

Double Jeopardy—The Abrams Case of 1919

ZOSA SZAJKOWSKI

"Before eight o'clock on the morning of August 12, 1918, several men and boys were loitering at the corner of Houston and Crosby Streets, in New York City, perched on sprinkler hydrants or standing about in talk, while they waited for the day's work to begin in the manufacturing building close by. One or two happened to look up and saw something being thrown from a window above and falling—the air was full of leaflets."¹ There were two different one-page

Mr. Szajkowski, a Fellow of the American Academy for Jewish Research, is Research Associate at the YIVO Institute for Jewish Research in New York City.

The following abbreviations of sources are used in the notes: ACLU—Archives of the American Civil Liberties Union, at the New York Public Library; Flynn Papers—The Elizabeth G. Flynn Papers, at the Yale University Library; Lusk Papers—The Clayton R. Lusk Papers, at the New York State University Library; NYPL—The New York Public Library; Weinberger Papers—The Harry Weinberger Papers, at the Yale University Library.

¹ Zechariah Chafee, *Freedom of Speech* (New York, 1920), p. 120. Other sources on the Abrams Case: *In the Supreme Court of the United States, October Term, 1918. No. 316. Jacob Abrams et al., Plaintiffs-in-Error*. [Signed:] Harry Weinberger, Attorney for Plaintiffs-in-Error, n.p., n.d., 51 pp.; *Supreme Court of the United States, October Term, 1918. Jacob Abrams, Samuel Lipman, Hyman Rosansky, Hyman Lachowsky and Mollie Steimer, Plaintiffs in Error, against United States of America, Defendant in Error . . .* [Signed:] Harry Weinberger, n.p., n.d., 6 pp.; "Abrams et al. v. United States," *The Supreme Court Reporter*, xxxix (St. Paul, 1920), 17–22; *Transcript of Record. Supreme Court of the United States, October Term, 1918*, n.p., [1919] 168 pp.; *The Supreme Court vs Civil Liberty: Dissenting opinions of Justices Brandeis and Holmes in cases affecting civil liberty*, compiled by Albert de Silver (New York, April, 1921), 8 pp. (NYPL,* CN9SEKD, no. 2). For comments on the Supreme Court decision, see Zechariah Chafee, "A Contemporary State Trial—The United States Versus Jacob Abrams Et Al," *Harvard Law Review*, xxxiii (April, 1920), 748–74; Chafee, *Freedom of Speech* (New York, 1920), pp. 120–60, 380–81; bibliography of comments on the decision of the Supreme Court; Chafee, *Free Speech in the United States* (Cambridge, 1941; 2d ed., 1942), pp. 108–40 (pp. 108–9: bibliography of comments on the Supreme Court decision; *Sentenced to Twenty Years*

leaflets, one in English and the other in Yiddish. Each measured 12 x 4½ inches, was printed on one side, and appealed against the American intervention in Northern Russia and Siberia. The English text read:

The
HYPOCRISY
of the
UNITED STATES
AND HER ALLIES

“Our” President Wilson with his beautiful phraseology, has hypnotized the people of America to such an extent that they do not see his hypocrisy.

Know, you people of America, that a frank enemy is always preferable to a concealed friend. When we say the people of America, we do not mean the few Kaisers of America, we mean the “People of America.” You people of America were deceived by the wonderful speeches of the masked President Wilson. His shameful cowardly silence about the intervention in Russia reveals the hypocrisy of the plutocratic gang in Washington and vicinity. The President was afraid to announce to the American People the intervention in Russia. He is too much of a coward to come out openly and say: “We capitalistic nations cannot afford to have a proletarian republic in Russia.” Instead, he uttered beautiful phrases about Russia, which, as you see, he did not mean, and secretly,

Prison (New York: Political Prisoners Defense and Relief Committee, n.d.), 33 pp.; *Twenty Years for Issuing a Leaflet Protesting Against Military Intervention in Russia* (New York, March 12, 1920), 2 pp. (Weinberger Papers); *Justice Later*, pamphlet (ACLU, vol. 98); *Is Opinion a Crime?*, n.p., n.d., 4 pp., published by Political Prisoners Defense and Relief Committee; Gerard Henderson, “What is Left of Free Speech,” *New Republic*, Dec. 17, 1919, pp. 50–52; Loula D. Lasker, “America and the Political Prisoners,” *Survey*, Aug. 2, 1920; *Felix Frankfurter Reminiscences: Recorded in Talks with Dr. Harlan B. Phillips* (New York, 1960), pp. 176–77; Emma Goldman, *Living My Life* (New York, 1931), pp. ii, 666; John P. Roche, *The Quest for the Dream* (New York, 1963), pp. 69–70; *Abrams-Buch* (Mexico, 1956), published in honor of Abrams (in Yiddish), contains articles on Abrams by Joseph Spivak, M. Rubinstein, his widow, Mary Abrams, Joseph Paul, Mollie Steimer (“To Twenty Years in Prison. With Jack Abrams—to Prison and Deportation,” pp. 42–46), and others, also Abrams’ “Autobiographical Fragments,” pp. 81–153, “Five Years in Soviet Russia,” pp. 154–305, and photographs of Abrams and Schwartz, p. 53. See also *New York Times*, Oct. 22, 1918, p. 10; Oct. 23, p. 3; Oct. 24, p. 11; Oct. 26, p. 18; Nov. 5, p. 9; Nov. 12, p. 12; Dec. 3, 1919, p. 4; Dec. 21, p. 3.

cowardly, sent troops to crush the Russian Revolution. Do you see how German militarism combined with Allied capitalism to crush the Russian revolution?

This is not new. The tyrants of the world fight each other until they see a common enemy—**WORKING CLASS—ENLIGHTENMENT** as soon as they find a common enemy they combine to crush it.

In 1815 monarchic nations combined under the name of the “Holy Alliance” to crush the French Revolution. Now militarism and capitalism combined, though not openly, to crush the Russian revolution.

What have you to say about it?

Will you allow the Russian Revolution to be crushed? Yes, we mean you the people of America!

The Russian Revolution calls to the workers of the World for Help.

The Russian Revolution cries: “**WORKERS OF THE WORLD! AWAKE! RISE! PUT DOWN YOUR ENEMY AND MINE!**”

Yes, friends, there is only one enemy of the workers of the world and that is **CAPITALISM**.

It is a crime that workers of America, workers of Germany, workers of Japan, etc. [have] to fight the **WORKERS’ REPUBLIC OF RUSSIA**.

AWAKE! AWAKE YOU WORKERS OF THE WORLD!

Revolutionists

P.S. It is absurd to call us Pro-German. We hate and despise German militarism more than do your hypocritical tyrants. We have more reasons for denouncing German militarism than has the coward of the White House.

Following is the text of the Yiddish leaflet, according to an official court translation:

WORKERS—WAKE UP

The preparatory work for Russia’s emancipation is brought to an end by His Majesty, Mr. Wilson, and the rest of the gang; dogs of all colors!

