

The Right of an Injured Worker to Sickness Benefits

A worker who is injured while at work receives compensation for lost time under the compensation laws. His maximum benefits are \$32.00 a week. On the other hand, a worker who is unable to work due to illness not connected with an injury at the plant is entitled to Sickness Benefits (known under the law as Disability Benefits) with a maximum rate of \$40 per week. Under compensation, the injured worker receives his compensation for as long as he is disabled from the injury, while under Sickness Benefits, he receives benefits only for a maximum of 26 weeks.

A worker who is injured at the plant should file a claim for Sickness Benefits as well as for compensation. While a worker cannot receive both of these benefits, such a worker is entitled to receive his compensation of \$32.00, and in addition, he can receive the difference up to the \$40.00 a week under the Disability Benefits Law. Of course, the payments made up to him under the Disability Benefits Law will be paid to him only for the first 26 weeks of total disability.

Sometimes it happens for various reasons that an injured worker does not begin to receive his compensation benefits until some legal questions have been cleared up with the help of the union's lawyer. In such cases, the worker may receive his benefits entirely under the insurance plan with a maximum of \$40.00 a week. However, when the worker finally proves his right to compensation at \$32.00 a week, this award is first used to pay back the insurance company the \$32.00 a week which should have been paid in the first instance by way of compensation.

Because all this sounds a little complicated perhaps an example should be given to explain it.

Let us take the imaginary case of John Wilson. Supposing that on January 15, 1952, Wilson develops an ulcer on the leg which prevents him from doing any work. He files a claim under his insurance plan for sickness benefits and his doctor certifies that he is totally disabled. At this point he is entitled to receive "Disability Benefits" under the insurance plan. Wilson then receives \$40.00 per week for six weeks before he returns to work. Wilson, however, and his doctor also feel that the ulcer resulted from a blow to Wilson's leg while Wilson was at work. With the help of the union's lawyer, Wilson files a claim for

compensation for the injury. If Wilson can show that the ulcer did in fact result from the blow, he would be entitled to \$32.00 a week compensation for six weeks lost time and also to the payment of all his medical bills. When the case comes up for a compensation hearing, the company informs the referee that before they will pay compensation they want Wilson's doctor to testify as to why he feels that the ulcer came from the accident. This causes some delay in Wilson's compensation claim, but in the meantime he is receiving \$40.00 per week as "Disability Benefits" or a total of \$240.00 for six weeks. Finally, Wilson's doctor testifies and the referee rules that the ulcer did, in fact, come from a blow at the plant. He gives Wilson an award for six weeks compensation at \$32.00 or a total of \$192.00 and at the same time orders that this money be paid back to the insurance company which laid out the \$240.00 as "Disability Benefits."

The question might be asked as to why Wilson should have gone to all this trouble to establish his right to compensation benefits if the only result was that all of this money was to be paid to the insurance company. The answer is that by establishing his rights to compensation, Wilson has not only also established his right to the payment of medical bills as well, but has also established his right to medical care or lost time payments for 18 years after the accident. This type of protection is not given by the claim which he filed for "Disability Benefits" alone.

Workers who are injured or totally disabled because of a condition arising out of their employment, should be careful always to file both claims—a claim for compensation and a claim for sickness benefits.

Ask Your Shop Steward
About
U. E. LOCAL 301's
Discount at
HILLS JEWELRY CO.

U.E.-G.E. Conference Board Meets in Lynn

Last Saturday the U.E.-G.E. Conference Board held a meeting in the City of Lynn, Mass., in order that the G.E. workers from that city, many of whom are members of the I.U.E., could attend. Along with the regular delegates to the Conference Board representing G.E. workers all over the country, the Lynn G.E. workers, members of the U.E. Campaign Committee, were present. Schenectady U.E. Local 301 was represented by James J. Cognetta, Leo Jandreau and Fred Pacelli.

