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American Civil Liberties Union, 1955-1962.

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RABBI ABBA HILLEL SILVER=

THE TEMPLE ANSEL ROAD AT 105TH ST =CLEVE==

WILL YOU PLEASE GIVE THE BENEDICTION AT AN AMERICAN CIVIL LIBERTYS UNION BANQUIT AT WHICH ERNEST ANGELL WILL SPEAK OCTOBER 6 AT 7:31 N THE WADE PARK MANOR WILL GREATLY APPRECIATE AFFIRMATIVE RESPONCE TODAY TO MR E SANBORN 740 WEST SUPERIOR AVE KINDEST REGARDS= HARRY P TAYLOR=

(W) 1-7755

Thursday

Dinner Monsored by 23 Clive landers -Dr. Fredlander Marc gross man Lugene Freedhein Louis Seltzer Howard Burns WRHS Michael boun Paylor ! Ples of oberlin, win . Stevenson, to estmaster

November 18, 1955 American Civil Liberties Union 170 Fifth Avenue New York 10, New York Gentlemen: The enclosed form, requesting payment of contribution has been received, and we are returning same to you inasmuch as our records indicate that our check in the amount of \$5.00 was issued to you on June 29, 1955 covering period ending June, 1956. We trust that upon reviewing your records you will find them to be in accord with ours. Sincerely, Miss Sophia Levine Secretary to Dr. Silver On# 2342 -6/8/54 - for yr ending June 1955 Oh# 2574 - 6/29/55 - for yr ending June 1956 MONTHLY PUBLICATION OF THE AMERICAN CIVIL LIBERTIES UNION

NUMBER 130

MARCH 1955

HAYS MEETING

Arthur Garfield Hays had been scheduled to speak at Cooper Union this month, but rather than cancel the event, the famous old Institute, where Abraham Lincoln gave one of his greatest speeches, will hold a Hays Memorial Meeting. Speakers will include Roger Baldwin, Lawrence Fertig, Osmond Fraenkel, Elmer Rice and Roy Wilkins. Time: 8:30, March 16th. Place: 4th Avenue and 8th Street, New York City.

Illinois ACLU to Act In Lightfoot Appeal

Late in January Claude Lightfoot, a Chicago Communist, became the first man to be convicted under the membership clause of the Smith Act, which makes it a crime to belong to the Communist Party, "while knowing its aims."

Last month the Union's Illinois Division announced that in line with the traditional ACLU stand on the Smith Act, it will seek permission to enter the appeal as "friend of the court," to uphold "the civil rights of Lightfoot as well as all other people to speak and assemble, even though the speech may be unpopular and the assembling may be with people of whom the majority of this community does not approve."

In commenting on the Federal court trial and conviction, which has led to a five-year prison sentence and a \$5,000 fine, the Illinois ACLU said: "There was no charge nor was there any proof on the part of the Government of any overt act. . . . The proof presented by the Government was that Lightfoot read and disseminated information from certain books which in the *opinion* of the informants espoused the revolutionary Marxist-Leninist theory, which theory, in the *opinion* of the witnesses, by necessity is to be equated with force and violence."

Douty New Director

Kenneth Douty's appointment as Executive Director of the Illinois ACLU, was announced on February 1 by Dr. Arthur Cushman McGiffert, Jr., Chairman of the Division. Douty replaces Edward H. Meyerding who resigned on December 31, after five successful years on the job, to accept an assignment with the American Friends Service Committee in Austria.

"Right to Work" Laws Termed Danger to Labor's Civil Rights

The "right to work" laws adopted in seventeen states carry the potential danger of being used to obstruct labor's basic right to organize, the ACLU charged last month. The statutes prohibit making union membership a condition of employment.



Herblock, Washington Post-Times-Herald

"YAAAA — WE'VE GOT MORE SECURITY THAN YOU HAVE"

Union Asks Hearings On Security Program

The Department of Justice was asked by the ACLU last month to hold public hearings on proposed changes in the Federal employee security program. In its wire to Brownell the Union cited the wide public interest aroused by the Ladejinsky case and others as indicating a growing concern that the program has jeopardized individual rights. The ACLU also offered to testify at any such hearing.