America, together with the Allies, will march to Russia, not, “**GOD Forbid,**” to interfere with the Russian affairs, but to help the Czecho-Slovaks in their struggle against the Bolsheviki.

Oh ugly hypocrits; this time they shall not succeed in fooling the Russian emigrants and the friends of Russia in America. Too visible is their audacious move.

Workers, Russian emigrants you who had the least belief in the honesty of our government, must now throw away all confidence, must spit in the face the false, hypocritic, military propaganda which has fooled you so relentlessly, calling forth your sympathy, your help, to the prosecution of the war. With the money you have loaned or are going to loan them, they will make bullets not only for the Germans but also for the Workers Soviets of Russia. Workers in the ammunition factories, you are producing bullets, bayonets, cannon, to murder not only the Germans, but also your dearest, best, who are in Russia and are fighting for freedom.

You who emigrated from Russia, who are friends of Russia, will you carry on your conscience in cold blood the shame spot as a helper to choke the Workers Soviets? Will you give your consent to the inquisitorial expedition to Russia? Will you be calm spectators to the fleeing blood from the hearts of the best sons of Russia?

America and her Allies have betrayed (the workers). Their robberish aims are clear to all men. The destruction of the Russian Revolution, that is the politics of the march to Russia.

Workers, our reply to the barbaric intervention has to be general strike! An open challenge only will let the government know that not only the Russian Worker fights for freedom, but also here in America lives the spirit of revolution.

Do not let the government scare you with their wild punishment in prisons, hanging and shooting. We must not and will not betray the splendid fighters of Russia. Workers, up to fight!

Three hundred years had the Romanoff dynasty taught us how to fight. Let all rulers remember this, from the smallest to the biggest despot, that the hand of the revolution will not shiver in a fight.

Woe unto those who will be in the way of progress! Let solidarity live!
THE REBELS.

The Military Intelligence was notified, and two army sergeants arrested Hyman Rosansky, a young Russian Jew, on the fourth floor of a hat factory. He confessed that he had thrown out the leaflets given him the night before by three men whom he had met at an anarchist meeting a fortnight earlier. With his aid the police arrested six other Russian Jews: Jack (Jacob) Abrams, twenty-six years old, the oldest of the group; Samuel Lipman, twenty-one; Hyman Lachowsky, Gabriel Prober, Jacob Schwartz, and Mollie Stimer (Steimer, Steiner), the only girl of the group, twenty-one. The leaflets had been printed about July 15th, in the basement of 1582 Madison Avenue, rented by Abrams for eight dollars a month.

OUR IDEAL IS THE FUTURE

The six prisoners were indicted for conspiring to violate four clauses of the Espionage Act of 1917 as amended by the Act of May 16, 1918. Soon the arrest, trial, and conviction of Abrams and his friends became a cause célèbre, known as the Abrams Case. Their attorney, Harry Weinberger, who defended many conscientious objectors and other pacifists and radicals (including the anarchists Alexander Berkman and Emma Goldman), succeeded in attracting national attention to the case. It was at the time the first important prosecution for the crimes made punishable by the Espionage Act of 1918 (one such crime was incidentally involved in the Debs trial). The defense was expected to question the constitutionality of the Act.

The defendants, it is worth noting, were not prosecuted for pacifist or pro-German activities, but for protesting against America's Russian policy. The Department of Justice, well aware that war had never been declared against the Soviet Union, had already declined to seek indictments against a number of radicals who had opposed that policy. Abraham Shiplacoff, in a speech at a Socialist meeting, had compared the Soviet attitude toward American troops to the attitude American revolutionary patriots held towards the "hired murderers," the Hessians, but Shiplacoff was never prosecuted. On the other hand, the two leaflets distributed by the Abrams group contained an appeal to munitions workers for a general strike, and that the prosecution regarded as a much more serious matter.

On October 14, the evening preceding the actual opening of the trial, Jacob Schwartz died in Bellevue Hospital of Spanish influenza—according to the official records. According to Abrams and his comrades, "his death was caused by the police and agents." There is no doubt that Schwartz had been beaten by the police, although he told them that he was sick and had a weak heart. On September 5, 1918, Schwartz wrote from the Tombs Prison to his comrades:

Our arrest could be compared with the Spanish Inquisition and the blackest pages of man's brutality to man. This was a night of enraged devils in a lion's cage—the most horrible that man's mind could conceive, from tearing the hair to pulling the tongue; from black-jacks to the

leg of a chair was used on us because we would not speak. For our declaration that we are Anarchists and one of us a Socialist, we had to endure the most horrible tortures which the Twentieth Century will not be able to erase. Yes, dear comrades, it would take too much paper, which is so precious to me now, to describe our sufferings during the first night of our arrest. But it did not break our courage and spirit; no matter how our bodies were colored, blue or yellow, by the tortures, our spirit remained the color of our flag of our ideal. The morning found us weakened bodily but strong spiritually, stronger than the iron of our bars and more powerful than the stone walls.

We didn't know whether this was the end of the Inquisition. Who could tell? We were promised when incarcerated that we would be visited once more. But the protectors of the law can do their "holy" work only in the dark, so the morning saved us from the black power. Such, it seems, is the nature of these men.

We were taken to the Government Building when they explained "innocently" that we are under arrest. This, I presume, is the comedy of our Society! I don't know how you, comrades, can picture this to yourselves, but from us more than a smile this comedy could not draw.

Dear comrades, while we were sitting there so worn, thin, pale-faced and bruised—the whole "chariot wheel of justice" rolled on to crush us. O, no, not us, but our Ideal, that was what they should have incarcerated. Have they conquered? No, No, and a thousand times, NO! We understand this, dear comrades, and just imagine we were to be the carriers of a powerful idea! How proud we were! What are the red spots of blood on our clothings in comparison with the greatness of our Ideal! We are proud, we are the proud fighters. Our Ideal is the Future. They are the Past.²

Schwartz left behind him in his cell at the Tombs a note written in Yiddish: "Farewell, comrades. When you appear before the court I will be with you no longer. Struggle without fear, fight bravely. I am sorry I have to leave you. But this is life itself. After your long martyr . . ." At the trial his comrades wore buttons with Schwartz's portrait. Weinberger and John Reed spoke at a memorial meeting attended by 1,200 people on October 25, in Parkview Palace.³

² *Sentenced to Twenty Years Prison*, pp. 10–11.