The delegates discussed the coming negotiations with the Company next April and pointed out the need for joint action of all Unions dealing with G.E. A telegram was sent from the U.E. Conference Board to the Chairman of the I.U.E. Conference Board, which was in session in Boston, requesting unified action in the 1954 contract negotiations. The telegram pointed out that the negotiations would take place in a different atmosphere in 1954 with unemployment present in every area where G.E. plants were located. The message reminded the I.U.E. officers that the Company was taking full advantage of the decrease in work and the speed-up and wage cutting campaign was present now in every plant.

During the G.E. Conference Board meeting a Radio broadcast was arranged whereby the meeting was on the air for one-half hour over WLYN Station. The Schenectady delegates stressed the need to win the election in Lynn which would unite the Big Three, Schenectady, Lynn and Erie.

Business is 'Real Menace,' IWA Newspaper Warns

Portland, Ore.—"The real dangers which confront our nation today" are not "Communist conspirators" but big business domination of the government, the International Woodworker said in an editorial Nov. 25.

The CIO lumber union's paper said: "We are not worried, in fact it would be ridiculous to suggest, that Communist conspirators are about to throw the Republicans out of Washington and seize control of the U. S."

"But there would seem to be danger that would-be monopolists are gaining greater footholds under the GOP big business regime and that they will distort what remains of our competitive economic system."

The newspaper cited the Eisenhower administration's giveaway program as among the real dangers confront the American people.

CIO Oil Workers Fight McCarthy

Harvey O'Connor, author and former publicity director of the CIO Oil Workers' Union, recently faced McCarthy's inquisition and refused to bow before it.

He told McCarthy that he did not have the right to inquire into his political or Religious views. He was subpoenaed by McCarthy because some of his books have been placed in the overseas information libraries of the U. S. State Dept.

Following his testimony, at his home in Providence, R. I., where he was met by a group of reporters seeking information on his testimony, he freely told the Providence newspapermen that he was not a Communist and never had been a Communist. He stated he was willing to tell anyone how he stood except on demand from such as McCarthy and his like. For taking this position Harvey O'Connor was cited for contempt by McCarthy. Immediately following his appearance before McCarthy, the CIO Oil Workers offered him full support. O. A. Knight, President of the Oil Workers' Union said, "In every way during my years of association with him, he has conducted himself in a manner which leads me to believe he is a firm believer in democratic government and a firm believer in the civil rights guaranteed to the citizens of this nation". Harvey O'Connor is the author of many books including: "Mellon's Millions", "Steel Dictator", "The Astors", etc.

O'Connor indicated before appearing before McCarthy that he realized he might face contempt and ultimately receive a jail sentence. He further stated he believed someone has to take a stand in these matters before inquisitors like McCarthy and he was one willing to do so.

Harvard President Condemns Probes

Last month President Pusey of Harvard was awarded an honorary degree, a Doctorate of Laws, from Yale. President Pusey, who has been in dispute with Senator McCarthy over his "probe of communism", pointed out the need for Universities and Colleges to unite so as to combat the attacks against them. He stated that this was necessary because there have been many attacks on Universities from the inside and outside, on the one side by people professing to serve the public and who find it convenient to discredit Universities. We agree with President Pusey, in fact the President of any Trade Union could make the same statement by merely changing the word "Universities" to "Unions".

ELECTRICAL UNION NEWS

THE VOICE OF THE UNITED ELECTRICAL, RADIO & MACHINE WORKERS OF AMERICA U.E. LOCAL 301

Vol. 11 — No. 48

SCHENECTADY, NEW YORK

Friday, December 18, 1953

UE Xmas Parties— For 6,000 Children

OUR KIDS ARE GOING TO GET Candy— (a ton) Presents— (\$5,000 worth)

The First Party is This Saturday at 1:00 P.M. and the Second Party is at 4:00 P.M. at MT. PLEASANT HIGH SCHOOL — Forest Road

Mayor Wemple will be the gracious host at the 1:00 P.M. shindig.

City Manager Cohen will manage the 4:00 P.M. session.

We'll do it again Sunday, Same time and place. Commissioner Vosburg and Sheriff Caulkins will be hosts.