Cain: "Injustice"

Among the many individuals to take a second look at the security program, one of the most significant has been former Republican Senator Harry Cain of Washington state, appointed in 1953 by President Eisenhower to serve on the Subversive Activities Control Board. In the course of a television appearance last month, Cain said that the security program has "swung too far on the side of injustice." When he was in the Senate, Cain was regarded as one who thought no loyalty measure could be too severe.

In a policy statement approved by the Board of Directors, Executive Director Patrick Murphy Malin declared that, while as yet not enough is known about the effect of the laws on constitutional rights, "the history of interference with the civil liberties of labor organizations, in the areas where most of the statutes have been enacted, gives ground for concern that they carry the potential danger of being used—or misused—directly to obstruct the exercise of basic organizing rights like the hiring of halls for union meetings."

There are no civil liberties grounds on which such laws can be supported, the ACLU maintains, and union or closed shop contracts do not violate civil liberties as long as membership in the union is open on a reasonable, non-arbitrary and non-discriminatory basis.

Commenting on the position of advocates of "right to work" laws that, when workers are not allowed to contract individually for employment, freedom of association is violated, the ACLU said, "the question of how much freedom of contract, or freedom from monopoly, there should be in the labor field or in any other, does not automatically involve civil liberties. . . .

"A community may decide to make access to a job or the development of an invention completely free, or it may decide to require or allow restrictions. . . . The considerations involved range over economic, political and social fields, but are outside the civil liberties field."

Delaware High Court Upholds Segregation in Milford Case

Racial segregation in public schools won a round in the Delaware Supreme Court last month. The Court ruled that the Milford Board of Education had "no legal right" to admit Negro pupils in tenth grade classes in a previously all-white school last fall.

The ruling said that the May 17th U.S. Supreme Court decision banning segregation did not require immediate compliance. The ACLU had filed a brief in the Milford case arguing that the May 17th decision did so require.

CIVIL LIBERTIES

NUMBER 130, MARCH 1955

Published monthly, except in July and August, by the

AMERICAN CIVIL LIBERTIES UNION 170 Fifth Avenue, New York 10, N.Y.

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Arthur Garfield Hays, 1881-1954

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Jeffrey E. Fuller, Editor

Union Files Brief in Church & State Case

In January the ACLU stated its belief that no teacher in a public school should be permitted to wear religious garb. On the other hand, argued the Union's friend-of-the-court brief, no person should be barred from public school teaching solely because of membership in a religious order.

The ACLU presented its position in a brief filed with the Kentucky Court of Appeals in a suit brought by the Rev. J. C. Rawlings of Bradfordsville against the Kentucky State Superintendent of Public Instruction and the boards of education in six counties where 84 Catholic nuns work as public school teachers.

The Union's brief filed by S. Arnold Lynch, an ACLU cooperating attorney in Louisville, argues that the "wall of separation between church and state" prohibits indoctrination by any sect in the public schools and that the wearer of religious habit "brings into the classroom the symbol of his order and, consciously or unconsciously, proselytizes for his religion."

However, the ACLU disagrees with the Rev. Mr. Rawlings' view that public schools be barred from employing nuns. "Removal of a teacher because of membership in a particular religious order," says the Union, "would involve a continuous succession of invasions of fundamental personal rights. Such discrimination would curtail the teacher's precious freedom of conscience and association."

WITNESS

Agatha Christie's "Witness for the Prosecution" is the Broadway hit the International League for the Rights of Man has secured for its annual theatre benefit, Friday, April 15th. A number of seats are still available. For full information, get in touch with Mrs. Zimmerman, at the ILRM office, 25 East 64th Street, New York 21, BUtterfield 8-5945.

THIRTY-FIVE YEARS WITH THE ACLU

BY ROGER N. BALDWIN

On the dais at the NYCLU's February 12th luncheon were B. W. Huebsch, the ACLU's Treasurer and member of its Board of Directors since 1921, and two others who were members of the Union's original Executive Committee in 1920 and who are still on its National Committee and Board, respectively: Mrs. Agnes Brown Leach and Norman Thomas.