³ *Ibid.* On Oct. 14, 1919, an agent of the Police bomb squad reported on a meeting in memory of Jacob Schwartz:

Jake Abrams spoke of his arrest at the same time as Schwartz, and when he was brought before Major Biddle in Police Headquarters, Schwartz refused to answer

The prisoners were held in confinement for seven weeks. The trial began on October 10, 1918, in the United States Court House in New York City before Judge Henry De Lamar Clayton, who for eighteen years had represented Alabama in Congress. He had been appointed to the Federal bench in 1914, but this was his first prominent case involving the Espionage Act. Many liberals often wondered why the case against six East Side immigrant Jews was assigned to a judge from a remote district whose workers tended to be more submissive than those of New York City and where sympathies for radicals were almost unknown. There were in the Southern District of New York three judges with considerable experience in such trials: Judge Learned Hand heard the suit of the *Masses* to obtain admission to the mails; Judge Julius M. Mayer sat on the Circuit Court of Appeals which reversed Judge Hand's decision on the *Masses*; Judge Augustus N. Hand presided at the trial of Max Eastman. But the New York dockets were crowded, and the Abrams case went to a Southerner.

During the trial the following facts became known: Abrams was active in the Bookbinders Union. Soon after American troops had been sent to Siberia, the group began meeting at 5 East 104th Street, where most of the prisoners lived in a six-room apartment. They decided to do something for the protection of Soviet Russia. Schwartz wrote the Yiddish leaflet, and Lipman the English one. Abrams got hold of the press. Lachowsky and Mollie Steimer had distributed about 9,000 leaflets, while Rosansky was recruited for the distribution shortly before the arrests.

Attorney Weinberger tried to show that the spirit of the leaflets was justified because Soviet Russia had actually been attacked with-

questions, and the Tiger, a police officer, told Biddle he would make Schwartz talk and beat Schwartz with a blackjack until he was nearly dead. He claims that this beating was the cause of Schwartz' death. An anniversary will be held every year, and [he] asked the audience to stand up and take a vow to revenge the death of Schwartz by propaganda. Abrams hopes that Schwartz' death will not be in vain, and that as long as the Anarchists can educate the working class, that they have the power, and at least 50% of them will stand up and fight the other 50% of the world for the Freedom of the World. Then their work will be accomplished. He expects to die in prison and wants us to follow in his footsteps (Lusk Papers, Box 4, File 3).

out an open declaration of war. Raymond Robins, who had represented the American Red Cross in Russia and returned to the United States convinced that the Soviet government should be recognized, was called by Weinberger as a witness. "Isn't it a fact," the defense asked him, "there is absolutely no evidence that there were any armed German or Austrian war prisoners operating in Siberia as alleged by the American statement on intervention? Isn't it true that at the request of Mr. Trotsky, the members of the American and British Military Missions made a trip to investigate the situation in Siberia, and they made a report that Austrian and German armed prisoners were not in control of the Bolsheviki forces in Russia?" Judge Clayton, however, did not allow Robins to answer these and similar questions. Weinberger contended that the Espionage Act was unconstitutional.

The trial ended on October 23rd. Prober was acquitted; Rosansky got off with three years and no fine; Abrams, Lachowsky, and Lipman were sentenced to twenty years and a \$1,000 fine each; and Mollie Steimer was sentenced to fifteen years and a fine of \$5,000. Judge Clayton ordered the record turned over to the immigration authorities, so that when their terms had been served, the prisoners could be deported to Russia.

Weinberger and his friends decided to appeal the case to the United States Supreme Court. The prisoners were free on bail, and Abrams continued to be active in the Bookbinders Union. He and his comrades often participated in meetings organized in behalf of their own defense and also in defense of other political prisoners.⁴

RUSSIA WILL DEMAND MY FREEDOM

From other sources the following facts, not mentioned during the trial, are known: The prisoners belonged to the Anarchist Jewish

⁴ Secret agents of the Clayton R. Lusk Committee often reported on the activities of Abrams and his friends: "Jacob Abrams' paramour was apparently the center of attraction," they reported on a meeting held on Dec. 4, 1918 (Lusk Papers, Box 5, File 3). "Mollie Steimer was selling stamps for Freedom's Cause," they reported about a picnic for political prisoners on Aug. 16, 1919 (*ibid.*, Box 4, File 3).

group "Frayhayt" (Liberty) whose leaders were one Bunin ("Jezus") and Jack (Jacob) Abrams. Mollie Steimer met Abrams for the first time in January, 1917, when she joined the group. Because of an internal conflict, the group was dissolved and a new one organized without Bunin's participation. Among the members of the new group were most of those arrested for the distribution of the leaflets and also Mary Abrams, Rose Bernstein, Bernard Sirnakur, and others. The group published leaflets and also a Yiddish Anarchist journal called *Der Shturem* (The Storm). Mollie Steimer wrote in her memoirs: "We all sincerely believed then that the social revolution was near realization." After the outbreak of the Russian Revolution and America's entry into the war, Sirnakur submitted an article defending the cause of the Allies and the continuation of the war, but the editors of *Der Shturem* rejected it. Printers refused to print the group's leaflets and the journal, and it was decided to arrange for a small, illegal printing place. A small printing press was installed at first in the room of a comrade, but it made too much noise. The printing was later done in the apartment at 5 East 104th Street, where Jacob and Florence Schwartz occupied one room, Jack and Mary Abrams another room, and Mollie a third room. After the United States decided to intervene in Russia, the group called a meeting at which Samuel Lipman, a Marxist-Socialist, also participated and it was decided to publish a leaflet. As already noted, the English text was written by Lipman and the Yiddish by Schwartz. The group consisted then of ten people who distributed the leaflets in many parts of New York City and also in Philadelphia and elsewhere.⁵

On October 21 and 22, 1919, the case was argued before the Supreme Court; on November 10, the sentences handed down by Judge Clayton were affirmed, Justice Oliver Wendell Holmes dissenting. The sentence, Holmes said, was contrary to the spirit of the First Amendment of the Constitution that Congress should make no law abridging the freedom of speech. Holmes continued:

But as against danger peculiar to war, as against others, the principle of the right to free speech is always the same. It is only the present danger

⁵ *Sentenced to Twenty Years Prison*, pp. 14-15.

of immediate evil or an intent to bring it about that warrants Congress in setting a limit to the expression of opinion where private rights are not concerned. Congress certainly cannot forbid all effort to change the mind of the country. . . . In this case sentences of twenty years imprisonment have been imposed for the publishing of two leaflets that I believe the defendants had as much right to publish as the Government has to publish the Constitution of the United States now vainly invoked by them. Even if I am technically wrong, and enough can be squeezed from these poor and puny anonymities to turn the color of legal litmus paper; I will add, even if what I think the necessary intent were shown; the most nominal punishment seems to me all that possibly could be inflicted, unless the defendants are to be made to suffer not for what the indictment alleges but for the creed that they avow—a creed that I believe to be the creed of ignorance and immaturity when honestly held, as I see no reason to doubt that it was held here but which, although made the subject of examination at the trial, no one has a right ever to consider in dealing with the charges before the Court . . . that were uttered here, but I regret that I cannot put into more impressive words my belief that in their conviction upon this indictment the defendants were deprived of their rights under the Constitution of the United States.⁶

Of the other Justices, only Louis D. Brandeis concurred with Holmes's opinion.

