Civic and Political Status

CIVIL RIGHTS *

The three major events of the period covered by this review (October 1, 1957, through September 30, 1958) were the decision of the United States Supreme Court in the Little Rock school case; the closing of public schools in Arkansas and Virginia to avoid compliance with Federal courts' desegregation orders, and the enactment by New York City of the first law in the United States prohibiting discrimination in private housing.

EDUCATION

With the reopening of the public schools in September 1958, the 17 Southern and border states and the District of Columbia, which had required racial segregation in their public schools before May 17, 1954, presented substantially the same varied and complex picture as the year before from West Virginia and Missouri, where the desegregation process was virtually completed, to Alabama, Georgia, Mississippi, South Carolina, and Virginia, where desegregation had not yet begun. In Virginia nine public schools in three cities were closed to avoid compliance with court-ordered desegregation. Florida and Louisiana, while maintaining segregation intact in elementary and high schools, admitted Negro applicants for the first time to their state universities. The table following presents the status of desegregation in the 17 states and the District of Columbia in September 1958.

STATUS OF DESEGREGATION IN THE 17 SOUTHERN AND BORDER STATES AND THE DISTRICT OF COLUMBIA IN SEPTEMBER 1958

<table>
<thead>
<tr>
<th>State</th>
<th>Status of Desegregation</th>
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<tbody>
<tr>
<td>Alabama</td>
<td>No desegregation.</td>
</tr>
<tr>
<td>Arkansas</td>
<td>Desegregation in effect in nine school districts. Four public schools closed in Little Rock. Tension present for a few days in Van Buren and Ozark, but those districts continued desegregated.</td>
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<tr>
<td>Delaware</td>
<td>Twelve school districts of a total of 97 desegregated. No new districts added since 1956.</td>
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<tr>
<td>District of Columbia</td>
<td>In the fifth year of desegregation, no tension or demonstrations; Negroes increasing to 73.8 per cent of the student body.</td>
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* Civil Rights refer to those rights and privileges which are guaranteed by law to each individual, regardless of race, religion, color, ancestry, national origin, or place of birth: the right to work, to education, to housing, to the use of public accommodations, health and welfare services, and facilities; and the right to live in peace and dignity without discrimination, segregation, or distinction. They are the rights which government has the duty to defend and expand.

1 American Jewish Year Book, 1958 [Vol. 59], pp. 44-69.
**State**  
**Florida**  
No desegregation in elementary or high schools, but the first Negro students admitted to the University of Florida without incident.

**Georgia**  
No desegregation.

**Kentucky**  
Progress, with 117 districts desegregated of a total of 171 bi-racial districts. More than 80 per cent of the state's Negroes in the desegregated school districts. No incidents.

**Louisiana**  
No desegregation in elementary or high school, but the first Negro students admitted to Louisiana State University with little disturbance.

**Maryland**  
Five thousand more Negro pupils in integrated classes, with 14 of 23 counties having some desegregation.

**Mississippi**  
No desegregation.

**Missouri**  
Only two counties, in the southeastern corner, with no progress. Estimated 95 per cent of Negro children in districts which have begun or completed desegregation. Records no longer kept of racial composition of classes or schools.

**North Carolina**  
Token desegregation continuing in Charlotte, Greensboro, and Winston-Salem, with no violence or disorders but some tension.

**Oklahoma**  
Almost a fifth of the 35,000 Negro public-school children in desegregated schools. More than 431 public schools estimated to have students of both races.

**South Carolina**  
No desegregation.

**Tennessee**  
Only Oak Ridge, Clinton, and Nashville schools desegregated, Nashville extending integration to the second grade. On October 5, 1958, three bomb blasts rendered the Clinton High School unsafe. The children were then transported by buses to Oak Ridge. Meharry Medical College admitted the first two white students in its 82-year history.

**Texas**  
One hundred twenty-four of more than 700 bi-racial school districts desegregated, principally in the West and South where the Negro population was small. Desegregation delayed again in Dallas.

**Virginia**  
Nine public schools closed in Front Royal, Charlottesville, and Norfolk to avoid compliance with final Federal court orders directing the admission of Negro students. More than 12,000 elementary- and high-school children out of schools. Desegregation delayed again in Arlington and Prince Edward counties.

**West Virginia**  
Desegregation completed. No violence or demonstrations when schools reopened in September 1958.

**Little Rock**

The period under review opened with an uneasy truce between the Arkansas authorities, publically committed to preventing Negro children from attending Central High School in Little Rock, and the Federal government, which had intervened with army troops to enforce a Federal district court decree ordering the admission of nine Negro children to the high school.²

The number of Federal troops stationed at Central High School was reduced drastically after the first few weeks, and by November 27, 1957, they were re-

² Ibid., pp. 45–48.
placed by federalized Arkansas National Guardsmen who remained until the close of the school year. One of the nine Negro children, Minnie Jean Brown, was expelled on February 18, 1958, for what school officials called "her repeated involvement in racial incidents" and what she described as "answering back after intolerable provocation." She accepted a scholarship to the private New Lincoln School in New York City. The eight remaining Negro children continued to attend Central High School for the rest of the year, despite repeated attempts by a small group of white students to provoke fights and disorders. One Negro student, Ernest Green, was graduated on May 27, 1958.

On February 20, 1958, the Little Rock school board petitioned the Federal district court for a 2½-year postponement of desegregation, contending that public hostility to desegregation made it impossible to maintain a sound educational program. On June 20, 1958, Federal District Judge Harry J. Lemley granted the school board's petition, on the ground that there had been "chaos, bedlam, and turmoil" in the school, "repeated incidents of more or less serious violence directed against the Negro students and their property" and "tension and unrest among the school administrators, the classroom teachers, the pupils, and the latters' parents, which inevitably had an adverse effect upon the educational program." 3 Judge Lemley refused to stay his judgment pending appeal by the Negro respondents to the Court of Appeals. This meant that the Negro children would be barred from Central High School in September 1958 unless either the Court of Appeals or the Supreme Court, both of which were about to recess for the summer, could be induced to hear immediate appeals or convene special terms before September to hear the case.

On June 30, 1958, the last day of its regular term, the Supreme Court refused to entertain a direct appeal from Judge Lemley's decision because the Court of Appeals was "the regular court for reviewing orders of the District Court" and because the Supreme Court had "no doubt that the Court of Appeals will recognize the vital importance of the time element in this litigation, and that it will act . . . in ample time to permit arrangements to be made for the next school year." 4

On August 4, 1958, the United States Court of Appeals for the Eighth Circuit met en banc in special term and heard the appeal of the Negro respondents. Two weeks later, on August 18, the court, with one dissenting vote, reversed Judge Lemley because the "temporary delay" requested by the Little Rock school board "would amount to an open invitation to elements in other districts to overtly act out public opposition through violent and unlawful means. . . . We say the time has not yet come in these United States when an order of a federal court must be whittled away, watered down, or shamefully withdrawn in the face of violent and unlawful acts of individual citizens in opposition thereto" 5 (italics in the original). The Court of Appeals, however, stayed its mandate to permit the school board to appeal to the Supreme Court. This necessitated a special term of the Supreme Court to render a final decision in time for the beginning of the 1958–59 school year.

With the Little Rock schools scheduled to open on September 15, 1958, the

4 Aaron v. Cooper, 357 U.S. 566.
5 Aaron v. Cooper, 257 F. 2d 33, 40.
Supreme Court unanimously affirmed the Court of Appeals decision on September 12 and ordered the school board to continue with its program of desegregation. It was not, however, until September 29, 1958, that the court's opinion was released. The court accepted the good faith of the school board in the litigation and attributed the unsettled conditions at Central High School directly "to the actions of legislators and executive officials of the State of Arkansas, taken in their official capacities, which reflect their own determination to resist this Court's decision in the Brown case..." The Court then reasoned that the school board and the superintendent of schools must be deemed to stand in the pending case as "agents of the State" and that the constitutional rights of the Negro children could not be "sacrificed or yielded to the violence and disorder which have followed upon the actions of the Governor and Legislature." The opinion emphasized that the Court would strike down all "evasive schemes [to perpetuate] segregation whether attempted 'ingeniously or ingenuously.'" 6

The opinion went out of its way to strike at "interposition" and "nullification" doctrines by emphasizing that "the interpretation of the Fourteenth Amendment enunciated by this Court in the Brown case is the supreme law of the land" binding upon all the states, anything to the contrary in their constitutions or statutes notwithstanding. "Every state legislator and executive and judicial officer is solemnly committed by oath" to support and defend the Federal Constitution, and "a Governor who asserts a power to nullify a federal court order" may be "restrained."

School Closings

Faced with a final determination that Central High School must continue its desegregation program, Governor Orval E. Faubus on September 12, 1958, signed into law some 15 resistance measures enacted by the special session of the Arkansas legislature, which had recently adjourned. One of those laws authorized the governor to close any public school in the state. Also on September 12, Governor Faubus publicly proclaimed the closing of Central, Hall, Technical, and Horace Mann High Schools, the last being the Negro school, thus interrupting the education of almost 3,700 high-school students in Little Rock. In a special referendum to determine whether the closed schools should be reopened on a desegregated basis, on September 27, 7,565 votes were cast for and 19,470 against the proposition. The four high schools remained closed as the reporting period drew to an end.