ON TUESDAY, DEC. 22 there will be another Christmas Party at UE Headquarters 301 Liberty Street NOON 'TIL NINE

Signed: JAMES COGNETTA, President, UE Local 301 "Buck" PHILLIPS Xmas Chairman

* All funds for Christmas parties raised through UE's Field Days, Clambakes, Dances

GE Wants Squealers To Destroy Unity, Jandreau Warns

"You are trying to create a situation in which workers will squeal on one another . . . you are trying to break down the unity of GE workers, their confidence in each other and in their union . . ."

This and more, was told Manager A. C. Stevens by Leo Jandreau at their meeting on Tuesday. The subject was the company's announcement that it will fire workers who don't answer all questions.

Jandreau and Executive Board Members present at the meeting stated emphatically that the new policy was anything but an anti-sabotage measure.

"It's a pry, spy, snitch and squeal policy," Jandreau said, "and has nothing to do with security."

"We said to Mr. Stevens, suppose a man called in for questioning said he was willing to answer any questions about himself and all questions about espionage but not be an informer against others. Would that satisfy you?"

"Mr. Stevens said 'no'. He has to answer all questions. We pointed out that squealers are despised by workers. Mr. Stevens insisted it was not enough for workers to speak just for themselves.

"And there you have the crux of the new G.E. personnel policy," Jandreau emphasized. "G.E. wants its employees to feel that everyone of them is on the spot. It wants them to be suspicious of one another, distrustful of each other, fighting each other to bear tales to the company as the best way to advance in company favor."

"This, he said, "is the opposite of unity or union. It is the climate in which legislation can be passed to crush free trade unions and end free collective bargaining as proposed in the Butler Bill endorsed by GE."

"The only way GE can hope to put over its pry, spy, snitch and squeal policy is to pretend that it's for 'the good of the country.' In fact, Stevens said just that.

"Need we remind Mr. Stevens that UE and its members are opposed to sabotage and there has never been an instance of sabotage against any UE leader or member."

Jandreau said the Executive Board reminded Mr. Stevens that he has just let many guards go and made identification badges scarce as hen's teeth. So why the sudden security crisis? Stevens flushed at the obvious contradiction.

GE Acts to Use Clearance As Club Against Workers

GE Race Track Steward Louis Passikoff, cleared on three different projects, has been stripped of his clearance because of a work stoppage on Monday, Dec. 7, the employees in his group charge.

A petition signed by 69 Race Track workers nails the company's action to relieve Passikoff of his clearance as "a reprisal against us in our fight to get our grievances settled."

The company is notified through the petition that the workers will not "condone penalties against those who represent us." The Passikoff incident shows how the company intends to proceed against workers who fight hard on grievances.

UE NEEDED 740 TO WIN LYNN

UE came within 740 votes of regaining bargaining rights in GE Lynn as nearly 10,000 production and maintenance workers went to the polls through a McCarthyite barrage from GE officials, newspapers and the Man Himself, Joe McCarthy.

The vote was 5546 for IUE-CIO and 4806 for UE. There were 533 challenged votes and 66 no union votes. A switch of 341 votes would have given UE the victory.

Observers of the election agree that the overwhelming majority of GE workers simply did not believe McCarthy, GE or Carey about "spies".

The IUE's Chief Steward in the jet engine works, Pat Walsh, publicly branded the Republican Senator from Wisconsin a "union-buster", after a stormy executive session.

Other subpoenaed IUE-CIO and AFL members refused to cooperate with McCarthy or give up their right to the 5th Amendment.

It is obvious from the voting that neither side took stock in the spy tales screamed at them by GE, McCarthy, Carey. The division was substantially what it was two years ago, even closer.

It is generally agreed however, that McCarthy helped tip the scale in the close contest.

Declaring that the true issue was better food, clothing and shelter, UE President Albert J. Fitzgerald remarked, "this is not the first time that a corporation and its accomplices in politics and labor have managed to confuse the issue with the false cry of 'Communism!'"

It is encouraging, Fitzgerald added, that so many GE workers said with ballots they do not believe the issues are as stated by McCarthy, GE and Carey.

