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1. Agents interview notes re interview with Mrs. Sally Goldmark. Rec'd 1-2-52
2. Note from Sally Goldmark and Vol. 1 No. 4 January 1962 issue of "The Vigilante". *filed 2/14/62*
3. Photo of John Goldmark clipped from Wenatchee Daily World newspaper page 1, 3/7/62. *filed 4/11/62*
4. Complaint filed by Mrs. Goldmark and Husband. *filed 11/19/62*
5. Copy of Vigilante vol. 1 # 7 dtd. 8/62. *Filed 11/4/63*

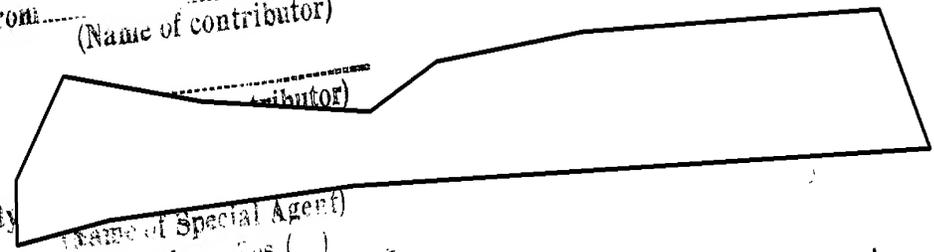
FOIPA # 1035878-01

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324AUC BAW/CB/CAK

100-21585-1a

Date Received 1-2-52

From: _____
(Name of contributor)



By _____
(Name of Special Agent)

To Be Returned Yes ()
No ()

Description: Agents interview notes of Mrs. Sally Goldmark
see Sally
Rizgy

File No. 100-21585-1a(1)

b6
b7c

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Interview note of SA [redacted]

2-52

office - [redacted]

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Church Dec
of Cong Church
Soc. Act Comm
[redacted]

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big big unk nega people. Film in Tashkent
movie not actually filmed - Langston
Hughes - friend of [redacted]

[redacted] came back - not so enthusiastic
gone about a yr.

ky s of sw + ky s SR

contact w/ Workers School on down
met [redacted]

Even tho of heart / back of man

100-21585

1-2-34
WLF

From Wakers School - joined small stud.
group to study Marxism & [redacted]

[redacted] dominant group,
United Front League & Side Thrust
Council. Still '32-'33 -

Got ~~got~~ Teachers Union Fall '33
Aux - raised money for Union -

b6
b7c

Factional fight in Union - Marxist
Socialist & Trotskyites

[redacted]
Stalinist Hostile in Union

~~Spring '34~~
Mrs Caldwell - Chair of Aux,
May '34 - left Teachers Union

Spring '34 - this - next came
of Teachers Union - left NYC for
Ch. Guin '35

[redacted]

100-21585
1-2-52
WPK

Went to Mexico each summer begin
w/ 30 - 31 32 33 + 34 -
also in West Indies for winter of
'33 - Cuba Puerto Rico Haiti
Santa Domingo

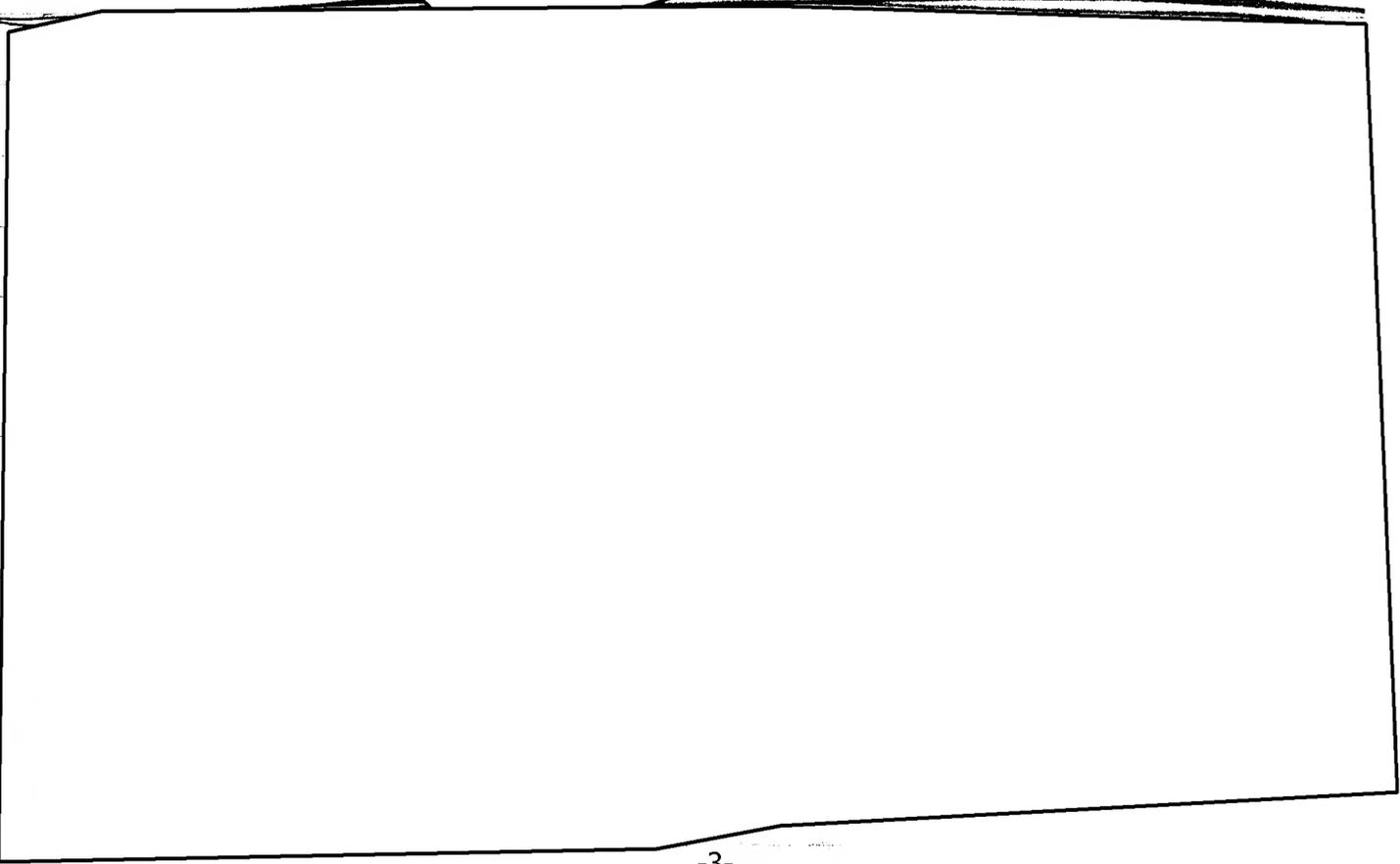
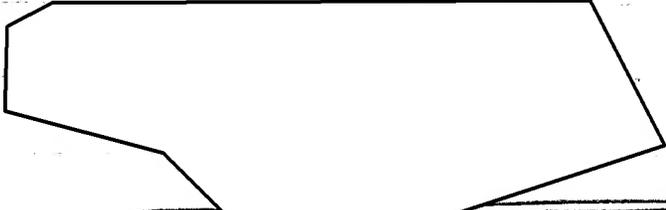
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New Republic Mayor

Sally arranged travel for about 300 persons

Knew



100-21885
WFS
1-2-50

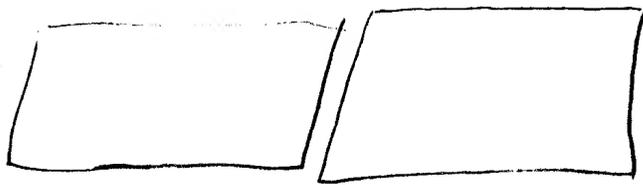
[Redacted]

at fund

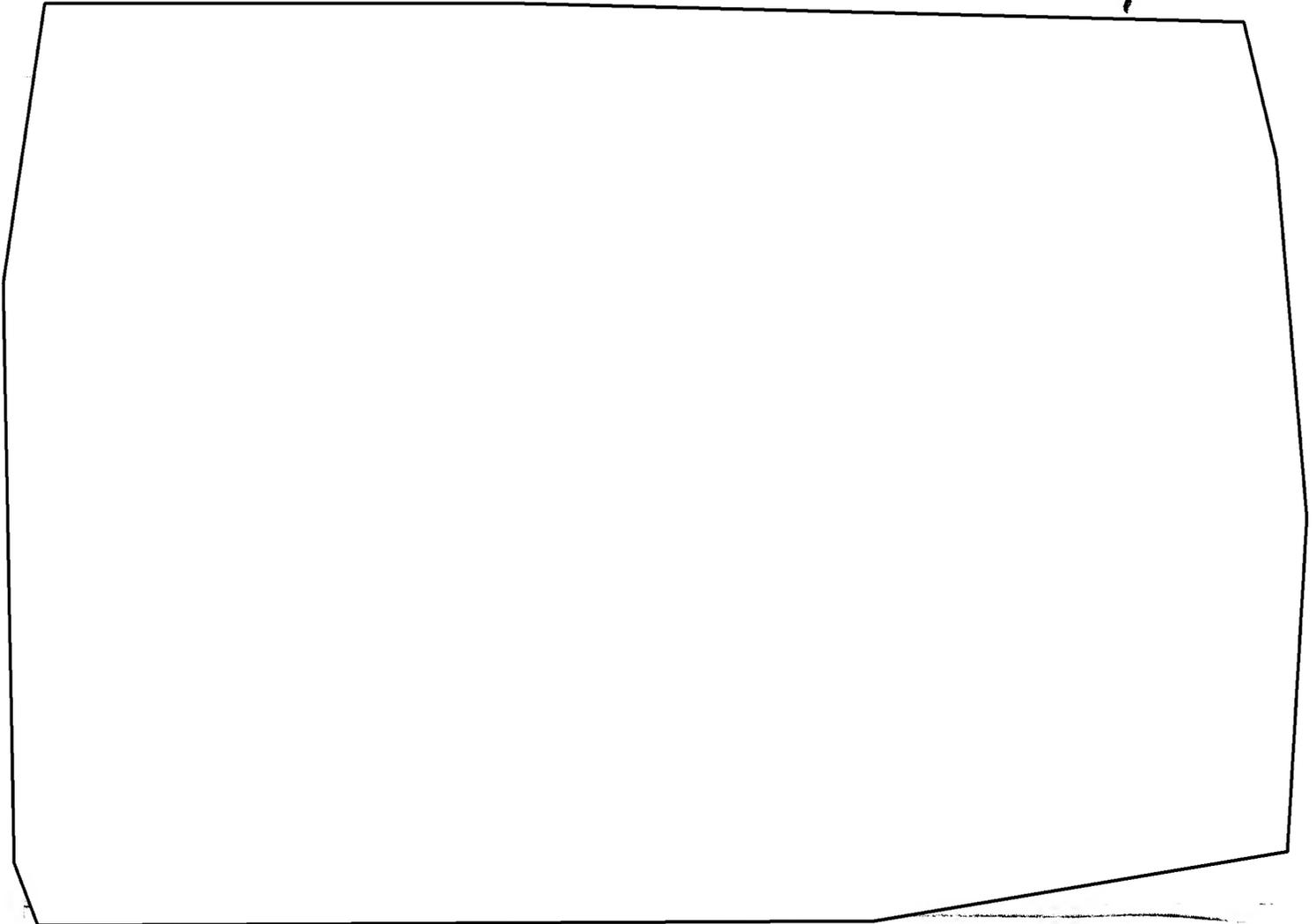
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b7C

rain pants

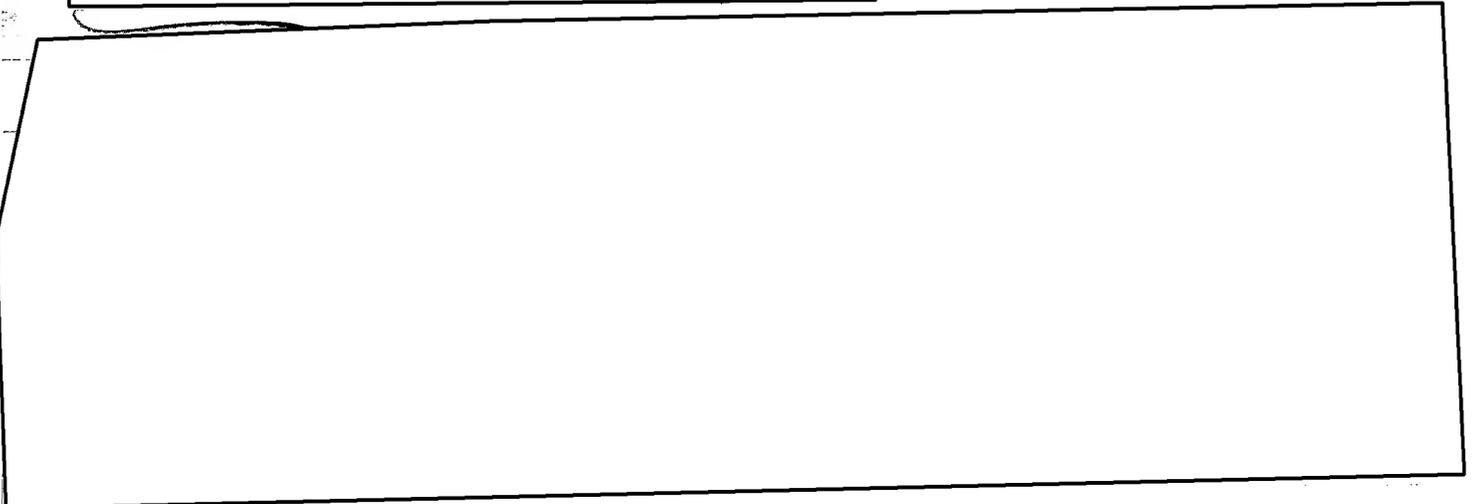
Washington



WLF
1-2-52



b6
b7C



1-2-52
WCB

3 times a mo - 1st 3-4 yrs
1 " " " then on
after ~~Spring~~ '43 quit Party
Spring
Traveling - Losing interest -
met John ~~East~~ Summer '41 -
He had [redacted] - met them

[redacted]

Summer '41 - still going to meetings
Spring of '42 told John

b6
b7C

Fall of '43 left Acapulco
Radio subsequent to that.

Major interest - allocation of Strategic
materials - End Lease -

[redacted]

1-2-52 Interview notes, SA [redacted]
Mrs. Jonathan Goldmark.

let. contact toward CP →

[redacted]

2. ya

educational work - church org
not sure commie.

LJP 1/2/57
100-21585
Cong. Church
social action comm
1930s
wrote materials on
racial-minority groups

[redacted]

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one of large group go to Russia to
make all news films Russia 1930-31

b6
b7c

Met worked in office next to committee
of Cultural Relations - casual acquaintances
not friends & family

Organized - make movie in southern section
of Russia - Moscow first then to southern
part. all negroes (work group orga friendly but no
enthusiasm) (comments not enthusiastic only friend of)
Blacks tone Hughes - friend, [redacted]

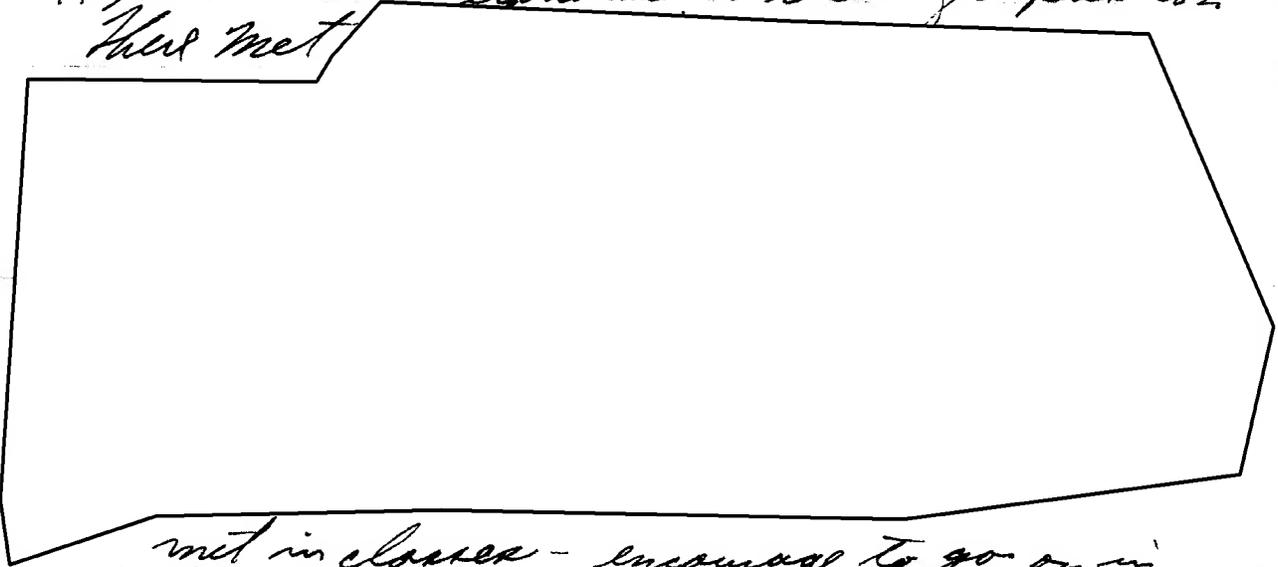
due to [redacted] interest developed in race problems.
also personal experience/exclusion (negroes from public
places)

(2)

RWR
1/2/52

attended -
New York school social work)
" " " social research) these schools at
same time as

workers school - enrolled on own free will
1937-38 basis being intense interest in
economics as result of depression
then met



met in classes - encourage to go on in school.

b6
b7c

group formed (workers school) promoted by
[redacted] (I was in) - worked with United
front movement - (lead on group) function to
continue to study marx - met at peoples houses.
function to study & help (prompt organize section
may Day Parade.

Finally wound up working with East side
unemployed council - helping unemployed by
parties for profit.

(3)

Rank
4/2/52

Got with Teachers Union, AEA Local 5 - E. G. C.
Exec. Sec. Union Auxiliary -
Kept. Union records - due attendance.
general office work. employee
paid by auxiliary.

in the Union at that time - carrying on things
various political factions. educated them.
Stalinist faction - ^{red} Leader Bogdan - screwball
Trotsky faction -

winter / second year employment - (May 1935)
^{signed} Mr. Goldwater - head of Aux stated sent
to sympathetic left wing for further employment.

during this period asked by to
distribute Daily Worker - refused
went to Washington after 4 mo. asked to come back.
did not accept.

b6
b7c

during 2 1/2 days

RUR
1/2/52

May 1935

Wm Joe Federal Relief Admin -

white colored person [redacted]

superior -

committee Cultural Relations Section and [redacted] [redacted]
perring letter intro to [redacted] no [redacted]

Sept Anterior sent to [redacted]

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[redacted]

Met in Mexico while with Comm. Cul. Fel.
summer 1930 - 31st 33 - 34 -

winter 1933 meet indies Cuba Haiti - Santos Domingo

Known [redacted] artist

Met through work in Mexico with Committee
Squierous artist more left than revised

Zotcky prob. stayed at his house Mexico
Knew of nothing in connection with Stalin &
Zotcky fight - Committee had nothing
what ever to do with community.

In Mexico traveling with [redacted]
summer of 1932 or 33, prob. 33. Known [redacted]

at U of Chic school teacher at Chicago.
Threat that time at [redacted] artist lived

b6
b7C

RWR
1/2/52

is Chicago. - saw few times in Mexico
going to work sculptor show in N.Y.C.
1933 winter stayed with Kelly then
went back to Chicago - following winter 1934
came to NY to teach sculpture - had
own studio and also taught at school
of Art Mid Manhattan - ^{5th ave.} a very high building - very good view of central
park

[redacted] became interested in party through
group I belonged to (workers school - [redacted]
winter 1934, no comm activity or interest
in Mexico. Lived with Kelly in N.Y.C

b6
b7C

Thomas is maiden name - was married
& divorced when came to N.Y.C. been prof in
Chicago - married less than year.

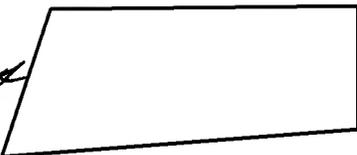
Wm. D.C. - May 1935

[redacted] said could arrange Party membership
dropped [redacted] a note said will join party
somebody will call in get in touch with you
about & Mrs. later Charles Kamen arranged a
meeting with [redacted] & Kelly.

Then working for WPA - professional

Runk
1/2/52

project stuff had



b6
b7c



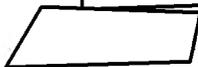
contact



unemployed



also living with Sally.



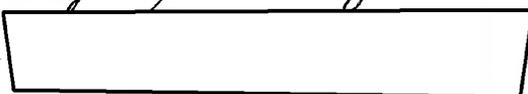
said you interest in joining party &
am member - informally org. dues \$5.00 salary
met informally - be glad to have you come - about
issue cards - no records kept - dues paid to treasurer
& literature contact to get them don't buy Daily
Worker - Don't get hit at bookstore - don't talk too
radically - group doing similar work -
group came & went - highly individualistic
lots of group very loose - char of group -

(constant person



^{elderly} membership incidental. read music
Pan-American Union, P.C. left party before Sally

to knowledge has no connection -



composer - never a member of groups

Don't Meeting - different places - never met that home

moved a check fall 1935 fall 200.



same unit still at their request.

6 to eight found group -

RMK
1-2/62

[redacted] in unit - Federal Reserve Board -
Bldg, ^{technical work,} basement - [redacted] first name - [redacted] -
for about 9 mos.

b6
b7C

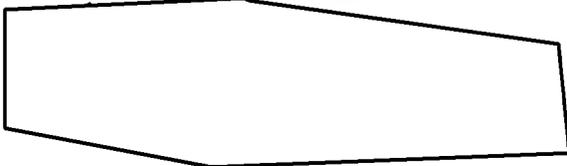
former couple early 1940's
resides [redacted] Govt employee short time
friends - [redacted]

[redacted]

[redacted]

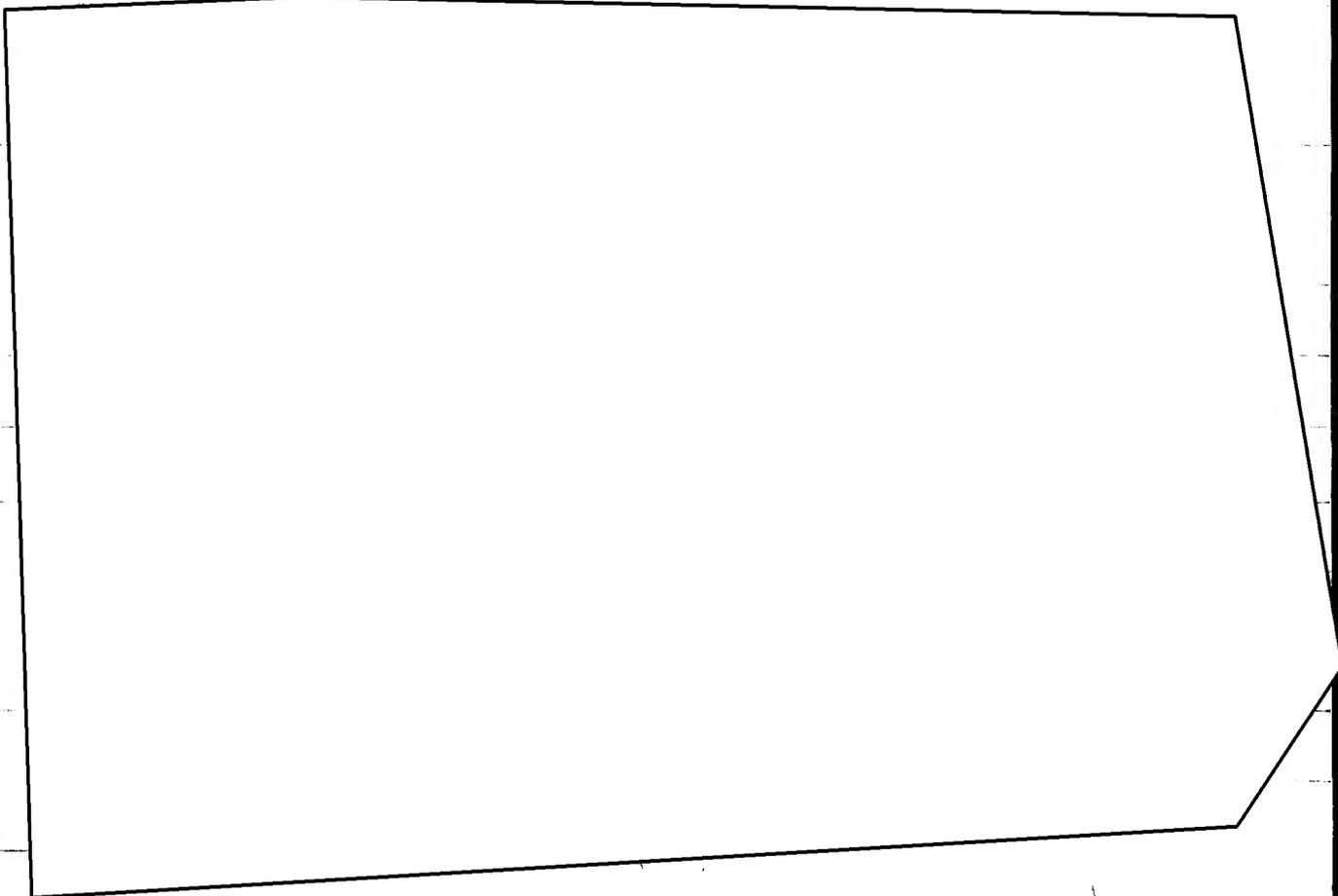
Rud
1/2/52

1935-36 spring to 1942



+ Sally

b6
b7C



Orbit Party spring 1943 -

Met [redacted] (Fall 1942) Summer 1941

Met him through [redacted]

[redacted] used to pump letters to main
info as to who was at [redacted]

[redacted] he says came down
to [redacted] one week end before had to
met [redacted]

[redacted] interested in proposed wages
scale.

[redacted] →

b6
b7C

meetings - part of meeting [redacted] with group
relating particular problems policies in govt.

[redacted] - not a member of Party

Ornithologist & cancer - cannot recall any
person or incident relative to this

[redacted]

connected with

- not married to someone

family.

- not know

WPA - not know

know about through [redacted] work

b6
b7c

Other members of group -

[redacted]

File No. 100-21585-12

Date Received 2/13/62

From Sally Goldmark
(Name of Contributor)

Double J Ranch, Okanogan Wn
(Address of Contributor)

By SA
(Name of Special Agent)

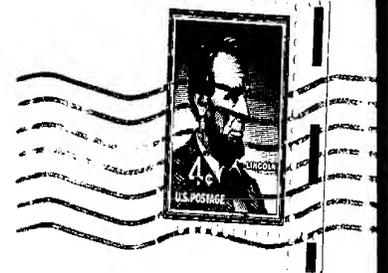
To Be Returned Yes
No

Description: Note from Sally Goldmark and Vol. 1. No. 4 January, 1962 issue of "The Vigilante".

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DOUBLE J RANCH
OKANOGAN, WASHINGTON



Federal Bureau of Investigation
1015 - 2nd
Seattle, Washington

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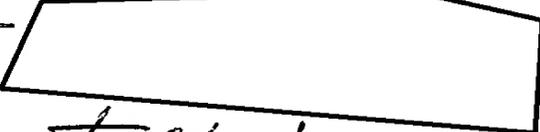
b6
b7C

Double J Ranch

Okanogan, Washington

Dear 

Feb 12, 1962

Would you please show the
last page of this to 
and thank him for talking
with me.

Sincerely,
Sally Pedersen

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DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

IRMA RINGE

and the Washington State Legislature - - -

As previously stated in VIGILANTE, it is our considered opinion that the State of Washington is sick - economically and politically.

We believe that the illness is self-induced and that it is caused by continuing injections of socialism into the body politic of our State. Dosages have been administered that would have killed a less hardy State outright.

We intend to do extensive laboratory work in diagnosing the case and trying to isolate the "typhoid Marys" who are carrying and spreading the infection.

To accomplish this we intend to do some biographical studies into the case histories of specific politicians now serving in the Washington State Legislature and in the Congress. We intend to determine if possible the proximate cause of trouble and to recommend an effective vaccine to be available by next election time.

It is important in determining what influences and forces impel a man to certain actions, to understand not only the man but his wife and family connections. Certainly the course of America and its drift away from traditional American concepts in both foreign and domestic policy was vastly influenced by Eleanor Roosevelt while her husband was President.

In the case of one member of the State Legislature, the member has a wife who has a startling past that has been one of this State's most carefully kept secrets.

In the days when Harold Ware, Victor Perlo, Charles Cramer and other notorious Communists were operating high wide and handsome in the Nation's capitol with Communist cells penetrating the highest levels of government, this woman, known in the Communist Party as Irma Mae Ringe, was a member of a Victor Perlo study group.

All of this has been admitted to the FBI and a Committee of the Congress. According to her testimony she broke with the Party while still employed in Washington, D. C.