Roger Baldwin, the Union's Executive Director from 1920 until 1950, could not be present. Having just returned from Europe and the Middle East, Baldwin had three speaking engagements that weekend in St. Louis. However, before leaving New York he recorded the following remarks which were heard by the 300



he recorded the following remarks which were heard by the 300 members at the NYCLU luncheon. Since his retirement in 1950, Baldwin has continued to serve as International Work Adviser and as a member of the National Committee. He is also head of the International League for the Rights of Man, the world organization with which the ACLU is affiliated.

Ben Huebsch and my old colleagues of thirty-five years' standing—and we all still stand!—and members and friends of the Civil Liberties Union.

It strikes me as remarkable that so many of us have survived the years and have survived them so well. It looks as if the old guard never surrenders and never dies! I think the secret of our longevity is that of an old aunt of mine who, lively in her 80's, once told me that her secret was to embrace some unpopular cause and work at it.

I've been doing that—you've been doing that—for these many years: a cause that is bound to be unpopular despite our conservative commitment to the Bill of Rights and to old, sound American doctrine. For it is always, always daring when you defend the thought you hate and the rights of those regarded by so many as dangerous. And in these days of fear particularly what we stand for is challenged on all sides.

But however unpopular the doctrine-and indeed however suspected we may be-at least we are well enough understood, if not approved, to escape any governmental blacklist and any congressional inquiry, despite the demands of certain misguided "patriots." I think that should be credited to the fact that we have stuck all through these many years to principle, as well as human nature and inclinations permit. Indeed, that principle is all that holds us in a single unity out of our diverse political and economic views. If some of us seemed to stray off the reservation in the course of the years, at least it was association in good causes to advance the principles we served, however erroneous, perhaps, some of our calculations may have been.

At this time, after thirty-five years of it, we face perhaps a more difficult and a more desperate (because more intangible) opposition. I presume that the general state of civil liberties, judged by diversity of opinion and by courageous expression, is lower than it has been in years. But we have recovered before from such depressed periods, and we will again. Our job is to keep at it; not to count success or failure, but to count our testimony to the principles that we serve. There is no

end to this sort of struggle, anyhow. I once thought we might shut up shop one of these days. But now we are even growing, growing stronger and bigger, and with more responsibilities than ever.

As I look back over the years I don't count one fight or another—one struggle won or one struggle lost—as my most rewarding experience. I count the satisfactions of the friendships I have had with so many of you. I count the satisfactions of the friendships with many of our "clients"—not all of them, not all of them! And the attitude—the atmosphere—which always is sustained in an organization devoted to principle, in which we see the best side of the people and their most disinterested selves.

We have always had good issues—a challenging fight and sharp controversy. We have had our differences. But our differences are no greater, let me say, than appear to be those of the judges of our higher courts. Are we any wiser than five-to-four decisions of the Supreme Court?

In concluding what I have to say I cannot refrain from mentioning that I am presumably retired. I am retired from running an office, but I am not retired from myself. Reformers never quit. We get the habit of action, and the habit of action without seeing any end to it. Robert Louis Stevenson I believe it was who once said that it is better to travel than to arrive, and that the ultimate reward is to labor.

I still count it a privilege to be laboring with you for the vindication of enduring principles, which I am endeavoring to apply today on a wider, a more universal scale than before. If we are to have, eventually a tolerable world, it must be based upon the kind of democratic liberties, the diversity, the accommodations, which arise from democracy, and for which we have so long fought.

I congratulate you all, whether it's thirty-five years, or one year, or whatever the time that you have been with the Union, and express my appreciation of the opportunity I have had to be one of you and to serve for so many years—and to still serve—in the cause to which we are all devoted.

Academic Freedom Policy Is Amplified

By recent actions of the ACLU's Academic Freedom Committee and the national Board of Directors, the Union's policy statement on academic freedom has been amplified to deal with the requirement that teachers "inform" on other teachers' alleged Communist associations.

The problem has come up in New York City, where several teachers, who have been "cleared" of present Communist Party membership charges but who have refused to testify about the past views and associations of others, are facing suspension and trial on charges of insubordination.