Employers Kick About Compensation Costs

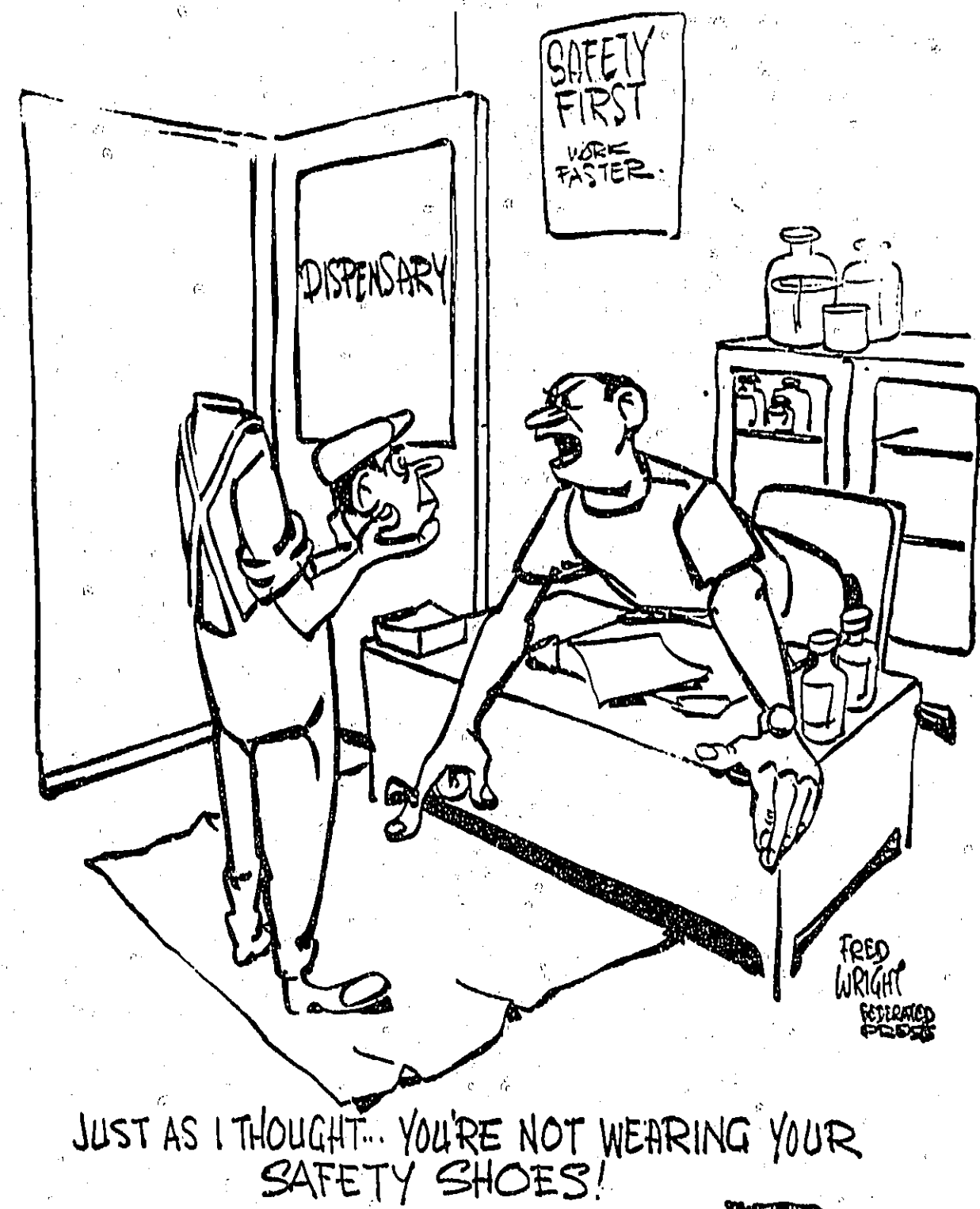
Workers who have been injured and forced to live on \$32.00 a week will be surprised to hear that employers in New York State are asking for law changes which will force the rate of compensation downwards.

