

THE NATION

Rankin Bloc Censors Congressional Record; Curbs Speeches Defending Winchell and Carlson

By NATHAN ROBERTSON

PM's Bureau

WASHINGTON, Apr. 26.—The Rankin bloc in Congress—headed by Reps. John Rankin (Miss.-poll taxer) and Clare Hoffman (R., Mich.)—has clamped down a tight censorship to keep criticisms of them or any defense of their critics out of Congressional debate and out of the *Congressional Record*.

Rankin and Hoffman opened their bold censorship campaign yesterday by: ¶ Blocking an attempt by Rep. Martin J. Kennedy (D., N. Y.) to have printed in the *Record* Walter Winchell's reply to Martin Dies' attack on him although Dies' attack has already been placed in the *Record*.

¶ Moving to have stricken from the *Record* John Roy Carlson's defense of himself against the attacks made on him in Congress. This defense, which was printed in PM Monday, had been placed in the *Record* by Rep. Herman P. Eberharter (D., Pa.).

¶ Forcing an adjournment of the House to prevent Rep. Arthur Klein (D., N. Y.) from delivering a speech in defense of Carlson and his book *Under Cover*.

¶ Announcing that they would not permit any more attacks on members of Congress to be printed in the *Congressional Record*.

Hoffman's Attacks Printed in 'Record'

Even in the midst of their campaign to censor any defense of Winchell or Carlson, Hoffman and Rankin continued to pour into the *Record* their own vicious attacks on Carlson, Winchell and others who have dared to question the activities of such Congressmen as Hoffman and Rankin.

The attempt to discredit Carlson, and prevent any defense of him, undoubtedly was inspired by Congressional fear that his book *Under Cover* will be used in the current sedition trial here to link members of Congress with the defendants in that trial.

Congressional hysteria over public criticism of members of Congress spread meanwhile to the Senate, where Sens. Kenneth McKellar and Tom Stewart (Tennessee poll taxers) and A. B. Happy Chandler (D., Ky.) denounced Drew Pearson for his attacks on Congressmen.

McKellar called Pearson "an ignorant ass" and a "liar" for his column exposing the Tennessee Senator as a mean-tempered patronage grabber. Denying that he had ever "pulled a knife" on another Senator as Pearson charged, McKellar said the *Merry-Go-Round* column was "full of lies."

Sees Plot to Destroy Congress

Although the burden of Pearson's story—that McKellar is a patronage hound—is acknowledged from one end of Washington to the other, Chandler tried to picture the columnist as plotting to destroy Congress.

This is the same smokescreen that members of the Rankin bloc in the House use to censor criticism of members of Congress. Smarting at the public

criticism of their conduct, these Congressmen are trying to smear everyone who attacks them, and then to prevent any rebuttals.

These tactics dominated the whole session of the House yesterday. At the start of the session Rankin blocked Kennedy's attempt to get Winchell's story into the *Record*. Then Hoffman took the floor on a question of "personal privilege" to demand that Carlson's defense of himself be stricken from the *Record*.

Hoffman said that Eberharter's insertion of the Carlson statement was a violation of House rules because the statement attacked members of Congress by name. Hoffman said Carlson's statement that he had "echoed in the House a typical fascist lie" reflected on his "integrity and patriotism."

Carlson's 'Insinuations' Called Disloyal

Launching another attack on Carlson's book, Hoffman said "it mentions by name 20 Senators, 41 members of the House, and by insinuation and innuendo, attempts to create the impression that many of those so named are disloyal, unpatriotic and seek the overthrow of the Government."

Then, announcing that he would block any further charges against the loyalty of members of Congress from going into the *Record*, Hoffman submitted a resolution to strike out of the *Record* Carlson's defense statement.

Rankin, after a brief speech supporting the resolution, asked for a vote. The Mississippian denounced Carlson and called Frank Kingdon, former head of Newark University and an official of Freedom House, a Communist.

Meanwhile, Hoffman conferred with Speaker Sam Rayburn and modified his resolution to refer to the Rules Committee the question of eliminating Carlson's statement from the *Record*. It was passed in that form, despite the absence of Eberharter.

Hoffman Blocks Klein's Speech

The highlight of the censorship campaign came a few minutes later when Klein got the floor under a special order of the House permitting him to speak. After praising the Administration's conduct of the war, he began to criticize racial attacks in Congress and the Congressional attempt to smear Carlson.

Hoffman quickly jumped to the floor and raised the point of order that no quorum was present. It was obvious no quorum was present, because the House has agreed to do no business this week and many members are out of town. No quorum had been present when Hoffman got his resolution adopted a few minutes earlier.

