is a principle of the Community Party of the United States has perplaced courts, administrative findings that trained, placed courts have held that administrative findings that the Party die do advocate was not to availing some courts have held that administrative findings that the Party die do advocate was not to availing in evidential support as to amount to a definal of due process, others have held to the contrary on different records, and some seem to have taken the position of the country of the process, others have held to the contrary on different records, and some seem to have taken the position that they will judicially notice that force and violence is a Party principle. This court has never passed upon the question whether the Party does so advocate, and it is unnecessary for us to do so now.

with commendable candor the government admits the presence of dataryly conflicting views on the kasus of force and violence as a Farty principle, and it also consecret the state of force and violence is susceptible of an interpretation more interpretation more interpretation more interpretation more interpretation in the documents on which it particularly relies, are enough to show that the trial court's finding that the Communitation of the previously pointed out, the case the bases for its conjusions, but the documents published prior to 1871 stressed by the government, with the perthent excepts noted in the margin, are: the Communitations of admission to the Communitation to the Communitations of admissi

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ment in evidence to those culled out by the government.

The reality of the conflict in the record before us can be published out quickly. Of the relativistic control before us can be published out quickly. Of the relativistic control before us the published out quickly. Of the relativistic control before us the published out quickly of the relativistic control before and the published the published and the published and the published the shorter liberal revolutions of that year. With this backled ground, its once is not surprishing the aborter liberal revolutions of that year. With this backled ground, its once is not surprishing the aborter liberal revolutions of that year. With this backled ground, its one is not surprishing the aborter liberal revolutions of that year. With this backled ground the therm were certain that there were certain the workers may hope to secure their ends by peaceful means."

I can't doubted this in his milling that work, The State and Revolution and the work of the Bolshevist revolutions that he we of the Bolshevist course and refright the amarchists and Social Democrats. Stalin declared that Marke exemption for the United States and England was no longer walld. He wrote, however, that "the proposition that the president of the Data aboutled in condition that the president of the Limit worke "in order to obtain the power of

d upon, thus leaving opportunity for general discussion and the caim processes of thought and reason... Because of this dirference we may assume that Congress intended by the general test of "attachment" in the 1906 Act, to deny naturalization to persons failing into the first eategory but not to those in the second. Such a construction of the statute is to be favored because it preserves for novitiales as well as citizens the full benefit of that freedom of thought which is a fundamental festure of our political institutions. Under the combining evidence in this case we cannot say that the government has proved by such a preponderance of the evidence that the issue is not in doubt, that the sittlude of the Committee of the conference of the evidence was not subscribble of classification in the second entegory. Pettoner testified that he situacities in the conduct is inconsistent with that testingny. We concluded that the stigning of the conduct is monstatent with that testingny. al discussion

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mony. We concluded that the government that not carried its burden of proving by "clear, unequivocal, and convincing" evidence which does not leave "the issue in doubt" that petitioner obtained his clittenship lineally. In so holding we do not decide

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This is not a naturalization proceeding in which the government is being asked to confer the privilege of clitzenship upon an applicant. Instead the government seeks to turn the clock back twelve years after full clitzenship was conferred upon petitioner by a judicial decree, and deprive him of the procless benefits that derive from that status. In its consequences it is more serious than a taking of one's property or the imposition of a fine or other penalty. For it is and to essert that nowhere in the world today is the right of clitzenship of greater worth to an individual than it is in this country. It would be difficult to exaggerate its value and taport stance. By many it is regarded as the highest hope of clitized men. This does not mean that once granted to an allen, clitzenship cannot be revoked or cancelled on legal grounds. But such a right once conferred should not be taken away without the cleariest of the precious right of the proceeding (see United States V. Manar, 176 U. S. whatever may be the rule in a naturalization proceeding (see United States V. Manar, 176 U. S. (83, 467), in an action instituted of the previously conferred we believe the facts and the law should be construed as far as is treasmably previously conferred we believe the facts and the law should be construed as far as is reasonably possible in favor of the clitzenship was granted and the clitzen has meanwhile one of the previously conferred we believe the facts and the aw should be construed as far as is reasonably possible in favor of the clitzen has meanwhile and the clitzen has meanwhile one of clitzen has meanwhile one of denied that the burden of proof is on the government in this case. For reasons presnitly to be stated this burden must be one with evidence of a clear and convincing character that when clitzenship was conferred upon petitioner in 1927 it was not done in accordance with strict legal requirements.