This week, in New York City, at the demand of industry and employer associations, a commission appointed by Governor Dewey began its hearings to discover "why the cost of compensation for injured workers is so high" and to recommend measures which would "bring relief to the employers. In the opening hearing, the chairman of the commission stated that one of the purposes of the investigation would be to see "that business is not burdened with an expense which would drive business from the state and reduce employment possibilities."

Organized labor in New York State has issued statements in support of the meager allowances which are made to injured workers and are demanding that these benefits should be increased rather than reduced. A representative of one labor organization pointed out at the hearing that although weekly compensation benefits had been increased only 60% in a period of 40 years from \$20.00 to \$32.00 per week, wages had risen in the same period from \$11.01 to \$71.75 per week or 551%.

Employer associations, besides seeking to force down the weekly rate of compensation for injured workers are also seeking to take away the present right of an injured worker to go to his own doctor when injured and instead to have him go to a doctor chosen from a list made up by the employer. These employer associations are also asking that the law be changed so that certain diseases, like loss of hearing from noisy jobs, be dropped altogether from the law, so that workers permanently disabled from these diseases be left without any protection despite the fact that they may be permanently crippled by such diseases.

Some labor leaders have pointed out that while the big attacks which are being made by employers on labor unions and the working people hit the front pages of the newspapers so as to keep the workers pre-occupied with protecting their unions, employers take advantage of this situation to take away the meager protection which workers have won over the years. It is not by accident that at this time, employers seek to make inroads on workmen's compensation, social security and unemployment insurance. The legislative committee of Local 301 plans to take steps to protect Schenectady workers on all of these fronts.



Factory Hiring Declines Again, Layoffs Increase

Washington—The hiring rate in factories declined from 40 per 1,000 workers in September to 34 in October, the fourth consecutive monthly decline, the Labor Dept. reported Dec. 8. At the same time the layoff rate increased from 15 per 1,000 workers to 18.

The department's Bureau of Labor

Statistics said the hiring rate decline was larger than usual for the time of year. The cumulative drop in hiring left the October rate 33% below the average for the month since World War II. The declines were felt most severely in ordinance, primary metals, electrical machinery, rubber and lumber.

Bldg. 273: Although there has been no change in method, supervision has cut standard prices on sub-arc welding. The Union demands standard prices be restored.

Bldg. 273: The group under Foreman Sugalski request proper payment for extra cost involved in checking and aligning on the angle job due to slipping on the fixture.

Bldg. 273: F. Hogan and D. Barnum request average earnings for time lost as a result of hobs being moved from rack at machine to the tool crib.

Bldg. 273: The 3rd shift Tool Grinders demand correction of the general attitude and methods of supervision used by Foreman L. Chase.

Bldg. 269: L. Gentile wants a time study on copper and nickel plating job. The price of \$.08 per barrel is inadequate.

Bldg. 269: R. Nedvidek was taken off his regular work to perform work on 870 tubes. The Union demands he be paid average earnings instead of AER.

Bldg. 269: T. Banaszewski was informed a time study would be taken on Job N-27011-NT because of a change of method. Time study was not taken and he was only paid PW-DW. Union demands average earnings.

Bldg. 269: H. Lewis did rework on 400 pieces on Job 5545 leads. He made only 100 of the pieces originally. The Union demands average earnings for the other 300 pieces.

Bldg. 273: D. Runkle and D. Valentin request increase in their job rate. Braze Carbonyl, from 1.905 AER to 1.965 AER.

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ELECTRICAL UNION NEWS

You Can't Have Good Unionism and McCarthyism, too

Here Is McCarthy's Labor Record

Here is the documented proof that McCarthy is out to do a hatchet job on American labor. McCarthy's voting record on issues affecting labor is just about the worst in the entire Senate. In fact, by an almost unanimous vote of Washington newspaper correspondents, the Republican Senator from Wisconsin, won the title of "worst Senator" in the United States.

Here is McCarthy's record on labor:

His first public utterance on labor concerned the coal strike of 1946. Said McCarthy: "The Army should draft the striking Coal Miners. That would solve the problem."

His labor voting record in the 80th Congress covering 1947-48 was scored "an even zero" by the Wisconsin Capitol Times.