Although usually when a member is making a speech under a special order no question of quorum is raised, Hoffman's point forced House leaders to adjourn the session and Klein's speech was cut in half, despite his permission from the House to speak.

The New Yorker announced he would keep trying until he gets the speech into the *Record*, but he has no time reserved and Hoffman may continue to block him from making it.

Rep. Klein's Speech Which Hoffman Tried to Suppress

Here are the highlights of a speech by Rep. Arthur G. Klein (D., N. Y.) which Rep. Clare Hoffman (R., Mich.) prevented him from delivering in the House yesterday—in an effort to keep it from the American people and Congress:

Most of all, they (my constituents) are gravely disturbed because in their eyes the Congress to which they normally look for the safeguard of our liberties and institutions does not seem to them to have shown enough awareness and concern for what they regard as one of our great problems; the task of national unity, the avoidance of inner conflicts and the maintenance of harmony among all Americans of all racial and religious groups.

They see in such racial attacks, and in my opinion correctly, a corrosion of the very foundations of our national structure. They see in such attacks however veiled, however artfully presented, the unleashing of forces which would reduce our great country to a disunited and divided people. They know, moreover, that this is a Presidential election year, and that unless checked, these impulses will have an effect upon our national development that will extend far beyond the politics and circumstances of any one year.

Defends 'Under Cover'

This is not dealing with a figurative fear; this is reality itself. My district is composed of Americans of numerous origins, of different races and religious beliefs. My constituents have demonstrated, by their daily lives, the essence of living together peacefully and harmoniously. Broad and offensive generalization about groups in the population; careless slurs and innuendos which can be interpreted as directed against one or another group—such things become tinder for social conflagration. They have learned to steer clear of them. They expect this distinguished body to do so with even more scrupulous care.

They fail to understand, for instance, the reasons for

and the character of the attack on John Roy Carlson, whose book *Under Cover* has opened the eyes of so many to the existence of subversive propaganda and propagandists in our own midst. They are puzzled that the broad and profound values of the book should be overlooked and indeed thrust aside because of trivialities.

They are pained that the essence of the revelations of that book should in any way be obscured by irrelevant considerations about the author as a naturalized American.

Carlson's Method Like FBI's

They are pained that, because John Roy Carlson is only a pen name for the author's real name, Arthur Derounian, that this fact should be made the basis for an assault upon the inherent and intrinsic values of the revelations. And they cannot be led to believe that because the author adopted the procedure natural to such exposure, that is to say, because he passed himself off as a member of these subversive groups in order to gain their confidence, that that justifies contempt and vituperations upon him.

How, they ask, can full information of this kind be secured except by such methods that must have been deeply painful to young Derounian. Shall those methods be abandoned by our FBI, by our military and naval intelligence, by our local police forces? Is there not something confusing and troublesome in thus concentrating attacks on the author's justified procedure? And what is the purpose of such abuse?

For the issues that are treated in the book, the revelations that are made, and their high average of accuracy are far too important for light dismissal. They are more important than the man who happens to be the author, who labored for years with great risk to himself to gather the vast compilation of information. They are more important because they touch the lives of millions of Americans, and our future harmony and stability. Who Mr. Carlson is, is of no great moment but what we pro-

pose to do about the situation revealed in his book and in scores of other ways is of first importance.

The corrupting influence of innuendo, of generalization about religious and racial groups of our nation, the mockery of our democratic institutions, the sinister whisperings, are too grave to be treated cavalierly. Let them not be underestimated. They have destroyed democracy before in other lands. They may yet prove diabolically efficient instruments to injure our own.

I feel that we have a formidable task ahead to strengthen the "ramparts we watch," the inner ramparts of our democracy, of our social stability. Let us not deny those who seek to uncover the menace by inconsequential belittlings of their purpose and of their achievement.

Dies-Winchell Dispute

My constituents were puzzled by the clash between the worthy gentleman from Texas, Mr. Dies, and the columnist and radio speaker, Walter Winchell. They are all the more puzzled as to what all the shootin' is about when they know from the records of both, the desire of both to expose subversive forces in this country and indeed their past collaboration in just that patriotic objective. This should not be a question of one or another individual.

Mr. Winchell earns his living by the honest calling of a newspaper column writer and the equally honest calling of radio broadcaster.