Her testimony to the Congressional committee failed to reveal any information of a significant nature not already known to the government. She stated that only innocuous matters, mostly of a philosophical nature were discussed at their Party meetings.

This understandably was a disappointment to investigators who already knew a great deal about the other members of the group. It had been hoped that Ringe's testimony would throw additional light on the fantastic doings of Ware, Perlo, Cramer and others.

It is not the intention of this writer to question the validity or sincerity of Irma Ringe's statement that she broke with the Party. It is important to us to know, however, if the thinking which led her to associate with persons of the known reputation of Perlo and Cramer, in the Communist Party, underwent any drastic change.

It is also proper to speculate on whether or not her husband could have been elected to the Washington State Legislature had a frank and public disclosure of her past been made.

It may also seem strange to some to find that this person now opposes the showing of "Operation Abolition", which is an official report, on film, of the House Committee on Un-American Activities, unless the so-called "other side" is also presented. Opposition to the showing of this film is one of the major projects of the Communist Party at the present time.

The House Committee on Un-American Activities was eminently fair with Irma Ringe. They could have subpoenaed her to appear and

give testimony in public hearings but instead took her testimony in executive session and did not make the record public.

Then there are such things as the matter of her husband favoring admission of Red China, a position which he has every legal right to take but one that parallels another important part of the Party line.

It is our contention that such people find themselves emotionally involved with and attached to the extreme-left and hence find it next to impossible to advocate, vote for, or even to understand measures which will insure a sound economy. They are in most cases simply confused regarding the source of tax money. In other instances they know precisely what they are doing and are using the tax weapon to destroy our free enterprise economy. It makes little difference to us in end result whether they act from evil intent or from ignorance; they can no longer safely be entrusted with shaping the destiny of this great State.

The tax and spend addicts have made of Washington a pauper State and are now turning to Washington, D. C. for handouts, declaring some of our State a 'depressed area', and requesting charity for 'urban renewal'. Our pioneer ancestors who rolled their covered wagons into Washington Territory seeking the glorious opportunities which remain with us today, are now spinning in their graves.

The remedy seems obvious to us; remove the cause. The cause being the irresponsible taxers in both political parties who have been infected with socialism and never taken the cure. Restore fiscal sanity to Olympia and you will place Washington State back at the head of the prosperity parade.

THE VIGILANTE

10¢

VOL. 1 JANUARY 1962 NO. 4

Spokane, Washington

Jailbird Hall Gets Student Blackball

IF ANYONE DOUBTS FOR A MOMENT THAT THE CONSERVATIVE MOVEMENT HAS HIT THE CAMPUS LIKE A CYCLONE HE CAN NOW SET ASIDE ALL DOUBTS. THIS WEEK THE STUDENTS AT, OF ALL PLACES, EASTERN WASHINGTON STATE COLLEGE, VOTED AGAINST THE PROPOSED INVITATION TO COMMIE JAILBIRD GUS HALL. HALL'S WASHINGTON STATE APPARATUS, WITH ITS USUAL CONTEMPT FOR THE INTELLIGENCE OF AMERICANS PUT OUT A FEELER TO THE SCHOOLS OF THE STATE OFFERING WHILE IN THE STATE DURING FEBRUARY, TO APPEAR AT ANY SCHOOL WHERE HE HAD ENOUGH CONCEALED STRENGTH TO BE MADE WELCOME. CERTAIN CHARACTERS AND ASSORTED BEATNIKS AT CHENEY ATTEMPTED TO PROMOTE AN APPEARANCE FOR "JAILHOUSE" HALL AND NOW THE "LIBERALS" ON BOTH STUDENT AND FACULTY LEVEL ARE REELING FROM A LOW BLOW. THE SENSIBLE STUDENTS UP AND VOTED IT DOWN. BUT LET US SAY FOR THE RECORD THAT IF ANY COLLEGE ADMINISTRATOR WAS WORTH THE POSTAGE ON HIS PAY ENVELOPE THERE WOULD BE NO OCCASION FOR A VOTE ON SUCH A QUESTION. IT IS OUR OPINION THAT IF A SCHOOL ADMINISTRATOR WERE PROPERLY EQUIPPED WITH COURAGE, CHARACTER AND INTEGRITY, NO COMMIE JAILBIRD COULD EVEN SET FOOT ON A CAMPUS UNDER HIS CONTROL. (Cont. page 2.)

Story of Irma Ringe --- p. 4

THE VIGILANTE

The VIGILANTE is published by
Al Canwell and Ashley Holden at
W. 610 Sprague Ave., Spokane, Wash.

While it is true that the publishers of VIGILANTE are both known to be mildly of the Republican persuasion, it is not true that this paper is biased in that direction.

There is nothing that would make us happier than for the Democrats to up and cleanse their ranks of the extreme-left.

This could easily be done by the many patriotic Americans who far outnumber the lefties in the Democratic party but who fail to assert themselves in party organization.

The loyal democrats need to come up with a forthright and effective anti-Communist program and then demand that their party officials conform to that pattern.

There is no doubt that the democratic party could be re-captured and re-habilitated. We would like to once again think of them as the "loyal opposition".

When that nappy day comes, if it ever does, it will make little difference which side wins. America will never be the loser.

GUS HALL -- Cont. from page 1.

To the lasting credit of two state legislators from Spokane county, Representatives William S. Day and W. L. McCormick, both Democrats, who promptly went into action to have Hall's appearance canceled, and to the spunk and patriotism of President Charles Odgaard of the University of Washington, the Communists will not be able to use our tax-supported institutions of learning as a forum to advocate the overthrowing of the government of the United States.

WHEELING ALONG WITH JFK AND THE ADA

It is becoming clear just what line the Administration will take to win back the confidence of the American people: "Our failures are really tremendous successes in disguise, and if you don't believe us, we'll explain them to you."

Averill (Three Wheels On My Wagon) Harriman is exultant over the fact he may be able to push through a coalition government in Laos, made up of one each... pro-Communist, neutral and pro-Western princes. This gives the cause of Freedom a one-third minority and is considered success number one.

Dean (Two Wheels On My Wagon) Rusk says time has proved our policy is the correct one in supporting United Nations' intervention in the Congo. He makes this statement while Congolese rebels are still picking fragments of thirteen brutally slain Italian airmen out of their teeth and are wiping the blood of twenty Catholic missionaries off their hands.

Adlai (One Wheel On My Wagon) Stevenson declares that Communism is on the wane on the evidence that "Communism has yet to be the popular choice of one single nation anywhere on the face of the globe" while ignoring the fact that it now controls the destinies of close to one billion human beings.

Jack (Get Back In The Wagon, Woman; An Know What Ah'm Doin') Kennedy laces a female reporter who dares to question the advisability of putting William Arthur Wieland in a sensitive position within the State Department. This latter gentleman was Director of the Caribbean Division, Central American Affairs for the State Department during Castro's takeover in Cuba, and is credited by two former U. S. ambassadors with being one of the chief master-minds of the American policy that aided in the establishment of this Communist beachhead just ninety miles offshore. According to Nathaniel Weyl's "Red Star Over Cuba," Mr. Wieland's qualifications for any top office are limited. In his youth he operated under an alias, Guillermo Arturo Montenegro, as a member of a terrorist organization, ABC. He boasts a total of one year of college and was absorbed into the Foreign Service during a period when the Latin American Division was headed by an alleged Soviet agent. Former Ambassador to Brazil and Peru, William D. Pawley has said: "Wieland is either one of the most stupid men living or was intentionally serving the cause of our enemies." And former U. S. Ambassador Hill (to Mexico) has testified: "Mr. Wieland was either a damn fool or a Communist, and I don't think he was a Communist."

"No wheels on my wagon, and I'm not rollin' along....."

Next Issue *****

WARREN MAGNUSON'S
Communist Front Record
(In Installments)

ON NUMERICAL STRENGTH OF THE COMMUNIST PARTY

From testimony of J. Edgar Hoover before the House Subcommittee on Appropriations, January 16, 1958:

"I cannot emphasize too strongly that the numerical strength of the Communist Party means nothing. We must never forget that those individuals who remain as members today are fanatically dedicated to the ultimate forcible destruction of our form of Government. History tells us of the devastation which a handful of fanatics strategically placed can bring. To minimize the menace of Communism as the activity of a small dissident group develops lethargy and can only lead to disaster."

**

RED STAR OVER CHENEY

For some reason not obvious to reasonable men EWSC permitted Edgar Snow to be siphoned thru the school on a so-called speaking engagement.

When these left-wing propagandists are eased into the teachers colleges and other tax-supported institutions without being completely and honestly identified by either faculty, administration or public press we feel that it behooves thoughtful citizens to do something about it.

With this in mind THE VIGILANTE printed some documentation and identification on EDGAR SNOW and caused it to be distributed at EWSC. We intend to take similar action every time it comes to our attention that a Communist, pro-Communist or fellow traveler is sneaked into any public school in the Inland Empire area or foisted on the community with misleading press releases.

SUBSCRIBE TO * * *

The VIGILANTE

\$5 per year

AMMUNITION FOR

FIGHTING

AMERICANS * * * *

RIGHT OF JOHN BIRCH

Young Americans For Freedom member, Jan Becker, who is a student at the University of Washington attended a recent meeting of the Birchers where Robert Welch was the speaker. She reported to her mother, with some surprise, that Mr. Welch didn't seem to be as far to the right as she had anticipated. To emphasize the point she stated, "Why, he isn't as radical as the Canwells."

That's what we have been telling you all along.

BOOK NEWS

New books are coming into the Freedom Library as quickly as they come off the nation's presses. The only way you can keep up with what is on their shelves is to drop up once-in-awhile.

New and Worth Reading

"America: Listen!" by ex-State Department Officer Frank L. Kluckhohn. He describes present-day Washington as the "scene of the most chaotic mess in our nation's history." A fifty cent paperback that you can't afford not to read. "An American With Guts" by Edward Edell: the chatty, easy-to-read story of Dr. John Lechner, presently Chairman of the "Americanism Educational League" of California. Good reading for the neophyte to the anti-Communist movement.

On Order and Due In Stock

"Toward Soviet America": William Z. Foster's plan for the takeover of America; once destroyed by the Communist Party because it told too much; now republished by Elgin Company in the hope that it will help Americans to save themselves. With a forward by Francis E. Walter, Chairman of the House Committee on Un-American Activities.

Where Do You Stand?

Isn't it rather strange that these liberal columnists and TV and radio commentators who are so fearful of the "far right," never criticize the "far left"? Are all the "extremists" on the right side of the political spectrum?

The grim fact is there is no neutral ground in this war between the Freedom Fighters and the Communists. There can be no truce between the "left" and the "right," and it is because the public at last is becoming aware of the sinister menace of the welfare state and its Communist sponsors, that courageous men and women in all walks of life are enlisting in an irresistible conservative movement to crush this Godless ideology which enslaves men and extinguishes the light of freedom.

For the first time in more than three decades the Communists and their glib dupes are being challenged effectively by an enlightened and aroused citizenry. The leftist extremists are frightened, and in their fear and anger they resort to smear tactics and innuendo in a desperate attempt to discredit those who respect the Constitution and who love the flag and the Republic for which it stands.

Be not dismayed nor intimidated by the walls of anguish from the left. The fight will go on to the finish and right ultimately will prevail, for there can be no appeasement of evil, nor is co-existence with Communism possible if freedom is to survive.

Those who love freedom despise Communism, and it matters not whether they march under the banner of the John Birch Society, or carry the torch of the late Senator Joe McCarthy, they will not be halted by those who look upon Robert Welch as a villain and Alger Hiss as a martyr.

REPRINTED FROM THE TONASKET TRIBUNE
ASHLEY E. HOLDEN, EDITOR & PUBLISHER



The RIGHT, boy. The danger lies to the RIGHT.

File No. 100 - 21585 - 1a ⁽³⁾

Date Received 3/7/62

From Wenatchee Daily World
(Name of Contributor)

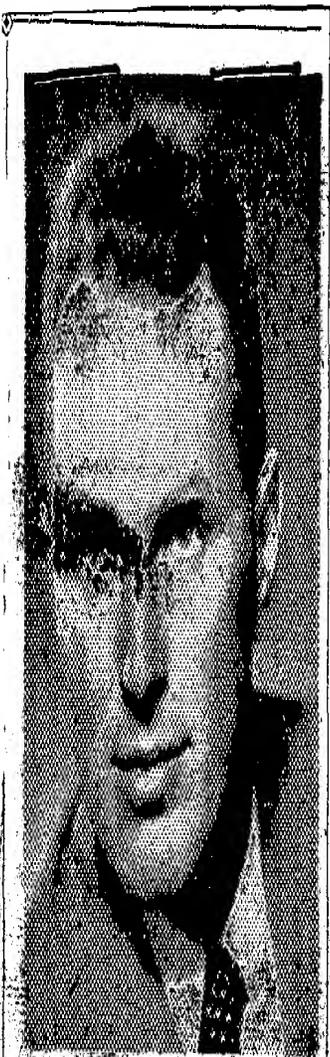
Wenatchee, Wash.
(Address of Contributor)

By (Initials)

To Be Returned Yes
No

Description: Photo of John Goldmark clipped from Wenatchee Daily World newspaper page 1, 3/7/62

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GETS RIVAL — Rep. John Goldmark, Okanogan, will get competition in the Democratic primary this year from Okanogan County Commissioner Joe Cassler.

Wenatchee Daily World
Wenatchee, Washington
March 7, 1962

Page 1.

100-21585-1a (3)

File No. 100-21585-1A (4)

Date Received 11/15/62

From "Spokesman Review"
(Name of Contributor)
newspaper

(Address of Contributor)

By
(Name of Special Agent)

To Be Returned Yes
No

Description: Complaint filed by
Mrs Goldmark & Husband

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DATE 08-15-2006 BY 60324/AUC BAW/CB/CAK

Sp. Sec. 108

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON FOR OKANOGAN COUNTY

JOHN GOLDMARK and SALLY
GOLDMARK, his wife,

Plaintiffs,

vs.

ALBERT F. CANWELL and

ASHLEY HOLDEN, SR. and

LORIS GILLESPIE

TONASKET

PUBLISHING COMPANY, a
corporation; OKANOGAN
INDEPENDENT, INC., a
corporation; and THE JOHN
BIRCH SOCIETY, INC., a
corporation,

Defendants.

Plaintiffs allege:

FIRST CLAIM FOR RELIEF

I.

The plaintiffs are husband and wife residing in Okanogan
County, Washington.

II.

The defendants Canwell are husband and wife; the defendants
Holden are husband and wife; the defendants Gillespie are husband
and wife; and the defendants [redacted] are husband and wife, and all of
said defendants are residents of the State of Washington. All acts
of the defendants Albert F. Canwell, Ashley Holden, Sr., Loris
Gillespie and [redacted] hereinafter mentioned were done in behalf
of their respective marital communities.

III.

The defendant Tonasket Publishing Company is a corporation
organized and existing under the laws of the State of Washington,
and having its principal place of business at Tonasket, Washington.

IV.

The defendant Okanogan Independent, Inc. is a corporation

NO. 15010

C O M P L A I N T

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organized and existing under the laws of the State of Washington, and having its principal place of business at Okanogan, Washington.

V.

The defendant The John Birch Society, Inc. is, on information and belief, a foreign corporation, and is engaged in business in the State of Washington.

VI.

The plaintiffs have resided in Okanogan County since 1947, and have at all times since then lived on and operated a cattle and wheat ranch in the county, and have taken an active part in the civic and public affairs of this region and of the State of Washington. In 1956 the plaintiff, John Goldmark, was elected State Representative for the First Legislative District, consisting of Okanogan County and Douglas County, and has served in that office continuously to the present date, having been re-elected in 1958 and 1960. At all times prior to the acts of the defendants hereinafter alleged, the plaintiffs enjoyed an excellent name and reputation in the First Legislative District and throughout the State of Washington for personal integrity, honesty, patriotism and loyalty to the Government of the United States and to our democratic institutions.

VII.

With regard to each of the libelous publications and slanderous utterances hereinafter set forth:

(a) The defendants knew, or with the exercise of reasonable care could have ascertained, at the time of said publications and utterances, that the defamatory matters contained therein concerning the plaintiffs were false, and the defendants acted in wilful and wanton disregard of the truth.

(b) Each such publication and utterance was made or participated in by the defendants with actual malice and with the intention of defaming plaintiffs and destroying their reputations.

(c) Each such publication or utterance was made in Okanogan County and elsewhere in the State of Washington.

(d) By reason of each such publication and utterance, the plaintiff named or referred to therein has been exposed to hatred, contempt and obloquy, deprived of the benefit of public confidence and social intercourse, prejudiced in his or her vocation and office, and irreparably damaged in his or her reputation and standing in Okanogan and Douglas Counties and elsewhere, and has been subjected to great mental pain and anguish.

VIII.

On or about July 12, 1962, the defendants Ashley Holden, Sr. and Tonasket Publishing Company caused to be published and circulated among the public a false, malicious and libelous matter of and concerning the plaintiff, John Goldmark, a copy of which matter is attached hereto, marked Exhibit A, and by this reference made a part hereof. The said publication was libelous on its face, and by the words and language contained therein, the defendants meant and intended to mean, and were understood to mean, that the plaintiff was and is a Communist, or a pro-Communist and Communist sympathizer. By reason of the said libelous publication, the plaintiff has been damaged in the amount of \$25,000.

SECOND CLAIM FOR RELIEF

I.

Plaintiff John Goldmark repeats and realleges the allegations of paragraphs I through VII of the First Claim for Relief hereof.

II.

On or about August 30, 1962, the defendants Ashley Holden, Sr. and Tonasket Publishing Company caused to be published and circulated to the public a false, malicious and libelous publication of and concerning the plaintiff, a copy of which is attached hereto,

marked Exhibit B, and by this reference made a part hereof. The said publication was libelous on its face, and by the language contained in the said publication, the defendants meant and intended to mean, and were understood to mean, that the plaintiff was and is a Communist, or a pro-Communist and fellow traveler, a participant in a Communist conspiracy to turn the United States into a totalitarian state and destroy our democratic institutions, and a disseminator who deliberately deceived his fellow citizens and concealed from his Communist ideology and affiliation. By reason of the said libelous publication, the plaintiff has been damaged in the amount of \$25,000.

THIRD CLAIM FOR RELIEF

I.

The plaintiff John Goldmark repeats and realleges the allegations of paragraphs I through VII of the First Claim for Relief hereof.

II.

During the spring and summer of 1962, the defendant Albert F. Camwell caused to be published and circulated to the public a false, malicious and libelous publication of and concerning the plaintiff, a copy of which is attached hereto, marked Exhibit C, and by this reference made a part hereof. The said publication was libelous on its face, and by the language of the said publication the defendants meant and intended to mean, and were understood to mean, that the plaintiff was and is a Communist, or a pro-Communist and fellow traveler, and was and is a participant in or agent for a Communist conspiracy. By reason of the said libelous publication, the plaintiff has been damaged in the amount of \$50,000.

FOURTH CLAIM FOR RELIEF

I.

The plaintiff John Goldmark repeats and realleges the

allegations of paragraphs I through VII of the First Claim for Relief hereof.

II.

During the spring and summer of 1962, the defendant Albert F. Canwell caused to be published and circulated to the public a false, malicious and libelous publication of and concerning the plaintiff, consisting of a tape recording substantially identical in content to the written matter set forth in Exhibit C hereto. By reason of the said libelous publication, the plaintiff has been damaged in the amount of \$50,000.

FIFTH CLAIM FOR RELIEF

I.

The plaintiff John Goldmark repeats and realleges the allegations of paragraphs I through VII of the First Claim for Relief hereof.

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II.

On or about September 6, 1962, the defendants [redacted] who, on information and belief, was then and there acting within the scope of his employment as a paid agent of the defendant The John Birch Society, Inc., and the defendant Okanogan Independent, Inc. caused to be published and circulated to the public a false, malicious and libelous publication of and concerning the plaintiff, a copy of which is attached hereto, marked Exhibit D, and by this reference made a part hereof. By the language contained in the said publication, the defendants meant and intended to mean, and were understood to mean, that the plaintiff was and is a Communist, or a pro-Communist and fellow traveler, and a participant in or agent of a Communist conspiracy to seize governmental power in the State of Washington and in the United States. By reason of the said libelous publication, the plaintiff has been damaged in the amount of \$25,000.

SIXTH CLAIM FOR RELIEF

I.

The plaintiff John Goldmark repeats and realleges the allegations of paragraphs I through VII of the First Claim for Relief hereof.

II

On or about August 31, 1962, the defendants Albert F. Canwell and Loris Gillespie, at a public meeting at Okanagon, Washington, caused slanderous utterances and libelous publications to be circulated to the public, to the effect that plaintiff John Goldmark was and is a member of a Communist front organization. By reason of the said slanderous utterances and libelous publications, plaintiff John Goldmark has been damaged in the amount of \$25,000.

SEVENTH CLAIM FOR RELIEF

I.

The plaintiff Sally Goldmark repeats and realleges the allegations of paragraph I through VII of the First Claim for Relief hereof, and the allegations of the Third Claim for Relief hereof.

II.

The plaintiff Sally Goldmark was a member of the Communist Party during the depression and early World War II period, i.e., from 1935 to 1943; never engaged in, or had any knowledge of, espionage or similar unlawful activities, at any time during the said period; left the Communist Party entirely in 1943, and has had nothing to do with it since; and related the full details of her past membership to the Federal Bureau of Investigation and to the United States House Un-American Activities Committee years prior to the publication of the libelous matters hereinafter mentioned.

III.

The written matters set forth in Exhibit C hereto were libelous on their face as to this plaintiff in stating that

plaintiff had belonged to an espionage group of the Communist Party, and that plaintiff had testified she had not left the Communist Party until 1948 or 1949, and by the language of said publication the defendants meant and intended to mean, and were understood to mean, that the plaintiff is still a Communist, or a pro-Communist and a fellow traveler, and that plaintiff had committed the criminal offense of testifying falsely before the House Un-American Activities Committee. By reason of the said libelous publication, the plaintiff has been damaged in the amount of \$12,500.

EIGHTH CLAIM FOR RELIEF

I.

The plaintiff Sally Goldmark repeats and realleges the allegations of paragraphs I through VII of the First Claim for Relief hereof, and the allegations of the Third, Fourth and Seventh Claims for Relief hereof.

II.

By reason of the publication of the said libelous tape recording, the plaintiff has been damaged in the amount of \$12,500.

NINTH CLAIM FOR RELIEF

I.

Plaintiffs repeat and reallege the allegations of the first eight Claims for Relief hereof.

II.

On information and belief, all of the defendants conspired and wilfully participated in a plan and course of action designed to defame and injure the plaintiffs as aforesaid, and each of the aforesaid publications and utterances was made by the defendants pursuant to such conspiracy and plan of action, together with other slanderous utterances and libelous publications of the same general nature, the details concerning which are presently unknown to plaintiffs.

WHEREFORE, plaintiffs pray judgment as follows:

1. Against the defendants Holden, and their marital community, and the defendant Tonasket Publishing Company, in the amount of \$25,000 on the First Claim for Relief hereof; against the defendants Holden, and their marital community, and the defendant Tonasket Publishing Company, in the amount of \$25,000 on the Second Claim for Relief hereof; against the defendants Canwell, and their marital community, in the amount of \$50,000 on the Third Claim for Relief hereof; against the defendants Canwell, and their marital community, in the amount of \$50,000 on the Fourth Claim for Relief hereof; against the defendants [redacted] and their marital community, and the defendants Okanogan Independent, Inc., and the John Birch Society, Inc., in the amount of \$25,000 on the Fifth Claim for Relief hereof; against the defendants Canwell and their marital community, and the defendants Gillespie and their marital community, in the amount of \$25,000 on the Sixth Claim for Relief hereof; against the defendants Canwell, and their marital community, in the amount of \$12,500 on the Seventh Claim for Relief hereof; against the defendants Canwell, and their marital community, in the amount of \$12,500 on the Eighth Claim for Relief hereof.

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2. In the alternative, against each of the defendants, and the respective marital communities of the individual defendants, in the amount of \$225,000 on the Ninth Claim for Relief hereof.

3. For their costs and disbursements herein to be taxed, and for such other and further relief as to the Court may deem just.

/s

[redacted]

Attorneys for Plaintiffs

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STATE OF WASHINGTON
COUNTY OF OKANOGAN

} ss.

JOHN GOLDMARK, being first duly sworn, on oath deposes
and says:

He is one of the plaintiffs herein; he has read the fore-
going Complaint, knows the contents thereof and believes the same
to be true.

/S/ JOHN GOLDMARK

Subscribed and sworn to before me this 26th day of
September, 1962.

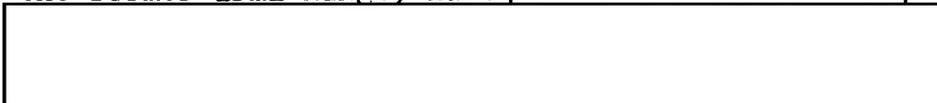
/S/ R. E. MANSFIELD
Notary Public in and for the State
of Washington, residing at

EXHIBIT A

SEEKS REELECTION
TO LEGISLATURE

State Representative John Goldmark, Okanogan, a Democrat, last week announced his candidacy for reelection to the legislature. In the last session, as chairman of the house ways and means committee, he was instrumental in securing the passage of Governor Rosellini's high tax program.

Goldmark is also running on a platform adopted by the Democrats which advocates repeal of the McCarran Act, a law requiring the registration of all Communist party members. He and his wife, Sally, the former Irma Ringe, have



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Goldmark is a member of the American Civil Liberties union, an organization closely affiliated with the Communist movement in the United States, and which was classified as a Communist front in 1948 by the Committee on Unamerican Activities of the California legislature.

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EXHIBIT B

CATCHING UP WITH JOHN

Okanogan county voters, particularly those who identify themselves as Democrats, will have an opportunity in another 12 days to erase a blot which has too long marred the political picture in the First legislative district.

For a long time the residents of Okanogan and Douglas counties have been humiliated by the actions of John Goldmark when he goes to Olympia to represent the fine citizens of this region. Never has he reflected the views of a majority of the voters, as his legislative record reveals he has voted invariably with the extreme leftists and has sponsored measures designed to socialize our economy and convert us into a Welfare State.

In his campaign at home he has deceived the people with high-sounding phrases, all the while carefully concealing his true political philosophies which make him the idol of the pinkos and ultra-liberals which infest every session of the legislature.

But the voters, including members of his own political party, at last are finding that John Goldmark is not their representative; that he is a tool of a monstrous conspiracy to remake America into a totalitarian state which would throttle freedom and crush individual initiative. The people at last are getting a good look at the other side of the coin which bears the likeness of John Goldmark -- and they don't like it.

At the same time many voters are heartily ashamed of those politicians who have run for office as a "team" with Goldmark. By their votes on September 11, they can repudiate the whole bunch.

EXHIBIT C

AMERICAN INTELLIGENCE SERVICE

A.F. Canwell, Director

Vol. 1, No. 2 W. 610 Sprague Avenue - - Spokane, Washington

August, 1962

AN INTERVIEW WITH AL CANWELL

Question - "What are you presently doing Mr. Canwell?"

Mr. Canwell - "I operate a non-governmental intelligence service, specializing in security information."

Question - "Did you undertake this activity with prior experience in a governmental capacity?"

Mr. Canwell - "I have been in various phases of professional investigations for many, many years. My governmental activity in this direction had to do with directing the Un-American Activities Committee of the Washington State legislature."

Question - "As a consequence of your work and investigative activities in this capacity, did you have an occasion to investigate Communist front organizations?"

Mr. Canwell - "Yes, we investigated a great many Communist fronts. In investigating the Communist apparatus you must investigate the fronts because they are a principal way by which the Party extends its activity. One of the major activities of the Communists is propaganda and this is spread chiefly through fronts."

Question - "Can you tell me anything about the American Civil Liberties Union?"

Mr. Canwell - "The American Civil Liberties Union is in my judgment one of the most effective Communist fronts in America."

Question - "On what do you base this judgement?"

Mr. Canwell - "It was organized in 1920. The founder of the American Civil Liberties Union was Roger Baldwin, whom the House Un-American Activities Committee and the Senate Internal Sub-Committee have listed as belonging to more than one hundred (100) Communist fronts. For most of the history of the American Civil Liberties Union, he was its active head. He is merely representative of many, many such personalities identified with the American Civil Liberties Union. Its activities have been largely on behalf of Communists and Communist causes, particularly when Communists are in trouble with the courts, or with legislative committees."

Question - "Could you give me any information about the Washington State Chapter of the American Civil Liberties Union?"

Mr. Canwell - "The Washington State Chapter is one of the most effective units of the American Civil Liberties Union because it has some of the ablest left-wing lawyers in the country on its board. There are men who are on many of the major Communist fronts, who also are officers on the National American Civil Liberties Union and on the State Civil Liberties Union."

Question - "Could you tell me what the position of the Washington State Chapter of the ACLU is in regards to the McCarran Act which requires Communists to register?"

Mr. Canwell - "The position of the Washington state chapter membership has been identical with that of the Communist Party. They want to eliminate the McCarran Act. They have been traditionally opposed to all anti-Communist legislation, and have opposed all legislation to protect us against the Communist conspiracy. They have always taken the position of defending the Communist Party."