—McCarthy voted for Taft-Hartley.

—He voted for a bill to cripple social security.

—He voted against the Taft-Ellender-Wagner bill for more housing.

—He voted to do away with the excess profits tax on corporations like GE.

—He voted against any soil conservation program.

—He voted with the real estate lobby against effective rent controls.

—He voted with the railroad lobby to exempt the railroads from anti-trust laws.

—He voted against federal aid to education.

—He voted for the rich man's tax bill.

In 1947, McCarthy proposed an amendment to Taft-Hartley which would allow any boss to fire a worker whom the boss considered a communist.

McCarthy's 1949-50 anti-labor voting record was as follows:

—He voted for government seizure of struck plants by injunction.

—He voted to continue Taft-Hartley.

—He voted for an amendment denying loans to small farmers for minor farm improvements.

—He voted to give the NLRB counsel continued power to harass unions under T-H.

—He voted against providing better and cheaper homes for low income families.

—He voted to defeat President Truman's civil rights program.

—He voted for an amendment weakening workers' jobless rights.

—He voted for the Kerr bill to increase gas rates.

—He voted to deny loans to farmers on their crops.

In 1952, his labor voting record was 100% wrong by CIO standards.

—He voted to use a Taft-Hartley injunction against striking steelworkers.

—He voted against a rollback of prices on meats and other commodities causing consumers billions in higher prices.

—He voted for an amendment to publish the names of those unfortunate people on relief.

—He voted against further construction of public housing units.

—He voted to hand over vitally needed tidelands to wealthy oil companies.

—He voted for the McCarran immigration bill over the President's veto. This law gives immigration officials arbitrary powers and threatens militant trade unionists who are foreign born with deportation.

The last Congress, the 83rd, passed little legislation directly concerned with the needs of labor. Most of the time was spent in appropriating funds for all sorts of investigations by all sorts of

Congressmen. McCarthy, however, once again voted 100% anti-labor.

—He voted to confirm a former lobbyist for the real estate interests, Albert Cole, as head of the federal housing agency.

—He voted on two separate occasions not to allocate revenues from offshore oil to education.

—He voted to deny funds for a study of what is happening to the shrinking consumer dollar.

—He voted against a bill to increase money spent on needed hospital construction.

—He voted against the Saltonstall amendment requiring the government to put work into areas hard-hit by unemployment.

The Republican Senator's damaging record on labor will help alert those who have accepted at face value so much of McCarthy's rantings against unions, educators, high government leaders and the Constitution itself.

Labor Looks At McCarthy

McCarthy is "a glib-tongued demagogue who... has become the symbol of a galloping fascism which could destroy our Bill of Rights, our labor movement and all our cherished liberties."

United Rubber Workers—CIO.

McCarthyism is "a subversion of American principles." George Meany, President of the A. F. L.

"McCarthyism is ugly, un-American and immoral." Walter Reuther, President of the C. I. O.

"... I do know what we have now with this alliance of Big Business and big government. Combined with McCarthyism is a creeping fascism."

Emil Rieve, President, Textile Workers of America, C. I. O.



Washington—As the National Association of Manufacturers and the U. S. Chamber of Commerce were renewing their drive for an amendment of the Taft-Hartley law, the U. S. Supreme Court ruled that an employer can fire his workers for publicly deriding him or his company.

Denver—In two separate decisions, the Colorado Courts have slapped down the Unemployment Compensation Commission for harsh rulings depriving unemployed workers of jobless benefits.

(Continued on Page 4)

The Emspak Appeal

Reprint from the "Catholic Worker", official news organ of the Catholic Worker Movement and member of the Catholic Press Association, published at 223 Chrystie St., New York City.

The U. S. Supreme Court has set the last week of November as the time to hear an appeal on the case of Julius Emspak, Secretary-Treasurer of the United Electrical Workers Union, for his refusal to answer 68 questions before the House Un-American Committee, on Dec. 5, 1949.