At the same time the "massive resistance" sponsored by Senator Harry F. Byrd of Virginia was being put to the test in that state. Warren County High School in Front Royal, Va., was closed on September 15 by order of Governor J. Lindsay Almond, Jr., to avoid the admission of 22 Negroes who had won a final Federal district court decree. More than a thousand high-school students were thus kept out of school. A week later, on September 22, Lane High School and Venable Elementary School in Charlottesville, Va., were similarly closed, keeping 1,700 more students out of their classrooms. The following

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6 Cooper v. Aaron, 78 S. Ct. 1401.
Monday, September 29, six schools in Norfolk, with ten thousand pupils, were ordered closed by Governor Almond.

Several meager attempts were made in Arkansas and Virginia to establish television instruction and small tutoring units to provide some form of instruction for the locked-out students, but it soon became apparent that private schools could not be organized overnight to replace the public-school system. Since public buildings could not be used, public funds could not be expended, and public-school teachers could not be employed without danger of citation for contempt of court for aiding and abetting the violation of court orders, the problems of quickly organizing private schools were almost insurmountable.

Northern States

New Jersey

At Princeton University a controversy broke out on February 9, 1958, when 22 of 728 eligible sophomores were not invited to become members of any of the 17 eating clubs. (The 17th, with the lowest prestige, undertook in 1958 to accept any student not invited to the other clubs.) Since 15 of the uninvited students were Jewish, they charged religious discrimination. The Inter-Club Council defended “selectivity,” including the right of a club “to impose a religious quota,” while the Undergraduate Council, the Student Christian Association, and several faculty members publicly denounced religious discrimination. On February 22, President Robert F. Goheen, “deploring” any practice of religious discrimination, announced plans to build dormitory rooms for some 600 students, apartments for single faculty members, and dining and social facilities for about 250 students. It was felt that once adequate nondiscriminatory facilities became available, no student would be dependent upon acceptance at an eating club for his meals and social life. In April the Inter-Club Council reversed itself and issued a statement that the clubs “disapprove on moral grounds of racial and religious discrimination.”

New York

The Commission on Integration of the New York City Board of Education submitted its final report on September 1, 1958. It urged the board to cooperate in creating racially integrated neighborhoods, to set up a community-relations unit to help stabilize neighborhoods, to proceed with programs to rezone school districts in order to promote integration, to erect new schools in “fringe areas,” and to assign teachers so that every school and every child received a fair number of the able and experienced instructors.

At the beginning of the school year, September 8, 1958, two groups of Negro parents, one in Harlem and the other in Brooklyn, kept 21 children home rather than send them to what they described as “substandard, segregated schools in their neighborhoods.” Private classes were set up and meetings

7 American Jewish Year Book, 1958 [Vol. 59], p. 70.
were arranged between the protesting parents and public-school authorities to try to solve the problem. The children remained out of school as the reporting period ended.

Housing

California

On June 23, 1958, Superior Court Judge James H. Oakley, sitting in Sacramento, California, ruled that real-estate developers who advertise Federal Housing Administration or Veterans Administration terms, conditions, financing, and standards and who have secured "commitments" for such FHA or VA assistance, may not refuse to sell houses to qualified Negro applicants.8

The court reasoned that when the Federal government entered into the field of housing to stimulate construction and make more and better homes available, it was prohibited by "the fundamental law" from differentiating between races, whether the statute expresses that limitation in so many words or not. Those who operate under that law and seek and gain the advantage it confers are as much bound thereby as the administrative agencies of the government which have functions to perform in connection therewith. Congress must have intended the supply of housing for all citizens, not just Caucasians—and on an equal, not a segregated basis.

Colorado

On October 7, 1957, the Supreme Court of Colorado handed down a decision invalidating restrictive covenants designed to limit purchasers of real estate on the grounds of race, color, or creed. Although the case involved the right of a Negro to purchase property in Denver, the opinion, written by Justice Francis J. Knauss, was so sweeping that it voided covenants against acquisition or occupancy by others as well.9

New Jersey

On June 6, 1958, The New York Times reported the launching of the third Levittown, this one in Burlington County, N. J.10 When asked by a reporter whether Negroes would be admitted, William J. Levitt, the builder and developer, said that his policy had always been and remained to limit sales to whites. Protests were immediately voiced by civic, labor, religious, and minority groups. A New Jersey Committee Against Discrimination in Housing was organized. A delegation representing the National Committee Against Discrimination in Housing met with FHA Commissioner Norman P. Mason in Washington on June 18, 1958, to ask the FHA publicly to reject Levitt's application for a "commitment" because he had declared his intention to violate the anti-discrimination laws of New Jersey. Another delegation conferred with Governor Robert B. Meyner on July 7 and urged him to instruct the New Jersey Division Against Discrimination to process speedily any com-

10 The first Levittown was in Long Island, N. Y., and the second near Philadelphia, Pa.
plaints that might be filed against Levitt and to ask his attorney general to look into the legal possibility of revoking Levitt's corporate charter or enjoining him from operations within the state in violation of the public policy expressed in the constitution and statutes. In addition, a formal complaint was filed with the Division Against Discrimination. But the first Levittown, N. J., houses were sold early in October 1958 without any change in the announced discriminatory policy.

NEW YORK

The first law anywhere in the nation to prohibit discrimination in the sale or rental of private housing was passed by the New York City Council on December 5, 1957, and signed by Mayor Robert F. Wagner on December 30. The Sharkey-Brown-Isaacs ordinance, which went into effect on April 1, 1958, banned discrimination based on race, color, religion, or national origin in the renting of apartments in multiple dwellings or in the sale of one- or two-family houses in projects of 10 or more units. The Commission on Intergroup Relations was charged with the responsibility to investigate and attempt to conciliate complaints. In the event of failure, the commission was to submit a recommendation to a Fair Housing Panel, appointed by the mayor. If a hearing board of three panel members determined that further action was justified, the case would be referred to the city's corporation counsel for appropriate court action.

On May 5, 1958, Alfred J. Marrow, chairman of the New York City Commission on Intergroup Relations, announced that the first complaint filed under the Sharkey-Brown-Isaacs ordinance, charging religious discrimination, had been settled amicably. By September 30, 1958, 138 cases had been filed with the commission.

A second important victory over discrimination in housing was a decision by the New York State Supreme Court on January 15, 1958, upholding the constitutionality of the Metcalf-Baker law prohibiting racial or religious discrimination in publicly assisted housing. Justice Samuel W. Eager ruled that in the conflict between the rights of the property owner and the inherent power of the state to regulate the use and enjoyment of private property in the interest of the public welfare, "the power of the state, when reasonably exercised, is supreme." The opinion then held the state statute to be a reasonable exercise of state authority and hence constitutional. On September 30, 1958, Charles Abrams, chairman of the State Commission Against Discrimination, announced that the owners had withdrawn their appeal from the ruling and had agreed to offer the first available apartment to a qualified and acceptable Negro family.

EMPLOYMENT

The President's Committee on Government Contracts sponsored a broad educational program in May 1958 to stress equal job opportunity in employ-

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ment on work under government contracts. Transit cards carrying the message of nondiscrimination were displayed throughout the country. Governors and mayors in many states and cities proclaimed the period from May 11 to May 17, 1958, as Equal Job Opportunity Week. Spot announcements describing the requirement of nondiscrimination in plants engaged in producing for the government were offered to and used on TV stations throughout the country, and Equal Job Opportunity stamps were distributed for use on the backs of envelopes during the educational campaign. Many private civic agencies cooperated with the President’s committee in its program.

On February 19, 1958, the committee opened its second regional office, in Los Angeles. The other regional office was in Chicago.

WASHINGTON, D. C.

On April 9, 1958, the Board of Commissioners of the District of Columbia established a Council on Human Relations to advise and assist the governing board of the District in securing compliance with the nondiscrimination clause required in all District contracts pursuant to a 1953 policy of the Board of Commissioners. The council was also to advise the board in promoting good intergroup relations.

CALIFORNIA

The results of a three-year survey of employment practices and opportunities in San Francisco were released in August 1958 with the publication of a 345-page report by the local Council on Civic Unity. The survey found employment opportunities widely restricted on the basis of race. Negroes faced the greatest hiring resistance, "followed by Orientals, Latin Americans, and Jews in that order." While "acknowledged public morality in San Francisco generally frowns upon discrimination by reason of race, ancestry or religion," the report noted that over 25 per cent of the companies studied made no claim to a "merit policy" in employment. The study was based on interviews with 100 major employers in private industry, managers of 28 private employment agencies, 21 placement officers in the State Department of Employment, 30 union officials, 5 college placement officers, and executives of 11 minority and anti-discrimination organizations.

On January 7, 1958, Los Angeles failed to pass a fair-employment-practices ordinance. With one member absent, the city council divided seven to seven on the measure.

MICHIGAN

Attorney General Paul L. Adams of Michigan ruled on May 22, 1958, that the state fair-employment-practices statute "has pre-empted the field [of discrimination in employment] leaving nothing in that respect to local municipalities for regulation pursuant to the police power." Municipal ordinances in Ecorse, Hamtramck, Pontiac, and River Rouge, all of which predated the state statute, had been "superseded" and become "inoperative," according to
the opinion of the state's chief legal officer. In Minnesota and Pennsylvania, on the other hand, local ordinances continued to operate, notwithstanding subsequently enacted state legislation.

In July 1958 the Michigan Fair Employment Practice Commission announced the settlement of the largest racial-discrimination case handled by the commission during its three-year history. Charges by 22 Negroes that representatives of Local 334 of the International Hod Carriers, Building, and Common Laborers' Union, AFL-CIO, had discriminated against them in job referrals were settled by an agreement that the local would refer union members to jobs "on the basis of chronological registration for job placement, without reference to race, color, religion, national origin, or ancestry." The local also agreed to display publicly a bi-weekly hiring list, to make sure that union agents took the job applicants in proper sequence.