Question - "Mr. Canwell, upon examining a copy of the letterhead of the Washington State Chapter of the ACLU, I see the name of John Goldmark, who happens to be the Washington State Representative for the First Legislative district from Okanogan and Douglas counties. In the course of your investigations, did you run across Mr. Goldmark and his history of activities?"

Mr. Canwell - "Let me say that I have had a great interest in Mr. Goldmark. He is a brilliant young lawyer, a graduate of Harvard law school, a nephew of Justice Brandeis of the Supreme Court. A man with his legal training and background and family connections could probably obtain a job in almost any law office in America, yet he is in the State of Washington doing anything but practicing law, and coupled with the fact that he has usually taken an extreme left position in his legislative activities, I have been interested in the man."

Question - "Mr. Canwell, what can you tell me about Mr. Goldmark's family? Is he married, and if so, to whom?"

Mr. Canwell - "Yes, Mr. Goldmark is married to Sally Goldmark. At least that's the name she goes by now. In my acquaintance with her background, she was known as Irma Ringe, and I came to know a great deal about Irma Ringe before I knew anything about John Goldmark."

I had investigated the activities of Alger Hiss and many people in the higher levels of Government who had betrayed this Government through their activity in the Communist party. And during that time, I became quite familiar with the Harold Ware cell in Washington, and the various people connected with it. Whittaker Chambers, whom I came to know well, and Elizabeth Bentley, [redacted] were members of this Communist spy cell in Washington. They were organized by Harold Ware, a top Soviet Agent, and the people in such a cell were Soviet Agents, and were exposed and revealed to be Soviet Agents engaged in acts of espionage. Men like Gregory Silvermaster, Hiss, Bentley, Chambers, Perlo and [redacted] In the early fifties the research director of the House Un-American Activities committee asked me to look into the case of Irma Ringe who had been a member of the second highest Communist cell in Washington -- one of those organized by Harold Ware, and in this cell were Victor Perlo, and [redacted] And Irma Ringe had been a member of this group.

To answer your question, I found that she was living in the State of Washington and she was married to John Goldmark; and that John Goldmark was a member of the Washington state legislature.

In investigating her case, I found that it had been very carefully kept secret. A short time after this, the House Un-American Activities committee subpoenaed Irma Ringe to appear before it in Seattle, and at that time she told her story to the committee. She replied to their questions about her activities, admitted a former membership in the Communist Party, and an association with [redacted] and Victor Perlo and several others in this cell. She stated that she left the Communist Party, and she also stated in answer to questions about the espionage activities of this group that she knew nothing about that phase of it, that in these meetings with these high level agents that all they did was to sit around and talk about philosophical matters. This of course was very disappointing to the

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committee of Congress because they felt that she would be able to reveal a great deal of information and throw light on things they didn't know, as Bentley, Chambers, [redacted] and others had done. They were very disappointed that she was unable to give them any information other than that the group discussed philosophical matters."

Question - "This same Irma Ringe who has been identified, and who admitted that she was a member of this cell at this time is the same woman who is now Sally Goldmark?"

Mr. Canwell - "Yes, she is one and the same person. I might add too, that she says she left the Communist Party, and I would accept that in the light that it is given if her actions were such as to indicate a clean break with the party. Now, in my experience with ex-Communists, they are willing usually to give a great deal of information to the Government. Then in addition to that, to make up for the treachery against their Government, they feel obligated to take part in opposing Communism. By opposing it, I mean opposing the current Party line.

I can illustrate Irma Ringe's attitude very well on the matter of the film "Operation Abolition." A chief target of the Communist Party in the United States the last several years has been the House Un-American Activities committee, and an official report of that Committee known as "Operation Abolition".

Now it would seem to me that anyone who had been inside the Communist apparatus would know how important to the security of America and to the freedom of the world the operation of this Committee is. He or she would want to do everything in the world possible, it would seem to me, to help the Government of the United States through its Congress to combat and counteract Communism and Communists. That just seems to be the reasonable thing to me. So when I find a person such as Sally Goldmark who has been in the Communist Party on a very high level, and who has been treated exceedingly fairly by the House Un-American Activities Committee and by that I should state it held its hearing on Mrs. Goldmark in executive session and did not make public the minutes of that meeting or the transcript of the testimony. It was a very fair thing to Irma Ringe. And still, in spite of that, she has been so much opposed to the showing of the film "Operation Abolition" which is a report of the House Un-American Activities Committee. Such a thing just seems inconsistent to me. I have no way of reading her mind, but I know that if I had been in the Communist Party, and I saw the light, I would then bend all of my efforts to opposing the Party and would join those who are opposing it and I would not be opposed to the House Un-American Activities Committee.. I would not be opposed to people who are giving their lives and their energies to accomplishing security for this country and for the world. So I find her activity an enigma. I only wish that she could see Communism in the same light as Elizabeth Bentley, and Whittaker Chambers and others who were in the same Soviet spy apparatus, but who did so much for this country in revealing what they knew."

Question - "Mr. Canwell would you tell me when Irma Ringe married John Goldmark, and became Sally Goldmark?"

Mr. Canwell - "It was in 1942. They were married in Washington, D.C. and then he was called to active duty by the Naval Reserve, and he served until 1943. After that they came out to Washington and he worked for an apple rancher down in White Salmon, which is the first place that I picked up their trail in Washington state. They then came to the Okanogan and suddenly became cattle ranchers."

Question - "When did Mrs. Goldmark indicate that she had broken with the Communist Party?"

Mr. Canwell - "I believe now again I'm speaking without my record or notes in hand, but I believe she testified that it was in 1948 or '49 that she broke with the party, but I could be mistaken on that. I would wish to check my records. She did state when she broke with the party and I believe she said it was when she came to the state of Washington or right after she came to the state of Washington; or it might have been earlier."

Question - "In drawing this to a close would you have any observations, Mr. Canwell, about the present state or condition of our internal and national security as a consequence of the Communist threat or infiltration? Is this threat just a thing of the past or something we need be concerned with at the present?"

Mr. Canwell - "It is my considered opinion, based on nearly twenty-five (25) years of experience in this field, that we are in the most critical situation in our history. We have one enemy the global Communist Party with its world wide apparatus which is working everywhere and we are being told by people who know better there is no internal threat in America. That is a dishonest assertion. It is a dangerous one. The Communist threat is world wide. It's both without and within. It's like an octopus -- the heart or the center may be in Moscow, but the tentacles are everywhere.

Joseph Kornfeder who was one of the highest Communists in America at one time and the only American to serve on the Comintern, said recently we should not be misled by the fact that there are assuredly between five and ten thousand known members of the Communist Party in the United States at the present moment. He said the Communist Party would have a great many more members now if it wanted them. This cadre membership is what is convenient to the task that they have at hand. He said this five to ten thousand Communists represents as many professional organizers. They're hard core, disciplined Communists who are going to go all the way. The weaklings have been weeded out. These people are professionals; they're dangerous; they're out to kill us. Actually, to get an idea of how effective this number is for the Communist Party, imagine what we would give for five thousand professional organizers behind the Iron Curtain.

One can not overestimate the danger. These agents are everywhere. They are in key positions. They are in the ministry of the churches. They are in our educational system. They are in the scientific fields. They are at the highest levels of government.

Only a knave or a fool would underestimate the danger. It has never been greater."

EXHIBIT D

Thursday, September 6, 1962 OKANOGAN INDEPENDENT

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A Discussion of Communism

PILLAGING PARLIAMENT

One of the most revealing documents dealing with the technique of communist apparatus uses to effect penetration of governments is a training book smuggled into England from Czechoslovakia and now published under the title "And Not a Shot is Fired."

This book tells how, by using a system of ever-patient gradualism, the communist agents can change the complexion of the free government of any era.

It explains the conditioning of people to accept centralization of the services of government with a resultant loss of local responsibility for and control of services that should of their very nature be conducted wholly at the local level. (Americans have for years been undergoing a similar softening-up process so they will not too strongly resist the centralization of political power.)

The early steps involve the usurping of the responsibilities of local peace officers such as sheriffs and the city police systems and extends to many other public services at the local level such as libraries, water, sewer and transportation systems, etc. The agents effecting this always pretend they are laboring in the interest of greater efficiency and economy of operation.

Another of these proven steps is a gradual choking out the life of property owners by steadily rising taxation and subsequent confiscation until the persons owning the land are pressed into premature rebellion, and with this the government -- now under the control of the communists - takes over total control.

While this may seem fantastic to the average, complacent American, it also appeared fantastic to the average complacent Czech.

The Czechs had one of the most industrialized countries in Europe after the war and believed themselves free of all subversive influences.

One day they woke up to find that their country had been taken over by the very method described.

In a country composed of several sovereign states, as is the United States, penetration of the state government is of great importance. One of the reasons why state legislators are a key to the subverting of a country is that the average person does not pay much attention to what the state legislature is doing. His attention is focused in large part on the national congress and world scene. Little attention is devoted to the daily activities of state senators and representatives even while a legislature is in session.

It is important to notice that in all the countries that have been taken over so far by this parliamentary penetration, it has been at the level of government equal to our state government that the work of subversion has been accomplished. One of the techniques employed by the revolutionary apparatus to implement this is to send the agents whom they want elected into rural areas. It is in these areas that they find their agents can be elected most cheaply and, usually, quite easily.

While subverting the local governments, the communists do not overlook the national parliaments, although their activities at this level are more susceptible to detection. Even then, however, in the case of our own country, it is a startling fact that key communist agents in the top level of service in Washington, D. C. continued to engage in espionage for years after they had been identified by former comrades like Whittaker Chambers, Elizabeth Bentley, Louis Budenz, and others.

The actions of agents in top espionage rings such as the Ware cell, the Perlo cell, and the Silversmith apparatus are examples of this.

The number of traitors in these units who were able to continue their work or alter their identify and emerge in other areas is mute testimony to the unflagging energy of the dedicated communist in his or her determination to place this country under the heel of the Kremlin, and to our apparent willingness to let this happen.

100-21585-1a (5)
Dime

File No. ~~72-4491AT~~

Date Received 10/25/63

From [Redacted Box]
(Name of Contributor)

[Redacted Box]
(Address of Contributor)

By [Redacted Box]

To Be Returned Yes
No

Description:
One Copy of the Vigilante
Vol 1 #7, Aug. 1962

Filed 11/4/63

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See Serial 144



BRANDING TIME in the NEW FRONTIER

BEST STORY OF THE SEASON HAS TO DO WITH REPUBLICANS PRINTING AND SELLING THE STATE PLATFORM OF THE DEMOCRATS.

NOT SINCE 1938 HAVE THE DEMOCRATS ASSUMED SUCH A RIGID AND RECOGNIZABLE COMMUNIST POSTURE IN THEIR PARTY PROGRAM. SO FAR TO THE LEFT WAS THE ADOPTED PLATFORM AT THE BELLINGHAM CONVENTION THAT JOE HURLEY OF SPOKANE, A FORMER MEMBER OF THE LEGISLATURE AND A CURRENT CANDIDATE FOR HIS PARTY NOMINATION FOR 5TH DISTRICT CONGRESSMAN BOLTED THE CONVENTION WITH A STINGING DENUNCIATION.

HIS EXACT WORDS WERE: "WHAT THEY HAVE HERE IS THE COMMUNIST MANIFESTO. IF I HAD STAYED AND VOTED WITH THEM, I WOULD HAVE BEEN EX-COMMUNICATED FROM MY CHURCH."

THE PUBLIC REACTION TO THE PLATFORM LEFT MANY DEMOCRAT FACES AS RED AS THE PLATFORM AND THEY QUICKLY SCUTTLED PLANS TO DISTRIBUTE THE DOCUMENT. AT THIS POINT THE REPUBLICANS MOVED IN, PRINTED THE PLATFORM AND ARE SELLING IT LIKE HOTCAKES AT TWO-BITS A COPY.

LEFTWARD HO!

The Western States meeting of the Democratic Party followed close on the heels of the red-tinted State convention, both at Bellingham and both of the same political complexion.

Speaking to and for the assembled democrats was their keynote speaker, Wilbur H. (Ping) Perry of the obnoxious Fund For Republic organization. He launched a vicious attack on J. Edgar Hoover in what is expected to be only the first of a series of back door attacks on Mr. Hoover.

J. Edgar Hoover has become an American institution. His patriotism and integrity are unquestioned by loyal Americans. However, his very integrity has become an annoying obstacle to the New Frontiersmen. His informed and reliable statements on the danger to America from domestic communists does not square with the "no danger from within" theme of the new order.

In fact his knowledge, loyalty and integrity constitute a veritable burr under the saddles of the left-riding new frontiersmen and he obviously must go. But how?

Look for a stepped-up program of sneers and cracks from eggheads on the Left such as Ford's Perry. They will try to accomplish what the open apparatus of the Communist Party has been unable to do through years of frontal attacks on Hoover and the FBI. The FBI is the only remaining security device left to the American people which has not been scuttled by the "no winners".

First they put the security department of the Department of State out of business and then they crippled the military intelligence units by clobbering General Walker and thus making certain that no lesser soldier would presume to give the Ruskys any trouble. So, Hoover has to go to make way for a more pliable replacement.

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VIGILANTE

VOL. 1 AUG. 1962 NO. 7

Spokane, Washington

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DATE 08-15-2006 BY 60324 AUC BAH/CB/CAK



BEN

KIZER

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SPOKANE

ENIGMA

Open Letter to:

Mr. King Colman

THE VIGILANTE

The VIGILANTE is published by
Al Conwell and Ashley Holden at
W. 610 Sprague Ave., Spokane, Wash.

We are taken to task occasionally for the implications surrounding our selection of VIGILANTE as a name for our paper. Some suspect that we are out wandering around with a rope looking for a culprit and a convenient limb. This is not the case. Our attachment to the word has to do with our belief that we had better be a little more vigilant at this time or we shall soon be slaves or dead.

The Vigilantes in early frontier Montana performed a necessary service to the community. Granted their methods were rather direct and just a little abrupt and final, they did never the less perform a very necessary and satisfactory service for Montana and the West.

This sort of thinking could get us around to the 'New Frontier' and maybe we had better remain our usual non-partisan, non-violent selves and say nothing. However, the more we contemplate that bunch of claim jumpers making up the brain trust of the New Frontier the more we are inclined to the belief that the boys who cleaned up Virginia City are more to be praised than censured.

Mr. Citizen - do you have problems - do you hear voices - does your mother hate you - do you love the revenue man? Worse yet, do you seem to see the ugly puss of a dissipated man leering at you from a thousand billboards? Do these billboards seem to suggest in box-car type that you should keep your State moving (left)?

Before you see your head-shrinker ask yourself 'not what he has done for you' but rather what you have done for him.

Don't be too harsh on him. Your willing taxes bought the booze.

Is he worn and pleasure bent? Your ballot bought his shirt and shoes.

Your VIGILANTE subscription will be extended to cover recent lapses in publication.

Ben Kizer - - -

Few men in the history of Spokane have written their names in bolder letters in the history of the community than has Benjamin Hamilton Kizer.

Known by sight to thousands as he vigorously swings his identifying cane in his daily mile-devouring strolls about Spokane. Few men 40 years his junior would care to try to keep pace with him (he was born in 1878) as he covers the blocks from his office to the many civic and community activities in which he is an active participant.

Over the years he has served with distinction in almost every civic post from president of the Chamber of Commerce to the presidency of the local Bar group. And probably no one person is the inspiration for more inquiries from security conscious persons to the local office of the FBI, for along with his good works in the local community he has participated, on a top level, in some of the most deadly of the Communist fronts.

Problings by Red-hunters and Red-haters only intensifies the loyalty to Ben of the local intelligentsia. The intellectuals of the community, the pseudo-intellectuals and the assorted bird watchers will do battle for him at the drop of a hint that all is not well loyalty wise, for to them he is their patron saint and he can do no wrong - has done no wrong - will do no wrong.

A listing of some of his more prominent and important Communist front connections by this writer in 1950 brought forth immediate public denials although all charges were accompanied by documentary evidence of their accuracy.

Flying in the face of all of the facts and evidence an impressive group of leading local citizens sprang to his defense. The group included judges, lawyers and bankers. They had long ago cast their lot with Ben Kizer and they were not about to be confused with facts and evidence, no matter how substantial and convincing.

Probably the most important Communist front ever developed is the Institute of Pacific Relations, the vehicle used to soften up the government and people of the United States for the subsequent take-over of our ally China by the Reds. High in this apparatus were such clever and



Mrs. Goldmark

important domestic Communists as Alger Hiss and Frederick Vanderbilt Field. In the top echelon for most of its years was also our Ben Kizer.

One of the many achievements of the organization was the development of scores of synthetic experts on China to fill the posts in the Department of State and on international agencies such as UNRRA. Ben Kizer served as head of UNRRA in China although there is little proof that he knew anything significant about China or had any kind of background experience to qualify him for such an undertaking.

Closely associated with the IPR was another Communist serving satellite called Amerasia magazine. It was put out of business as a result of a raid by the FBI and the OSS on its New York office where the government agents recovered about 1700 stolen documents. Kizer was listed on the masthead of the magazine as an editorial board member, his public denials to the contrary.

His connection with the National Lawyers Guild and the American Civil Liberties Union will be dealt with in following articles as will the testimony of sworn witnesses such as Louis Budenz, former managing editor of the Daily Worker who testified under oath that Ben Kizer was a Communist.

Open Letter To:

IRMA RINGE GOLDMARK
Okanogan, Washington

Dear Mrs. Goldmark:

As one of the editors of VIGILANTE, I have taken the responsibility for laying before the people of the First Legislative District some of the facts relating to your one-time membership in the Communist Party. This I felt to be my duty as a citizen since you and your husband, due to his membership in the Washington State Legislature are influential in shaping the legislative future of our State and hence can influence both our economic stability and our physical security for good or ill.

Your now known former membership in the Communist Party was a secret carefully kept from the electorate and hence they had no way of appraising your words and actions in the light of your past.

I believe it proper on my part, having knowledge concerning the tactics of the Communist apparatus, to ask if the Communist Party, knowing your secret, attempted any pressures to accomplish a left-of-center result in Washington State Legislation in recent years or solicited your support for participation in a Communist Party program to oppose the House Committee on Un-American Activities and its official report, "Operation Abolition"?

The public record is bare of any revelation by you, as a former member of an important Communist group in the Nation's capitol, containing such notorious Communists as Victor Perlo and Charles Kramer, which might conceivably guide others in avoiding the pit-falls prepared for us by the Communists both inside and outside of Government.

Repentant Communists such as Whittaker Chambers and Elizabeth Bentley made full and complete public disclosures, under oath, before committees of the Congress; disclosures which undoubtedly helped to set back the Soviet time-table for takeover of the United States. Could you not, in the light of your experience in the Communist Party be a compelling witness before the people of your state and district concerning the dangers from within posed by penetration of government service by agents of the Kremlin?

The story is being circulated, I hope not at your instigation, that you were an undercover agent of the FBI while you were in the Communist Party. From information in my possession I am forced to the belief that you were not acting for, nor in co-operation with, the FBI while you were a member of the Communist Party. If my information is inaccurate I feel that you should publicly set the record straight.

Another suggestion that I feel impelled to make is that you request the HUAC to make public the testimony which you gave in executive session before a sub-committee of that Committee. I am certain that no information was divulged, which by its disclosure might in any manner benefit the Communist Party. In fact I am reasonably certain that no pertinent information was divulged to the Committee regarding the Perlo group which was not already known to the House Committee and to the Justice Department. If I am in error in this matter I shall appreciate any facts and particulars which have thus far escaped me in the examination of the case histories of the Ware and Perlo groups.

The life and death struggle between free men and Communism continues. The time available to us is obviously short. Why not make common cause with the out-spoken anti-Communists in the fight to keep America both safe and free.

Sincerely,

A. F. CANWELL

Director, FBI

Oct. 17, 1951

SAC, Seattle

Mrs. JONATHAN GOLDMARK, aka
Sally Goldmark, nee Irma May Ringe,
Sally Ringe
ESPIONAGE - R

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DATE 08-15-2006 BY 60324 AUC BAW/CE/CAK

Re Seattle letter dated 10/17/51 captioned "ESPIONAGE AND FOREIGN INTELLIGENCE INVESTIGATIONS - DOUBLE AGENT PROGRAM", which was forwarded as directed by SAC Letter No. 91, September 8, 1951. Further reference is made to the report of SA [redacted] dated 3/11/49 at Seattle captioned "J. DAVID WHITTAKER CHAMBERS, was., et al; PERJURY, ESPIONAGE - R, INTERNAL SECURITY - R" which report contains results of interview with captioned individual.

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It is noted that the original interview with subject was undertaken in March 1949 at a time when the ALGER HISS case had assumed national prominence and when the Congressional investigation into this case was at its peak. It is noted that the subject when interviewed advised that she would furnish all information concerning herself but would not furnish any information concerning any other person.

It is felt at this time that the subject might be willing to discuss her knowledge of CP and espionage activities in more detail, inasmuch as there would not appear to be an imminence of her being called to testify in any particular case, and she may feel more free to discuss her knowledge. Accordingly, it is requested that the Bureau authorize reinterview with Mrs. GOLDMARK with the view to securing more information concerning foreign intelligence and espionage investigations, in keeping with the request of SAC Letter 91, 9/8/51.

*Mrs. Goldmark
65-3020-19
Sally Goldmark
65-3020-14*

VCT:JG
65-3020

RWA

*100-21555-1
~~65-3020-65~~*

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FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT

NEW YORK

CLASSIFIED BY 60324 AUC BAW/CB/CAK
DECLASSIFY ON: 25X 3.3(1)
08-15-2031

FILE NO. 74-94

REPORT MADE AT WASHINGTON, D. C.	DATE WHEN MADE [redacted]	PERIOD FOR WHICH MADE 2/7 to 3/4/49	REPORT MADE BY [redacted] dmh ep
TITLE JAY DAVID WHITTAKER CHAMBERS, was ETAL		CHARACTER OF CASE PERJURY ESPIONAGE - R INTERNAL SECURITY - R	

SYNOPSIS OF FACTS:

[redacted] does not recall [redacted]
 CLARENCE R. MASON interviewed. Employment record of [redacted] set out. [redacted] subscriber to [redacted] in 1937. Dr. FREDERICK A. BLOSSOM interviewed. Background of JOHN THEODORE HERRMANN set out. [redacted] interviewed re allegations of [redacted] Information concerning TEIJI KOIDE and HIDEO NODA set out. Interviews with [redacted]
 [redacted]
 [redacted] friends and associates of ALGER HISS, failed to develop pertinent information.
 [redacted] and [redacted] interviewed concerning association with SALLY RINGE and [redacted] denies conversation with PRISCILLA HISS. Bryn-Mawr Club minute book reviewed.

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- P -

REFERENCE: Bureau file 74-1333
 Bureau letter dated January 3, 1949
 Bureau letter dated December 13, 1948

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WHERE SHOWN OTHERWISE

DO NOT DESTROY - PENDING LITIGATION

(USDC, SD NY) C.A. # 76-CV-4672 (186)

APPROVED AND FORWARDED: <i>Jay David Whittaker</i>	SPECIAL AGENT IN CHARGE <i>Cyandoel</i>	DO NOT WRITE IN THESE SPACES	
COPIES OF THIS REPORT 5-Bureau 3-New York (1-[redacted] New York) 3-Washington Field		SAC	NOV - 7 1951
		[redacted]	b6 b7C

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DETAILS:

AT WASHINGTON, D.C.

[redacted]
New York teletype of February 8, 1949, requested this office to interview [redacted] in connection with the possible employment by his family of [redacted] was interviewed by Special Agent [redacted] on February 9, 1949, at [redacted]

[redacted] advised that he could not recognize a picture of [redacted] as any chauffeur employed by his family nor did the description of [redacted] fit that of any chauffeur whom he could recall. [redacted] advised that his family had resided at [redacted] [redacted] from September 1937 until recently and they had resided at [redacted] from 1932 until September 1937. He recalls the September 1937 date because during this month he began [redacted] It is noted that [redacted] has claimed employment as part-time chauffeur for the [redacted] family from 1935 until 1936 at [redacted]

[redacted] stated that the only two chauffeurs he recalled were a young man from the Middle West who was a student and described by [redacted] as being tall, thin and blond, and an Italian whom [redacted] recalled vaguely but was positive did not fit the description of [redacted] further advised that he was sure his family employed no chauffeurs while they resided at [redacted] He said at this time he was old enough to drive and did drive the family car almost exclusively and that in about 1938 his mother gave him the car and he had never employed a chauffeur. [redacted] admitted that his mother might have hired a chauffeur without his knowledge but he stated that this possibility was extremely remote.

[redacted] further stated that his mother travelled extensively and usually wintered in Florida and she could have employed a chauffeur there for a brief period without his knowledge. He stated, however, that his mother was an extremely methodical woman and if she had hired a chauffeur she would, in all probability, have kept a record of the payments made to him in connection with her ordinary business records.

It will be recalled that a search of the home of [redacted] in [redacted] disclosed personal correspondence from BUD [redacted] MASON, written on stationery of the U.S. Geological Survey.

Special Agent [redacted] ascertained that CLARENCE R. MASON, also known as BUD, is presently employed as a photogrammetric engineer with the U.S. Geological Survey, having started his employment as a rodman on March 1, 1934. His present address was ascertained to be 2424 North 16th Street, Arlington, Virginia. His personnel file reflected that he was born January 18, 1905, at Bristol, Virginia, attended Duke University, the New York

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Electrical School, and received an A.B. degree from Emory & Henry University. He had previously been employed as a sheet metal worker in Bristol, Virginia, with the Fitzgerald Corporation in Richmond, Virginia, with the Chrysler Corporation at Detroit, Michigan, as a heater in the auto assembly plant, and as a professional baseball player. This file also reflected that [redacted]
[redacted]

On February 23, 1949, Special Agents [redacted] and [redacted] interviewed MASON at his residence, 2424 North 16th Street, Apartment 1, Arlington, Virginia.

MASON furnished information concerning his background substantially identical with that obtained from his personnel file. He advised he had never been stationed in Baltimore, Maryland, and had never been a resident of that city. He is not acquainted with [redacted] or [redacted]. When asked if he was acquainted with [redacted] he replied that he did know [redacted] and also [redacted]. He explained his acquaintance in the following manner.

In March or April 1944 he was on official assignment with the U.S. Geological Survey as a topographer in the vicinity of Cambridge, New York. This assignment entailed the mapping of that area. On arrival in this vicinity he and a rodman named [redacted] set up shop on the road opposite [redacted] farm. On the day of their arrival a woman, whom he later came to know as [redacted] came up to him and inquired if he was a telephone man inasmuch as she desired to have a telephone installed and asked whether MASON was going to install a telephone at the [redacted] farm. He advised her that he was not a telephone man. He and [redacted] remained in that area for approximately two months performing their official duties for the U.S. Geological Survey. Inasmuch as water was available at a well located on the [redacted] farm, he and [redacted] ate their lunches there daily. In this manner he became acquainted with [redacted]. During the period of his assignment in the vicinity of the [redacted] farm at Cambridge, New York, he did not see [redacted] and learned from [redacted] that her husband was employed at that time by the [redacted] [redacted] that [redacted] lived in town, and that he did not return to his home daily.

On one occasion, which was a Sunday, [redacted] invited MASON and [redacted] to the [redacted] home for a social visit. On that occasion FELIX INSLEFMAN was present and to the best of MASON's recollection that was the only time he talked with [redacted]. This visit was approximately 30 minutes in duration and MASON believes that [redacted] mother or father was present at that time. He stated that this visit and all his contacts with [redacted] were strictly of a social nature. The subject of Communism was never discussed and neither [redacted] nor [redacted] in any way indicated that they were Communists or that they

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desired MASON and his wife to join any secret or underground movement. MASON stated that from his contact and association with the [redacted] he had no reason at all to be suspicious of them.

MASON was asked if he corresponded with the [redacted] and very openly admitted that both he and his wife had done so. He stated that after he left the vicinity of the [redacted] farm and was transferred to Petersburg, New York, he received correspondence from [redacted] who incidentally did all the writing for the [redacted]. In all MASON received approximately six or seven letters. With the exception of a Christmas card received in 1948 no correspondence has transpired for the past two years. He advised that all correspondence which he had received from the [redacted] had been destroyed. He stated further that [redacted] never displayed more than a normal interest in the type of work in which MASON was engaged. After MASON finished mapping the area surrounding [redacted] home, he furnished [redacted] with a map of that area of his own volition. He pointed out that this particular map was a matter of public information and could be purchased at the U.S. Geological Survey for a very nominal sum. He furnished this map to [redacted] since he thought the latter might be interested in it since the [redacted] farm was in that area.

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MASON recalled that he felt rather certain that he had seen a very expensive camera at [redacted] farm in Cambridge, New York, and although he could not recall the make of the camera, stated that he believed it was a Leica. MASON reiterated that he was definitely not acquainted with [redacted] and that he had absolutely no information linking [redacted] with any subversive apparatus.

By teletype dated January 10, 1949, the Albany Office advised that

[redacted]
[redacted] and requested this office to verify his employment with [redacted]
The records of the Civil Service Commission reflect that [redacted]
[redacted]

[redacted] This information was furnished to the Bureau and Newark by teletype on January 13, 1949.