The men were sent to serve their sentences in Atlanta, Ga.; the girl was imprisoned on Blackwell's Island in the East River, whence after six months she was transferred to Jefferson City, Missouri.⁷ Lachowsky, in surrendering himself, made the following statement:

The United States Supreme Court has sent its Mandate to this Court affirming my conviction, and although out on bail, I herewith surrender myself to commence the service of 20 years in the U.S. Penitentiary at Atlanta (Ga.), for expressing an opinion in a leaflet against American military intervention in Russia.

If Dreyfus at Devil's Island was a shining disgrace before all the world, to France; if Robert Emmett's death on behalf of Irish freedom has been one of the blots on English history; so my imprisonment for the next twenty years will be a shining disgrace to America. When my country, Soviet Russia, takes her equal place among the Nations of the world,

⁶ *Supreme Court Reporter*, XXXIX (St. Paul, 1920), 17–22. For other sources on the decision of the Supreme Court, see note 1, *supra*.

⁷ Steimer in *Abrams-Buch* (see note 1, *supra*).

recognized by all the Nations of the world, Russia will demand my freedom.

As an alien and as an Anarchist, I am willing to be deported to Soviet Russia, and have so stated at Immigration hearings, but if America wants to support me in jail for 20 years; if America wants that blot on her history, I am willing to be that sacrifice in the hope that by it, the true liberty-loving heart of America will awaken from its deadly sleep caused by the Espionage Law under which I was convicted.⁸

This was the period of the "Red Scare," and life in prison was no picnic for a radical. Jacob Abrams wrote to Weinberger:

At this very moment we are in perish [Parish] prison, but being in not so terebel [terrible] as under the secamstens [circumstances] we are cept [kept]. We are cept in a condemd [condemned] cell, with peopel [people] that face the rope, and it is not very comfortabel [comfortable] to be with them in one plase [place] because you feel you self all day the shedo [shadow] of death, if it [is in] your pour [power] to do somtig [something] do it.⁹

Mollie Steimer wrote on May 9, 1920, to her mother, Fannie Steimer: "I assure you that you need not worry about me for I feel fairly well." On August 22, she mentioned her joy at "reading the news concerning the international workers' solidarity in their refusal to participate in the war against their revolutionary Russian brethren." Mollie added:

Two years ago [in 1918], on the 22nd day of August, this very day, a small group of us called upon the workers to strike against the United States and allied intervention in Russia, and we were imprisoned. Today millions of the workers will strike and the capitalist power have to stand it. All they can do is say, "Bah . . . it's unconstitutional."

At last our great hope, our beautiful ideal of international workers solidarity for the coming good of humanity, is coming true [through]! We not only read about it, but see it, know it, and feel it.

I just feel like embracing the whole world and crying out:

"Come—do not stop—keep marching on—and we shall be victorious."¹⁰

⁸ *Twenty Years* (see note 1, *supra*).

⁹ Weinberger Papers.

¹⁰ Flynn Papers.

To a friend, Mollie wrote on May 1, 1920, that in prison she was “producing jackets for the capitalist state.” It was not an easy job, she wrote: “Contrary to my expectations I made 50 of them on the 4th day. But the task required on the lot I am working is more than twice that amount. It is for the sake of my most wonderful mother that I decided not to give the enemies a chance for further persecution, so far as work is concerned.”¹¹ But the girl was suffering in prison. She wrote to a friend:

You ask whether I am still suffering? If it is not one thing, it's another with me. Just now my eyes and my right arm [*sic*] give me a good deal of trouble, particularly my arm. I cannot turn it without feeling a sharp pain in it. It often feels cold as if the blood does not circulate in it as it should. At night, during the hottest weather [*sic*], I have to wrap it in clothes. I fear that it may become lame, and the thought of being a cripple is dreadful. However, it may get well, if I should get treatment for it, which I shall first get after my imprisonment.¹²

Mollie's personal life was full of tragedies during this period. Her brother succumbed to influenza, and her father died of shock following his daughter's conviction. Mollie was left the sole support of her mother and four younger children, but the rejection of her appeal by the Supreme Court made her unable to help them. The Workers' Defense Union tried to raise \$1,000 for a Steimer Relief Fund.¹³

In her letters Mollie always asked for news about her comrades in prison, “the boys,” as she called them. She was not too optimistic about getting “out of the still [steel] cages.” On January 27, 1921, she wrote to Weinberger: “It is my personal opinion that we are to remain in prison for some time to come, in spite of your efforts to the contrary. Consider it what you will, Mr. Weinberger,—a fault or a virtue, I much rather prefer to face the bitter truth than place hope in nothing! And from observing the deeds of [President] Wilson and [Attorney General A. Mitchell] Palmer, I am convinced

¹¹ *Ibid.*

¹² Undated letter, Weinberger Papers.

¹³ Workers' Defense Union's circular, May 14, 1920 (Flynn Papers). The Union was directed by Elizabeth Gurley Flynn (organizer), Simon Schuchter (secretary), Fred Biedenkapp (treasurer), and Eugene Lyons (publicity manager).

that they will leave their posts *without* granting amnesty to the Political Prisoners." (As it turned out, Mollie was correct in her prediction.) She had read in a newspaper about the deportation of imprisoned radicals to Russia. This, she wrote to her attorney, reminded her of Edmund V. Cooke's poem:

You cannot salt the eagle's tail,
Nor limit thought's dominion;
You cannot put ideas in jail,
You can't deport opinion.

For though by thumbscrew and by rack,
By exile and prison,
Truth has been crushed and palled in black,
Yet Truth has always risen.

Mollie was worried about Lipman, who worked in a tailor shop at the Atlanta Penitentiary, although he had trouble with his eyes. She asked Weinberger to request the warden of the Atlanta prison to change Lipman's work so that he would not risk straining his eyes.¹⁴