An August 1958 report of the Michigan Fair Employment Practice Commission found more employment opportunities for Negroes in Lansing than they seemed to realize. A number of employers who were interviewed expressed a willingness to hire on a strict merit basis but claimed that few minority workers had applied for jobs, "probably because they feel that the firm has a restrictive employment policy."

NEW YORK

In November 1957 Chairman Charles Abrams of the New York State Commission Against Discrimination (SCAD) announced that a survey covering Albany, Troy, Rochester, and Syracuse revealed that employment opportunities for Negroes had increased both in unskilled jobs and in highly skilled technical and professional positions. Despite the rapid growth of the Negro population in the areas studied, the survey found a scarcity of Negro applicants to take advantage of the better job openings in many fields.

On March 31, 1958, Chairman Abrams released the following statistics of complaints charging discrimination against Jews filed with SCAD in New York since 1945: 1945–49, 225; 1950–54, 179; and 1955–57, 163. Commissioner Abrams cautioned, however, that the number of complaints filed with SCAD was not an accurate index of the status of Jewish employment in the commercial world.

OHIO

Hearings conducted by Ohio Governor C. William O'Neill's Commission on Civil Rights in August and September 1958 in Cleveland and Columbus elicited testimony from representatives of labor, management, retail merchants, and civic and social organizations. "Considerable improvement" in the employment of members of minority racial groups was reported to the commission, although several spokesmen asserted that they were still far from equal.

On May 7, 1958, the city of Canton adopted two ordinances which together prohibited discrimination in employment on the basis of race, color, religion, or ancestry and established a 12-member Fair Employment Practices Advisory
Board to study, educate, investigate, hold hearings, adjust and reconcile, and recommend and report to the mayor.

Canton thus became the 42nd municipality to adopt such an ordinance.

**PENNSYLVANIA**

On April 28, 1958, the Philadelphia Human Relations Commission, after consultation with the State Fair Employment Practices Commission, ruled that a discriminatory membership requirement of the International Brotherhood of Locomotive Engineers was unlawful in Pennsylvania. The brotherhood was given 60 days to notify its members in the state that the limitation was illegal in Pennsylvania and was also directed to attach a notice to the same effect to all copies of its constitution and by-laws thereafter distributed within the state.

The second annual report of the State Fair Employment Practices Commission, released in July 1958, revealed a 36 per cent increase in the number of complaints filed, to 196. Discrimination was found in about half of the complaints. Thirty-five per cent of the cases were dismissed for lack of probable cause to credit the allegation of discrimination; nine per cent were dismissed for lack of jurisdiction; and seven per cent were withdrawn by the complainants.

**PUBLIC ACCOMMODATIONS**

**Transportation**

Challenges by Negroes to state laws requiring separate seating on buses and trains and in waiting rooms continued to reach the courts. Where constitutional issues were properly raised, the courts consistently voided the segregation measures. In Alabama, the United States Court of Appeals on January 14, 1958, reversed a Federal district court dismissal of a complaint by which a Negro couple sought to establish their constitutional right to use the waiting room in a railroad station in Birmingham marked “For Interstate and White Passengers.”

On February 19, 1958, the United States Court of Appeals affirmed a decision by a Federal district court in New Orleans that the Louisiana statute requiring racial segregation on public transportation facilities violated the Federal Constitution.

On April 9, 1958, the United States Court of Appeals affirmed a Federal district court determination that city ordinances in Miami and state laws in Florida requiring racial segregation in transportation facilities violated the equal-protection and due-process clauses of the United States Constitution.

On June 27, 1958, a special three-judge Federal district court refused to order the Memphis, Tenn., buses desegregated because the court was convinced that the Negro plaintiff had boarded the bus only to lay the basis for a “test case.” The court did not find an actual case or controversy, which is a prerequisite for a suit for declaratory judgment. It therefore dismissed the case.

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13 Baldwin v. Morgan, 251 F. 2d 780.
14 Morrison et al. v. Davis, 252 F. 2d 102.
15 Miami Transit Co., Inc. v. Garmon, 253 F. 2d 428.
Other Developments in Places of Public Accommodations

California

In October 1957 San Francisco's City Recreation and Park Commission was informed that the Harding Park Golf Club, a formerly restricted organization that had become involved in a racial dispute in February 1957, had revised its membership policies and admitted seven Negro applicants. On February 12, 1958, Jesse Teverbaugh, a Negro sergeant in the Marine Corps, won $1,100 in damages from four trailer parks in the San Diego area because they had refused him and his wife accommodations. The settlement resulted from a lawsuit instituted by the Negro couple under the state civil rights law and was reached by stipulation in court. On February 18, 1958, a settlement was reached in another case in San Diego involving a reducing parlor which had refused treatment to two Negroes. In that case the defendant agreed to pay each plaintiff the basic $100 damages authorized by the statute and, in addition, to make a public announcement that it was "willing and ready to give to members of all racial minorities at any time the services" available to whites. In another litigation, a retail shoe store was held on December 13, 1957, by the appellate department of the Superior Court, Los Angeles County, to be a "place of public accommodation" within the meaning of the California civil rights law. The last two cases are significant because the California statute did not expressly include reducing salons or retail shoe stores among the places listed as "places of public accommodation."

Florida

On March 19, 1958, the United States Court of Appeals affirmed a decision of the Federal district court which had ordered Miami and its officials to admit Negroes to the city-owned Miami Springs Country Club golf course on the same basis as other citizens and without restrictions or limitations based on race or color. On April 15 Negroes began to use municipal golf courses in Miami, without segregation and without incident.

Illinois

Early in October 1957 the Chicago city council unanimously enacted a civil-rights ordinance itemizing a long list of public places where racial or religious discrimination was prohibited under penalty of fines up to $200. At the same time the council adopted a resolution calling on city hospital officials to eliminate discrimination against Negro physicians in making staff appointments. The resolution also called upon the corporation counsel to prepare an ordinance to compel compliance with the nondiscriminatory policy.

16 Lambert v. Mandel's, 319 P. 2d 469.
17 City of Miami v. Ward, 252 F. 2d 787.
Michigan

On April 7, 1958, the circuit court of Wayne County granted an injunction against a tavern to prevent any additional acts of discrimination, pending the outcome of a lawsuit commenced by a group of Negro plaintiffs who claimed that they had been refused service because of their race.18

New York

The New York State Conference of Mayors and Other Municipal Officials scheduled its annual convention at the Lake Placid Club in Lake Placid, N. Y., from June 1 to June 4, 1958. In April, the New York City newspapers began to carry statements by various officials that they would refuse to attend a convention at the Lake Placid Club, since it was public knowledge that the resort discriminated against Jews. On May 21 the advisory committee of the conference decided to hold the convention in the Olympic Arena in Lake Placid. The local chamber of commerce undertook to find suitable accommodations for all officials who refused to stay at the Lake Placid Club. Later, a number of alumni associations refused to send delegations to a convention of the American Alumni Council scheduled for the Lake Placid Club from June 22 to June 26, 1958.

In May 1958 the New York State Commission Against Discrimination demanded and secured an apology for a Negro girl from the owners of a swimming pool in the town of Menands, near Albany. She was also invited "to use the pool and its facilities during the summer of 1958 and thereafter." As a result of a public hearing conducted by SCAD after attempts at conciliation had failed, the pool owners were ordered: 1. to advise their employees of the provisions of the New York law against discrimination; 2. to display the SCAD poster in a prominent place; 3. to publicize the pool’s nondiscrimination policy to the local community center; 4. to make their books and records available to SCAD for the following 18 months, and 5. to advise SCAD within 30 days of all steps taken to comply with the nondiscrimination terms of the order.

North Carolina

On January 10, 1958, the Supreme Court of North Carolina upheld a criminal conviction of a group of Negroes charged with "unlawfully refusing to leave that portion of [private] premises reserved for members of the White Race knowing or having reason to know that [they] had no license therefor." The case arose when the group, led by a minister, entered a Durham, N. C., ice cream and sandwich shop which had partitioned sections, marked “White” and “Colored,” and took seats in the section designated for whites. They were arrested and convicted despite the assertion of religious and constitutional reasons for their conduct. The court found an absence of “state action,” required to bring the case within the Fourteenth Amendment, and hence affirmed the conviction.19

18 Scruggs v. Borgman and Lee, d/b/a/ Ponchartrain Wine Cellars.
19 State v. Clyburn, 101 S. E. 2d 295.
A skating rink was ruled to be a place of public accommodation within the meaning of the state's civil rights law on October 19, 1957, when the Allegheny County Court of Common Pleas refused to accept a membership requirement as a *bona fide* reason for denying admission to a group of Negroes. The court found that the membership requirement was a "device . . . for denying admission to Negroes or colored people, solely on account of race or color, in violation of the [state civil rights] Act." 20 An injunction against continued violations was issued.

**FEDERAL CIVIL RIGHTS COMMISSION**

The Civil Rights Act of 1957 established a six-member temporary Commission on Civil Rights and authorized it to investigate sworn complaints that citizens had been denied the right to vote because of race, religion, or national origin; to "study and collect information" concerning legal developments constituting a denial of the "equal protection of the laws," and to evaluate the laws and policies of the Federal government. The members designated by President Dwight D. Eisenhower on November 7, 1957, to serve on the commission were Stanley F. Reed, retired justice of the United States Supreme Court; John S. Battle, former governor of Virginia; John A. Hannah, president of Michigan State College; the Rev. T. M. Hesburgh, president of the University of Notre Dame; Robert G. Storey, dean of Southern Methodist Law School, and J. Ernest Wilkins, Assistant Secretary of Labor. In December Justice Reed withdrew from the commission because he feared that his membership might reflect on the "impartiality of the judiciary," and the President nominated former Governor Doyle E. Carlton of Florida in his place. The members of the commission were approved by the Senate Judiciary Committee on March 3, 1958, and confirmed by the Senate on March 4. On February 19, President Eisenhower nominated Gordon M. Tiffany, former attorney general of New Hampshire, to be staff director, and the Senate confirmed the appointment on May 14.