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[REDACTED]

New York teletype of February 11, 1949, requested this office to ascertain the subscriber to telephone number [REDACTED] in 1937 and to determine if [REDACTED] and [REDACTED] resided at [REDACTED] in 1937.

The following investigation was conducted by Special Agent [REDACTED]
[REDACTED]

The Washington address telephone directory, Chesapeake and Potomac Telephone Company, published for April and October 1937, lists telephone number [REDACTED] for a [REDACTED]

[REDACTED] of the Francis Blundon Real Estate Company, 805 H Street, NW, advised that this company's records reflect that [REDACTED] resided at [REDACTED] from May 1, 1937 to November 30, 1937.

[REDACTED] formerly resided in [REDACTED]

[REDACTED]

ALLEGED ASSOCIATES OF HAROLD WARE

Bureau teletype of February 4, 1949, requested this office to interview Dr. FREDERICK AUGUSTUS BLOSSOM, an alleged contact of HAROLD WARE.

BLOSSOM, who lives at 125 5th Street, NE, Washington, D.C., was interviewed February 14, 1949, by Special Agents [REDACTED] and [REDACTED]. BLOSSOM stated that the name HAROLD WARE was familiar to him but he had never met WARE under any circumstances, that WARE had never been in his home, that WARE was dead before he, BLOSSOM, came to Washington, and further that there had never been any meetings of any kind held at his home, either in New York or Washington, D.C. He was asked if he was acquainted with ALGER HISS, WHITTAKER CHAMBERS, VICTOR PERLO, [REDACTED]

[REDACTED] and [REDACTED]. He said he believed he had met [REDACTED] on one occasion but he was not acquainted with the other individuals except that he recognized their names from newspaper publicity in this case.

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BLOSSOM volunteered information that he was greatly heartened by the courageous stand taken by DEAN ACHESON who affirmed his friendship for ALGER HISS when questioned by the Senate in connection with his appointment as Secretary of State.

Newark teletype of February 8, 1949, requested this office to locate JOHN HERRMANN through WPA and U.S. Coast Guard records. It will be recalled that HERRMANN has been described as a member of HAROLD WARE's underground group in Washington, D.C.

The following investigation was conducted by Special Agent

[redacted]

The files of the United States Coast Guard located in Washington, D.C., reflect that JOHN THEODORE HERRMANN, serial number 625-504, enlisted in New Orleans on May 1, 1942, and served until his discharge on October 3, 1945, at which time he held the rank of Lieutenant (jg). He was promoted to full Lieutenant in the Reserves on October 7, 1948, at which time he signed an oath that he had not been drawing disability compensation. [redacted] related that she thought he was drawing compensation for injuries received while in the service.)

HERRMANN took a physical examination at Curtis Bay, Maryland, in October of 1948 to qualify him for this promotion to full Lieutenant. This file also shows that he was born November 9, 1901, in Lansing, Michigan, and had married [redacted]. The last address given for HERRMANN in the Coast Guard files was 305 8th Avenue, Brooklyn, New York, on April 16, 1946. The file shows relatives as [redacted] no address listed; [redacted]

[redacted] believes the father to be deceased.)

This file reflects former employments as September 1921 to April 1942 with the Transport Union, 544 Comp Street, New Orleans, Louisiana; September 1940 to May 1941, Stevens Davis Company, 1234 Jackson Place, Chicago, Illinois; and 1938 and 1939 with the Simon-Schuster Company, Rockefeller Center, New York City.

This file shows HERRMANN banked with the Union National Bank at Frenchtown, New Jersey, and the Union Building & Loan Association in Lansing, Michigan.

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This file further shows that HERRMANN has two insurance policies, one with the Veterans Administration and one with the Northwest Mutual Life Insurance Company. The Veterans Administration was contacted by this office and it was disclosed that HERRMANN's file was sent to the Baltimore Office of the Veterans Administration on June 17, 1947. The Veterans Administration advised that the Baltimore Office covers all of the state of Maryland.

The Northwest Mutual Life Insurance Company's files were checked but they had no record of HERRMANN's paying his premiums with this branch office.

Photographs of HERMAN were obtained from the Coast Guard and were transmitted to the Bureau and the New York and Baltimore Offices by letter on February 15, 1949.

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ALLEGATIONS OF [REDACTED]

New York teletype, dated January 28, 1949, set forth the allegations of [REDACTED] concerning the alleged visit of a State Department employee, described as [REDACTED] at the Hotel New Yorker in New York City, and requested this office to interview [REDACTED] with respect to [REDACTED] allegation.

[REDACTED] advised Special Agent [REDACTED] that he was [REDACTED] of the New York Office of the State Department from March 17, 1937, until February 29, 1940, when he was transferred to Washington and became [REDACTED] of the Department of State Investigation Division.

About February 1938 a person, first name unknown but who used the last name of [REDACTED] called the New York Passport Office of the Department of State from the Hotel Taft and represented himself to be Secretary of State CORDELL HULL and asked for a number of blank passports, about 25, to be submitted immediately to the Hotel Taft. [REDACTED] stated that at that time he and an Assistant United States Attorney were on their way from New Orleans to New York and upon arrival in New York City were met by Special Agent [REDACTED] of the State Department who advised them that the State Department was holding [REDACTED] in the New York office. [REDACTED] advised [REDACTED] that a dummy package had been prepared upon instructions of the State Department in Washington for delivery to the Hotel Taft which delivery was to be covered by New York City detectives and State Department investigators.

At the Taft Hotel instructions were received that the package was to be delivered to Grand Central Station and from there again to be delivered to Kings Tavern in downtown New York. In the end [REDACTED] called for the package and was immediately arrested. [REDACTED] stated that he and Assistant United States Attorney DUNIGAN interviewed [REDACTED] who admitted his true identity and that he was in the employ of German agents.

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[redacted] stated that for two or three days before being turned over to the FBI [redacted] was kept at the Hotel New Yorker under guard and in custody with [redacted] permission. At the Hotel New Yorker someone was with [redacted] at all times. As far as [redacted] could recall no logs were maintained which would reflect the names of persons who might have interviewed [redacted] or reflecting [redacted] movements. He stated that positively no one visited [redacted] at the Hotel New Yorker and he is positive that ALGER HISS in particular did not visit [redacted]. In fact, [redacted] doubted whether ALGER HISS would have known about the matter.

[redacted] stated that the only persons who had access to [redacted] at the Hotel New Yorker were [redacted] and [redacted] New York City detectives, Special Agents [redacted] and [redacted] who is still with the New York office of the State Department. [redacted] stated that [redacted] in New York at that time, may have been to the Hotel New Yorker but he doubts this very much and took it upon himself to state that his son did not see [redacted]. [redacted] is presently associated with [redacted].

[redacted] advised that if anyone from Washington did visit [redacted] at the Hotel New Yorker, this fact would have been reported to him by the persons mentioned above. This did not take place.

[redacted] advised Special Agent [redacted] (S) that he recalled the [redacted] case very well and that it was his impression that someone from Washington did come to the Hotel New Yorker and interviewed [redacted]. He stated that at the time he did not know ALGER HISS and would say off-hand that it definitely was not ALGER HISS who made the trip. [redacted] recalled that [redacted] was detained at the Hotel New Yorker for approximately four or five days and that if someone did come up to talk to [redacted] it would have been in the presence of one or more of the persons who had [redacted] in custody and that the identity of such a person would have been made known to either himself or [redacted]. In any event the most logical persons who would come from Washington would be a person from the Passport Division and probably [redacted].

[redacted] also stated that if [redacted] recently made a statement to FBI agents that he feared for his wife who was supposed to be in Missoula, Montana, at the time, this was not so as [redacted] was arrested in New York at his home and his wife was present.

[redacted] of the Passport Division, advised Special Agent [redacted] that it is his recollection that no one from Washington went to New York and interviewed [redacted] at the Hotel New Yorker, that if anyone had gone it would have been he, and that he definitely did not make the trip. [redacted] stated that it was positively not ALGER HISS and that in fact HISS would not have known that [redacted] was in custody.

These interviews were conducted on February 3, 1949.

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INFORMATION CONCERNING TEIJI KOIDE & HIDEO NODA

In connection with the investigation of [redacted] the Los Angeles Office by teletype of February 14, 1949, requested this office to obtain a photograph of TEIJI KOIDE.

The following investigation was conducted by Special Agent [redacted]
[redacted]

OSS records reflect that TEIJI KOIDE was employed on August 14, 1944, and transferred to the U.S. Strategic Bombing Survey Mission on December 1, 1945. A personal history statement, dated June 25, 1944, reflects KOIDE was born on June 12, 1900, in Yonago, Tottari, Japan. He arrived in the United States in January 1920 at San Francisco. His father, IWAJIRO KOIDE, and mother, YEN, are both deceased. He was married in Chicago on January 20, 1944, [redacted]

[redacted]

KOIDE's employment was listed as free lance translator, 1932 to 1941; janitor, Temple Apartments, 1400 Temple Street, Los Angeles, Calif., from February to December 1941, with [redacted] translator for DORO weekly newspaper, 755 North Western Avenue, Los Angeles, from December 1941 to May 1942; lecturer on current events for 13 weeks from May to September 1942 at the Santa Anita Assembly Center, Arcadia, California; librarian, Heart Mountain Relocation Project, Heart Mountain, Wyoming, from September 1942 to August 1943 with [redacted] [redacted] lathe operator, Bloomfield Industries, 3333 South Wells Street, Chicago, Illinois, from August 1943 to June 1944, with [redacted].

Residences of KOIDE were listed as Apartment 307, 5215 South Kimbark Avenue, Chicago, Illinois, January 1944 to June 1944; 5027 South Harper Avenue, Chicago, from September 1943 to January 1944; YMCA Hotel, 826 Wabash Avenue, Chicago, from July to September 1943; Heart Mountain Relocation Center, Wyoming, from September 1942 to August 1943; Santa Anita Assembly Center, Arcadia, California, from May to September 1942; 488 California Street, Los Angeles, from Autumn 1939 to May 1942; Denver and Fort Lupton, Colorado, from Spring 1937 to Summer 1939; and 100 block of North Edgewear Road, Los Angeles, from 1933 to Spring 1937.

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A CIA security file, dated July 14, 1944, reflected that extensive inquiries were made in the 100 block of North and South Edgewear Street in Los Angeles with negative results. KOIDE was not listed in city directories from 1933 to 1937. A neighborhood investigation was also made in the vicinity of 488 California Street, Los Angeles, with negative results.

[redacted] and neighbor at the Kimbark address, stated that KOIDE associates with [redacted] who is suspected of subversive activities and was once reported to the FBI.

The report reflected that [redacted] alien registration number was [redacted] and social security number was [redacted]

[redacted] stated that he first met KOIDE through [redacted] in Denver, in 1926. [redacted] was interested in KOIDE because KOIDE's father had been an ordained Methodist minister in Japan before his death. KOIDE lived in [redacted] from September 1926 to June 1929 and assisted [redacted] again saw KOIDE in 1937, 1938 and 1939 while he was living in the vicinity of Fort Lupton and doing farm work in that district, exact location unknown. He next heard from KOIDE between 1939 and 1942 while KOIDE was in California and saw him in Denver in the fall of 1942 while KOIDE was at the Heart Mountain Project. KOIDE had a good scholastic record and gave special attention to the special seminar of Foreign Relations where he addressed the gathering numerous times on Japan and its political conditions. [redacted] stated: "I highly recommend this young man for government confidential employment with the following reservation and be sure to include this reservation: To my knowledge the subject is not naturalized unless he has done so within the past three years. He respects the United States Government and all the principles for which it stands, but at heart he is a Japanese and sees and thinks only of the things that will help the masses of Japan. For example, if America offers things that will help Japan he would support such movements, but if, we will say that perhaps Russia offered a plan which would be better to his mind than America's, he would support the former with all his might." KOIDE neither drank nor smoked, had excellent morals, and is a person of intense passions, either liking or hating to excess. He had a marked and intense hatred for the ruling powers of Japan and all his sympathies are with the masses of his country. When scrap iron was being sent to Japan he was very outspoken of the danger it might present for America and told [redacted] of those dangers.

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A War Relocation Authority file in the National Archives reflected that the English given name of TEIJI KOIDE is JOE. He was born June 12, 1900, in Japan and received his education at Akashi Shogakko in Tokyo, Japan, from 1907 to 1914, at Aoyama Middle School in Tokyo from 1914 to 1919, and at the University of Denver, Denver, Colorado, from 1925 to 1929. He lived at 480 California Street, Los Angeles, from August 1939 to May 1942 and in Fort Lupton, Colorado, from May 1938 to June 1939. His father, IWAJIRO KOIDE, was listed as a farmer in Tottori, Japan. His religion was listed as "none." From 1931 to 1941 he did free lance translating for the Los Angeles Japanese Daily News at 107 North Los Angeles Street; for the Japanese-California Daily News at 325 East Second Street; and for the Sangyo-Nippo News at 329 Jackson Street, Los Angeles.

KOIDE was No. 10522 at the Heart Mountain Relocation Center, Heart Mountain, Wyoming, entering on September 5, 1942. He was given indefinite leave on July 24, 1943, and went to Chicago where he accepted the hospitality of [redacted], WRA, 226 West Jackson Boulevard, Chicago. His personal property was shipped from Heart Mountain to him in care of [redacted]

His references, other than given in his OSS file, were listed as

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A friend was listed as [redacted]

[redacted]

Immigration and Naturalization Service records reflect that TEIJI KOIDE, also known as ANDREW KOIDA, has alien registration No. 5689319, and was born June 12, 1900, in Yonago, Tottori, Japan. He arrived in the United States on January 15, 1919, on the SS Shinyo Maru at San Francisco. He has a birthmark or a blood spot on his right arm. His occupation was listed as artist and he was living at 488 California Street, Los Angeles, as of December 20, 1940. On August 19, 1944, he was living c/o [redacted] and was at [redacted]. He also listed at the same time a residence at Willow Beach, near Los Angeles, California.

On December 15, 1944, he made application for a reentry permit to the United States, stating that he was going to a confidential destination for a confidential reason. His address was c/o OSS, Washington, D.C. A memorandum in the file, dated September 26, 1945, reflected that the OSS stated that due to cessation of hostilities it would not be necessary to send KOIDE overseas and therefore his application for reentry permit was withdrawn. His father was listed as IWAJIRO KOIDE, living at 1778 Haight Street, San Francisco. He has a brother, TOICHI KOIDE, living in Japan.

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Issei and Nisei refer to first and second generation immig.

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No record was found in the Passport Division or the Security and Investigations Division of the State Department.

No record, information, or correspondence regarding Issei or Nisei Group transferred from OSS to the United States Strategic Bombing Survey Mission to Japan was found in the administrative records relative to the United States Strategic Survey Mission in the National Archives.

Photographs of KOIDE were furnished to the San Francisco and Los Angeles Offices by letter of March 1, 1949.

Bureau teletype of January 18, 1949, requested this office to check the records of the Immigration and Naturalization Service and of the Department of State for pertinent information concerning HIDEO NODA.

The following investigation was conducted by Special Agent [redacted]

No record was found on HIDEO NODA in the files of the Immigration and Naturalization Service or in the files of the Security and Investigations Division, State Department.

His passport file reflected that HIDEO NODA was born December 13, 1922, at R.D. #3, Phoenix, Arizona. His father, EMPACHI NODA, and mother, AYANO HASADA, were born in Japan. HIDEO NODA stated that he left the United States on the Kamakura Maru from San Francisco in August 1932 with his mother, three brothers and two sisters. He now has applied to come back to the United States to live at Route 1, Box 195, Clarksburg, California, with [redacted]

[redacted] His father died in the United States in May 1932 and came to the United States about 1918, living continuously in Arizona. NODA's mother took the children to Japan upon her husband's death and HIDEO was a student until December 1941, a teacher in 1942 and 1943, and in the Japanese army from December 1943 until May 1947. [redacted]

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Mother of Hiedo Noda would be i think over 100

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This information was taken on November 1, 1948, in Kobe, Japan, from HIDEO NODA by [redacted] American Vice Consul, who conducted the interview and administered the oath in Japanese. He stated that HIDEO NODA speaks no English.

NODA's description is as follows:

Height	5'3½"
Hair	Black
Eyes	Brown
Scars	Operation scar on back of head

His mother, Mrs. AYANO, resides in Korenaza Okimura, Saikigun, Hiroshima, Japan, and also lists a legal address at Route 1, Box 185, Clarksburg, California.

Places of residence for HIDEO NODA were listed from January 1941 to December 1943 at the home of his mother in Hiroshima; from December 1943 to May 1947 with the Japanese army in China, Manchuria and Siberia; and from May 1947 to date with his mother in Hiroshima.

His activities from the time he left the United States to the present were listed as from September 1932 to March 1938, student in the Primary School at Hiroshima; from April 1938 to December 1941, student in the Sango Commercial School in Hiroshima; from December 1941 to August 1942, farmer in Hiroshima; from August 1942 to December 1943, assistant teacher in the Oki Primary School at Hiroshima; from December 1943, to May 1947, in the Japanese army in China, Nanking from December 1943 to January 1944, Hankow, January 1944 to February 1944, Gisho, February 1944 to June 1945, Hsinking, Manchuria from June 1945 to September 1945, prisoner of war in Chita, Siberia, from September 1945 to May 1947; from May 1947 until date of interview, farmer in Hiroshima.

A certificate of loss of nationality in the United States was in the file, dated February 17, 1949. It was attested that HIDEO NODA acquired nationality in the United States by virtue of birth in the United States and expatriated himself by serving as a Japanese national in the armed forces of Japan from 1943 to 1945.

A photograph of HIDEO NODA was furnished to the Bureau and the New York Office by letter of March 2, 1949.

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FRIENDS & ASSOCIATES OF ALGER HISS

It will be recalled that when ALGER HISS left Washington, D.C., in February 1947 he had planned to occupy the apartment of [redacted]
[redacted]

On February 2, 1949, [redacted] was interviewed at his office at [redacted] by Special Agent [redacted]. This building is now partly occupied by the State Department and [redacted] is employed as [redacted] with the International News and Press Section of the International Broadcasting Division of the State Department.

[redacted] advised that he was not acquainted with ALGER HISS prior to February 1947 at which time HISS [redacted]
[redacted]

[redacted] failed to recognize the pictures of WHITTAKER CHAMBERS and advised that he had never known CHAMBERS under any of CHAMBERS' aliases. He further stated that he had no typewritten communications from HISS and that the only communication that he had from HISS was a brief, hand-written note which HISS had left in [redacted] return, with a check. [redacted] further advised that HISS had left no papers or other personal effects in [redacted]

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On the same date [redacted] was interviewed by Agent [redacted] at her home at [redacted]. She advised that she had not met ALGER HISS until about February 14, 1948, at which time HISS had personally made arrangements with [redacted].

[redacted] advised that she had been called by [redacted] who is a mutual friend of hers and of HISS. [redacted]

[redacted] advised that inasmuch as she was slightly acquainted with [redacted] and knew ALGER HISS by reputation and thought highly of [redacted] she was willing to allow HISS the use of [redacted].

[redacted] advised that she has known [redacted] for about seven years and she had met [redacted] often at social gatherings. She did not know [redacted].

[redacted] advised that she had no typewritten correspondence from ALGER HISS and that she had not seen him since February 1947, except on one occasion in April 1947 when she encountered him in the dining car of a train from New York to Washington. [redacted] advised that she did not know WHITTAKER CHAMBERS and failed to recognize the pictures of CHAMBERS.

[redacted] volunteered the information that she found it difficult to believe that ALGER [redacted] HISS could be members of the Communist Party. She said that although she had been in the home of [redacted] on several occasions and had moved in a circle of his acquaintances, she had never been solicited for donations to or membership in the Communist Party and she does not recall that the Party was ever a topic of conversation. She also advised that HISS had left no papers or personal effects in the [redacted].

It is noted that [redacted] has been interviewed in connection with this case.

[redacted] was interviewed in the Washington Field Office by Special Agent [redacted] on March 4, 1949.

[redacted] advised that he had been an employee of the Agricultural Adjustment Administration from January 1934 for about three years. During his stay with that agency he had become well acquainted with ALGER HISS and regarded him in the highest esteem as both a lawyer and a person.

[redacted] advised that he did not believe HISS was capable of doing any of the things he had been accused of and hopes the courts free HISS. Even if HISS is convicted, [redacted] said he doubts very much whether he would even then believe in HISS' guilt. [redacted] advised he had never seen HISS take any documents that did not belong to him. He was not aware of HISS' affiliations with any subversive groups and he had never been in HISS' home or had HISS ever been in [redacted] home.

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[redacted] further advised that he knew JOHN ABT and during that time ABT had been an alleged Communist but [redacted] said he did not believe that ABT advocated the overthrow of the government of the United States. [redacted] went on to say that he, too, "was guilty of treason if HISS was," in that they both had been engaged in the work of the AAA which included a lot of unconstitutional legislation.

On February 28, 1949, [redacted] was interviewed by Special Agent [redacted] in [redacted] office at [redacted] Building. [redacted] resides at [redacted] advised that he joined the State Department about 1943 and at the time had made the acquaintance of ALGER HISS. [redacted] recalled that HISS served as secretary to STETTINIUS during the San Francisco United Nations Conference at which [redacted] stated that HISS brought in a group of people to this secretariat and most of them were West Coast attorneys who had been Harvard Law School classmates of HISS. [redacted] was unable to recall the names of these individuals but suggested that [redacted] may know these individuals.

It is noted that [redacted] at Stanford University and has been interviewed by the San Francisco Office.

[redacted] advised he has only a slight acquaintance with HISS and had no social contacts with him. He advised he had never received any correspondence from HISS and that he did not know WHITTAKER CHAMBERS. [redacted] said he recalled HISS as being very close with [redacted]. He said this association began while [redacted] and HISS worked for him in the middle 1930's. [redacted] suggested that [redacted] EDWARD STETTINIUS and [redacted] may have been the individuals who fathered HISS' career in the State Department, although he advised he could by no means be sure of this.

[redacted] State Department, was interviewed on February 24, 1949, at his office in the Walker Johnson Building, by Special Agent [redacted]

In August 1934 he was employed in [redacted] of the Agricultural Adjustment Administration as a [redacted] under [redacted] and [redacted]. Other than a nodding acquaintance with ALGER HISS, [redacted] advised he had no contact with HISS subsequent to HISS' leaving AAA. [redacted] could furnish the names of no specific attorneys with whom HISS was particularly close and stated as far as HISS' work there was concerned, he was in close contact with a great number of the attorneys. [redacted] has never attended a social function where HISS was present and has no knowledge of HISS' social acquaintances.

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Because of recent publicity given ALGER HISS, [] has made an effort to recall anything which might have occurred to make him question HISS' activities. [] advised he was unable to think of anything which would aid in the present investigation and he wished to go on record as saying that the whole affair was a complete surprise to him as he regarded HISS as one of the most able and trustworthy attorneys he had come in contact with while in government work.

[] examined the photographs of WHITTAKER CHAMBERS and Mrs. CHAMBERS and advised he could not identify these individuals.

On March 7, 1949, [] was interviewed at his office, [] Department of Justice, by Special Agent [] He stated he knew ALGER HISS in the Agricultural Adjustment Administration only slightly and their acquaintanceship ended outside the office. He never received any correspondence from HISS and knew of no one who had received correspondence from HISS. He stated he was not able to name any acquaintances of ALGER HISS. [] advised that his direct superior was JOHN ABT. He was not socially acquainted with Mr. ABT and knew nothing concerning ABT's personal friends.

Special Agent [] ascertained on March 2, 1949, from the personnel file of FOREST R. BLACK at the Personnel Section, Room 2310, Bureau of Internal Revenue, that BLACK entered on duty as principal attorney for the Bureau of Internal Revenue on December 21, 1942 and died on September 19, 1943.

The report of Special Agent [] dated February 18, 1949, at Atlanta, Georgia, in the instant case requested this office to interview [] and [] for information concerning ALGER HISS and for any information they may have with regard to the papers of []

On March 2, 1949, [] of the Department of Agriculture was interviewed at her office, [] South Building, by Special Agent [] She was unable to furnish any direct information in connection with ALGER HISS that she had not previously furnished. A previous interview with [] is set out in the writer's report of March 1, 1949, at Washington, D.C.

With respect to the records of [] advised that [] took these records to New York in 1945 at which time she made her home with [] who now resides at [] [] advised she had seen these records infrequently and was not acquainted with the subject matter of these documents except that they dealt generally with employees of the Agricultural Adjustment Administration.

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On the same date Special Agent [redacted] learned from [redacted] South Building, Department of Agriculture, that she was unable to furnish any other pertinent details with respect to this matter.

[redacted] was interviewed in his office, [redacted] Administration Building, Department of Agriculture, by Special Agent [redacted] [redacted] advised he was employed as [redacted] in the Office of General Counsel JEROME FRANK in June 1934, and was assigned to the Litigation Section. His immediate supervisor was JOHN ABT. [redacted] stated he recalled first meeting ALGER HISS when he came to Washington for his initial interview at the Department of Agriculture sometime during the winter of 1934. This meeting with HISS was just a casual introduction. He further stated ALGER HISS, JOHN ABT and LEE PRESSMAN were the so-called "big boys" of the Department. [redacted] recalls these specific individuals seemed to have commanded quite a bit of respect and as a newcomer entering the office, he had little occasion to associate with ALGER HISS. In fact, he recalls ALGER HISS' coming into his office only one or twice on routine business and he was never in a position to know him intimately. He stated JOHN ABT mentioned him occasionally in relation to business transactions and from his general observations he believes JOHN ABT and HISS were very good social friends outside the office. [redacted] recalls that both JOHN ABT and ALGER HISS remained aloof from the younger attorneys and as a result, he can recall no intimate associates of HISS in the office with the exception of JOHN ABT.

[redacted] advised he never received any correspondence, either type-written or personal, from ALGER HISS nor was he ever socially acquainted in any way outside the office with him. He could cite no specific knowledge concerning 'HISS' activities or the activities of any of his close friends.

Special Agent [redacted] reviewed the records of the Department of Agriculture which reflect that ROBERT H. COX, born February 7, 1896, at Ripley, Mississippi, was appointed on January 1, 1935, to the Office of General Counsel, Agricultural Adjustment Administration, and resigned May 21, 1935, to accept employment with the Veterans Administration. [redacted] Veterans Administration, advised that records reflect ROBERT H. COX, rating specialist, died on July 7, 1945.

On March 8, 1949, [redacted] was interviewed at his home, [redacted] by Special Agent [redacted] [redacted] advised that he was with the Agricultural Adjustment Administration during 1935 and 1936. He only met ALGER HISS on one occasion and that was during his initial interview for the position with AAA. On that occasion he was favorably impressed by HISS, particularly concerning his manners and courtesy. [redacted] said at that time he was in no position to judge ALGER HISS or know any of his personal friends. He never received any correspondence from HISS and was not socially acquainted with him. From general observation, however, JOHN ABT seemed to be a close acquaintance of ALGER HISS but beyond that [redacted] knew of no particular friends of HISS. [redacted] advised that during most of his employment with AAA, HISS worked for some committee which conducted most of its work on the Hill and as a result HISS was out of the Department of Agriculture office most of the time.

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Investigation concerning allegations that ALGER and PRISCILLA HISS visited SALLY RINGE and [redacted] at Accokeek, Maryland

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By teletype dated February 16, 1949 the New York Office furnished the results of an interview with [redacted] concerning SALLY RINGE and [redacted] who had an estate at Accokeek, Maryland where RALPH DeSOLA stated that he had met ALGER HISS. Bureau teletype of February 23, 1949 requested that the interviews which are set out below be conducted.

[redacted] was interviewed by Special Agent [redacted] on February 25, 1949 at [redacted]

[redacted] advised that he was acquainted with [redacted] who resides in [redacted] and who was [redacted] to [redacted] and SALLY RINGE. [redacted] stated that he was not acquainted with ALGER HISS or his wife, PRISCILLA HISS, or with WHITTAKER CHAMBERS. He was shown pictures of all three and stated he could not identify any of them and to his knowledge has never seen these individuals before. [redacted] stated that [redacted] may have suggested SALLY RINGE and [redacted] to the [redacted] in making arrangements for the rental of the property at Accokeek, Maryland.

By way of background, [redacted]

[redacted] stated that at the time BEATRICE HEIMAN was employed at the Russian Embassy, but he does not know whether she is acquainted with ALGER HISS. [redacted] claimed that he does know of HAROLD WARE, but does not recall having ever met him. He was aware that HAROLD WARE was the son of ELLA REEVE BLOOR, better known in Communist Party circles as Mother BLOOR. He stated also that JESSICA SMITH, now the wife of JOHN ABT, also worked for the Russian Embassy. JESSICA SMITH was the third wife of HAROLD WARE. [redacted] stated that he never met JOHN ABT although he heard that he married JESSICA SMITH immediately after HAROLD WARE's death. He recalled meeting JESSICA SMITH in New York and she told him about marrying ABT.