WITHOUT AN ACT OF CONGRESS

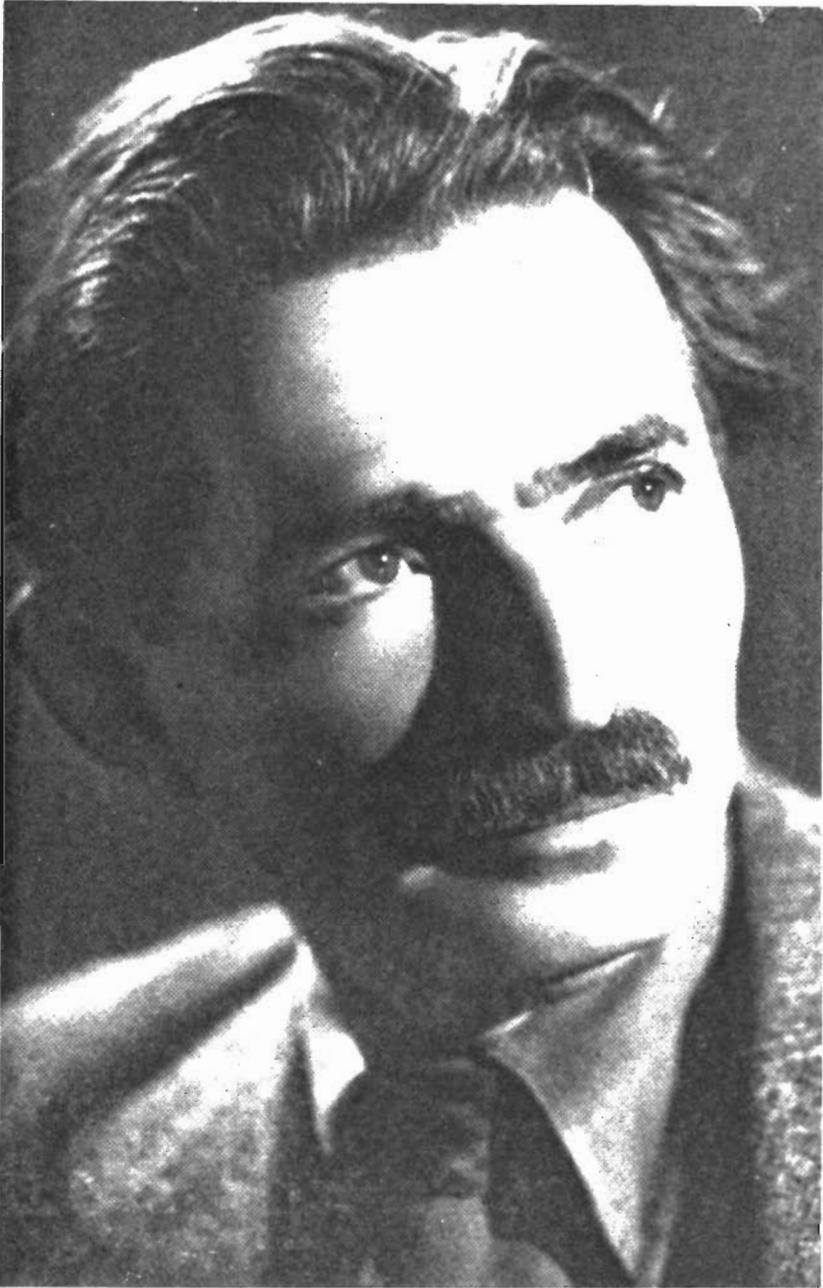
At the time Lipman surrendered himself, his sweetheart, Ethel Bernstein, had been deported on the *s/s Buford* to Russia. Lipman sent her the following cable:

I am going to the United States Penitentiary at Atlanta for twenty years for my opinions on Russian intervention, and you are being deported to Russia for yours. Though time and distance separate us, my love goes out to you over the waves. The humanity and heart of the world may yet demand that we be reunited by my deportation to Soviet Russia, where you are going. Love to all the comrades on board from myself, Abrams and Lachowsky. Reply care Harry Weinberger, prepaid.¹⁵

Lipman became lonely, moody and desperate in the "huge walls of stone, small tiny airless cages of iron and countless numbers [of] bars of steel, where one cannot help but think." This is how he described the prison on November 16, 1920, in a letter to Harry Wein-

¹⁴ Weinberger Papers.

¹⁵ *Twenty Years* (see note 8, *supra*).



Reproduced from J. Abrams-Buch (Mexico, 1956)

Jacob Abrams
All day the shadow of death

berger, whom he called "The Thinker." Lipman yearned for Ethel Bernstein. He was bitter: "You being a part of the machine which shoveled me into there"—he wrote to his attorney and friend. Had he lost faith in his ideals? While at liberty, he had found everything easy to understand; he had been willing to follow "the Muse," to sacrifice everything for the ideal. But in prison he became "more free than at 'liberty' and therefore a new force came to being." It haunted him, it was "less leanient than Judge Clayton" and forced him to search for "the meaning of life, to know why he lived, if he had ideal he professed or any other ideal." "The ever-lasting Why?" Lipman became preoccupied with the "conception of life, faith, possibility of absolute liberty." "It was with pain," he wrote to Weinberger, "that I had to discard Tolstoy as a philosopher. In my despair I got a hold of him but he solves or rather averts the unsolved problem of life, by excepting blind faith, which he admits his mind repelled it as absurd." He continued:

I doubt, doubt, doubt. A year ago I had a faith—I have none now (do not misinterpretate), a year ago I clong to the word "truth." I found it to be an article that every one professes to love but in reality every one loaths. The word "absolute liberty" had a meaning to me—now it has none. A year ago I was *certain*—now I *doubt, doubt*. . . . I have learned—thanks to Washington—to wait. I have found pleasure in pains. On the upper bunk in the little airless cell in the endless, sleepless nights, I have discovered my minute, unimportant part of the whole. A year ago I thought I was somebody, now I know I am a particle of dust carried by the wind. . . . It is not Lipman that wrote the above, it is Lipman the lover who is being drowned in an ocean of longing and in the agony of a drowning man [who] clings to the straw, which he knows will not save him, yet wouldn't let it go. I do not give a rap for the Univers nor for life, I crave to see my loved one once more, then death wouldn't frighten me. I care not whether Liberty is possible or not. . . . Tell Shylock with the eloquence of your voice and with the venom of the dying lover in anguish that Antony will give him a pound of flesh from the very heart, yes and blood, too, if he will let him see his beloved. Is there nothing in your laws to prove that Lipman the lover should not be punished for the act of Lipman the rebel? Grant the rebel is punished justly, but how about the lover? His only crime is love. [Signed:] Sceptic and Lover, Lipman.¹⁶

¹⁶ *Ibid.*

Weinberger and other pacifist activists tried to obtain freedom for the Abrams group through a pardon, or amnesty, or deportation to Russia. Even some conservative newspapers protested against the harsh sentence. *The New York American* wrote:

And if this is the law, then Justice Holmes and Justice Brandeis are guilty of a criminal offense in giving aid and comfort to these four convicted persons, by publicly declaring that however misguided and wrong the defendants were, in their opinions they were within their rights in expressing them and that the court which convicted them and the Supreme Court Judges which upheld that conviction did so in contempt of the Constitution and without any justification in law or granted authority. We want to say very earnestly that the more frequent the disregard of the Constitutional guarantees and contempt for natural and inalienable rights displayed by civil and military officials and by the courts themselves, the more dangerous the sentiment of resentment and lawlessness will become.¹⁷

Upton Sinclair wrote ironically that Judge Clayton had been imported from Alabama to make Hester Street safe for democracy:

According to the point of view of the Russian Jews of Hester Street, America has attacked their friends at home; American soldiers are shooting down their fathers, their sons, their brothers in Northern Russia and Siberia. . . . And this without an act of Congress, without a declaration of war. . . . Such is the situation as it appears to a Russian Jew of Hester Street. I won't say how it appears to me, a native-born American . . . because I have been to jail twice, once for eighteen hours and again for three days, and that sufficed me.¹⁸

Among the contributors to cover the expenses for the defense of the Abrams group were the Anarchist Yiddish journal *Fraye Arbayter Shtime*, branches of the Workmen's Circle, and various *landsmanshaftn* (Borisover, Koloncar, Ostrolenker, Polotzer, Rabishover, Rahtiner, and Slutsker).¹⁹ Professor Zechariah Chafee of Harvard University was strongly attacked for defending the Abrams group. He wrote in the *Harvard Law Review* that they had been

¹⁷ *New York American*, Nov. 13, 1919.