Among the first public actions of the commission was the designation of state advisory councils in Arizona, Arkansas, California, Connecticut, Florida, Indiana, Maine, Massachusetts, Michigan, New Hampshire, New Mexico, Oklahoma, Texas, Vermont, and Virginia to aid the commission in the administration of the new Civil Rights Act.

On September 4, 1958, the Justice Department invoked the new Civil Rights Act for the first time in a suit to halt alleged violations of Negro voting rights in Terrell County, Georgia. An injunction was sought against the county registrars, who were charged with arbitrary and unlawful refusal to register qualified Negroes as voters. As the review period ended, a new struggle between state and Federal authority seemed to be taking shape, the state officials publicly declaring their intention to withhold all records of the county registrars from the Federal government.

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Conference of Governors of Civil Rights States

Governor Averell Harriman of New York and Governor G. Mennen Williams of Michigan convened a Governors' Conference on Civil Rights in New York City on December 12, 1957. The governors—or their representatives—of Colorado, Connecticut, Massachusetts, Michigan, Minnesota, New Jersey, New York, Oregon, Pennsylvania, Rhode Island, Washington, and Wisconsin considered means of effecting and improving cooperation among the "civil rights" state. New Mexico was the only state with an enforceable fair-employment-practice law that did not take part.

The conference established a Continuing Committee of Governors on Civil Rights to expand interstate cooperation. The closing statement affirmed the proved value of "conciliation coupled with legal sanction when needed." The conference endorsed the extension of existing laws so as to bring additional aspects of civil rights under the jurisdiction of the administrative commissions originally established by fair-employment-practice legislation. The conference also called upon the President's Committee on Government Contracts to "establish and maintain cooperative relationships with agencies of state and local governments," to insist upon "full compliance with the nondiscrimination clauses in Federal contracts," to establish regional offices in all major industrial areas, and to require that all new job opportunities arising out of Federal contracts "be registered with the State Employment Services . . . on a nondiscriminatory basis." Finally, the conference offered its full cooperation to the Federal Commission on Civil Rights and to the Civil Rights Division of the Department of Justice.

Theodore Leskes

Church-State Issues in the United States

In the period under review the public school was once again a major center of conflict on church-state issues. Tensions continued to stem, in the main, from the same problems that had beset the schools earlier—Christmas observances, the teaching of moral and spiritual values, released time, and tax support for church-related schools. In addition a number of other controversial church-state issues emerged. Chief among these were the intention to include a religious question in the United States census, the legal definition of a religious group, Sunday closing laws, and humane-slaughter legislation.

The Public Schools

Christmas Observance

In a number of communities the Christmas season brought conflict over the observance of the holiday in the public schools. The problem had not changed
in recent years, but the tensions seemed to be mounting as more and more people were becoming active in educational matters and were expressing their views on school questions, particularly when they felt that religious or moral issues were at stake. Indeed, as the liberal Catholic weekly Commonweal observed editorially (December 21, 1956), people seemed to be acting in these matters "as if a victory for their side would be a great triumph for Christianity."

In Valley Stream, Long Island, much community tension developed after James Devers, the district superintendent of schools, in November 1957 canceled the scheduled presentation of a play based on the life of Jesus. A few Jewish parents were said to have made inquiries about sectarian emphases in the play, but none had actually demanded that the program be withdrawn or materially revised. Devers insisted that he had not been subjected to any pressures and that the decision to cancel the play was entirely his own. On December 12, 1957, about a thousand citizens attended a meeting of the school board in protest. When the board upheld Devers, a Citizens Guardian League was formed, its purpose being to elect a board with a membership pledged to an acceptance of a spiritual observance of the holiday in the public schools. On December 19, the league published a full-page advertisement in the local newspaper apologizing to the children for the cancellation of the play.

In Ossining, N. Y., plans to erect a crèche on the lawn of the public high school had led to futile protests in 1956. Despite the protests and the tensions of the year before, the citizens' group in charge of the project renewed its request for the erection of the crèche in 1957 and, again by a vote of 4 to 3, the school board gave its consent in November 1957. A group of Protestant and Jewish citizens promptly instituted an action in the state Supreme Court to restrain the board of education, but an application for a temporary injunction was denied by Justice Frank H. Coyne a few days before Christmas; hearing on the application for a permanent injunction was scheduled to be held in the fall of 1958.

In Ross, California, Mrs. Ann Diamond charged in January 1958 that the Nativity play a month earlier in the public school her children attended did not "reflect the religion of my children. It confused them, and they brought their confusion into our home. It was an experience outside their faith." But E. Warren McGuire, county counsel, dismissed the protest as insubstantial. The program, he found, was not discriminatory, showing no preference for one religion over another. It was merely a dramatization based on an event of historical significance, and was related "to the talents of the students in the fields of speech, drama," and the like. In his letter of February 13, 1958, to the superintendent of schools, the county counsel added that "the most that could be said of such a program" is that it might "constitute an incidental encroachment upon the constitutional principle of separation of church and state."

The question when an encroachment might be deemed "incidental," or whether such a theory did not amount to an application of de minimis to matters of conscience, appeared to raise an issue for possible future legal determination.
Moral and Spiritual Values

In Ardsley, N. Y., in November 1957, after a year of studying the question of teaching moral and spiritual values, the school board adopted a policy which declared in part: "We desire no sectarianism and clearly recognize that it is not the function of public schools to teach theology. They must in no way compete with or be a substitute for the religious instruction provided by church, synagogue, or the home. We do not wish our program to be based on a dogma of any sort; nor do we wish it to be cast in theologically-grounded ethics..." This pronouncement was challenged in a petition signed by 1,300 adult citizens, a very large part of Ardsley's population. In sum, they said that the people of Ardsley believed in God, and that therefore the announced policy did not conform with their views. In December the school board, whose meeting was attended by more than 500 people, rescinded its declaration of policy.

In February 1958 the Church Federation of Greater Chicago, after long consideration, issued its statement on "The Relation of the Churches to the Public Schools and the Place of Religion in Education" which called on the public school to teach that God "is the sanction of ethical and religious values." It agreed that the public schools could not properly discuss religion in "sectarian, theological, doctrinal, dogmatic or ecclesiastical terms," but recommended that they recognize the "actual fruits or consequences of faith in God in producing an ethical quality in personality and human relationships." It recommended that the obligation to "recognize in positive and forthright policy and practice the conviction... that God is the ultimate sanction for moral and spiritual values in life" be discharged "with full respect for the convictions of the small minority... which does not recognize God as the living reality of life... This can and must be done without destroying respect for the views of those who may differ from this theistic position."

In New York state, after the decision by Education Commissioner James E. Allen, Jr., that the display of plaques of an "interdenominational" version of the Ten Commandments was an unsound educational practice (see American Jewish Year Book, 1958 [Vol. 59], p. 97), bills were introduced in the legislature to make such displays possible. The measures did not get out of committee, principally because of the opposition of the Protestant State Council of Churches. In March 1958 the Council declared that a display of the Commandments in a public-school classroom was a violation of the doctrine of separation of church and state because it represented an effort to inculcate religious tenets in the children.

Prayer

In May 1958 New Jersey Attorney General Grover C. Richman said that he must reluctantly hold the recitation of grace invoking divine blessings before meals, in a public school, to violate the education law, adding that a period of

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1 In this important respect the statement differed from the Presbyterian Church in the U. S. A.'s statement of July 1957, which asserted that the obligation to instruct youth in "the divine origins of all values" rested with the church. (See American Jewish Year Book, 1958 [Vol. 59], p. 98.)
silent prayer would also violate the code. In response to the many protests that followed this decision Richman explained that he personally favored saying grace in the public schools and suggested legislation to authorize it.

**Released Time**

Because many school districts in Ohio had continued to conduct their released-time classes on school premises during school hours, notwithstanding the holding in *McCollum*, the attorney general was asked for a ruling on the practice. In May 1958 he answered that the use of public-school facilities for that purpose was beyond the power of school boards. The Northwestern district school board immediately canceled plans to permit such classes, but the ruling apparently did not affect the practices of other school districts in the state.

The high school at Bloomfield and Glen Ridge, New Jersey, in the spring of 1958, became the center of religious controversy after a request of the school board by the priests of eight parishes to release the Catholic students in the senior class an hour before closing time on each of three days so that they might attend a religious retreat. The board studied the matter and consulted with the clergy of the three major faiths, and then denied the request on the ground that there was no authority in law for granting it. The diocesan publication, *The Advocate*, commented editorially on April 26, 1958, that "parents have the primary responsibility and, therefore, the primary right in the education of their children. The state enters the field of education only in a subsidiary role. . . . The public school . . . must be conducted in accordance with the wishes of the parents. . . ." In a letter to the parents of the Catholic students the priests contended that many children "could not, or even would not come [to the retreat] if this moral education were left on a voluntary basis, just as many children would not attend algebra classes were there not state education laws to force them." Accordingly, the Catholic seniors were advised to stay away from their classes and attend the retreat. The president of the school board was quoted on April 17 by the local newspaper, the *Independent Press*, as saying: "I just can't believe that any group dedicated to the teaching of religious principles and a moral code would instruct its members to defy the regulations of a legally constituted body." It was estimated that about half the eligible students left their classrooms in response to the appeal from their priests.