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[redacted] stated that to his knowledge [redacted] was not a member of the Communist Party or even a Communist sympathizer. [redacted] stated that while he served with the Russian Embassy he was on very friendly terms with Ambassador TROYANOVSKY, but when CONSTANTINE OUMANSKY was appointed Ambassador to succeed TROYANOVSKY, he was shortly thereafter discharged, as OUMANSKY had no further use of his services. [redacted] described OUMANSKY as a "know it all" and, therefore, he did not need anyone to interpret the news or to make contact with any Americans.

Concerning [redacted] who [redacted] and SALLY RINGE, [redacted] stated that he has never known either [redacted] to be amateur ornithologists, but instead both were vitally interested in Indian lore and set up a small museum modeled after an Indian village. This museum is located near their property in Maryland.

Concerning RALPH DESOLA and [redacted] stated that the names are vaguely familiar, but he can recall no further information concerning them. He recalls meeting [redacted] and further recalls that he was acquainted with [redacted] who was his classmate and who did not like [redacted] stated that he recalls meeting [redacted] at the estate at Accokeek, Maryland. Concerning [redacted] described him as being an anarchist.

[redacted] was asked if he knew an individual by the name of [redacted] and he stated that he did know a [redacted] and that he met him at the RINGE and [redacted] place in Maryland. He further described this [redacted] as being [redacted] which was [redacted] This [redacted] was very jolly mannered and interested in volley ball which was played on the estate. [redacted] stated that he recently saw the name of [redacted] in the newspapers in connection with this case and that after talking the matter over with [redacted] both he and [redacted] are not quite sure if the [redacted] of their acquaintance is identical with the [redacted] of the newspaper publicity. It is here noted, however, that [redacted] known to the Bureau, does have [redacted]

Concerning the estate in Accokeek, Maryland, [redacted] stated that lots of friends went to this place over the week-end. [redacted] met some whom he never saw there again. He stated that the chief interest there was volley ball and there was a game going on at all times. It was not uncommon for RINGE and [redacted] to have from two to ten visitors over a week-end. [redacted] further stated that he recalls meeting LAWRENCE DUGGAN, who recently committed suicide, and it is further his recollection that he met DUGGAN at the home of RINGE and [redacted] in Maryland.

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[redacted] stated that there was an individual by the name of [redacted]
[redacted]

[redacted] was interviewed on the same day in her apartment and she stated that she recalled taking [redacted] and SALLY RINGE to [redacted] which was known as [redacted]. She stated that [redacted] were independently wealthy and at the time had considerable difficulty in renting [redacted] to suitable tenants. She stated that she had been acquainted with [redacted] for over twenty-two years.

[redacted] described [redacted] and SALLY RINGE, as a week-end club. At the time this property was considered by [redacted] to be a white elephant and previous tenants could not even pay the rent.

[redacted]

Prior to this time SALLY RINGE and [redacted] were living together in Virginia. [redacted] introduced them to [redacted] which resulted in the two girls [redacted]
[redacted]

Concerning the numerous guests and week-end parties at [redacted] stated that there were no such things as invitations; that people just showed up and were served a buffet luncheon. [redacted] herself never knew the second names of many of the persons present and they were introduced to one another only by their first names, it being that informal. She recalls even meeting ISAAH BOWMAN, who was president of Johns Hopkins University, at this place on one occasion.

[redacted] then got out her photograph scrapbook and showed the interviewing agents many small snapshots of the property in question, the volley ball courts and many of the guests there on the particular days the pictures were taken. She has a picture of SALLY RINGE and [redacted]

[redacted] stated that she was invited to [redacted] for a party in honor of [redacted] but did not go. She claims that she does not know ALGER HISS.

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[redacted] stated that later [redacted] but sold a patch of it to SALLY RINGE and [redacted] who erected a small house on the property now known as [redacted] [redacted] again stated she was not acquainted with ALGER HISS, PRISCILLA HISS or WHITTAKER CHAMBERS and that if the HISSes were regular guests at [redacted] she certainly would have remembered them as [redacted] claims she was acquainted with those guests who were present on six or more occasions.

[redacted] claims that political discussions did not take place at Longview and, therefore, she does not know the political persuasions of SALLY RINGE or [redacted]

Later [redacted] and SALLY RINGE married a man by the name of GOLDMARK. [redacted] recalls meeting GOLDMARK on the volley ball courts on the property. She recalls knowing a man by the name of [redacted] who was later a WPA official, but she never met him at [redacted] She recalls meeting a [redacted] and an [redacted] SALLY RINGE. She described [redacted]

Concerning the name ABRAHAM GEORGE SILVERMAN, [redacted] claims that she never heard of him. SALLY RINGE at the time was employed by the National Youth Administration.

Concerning the allegation that SALLY RINGE and [redacted] were living together [redacted] stated she doubts this very much and described the two girls as just a case of two girls living together. SALLY was an excellent cook and [redacted] worked mainly at her job as [redacted]

Concerning the guests at this estate, [redacted] stated that it was a mixed group and swarms of people went there often. [redacted] stated that she never met HAROLD WARE, but was well acquainted with JESSICA SMITH as both were employed for a time by the Quaker Relief Mission in Europe. [redacted] stated that she served in Poland, Germany and Russia and came under HERBERT HOOVER's American Relief Administration. [redacted] stated that she became well acquainted with JESSICA SMITH in Russia long before JESSICA SMITH married HAROLD WARE. [redacted] stated she never met HAROLD WARE's family, but did recall meeting [redacted] who was an artist and resided at the time on [redacted] stated that it is her recollection that HAROLD WARE was in Russia the same time JESSICA SMITH was there and the two may have met there. It is noted that [redacted] on interview stated that HAROLD WARE resided in Russia from 1921 to 1931. [redacted]

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Concerning the allegation that [redacted] was an ornithologist, she stated that [redacted] was never interested in birds, but often had persons come down to his estate who spent their time counting birds.

[redacted] claims that she does not know the political persuasions of [redacted] JESSICA SMITH, HAROLD WARE, SALLY RINGE or [redacted]. To substantiate this [redacted] stated she was present there on Pearl Harbor Day and recalls hearing the radio announcement of the bombing of Pearl Harbor which she immediately told the persons playing volley ball at the time. However, she stated the game went on and no one seemed interested.

Concerning [redacted] stated that there was such an individual and he had [redacted] and was very tough looking. She thought this [redacted] was an architect. [redacted] further stated that she never met anyone at [redacted] who was an inventor of a multi-lens camera. She stated if there had been such an individual she certainly would have known about it as she was interested in photography.

[redacted] claims that she does not know JOHN ABT, who married JESSICA SMITH. Concerning the guests at [redacted] claims that it was literally a Union Station the crowds came and changed constantly. [redacted] further stated that to her knowledge, no one connected with [redacted] either as occupants or as guests, were members of the Communist Party.

[redacted] was interviewed by Special Agent [redacted] and [redacted] at his office in the U.S. Geological Survey, Department of Interior, [redacted] Federal Works Agency Building, on March 1, 1949.

[redacted] stated that he [redacted] at Accokeek, Maryland, to [redacted] and SALLY RINGE. [redacted] and SALLY RINGE is married to JONATHAN GOLDMARK. SALLY RINGE is also known as IRMA RINGE, and went with her husband, GOLDMARK, to a ranch in Oregon. [redacted] advised that a group of people who were often visiting with RINGE and [redacted] got together for volley ball games at [redacted] built a home nearby on property bought from a [redacted] and still live there. [redacted] was able to identify [redacted] as being a frequent visitor to [redacted] while it was rented by SALLY RINGE and [redacted] SALLY RINGE had [redacted]

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[redacted] had never heard of ABRAHAM GEORGE SILVERMAN. He stated that [redacted] was a visitor at [redacted] that he [redacted] and that he lives there now. [redacted] was a frequent visitor there and seemed to [redacted] to be the ring leader of a group of literary and artistic people. [redacted] never heard of [redacted] RALPH DeSOLA (although he remembers a RALPH) and the [redacted] was also not known. [redacted] never heard any reference to the Communist Party made at [redacted] but had the general impression that they were all "advanced liberals", i.e. New Dealers, but definitely not Communists. SALLY RINGE was anti-English and had German relatives, although he qualified the first statement by stating she was anti-English only in a mild way. [redacted] never talked politics with [redacted] and has never noticed any peculiarities concerning SALLY RINGE or [redacted]. He stated that he believes that they were just roommates. [redacted] advised that he never heard any discussions concerning a multi-lens camera and the name [redacted] means nothing to him. He was able to recall JESSICA SMITH as one of this crowd who was a frequent visitor and he described her as a striking blonde beauty. The name HAROLD WARE meant nothing to him, although Mother BLOOR, HAROLD WARE's mother, was recognized as a Communist organizer from newspapers he had read. He believes that he recalls being introduced to JOHN ABT at [redacted] but did not know that JESSICA SMITH is married to him. [redacted] and [redacted] meant nothing to him, as did [redacted] and [redacted] or [redacted].

[redacted] stated that [redacted] worked for the WPA as [redacted] and made some animals for the Greenbelt Playground. She was very friendly with REXFORD TUGWELL. [redacted] stated that [redacted] now and does model work for a branch of the War Department, was a visitor at [redacted] and would probably have some information concerning these people. The names [redacted] VICTOR FERLO, [redacted] HELEN FULLER, [redacted] and [redacted] meant nothing to him. He was not sure whether he had ever met [redacted]. He further stated that a [redacted] connected with St. Elizabeth's Hospital, was a visitor at [redacted] and might be acquainted with some of the crowd at [redacted]. He stated that [redacted] visited him and [redacted] and not RINGE and [redacted] although he believes he introduced [redacted] to them. The name [redacted] meant nothing to him. [redacted] stated that the groups visiting [redacted] and RINGE would range from four to over twelve people on a week-end. [redacted] is interested in [redacted] and is not an amateur ornithologist. SALLY RINGE was an enthusiastic ornithologist, first becoming interested in bird lore at [redacted] through a joint geological survey and Audubon Society who made a bird count in this neighborhood. [redacted] was recalled as a visitor at [redacted] and nothing was known concerning her. [redacted] stated that he had never been approached by any of this group concerning his position at the Geological Survey other than usual questions about the nature of his work. He was never asked for any confidential information.

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[redacted]
 by the name of [redacted] (phonetic). [redacted]
 after [redacted] and RINGE left. [redacted] in the
 government and [redacted] stated that he still sees
 a good deal of [redacted] and stated that [redacted]
 [redacted] and has a building business in the neighborhood called the
 [redacted] comes into Washington about
 once a week and does some writing for an aviation magazine. [redacted]
 [redacted] who was a visitor at [redacted]
 [redacted] stated that no invitations were ever issued at
 [redacted] and it seemed to him that it was more of an open house for
 literary and artistic people rather than political groups. [redacted] was
 connected with the [redacted]

A picture of ALGER HISS was shown to [redacted] who stated
 that he could not say definitely that ALGER HISS was not a visitor at
 [redacted] during the time that [redacted] and RINGE occupied the premises
 and he could not say that HISS was there. He stated that HISS' picture
 looked like a young man who might have been there, but he would not
 commit himself. [redacted] further stated that he did not know of any
 Communist Party affiliation or sympathies on the part of the occupants
 of [redacted] or any of their guests.

[redacted] also known as [redacted] was inter-
 viewed at her home, [redacted] on the afternoon of
 Tuesday, March 1, 1949. At the outset of the interview [redacted]
 was shown a picture of ALGER HISS and stated that she could not recollect
 seeing him at [redacted]. On the other hand, she did not want to say that
 he was not there, as she claimed she had a very poor memory in this
 regard. She was likewise shown a picture of Mrs. ALGER HISS, also known
 as PRISCILLA HISS, and gave the same answer, namely, that she could
 not say definitely that she was not a visitor at [redacted] or that she
 was a visitor. She was shown a picture of WHITTAKER CHAMBERS, and she
 stated that she never saw that person before. The picture, incidentally,
 was a 1931 picture of CHAMBERS. She was shown two photographs of [redacted]
 [redacted] and immediately identified him as a person who had striking red
 hair and identified him by the name of [redacted]. She described
 his [redacted]

[redacted] stated that [redacted] were very
 frequent guests of [redacted] and SALLY RINGE at [redacted] and
 distinctly remembers him because of his style of English and diction,
 stating that [redacted] was an interesting conversationalist and she often
 liked to hear him speak. In fact, [redacted] stated that some time
 after [redacted] and SALLY RINGE vacated the premises, the premises
 were actually rented by [redacted]
 [redacted] stated that [redacted] made very poor tenants in that the
 life in the country was too rugged for [redacted] and their child
 stating that the premise of [redacted] was never intended as a winter
 residence in that it had no central heating plant; however, the two

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girls, [redacted] and SALLY RINGE, rented it as an all-year-round home for several years. [redacted] could not state exactly when the girls lived at [redacted] but guessed that it was about the same time that they built the home. She stated this was about the same time that they were married.

[redacted] advised that she was acquainted with [redacted] who was a frequent visitor at [redacted]. She advised that she was acquainted with JOHNNY GOLDMARK, husband of SALLY RINGE, who was also a frequent visitor at [redacted]. [redacted] stated he came down there towards the last part of the girls' stay at [redacted]. When questioned regarding [redacted] she advised that she was not acquainted with him. [redacted] recalled that SALLY RINGE had [redacted]

[redacted] stated that she was not acquainted with ABRAHAM GEORGE SILVERMAN.

She advised that the occupants and guests at [redacted] did not exhibit a very strong interest in ornithology; in fact, SALLY RINGE wasn't actually interested in any particular thing. She was a gay sort of person but one whom [redacted] did not admire too much. [redacted] explained that she did not know of the Audubon Society ever having visited [redacted] or the vicinity but that the Geological Survey had for about seventeen years come down to [redacted] and its neighboring surroundings and had counted birds. [redacted] explained that she believed that SALLY and [redacted] were nothing more than good friends and seriously doubted that they were ever Lesbians. As regards [redacted] he played volley ball on the court located at [redacted] place. She believed that he visited [redacted] to visit with the people there rather than because he was especially interested in volley ball.

[redacted] related that she knew JESSICA SMITH slightly. She recalled that she had [redacted] to whom she was rather devoted and who, as she recalls, was sick; [redacted] believed it was JESSICA's purpose to rent a country estate for [redacted] who allegedly was suffering from a tuberculosis condition. [redacted] recalled that JESSICA was a guest of SALLY and [redacted] probably three or four times. She did not know that JESSICA was married. [redacted] advised that she was not acquainted with anyone by the name of HAROLD WARE and did not know him as a guest at [redacted]. [redacted] stated that the name [redacted] does not mean any thing to her. As far as she could ascertain, RINGE and [redacted] had no political beliefs except that you might term them "liberals". They were the type of people who seemed to be satisfied just as long as someone was pushing the world along and getting things done. She further described them and their associates as "New Thoughtists" and who were slightly opposed to what [redacted] called a police state. However, Russia was never

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referred to as being a police state by anyone of the group. [] stated that she had received the impression that the girls were not too interested in international affairs, and as far as she knew, the only time they were ever out of this country was on a visit to Mexico. RINGE and [] seemed to be interested in the Parent Teachers Association and at one time had attempted to busy themselves with a group of girls at Accokeek, Maryland in the nature of a girl scout movement. However, [] explained SALLY was the type who could not follow any one thing through, especially if it bored her. She tried the girl scout movement for a couple of months and then gave it up. [] went on to relate that SALLY RINGE and [] worked for new causes but at no time had ever indicated that they were Communists or were interested in Communism.

[] recalled that SALLY had a position with the Federal government and that [] stated she would classify both of them as New Dealers; however, she felt absolutely certain that they were not disloyal. [] explained that she did not know anyone by the name of JOHN ABT, now the husband of JESSICA SMITH. She advised that [] was a guest at [] He was one of the group which came there primarily to play volley ball. [] stated that it was [] who in a way was responsible for the two girls being introduced to [] She explained that [] had told RINGE and [] that [] had a [] recalled this was about November and that she explained to the girls that the cottage was more of a summer residence and did not have a central heating plant, which would make the cottage unlivable during the winter. However, they took it and remained there year round.

The names RALPH DeSOLA and [] did not mean anything to [] stated they had all kinds of guests there and it was difficult for her to recall many of their names, especially as most of them were known by first names. However, she did recall one of the guests as being REXFORD TUGWELL. Among others who visited the [] was [] (phonetic). [] explained that it was he who accompanied Mrs. ELEANOR ROOSEVELT at certain social events. Another guest was [] She stated that he came down to [] quite a few times. As regards [] she stated that she might have heard the name but could not definitely state that she was acquainted with the couple. She recalled [] as a person with whom she was acquainted in that she was hostess at one of the worst parties [] had ever attended. She recalled [] living in [] stated she met [] at SALLY and [] and, as she recalled, [] lived at [] [] stated she did not believe that [] was interested in Communism.

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When interrogated concerning the multi-lens aerial camera, [] stated that she never heard any discussion concerning it at []. She explained that the people who attended there were mostly interested in art, especially modern art, and she obtained the impression that they would probably not be interested in engineering and things like that. [] related that [] lived at [] with the two girls for quite some time. She explained that he fitted in very lovely with their scheme of living and shared the expenses of running the home.

As regards VICTOR PERLO, [] stated that the name sounded familiar, but she could not recall anything definite concerning him. [] related that, after SALLY and [] moved away, a [] and stayed a couple of years. She believed that someone with a name similar to PERLO stayed with the [] and helped them pay the rent. The last she heard of [] was about a year ago when he wrote from [] asking [] to help [] obtain a position.

The names GEORGE SILVERMAN, [] NATHAN WITZ, [] and [] were not recalled by [] as being people with whom she was acquainted. The two girls, [] and RINGE, as well as most of their friends and associates had no religious interests whatsoever. [] could not recall anyone ever visiting [] who was employed at the Bureau of Standards. As regards the type of literature which RINGE and [] read and subscribed to, [] stated that it was mostly current books and magazines. She explained that she never saw the DAILY WORKER or any Communist literature in their home. She further stated that she does not know of any organizations to which they belong. [] stated that SALLY RINGE and [] when they lived at [] and were commuting to Washington, did so in their own cars. [] stated that all the visitors at [] were white people.

Baltimore teletype of March 3, 1949, requested this office to interview [] who resided at [] in the late 1930's or early 1940's to determine what information he had concerning the alleged visit by ALGER HISS to [] while it was rented to [] and SALLY RINGE. It will be noted that [] was also mentioned by []

[] was interviewed on March 4, 1949 at his residence by Special Agent [] and furnished the following information:

He was not acquainted with ALGER HISS or [] but had heard their names mentioned in the circles in which he associated. He stated, however, that the names came up in a very laudatory manner and he assumed that the [] were "bright young men" employed by the government. [] referred to ALGER HISS as a stuffed shirt in the State Department judging from his high position there. [] was not

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acquainted with CHAMBERS and offered the opinion that CHAMBERS was "obviously cracked up". When asked whether he had any information in this regard [redacted] stated he had made this statement because he could not imagine anyone making a statement about a person so highly regarded as ALGER HISS without being mentally off balance.

[redacted] was out of the country in Stockholm, Sweden, during most of the year 1937 and therefore was not in a position to know whether ALGER HISS visited [redacted]. As far as he knew SALLY RINGE and [redacted] were not members of the Communist Party. [redacted] stated he would not know a Communist if he saw one or heard one. He did not know [redacted] or RALPH DeSOLA and never knew [redacted] or RINGE to associate with any known members of the Communist Party. He identified the photograph of [redacted] and stated that he often saw [redacted] at [redacted] Accokeek, Maryland. He added that he did not believe the things that had been written about [redacted] in the newspapers. He is also acquainted with [redacted] and [redacted]. He stated that immediately after [redacted] was interviewed by Baltimore agents she contacted him and advised him of the Federal Bureau of Investigation contact and that the Baltimore agents desired to know whether ALGER HISS was at [redacted] on July 4, 1937. He stated that both him and [redacted] laughed about this matter as he could not recall where he was specifically on this date except that he had been out of the country.

On March 3, 1949, [redacted] was interviewed at the National Press Club, 14th and F Streets, NW, Washington, D.C. regarding any knowledge he may have had about ALGER HISS being present at [redacted] Accokeek, Maryland over the week-end of July 4, 1937. [redacted] stated that he went down to [redacted] on many Sundays in 1937 and 1938 and knew SALLY RINGE and [redacted] and has seen [redacted] at the volley ball gatherings at the home of RINGE and [redacted]. He never saw ALGER HISS at [redacted] and has never met ALGER HISS at any other time.

[redacted] stated that he went down to [redacted] to see [redacted] and played volley ball on week-ends. SALLY RINGE and [redacted] were close friends of REXFORD TUGWELL. Both RINGE and [redacted] were ardent New Dealers and he qualified this statement by saying that they were extreme liberals, but he never knew them to be members of the Communist Party or necessarily follow the Communist Party line. He stated that he rarely saw the girls alone.

[redacted] advised that [redacted] who is head of an Information Branch in the Interior Department is a close friend of [redacted]. He also stated that [redacted] at the U.S. Geological Survey was another visitor to [redacted] who knew most of the other visitors at this place. He also stated that REXFORD TUGWELL's [redacted] often visited [redacted] recalls JESSICA SMITH but stated that he never saw

her at [] and hasn't seen her since 1928. JESSICA SMITH worked for the Soviet Information Bureau. The names HAROLD WARE and JOHN ABT meant nothing to [] was able to recall seeing a kinky, orange haired man at [] but the name [] meant nothing to him.

Interview with []

By teletype dated February 7, 1949, the New York office requested this office to interview [] regarding a statement allegedly made by PRISCILLA HISS to [] regarding [] book, in which Mrs. HISS allegedly stated that the book was all wrong since ALGER HISS had been in Russia and saw the facts differently. [] advised Special Agent [] that she did not have any conversation with [] She does not recall having any such conversation with Mrs. HISS. [] stated that she only met Mrs. HISS alone on three occasions, but met her in a group with other people several times. At no time did the subject of [] book enter into any discussion with Mrs. HISS. By way of explanation [] stated that undoubtedly [] is referring to another individual, who is a mutual friend, whom she refused to identify, who on one occasion told her [] that [] should never have criticized the Russian clothes and the Russian way of life in his book "Report on the Russians". [] stated that she is considered a friend of Mrs. HISS and when the publicity in this matter broke in the papers, she wrote PRISCILLA HISS inviting her to stay at her home in [] if she, Mrs. HISS, should ever come to Washington to attend any Congressional hearings, etc. [] advised that she knew no person as BEATRICE HEIMAN and did not know whether Mr. or Mrs. ALGER HISS knew her.

Re: Document Entitled, "President's Report
for the Year 1936". (K-249)

On March 1, 1949, Special Agents [] and [] returned to [] the document entitled, "President's Report for the Year, 1936", which [] had made available to Agent []

Report of Special Agent [] dated January 29, 1949, reflected that [] when interviewed had in her possession the minute book for the Bryn-Mawr Club, Washington, D.C., and when questioned concerning any typewriting specimens she might have which emanated from the ALGER HISS residence, she produced this document. The FBI Laboratory thereafter identified it as having been typed on the same machine which typed documents turned over by WHITTAKER CHAMBERS.

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An examination was made of the minute book in question by Agent [redacted] and it was determined that the book is entitled, "Bryn-Mawr Club Minute Book, 1931-32-33-34-35-36-37". On page 112, the following caption appears:

"May Meeting"

"On Tuesday, May 18, [redacted] was hostess for the Bryn Mawr Club at the last meeting of the year which was held at the Officers Club at Fort Humphreys, D.C. After tea, the business meeting was held with the President, Mrs. HISS, presiding.

"In the absence of [redacted] of the Nominating Committee, [redacted] of the Committee, was called upon to present the slate for the officers of the Club for the year 1937-38.

"It was then moved, seconded, and carried that the secretary cast a unanimous ballot and the following officers were elected:

[redacted]

"It was moved, seconded, carried that a vote of thanks be given to the retiring officers for their work during the past year.

"The President, Mrs. HISS, then read her annual report which was accepted and is appended hereto. ...

signed: [redacted]

The document in question was appended to page 112 of this book. The document refers to incidents which occurred at meetings of the Bryn-Mawr Club for the past year and a perusal of the minutes of this period reflects mention is made of these events as described in the document.

[redacted] stated that she intended to return the minute book to [redacted] of the Bryn Mawr Club, [redacted] and that originally [redacted] had secured the book at the instigation of Mrs. PRISCILLA HISS. Mrs. HISS is not acquainted with [redacted] and desired to review the minute book to determine the names of her friends and associates in 1935, 1936 and 1937. [redacted] and Mrs. HISS reviewed the book in the fall of 1948.

On March 4, 1949, [redacted] was interviewed by Special Agent [redacted] at which time she advised she had received the minute book in question

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from [redacted] on that date. She reiterated information previously furnished that [redacted] of the Bryn Mawr Club for the year 1948 and that her term of office expires in May, 1949, when the new officers are elected.

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By teletype dated March 11, 1949, the Bureau and New York Division were advised that [redacted] is the proper individual to subpoena in the event the document, "President's Report for the Year 1936" is introduced into evidence.

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LEADS

WASHINGTON FIELD OFFICE

AT WASHINGTON, D.C.:

Will continue to develop information pertinent to this investigation and conclude the investigation requested in referenced Bureau letters.

* * * * *

This matter is receiving constant and preferred investigative attention in this office and leads are being handled as they are received.

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ADMINISTRATIVE

By teletype dated February 14, 1949, the New York office requested all pertinent serials concerning the personal history and background of [redacted]. By letter dated March 1, 1949, the New York office was furnished the material it desired in referenced teletype.

By teletype dated February 15, 1949, New York Office requested this office to interview [redacted] who was alleged by ESTHER CHAMBERS to have been recommended to her by PRISCILLA HISS. The results of this interview were furnished to the Bureau, New York and Baltimore by letter dated March 1, 1949

By teletype dated February 14, 1949, the New York Office requested this office to ascertain the present location of [redacted] and [redacted] with respect to the investigation of [redacted]. By letter dated February 23, 1949, to the Bureau, New York, San Francisco and St. Paul, the latter two offices were requested to locate and interview [redacted] who is associated with the Office of Indian Affairs, U.S. Department of the Interior. By letter dated February 25, 1949, the New York Office was furnished the address of [redacted] and was requested to conduct the desired interview.

By letter dated February 25, 1949, the Los Angeles office was requested to locate [redacted] who was employed [redacted] at the AAA during the period when ALGER HISS was employed there.

By teletype dated January 21, 1949, the New York Office requested this office to review its files regarding [redacted] with alias [redacted]

By letter dated February 8, 1949, the Bureau and New York were notified that no pertinent information was available in Washington Field Office files concerning this individual.

The New York Office was requested to furnish the Savannah Office a photograph of [redacted] with alias [redacted] to determine if he is identical with one [redacted]

Bureau letter of January 3, 1949, requested this office to furnish photographs of all male employees of the Soviet Embassy during the years 1936 to 1938 to the New York Office. By letter dated January 11, 1949, all available photographs were furnished to the New York Office.

By teletype dated February 9, 1949, the New York office requested an interview with [redacted]. By teletype dated February 24, 1949

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the Bureau and New York were notified that [redacted] is presently employed by the U.S. Army in [redacted] and is therefore not available for interview.

By letter dated February 15, 1949, the Baltimore Office was requested to contact the Office of the Veterans Administration for information as to the present whereabouts of JOHN THEODORE HERRMANN and to interview him if found in that division.

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By letter dated March 1, 1949 the St Louis office was requested to report all information contained in the records of the U.S. Strategic Bombing Survey Mission to Japan in 1945 concerning TEIJI KOIDE.

By letter dated March 7, 1949, the New York Office was requested to interview [redacted] in an effort to locate the records maintained at one time by Mrs. LENORA B. FULLER, deceased.

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Office Memorandum • UNITED STATES GOVERNMENT

TO : SAC, Seattle (65-3020)

DATE: November 2, 1951

FROM : Director, FBI

SUBJECT: MRS. JONATHAN GOLDMARK, was.
Sally Goldmark, nee
Irma May Ringe, Sally Ringe
SECURITY MATTER - CALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

Reurlet 10-17-51 entitled as above but which carried the character Espionage - R. Authority is granted for your office to reinterview the subject for the purpose of developing any information she may desire to furnish concerning her activities in the Communist Party during the period of 1935 to 1940. It is noted that when subject was interviewed by agents of the Seattle office in March, 1949, as reflected in the report of SA [redacted] [redacted] dated 3-11-49 at Seattle in the [redacted] case that she admitted knowing numerous individuals connected with the Communist Party and who have been suspected of espionage activities but she declined to make any comment concerning them. Upon reinterview the names of these individuals should be gone over again with her for any information that she may now desire to furnish concerning them. For the assistance of your office there is attached one copy of the report of SA [redacted] Washington, D. C., dated 3-16-49, entitled "Jay David Whittaker Chambers, was. et al, Perjury, Espionage - R, Internal Security - R." You will note that beginning with page 19 there is set out the results of investigation concerning allegations that Alger and Priscilla Hiss visited Sally Ringe and [redacted] at Accokeek, Maryland.

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The results of the interview with subject should be furnished to the Bureau in a report under the above caption.

Attachment *[Handwritten signature]*

[Handwritten signature]

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Democratic Politics:

Goldmark and Panattoni In Spirited Race to Head State's Young Democrats

By ROSS CUNNINGHAM

A spirited contest between John Goldmark and Joseph Panattoni for the presidency of the Young Democrats of Washington will be settled at the organization's convention next week-end at Ellensburg.