This is the first case where the power of a Congressional Committee to curtail freedom of speech as guaranteed in the First Amendment has been brought to the Supreme Court. There is no question of guilt other than "Contempt of Congress," which brought a 6-month sentence and a fine of \$500 on Feb. 26, 1951. This contempt consists in refusing to answer

questions about his fellow members of the union, and concerning their political and economic beliefs, as well as his own.

McCarthy and the Tories who support him have never been known to show an interest in any of the principles of freedom associated with the name American in the days when immigrants welcomed the Statue of Liberty. Just as the DAR is as far removed from anything revolutionary as it is possible to be so are the members of the House Un-American Committee the most un-American people in this country.

Einstein has given the best way of answering these bigots: a refusal to recognize their jurisdiction; a refusal to appear before them. Once you appear there is always a Gitlow or a Budnez to fabricate stories about your past.

Ammon Hennacy.

UE 301 ON THE JOB!

Bldg. 40: The group working under Foreman O'Brien has protested the fact that Wage Rate starts time studies but will not complete them. The Union demands a proper time study.

Bldg. 60: The group doing safety guard work demand that management abide by their commitment whereby trade groups would do their own work until decentralization was established.

Bldg. 60: R. Menia and E. Seguin request upgrading to Class "A" Safety Guard Makers for which they are qualified.

Bldg. 60: William Wood wants piece work prices applied to the pipe threader as supervision promised. He also wants to be assigned to available piece work jobs instead of using a day worker.

Bldg. 60: R. Legor wants a set of O.K. tools so that he does not have to borrow from the 42' mill affecting production and efficiency.

Bldg. 68: The Glaze Porcelain Dry Hand group want their average earning rate properly figured by eliminating one worker who

does not regularly work in this group.

Bldg. 69: The test group under Foreman Jones request a proper increase in price on the 7008 panel job.

Bldg. 77: Foreman Slater has taken over duties such as sweeping floors, driving trucks, operating elevator. Union demands sufficient help be engaged to properly cover these duties.

Bldg. 77: The Pilot Plant Operators request an increase in job rate to compensate for work and responsibility now assigned to them but formerly done by engineers.

Bldg. 107: Grounds and Buildings Painters are protesting the fact that Control Division does not use them in painting machinery. Union demands these Painters be assigned this work according to past practice.

Bldg. 107: The group under Foreman Bathrick are protesting the use of outside contractors to sand floors in Bldg. 41. The Union demands that this practice be stopped.

Thousands of grievances are handled by UE Local 301 each year at all levels from the steward up to final appeal in New York City. To keep members posted, we shall each week list some of the grievances that have not been settled at the steward-foreman level and have been referred to the executive board-management level.



WHAT WE NEED IS A COMBINATION CHRISTMAS GREETING AND LAYOFF NOTICE...

When the Shoe Hurts—

Union members should note with interest a decision handed down last week by the New Jersey Supreme Court regarding the principle established by the First Amendment to the U. S. Constitution.

The case arose as a result of the Town of Absecon, N. J., in 1946 amending its business-license law so that it included newspapers. One published paid the \$50.00 license fee each year under protest until 1951. He refused to pay further and this year was convicted and fined \$50.00 for continuing publishing in violation of the business license law. He appealed this decision with the result that the New Jersey Supreme Court unanimously reversed the conviction.

Of course this victory will be hailed by the press since it is a resounding defeat for those who would try to limit "freedom of speech or of the press" as guaranteed by the First Amendment. Naturally if politicians could license newspapers (or Unions,) they could also refuse them licenses and as a result control them to their own liking.

It is difficult to understand how this same Free Press will recognize and fight any attempts to limit its freedom but at the same time heartily endorse the same attempts to limit the freedom of trade Unions. You'll find the vast majority of newspapers endorsing anti-Union legislation such as the Butler Bill which would "license" Unions even though they praise the Supreme Court for prohibiting the licensing of newspapers. Could it be that the press thinks the American

public is naive enough to believe that trade Unions are a menace to our Government but newspapers could never be? Which has more control over the people's actions and beliefs (political included)—trade Unions or Newspapers? You can judge for yourself.