The Union's new policy statement reads, in part: "A teacher asked about another teacher's views and associations should distinguish among the decisions to be made. He may be required to decide in terms of his legal position as a witness, and on this point he should seek legal advice. He may wish to decide by reference to his personal moral code and conscience. He must decide in terms of academic freedom because he is a teacher. The ACLU position is this: questions about another teacher's views or associations are always to be considered improper because they immediately subvert that sense of freedom which is the life center of the academic process."

The full statement is now available in the form of a mimeographed insert in the 1954 edition of the Union's basic 1952 pamphlet on the subject, Academic Freedom and Academic Responsibility (No. 12, 16 pages).

Single copies are free, on request, to Contributing Members (dues of \$5 and up) and at 10¢ postpaid to others. When ordering material on either a free or prepaid basis, please remind us of your membership category.

Commager Denounces U.S. Security System

"Pressures for Conformity" was the theme of the New York Civil Liberties Union's annual public meeting on February 12, marking the 35th Anniversary of the ACLU. Henry Steele Commager, the chief speaker at the luncheon, condemned the Federal security program in its entirety.

"The two most limiting things about the whole security program," Commager said, "are, first, that by putting a premium on conformity and driving away first-class brains, it may result in a fatal weakening of our real security; and, second, that by violating our deepest moral instincts it may corrode the cement that binds our society together."

Speakers in the afternoon were Harlan Cleveland of *The Reporter*, Congressman Abraham Multer, City Councilman Stanley M. Isaacs, and Quincy Howe.

Rep. Multer, one of the two Congressmen to vote against the Communist Control Act

Union's Enrollment Is Now Over 30,000; Spring Membership Drive Starting Soon

During January 1,500 new members joined the ACLU—the highest figure for any one month in the Union's history. February brought in another 875. The net enrollment of the national ACLU and its integrated branches is now 30,600, twice what it was three years ago and four times the number in 1948.

"The A.C.L.U.," said *The Christian Century* in its January 19th comment on the Union's 34th Annual Report, "is too modest to claim its own marked increase in membership as a gain for civil liberties, but we so regard it. Its growth . . . is one more indication that the threat to our liberties is producing a resolute countermovement. When this voluntary organization, which for a generation has been a doughty champion of

PERSONNEL SHIFTS IN NATIONAL OFFICE

The appointment of Louis Joughin as an Assistant Director of the national ACLU was announced early in February. Research Director since 1951, Joughin will have central responsibility for operating relations between the national office and local affiliates, state correspondents and cooperating attorneys. He will also be in charge of preparing the annual report and other topical publications, and will coordinate ACLU work in the academic freedom and church-state areas.

Alan Reitman continues as Assistant Director in charge of public relations and operations at the national level dealing with free speech, due process and equality; he also coordinates the activities of the Washington office. Jeffrey E. Fuller is the Assistant Director responsible for membership and finance, and organizational and structural relations with the present nineteen ACLU affiliates and new groups now forming.

"THE ALTERNATIVE"

"The Alternative" is the title Archibald MacLeish has chosen for the lecture he is to deliver at Columbia University on March 21st, under the auspices of the Roger N. Baldwin Civil Liberties Foundation.

"What I want to talk about," the Pulitzer Prize poet reports, "is the assumption underlying the massive attacks on and indifference to individual liberties."

of 1954, declared that under the terms of the act, "I can prove guilty the most respected and respectable citizens of our country, beginning with President Eisenhower." He also told how his House colleagues had warned him that voting against the bill would mean his "political suicide," and went on to relate that three months later his Brooklyn district had re-elected him by an 81% majority.

religious liberty and of freedom of speech, press, assembly, and petition for the redress of grievances, is able to rally [so many] additional defenders of the rights of persons under the Constitution, there is real cause for encouragement. But the 'new birth of freedom' is still, as the report shows, 'America's need,' and not yet a full-bodied achievement. For that a great deal of work and sacrifice is still required."