Panattoni, whose home is at Thorpe, Kittitas County, is a law student at Gonzaga University. He also is the national committeeman for the Young Democrats' national organization.

Goldmark is a Harvard Law School graduate, who gave up a New York practice to become a cattle rancher. He runs the JJ ranch in Okanogan County and uses his own small airplane to travel about the state.

Democrats look upon both candidates as future candidate material for the party and their race to succeed Harvey Dodd, Tacoma accountant, in the presidency is attracting wide attention.

A Democrat who has members of both political parties guessing is State Senator Albert D. Rosellini, who has become busier than usual with reorganizing state government and investigating crime. He has confided to friends that he may run for mayor of Seattle or lieutenant governor.

The lieutenant-governorship, held since 1933 by Victor A. Meyers, is being eyed by several others who think a change is in order. No one would be surprised if Senator Nat U. Washington of Ephrata would turn up in that race or perhaps State Representative Arthur R. Paulsen, Tacoma.

So far Democrats have not centered on strong candidates in the 4th and 6th Congressional Districts. There have been some efforts to induce Washington to run against Republican Congressman Hal Holmes in the 4th District and Paulsen to oppose Republican Congressman Thor Toljelson in the 6th District.

Phil Gallagher has been sounding out sentiment on his chances of being elected state treasurer. The incumbent, Harry Tom Martin, who has his eye on the governor's chair, cannot run again because of the one-term limitation on holding the office. Gallagher was treasurer from 1937 to 1941. Edwin S. Kiehl, Seattle accountant residing on Whidby Island, also is being talked of as the Democratic candidate for treasurer.

There is a story going about Democratic circles that former Gov. Clarence D. Martin may take a fling in the race for congressman-at-large.

Former Gov. Mon C. Wallgren has built himself a small lodge on a relative's property outside Olympia and has told friends he is establishing a residence either there, or at Everett. This would qualify him to get into any race if he should choose to do so. Actually, Wallgren always has maintained a legal residence in Everett.

The word right now in Democratic circles is that neither Congressman Henry M. Jackson nor Congressman Hugh B. Mitchell is too eager to make the race against Republican Senator Harry P. Cain—leaving members of the party wondering whom they would get if both bowed out of the race.

That might bring Wallgren into the senatorial race against the Republican who led the fight

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against his confirmation as chairman of the National Security Resources Board. Wallgren has a score to settle.
A recent bulletin of the Young Democrats suggests that Vice President Alben Barkley should be brought here to offset the visit of Gen. Douglas MacArthur. Senator Warren G. Magnuson is due in the state Sunday, last of the Democratic delegation to come home. He will be around the state most of the time until Christmas. The senator spent three days in a hospital for a routine checkup. He said he didn't think anything was wrong, but he wanted to be certain.

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State's Young Demos Trying to Cover Reds, Says G. O. P. Leader

The Young Democrats of Washington today were charged by Ray Moore, chairman of the King County Republican Central Committee, with seeking to provide a protective front for Communists.

Moore's charge followed the adoption by the Young Democrats' convention in Ellensburg Saturday of planks calling for repeal of the McCarran Internal Security Law, amendment of the Smith National Security Act and the limiting of the federal loyalty program to jobs in security agencies.

Law Change Asked

The Smith Act was the one under which the 11 top Communist leaders were convicted. The resolution on that subject urged that the law be altered "to make it clear that men cannot be convicted for their opinions, but only for their acts."

"The action of the Young Democrats shows that the Democratic Party still is willing to provide a protective front for the subversive interests which would wreck our nation," Moore said. "It was fuzzy thinking of this kind by the Democrats for many years which enabled the Communists to infiltrate their party and the government."

"The resolution of the Young Democrats show clearly that they still are willing to run interference for the Communists. This false liberalism would permit the Communists to operate without restraint."

G. O. P. Victory Urged

"The Young Democrats have shown by their actions that their party cannot be trusted on the issue of Communism. The real fight against Communism must be waged through the election of Republicans," Moore said.

Before the Young Democrats' platform was adopted, John Goldmark of Okanogan, the new pres-

ident, hit at what he called "a concerted attack on the right of free speech in the United States," the Associated Press reported.

Representatives Hugh B. Mitchell and Henry L. Jackson told the convention that what they called "labelism" has generated "a campaign of fear and guilt by association" that threatens to "nullify the guarantee of freedom of speech in America."

Other sections of the platform called on Congress "to announce by resolution that the eventual formation of a world government is the aim of American foreign policy; condemned "the methods of the American Medical Association in opposing the President's national pre-paid medical insurance plan"; indorsed the Columbia Valley Authority; called for repeal of the Taft-Hartley Act, and urged amendment of the State Constitution to provide for a graduated income tax and annual legislative sessions.

Officers Elected

Officers named, in addition to Goldmark, were Betty Bates, Ellensburg, vice president; Dick Wynne, Tacoma, secretary, and Afton Woolley, Seattle, treasurer.

The convention also named a new board of trustees by congressional districts. Elected were:

- First District—James A. Wilson, David Skellenger and Sanford Petersky, all of Seattle.
- Second—Bob Arnold, Alderwood Manor; Wally Carmichael, Everett, and Hugh Cory, Bellingham.
- Third—Jim Sullivan, Centralia, and Don Smith, Olympia.
- Fourth—Gene Nelson, Ellensburg; Don Walter, Quincy and Rudy Rice, Richland.
- Fifth—Paul Peterson and Elvin Vandenberg, Spokane, and Larry Lipsack, Odessa.
- Sixth—Lloyd Riley and Les Sullivan, Tacoma, and Jack Speer, North Bend.

"Seattle Times"
11-19-51

*John Goldmark
(Sally)*

100-21585-5

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FEDERAL BUREAU OF INVESTIGATION

Form No. 1

THIS CASE ORIGINATED AT **NEW YORK**

FILE NO. **65-3020**

REPORT MADE AT SEATTLE, WASHINGTON	DATE WHEN MADE 3-11-49	PERIOD FOR WHICH MADE 2/7,8,17,18/49 3/4/49	REPORT MADE BY <div style="border: 1px solid black; width: 100px; height: 15px;"></div>	hg
TITLE JAY DAVID WHITTAKER CHAMBERS, WAS; ET AL			CHARACTER OF CASE PERJURY; ESPIONAGE - R; INTERNAL SECURITY - R.	

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SYNOPSIS OF FACTS:

IRMA MAY RINGE, was. Sally Ringe, Sally Goldmark, Mrs. Jonathan E. Goldmark, interviewed 3/3/49 at Double J Ranch, Okanogan, Wash. In interview Mrs. GOLDMARK admitted membership in CP from 1935 until about 1940 as member-at-large in Washington D. C. while employed by U.S. Government. Also advised was member of WASHINGTON BOOK SHOP, Washington D. C., and admitted acquaintanceship with VICTOR PERLO, [redacted] and other subjects of [redacted] case. When interviewed advised was willing to furnish information concerning herself, but would make no comment concerning CP membership or activities, or alleged espionage activities concerning any other person. SALLY GOLDMARK denies knowing WHITTAKER CHAMBERS or ALGER HISS, and denies any correspondence with HISS. Claims to be still friendly with VICTOR PERLO, but denies correspondence with him other than the exchange of Christmas cards. Would make no comment regarding any knowledge she might have concerning Communist underground, Washington D. C., or alleged espionage activities of this group, although she denied that she had engaged in espionage activities. Advised that [redacted] took over [redacted] Accokeek, Md., when she moved away from there in fall 1942. Denies correspondence with PERLO concerning [redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CE/LAK

- RUC -

Reference: Re New York teletypes 2/4,7,14,15,26/49
Butel 1/11/49
Bufile 74-1333 **100-21585-6**

APPROVED AND FORWARDED:	SPECIAL AGENT IN CHARGE	DO NOT WRITE IN THESE SPACES
<p>5 - Bureau (AMSD) COPIES OF THIS REPORT</p> <p>3 - New York (AMSD) 1 - San Francisco (Info.)</p> <p>1 - THOMAS J. DONEGAN, Special Asst. to Attorney General, New York City</p> <p>2 - Washington Field (AMSD)</p> <p>(2) - Seattle</p>		<p>100-21585-6</p>

DETAILS:At WHITE SALMON, WASHINGTON

The following investigation was conducted by SA [REDACTED]
[REDACTED]

On February 7, 1949 [REDACTED] advised that on March 1, 1947 JONATHAN and SALLY GOLDMARK left a forwarding address of "Double J Ranch, Okanogan, Washington". He advised that while at White Salmon the GOLDMARKS had resided on a ranch about seventeen miles North of White Salmon, Washington. [REDACTED] further advised that he believed that GOLDMARK had bought the Double J Ranch jointly with a [REDACTED] but that subsequent to this time the two had split up. He advised that [REDACTED] was presently residing in [REDACTED] and is an employee of the [REDACTED]

At YAKIMA, WASHINGTON

The following investigation was conducted by Special Agents [REDACTED]
[REDACTED] and [REDACTED]

On February 7, 1949 [REDACTED] an employee of the [REDACTED] was interviewed and advised that while serving with the [REDACTED] in 1946 he had [REDACTED] in November of that year with JONATHAN GOLDMARK of White Salmon for the purchase of a cattle ranch at Okanogan, Washington. [REDACTED] further stated that they had moved to the ranch from White Salmon in March 1947 and due to a personality conflict between their respective wives, had dissolved the partnership in September 1947.

[REDACTED] stated that GOLDMARK was a graduate of the Harvard Law School, a Naval veteran of World War II, and had formerly been employed by the OPA at Washington D. C. [REDACTED] advised that GOLDMARK had come to White Salmon, Washington, to learn the fruit growing business. [REDACTED] stated he considered GOLDMARK a loyal American.

Concerning SALLY GOLDMARK, the wife of JONATHAN GOLDMARK, [REDACTED] stated she was formerly "red or pink", and explained that she used to think that the attitude of the Russian people was correct as opposed to that of the American people, and that she agreed with the principles advocated by HENRY WALLACE. He stated he believed that SALLY GOLDMARK had held positions in Washington D. C. under ICKES and HOPKINS.

SALLY GOLDMARK could not be interviewed prior to March 4, 1949, inasmuch as the ranch on which she resides has been snow-bound for over a month.

At OKANOGAN, WASHINGTON

The following investigation was conducted by SA [redacted] and the writer:

HIGGA MAY RINGE, presently married to JONATHAN E. GOLDBLUM, and better known as SALLY GOLDBLUM, was interviewed on March 4, 1949, along with her husband, JONATHAN E. GOLDBLUM.

She advised that HIGGA MAY RINGE was her true name, but she had been going by the name of SALLY for many years. She stated she was born in Brooklyn, N.Y., and attended the Erasmus Hall High School in Brooklyn, and graduated from the University of Wisconsin in 1929 with a Bachelor of Arts degree. She further advised she studied one year at medical school at the University of Wisconsin. In the fall of 1929 she returned to New York City where she worked on the "Committee on Cultural Relations with Latin America" as [redacted] until the fall of 1933. From the fall of 1933 until May 1935 she was employed as Executive Secretary of the Teachers' Union, Local #5, AFL, New York City, under [redacted] of this Local. In May 1935 she went to Washington D. C. where she was employed by the F.E.R.A., which was converted in July 1935 to the Works Progress Administration, and later in September 1935 to the Works Projects Administration. She was employed by the W.P.A. until the fall of 1939 under [redacted]. She then took a short job on the "White House Conference for Children in a Democracy" which she described as an organization operated on a private fund administered by [redacted] of the Research Staff, and [redacted] of Social Statistics in the New York School of Social Work, 122 E. 22nd, New York City. She stated that this organization was sponsored by the Department of Labor, Children's Bureau. She described her work here as a writer on the Research Staff concerning problems of education and health.

From 1940 to 1942 she was employed by the National Youth Administration under [redacted] in the Public Health Service, and conducted research under the health program of the N.Y.A. In 1942 she was employed by the U. S. Public Health Service until November 1943. She advised she did not work then until the fall of 1944 when she became employed by the New York City Health Department in the Bureau of Child Hygiene under [redacted] until August 1945. She advised that she then went to White Plains, New York, where she resided with her mother-in-law at 66 Quinby Ave. White Plains, until February 1946 while her husband was overseas in the U. S. Navy.

In February 1946 she and her husband went to White Salmon, Washington, where they resided on a ranch, and in March 1947 she and her husband purchased a ranch at Okanogan, Washington, where they presently reside with their two children.

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Mrs. GOLDMARK stated that she first met [redacted] in Mexico City, Mexico in the summer of 1931 or 1932 while both were there on a Latin American conference. She stated that [redacted] but that she came to New York City in the winter of 1932 with [redacted] show where she and SALLY GOLDMARK furthered their acquaintanceship. Mrs. GOLDMARK stated that in 1934 [redacted] moved to New York City and stayed with SALLY for a short while at an apartment in the Gramercy Park section, 307 E. 17th Street, New York City, an apartment house which was [redacted]. She advised that [redacted] later rented a house on [redacted].

SALLY GOLDMARK further stated that during the years 1932 and 1933 she took classes in Marxism at regularly scheduled classes of the Workers' School, which school was held in the same building occupied by the headquarters of the Communist Party in New York City. She advised she could not recall the persons who attended the classes, nor the instructors, except for a few isolated individuals.

She stated that she first met [redacted] at one of those Marxist classes in either 1932 or 1933. She stated that [redacted] was single at that time, but later [redacted]. SALLY stated that she met RALPH DeSOLAS through [redacted].

Mrs. GOLDMARK stated that she became quite interested in Marxism, and further, was extremely interested in all types of social reform, and consequently was an enthusiastic supporter of the New Deal. As a consequence she joined the "United Front Supporters" and attended meetings of that group as well as social gatherings held to raise money for the unemployed on the East side of New York. She stated that her activity in this group convinced her that the Communist Party in New York City was sincerely attempting to aid the distressed and unemployed persons of that period, and that from her reading and activity she became convinced that she should join the Communist Party.

She advised that she did join the Communist Party in the fall of 1935 after she had gone to Washington D. C., and was a member until 1939 or possibly 1940. She stated that she was not willing to advise who had recruited her into the CP, nor did she desire to name the persons who had influenced her to join the Party. She specifically denied that [redacted] had sponsored her membership in the CP.

Concerning her residence at Accokeek, Md., Mrs. GOLDMARK advised that in the fall of 1935 [redacted] in the W.P.A. in Washington D. C. in the Writers' Project, took an interest in finding [redacted] to live, inasmuch as they were living in very unsatisfactory quarters at that time. She stated that through [redacted] she met [redacted].

[redacted]
[redacted] at Accokeek, Md. She stated that through [redacted]
[redacted] she and [redacted] persuaded [redacted] to rent them this
home. She stated that she resided there with [redacted] until the
summer of 1942. Also [redacted] resided with them. She
stated that she had not known [redacted] prior to this time. According
to her, [redacted] lived on some other property close to [redacted] which
was called [redacted], during the summers and on week-ends.

During the period that SALLY and [redacted] resided at Accokeek she
stated that they entertained many individuals at this home, and stated
that the friends who were entertained there included two groups, one a
group of her own friends who were social workers in the W.P.A., and the
other group of friends who were friends of [redacted] and mostly consisted
of artists. She described all of these persons as ardent New Dealers.
She stated that they maintained more or less an open house at Accokeek
at all times, and very often friends of her's would bring other people
unknown to her to Accokeek. She stated that there were "a great many
people" at Accokeek at one time or another.

Mrs. GOLDMARK was questioned concerning a 4th of July party held at
her home at Accokeek July 4, 1937. She stated that she could not recall
any party on that date, but stated that [redacted] and RALPH DeSOLA had
only visited on one occasion at Accokeek, and as she recalled it was over
a week-end during a summer which could have been 1937. She stated that she
could not be specific at this time as to what date or even what year this
visit occurred. She stated that as well as she can recall, there probably
were eight persons on this week-end party, and included RALPH DeSOLA, [redacted]
[redacted] and herself, and probably about four other individuals whom
she cannot recall at this time. She stated that about the only thing she
can recall about this particular visit was that someone of the party went
canoeing and that photographs were taken of these persons in the canoe, and
that [redacted] incessantly discussed a factional fight on the Writers'
Project of the W.P.A., and SALLY stated that this discussion on the part
of [redacted] bored her tremendously inasmuch as she was not interested
in that particular project.

Mrs. GOLDMARK categorically denied that she had ever known ALGER or
PRISCILLA HISS, and stated that she has, to her knowledge, never seen them,
nor were they ever guests at Accokeek. She stated that the first time she
ever knew of these individuals was from newspaper accounts last summer
concerning the investigation made by the Congressional Un-American Activi-
ties Committee. She advised that she could not recall any conversation
concerning an ornithologist who was allegedly working in a smooth and effective
way for the CP, and cannot recall any ornithologist who was at Accokeek at

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the time [redacted] were there. She denied any knowledge of the relationship between HISS and WHITEAKER CHAMBERS. She further denied that she had, at any time, corresponded with ALGER or PRISCILLA HISS. In this connection she advised that the only ornithologist that she can recall knowing was a man by the name of [redacted] and she is sure that he was not at this particular party.

Concerning [redacted] she stated that [redacted] in that agency. She stated that he was a frequent visitor at Accokeek, and possibly was in attendance at the party with the DeSOLAS, but that she does not think he was there.

She denied any knowledge of a person named NATHAN WITT, or any other person by that last name.

She further denied any knowledge of a camera inventor who was supposed to have visited Accokeek at the same time the DeSOLAS were there. She did state, however, that she knew [redacted] whom she met in 1935 when she first went to Washington D. C. She stated she had met [redacted] through [redacted] on one or two occasions, but did not know him well. She stated she believed they were presently residing on [redacted]. She advised that [redacted] and that she had met him previously.

In explanation for her failure to recall the party in question, Mrs. GOLDMARK stated that she had traveled all over the United States, particularly in the South, in her job with the W.P.A. and N.Y.A., and at times she was away from home for a month at a time, and stated she may not have been at home on July 4, 1937. However, she definitely stated that at no time while she was at Accokeek had ALGER HISS ever been there to her knowledge, and stated she could not have been engaged in any conversation concerning him inasmuch as she did not know him.

SALLY GOLDMARK stated that she joined the "Cooperative Book Shop" in Washington D. C., and was a member for about a year. She stated that she did not recall the name of this bookstore, but that it could have been the Washington Book Shop. She stated that she purchased a few books through this book shop, but never attended any meetings. When she was asked concerning [redacted] activity in the CP or Washington Book Shop she stated she did not care to comment. She further stated that she did not care to comment concerning [redacted] contacts with anyone from the Washington Book Shop. She stated that she did not desire to furnish any information concerning whether or not [redacted] was a member of the CP.

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Concerning [redacted] she stated that she had heard of [redacted] who was the [redacted] but that she did not know of any association between [redacted]

She was asked if [redacted] was present at the party [redacted] attended at Accokeek. She advised that she could not recall. She stated she met [redacted] in Washington D. C. in 1935 or 1936, and did some work with [redacted] on the Pepper Committee in the U.S. Senate. She advised she has known him ever since, and last saw him in February of 1948 in Washington D. C. for a short visit of a couple of hours. When asked concerning [redacted] activities in the CP or other activities of which she was aware, she advised she did not care to comment. She stated that [redacted] was a frequent visitor at Accokeek, and that after she moved from there in the fall of 1942 [redacted]

Concerning other persons who lived at Accokeek, she stated that one [redacted] who was [redacted] and who was [redacted] had lived there for approximately three years while she had the house. She further stated that [redacted] had also resided there for several months. She stated she met both of these individuals through [redacted] She refused to comment concerning the Communist Party activities of either [redacted]

It is noted in one of the referenced teletypes that [redacted] had mentioned [redacted] in a conversation with PRISCILLA HISS, consequently SALLY GOLDMARK was questioned concerning [redacted] She admitted knowing [redacted] and stated she was [redacted] [redacted] and that she had met [redacted] through [redacted] She stated [redacted] were friends of [redacted] She stated, however, that she only saw [redacted] two or three times. She specifically denied that she had ever met PRISCILLA HISS in the company of [redacted] She further stated that she was acquainted with [redacted]

Concerning VICTOR PERLO, SALLY GOLDMARK advised that she met him in Washington D. C. in 1936 or 1937, probably through [redacted] She stated that he worked on the War Production Board at one time. He was an Accokeek visitor on many occasions, and she considers him a good friend of her's and [redacted] She further advised PERLO stayed at Accokeek when [redacted] for a period of about two weeks. She refused to comment in any way concerning VICTOR PERLO's CP associations or the allegations concerning his espionage activities. She stated that she has not seen PERLO since December 1943, and has had no correspondence with him other than to send him a Christmas card each year. She denied that

she had ever had any other reason to correspond with PERLO. She stated that she has always known [redacted] address, and consequently had never had to contact VICTOR PERLO concerning [redacted] whereabouts.

Concerning [redacted]
[redacted] but that they had never lived together since that time. She stated that [redacted]
[redacted]
[redacted] for several years.

SALLY admitted knowing ABRAHAM GEORGE SILVERMAN whom she described as [redacted]. She stated that [redacted] and SILVERMAN had broken up about one and one-half years ago, and it was her understanding that SILVERMAN had gone back to [redacted]. She stated she did not desire to comment concerning whether [redacted] or SILVERMAN were members of the Communist Party, and did not comment concerning any of their activities. SALLY admitted knowing JOHN J. ABT, JESSICA SMITH and [redacted] and the [redacted]. She denied knowing LAUGHLIN CURRIE or HENRY DEXTER WHITE. She would offer no information concerning Communist activities of any of these individuals, and stated she did not desire to comment concerning any of the allegations concerning their espionage activities.

Concerning [redacted] She advised that she knew him vaguely but cannot recall how she met him. She stated that she had met [redacted] [redacted] on a few occasions, but did not know her well either.

Concerning her association with [redacted] she and her husband were both asked the nature of the payment made by [redacted] to JONATHAN GOLDMARK by check dated March 4, 1946. When first questioned concerning this, both denied that they had ever received any check from [redacted] and stated that they had never corresponded with him. When it was pointed out to Mr. and Mrs. GOLDMARK that it was a matter of record that [redacted] had written a check payable to J. GOLDMARK they stated that they could not recall any such check. Mrs. GOLDMARK, however, offered to look up her records concerning her joint account with her husband for 1946 in an effort to locate any entry concerning this check. Upon review of her records she found that she did have a record that she had deposited a check for \$15.00 received from [redacted] and which was deposited in April 1946. The only notation concerning this payment was "debit". Neither Mr. or Mrs. GOLDMARK could furnish any specific reason why they should have received this \$15.00 check, except that they stated it must have been for some personal thing which they had sold to [redacted] when SALLY GOLDMARK had left Accokeek.

An effort was made to secure from SALLY GOLDMARK any relationship she may have had with any of the above individuals in the Communist Party, and specifically an effort was made to ascertain what she knew of the activities of the Communist underground in Washington D.C. To all inquiries put to her she replied that she had no comment. She stated that she supposed she was

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considered as a member of the Communist underground in Washington D. C. inasmuch as she was what was called a "member-at-large" of the Communist Party.

She was asked if she had any knowledge of espionage activity on the part of CP members or of members or representatives of the Soviet government if she would furnish such information to the Federal Bureau of Investigation. She replied that she did not care to comment.

She advised that she was not presently a member of the Communist Party, but stated that she felt that the Congressional investigations concerning this matter had been very unfair to the individuals involved and was so mixed up with "politics" that she did not desire to comment concerning any part of it.

JONATHAN E. GOLDBLARK was also asked whether or not he would furnish any information concerning any espionage which came to his attention. He replied that he would, but that he felt that his wife was correct in refusing to comment concerning any of these individuals. He indicated that he also was very disgusted with the way the Congressional Committee on Un-American Activities had handled the investigation of these alleged activities, and did not feel that "trial by newspaper" and keeping people from employment was the proper method for the U. S. Congress to use, and while he felt that he could have confidence in the good faith of the FBI, he did not feel that his wife would be loyal to her friends if she commented concerning them. Both Mr. and Mrs. GOLDBLARK stated that they felt that the various persons involved should speak for themselves concerning this matter.

Photographs of WHITTAKER CHAMBERS, Mrs. WHITTAKER CHAMBERS, [REDACTED] ALGER HISS and HARRY DEXTER WHITE were shown to Mr. and Mrs. GOLDBLARK without identification, and they were unable to identify any of these individuals. SALLY GOLDBLARK, however, was able to identify a photograph of VICTOR PERLO.

Mr. and Mrs. GOLDBLARK, as mentioned above, have been snow-bound for over one month. Consequently they requested that the interviewing agents mail some letters for them. It was noted that these letters included mail to [REDACTED]

[REDACTED] Okanogan Valley Branch, Seattle First National Bank, Okanogan, Washington.

- REFERRED UPON COMPLETION TO THE OFFICE OF ORIGIN -

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ADMINISTRATIVE PAGE

Leads to interview any of the persons mentioned in this report are being left to the discretion of the office of origin. It is noted that [redacted] is presently located at the [redacted] Mrs. GOLDMARK advised that she expected [redacted] to visit her in about one month.

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time object to stating his loyalty. ~~Who is loyal?~~ Objecting on the grounds that it interferes with his personal liberty, or his constitutional rights, might just as well apply to the questions on the employment application regarding age, race, former experience, etc. Any true American should be proud to proclaim his loyalty. Evidently the Young Democrats think otherwise.

Perhaps "men cannot be convicted for their opinions, but only for their acts." However, if a man advocates murder, even though he has not committed the deed, one would not be likely to give him the opportunity. If the police learned of a plot to blow up a building should they allow the plotters to proceed with their plan so they could arrest them after the building was destroyed?

Mr. John Goldmark is quoted as hitting at certain phases of government as "a concerted attack on the right of free speech in the United States." Quite right! Free speech is a part of our inheritance. But what about MacArthur? Is he not included in that "right of free speech"? It appears that he is a new threat to our liberties. Some of the Young Democrats might advise putting him in jail and releasing the Communist leaders. When politicians challenge the right of a great American patriot to speak out, and at the same time offer aid and comfort to the enemy within our borders, it is time for the public to voice a protest.

J. W. HOUCK
Seattle

*Jan 17 1951
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*Mrs. Goldmark 100-21585**

Political Activities

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Young Democrats Hit

to The Post-Intelligencer

If your report of November 19 of the Young Democrats' convention is factual, it would appear that the Communists owe that organization a vote of thanks.

A sympathetic attitude toward those who are anti-American can in no measure be justified by any real American. At a time when some of our citizens are imprisoned on false charges in Iron Curtain countries, it would seem that a demand to take pressure off the Reds in this country is in direct opposition to the best interests of this nation.

There has been much quibbling about the loyalty oath. Why should anyone at any

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*Young Democrats
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*John Goldmark
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*for action Goldmark
65-3020-14*

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Goldmark, Young Demo Chairman, Blasts At Mounting 'Comfort To Reds' Charges

By Stub Nelson

Smarting under mounting criticism that the Washington Young Democrats' Ellensburg convention actions last week-end gave comfort to the cause of Communism, John Goldmark, the group's newly elected president, fired a counterblast Wednesday.

Goldmark, who lives in Okanogan, sent a letter to Ray Moore, King County Republican chairman, in answer to the latter's charges that the Young Democrats had evinced a willingness "to provide a protective front for Communists" by asking alteration of some government anti-subversive laws.

Convention-approved resolutions favored repeal of the McCarran Anti-Subversive Act, amendment of the Smith National Security Act and limitation of the federal loyalty requirement to employes of security agencies only.

Defending the resolutions, Goldmark said other federal and state laws are adequate to combat subversive activities.

"There is a dangerous tendency, Goldmark contended, to silence persons who have a sincere desire to preserve civil liberties by

applying the "tag of Communism to them."

Writing Moore that his organization had no intention of aiding Communists, Goldmark declared:

"The Young Democrats are running interference for American principles and no others. We can't operate in these critical times unless we have an alert citizenry which is not cowed into silence by labels and irresponsible attacks against responsible individuals."

Reactions to the resolutions, which, it was reported, were pushed through by a faction of extreme liberals, have been noted in Democratic circles as well as in Republican camps.

"The convention was glorified completely out of proportion," said one disturbed Seattle senior Democratic leader who asked that his name be withheld. "Barely 50 people participated and the thinking of this small group does not represent the thinking of the great majority of the Democratic Party."

Observers pointed out, however, that the Young Democrats are a recognized arm of the state

Seattle Post-Intelligencer
Thurs., Nov. 22, 1951 S**

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Democratic organization and that the senior group has not yet officially discredited the convention actions.

SEATTLE POST-INTELLIGENCER
11-22-51

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Wenatchee Daily World
Wenatchee, Wash. 12/10/51

John Goldmark, Okanogan...

"Greatest Resource of NCW Is the Human One"

OKANOGAN, Dec. 10—Another service man . . . who had an idea . . . and came to the Okanogan country, and the idea came true told Rotarians of Omak and Okanogan and Grange members how he did it and why he liked the country as he spoke here Friday.