But I am sure that neither the gentleman from Texas nor any of the other members who have excoriated and berated Mr. Winchell on the floor of this House, will, on reflection, insist that he himself has been blameless in this regard. Shall such lapses be permitted to divert us from our proper concern with the pernicious forces? If we do so persist we will be an example of the success of the very practice of divide and conquer, against which we all ought to be alert.

Religious Issue Splits Sedition Trial Defense Counsel

Battle for All-Aryan Jury Stirs Clash; 12 in Box Face Challenge

By JAMES A. WECHSLER
PM's National Editor

WASHINGTON, Apr. 26.—Defense ranks in the Nation's biggest wartime sedition trial were split today over persistent injection of religious issues into the courtroom by several of the indicted seditionists and their legal brains.

The conflict, foreshadowed since the opening of the trial last week, was dramatically brought into the open yesterday when a group of defense attorneys moved to exclude a prospective juror on the sole ground that he is Jewish.

Chief Justice Edward C. Eicher swiftly rejected the motion and a few moments later three defense spokesmen rose to disassociate themselves from the blunt anti-Semitic doctrine their colleagues had presented to the court.

J. Austin Latimer, counsel for James True and George Deatherage, was the leading sponsor of the attempt to secure an all-Christian jury and to bar any Jews from the box, regardless of their other qualifications.

Klein Against Jews

He was quickly supported by Ira Chase Koehne, the dour little lawyer who has been continuously inveighing against the Anti-Defamation League, and by Barristers Ethelbert B. Frey and Henry H. Klein.

Latimer's thrust was specifically aimed at Sol Kosdon, middle-aged, Russian-born wholesale grocer with a son serving with the Navy in the Pacific and a daughter overseas with the Red Cross. When Kosdon admitted that he was Jewish but insisted he was capable of rendering a fair verdict, Latimer snapped: "I do not think that any juror who is of Semitic blood can fairly sit on this case."

Koehne seconded this view in behalf of Lois de Lafayette Washburn (the little lady who gave the fascist salute on opening day), Ernest F. Elmhurst, Frank W. Clark and Howard V. Broenstump; Klein echoed his counsel for Eugene Sanctuary and Frey registered the same thought for Robert E. Edmondson.

Dennis Won't Challenge

But as Eicher spurned the motion, the defense rift emerged. Lawrence Dennis, acting as his own lawyer after firing his counsel Monday, informed the court:

"I do not associate myself with any challenger as to the race or religion of the jurors."

Bon Lindas, attorney for George Sylvester Viereck, who last week chided his colleagues for some of their courtroom antics, joined in Dennis' action; so did Frank J. Kelly, counsel for Prescott Dennis, with an emphatic declaration that neither he nor his client would take any stand against a talesman on the grounds raised by Latimer.

The interlude, revealing the first sharp break in the solidarity of the defense array, was obviously provoked by the refusal of several attorneys to abandon the anti-Semitic publicity campaign.

Both Koehne and James J. Laughlin, counsel for the wandering Edward James Smythe, have seized every opportunity (and invented others) to depict anti-Semitism as the key issue in the trial and to shift attention from the basic charge set forth in the indictment—

that the defendants were conspirators serving in the Nazi war against democracy.

Prior to the clash over selection of Jewish jurors, Koehne demanded that the court ask all veniremen employed by the Government "what race their superiors in the Government may be." Eicher brushed off the inquiry. He similarly rejected demands by defense attorneys to send home any talesmen who are working for the United States Government.

A total of 57 talesmen had been dismissed "for cause" when the court recessed last night and uncertainty still prevailed as to whether a jury would be obtained from the April panel. However, Government prosecutors appeared encouraged by yesterday's session in which 12 veniremen survived all general and individual questions put by the court, and all motions to have them dismissed were rejected.

Challenges Limited to 10

Today the defense and prosecution will be permitted to exercise their "peremptory challenges" against the 12 now seated in the box. Each side is limited to 10 such challenges; so that while the defense could virtually clean out the present 12, it would have exhausted its power to oust the 30 other veniremen awaiting individual questioning and 13 other members of the panel still not called into the courtroom.

Meanwhile, Lawyer Laughlin, who has been stealing most of the headlines from his colleagues with a wild series of motions and incidental public statements, filed another motion last night, demanding this time that District Judge Matthew Maguire, Rep. Martin Dies (D., Tex.) and Attorney General Francis Biddle be subpoenaed. It seems he wants them to explain why the Government didn't prosecute Japanese accused of disloyalty by the Dies Committee but picked on the current defendants instead.

New Appeal to Ford

Undaunted by the rebuff administered to him by Henry Ford on Monday after he had asked that the motor magnate be called to testify, Laughlin also made public a letter to Ford insisting that he owes it to the defendants to appear.