¹⁸ *Upton Sinclairs*, no. 10 (Feb., 1919), p. 5.

¹⁹ *Why the Political Prisoners Defense and Relief Committee* (New York, 1920), 4 pp. (NYPL,* CN9SEKD, nc 2).

sentenced solely for advocating a nonintervention policy. The radical daily *New York Call* wrote: "It is said that the man who is really sought in this connection is Felix Frankfurter." The Harvard Law School alumni asked that Chafee be disciplined, but the Harvard overseers declined to do so.²⁰

Harry Weinberger organized a campaign for a Presidential amnesty for the Abrams group. The following petition entitled "Recommendation for Amnesty" was circulated:

We, the undersigned, respectfully endorse the application for Executive Clemency of Jacob Abrams. Our approval is based upon the following grounds:

First: We believe that the expression of opinion on the Russian question by Jacob Abrams was the honest expression of a Russian citizen on Russian intervention.

Second: That there was no intent to help Germany in the war.

Third: That there was no intent to hurt or hinder the United States in the prosecution of the war.

Fourth: That Jacob Abrams, being willing to be deported to Soviet Russia, the United States could in no way be injured by an amnesty at this time.

NOTE—A similar recommendation was made by the signers for Lachowsky and Lipman, and they were willing to recommend amnesty for Mollie Steimer, but she refused to sign an application.²¹

Among the first to sign the petition were Roscoe Pound, Edward B. Adams, Felix Frankfurter, and Zechariah Chafee, all of Harvard University. The signatories also included George Creel, of the powerful Committee on Public Information, Norman Thomas, Hutchins and Neith Boyce Hapgood, Leonard D. Abbott, Loula D. Lasker, Paul U. Kellogg, and many others.²² Jacob Abrams wrote in a "Statement re Application for Amnesty":

²⁰ Chafee, "A Contemporary State Trial" (see note 1, *supra*); *New York Call*, May 24, 1921; *New York Times*, July 21, 1921; *New York Post*, Nov. 30, 1921; Henry Copley Green, "A Fight for Freedom, 1921," *History Reference Bulletin*, no. 23 (Nov., 1934); S. E. Morison, *Three Centuries of Harvard* (n.p., 1936), p. 464.

²¹ Weinberger Papers.

²² "List of names recommending amnesty for Abrams" (*ibid.*).

That as a citizen of Russia, feeling that the aspirations of my people were being put down by outside military intervention, I felt it my duty to raise my voice in protest and to appeal to the American people and thus help form public opinion to have American troops recalled. My sentiments are the same now as they were at the trial, and at the issuance of the leaflets.

I felt I had the right under the free press clause of the Constitution to issue my view in leaflet form on a public question.

I felt that the action of the United States in intervening in Russia was contrary to its former promises and contrary to American traditions.

I felt that intervention in Russia was not necessary to put down the military despotism of Germany, and the sending of troops was contrary to the desire of the Russian people.

I raised my voice in America in protest, as Americans would have expected Americans in Russia, to raise their voice in protest if Russia was invading America without a declaration of war.

My intent never was to help Germany in the war, nor to hinder the United States in the prosecution of the war. My sole purpose was to help Russia by creating American public sentiment. I believe that my conviction was due to hysteria and public passion.

I believe that in view of the dissenting opinion of Justice Holmes, concurred in by Justice Brandeis, in which he says: "In this case, sentences of 20 years' imprisonment have been imposed for publishing two leaflets that I believe the defendants had as much right to publish as the Government had to publish the Constitution of the United States, now vainly invoked by them," and in which he further says: ". . . I regret that I cannot put into more impressive words my belief that in their conviction upon this indictment the defendants were deprived of their rights under the Constitution of the United States," that sufficient doubt should arise even in the most legalistic mind as to the correctness of our conviction, and calls for immediate amnesty and that of my co-defendants.

I am a Russian citizen and have no desire to continue to remain in America, and as stated at the hearings for deportation at Ellis Island, I am perfectly willing, if freed, to be immediately deported to Soviet Russia.

If the language we used was strong, we felt strongly on the subject; if the language was bitter, we felt bitter in what we believed was the crushing of Russia's attempt for a new industrial democracy, but it was our honest opinion and our honest belief and was in no way tainted with pro-Germanism, and the ideas that we expressed have since been expressed by many statesmen, writers and editors. Whether right or wrong, time alone will show, but at least I feel that as political prisoners, we are entitled to an amnesty at this time and deportation to Russia.²³

²³ *Twenty Years.*

A similar petition was signed by Lachowsky and Lipman.

Although Weinberger applied for an amnesty, which was a denial of guilt and not for a pardon,²⁴ Mollie Steimer refused to sign a petition for amnesty or to agree to deportation. At first Lipman, too, had adopted such an attitude. The text of Weinberger's petition for amnesty contained the phrase "commonly known as pardon." He was a radical himself, but also a practical lawyer, and he knew that no amnesty for political prisoners was in prospect; only a pardon or deportation to Russia could save the Abrams group from prison. But the girl let him know: "I do not want any 'pardon.'" She was willing to sign a petition only for amnesty. "The word 'pardon'"—she wrote in January, 1920, to Weinberger—"drills my ears and affects my sense of right, which is bad already. Please remove it."²⁵ On February 1, Mollie again wrote to Weinberger:

Whatever the decision of my comrades who have been convicted with me, is—I feel that: if I were to accept your advise I would commit a deed contrary to my convictions and my constant calling upon the workers *not* to petition but to *act*. For I was and am opposed to petition a government oficial who is the soul guard of capitalism. While it is true that the petition justifies our protest against the [anti-] Russian intervention, it is equally true, that in the same breath it asks for pardon and deportation. I decline *to ask* for my deportation. I believe that: each person shall live there where he or she choses. No individual nor group of individuals, has the right to send me out of this, or of *any* country!

Although I do not object to go to Soviet Russia, I am emphatecally opposed to deportation.

When the agents of brutality *will* send me out from the U.S., it will be by force and not because I will ever agree to be exiled.

You state, that by my refusing to sign the petition I interfere with the possible release of my comrades. I do not think I do. If they want the petition to be issued, you can do so, in *their* names *alone*.

Aside from the fact that I am against petitioning a government official, I consider it against my principles to ask for the release of 4 individuals while thousand of other political prisoners are languishing in the U.S. jails.