**"Fringe Benefits"—Textbooks**

In May 1957 Oregon became the sixth state to provide free secular textbooks for non-public-school children. This particular "fringe benefit" had been resisted throughout the country over the years because of the fear that textbook selection would be adversely affected by sectarian considerations if the same texts were used in both public and parochial schools.

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"Fringe Benefits"—Transportation

In April 1958 the Superior Court of Maine denied an injunction to Augusta taxpayers who had challenged a nominal appropriation of $250 for bus transportation for non-public-school children, though stipulating that the transportation was provided for the "health, welfare and safety" of the children concerned. The court acknowledged the presence of an important constitutional issue, but felt that it ought to be decided by the state's Supreme Judicial Court.

On the other hand, the attorney general of Pennsylvania, in January 1958, found that a public-school district had no authority to provide free transportation for children attending private, including church-related, schools.

Tax Funds for Parochial Schools?

A statement by Father Virgil C. Blum, S.J., of Marquette University, which received unusually wide attention, once again indicated that the Catholic Church would not consider "fringe benefits"—lunches, medical and dental services, secular textbooks, and bus transportation—to be adequate state support for its parochial schools. In the U.S. News and World Report for October 25, 1957, Father Blum argued that parents of non-public-school children were entitled either to a tax credit or direct subsidy since among the constituent rights of children in parochial schools was "the right to share equally with other children in welfare benefits. Education itself is one of these welfare benefits" (original emphasis).

In the Jesuit weekly America for November 16, 1957, Will Herberg, professor of Judaic studies and social philosophy at Drew University, said that "justice . . . is entirely on the side of those who call for public support to parochial and other religious schools performing a public function," but that he did not think it "advisable to press such claims at the present time or in the foreseeable future." An editorial in the same issue called Herberg's article "a statement of immense consequence." On January 11, 1958, a letter to the editor from Rabbi Nathan A. Perilman of Temple Emanu-El in New York City disagreed with Herberg's point of view and said that it was not representative of the Jewish community generally.

School on Saturday

When bad weather or epidemic illness cut down attendance drastically, some school systems found it hard to meet the minimum attendance requirements for state aid. In parts of Pennsylvania affected by storms in the winter of 1957-58, the state's department of public instruction approved Saturday classes for several school districts. The off-the-record objections of Jewish religious leaders were disregarded.

The New York state legislature found a way to make emergency Saturday classes unnecessary. It amended the education law so that, in computing attendance, the district might "select any four of the eight or five of the ten reporting periods" (rather than be confined to the period of inclement
weather); and the commissioner of education was given the power to make allowance for a reduction in attendance "because of extraordinarily adverse weather conditions [or] impairment of heating facilities," among other things (Section 3602, Education Law, as amended, effective July 1, 1958).

Religion in the Census

In November 1956 the U. S. Census Bureau conducted a survey of households in a four-county area of Wisconsin, asking the question: "What is your religion?" Finding that only a small fraction of those canvassed had either failed to answer or objected to the question, it planned to include the question in the 1960 Federal census.

A lengthy and acrimonious dispute followed, with religious and civic groups sharply divided. Most Jewish organizations and several large Protestant denominations were in vigorous opposition to the inclusion of the question, the Religious News Service for October 18, 1957, reporting the opposition of six major national Baptist conventions. The American Jewish Committee and the Anti-Defamation League, in a joint memorandum, dated September 9, 1957, and filed with the Secretary of Commerce, concluded that the question would violate constitutional limitations, serve as a dangerous precedent, and lead to future pressure by religious groups on the Census Bureau for other questions of a religious nature. They also said that the data accumulated would be of doubtful value. In a resolution dated November 4, 1957, the Synagogue Council of America and the National Community Relations Advisory Council also expressed fear that a dangerous precedent would be created.

Catholic and several important Protestant groups strongly in favor of asking the question presented arguments like those which appeared in the Catholic Standard for January 18, 1957: A "real, down-to-earth count of church members is desperately needed"; figures "presently compiled unofficially by various national church groups are constantly proving untrustworthy"; since the government "asks about radios, television sets, furnaces, refrigerators, and even kitchen sinks in the census, it would seem more than proper to use government money and manpower to determine the extent of church membership." Census figures, being related to geographic areas, would have great value for missionary work and for proper placing of churches and church schools. The data would also be useful to private and government welfare agencies, as well as to social scientists.

Since the law required an answer to all census questions, the Census Bureau stated that it would put the question on a voluntary basis, even without a change in the law. But the opposition persisted in the belief that many respondents, even though they were told that an answer to the religious question was optional, would nevertheless feel impelled to answer—either because the question was asked by a government official, or because of fear that failure to answer might be misinterpreted. Moreover, if answering the question were truly optional, the resulting data might be unreliable.

On December 12, 1957, the Census Bureau announced that the population survey in 1960 would not include a question on religion, primarily because a
considerable number of people might be reluctant to answer and also because of cost.

The controversy might have ended there if the same announcement had not also indicated an intention to release the results of an experimental nationwide survey conducted in March 1957 among some 35,000 households, in which the religious question had been asked on a voluntary basis. Some who opposed the question also opposed the release of information based on material to which they felt that the bureau had no right in the first place. In any event, they argued, there should be no linking of data on religion with data on income and occupation, since the information on that score was incomplete and possibly misleading, and might give an unfair or even damaging impression of some religious minorities. In February 1958 the bureau released statistical data on religious affiliation, based on its March 1957 sampling; it did not publish any analysis of the relation between religion and income and occupation. (see p. 3.)

Some social scientists were disappointed with the decision not to ask the religious question in the 1960 census, considering the constitutional question as less urgent than the need for data.

Legal Definition of Religion

The Washington Ethical Society had been denied tax exemption on its real property on the ground that it did not qualify as a religious society because belief in a Supreme Being was not an essential tenet of Ethical Culture. Tax Court Judge Jo V. Morgan upheld the tax assessor, and the Ethical Society appealed. On October 17, 1957, the United States Court of Appeals for the District of Columbia unanimously reversed Judge Morgan. It held that "to construe exemptions so strictly that unorthodox or minority forms of worship would be denied the exemption benefits granted to those conforming to the majority beliefs might well raise constitutional issues" and that "religion" and "religious" could not be considered "rigid concepts" and so interpreted as to deny the status of a religion to unorthodox or minority groups. The American Jewish Committee had filed a brief amicus curiae in support of this principle.

On September 11, 1957, a similar case was decided in favor of the Fellowship of Humanity by the California District Court of Appeal, which affirmed, 2 to 1, tax exemption on the real property of the fellowship. The majority opinion held that "there are forms of belief generally and commonly accepted as religious . . . whose adherents number in the millions . . . which do not include or require as essential the belief in the Deity. . . ."

Sunday-closing Laws

The perennial issue of Sunday laws resulted in tensions in New Jersey, New York, Ohio, and Wisconsin.

The Ohio law, although it provided an exemption for observers of non-Sunday sabbaths, was challenged by William Kidd, the owner of a Cincinnati

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supermarket; Barbara Mills, one of his clerks; Henry Leff, the president of a Cleveland supermarket, and Coleman Ullner, an operator of stores in Hamilton. On April 30, 1958, the Ohio Supreme Court upheld in all four cases the constitutionality of the state’s closing laws.\(^5\) The plea by Leff and Ullner that they observed Saturday as their sabbath was rejected; apparently their businesses were open both Saturday and Sunday. Although the United States Supreme Court had refused three reviews of “blue law” convictions in other states in the past two years, in July counsel in the Ohio cases announced their intention to carry their appeals to the Supreme Court.

In May 1958 New Jersey acted to put teeth into its Sunday laws with the adoption of a bill prohibiting the Sunday sale of clothing; home, business, or office furnishings and appliances; lumber, and other building supplies. The measure excluded Atlantic, Cape May, and Ocean counties in order to exempt boardwalk sales at seashore resorts. No provision was made for those observing a day of worship other than Sunday. One reason for the failure to do so was the complication caused by roadside business, which had grown with the rapid development of the suburbs. Highway stores attracted large numbers of people on both Saturday and Sunday, and the defiance of the Sunday laws by the owners of these establishments resulted in the active intervention of the Christian clergy, the city merchants, many of whom felt the competition keenly, and the labor unions. Supporters of the measure to stop Sunday highway sales refused to accept amendments exempting observers of other sabbaths from its penalties because they considered the legislation as strictly economic in its reach and without religious implications. In June 1958, the Essex County chapter of the American Jewish Committee argued, without success, that since the legislation was necessarily state-wide in scope, the principle of exemption should not be ignored.

In Wisconsin strong pressures were exerted for a stricter enforcement of the closing laws. There were protests against Sunday business in the Green Bay area by Roman Catholic Bishop Stanislaus V. Bona, the Brown County Council of Churches, and the Greater Green Bay Trades and Labor Council in May 1958.

Elsewhere there was some recognition, particularly among Protestants, of the rights of those who did not observe a Sunday sabbath to exemption from the penalties of the blue laws. In March 1958 the Asch-Rosenblatt bill, a home-rule measure applicable only to New York City, was supported by the Protestant State Council of Churches as well as by a group of prominent Protestant clergy and laymen, headed by Orin G. Judd, chairman of the board of directors of the Protestant Council of the City of New York. The bill was the first such measure to come to a vote in the New York legislature in 57 years. It sought to exempt New York City from the provisions of the state Sunday-closing law, thus paving the way for separate legislation for New York City. (Being a home-rule measure, the bill needed 100 votes to pass.) Eighty-five voted against and 61 for it, but of the 61 votes in favor only 27 were cast by Jewish legislators, the remaining 34 being votes fairly evenly divided between Protestants and Catholics.