John Goldmark, cattleman, Harvard law graduate and president of the state's Young Democrats, stressed, that the area is as good as it is because communities are of a "reasonable size" and there is real personal understanding of one man by another.

That is especially true between farm and city—the friendship here.

"A city person like myself could not have been accepted as a rancher for a full generation at least in the east," he noted.

Goldmark spoke in place of Congressman Walt Horan who went to Spokane yesterday after much confusion and conflict as to his speaking dates. Horan said the noon appearance yesterday had been scheduled without his knowledge. Paul Waterstrat, Rotary program chairman, said Horan's office had accepted three speaking engagements with Rotary here, had cancelled on all.

Any fears Rotary officers may have had of political campaigning were quickly allayed as Goldmark began to talk. What he said filled the bill set forth by President Ted Lee in the introduction—Rotary is for service, understanding among men, not politics.

Goldmark told how, when in the Philippines as a service man, he decided to forego law practice, ranch. Where to do it? He knew only what he read. He decided to come to the Okanogan. Why?

"First," he said, "we have the natural surroundings. Some eyesores, true—but no smog. No tenements here."

And—having a place as good as this, he said—the problem is how to keep it that way.

When he flew east for his first return after coming to the county, he said, he was apprehensive of landing spots there

—and inability to see those which were there through the smoke and haze.

Greatest resource of this area, he said, is the human one—the capacity for personal understanding, tolerance, the willingness to take risks in new ventures. A meeting such as this—Rotary, Grange together—is symbolic of urban-rural understanding here. Such understanding goes on to persons in different types of work and professions as well as by residential situation.

Touching on the "reasonable size" of Okanogan communities, he noted "half the snafus" in the armed forces came because orders were necessarily for thousands, even millions of men.

As to personal understanding, he stressed that in the Okanogan men's battles still are largely with natural things—weather, climate, stock. And in the east and even on Washington's coast now men battle chiefly with men. He urged conservation of natural resources, noted the ghost town future of areas where the industry was one of despoiling—mining, grazing.

He asked for tolerance, no stampeding of minds, no labelling of persons without know why.

As a stopper for decay, over-civilization which would make the Okanogan like the east, he suggested maintenance of the "reasonable sized" community—an industry at Wenatchee, another in the Okanogan, one at Ellensburg to avoid a North Central Washington Gary or Pittsburgh.

Montana worked out an answer to prevent recurrence of cities like Ruby, Conconully—once the county seat. A group of citizens organized an advisory group which—only on request—would meet with communities who feared their past or future. Civic meetings brought out the areas history. Resources were evaluated, plans made. And results were measurable in increased populations, prosperity.

"About all," he stressed, "we must maintain this reasonable size, this personal contact."

Goldmark said he felt humble to be asked to speak in place of a congressman "and I do not feel that I have the same call on your attention that he would."

Goldmark was introduced by Waterstrat of Rotary and thanked by both President Lee and Grangemaster Walter Pratt. The luncheon was served by Grange in the Grange Hall.

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DIRECTOR, FBI

SAC, SEATTLE (100-21585)

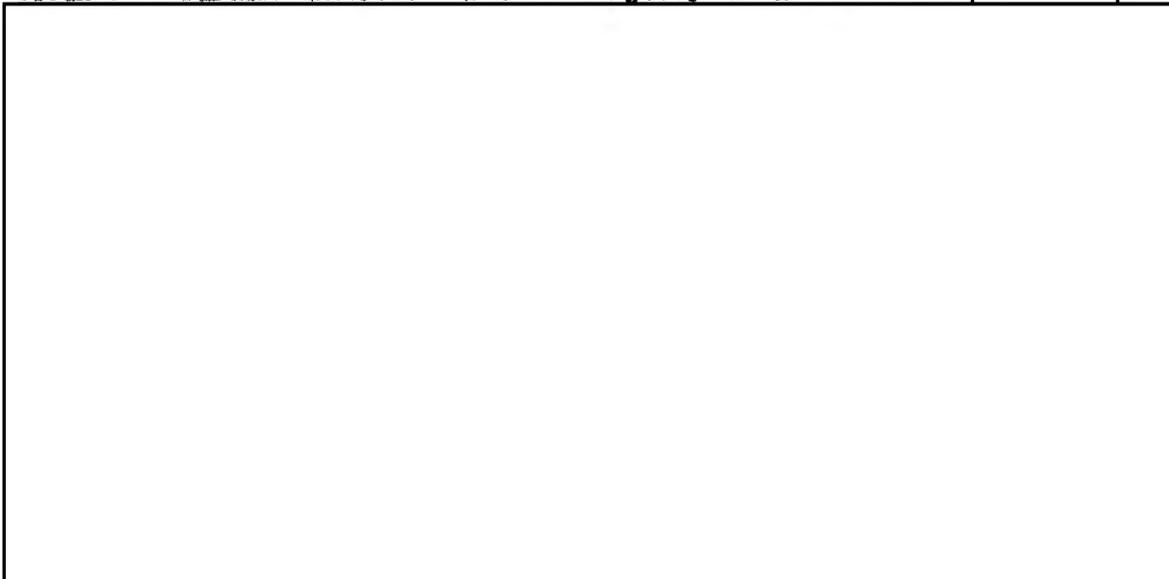
February 13, 1952

MRS. JONATHAN GOLDMARK, was.
Sally Goldmark, nee Iran Kay Ringe,
Sally Ringe
SECURITY MATTER - C

Reference is made to Seattle letter to Bureau dated October 17, 1951,
and Bulet November 2, 1951, both captioned as above.

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Enclosed herewith is report of SA [redacted] setting forth
results of further interview with the subject. It is noted that [redacted]



For the further information of the Bureau and other offices it is noted that the Seattle Daily Times of November 14, 1951 carried an article concerning the Democratic politics in the State of Washington, reflecting that JOHN GOLDMARK, who is the husband of the subject, was engaged in a contest for the presidency of the Young Democrats of Washington. GOLDMARK was described as a Harvard Law School graduate who gave up a New York practice to become a cattle rancher. He runs the JJ Ranch in Okanogan County, Wash., and uses his own small airplane to travel about the State.

The Seattle Daily Times of November 19, 1951 carried an article captioned "State's Young Demos Trying to Cover Reds, Says S.O.P. Leader". This article

ECJ/hg

cc: New York (Encl)

cc: Washington Field (Encl)

Encl.
Rick

100-21585-10

RE: MRS. JONATHAN GOLDMARK, was.
SECURITY MATTER - C

reflects that JOHN GOLDMARK of Okanogan, the new President of the Young Democrats of Washington, hit at what he called "a concerted attack on the right of free speech in the United States." The platform adopted by the Young Democrats' convention in Ellensburg, Washington, during November 1951, according to this article, called for repeal of the McCarran Internal Security Law, amendment of the Smith National Security Act, and the limiting of the federal loyalty program to jobs in security agencies. The resolution on the subject of the repeal of the Smith Act urged that the law be altered "to make it clear that men cannot be convicted for their opinions but only for their acts."

An article of the Seattle Post Intelligencer, 11/22/51, carried the caption "GOLDMARK, Young Demo Chairman, Blasts at Mounting 'Comfort to Reds' Charges". This article stated that JOHN GOLDMARK, Washington Young Democrats' newly elected President, who lives at Okanogan, Washington, in a letter to [redacted] in answer to the latter's charges that the Young Democrats had evinced a willingness "to provide a protective front for Communists" by asking alteration of some government anti-subversive laws.

Defending the resolutions sponsored by the convention, which resolutions favored repeal of the McCarran Anti-Subversive Act, amendment of the Smith National Security Act, and limitation of the federal loyalty requirement to employees of federal security agencies only, GOLDMARK said other federal and state laws are adequate to combat subversive activities. The article further states that "there is a dangerous tendency, GOLDMARK contended, to silence persons who have a sincere desire to preserve civil liberties by applying the tag of communism to them." In the letter to [redacted] the article states GOLDMARK further declared: "The Young Democrats are running interference for American principles and no others. We can't operate in these critical times unless we have an alert citizenry which is not cowed into silence by labels and irresponsible attacks against responsible individuals."

The Wenatchee Daily World, Wenatchee, Washington, 12/10/51, carried an article datelined Okanogan, Washington, 12/10/51, concerning JOHN GOLDMARK regarding a speech made by him to Rotarians of Omak and Okanogan, Washington. The article generally is favorable to GOLDMARK and indicates that his speech was not of a political nature and was devoted to lauding the resources of the Northwest area.

[redacted]

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SE 100-21585

Reference: Report SA [redacted] dated 3/11/49 at Seattle,
captioned "JAY DAVID WHITTAKER CHAMBERS, was. et al,
PERJURY; ESPIONAGE - R; INTERNAL SECURITY - R".

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DIRECTOR, FBI (100-386074)

February 18, 1952

SAC, SEATTLE (100-21585)

MRS. JONATHAN GOLDMARK, was.
SECURITY MATTER - C

Rebulet 2/11/52 requesting date report submitted.

Report of SA dated 2/13/52 submitted
that date.

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CHD/ng
100-21585

CHD

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

100-21585-12

Office Memorandum • UNITED STATES GOVERNMENT

TO : SAC, Seattle

DATE: February 11, 1952

JM FROM : Director, FBI (100-386074)

SUBJECT: MRS. JONATHAN GOLDMARK, was;
SECURITY MATTER - C



Re Bulet 11-2-51 authorizing your office to reinterview b7D
Advise date report submitted.

100-21585-13

SEARCHED	INDEXED
SERIALIZED	FILED
FEB 11 1952	
FBI - SEATTLE	

CHD

FD-5
(12-1-49)

CHARGE-OUT SLIP

DATE _____

ENTIRE FILE _____

CLASS

NUMBER

LAST SERIAL

SERIALS 14415 OF 100-21585

CLASS FILE NUMBER

now in 65 3020

LOCATION

SPECIAL AGENT

RECHARGE

DATE _____

TO _____ FROM _____

Office Memorandum • UNITED STATES GOVERNMENT

TO : SAC, Seattle

DATE: April 26, 1952

JE

FROM : Director, FBI

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324/AUC BAW/CB/CAK

SUBJECT: MRS. JONATHAN GOLDMARK, was.
SECURITY MATTER - C
Seattle file 100-21585
Bufile 100-386074

[Redacted]

SECURITY MATTER - C

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Reference is made to the report of Special Agent [Redacted] dated February 13, 1952, at Seattle in the Goldmark case. A copy of this report is enclosed for Baltimore.

The attention of the Baltimore Office is directed to [Redacted]

Baltimore will recall that considerable investigation of [Redacted] and her friend Mrs. Jonathan Goldmark was conducted in the Jay David Whittaker Chambers, was., et al, Perjury, Espionage - R investigation. Baltimore interviewed [Redacted] in 1949 in connection with the Chambers investigation. At that time, she denied Communist Party membership or having applied for membership in the Communist Party. Baltimore will recall that [Redacted] advised in the Chambers investigation that shortly before Mrs. Goldmark went to work in Washington, D. C., [Redacted]

[Redacted]

Attention is directed to [Redacted]

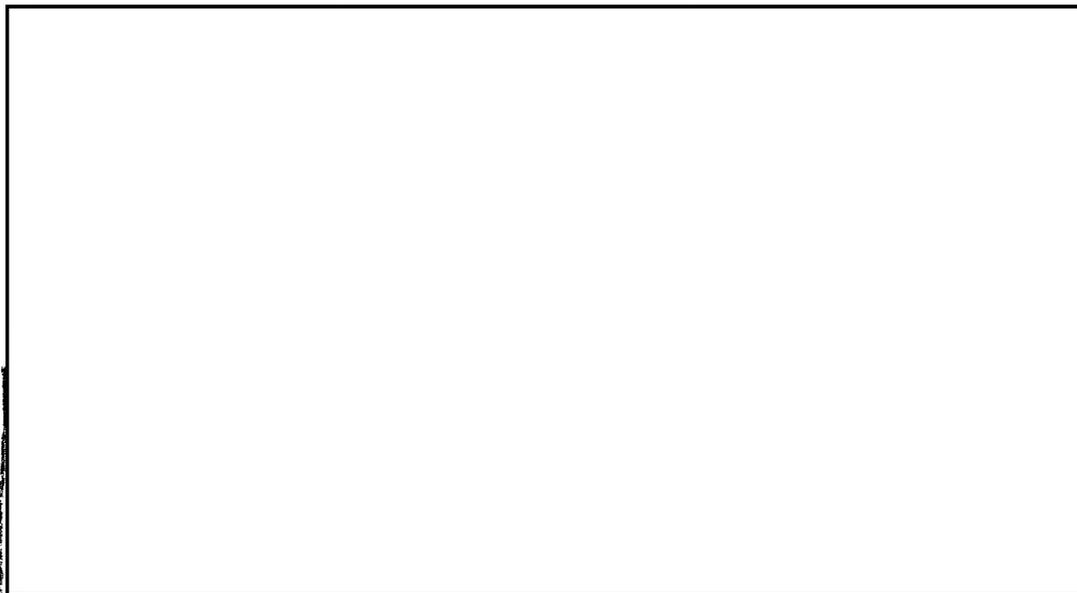
cc - Baltimore (Enclosure)

SEARCHED *ml* INDEXED
SERIALIZED _____ FILED
APR 23 1952

[Redacted]

Handwritten initials

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Baltimore should open a separate case on [redacted] captioned as above. All of the information concerning her which appears in the files of the Baltimore Office should be incorporated into an initial report. After all logical leads have been covered in her case, Baltimore should submit its recommendation concerning a reinterview with [redacted] inasmuch as it is believed [redacted]



Baltimore will be origin in the case on [redacted] for any additional information [redacted]

Office Memorandum • UNITED STATES GOVERNMENT

TO : SAC, Seattle

DATE: April 26, 1952

FROM : Director, FBI

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

SUBJECT: MRS. JONATHAN GOLDMARK, was.
SECURITY MATTER - C
Seattle File 100-21585
Bufile 100-386074

[redacted] was.
SECURITY MATTER - C
New York file [redacted]
Bufile [redacted]

ref on [redacted]

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Reference is made to the report of Special Agent [redacted] dated February 13, 1952, at Seattle in the Goldmark case. Two copies of this report were furnished to New York for its information.

For the information of Seattle, [redacted] is the subject of a closed Security Matter - C case. New York is origin. Seattle is requested to submit all of the information contained in referenced report concerning [redacted] in a separate report in his case.

[redacted] New York is requested to review its file on [redacted] and advise Seattle whether or not it has any specific matters concerning [redacted] which it desires Seattle to [redacted] about.

The attention of the Washington Field Office is directed to paragraph three, on page 12, of referenced report where it is stated that [redacted]

[redacted]

Inasmuch as Washington Field Office conducted considerable investigation concerning [redacted] in the Nathan Gregory Silvermaster case and is also familiar with the operations of the Russian Embassy in Washington, D. C. and the employees of the Embassy and other Russian official establishments, it is requested WFO advise whether [redacted]

[redacted]

cc - New York
Washington Field

100-21585-17
SEARCHED INDEXED
SERIALIZED FILED
APR 23 1952

[redacted]

Rur

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Office Memorandum • UNITED STATES GOVERNMENT

TO : SAC, Seattle

DATE: April 26, 1952

get FROM : Director, FBI

SUBJECT: MRS. JONATHAN GOLDMARK, was.
SECURITY MATTER - C
Seattle file 100-21585
Bufile 100-386074 *WR*

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

[Redacted]

Minneapolis file [Redacted]
Bufile [Redacted]

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Reference is made to the report of Special Agent [Redacted] dated February 13, 1952, at Seattle in the Goldmark case. A copy of this report is enclosed for Minneapolis.

[Large Redacted Block]

[Redacted]

Minneapolis should be advised if [Redacted] makes an identification. Seattle should also advise the offices of origin of [Redacted]

[Redacted]

Enclosure *Jim [unclear] [unclear] [unclear] [unclear]*
cc - Minneapolis (Enclosure)

100-21585-18
SEARCHED INDEXED
SERIALIZED FILED
APR 28 1952

[Redacted]

WR

One copy each of the following letters in the case are enclosed to Seattle for its information:

1. Minneapolis letter to the Bureau dated 7-5-50.
2. Minneapolis letter to the Bureau dated 10-24-50.

Office Memorandum • UNITED STATES GOVERNMENT

TO : SAC, Seattle

DATE: April 26, 1952

JEN FROM : Director, FBI

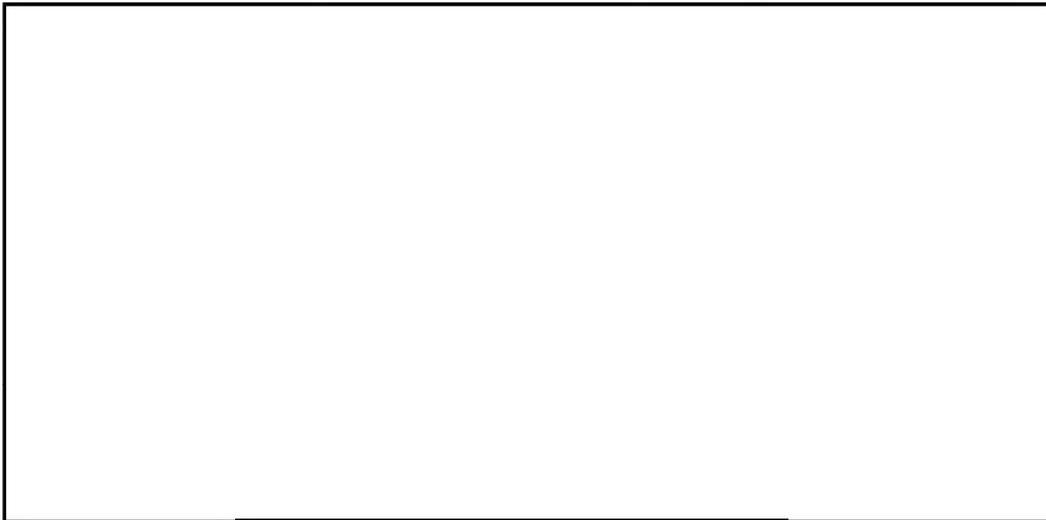
SUBJECT: MRS. JONATHAN GOLDMARK, was.
SECURITY MATTER - C
Seattle file 100-21585
Bufile 100-386074

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

ABRAHAM GEORGE SILVERMAN, was. ^{Abraham} 100-18421
SECURITY MATTER - C
New York file 100-95971
Bufile 100-363633

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Reference is made to the report of Special Agent [redacted] dated March 11, 1949, at Seattle in the case captioned "Jay David Whittaker Chambers, was., et al, Perjury, Espionage - R" case. Reference is also made to the report of Special Agent [redacted] [redacted] dated February 13, 1952, at Seattle in the Goldmark case.



In regard to [redacted] whose full name is [redacted] Bureau files reveal that [redacted] was investigated by the Bureau under the loyalty program in 1948.

cc - New York

100-21585-19

SEARCHED _____ INDEXED _____
SERIALIZED _____ FILED _____
APR 23 1952



Curr

You will recall that [redacted] was interviewed by the San Francisco Office during the course of the Chambers investigation but was uncooperative. It was believed at that time that [redacted] if cooperative, was in a position to furnish pertinent information concerning Communist Party and possibly Soviet espionage activities on the part of Abraham George Silverman. The loyalty file on [redacted] at the Bureau reveals that as of [redacted]

[redacted]

Inasmuch as [redacted] may possess pertinent information concerning Silverman, [redacted]

[redacted]

[redacted] would be likely to cooperate at this time. Seattle should also endeavor to ascertain whether [redacted] was a member of the Communist Party or associated with it in any way. It is suggested that the interview regarding [redacted]

[redacted]

[redacted] New York is origin in the Silverman case.

Office Memorandum • UNITED STATES GOVERNMENT

TO : SAC, Seattle

DATE: April 26, 1952

FROM : Director, FBI

SUBJECT: MRS. JONATHAN GOLDMARK, was.
SECURITY MATTER - C
Seattle file 100-21585
Bufile 100-386074

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

CHARLES SIDNEY FLATO, was. 100-13965-233p 357,59-362
INTERNAL SECURITY - R
New York file 100-91180
Bufile 77-14177

Reference is made to the report of Special Agent [redacted] dated February 13, 1952, at Seattle in the Goldmark case. Two copies of this report were furnished to New York for its information.

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For the information of Seattle, Charles Sidney Flato, mentioned in referenced report, is identical with Charles Sidney Flato who is the subject of a closed Internal Security - R case of which New York is origin. Seattle should incorporate the information concerning Flato which appears in referenced report into a separate report in the Flato case. [redacted]

[redacted] regarding Flato. New York should review its file on Flato and advise [redacted]

cc - New York

100-21585-20

SEARCHED _____ INDEXED _____
SERIALIZED _____ FILED _____
APR 23 1952

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[redacted]

Office Memorandum • UNITED STATES GOVERNMENT

TO : SAC, Seattle

DATE: April 26, 1952

JH FROM : Director, FBI

SUBJECT: MRS. JONATHAN GOLDMARK, was.
SECURITY MATTER - C
Seattle file 100-21585
Bufile 100-386074

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CE/CAK

CHARLES LOUIS SEEGER, ^{NR} aka
Charles Louis Seeger, Jr.
SECURITY MATTER - C

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Reference is made to the report of Special Agent [redacted] dated February 13, 1952, at Seattle in the Goldmark case. Two copies of this report were furnished to Washington Field Office for its information.

The attention of Washington Field Office is directed to [redacted]

[redacted]

[redacted] Mr. Seeger has been employed as Chief of the Music Division of the Pan American Union in Washington, D. C., since 1941. He or his wife are contacts of [redacted] who was one of the principal subjects in the Nathan Gregory Silvermaster, Espionage - R case which was based upon the allegations of Elizabeth Bentley. Inasmuch as Seeger is employed by the Pan American Union, the Bureau is requesting State Department clearance before instructing an investigation of him. You will be advised when clearance is received.

cc - Washington Field

100-21585-21
SEARCHED *neu* INDEXED
SERIALIZED FILED
APR 23 1952

[redacted] *RM*

Office Memorandum • UNITED STATES GOVERNMENT

TO : SAC, Seattle

DATE: April 26, 1952

JMB
FROM : Director, FBI

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

SUBJECT: MRS. JONATHAN GOLDMARK, was. DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK
SECURITY MATTER - C
Seattle file 100-21585
Bufile 100-386074

[Redacted]

SECURITY MATTER - C

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Reference is made to the report of Special Agent [Redacted] dated February 13, 1952, at Seattle in the Goldmark case. Two copies of this report were furnished to Washington Field Office for its information.

[Redacted]

Seattle is requested to [Redacted] thoroughly in an effort to identify [Redacted]. The Washington Field Office is requested to check its files and conduct other logical investigation to identify [Redacted]. Washington Field Office will be office of origin in the [Redacted] case.

[Redacted]

cc - Washington Field

SEARCHED..... INDEXED.....
SERIALIZED..... FILED.....

APR 23 1952

[Redacted] *Ruel*

Office Memorandum • UNITED STATES GOVERNMENT

TO : SAC, Seattle

DATE: April 26, 1952

JCH
FROM : Director, FBI

SUBJECT: MRS. JONATHAN GOLDMARK, was.
SECURITY MATTER - C
Seattle file 100-21585
Bufile 100-386074

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

UNKNOWN SUBJECTS:
(RESIDENTS OF [REDACTED]
FRIENDS OF VICTOR PERLO)
SECURITY MATTER - C

UP

Reference is made to the report of Special Agent
[REDACTED] dated February 13, 1952, at Seattle
in the Goldmark case. Two copies of this report
were furnished to the Washington Field Office for its
information.

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[REDACTED]

Washington Field Office will be origin in the
unknown subjects case. It should endeavor to identify the
subjects by reviewing the investigation it conducted of
Victor Perlo in the Nathan Gregory Silvermaster case and
by other logical investigation.

[REDACTED]

For the information of Washington Field Office,

[REDACTED]

The attention of Washington Field

cc - Washington Field

100-21585-23
SEARCHED *Dec* INDEXED
SERIALIZED _____ FILED _____
APR 23 1952

[REDACTED] *RUR*

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Office is directed to Minneapolis letter dated 7-5-50
in the case entitled [redacted]
Security Matter - Cⁿ two copies of which were furnished
Washington Field. Seattle is being requested by separate
letter to [redacted] to determine if
[redacted] Seattle
should advise Washington Field Office in the unknown subjects
case in order that it may consider the advisability of
having [redacted] interviewed for the purpose of ascertaining
whether he can identify unknown subjects.

Office Memorandum • UNITED STATES GOVERNMENT

TO : SAC, Seattle

DATE: April 26, 1952

FROM : Director, FBI

SUBJECT: MRS. JONATHAN GOLDMARK, was.
 SECURITY MATTER - C
 Seattle file 100-21585
 Bufile 100-386074

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

ISIDORE BEGUN, was. ✓ 100-21251
 INTERNAL SECURITY - C
 SMITH ACT - 1940
 New York file 100-4119
 Bufile 100-7964

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Reference is made to the report of Special Agent [redacted] dated February 13, 1952, at Seattle in the Goldmark case. Two copies of this report were furnished to New York for its information.

For the information of Seattle, Isadore Begun, mentioned on page 7 of referenced report, is identical with Isidore Begun, subject of a pending Internal Security - C and Smith Act - 1940 investigation. Begun is presently being prosecuted in New York City for violation of the Smith Act.

Seattle should incorporate all of the information in referenced report concerning Begun in a separate report in the Begun case. New York is origin in this case.

cc - New York

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100-21585-24
 SEARCHED [initials] INDEXED [initials]
 SERIALIZED [initials] FILED [initials]
 APR 28 1952

[initials]

Office Memorandum • UNITED STATES GOVERNMENT

TO : SAC, Seattle

DATE: April 26, 1952

JA FROM : Director, FBI

SUBJECT: MRS. JONATHAN GOLDMARK, was.
SECURITY MATTER - C
Seattle file 100-21585
Bufile 100-386074

100-21585

JESSICA SMITH, *✓* was.
INTERNAL SECURITY - R
New York file 100-50874
Bufile 65-44184

num refs

JOHN JACOB ABT *✓*
INTERNAL SECURITY - C
New York 100-54965
Bufile 100-236194

num refs

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

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Reference is made to the report of Special Agent [redacted] dated March 11, 1949, at Seattle, in the case entitled "Jay David Whittaker Chambers, was., et al, Perjury, Espionage - R." Reference is also made to the report of Special Agent [redacted] dated February 13, 1952, at Seattle in the Goldmark case. New York received copies of referenced report which pertained to [redacted]

It is noted that [redacted]

[redacted]

as reported in referenced report of Special Agent [redacted] dated February 13, 1952, [redacted] concerning Jessica Smith and John Abt, at this time. New York is origin in the Smith and Abt cases.

cc - New York

100-21585-25
SEARCHED *W* INDEXED
SERIALIZED *W* FILED
APR 22 1952

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[redacted]

Office Memorandum • UNITED STATES GOVERNMENT

TO : SAC, Seattle

DATE: April 26, 1952

JEA FROM : Director, FBI

SUBJECT: MRS. JONATHAN GOLDMARK, was.
SECURITY MATTER - C
Seattle file 100-21585
Bufile 100-386074

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

[Redacted] ✓ [Redacted]
SECURITY MATTER - C

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Reference is made to the report of Special Agent [Redacted] dated February 13, 1952, at Seattle in the Goldmark case. Two copies of this report were furnished to New York for its information.

Reference is made to the information concerning [Redacted] of referenced report. Main files at the Bureau on the name [Redacted] have been reviewed but no information was located which was identifiable with the [Redacted] mentioned in referenced report.

[Redacted]

You should specifically endeavor to obtain information which will assist in her identification. The New York Office is requested to check its indices on the name [Redacted] in an effort to identify her. New York will be origin in the [Redacted] case.

cc - New York

100-21585-26

SEARCHED *man*
SERIALIZED
APR 23 1952

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[Redacted]

Handwritten signature

Office Memorandum • UNITED STATES GOVERNMENT

TO : SAC, Seattle

DATE: April 26, 1952

FROM : Director, FBI

SUBJECT: MRS. JONATHAN GOLDMARK, was.
 SECURITY MATTER - C
 Seattle file 100-21585
 Bufile 100-386074

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

VICTOR PERLO, was. ✓ 65-3219 + refs.
 ESPIONAGE - R
 New York file 100-94653
 Bufile 100-362128

Reference is made to the report of Special Agent [redacted] dated February 13, 1952, at Seattle in the Goldmark case. Two copies of this report were furnished to New York for its information.

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For the information of Seattle, New York is the office of origin of a pending Espionage - R case on Victor Perlo. Seattle is requested to report all of the information concerning Victor Perlo contained in referenced report, in a separate report in his case. [redacted]

New York is requested to review its file on Victor Perlo and advise Seattle of any specific matters concerning Perlo which it wishes Seattle to interview [redacted]

cc - New York

100-21585-27
 SEARCHED [initials] INDEXED [initials]
 SERIALIZED [initials]
 APR 23 1952

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Director, FBI (65-58728)

5/1/52

SAC, New York (65-15119)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

IRVING KAPLAN, was.
ESPIONAGE - R; ISA of 1950

DAVID WEINTRAUB
IS - R (Bufile 100-338861)

b7D

Re Seattle let to Bureau, 2/13/52, entitled Mrs. JONATHAN GOLDMARK, was.; SM - C, and NY let to Bureau 6/20/50 with copies to Seattle and other offices, in case IRVING KAPLAN, requesting those offices to display a photo of KAPLAN to informants residing within their territory.