²⁴ Weinberger to Frederic A. Blosson, of the Paterson (N. J.) Workers Prison Relief Committee, Nov. 29, 1922 (Flynn Papers).

²⁵ Weinberger Papers.

I heartily appreciate your desire to obtain our freedom, but I do not approve of your proposed method.²⁶

Weinberger made public a revised and somehow milder text of Mollie's refusal to sign a petition:

The more I read the petition, the stronger I am opposed to it. The question to me is not so much how it is written, but what it is! Since I am in the Anarchist movement, I constantly called upon the workers not to petition the Government officials! And if I were to do it now, it would be a deed contrary to my convictions. I firmly believe that only that person is true to his principles and ideal who himself practices what he or she preaches! If I were to sign the petition or consent to issue it in my name, I would be as the preacher who says: "Do as I tell you but not as I do." Which would be a very hypocritical deed! No, Mr. Weinberger, I cannot and will not sign the petition. When I say I cannot, these words come from the depth of my heart. I hope that you are willing to understand me. Abrams, Lipman, and Lachowsky certainly have my sympathy, and words can hardly express how hurt I feel when I think of their suffering. But what about all political prisoners? They are my comrades, too, and I think it extremely selfish and contrary to my principles as an Anarchist-Communist to ask for my release and that of three other individuals at a time when thousands of other political prisoners are languishing in the United States jails.²⁷

Some people tried to obtain the girl's release as soon as possible, even before that of her comrades. In a letter written on May 9, 1920, to Agnes Smedley, Mollie strongly protested against such a plan.

To my amazement, I got some information that there are people working for my release alone, disregarding not only all class war prisoners, but even those who have been convicted with me under the same charge.

This sounds inconceivable. For, if the existing powers consider it a crime to protest against the Russian intervention, I am just as guilty of that crime as are my comrades who are now in Atlanta.

On what ground, then, are those people working? Are they trying to appeal to the emotions of the government officials, or ask for pity? That I resent from the depth of my heart! I want justice, but *not* pity, and if it

²⁶ *Ibid.*

²⁷ *Twenty Years.*

is unjust to have imposed such a penalty on me, it is equally so with Lipman, Lochofsky [Lachowsky] and Abrams.

People mention my youth; what about Lipman who is only 22 and who is almost getting blind there? What about Lochofsky who is sick and consequently subjected to more severe suffering than I am?

Of course I can not tell people what to do. But I assure you that getting me out of jail and *leaving my comrades there* would cause me much grief.

However [*sic*—whoever] those people who work for my release are,—I appeal to them in the name of *real* justice to: either work for the release of *all or non*.²⁸

On September 14, 1920, two weeks before Weinberger was to meet the Attorney General, Mollie again refused to ask for a pardon or deportation. On this occasion she strongly criticized President Wilson for calling himself a friend of the Russian people while in practice he was helping to cause "starvation, sickness and death to the Russian people by maintaining the blockade. He sent soldiers and ammunition to kill them. . . . To say that Wilson is the worst hypocrite the world ever had, is to treat him with silk gloves."²⁹

BOOKED BY THE G. P. U.

Finally, Weinberger obtained the release of Abrams, Lachowsky, Lipman, and also Mollie Steimer on condition of their leaving for Soviet Russia at their own expense. They were all sent to Ellis Island to be held there until their departure. The Political Prisoners Relief and Defense Committee organized a subscription to pay for their transportation and for clothing and other necessities.³⁰ Lip-

²⁸ Flynn Papers.

²⁹ Steimer to Weinberger, Sept. 14, 1920 (Weinberger Papers).

³⁰ For some reason the radical Yiddish daily *Forward*, which was then still pro-Soviet, refused to help the Defense Committee and its campaign for the Abrams group. On Oct. 17, 1921, Weinberger wrote to B. Charney Vladeck, manager of the *Forward*:

"These four Russians were the first to raise their voice in protest against military intervention in Russia and did more than anyone else in the country to raise American conscience on the subject before newspapers, magazines or reformers, or even so-called radicals. The dry rot or emasculation of the amnesty for political prisoners relief was caused by the same small and petty influence that caused the

man complained of the conditions on Ellis Island: "I am very anxious to leave 'your' country," he wrote on November 2, 1921, to Weinberger.³¹ Mollie continued to express her protest "against the tyrannic act of being forcibly sent out of the U.S."—as she wrote on November 19, 1921, to Weinberger. She expressed her belief in the future: "I shall advocate my ideal: Anarchist Communism, in whatever country I shall be."³² On Ellis Island, she went on a hunger strike.

Emma Goldman stated at a dinner for herself and Alexander Berkman on October 17, 1919, that, after grilling her on Ellis Island for over five hours, government officials invited her to dinner and tried to persuade her to get Mollie Steimer to break her hunger strike. "She is now on strike four days, because they will not allow her to mix with the men. Molly claims all political prisoners can mix together and that is the reason for Molly Steimer's strike." Emma Goldman continued: "The government cannot break her spirit," and Mollie was going to fulfill her mission in life for "the freedom of the world under Soviet rule."³³

"A Farewell Dinner to the Four Russians" took place on November 21, 1921, at the Allaire Restaurant, at 143 East 17th Street. The speakers were all leaders of the Civil Liberties Union and other pacifist organizations: Norman Thomas, Albert de Silver, Elizabeth

changing of the very short story I sent out. The N. Y. Call took my small story and doubled it almost four times. Even the New York Times printed my story exactly as I sent it including the name and address of the Committee where relief might be sent. Surely, the Jewish Forward should stop playing or allowing itself to be played in the small personal petty jealousies between some individuals who want all the credit or who won't allow someone else to do something effective unless they are the head. I need not mention names. You know them as well as I do. I have kept quiet in the past year because it was neither seemly nor helpful to have a row about it, but this report on the case and its smallness have got my goat and it is about time that you personally did something about it and reopened your columns to fair reporting. Your editor [Abraham Cahan] certainly ought to be willing to print at least what the New York Times is willing to print" (Weinberger Papers).

³¹ Weinberger Papers.

³² *Ibid.*

³³ According to a police agent's report (Lusk Papers, Box 4, File 3).