Humane Slaughter

Shehitah—the Jewish ritual method of slaughtering animals for food—became a national issue for the first time when, on June 21, 1957, Representative W. R. Poage of Texas introduced a bill (HR 8308) to establish humane methods of preparing animals for slaughter. Section 2 provided:

No method of slaughter or handling in connection with slaughter shall be deemed to comply with such public policy unless, (a) in the case of cattle, calves, horses, mules, sheep, swine, and other livestock, all animals are rendered insensible to pain, by a single blow or gunshot or an electrical, chemical or other means that is rapid and effective before being shackled, hoisted, thrown, cast, or cut, or (b) by slaughtering in conformity with the practices and requirements of any established religious faith, which practices and requirements are hereby declared to be humane within the meaning of this Act.

Most Jewish organizations did not oppose the measure in itself, but demanded adequate safeguards for shehitah. The Union of American Hebrew Congregations, for instance, stated in December 1957 that the bill, as drafted, did not adequately protect shehitah, but that suitable revisions would make it acceptable.

Orthodox Jewry was vigorous in its opposition. The Union of Orthodox Jewish Congregations, the Rabbinical Council of America, and the Union of Orthodox Rabbis protested in April 1958 that “our commitment—a religious commitment—to the principle of the humane treatment of all animals compels us to oppose present legislative efforts to pass an enforcement bill.” Their statement went on to say that the Orthodox Jewish community was “prepared to lend . . . active participation in and support of any educational and other programs designed to solve the problem of humane treatment of animals.”

Jewish opposition was not stilled by assurances from proponents of the Poage bill that there was no intention to interfere with shehitah.

The American Jewish Committee, in a statement to the Senate committee later in April, feared that adoption of the Poage bill might eventually open the door to a frontal attack on shehitah itself. Switzerland, Germany, Poland, and Austria were cited as countries where legislation ostensibly designed to guarantee humane slaughter was extended to prohibit shehitah entirely.

One of the principal reasons for Orthodox opposition was the bill’s ambiguity on the matter of preparing animals for slaughter. The bill, though stating that slaughtering in conformity with religious tenets was humane, also sought to establish as public policy the principle that an animal must be rendered insensitive to pain before slaughter, as by a blow or gunshot, or by electrical or chemical means. Such methods of preparation, however, are forbidden by Jewish law, which requires animals to be healthy, alert, and conscious at the moment of slaughter. Jewish spokesmen, in fact, pointed to the arguments used by supporters of the Poage bill, who contended that shackling and hoisting, the method generally used in the United States to prepare the animal for shehitah, is inhumane. Jews, therefore, feared that with the adoption of this bill, it might eventually become difficult, if not impossible, to practice shehitah.
During most of the controversy many of the large meat packers also opposed the Poage bill, as did the Department of Agriculture, which believed that the problem was one for education and cooperation rather than legislation. But on August 27, 1958, a revised version of the Poage bill was passed, and shortly thereafter was signed by the President. The effective date of the act was June 30, 1960.

In its final form the Poage bill carried two amendments added on the Senate floor, one by Senator Jacob K. Javits of New York, and the other by Senator Clifford P. Case of New Jersey. The purpose of both was expressed as follows in Senator Case's amendment: "Nothing in this act shall be construed to prohibit, abridge or in any way hinder the religious freedom of any person or group. Notwithstanding any other provision of this act, in order to protect freedom of religion, ritual slaughtering and the handling or other preparation of livestock for ritual slaughter are exempted from the terms of this act." The bill also provided for the establishment of an advisory committee to the Secretary of Agriculture, appointed by him. In spite of these efforts to protect Jewish ritual slaughter, many were still fearful that they would be inadequate.

Religious Symbols

For some months in 1957 there was sharp controversy in Minnesota over the inclusion of a cross in the official emblem for the state's centennial celebration in 1958. Protests were made by some Protestant and civic groups, as well as by Jewish bodies, which regarded the cross on the emblem as a violation of the tradition of separation of church and state. Supporters of the cross as part of the emblem argued that its purpose was to recall the central importance of missionaries in the founding of the state. The opponents answered that many religious groups had contributed to the founding and development of the state, and that an unadorned church spire would therefore have been more suitable. It was also argued that the use of a religious symbol in the official emblem had been a divisive rather than a unifying influence. In October 1957 the Statehood Centennial Commission voted to retain the cross in the emblem. In February 1958 the Minnesota Jewish Council and the Minnesota Rabbinical Association expressed regret that many Jewish citizens would not in good conscience be able to participate in many aspects of the celebration.

Saturday Voting in Primaries

A trend toward Saturday voting in state primary elections seemed to be in the making. This was the case in Texas and Louisiana. In Texas the Democratic primary was held on July 26, 1958, a Saturday. In Louisiana, in May 1958, the election law was changed to shift the day of primaries from Tuesday to Saturday. Saturday seemed to be preferred by farmers and labor unions. No provisions was made in either state for observers of a Saturday sabbath, either by absentee ballots or by extending the voting time to late in the evening. In May 1958 Rabbi Julian Feibelman of New Orleans called the innovation an "encroachment upon the traditional Sabbath."
'Finale to the Ellis Case'

The celebrated Hildy McCoy Ellis case finally came to a quiet close on July 10, 1957, when Florida Circuit Court Judge John W. Prunty signed a decree making Hildy the legally-adopted child of Mr. and Mrs. Melvin B. Ellis. Asked in what religious faith the child would be reared, the Ellises told the court that she would choose her religion herself when she was old enough.

Philip Jacobson

ANTI-JEWISH AGITATION

A marked increase of anti-Jewish agitation was noted during the period of this review (December 1, 1957, to November 30, 1958), mainly attributable to sustained exploitation of Southern desegregation tensions by anti-Semites. Other anti-Semitic propaganda themes included attacks upon the United Nations and its agencies as tools of "Jews and Communists"; anti-Israel, anti-Jewish, pro-Arab, and pro-Nasser interpretation of the tensions in the Middle East; attacks upon the income tax, collective bargaining, and public welfare programs, designed to attract the sympathy of ultra-conservatives, and "states' rights," appealing to Southerners. The unifying propaganda line was the "Jewish-Communist-Zionist world conspiracy" theme—in effect, a modernization of the notorious Protocols of the Elders of Zion forgery.

The South

Anti-Semitic agitation in the South increased with desegregation tensions. The bulk of the hatemongers' activity continued to be extensive distribution of flyers, leaflets, and pamphlets. As in previous years, this matter originated for the most part in the North—Union, N. J. (Conde McGinley) and Inglewood, Calif. (Frank L. Britton). It was circulated in a variety of ways: by mail, often to general mailing lists; in bulk, to local "wholesalers"; by hand, at meetings and demonstrations, and by surreptitious placement in public conveyances, in mail-boxes, and under doors. Large quantities of such literature invariably accompanied the visits of hatemongers.

Synagogue Bombings

Five bombings and three attempted bombings of synagogues were perpetrated between November 11, 1957, and October 14, 1958. Seven of the synagogues were in the South and one in the Midwest. None of the cases had been solved at this writing, although five men had been indicted and were awaiting trial. Fortunately, no deaths or injuries resulted. These incidents should be considered against a background of more than 80 bombings in the South since the Supreme Court's May 1954 decision on desegregation.

In Charlotte, N. C., on Monday, November 11, 1957, a bomb constructed
of six dynamite sticks enclosed in a metal container was placed outside Temple Beth-El. It was discovered before it could explode.

In Gastonia, N. C., early Sunday morning, February 9, 1958, police discovered a valise containing 30 sticks of dynamite at an entrance to Temple Emanuel.

In Miami early Sunday morning, March 16, 1958, a bomb explosion caused extensive damage to the school portion of Temple Beth-El. About an hour after the outrage, an anonymous caller phoned a rabbi, informing him of the bombing and warning that other advocates of integration would get similar treatment.

In Nashville, Tenn., in the evening of the same day, the Jewish Community Center's building suffered severe bomb damage, shortly after a meeting had ended and the people had gone home. A rabbi then received a telephone call from "a member of the Confederate Union" taking credit for the explosion, and threatening the Temple and "any other nigger-loving place or person in Nashville" as well. A similar call was received by a reporter.

In Jacksonville, Fla., early Monday morning, April 28, 1958, a bomb exploded outside the Jewish Center, damaging the structure. An hour later, a Negro school was bombed. Almost simultaneously, a reporter received a call from "a member of the Confederate Underground," informing him of the bombings and declaring that "Jews must be driven out of Florida except in Miami Beach... the bombings will continue until segregation is restored everywhere in the South."

In Birmingham, Ala., later the same day, a bomb consisting of over 50 sticks of high-power dynamite, enclosed in a valise, was discovered in a window-well of Temple Beth-El. Soaked by an overnight rainfall, it had failed to detonate. Had it done so, it would have leveled the entire structure.

In Atlanta, Ga., early Sunday morning, October 12, 1958, the school section of The Temple, the leading Reform synagogue of the city, was shattered by a bomb explosion. At approximately the same time a reporter received a telephone call from "General Gordon of the Confederate Underground," who told him of the bombing, warned of others to follow, and added: "This is the last empty building I'll blow up." A similar call was later received by the radio station of the Atlanta Constitution.