Lawyers Ask Injunction Against Brownell

Washington—The National Lawyers Guild has filed in district court a petition for an injunction against Atty. Gen. Herbert Brownell to prevent him from placing the guild on his list of so-called subversive organizations.

The petition, filed by Attys. Joseph Forer, Osmond Fraenkel and Earl B. Dickerson, charged Brownell prejudiced any administrative hearing which may be held on the case by a speech last August before the American Bar Association in Boston. In the speech, the guild charged, Brownell declared the guild was the "legal mouthpiece" of the Communist party.

The suit charged that this statement would prejudice any action by Subversive Activities Control Board to determine whether the guild is subversive.

The professional life of 2,000 attorneys, who are members of the guild, would be endangered by such a listing, the suit said. It sought an order restraining the attorney general from taking any further action on the case.

Denver Post Says Loss of Rights Under 5th Amendment To Bring 'Police State'

A strong defense of the fifth amendment to the U. S. Constitution and a warning that penalizing those who use it is a step toward "a police state" came in an editorial in the Denver Post of November 22.

The editorial appeared after Atty. Gen. Herbert Brownell's attack on President Truman and his demand for laws stripping witnesses of the right to use the fifth amendment and authorizing the use of wiretap evidence. The Post noted that Sen. Joseph R. McCarthy (R, Wis.) has proposed a law to deny tax-free status to any educational institution having a faculty member who has invoked his rights under the fifth amendment and refused to testify.

"Sen. McCarthy and others have helped create in the public mind the impression that anyone who uses the right to refuse to testify must be guilty per se," the Post said. "Such an impression is contrary to common sense, law and history.

"It is reasonable to suppose the framers of the Constitution put in it a provision which would protect only the guilty—a protection the innocent would never need? And what value would the right of refusal to testify have if the use of that right were no more than silent confession of guilt?"

The editorial pointed out the principle involved in the fifth amendment is based on the maxim of English common law, "No man is bound to accuse himself," which grew out of the excesses of the Inquisition. "The purpose of the Inquisition was to punish heretics—persons who did not agree with all the teachings and tenets of the church," the Post said. "In trials during the Inquisition no one could refuse to answer any question regarding his beliefs. If he tried to refuse he was tortured. He had no right to know who accused him."

Continuing its historical analysis of how the privilege developed, the Post said: "Our courts have been living with the right of refusal to testify for a long time . . . In most courts it is well recognized that the accused need not take the witness stand if he does not wish to do so. He has that right under the fifth amendment.

"In most courts the prosecutor is not allowed to comment on the fact that the defendant did not testify. The exercise by the defendant of his right to silence may not be made to appear as a suspicious circumstance . . . But congressional committees, which are so new at the investigation business that they

have failed to adopt proper rules of procedure, have frequently shown impatience with rights under the fifth amendment . . . If courts suddenly displayed the same lack of feeling for the spirit of the fifth amendment that some congressional committees have shown, the entire country would be shocked."

The Post said opponents of the fifth amendment keep asking: "If a man is not a Communist, how could he possibly incriminate himself by saying he is not?" It pointed out that there are many possible explanations.

"He might, for example, know that someone had accused him of being a Communist and he may fear that if he answers the question he may find himself facing a perjury trial with his word pitted against that of his accuser. In such a circumstance the prudent course might be to refuse to talk."

"Those who take the position that only the guilty need the protection of the fifth amendment must, to be consistent, take the additional position that innocent persons are never falsely accused and suspected."

TAKE IT FROM HERE—

(Continued from Page 3)

San Francisco—The House un-American Activities committee wound up hearings here, leaving an atmosphere of bitterness, warnings and threats.

Philadelphia—The Pennsylvania railroad has announced layoffs of 6% of its work force, an estimated 7,400 workers.

Detroit—The Defense Dept. of the U. S. government, according to the UAW-CIO, "has apparently placed its full stamp of approval on a gigantic unionbusting taxpayer financed campaign to break this (North American) strike during this 60-day period."

San Francisco—Activities in this port came to a dead halt as thousands of longshoremen stopped work to demonstrate against the House un-American activities committee's witchhunt against their union.