In line with *The Christian Century's* thought that we should not rest on our laurels, the Union is planning a major membership effort this Spring. The national office plans to mail more than 100,000 membership appeals over the signature of Elmer Davis. This letter and its accompanying *Twenty Questions on Civil Liberties* has proved effective: most of January and February's new members joined in response to it.

If you should receive one of these Davis appeals asking you to join, please keep in mind that the Union cannot afford the costs involved in checking one hundred thousand prospects against the membership roster. Rather than consigning it to the wastebasket, won't you send it on to a friend you think would be interested?

And here, again, is a membership form ready for some such friend to make use of today.

ACLU members of the following categories receive CIVIL LIBERTIES each month (except July and August) and the Union's Annual Report on U.S. liberties; they are entitled to single copies of some 25 pamphlets on request:

PARTICIPATING MEMBER	\$100
COOPERATING MEMBER	\$50
SUSTAINING MEMBER	\$25
SUPPORTING MEMBER	\$10
CONTRIBUTING MEMBER	\$5

Associate Members, at \$2, receive CIVIL LIBERTIES and the annual report. A weekly bulletin is available, on request, to members paying dues of \$10 or more. By joining the national ACLU you automatically become a member of any existing active local ACLU organization in your area, which will share in your dues, or of any new branch organized where you live. The more you give, the more your local receives.

*Except in northern California, where the local ACLU maintains its membership separately. However, the national ACLU also welcomes support from this area.

AMERICAN CIVIL LIBERTIES UNION 170 Fifth Avenue, New York 10, N.Y.

The ACLU needs and welcomes the support of all those — and only those whose devotion to civil liberties is not qualified by adherence to Communist, Fascist, KKK, or other totalitarian doctrine.

Please enroll me as a NEW MEMBER of the ACLU.

Here is my \$..... membership contribution, fifty cents of which is for a one-year subscription to CIVIL LIBERTIES.

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CIVIL LIBERTIES around the nation

District of Columbia: The American Bar Association has established a special committee to provide free legal assistance to Government workers involved in security cases.

Missouri: Leslie Hill, a Springfield school teacher, was dismissed last month, with an explanation from the local superintendent of education that "There is no place in the public school system for an agnostic or an atheist."

Oklahoma: A Federal judge ruled recently that a state law requiring a Negro candidate for public office to be so identified on the ballot does not constitute discrimination or violate constitutional rights. He dismissed a \$200,000 damage suit brought by A. B. McDonald, a real estate man who had sought the Democratic nomination for U.S. Senator.

New York City: Fearful of repercussions against private detectives as a result of the current wiretapping scandal, the Associated Licensed Detectives of New York State went on record last month as "unequivocally condemning wiretapping in any shape or form by anybody. This means public officials, private detectives and everybody else."

Massachusetts: The U.S. Supreme Court refused last month to rule on a Bay State law that restricts child adoptions that cross religious lines and thus left standing the state Supreme Court's ruling that the law is constitutional.

Texas: The National Education Association announced recently that more than nine hundred Houston school employees had reported in a special survey that the city's teachers have been subjected to "unwarranted pressures" in political, social and classroom activities.

California Governor and ACLU Cooperate In Campaign to Display the Bill of Rights

A copy of the Bill of Rights now occupies a place on the wall of the California Division of Architecture office in Los Angeles. Getting it posted and keeping it there has taken a lot of time and considerable work on the part of many individuals, including the Governor of California, Goodwin J. Knight, and the Vice-President of the ACLU's Southern California Branch, Charles Mackintosh.

During Bill of Rights Week in December 1953, Fred Buck, a naturalized citizen who came to this country from Austria in 1941, tacked the Bill of Rights on the Los Angeles office bulletin board. But James A. Gillem, staff architect in charge of the office, removed it and ordered that henceforth nothing "controversial" should appear on the bulletin board. In December 1954, Mr. Buck tried again, with similar results; but this time he appealed to Governor Knight, who telegraphed back as follows:

"Posting of Federal Constitution and Bill of Rights on state office bulletin boards would certainly be in order, not only this week but throughout year as source of inspiration to State employees. Cordially, Goodwin J. Knight, Governor."