Certain facts are undisputed. Petitioner came to this country from Russia in 1907 or 1908 when he was approximately three. In 1922, at the age of 16, he became a charter member of the Young Workers (now Communist) League member until 1929 or 1930. In 1924, at the see of 18 he field his declaration of intention to become a citian. Later in the same year or early in 1925 he became a member of the Workers Party, the predecessor of the Communist Party of the United States. That memberahly has continued to the present. His petion for naturalization was falled on Jan, 18, 1927, and his certificate of citizenship was is serificate of citizenship was is serificated.

p such. They did forbid the naturalization of classolicevas in colvernment or members of organizations teaching dishered of political assassination were also barred, Applicants for citical canada and the same and the laws of the putted States, and to remounce to the same and the laws of the putted States, and to remounce to the same and the laws of the putted States, and to remounce to the same and the laws of the putted States, and to remounce to the same and the laws of the putted States five years at least.

In the court of naturalization that immediately preceding the application of the to the putted States five years at least.

In the our of the states of the Constitution of the principles of the Constitution of the United States, and well disposed to the principles of the Constitution of this case.

To apply the statutory requirement of attachment correctly to the proof adduced, it is necessary to ascertain its menting. On its face the statutory requirement of the Constitution of the years as a man attached to its principles and well disposed to the Constitution of the years as an an attached to its principles and well disposed to the constitution of the years as an an attached to its principles and well disposed to the promal comozition of behavior for a period of the United States. Since the promal comozition to the Constitution of the years as an antached to its the 1906 act created a purely observed the state of the thing of the treatment, previous conducts. If this objective standariate the 1906 act created a purely observed with any disorder, and not a single written or spoken tatement of his, during the relevant period from 1922 to 1927 or thereafter, advocating violent of the proposition of the United States. Since the other proposition of the proposition of the proposition of the proposition

The claim that petitioner was no in the fact attached to the Constitution and well disposed to the good order and happiness of the United States at the time of his as naturalization and for the previous in five-year period is twofold: first, as that he believed in such sweeping is changes in the Constitution, that he happy could note be attached to be stiply could note be attached to be stiply could note be attached to

representation in the constitution and the many important and the reaching charges made in the Constitution since 178 retute the Constitution since 178 retute the Constitution since 178 retute the Constitution or provisions is essential, or that one who advocates radical changes is necessarily not attached to the Constitution.

As Justice Isolances as increasing the improved. ... Oriticism of, and the sincerity of desires to improve the Constitution should not be judged by conformity to prevalling thought because. "If there is any principle of the Constitution that more imperalively calls for attachment than any other it is the principle of free thought—not free thought for those who agree with us, but freedom for the thought that we hate."

Whatever stituted we may individually hold toward persons and organization that believe in or advocate extensive changes in our existing order, it should be our desire and concern at all times to uphold the right of free diseastion and free thinking to which we are called upon to judge whether a particular individually saided to manifest attachment to the Constitution would be included in effect that congress meant; to be the extent of the area of allowable thought under the statute. By the very generality of the terms employed it is evident that Congress meant; to be the casted to the area of allowable thought under the which should not be circumscribed by attempts at precise definition. In vive of our tradiction of freedessors of 1798 and 1892, intended to offer naturalization only to those whose political views coincide with those constitution of the extent of 1996, or its predecessors of 1798 and 1892, in tended to offer naturalization of the constitution of the constitution of the extent of 1996, or its predecessors of 1798 and 1892, in tended to offer naturalization of the constitution of the constitution of the constitution of the constitution of th