In Peoria, Ill., on October 14, 1958, a crude bomb caused comparatively slight damage to Temple Anshei Emeth, exploding in a stairwell leading to the basement. There had been no desegregation or other intergroup tensions, and the incident was generally thought to be the work of a crank inspired by the Atlanta bombing.

Especially after the Miami and Nashville bombings, these incidents produced shock in the communities in which they occurred and brought forth an outpouring of sympathy and solidarity with the Jewish community by the entire population of each city. Reward campaigns were started and received substantial support. Mayor Hayden Burns of Jacksonville called for a conference of police and other officials of cities in which violence had recently occurred. It was held in Jacksonville on May 5, 1958, and the more than 20 Southern municipalities represented there planned a cooperative effort against such outrages.
Especially after the Atlanta incident, public revulsion assumed nationwide proportions. President Dwight D. Eisenhower, speaking in New York City at cornerstone ceremonies for the Protestant Inter-Church Building, on October 12, 1958, departed from his prepared text to say:

I think we would all share in the feeling of horror that any person would want to desecrate the holy place of any religion, be it a chapel, a cathedral, a mosque, a church, or a synagogue. . . .

The President then revealed that he had requested the Federal Bureau of Investigation (FBI) to render all possible assistance to the Atlanta police in apprehending the criminals.

Standing in the midst of The Temple's ruins, on October 12, Mayor William B. Hartsfield of Atlanta said, among other things:

Every political rabble rouser is the godfather of every sneaking dynamiter and cross-burner in the South today. . . .

He called the bombing "the end result" of demagogy and urged "the decent people of the South to rise up and put an end to the preachers of hate and chaos."

Within a week, the following suspects were indicted, charged with the bombing of The Temple: Wallace H. Allen, 33, an advertising salesman; George Michael Bright, 35, a draftsman; Kenneth Chester Griffin, 32, an auditor in the Georgia Tax Department (since discharged), and Robert A. Bowling, 25, and Richard Bowling, 26, unemployed brothers, the latter arrested after the others. At this writing, the accused were awaiting trial.

The suspects had been connected with the National States Rights Party or associated fanatical racist groups. It was reported that at least one suspect had given a statement to authorities, and that a search of the premises of one defendant had produced highly revelatory letters and documents as well as large quantities of anti-Semitic literature.

The bombing of the Atlanta Temple led to a large number of newspaper articles and "exposés" of the anti-Semitic movement throughout the country. Though well-intentioned, these tended to give unwise personal publicity to anti-Semitic propagandists and leaders of hate movements, small and large. The publicity also apparently set in motion a series of psychotic imitative acts and threats against a variety of targets, both North and South. The Peoria incident was one example. Others were these: mysterious bomb threats came over the telephone to the Unitarian Church in Arlington, Va., and to St. Patrick's Cathedral on October 16 and the Stephen S. Wise Synagogue in New York City on October 17; a bomb fuse was found between St. Peter's Catholic Church and Trinity Episcopal Church in the downtown section of that city on October 17; on October 15 a hand grenade thrown by a juvenile delinquent exploded against the wall of a meeting place of Jehovah's Witnesses in Boston; threats were telephoned to two Protestant churches and one Catholic church in Miami on November 9. As this was written, it could not be said that the crank incidents had abated.

After the Peoria incident, actual violence was directed against public
schools. The school at Osage, W. Va., a mining community, was all but demolished on November 10 by an expertly set charge; the junior high school of Hobbs, N. M., was damaged by dynamite thrown into a classroom window on November 23; the space in a parking lot reserved for the New Orleans school superintendent was also bombed on November 24, the detonation causing damage to the adjoining medical building of the school system.

Federal officials were considering changes in legislation to curb the distribution of hate literature, but such proposals were complicated by problems involving freedom of speech. Also under consideration were laws restricting the possession, sale, transportation, and use of dynamite and other explosives, and laws conferring Federal jurisdiction over bombings in certain circumstances.

**Picketing**

On July 27, 1958, members of a newly-formed National Committee to Free America from Jewish Domination (NCFAJD) picketed in three cities—Atlanta, Ga., Louisville, Ky., and Washington, D. C. They carried well-lettered placards bearing messages like “Save Ike from the Kikes,” as well as pro-Arab slogans. Scurrilous literature bearing the formerly unknown NCFAJD imprint was simultaneously distributed. In Atlanta two days later, five pickets were convicted of disorderly conduct for demonstrating in front of the premises of the Atlanta Constitution. Of these, two were later indicted for the October 12 bombing of the Atlanta Temple, George Michael Bright and Kenneth Chester Griffin. A third, Luther K. Corley, had also figured in the police investigation of the Temple bombing but had been released after intensive questioning. The other two were Billy Ray Branham and Philip L. Wilson. In Louisville, Edna Cowan and Bessie T. Morris were arrested for distributing similar literature without a license on behalf of the NCFAJD in front of the Louisville Courier building, while five youths demonstrated by carrying placards similar to those displayed at Atlanta. In Washington, eight demonstrators outside the White House bore the same type of hate-inciting signs. They attracted little notice and were not arrested.

A by-product of police and FBI investigation of the Atlanta Temple bombing was the identification of the leader of the NCFAJD and his backer. References to a “fat cat” in the papers of one of the suspects led the investigation to George Lincoln Rockwell, of Arlington, Va., printer and publisher of NCFAJD material as well as producer of items for followers of John Kasper (see American Jewish Year Book, 1958 [Vol. 59], pp. 108-109) and to Harold Noel Arrowsmith, Jr., of Baltimore, Md., the son of a late, respected clergyman. While denying any connection with bombings or similar violence, Rockwell said that he was attempting to organize a World Union of Free Enterprise National Socialists to determine whether “Jews are born that way, in which case they would have to be sterilized, or something . . . .” Arrowsmith, a doctrinaire Nordic supremacist, had apparently spent more than $20,000 to buy the house from which Rockwell operated and printing equipment. He was also said to have admitted providing funds for the picketers. He denied any connection with the bombing of the Temple.
Politics

Hatemongers' use of political campaigns as a vehicle for their propaganda was much in evidence. Thus Rear Admiral John G. Crommelin (ret.) entered the Alabama gubernatorial primaries in the spring of 1958 and ran on an outright anti-Semitic platform. In more than 140 stump speeches, and in 15 television appearances, he stressed the "Communist-Jewish" theme in railing against desegregation and distributed great quantities of anti-Semitic literature, including a special edition of Conde McGinley's Common Sense. On primary day (May 6) Crommelin received 2,245 votes out of 618,000, but he later told his followers that he had achieved "the major objective...to expose the origin, nature, and aims of the Communist-Jewish conspiracy." By his own statement he had received $9,000 in contributions. At the close of the period he was at work on plans to form a permanent political organization.

In the same primaries Asa ("Ace") Carter, the anti-Semitic leader of a White Citizens Council, received 31,000 votes out of 435,000 for lieutenant-governor.

The National States Rights Party (NSRP), a confederation of Northern and Southern racist, anti-Semitic extremists, was formed in May 1958. The first issue of its publication, The Thunderbolt, bore the Hitler youth insignia. Incorporating the United White party, the operational front of Chicago activist Matt Koehl, NSRP claimed units or contact points in Minneapolis, Minn., Portland, Ore., New York, N. Y., Hinsdale, Ill., Knoxville, Tenn., Greenville, S. C., and Atlanta, Ga. The tone of its convention in Louisville (August 30–31, 1958) was set by the anti-Jewish and anti-Negro rantings of Frederick John Kasper and by calls for a "draft" of Admiral Crommelin for President in 1960. Prominent at this convention were Edward R. Fields of the Christian Anti-Jewish party; Millard Grubbs of the Kentucky White Citizens Council; Dan Kurts, self-styled head of the Christian Front of Queens County, N. Y.; Bill Hendrix, a Ku Klux Klan leader, and John W. Hamilton, head of the National Citizens Protective Association. One active NSRP organizer, F. Allen Mann, of Hinsdale, Ill., publisher of The Revere, achieved notoriety in the spring of 1958 by putting out a leaflet with the caption, "Communism and Race Mixing are Jewish" and depicting a man hanging from a gibbet, over a heading of "Death to the Traitors!"

Christian Nationalist Crusade

The Christian Nationalist party (alternately known as the Christian National Crusade—CNC), Gerald L. K. Smith's enterprise, reported in November from its headquarters in Glendale, Calif, to the clerk of the House of Representatives that its gross receipts for the first ten months of 1958 were approximately $115,000. Smith featured desegregation tensions together with attacks on prominent American Jews and endless reiteration of the contents of the Protocols. Smith's advertisements, widely mailed, did not merely solicit subscriptions to his leaflets and pamphlets, but were in themselves complete anti-Semitic broadsides. Some of these ads and appeals tended to deemphasize Smith's name in favor of that of the CNC.
WHITE CITIZENS COUNCILS

Consisting mainly of self-governing local units, the WCC's as a movement maintained the same estimated numerical strength as a year earlier—between 300,000 and 500,000. Councils continued to vary with geography, affiliation, leadership, and—most importantly—the imminence of the execution of a desegregation plan. While some units strove to avoid anti-Semitism and to adhere to their avowed objective of preserving segregation "by all legal means," other units tolerated, if they did not openly support or encourage, the distribution of hate literature by their members. The Citizens Councils of America, in Greenwood, Miss., strove to coordinate state-wide movements along non-anti-Semitic and legal lines. Its secretary, Robert B. Patterson, however, noted on February 12, 1958, that "anti-Semitic literature is now being distributed by the ton throughout the South as well as throughout the nation," though he did not put the responsibility on segregationists.