Armed with this answer, Buck went back to his chief, Mr. Gillem. But Gillem was adamant. "I don't care what the Governor thinks," he said, "my opinion is that the Bill of Rights and the U.S. Constitution are controversial, and I do not want them in this office."

Buck then went to Mackintosh of the ACLU, who got in touch with Anson Boyd, Gillem's superior in the state capital. Gillem was summoned to Sacramento, where he was upbraided for his part in the whole affair and was given clear instructions to post the Bill of Rights not only during Bill of Rights Week but throughout the year.

Union Helps Prevention of Rhode Island Book Bonfire

Learning on February 11th of the Portsmouth, R. I., Boy Scouts' plan to celebrate Lincoln's Birthday with a book bonfire, the ACLU protested by telegram to the Newport Historical Society which maintains the Fort Butts Revolutionary shrine, where the books were scheduled for burning. The Union's wire said that it was "impossible to conceive of any act more contrary to the spirit of Abraham Lincoln and American democracy."

Posters made by the Scouts invited Portsmouth residents to bring "objectionable" books to throw on the fire. The original target seems to have been horror comic books and the like, but a local Scout leader said that while students would not be permitted to burn textbooks they "objected to," no one would mind if "something by Marx" or an "objectionable" issue of *The Saturday Evening Post* were thrown on the fire.

On the morning of Lincoln's Birthday it was announced that the event had been called off because it had received "adverse publicity."

BOOK NOTES

PLEASE ORDER THESE WORKS FROM BOOK STORES OR PUBLISHERS, not FROM ACLU.

BANNED BOOKS, by Anne Lyon Haight. 1955. 190 pp. R. R. Bowker Company, 62 West 45 St., New York 36, N.Y. \$4.00.

Subtitled "Informal Notes on Some Books Banned for Various Reasons at Various Times in Various Places," Mrs. Haight's revision of her 1935 book brings up to date the story of censorship around the world.

It opens with Plato's suggestion in 387 B.C. that Homer be expurgated for immature readers, and goes on to list the blue-pencilling, banning, and burning of works by Erasmus, Galileo, Confucius, Dante, Tolstoy, Dumas, Ibsen, Marx, Hans Christian Andersen, Mark Twain, William Faulkner, Lillian Smith, Walt Disney, and James Farrell—among hundreds of others. The list of bans against The Bible fill almost three pages.

"Banned Books" has a splendid introduction by Morris Ernst, the ACLU's General Counsel, and a valuable index containing relevant laws, summaries of recent developments in the field, historic statements on freedom of the press, and the like.

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Nineteen State or Regional ACLU Organizations

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January 4, 1956

Miss Sophia Levine Secretary to Dr. Silver The Temple East 105 Street at Ansel Road Cleveland 5, Ohio

Dear Miss Levine:

Please forgive our delay in acknowledging your letter of November 18, about Rabbi Silver's contribution.

What Rabbi Silver received was not a request for renewal, but an invitation to join the Union. The reason for his receiving it is explained in the enclosed Civil Liberties. His membership is quite in order, having been renewed on July 1.

Sincerely yours,

Marie M. Runyon

Membership Secretary

35th Anniversary Year

Howard M. Metzenbaum 700 Union Commerce Building Cleveland 14, Chio April 18, 1962

Rabbi Abba Hillel Silver The Temple Ansel Road and 105th Street Cleveland 6, Ohio

Dear Rabbi Silver:

The general committee of the Cleveland Civil Liberties Union is delighted to honor Roger Baldwin at a luncheon on the occasion of his visit to Cleveland next month.

Roger Baldwin, as you know, was the Executive Director of the American Civil Liberties Union during the first twenty years of its existence. He is now the specialist on International Civil Rights for the Union and as such is active in the affairs of the United Nations.

I am pleased to extend to you a personal invitation to join us, as my guest, in honoring Mr. Baldwin at this luncheon. It will be held at the Sheraton-Cleveland Hotel on May 4th at 12:00 p.m.

Would you be good enough to call my secretary and let us know that you'll be able to be with us.

Cordially yours,

Howard M. Metzenbaum

HMM: ps