With regard to the constitutional changes be destred petitioner testined that he believed
in the nationalization of the
means of production and exchange, and the preservation and
utilization of our "democratic
structure. as far as possible
for the advantage of the working classes," he stated that the
"dicatorship of the proletariat"
to him meant "not a government
but a state of things" in which
"the majority of the people shall
really direct, that own deathnies
and use the justiument of the
state for these truly democratic
ends." None of this is necessarily
political philosophy" of the Con-

in far as the record before us indicatava, the concept is a mind only
catava, the concept is a mind only
catavalant of expectations in different
to countries. There are only a
meager indications of the form the
countries. There are only a
meager indications of the form the
countries. There are only
and of representative government
the would necessarily mean the
end of representative government
or the federal system. The program and constitution of the
Workers Party (1821-29) criticized the constitutional system of
eakers power to pass on legislation, and the involved procedure
for amending the Constitution,
characteridag them as, devices
designed to frustrate the will of
the majority. The 1929 platform
to fite Communitation and hence
not strictly relevant, advocated
the abolition of the Senate, of
the supreme Court and of the
the strictly relevant, advocated
the abolition of the Senate, of
the supreme Court and of the
supreme Court and of the
supreme Court and descentive power of the President, and
replacement of congressional districts with "councils of workers"
in the supreme Court and of the
supreme Court and described
the abolition of the Senate, of
the supreme Court and of the
supreme Court and of the
supreme Court and described
the abolition of the Senate,
of the power would be united
to the power would be united
to the power would be main
that of the constitutional means
is another that adoption through
the majority of the people in
the country—but whatever our
personal views, as judges we canmental structure—changes which
the safet to any are not desired
by the majority of the people in
the country—but whatever
of the power would be united
the structure of the suprement's test of
the persons not members of the
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to the suramited on the suramited of
the persons not members of the
constitution whether petitioner was
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whether advocacy of governmental overthrow by force and viosence is a principle of the Communist Party of the United States
has perplexed courts, administrators, legislators and stidents.
On varying records in deportation
proceedings some courts have held
that administrative finding, that
the Party did so advocate was not
so wanting in evidential support
as to amount to a denial of due
process, others have held to the
contrary on different record, and
some seem to have taken the position that they will judicially noble
that force and violence is a Party
principle. This court has never
passed upon the question whether
the Party does so advocate, and
it is unnecessary for us to do so
now.

With commendable candor the government admits the presence of sharply conflicting view on the issue of force and violence as a Party principle, and it also concedes that "some Communist illerature in the state of force and violence is susceptible of an interpretation more rhetorical than iterpretation from the documents on which it particularly relies, are enough to show that the trial court's findings do not indicate the bases for its conductions, but the documents published prior to 1937 stressed by the government, with the documents published prior to 1937 stressed by the government, with the documents published prior to 1937 stressed by the government, with the perturbent excerpts noted in the margin, are: the Communist Manifesto of Marx and Engels; the State and Revolution, by Lenin, the statutes, these and conditions of admission to the Communist International; and the Theory and Practice of Leninsm, written by Stalin. The government particularly relies, lend considerable remains a set forth excerpts from other documents which are entitled to little weight because they were published after the The bombastle excerpts as to find the transment by Stalin. The government particularly relies, lend considerable engineer of the government particularly relies, lend considerable engineer of the government by water of concerned with the containty proceeding in Application of the same and the comment is such that it are somether administrative finding. On the issue here, we are no conducted with the question whether a considerable man might so include a process. As point 4 on the effect are so hearing in eventual proceeding in Application of the such error and finding of attachment as we are a finding of attachme

ant work. The State and Revonuts) but this was written on
the de of the Bohneut revolution in Russis and may be interpriced as intended in part to
justify the Bohneuts course and
refug the anarchists and Social
Democrats. Statin declared that
Mark examption for the United
States and England was no longer
valid. He wrote, however, that
"the proposition that the prestige of the Party can be built
upon violence ... is absurd and
absolutely incompatible with Leninfam." And Lenin wrote "in
order to obtain the power of

munist Parky of the Unided States.
In 1927 towards force and violences was not subscribible of classification in the second category Petition in the second category. Petitioner testified that he subscribed to this interpretation of Parky principles when he was naturalized, and nothing in his conduct is inconsistent with that testimony. We concluded that the government has not carried its burden of proving by "clear, unequivocal, and convincing" evidence which does not leave "the issue in doubt" that petitioner obtained his clutzenship lingsilly.

In so holding we do not decide