On the other hand, the decision of the United States Court of Appeals in the Little Rock case on August 18, 1958 (see p. 23) referred to the appearance in that city of the Rev. J. A. Lovell, a Dallas rabble rouser, at the height of tensions in the fall of 1957. An ardent Gerald L. K. Smith disciple, Lovell then addressed the Capital Citizens' Council on the topic, "Must America Sell Her Birthright to Appease the Zionists and Internationalists?", which was reprinted in the November 1957 issue of his magazine, Kingdom Digest. During the spring of 1958, the Seaboard White Citizens' Councils published a pamphlet, "Segregation or Death," in tribute to their leader John Kasper, then in prison, which contained unbridled railing against the members of the Supreme Court, other Federal judges, Jews, and liberals.

But publications of this kind were not usually produced by WCC's. Typically, the vast bulk of such hate literature as was distributed had to be imported from the North, the Midwest and the West.

THE KU KLUX KLAN

Beset by schisms and public revulsion against violence, the KKK registered no progress. Many members took cover by shifting to racist groups bearing other titles. Grand Dragon Bill Hendrix of the Florida Klans reorganized the long-dormant Knights of the White Camellia in its stead.

The U. S. Klans, headed by Imperial Wizard Eldon L. Edwards of Atlanta, Ga., continued to be the largest single aggregation of Klans. At an Ellenton, Fla., Klan rally on September 7, 1958, he took care to make disclaimers of terror and violence in the course of his anti-Semitic, anti-Negro vituperation. Klan prestige was severely injured at Maxton, N. C., on January 18, 1958, when state Klan leader James W. Cole's open-air demonstration against the Lumbee Indians of the area was put to rout by their shotguns and war-whoops. Cole was later convicted of inciting to riot and given a jail sentence of 18 to 24 months, which he appealed. But the Maxton debacle did not deter Cole from attending the so-called Ultimatum Conference of Loyal Americans at Louisville, Ky., on February 1, 1958, where he shared prominent billing with
Admiral Crommelin and Millard D. Grubbs, Kentucky White Citizens Council leader.

A less farcical phase of Klan activity was evidenced by the sentencing of three Klansmen on March 20, 1958, for attempting to bomb a Negro school in Charlotte, N. C., shortly after the February 9 attempted bombing of the Gastonia synagogue. Grand Wizard Francis Caldwell received a sentence of five to ten years, while Arthur M. Brown, Jr., and William O. Spencer received two to five years; all of the convictions were appealed. From Waco, Texas, Horace Sherman Miller continued his one-man Klan operation, putting out editions of photo-offset Klan literature in quantities indicating financial support.

These screeds continued to have international effects. On May 23, 1958, Franz Heinz, self-styled Grand Dragon of Chile, and several of his followers were apprehended in Santiago. Affiliated with Miller's Aryan Knights of the Ku Klux Klan in Waco, they were reported to have confessed to acts of terrorism against Chilean Jews and their property. Swastika and KKK flags were found in their possession.

JOHN KASPER

Kasper's rabble-rousing activities were curtailed during most of the year because of his incarceration in the Tallahassee Federal Correctional Institute, where he was serving out a one-year sentence for contempt of court, arising out of his activities in connection with the desegregation disorders at Clinton, Tenn., in 1956. Though he was to be released on August 9, 1958, Federal authorities quietly transferred him to Atlanta Penitentiary, where he was released on August 1. This move successfully defeated plans for a "welcome out" demonstration by Kasperites. He still preached a rabid racism, but Kasper's personal appearances seemed to have lost their old effectiveness. On September 2, 1958, he addressed meetings at Charlotte, Monroe, and Greensboro, N. C. He was severely heckled in Charlotte, his speech was drowned out by power saws in Monroe, and in Greensboro, his attacks on evangelist Billy Graham as "a tool of New York Communist Jews" caused most of an audience of 150 to leave. A meeting at Chattanooga, Tenn., on October 28, 1958, produced a small attendance and none of the public clamor he desired.

Kasper was convicted on November 8, 1958, of inciting to riot in connection with the disorders at Nashville, Tenn., during the school-desegregation crisis in September 1957. Sentenced to a six-month workhouse term and fined $500, he posted a cash bond to remain at large pending appeal. During the trial, the district attorney had described the New Jersey-born and New York-raised Kasper as a budding "Hitler... who came here to feather his own nest." Admiral Crommelin, called as a character witness for Kasper, sat at the defendant's side during the trial and called him "an intellectual Robin Hood."

Other Persons and Groups

Joseph P. Kamp, through his Constitutional Educational League, continued a highly active pamphleteering enterprise aimed at the South. Two of his
pamphlets were consolidated into one, with the title of *The Lowdown on Little Rock and the Plot to Sovietize the South*. His literature was widely purchased and used in ultra-conservative and segregationist circles. In September 1958 Kamp literature was revealed to have been intruded into California's gubernatorial campaign, with a wide distribution of his anti-labor pamphlet, *Meet the Man Who Plans to Rule America*. The national chairmen of both major parties, as well as the candidates themselves, publicly rejected Kamp and his literature.

Merwin K. Hart, who since the 1930's had dominated the ultra-conservative National Economic Council, displayed his inveterate bias in many issues of his semi-monthly *Economic Council Letter*. Its issue of March 15, 1958, bore the heading "The Jews In Our Midst," and contained a variety of canards, including the allegation that "left-wing Jews, working in close conjunction with communists, are largely responsible for the so-called integration decision of the Supreme Court of May 17, 1954." The issue was reprinted as the lead article of the April 15, 1958, issue of Conde McGinley's *Common Sense*. In August Hart teamed up with Edward A. Rumely, head of the Committee for Constitutional Government, in a rare fund-raising collaboration to further a Platform for Patriotic Americans. The Platform, though not anti-Semitic, included among its approximately 100 endorsers the name of Lt. Gen. Pedro A. del Valle (USMC, ret.).

Defenders of the American Constitution, an ultra-conservative, anti-UN group in Washington, D. C., headed by General del Valle, appeared to worsen in its propaganda tone during the period under review. The September 1958 issue of its publication *Task Force*, stressed "international banker" and "Synagogue of Satan" themes and recommended or quoted the works of anti-Semites.

**Comings and Goings**

The excommunicated priest Leonard J. Feeney, whose bigoted meetings on Boston Common had plagued that city for eight years, retired from the scene of his weekly rabble-rousing attacks in February 1958, taking his 60 "disciples" with him to Still River, near Ayer, Mass. His monthly hate sheet, *The Point*, continued to be published from the new location.

Robert H. Williams (Santa Ana, Calif.) wound up his newsletter, *Williams Intelligence Summary*, with its March 1958 issue. He urged his readers to "keep fighting" and promised to return "in some way which may seem most likely to be effective."

John W. Hamilton, guiding spirit of the racist National Citizens Protective Association (St. Louis, Mo.), and one-time editor of *The White Sentinel*, was acquitted on May 27, 1958, of a morals charge involving a 15-year-old boy, after a retrial. A conviction after his first trial had been reversed on appeal. After his acquittal Hamilton resumed activity.

Ezra Pound, the anti-Semitic poet and mentor of rabble rouser John Kasper, was released for compassionate reasons from St. Elizabeth's Hospital in April 1958. Soon after he left for Italy, from where he had made anti-American broadcasts during World War II. Some of the most eminent men of letters in America, who did not sympathize with his political and racist views, had
argued that the United States would be showing greatness and generosity in releasing an old man, who despite his bigotry had greatly contributed to English literature. To clear the way for his discharge an indictment for treason against him had been dismissed. In a press interview in Naples on July 9, Pound told reporters that "all America is an insane asylum."

Pro-Arab Propaganda

Direct Arab propaganda largely confined itself to exploitation of the miseries of the Arab refugees and insinuations of "dual loyalty" against American Jews. American hatemongers lumped "Jews, Zionists, and Communists" as the cause of Middle East crises both current and past, ignoring the flirtations with Moscow of Nasser and other Arab leaders.

Particularly active in circulating Arab propaganda publications besides his own vitriolically pro-Arab National Renaissance Bulletin was James A. Madole, leader of the neo-Nazi group in the Yorkville section of New York City.

The Anti-Semitic Press

The combined circulation of the anti-Semitic press apparently rose somewhat, with Conde McGinley, Frank L. Britton, and Gerald L. K. Smith leading in quantity, areas of the country reached, and variety of methods of distribution. The November 1, 1957, issue of Common Sense listed John G. Crommelin, Montgomery, Ala., as a stockholder of the publisher, the Christian Educational Association.

Lyrl Van Hyning and Elizabeth Dilling, both of Chicago, appeared to step up their activities, especially the former. The Virginian, published and edited by Lacey Jeffreys and William Stephenson, respectively, at Newport News, Va., combined religious bigotry with ultra-conservatism and high-flown dissertations on "race." Another Southern anti-Semitic publication was The Georgia Tribune, put out at Columbus, Ga., by Klan-supporter "Parson Jack" Johnston.

Among the anti-Semitic publications attacking FBI Chief J. Edgar Hoover's book Masters of Deceit (New York, 1958) for praising major Jewish organizations for their fight against Communism were Common Sense, National Renaissance Bulletin, and The Revere.

New York industrialist Russell Maguire's American Mercury continued its decline in tone. Its July 1958 issue, for example, contained the following:

If bombs are dropped on the U. S., over 90 per cent of our casualties will be from broken glass and splinters. Disregarding these facts all new buildings (except synagogues) continue to be built with enormous quantities of glass.

Included in the same issue were "fillers" about "international bankers" and quotations from the Rev. Charles E. Coughlin and Lawrence Dennis.

George Kellman