"We intend to show by your testimony," he wrote Ford, "that some 20 years ago you made many utterances against prominent Jews, the Jewish race and Jewish international bankers, and you caused such matter to be published . . . We are going to show by your testimony that your utterances and writings were far more vehement than any utterances and writings attributed to the defendants."

Winding up a busy day, Laughlin issued his new open letter to Ford and told reporters he would similarly move to subpoena Charles E. Coughlin "later in the week."



Gerald ("Cupie") Winrod

Meet Elmo Unthink — the Ideal Juror to Defense Lawyers

By TOM O'CONNOR
Staff Correspondent

WASHINGTON, Apr. 26.—Defense attorneys have by now spent several days painting a composite portrait of their ideal juror for the sedition trial here. His name is Elmo Unthink, and he's a fairly rare type of citizen—praise be.

One reason the trial has been bogging along so long without getting really started is that it is not easy to get even one person who fits into the Unthink mold, let alone 12.

Mr. Unthink, defense lawyers insist, must be built to the following specifications:

- ¶ He must be a legal resident of the District of Columbia.
- ¶ His mind must be empty.
- ¶ He must never have read anything but the funny papers; and if he did, he must have failed to understand it.
- ¶ He must have no Jewish ancestors, and it is better if he has no ancestors at all.

No Relatives in War

¶ He must have no relatives fighting for the preservation of this country. He must never have fought for it himself.

¶ He must not work for the Government. He must not have any relatives working for it. He must not work for anybody who sells anything to the Government.

¶ His boss must not be a Jew. His boss's boss must not be a Jew. His boss's boss's boss must not be a Jew. His boss's boss's boss's boss must never have bought a bagel from the nephew of a woman whose great-great-grandfather might have been a Jew.

¶ He must not be for Roosevelt. ¶ He must never have failed to vote, but he must never have had any opinions about what he was voting for.

¶ He must not have borrowed money from the HOLC to build a home, nor may he owe the Government income tax payments.

strong opinions and impress about the case.

The 12 who now sit in the box, however, all say they read very little about the case, a fact they have formed no important opinions or impressions about.

One or two of them have admitted they were partisans of the Roosevelt Administration, and admitted he was not only born Russia but was once a member of a Hebrew Congregation. Several others are Government employ and a number have sons or brothers or husbands in the armed forces, relatives in other Government service.

The defense lawyers, or some of them, think these are legal qualifications for service. Chief Justice Edward C. Eicher does not agree with them, and the only way any of the jurors now in the box can be gotten rid of is by peremptory challenge.

That presents an awkward situation to the defense. The law provides that in a case of this kind in this particular court, each side shall have 10 peremptory challenges; the defendants, charged with conspiracy, must be considered as a body.

Third of a Challenge

This, as defense lawyers tire of pointing out, means that each defendant has a vested interest in only one-third of one challenge. And how you can challenge one-third of a juror is a problem for which nobody has yet offered an answer.

Justice Eicher says he does have to solve the problem; the law, he says, can't change it.

What it adds up to is that defense lawyers will have to agree upon which 10 jurors to challenge. No doubt such agreement will be sought at a series of conferences behind closed doors. That's too bad because the bickering and wrangling and backbiting and name-calling among these 22 individuals whom Justice Eicher always cautions to be "distinguished counsel" would be wonderful to behold.

Aid for Small Business

Undersecretary of the War Relocation Authority told the Senate Small Business Committee that private-owned plants which normally produce non-military goods will be the first to be released from production. Emphasizing that "war is still on," he said small business will continue to get its share of war contracts, which last year he added, totaled 151,597 in contracts from the War Dept., or 62 per cent of the total.

What Sedition Jurors Read

PM's Bureau

WASHINGTON, Apr. 26.—Here is the unofficial box-score on the reading habits of 32 prospective jurors, interviewed before Judge Eicher tentatively selected 12 yesterday at the sedition trial.

Washington Star	12	Washington Post	12
New York Times	2	Daily Worker	2
PM	4	Washington Times-Herald	4
Reader's Digest	4	Saturday Evening Post	4
Life magazine	5	American Magazine	5
Collier's	2	Harpers	2
The Nation	2	New Masses	2
Encore	1	Your Health	1
Baltimore Catholic Review	2	Journal of Commerce	2
National Geographic	1	Newsweek	1
Time magazine	3		

In the department of full-size literature bound up in books four talesmen said they had read parts of *Under Cover* and one has read *Mein Kampf*.