Gurley Flynn, Walter G. Fuller, Leonard Abbott, Charles Recht, Charles W. Wood, Harry Kelly, David Kiefer, Harry Weinberger, and Robert Morse Lovett.³⁴ The Commissioner of Immigration was requested to allow the three men and the girl to attend the dinner, but the request was denied. The four sent letters. Mollie wrote:

A great many of persons whom I have met since my coming out of prison seem to be pessimistically inclined regarding the American worker. I, however, do not think that there are ground for pessimism. The toiling masses of these States are as sure to overthrow the capitalist system, as the toilers of Russia overthrew the Czar. . . . Men and women, comrades and friends, I take your hands into mine and press them warmly.³⁵

On November 24, 1921, the four left for Russia on the *s/s Estonia* of the Baltic-American Line. They were advised by the authorities that they had been pardoned on condition that they never returned to the United States. If they ever came back, they would immediately be arrested. On the eve of their departure, November 23, 1921, Weinberger issued the following press release:

Three boys and one little girl, four deportees, will sail out of New York Harbor to Russia, a land of hunger and disease, sent [away] from relatives and friends, the worst form of human punishment, for the crime of having an honest opinion, and my country and yours, the United States, will commit that vile act and the day after the sailing, all our people will celebrate Thanksgiving Day and pray. . . . This sailing before Thanksgiving Day [will] not be forgotten to the shame of my country. . . . [They] raised their voice of protest by leaflets against the illegal and unconstitutional use of United States troops in Russia, without a declaration of war. They called on the American people to protest, and if America had heeded, many American boys would not have bloodied the frozen fields of Russia or the wastes of Siberia. . . . If Americans in Russia had raised their voice in protest against the Czar using troops in America, as these Russian boys and this little girl did in America, America would be proud of them and would build statues to their memory. May Russia be kind to them, we bid them tearfully good-bye.³⁶

³⁴ "Farewell Dinner to the Four Russians" (printed leaflet, Weinberger Papers).

³⁵ "To the people assembled at Allaire's Restaurant . . . on the eve of Nov. 21, 1921" (*ibid.*).

³⁶ Weinberger Papers.

At the dinner of November 21st, a Soviet spokesman was present. He read a special document officially welcoming the three boys and the girl to Soviet Russia as revolutionaries who had merited well of the Revolution. This document was to be their "passport and visa into Russia."³⁷ The Yiddish anarchist journal *Fraye Arbayter Shtime*, however, warned that Abrams and his comrades would not be made welcome in Soviet Russia. As anarchists, they would not enjoy their stay there. There was no peaceful place now for the real revolutionaries, for real fighters for freedom.³⁸

In fact, Soviet Russia was not to show much kindness to the four deportees. The *s/s Estonia* reached the Latvian port of Libau on December 4, 1921. From there Abrams and his comrades went through Riga to the Soviet Union. At first, Mollie was disappointed. Emma Goldman, Alexander Berkman, and "other very interesting comrades" had already left Russia," she wrote. On December 20, 1921, she wrote again to Weinberger: "But, now, I am glad that they will be out of the Conference. . . ." By "conference," she most probably meant Soviet Russia. Had she so quickly learned the sad realities of Soviet life? "I must tell you that a feeling of sadness had enveloped me since my arrival. . . . I can not relate to you the reasons for this sadness, now, but, I may do so, at some other occasion" —she wrote to Weinberger.³⁹

At first Abrams and his friends were used by the Soviet authorities for anti-American propaganda purposes. American visitors met them sometimes in Moscow at Red Square. Lipman went to an agricultural college, and Abrams became manager of a modern steam laundry.⁴⁰ Abrams, however, was an anarchist, not a Communist. After five years in Soviet Russia, he fled to Mexico, where he became active in liberal and non-Communist radical Jewish circles.⁴¹

³⁷ *Letters from Russian Prisons* (New York, 1925), p. 93.

³⁸ *Fraye Arbayter Shtime*, Nov. 26, 1921, p. 1.

³⁹ Weinberger Papers.

⁴⁰ Charles Recht, "An American in Moscow on November 7," *Soviet Russia Pictorial* (March, 1923), p. 49.

⁴¹ Jacob Abrams, "Five Years in Soviet Russia (Deep Belief and Bitter Disappointment)," in *Abrams-Bukh*, pp. 154–305.

Mollie Steimer's fate was more tragic. On November 1, 1922, she was arrested in Petrograd (Leningrad) by agents of the G.P.U., the Soviet secret police, was accused of having connections with anarchists in Europe and America, and was sentenced to two years of exile in Obdorsk, Siberia. On November 17, 1922, Mollie and another convicted anarchist, S. Fleshin, declared a hunger strike. The next day they were released on condition that they would not leave Petrograd and would report to the G.P.U. within two days. When asked to give a written statement that they would not carry on any anarchist propaganda, they refused. As a result of the intervention of West European labor leaders visiting Russia at the time, the two anarchists were not troubled for several months but on July 9, 1923, they were again arrested. On July 27, Mollie and other anarchists declared a hunger strike and demanded the privileges of political prisoners. One prisoner was asked to use his influence with Mollie to induce her to eat. When he refused, the prosecuting attorney said to him angrily: "Then she will be forcibly fed. Does she think she is dealing with the American police?" On August 26, Mollie and Fleshin were told that they were to be expelled from the Soviet Union, and on September 27, they left for Germany. Later Mollie wrote:

Russia of today is a great prison where every individual who is known not to be in full agreement with the Communists is spied upon and booked by the "G. P. U." (Tcheka) as an enemy of the government. No one can receive books, newspapers, or even a plain letter from his relatives without the control of the censor. This institution which keeps the people in absolute ignorance of all news detrimental to the interests of the Bolsheviks is now better organized and more strict than was the famous Black Cabinet under Czar Nicholas II. . . . While the Communists are issuing long protests against the persecution of political prisoners (they mean only Communists) in "capitalist" countries, they themselves are imposing savage sentences upon their opponents and are forcing many of our best comrades to die slowly in the jails and concentration camps, and hundreds of others to suffer the bitter pangs of hunger and the unbearable cold of northern Russia and Siberia. The real revolutionaries of Russia today are exiled and cut off from the entire world, forbidden the right of communication with any living person except the damnable spies who are forever shadowing their footsteps.⁴²

⁴² *Letters from Russian Prisons*, pp. 93-103.

On March 9, 1925, a meeting was held at Town Hall in New York City to protest against the imprisonment of political opponents in the Soviet Union and elsewhere. The Communists tried to break up the meeting, and B. Charney Vladeck, manager of the Socialist daily *Forverts* (*Forward*), was prevented from speaking. Roger N. Baldwin of the American Civil Liberties Union did speak at the meeting and summed the matter up:

I decline to accept the Communist notion that you must be 100% with the Soviet Government or 100% against it. I reserve the right to criticize my friends just as I do my opponents. When I think of little Mollie Steimer, jailed here in the United States for distributing a leaflet attacking Wilson for sending troops to Siberia, later deported to Russia and shortly thereafter exiled from Russia for refusing to accept the Communist regime, I am at least moved humanly to condemn both governments involved and to give her such aid as I can.⁴³

⁴³ACLU, vol. 288. On the meeting, see also Joseph Freeman, *An American Testament* (New York, 1936), p. 3; *Evening World*, March 11, 1925 ("The Mob at the Town Hall"); *New Leader*, March 14, 1925 ("Communists Censured by Baldwin").

The American Jewish Archives announces publication by the Wayne State University Press in the fall of 1970 of:

THE COLONIAL AMERICAN JEW, 1492-1776

(three volumes)

by JACOB RADER MARCUS

and

LOPEZ OF NEWPORT:

COLONIAL AMERICAN MERCHANT PRINCE

by STANLEY F. CHYET