It is requested that Seattle display KAPLAN's photo

[redacted] which group appears identical with the so called "Perle Group" of which KAPLAN was allegedly a dues-paying member.

It is also requested that SEATTLE exhibit the enclosed photo of DAVID WEINTRAUB to Mrs. GOLDMARK. WEINTRAUB was KAPLAN's superior at the National Research Project in Philadelphia where WEINTRAUB was employed as Director from 1935-1941.

WEINTRAUB has been closely associated with several men identified as formerly active in CP underground in Washington, D.C. He is presently KAPLAN's superior at the United Nations where he allegedly controls and associates with a group of UN employees said to be pro-Communist or pro-Russian.

The following information concerning WEINTRAUB is being furnished for Seattle's information:

- 3 cc: Seattle (65-3098)(100-21585)(Enc. 1)
- 2 cc: Washington Field (77-1312)(101-265)
- 1 cc: NY 65-15101 (WEINTRAUB)

[redacted]
NY 100-95971 (SILVERMAN)
NY 100-109431 (GOLDMARK)

b6
b7C

HCL:JLS

100-21585-29
SEARCHED
SERIALIZED
INDEXED
FILED
MAY 1 1952
FBI - SEATTLE
CAB

Letter to Director, FBI
NY 65-15119

DAVID WEINTRAUB

Age	48
Born	2/14/04, Poland
Citizen	United States
Naturalized	7/3/28, PDNY
Height	5' 6"
Weight	150 pounds
Build	Medium
Eyes	Blue (rimless glasses)
Hair	Light brown, greying

b6
b7C



Education	NY University 2/25 to 6/25 City College of NY 9/25 to 9/28 Columbia University 9/23 to 6/33 (part time)
Residences	1925-33 Brooklyn, NY 1933-35 Sunnyside, LI, NY 1935-41 Philadelphia, Pennsylvania 1941-46 Washington, D.C. 1946-present 34 W. 74th St., NYC
Employment	1935-41 Director, National Research Project, WPA, Philadelphia 1941-43 War Production Board 1943-46 UNRRA 1946-present Director, Division of Economic Stability and Development, United Nations

Reference also made to Bulet to WFO 4/24/52 in KAPLAN case with dual caption ABRAHAM GEORGE SILVERMAN; SM - C (Bufile 100-163633) in which request was made for WFO to identify [redacted] or [redacted] whose CP name was [redacted]. This person was identified by [redacted].

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This woman appears identical with [redacted] subject Bufile [redacted] WFO file [redacted]. She is a Security Index subject, residing at [redacted].

Letter to Director, FBI
NY 65-15119

Bureau authority requested for New York to interview [redacted] concerning KAPLAN, SILVERMAN and WEINTRAUB. It is noted that KAPLAN and WEINTRAUB have both been described as friends of SILVERMAN.

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b7C

Notification of Document Classification Action
4-724 (8-9-77)

This form is: Top Secret Secret Confidential Unclassified

TO: SAC:

- | | | |
|--------------------------------------|---|---|
| <input type="checkbox"/> Albany | <input type="checkbox"/> Houston | <input type="checkbox"/> Oklahoma City |
| <input type="checkbox"/> Albuquerque | <input type="checkbox"/> Indianapolis | <input type="checkbox"/> Omaha |
| <input type="checkbox"/> Alexandria | <input type="checkbox"/> Jackson | <input type="checkbox"/> Philadelphia |
| <input type="checkbox"/> Anchorage | <input type="checkbox"/> Jacksonville | <input type="checkbox"/> Phoenix |
| <input type="checkbox"/> Atlanta | <input type="checkbox"/> Kansas City | <input type="checkbox"/> Pittsburgh |
| <input type="checkbox"/> Baltimore | <input type="checkbox"/> Knoxville | <input type="checkbox"/> Portland |
| <input type="checkbox"/> Birmingham | <input type="checkbox"/> Las Vegas | <input type="checkbox"/> Richmond |
| <input type="checkbox"/> Boston | <input type="checkbox"/> Little Rock | <input type="checkbox"/> Sacramento |
| <input type="checkbox"/> Buffalo | <input type="checkbox"/> Los Angeles | <input type="checkbox"/> St. Louis |
| <input type="checkbox"/> Butte | <input type="checkbox"/> Louisville | <input type="checkbox"/> Salt Lake City |
| <input type="checkbox"/> Charlotte | <input type="checkbox"/> Memphis | <input type="checkbox"/> San Antonio |
| <input type="checkbox"/> Chicago | <input type="checkbox"/> Miami | <input type="checkbox"/> San Diego |
| <input type="checkbox"/> Cincinnati | <input type="checkbox"/> Milwaukee | <input type="checkbox"/> San Francisco |
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| <input type="checkbox"/> Columbia | <input type="checkbox"/> Mobile | <input type="checkbox"/> Savannah |
| <input type="checkbox"/> Dallas | <input type="checkbox"/> Newark | <input checked="" type="checkbox"/> Seattle |
| <input type="checkbox"/> Denver | <input type="checkbox"/> New Haven | <input type="checkbox"/> Springfield |
| <input type="checkbox"/> Detroit | <input type="checkbox"/> New Orleans | <input type="checkbox"/> Tampa |
| <input type="checkbox"/> El Paso | <input checked="" type="checkbox"/> New York City | <input type="checkbox"/> Washington Field |
| <input type="checkbox"/> Honolulu | <input type="checkbox"/> Norfolk | <input type="checkbox"/> Quantico |

TO LEGAT:

- | |
|---------------------------------------|
| <input type="checkbox"/> Bern |
| <input type="checkbox"/> Bonn |
| <input type="checkbox"/> Buenos Aires |
| <input type="checkbox"/> Caracas |
| <input type="checkbox"/> Hong Kong |
| <input type="checkbox"/> London |
| <input type="checkbox"/> Madrid |
| <input type="checkbox"/> Manila |
| <input type="checkbox"/> Mexico City |
| <input type="checkbox"/> Ottawa |
| <input type="checkbox"/> Paris |
| <input type="checkbox"/> Rome |
| <input type="checkbox"/> Tokyo |

Counting of Paragraphs:

Reference-counted as first para.; last para. on page continued to next page counted on first page only; page beginning with continued para. first full para. counted as para. one; para. followed by (:) - material thereafter counted as part of original para. or referred to as "line ____"; info. not in para. form identified as "line ____", or subject matter.

Bu file 100-386074-15

Ur file 100-21585

If document has been destroyed or cannot be located, reply with FBIHQ is unnecessary.

Date AUG 11 1978

SAC, New Rochelle (MRA) ASAC, Rapid City ("Mini")

RE: Mrs. Jonathan Goldmark, was.
Sm-C

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

Re: New York
(Division _____)

(Division _____)

- Report of SA _____
- Letter Airtel Teletype
- LHM Memo Other

- Cover Communication:
- Letter Airtel Report cover pages

To: FBIHQ Dated 5/13/62 To: _____ Dated _____

Classification retained (see below) Classification retained (see below)

- Declassified by _____ on _____
- Classified Top Secret
- Upgraded To: Secret
- Downgraded Confidential
- on 7/28/78 by 3832
- Exemption category(ies) 1 2 3 4
- Declassification date is Indefinite
- Other _____

- Declassified by _____ on _____
- Classified Top Secret
- Upgraded To: Secret
- Downgraded Confidential
- on _____ by _____
- Exemption category(ies) 1 2 3 4
- Declassification date is Indefinite
- Other _____

The above indicated changes in classification have been made at FBIHQ. You are requested to make the changes indicated on your referenced communication(s) and all other file copies in your division. Advise local agencies previously receiving copies of communication(s) of change(s). This routing slip can be destroyed after changes have been made.

Page	Paragraph	Line	Classification
<u>1</u>	<u>2</u>		<input type="checkbox"/> TS <input type="checkbox"/> S <input checked="" type="checkbox"/> C
			<input type="checkbox"/> TS <input type="checkbox"/> S <input type="checkbox"/> C
			<input type="checkbox"/> TS <input type="checkbox"/> S <input type="checkbox"/> C
		<u>100-21585</u>	<input type="checkbox"/> TS <input type="checkbox"/> S <input type="checkbox"/> C

SEARCHED INDEXED FILED

SERIALIZED

Key AUG 14 1978

(Initials) _____

TITLE _____ FBI/DO

See reverse side for additional listings.

FBIHQ Division 4 Other _____ DCRU Other _____

This form is: Top Secret Secret Confidential Unclassified

b6
b7C

Director, FBI (100-386074)

May 13, 1952

SAC, New York (100-109431)

MRS. JONATHAN GOLDMARK, was.
SM-C

Rebulet dated April 26, 1952, and Seattle letter
to Director dated 2/13/52.

A review of the case file on "CHARLES SIDNEY FLATO, was.,
INTERNAL SECURITY -R", (Bufile 77-14177) failed to reflect any
specific matters to be taken up [redacted] by the
Seattle Office.

It is to be noted that the FLATO case was closed in the
New York Office by report of SA [redacted] New York,
dated April 12, 1951, because no Communist Party activities of the
subject had been noted since the report of SA [redacted] (A),
New York, dated September 19, 1950.

b6
b7C
b7D

cc: Seattle (100-21585) ✓

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

ASB:TCM

100-21585-30

SEARCHED	INDEXED
SERIALIZED	FILED
MAY 19 1952	

[redacted]

b6
b7C

SAC, NEW YORK CITY (100-109431)

MAY 23, 1952

SAC, SEATTLE (100-21585)

Mrs. JONATHAN GOLDMARK, was.
SECURITY MATTER - C

VICTOR PERLO, was.

ESPIONAGE - R

New York file # 100-94653

Seattle file # 67-3219

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

CHARLES KRAMER, was.

SECURITY MATTER - C

New York file # 100-83935

Seattle file # 100-21869

ISIDORE BEGUN, was.

INTERNAL SECURITY - C;

SMITH ACT OF 1940

New York file # 100-4119

Seattle file # 100-21251

b7D

Reference is made to Bureau letters to Seattle dated April 26, 1952
in the above captioned cases in which New York was requested to advise Seattle



The New York Division is requested to comply with instructions
in the above references Bureau letters as soon as possible so the interview
 can be completed.

RWR:jrb

cc: 5 New York

Reg: 17694 *RM*

*Copy to file
Wit. Sign*

100-21585-31

Office Memorandum • UNITED STATES GOVERNMENT

TO : SAC, Seattle (100-21585)

DM FROM : SAC, New York (100-109431)

SUBJECT: Mrs. JONATHAN GOLDMARK, was.
SM - C

DATE: 5/29/52

Reurlet dated 5/23/52 and report of SA [redacted] dated 2/13/52, Seattle.

In view of the fact that the subject knew IZIDORE A. BEGUN in 1933, as set out in referenced report, it is being requested that Seattle obtain from [redacted]

b6
b7C
b7D

[redacted] has regarding BEGUN, who is presently one of the seventeen defendants on trial at New York for violation of the SMITH ACT.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/ACK

1 - NY 100-4119 (IZIDORE A. BEGUN)

DJB:RMG

40-100-2125-1 det.

100-21585-32

SEARCHED.....	INDEXED.....
SERIALIZED.....	FILED.....
MAY 30 1952	
<i>[Signature]</i>	

b6
b7C
b7D

WFO 100-25799



The following names of individuals identifiable with Communist Party activities in the Washington area might be mentioned to [redacted] They are: SELMA NICE REIN, [redacted] and [redacted] no.

DIRECTOR, FBI (100-386074)

June 12, 1952

SAC, SEATTLE (100-21585)

MRS. JONATHAN GOLDMARK, was.
SECURITY MATTER - C

Re Form 0-1 dated 6/10/52 requesting Bureau be advised
of status this case.

b7D

Extensive [redacted] are presently being
conducted. The results thereof will be submitted promptly upon
conclusion.

Form 0-1 has been destroyed.

CHD/hg



ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/ACK

100-21585-34

SE 100-21585

b6
b7C

ADMINISTRATIVE PAGE

REFERENCE: Report of SA dated February 13, 1952, at Seattle.

AUG 5 1952

Director, FBI (100-386074)

SAC, New York (100-109431)

MRS. JONATHAN GOLDMARK, was.
SM-C

[Redacted]
SM-C

Reference is made to the following communications:

1. Report of SA [Redacted] 2/13/52, Seattle, entitled "MRS. JONATHAN GOLDMARK; SM-C";
2. Bureau letter to Seattle, 4/26/52, with the dual caption as above;
3. Seattle letter to Bureau, 6/30/52.

b6
b7C
b7D

A review of the New York Office files reflects that [Redacted]
 [Redacted]
 [Redacted] (New York file [Redacted] Bufile [Redacted])
 on whom a Security Index card is current in this office.

In view of the above, no further action will be taken in captioned matters by the New York Office.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

- 1 - Bureau [Redacted]
- 1 - Seattle (100-21585) (MRS. JONATHAN GOLDMARK)
- 1 - [Redacted]
- 1 - [Redacted]

100-21585-37

SEARCHED	INDEXED
SERIALIZED	FILED
AUG 7 1952	
FBI - SEATTLE	

[Signature]

GHL: CW



Federal Bureau of Investigation
United States Department of Justice

FD-71
(7-80-45)



ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CE/CAK

IN REPLY, PLEASE REFER TO
FILE NO. 100-0-27804

COMPLAINT FORM

b6
b7C

100-0-27804
100-21585
JOHN GOLDMARK, Wife SALLY
Subject's Name and Aliases

[Redacted]
Name of Complainant

LA FLEUR, W. (near Okanogan)
Address of Subject

[Redacted]
Address of Complainant

SM-C
Character of Case

Telephone Number of Complainant
X 12:00 6/2/54

Date and Time Complaint Received

DESCRIPTION OF SUBJECT: MWA, approx 45 yrs an Eastern lawyer has two children 11-12 yrs.

FACTS OF COMPLAINT: [Redacted] advised the Tac. RA via phone that he was visiting with [Redacted] over the weekend and learned that the people up in that area had hard feelings about the GOLDMARK family in that they are supposed to be atheists and had Commie leanings. He could not give any specific allegations on this matter. He advised that GOLDMARK has been elected to the school board (Duley Lake District) and apparently by underhand methods (not explained). [Redacted] advised that the family has been trying to press their opinions in teaching in the school. He also advised the GOLDMARK owns a small ranch and has 3 men working it where 1 would suffice. These men are changed quite frequently and have aroused the suspicions of the area. GOLDMARK owns a small private plane and does quite a bit of flying in the area. GOLDMARK came to the area about 6 years ago.
For further info contact [Redacted] at above address.

ACTION RECOMMENDED BY AGENT:

Check indices on GOLDMARK and if neg., file in 100-00

100-0-27804 (bet)

100-21585-39

[Redacted]
Special Agent

b6
b7C

[Redacted]
(Info. only)

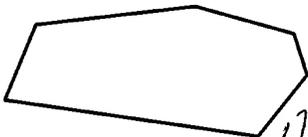
DOUBLE J RANCH

OKANOGAN, WASHINGTON

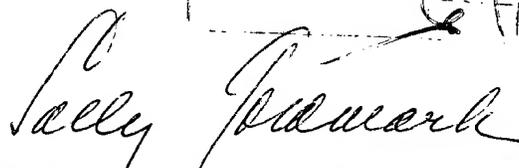
November 30, 1954

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

b6
b7C

Dear 

As I told you when I
saw you last, we expect to take a
family vacation and will leave here
on December 1st or shortly thereafter.
We are going east for Christmas
and will be traveling for about six
weeks. For this reason, I cannot
give you a forwarding address. We
expect to be back here by February 10th
and should we be delayed, I please
drop you a note -

Sincerely,

100-21585-40
SERIALIZED m FILED —
DEC 3 1954
FBI - FBI

DIRECTOR, FBI (66-18772)

April 13, 1955

SAC, SEATTLE (66-1210)

CONFIDENTIAL

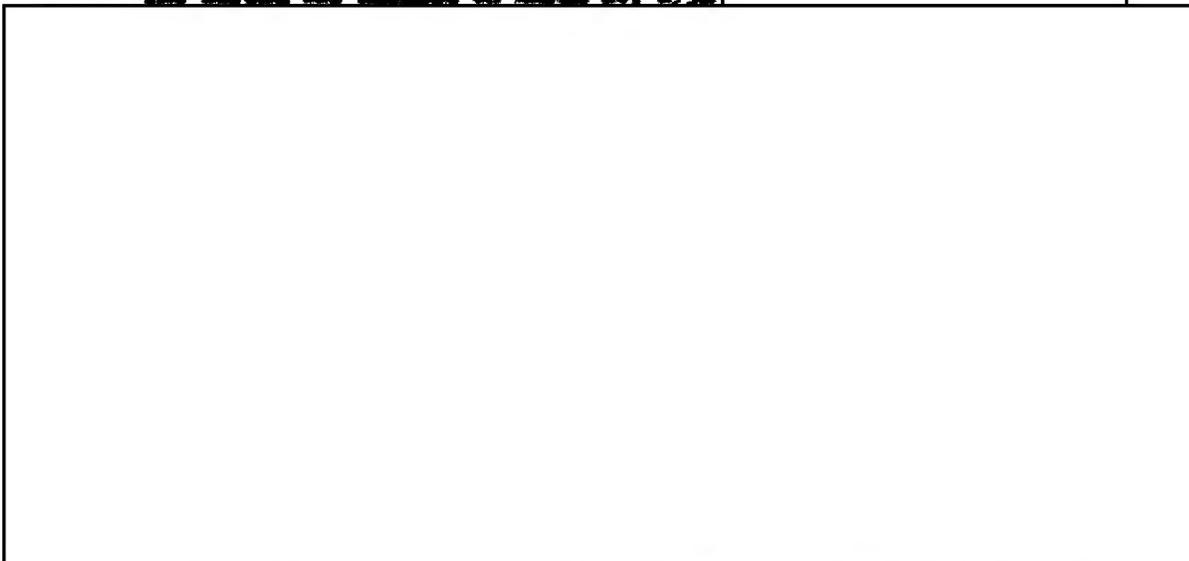
ESPIONAGE AND INTERNAL SECURITY INVESTIGATIONS
(FULL UTILIZATION OF CONFIDENTIAL INFORMANTS
AND SOURCES OF INFORMATION)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

Rebulet to NY 6/16/53, Seattle letter to Bureau 1/19/55, and also
rebulet 3/29/55.

b2
b6
b7C
b7D

The Bureau was advised on March 26, 1951 [redacted]



In the course of review conducted for the purpose of responding to
Bulet 3/29/55, it was observed Seattle has [redacted]



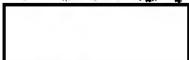
Since he does not, therefore, conform to present standards for inclusion in
instant program, it is recommended he be deleted.

JLM/hg

(7)

cc: SE 100-3607

SE 100-21585



REGISTERED

100-21585-91

b6
b7C
b7D



Our survey under instant program is being handled on a continuing basis, and as further individuals are identified or developed, their names will be promptly submitted.

DIRECTOR, FBI (100-386074; 66-18772)

May 3, 1955

SAC, SEATTLE (100-21585)(100-0-27804) *let'd*

REGISTERED

JONATHAN EDWARDS GOLDMARK
SM - C

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

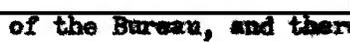
Mrs. JONATHAN GOLDMARK, aka
Sally Goldmark, nee Irma May Ringe,
Sally Ringe
SM - C

b7D



DIO, 13th MD, Seattle, submitted a local agency check form on JONATHAN EDWARDS GOLDMARK, who apparently is a Lieutenant in the U. S. Navy Reserve. Their check form indicates that they are conducting a background investigation on him, and from inquiry it has been determined that they have also requested a National Agency Check.

A review of our files indicates that information concerning his wife, Mrs. JONATHAN GOLDMARK, has been previously furnished to the Bureau. Particularly, the Bureau's attention is called to the fact that 


 There is no information in our files not in possession of the Bureau, and there is nothing to indicate that her husband, JONATHAN GOLDMARK, has ever been involved in any communist activities. The local ONI has been informed that inasmuch as they were making a National Agency Check on GOLDMARK, that a check here would be duplication.

LAD/hg
(6)
REGISTERED

cto
176809

100-21585-48

John. La...
100-0-51804 ✓
100-21585-4
100-3020-13 pt 1, 14 pt 1;
24 pt 1;
100-21585-7

*John. La...
100-21585-4
100-3020-13 pt 1, 14 pt 1;
24 pt 1;
100-21585-7*

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/OAK

Air Tel 7-7-55 RLK:klp
80-142

FBI, Charlotte

Director, FBI

OK
JONATHAN EDWARD GOLDMARK
SECURITY MATTER
INFORMATION CONCERNING
LIAISON WITH ONI

[Redacted box]
ref

On July 5, 1955, [Redacted] ONI representative, Charlotte, N.C., contacted this Office for an indices check on JONATHAN EDWARD GOLDMARK, who is a Lieutenant in the U.S.N.R., SN 185981. [Redacted] advised that he had no further background information concerning GOLDMARK'S birth date or parents and was not in possession of a physical description of him. He stated that his records reflect JONATHAN GOLDMARK'S address as Star Route, Ikanoga, Washington.

b6
b7C
b7D

SAC Letter No. 54-1, dated 1-5-54, Section "L", contains information regarding one Mrs. JONATHAN GOLDMARK of Seattle, Wash., who was recruited into the Communist Party at Washington, D.C. in about November or December 1935, [Redacted]

No mention of this individual was made to [Redacted] and during the conversation with him, he stated that ONI is making an indices check with the Seattle Division regarding JONATHAN EDWARD GOLDMARK.

The Seattle Office is requested to advise if their records contain any information indicating any relationship between Mrs. JONATHAN GOLDMARK and JONATHAN EDWARD GOLDMARK, and advise what information was furnished the ONI representative regarding an agency check in the Seattle Office. Will also advise if [Redacted]

Above for information of Bureau in the event ONI requests indices check through liaison channels at SOG.

RLK:klp
80-142
2-Seattle
(7)
REGISTERED MAIL

ABBATICCHIO
abd

SEARCHED *by* INDEXED
SERIALIZED FILED
JUL 11 1955
LE

b6
b7C

AIRTEL

FBI, SEATTLE (100-21585)

7/25/55

DIRECTOR, FBI

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

JONATHAN EDWARD GOLDMARK
SECURITY MATTER
INFORMATION CONCERNING
LIAISON WITH ONI

Re Charlotte airtel 7/7/55 and Seattle letter to Bureau 5/3/55.

b6
b7C
b7D

For the information of the Charlotte Office, the local ONI submitted an agency check on JONATHAN EDWARDS GOLDMARK who apparently is a lieutenant in the U. S. Navy Reserve, on May 3, 1955. Their check form indicated they were conducting a background investigation on him and from inquiry it was determined that they had also requested a national agency check. They were advised that inasmuch as they were making a national agency check on GOLDMARK, a check here would be a duplication since all information in the possession of this office would also be at the Bureau.

The Bureau was advised by letter on May 3, 1955 of this ONI request and the Bureau's attention was called to the fact that [redacted]

[redacted] It should be noted that Mrs. JONATHAN GOLDMARK (SALLY GOLDMARK) is the wife of JONATHAN EDWARD GOLDMARK, RUC.

AURBACH

LAD:ll
(5)

CC: Charlotte (80-112)

cus

RUC

100 - 21585 - 44

Office Memorandum • UNITED STATES GOVERNMENT

TO : SAC, SEATTLE (100-21585)

DATE: 3/7/56

FROM : SA [REDACTED]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/.CAKSUBJECT: SALLY GOLDMARK, nee RINGE
SM-C

On March 6, 1956, [REDACTED] Investigator, ONI, telephonically inquired as to the status of captioned individual in this office. WHITMORE explained that he was to interview subject's husband, JONATHAN EDWARD GOLDMARK, on the morning of March 7, 1956 in connection with the latter's status in the Naval Reserves. He explained that GOLDMARK currently is a lieutenant in the USNR.

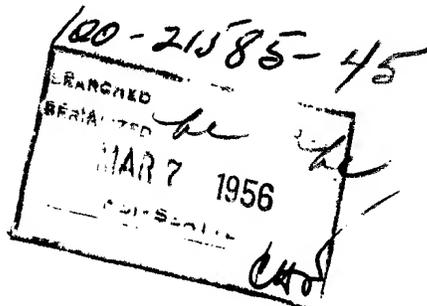
b6
b7C
b7D

[REDACTED] related that he had been advised by ONI, Washington, D.C. as a result of a national agency check that captioned subject has, in the past, [REDACTED]

He was informed that the files of this office reflect only that [REDACTED]

[REDACTED] was asked to forward results of any investigation conducted by his office regarding JONATHAN GOLDMARK to this office and he agreed to do so.

1 - Seattle (100-21585)
GLH:hmh
(1)



SAC (100-22360)

12-3-56

SA [redacted]

HCUA - SEATTLE HEARINGS

On this date USM [redacted] advised that he had received a subpoena directing the appearance of Mrs. JONATHAN GOLDMARK, aka Sally Goldmark, Okanogan, Washington, before the HCUA in Seattle on December 13, 1956. He called Wheeler, HCUA West Coast investigator to advise he was sending subpoena to USM, Eastern District of Washington, and was requested by [redacted] to advise the writer of the issuance of this subpoena.

b6
b7C
b7D

In view of the status of [redacted]

[redacted] a teletype was prepared under the above caption to the Bureau setting forth this data.

SSC
(3)

cc: 100-21585 (Sally Goldmark) ✓
100-0-27804 (Jonathan Goldmark)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

100-21585-46

SEARCHED.....	INDEXED.....
SERIALIZED <i>105</i>	FILED <i>105</i>
DEC 3 1956	
FBI - SEATTLE	

[Signature]

b6
b7C
b7D

FBI, SEATTLE 12-3-56 4-20 PM PST WAS
DIRECTOR, FBI AND SAC, WASHINGTON FIELD U R G E N T

HCUA - SEATTLE HEARING. ON THIS DATE USM [REDACTED] ADVISED HE
HAD RECEIVED A SUBPOENA DIRECTING APPEARANCE OF MRS. JONATHAN EDWARDS
GOLDBARK, AKA MRS. SALLY GOLDBARK PARENTHESIS DUFILÉ ONE HUNDRED DASH
THREE EIGHT SIX NAUGHT SEVEN FOUR PARENTHESIS, OKANOGAN, WASH., BE-
FORE HCUA AT SE DECEMBER THIRTEEN NEXT. [REDACTED] STATED THAT IN TELE-
PHONIC COMMUNICATION WITH [REDACTED] HCUA WEST COAST IN-
VESTIGATOR, HE HAD BEEN DIRECTED TO ADVISE THIS OFFICE OF USUANCE
OF SUBPOENA. [REDACTED] IS FORWARDING SUBPOENA TO USM, EASTERN DISTRICT
OF WASHINGTON. AS YOU IS AWARE, [REDACTED]

[REDACTED]

[REDACTED] HED MUSKIE
ALSO WELL KNOWN AS LEADING CATTLE RANCHER IN THIS STATE. IN VIEW
OF ARRIVAL OF THIS SUBPOENA, WELL AFTER SERVICE OF OTHER SUBPOENAS
END PAGE ONE

100-21585-47

b6
b7C
b7D

PAGE TWO

FOR THIS HEARING, IT WOULD SEEM THAT INSTRUCTIONS FOR HER APPEARANCE
EMANATED FROM WASHINGTON D. C. RATHER THAN WITH [REDACTED]. A REVIEW
OF GOLDMARK-S FILE INDICATES ALL PERTINENT INFORMATION CONCERNING
HER HAS BEEN FURNISHED TO THE DU IN PAST. IT IS NOT KNOWN WHETHER
MRS. GOLDMARK WILL WILLINGLY TESTIFY OR USE THE FIFTH AMENDMENT. IN
THE EVENT SHE DOES TESTIFY FULLY, [REDACTED]

AUERBACH

CORS PAGE 1 LINE 7 LAST WD SHD BE ISSUANCE

PAGE 1 WD 9 XXXLINE 9 WD 8 SHD BE IS AND LINE ³ 4 XXXLU³7 LAST WD SHD
BE HUSBAND

END AND ACK PLS

7-26 PM OK FLI W A CS

TU DISC

F B I

Date: 12-3-56

Transmit the following message via TELETYPE

(Priority or Method of Mailing)

SAC, SEATTLE

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

DIRECTOR AND SAC, WASHINGTON FIELD

URGENT

HCUA - SEATTLE HEARINGS. ON THIS DATE USM [REDACTED]
ADVISED HE HAD RECEIVED A SUBPOENA DIRECTING APPEARANCE OF
MRS. JONATHAN EDWARDS GOLDMARK, AKA MRS. SALLY GOLDMARK
(BUFILE ONE HUNDRED DASH THREE EIGHT SIX NAUGHT SEVEN FOUR),
OKANOGAN, WASH., BEFORE HCUA AT SE DECEMBER THIRTEEN NEXT.

[REDACTED] STATED THAT IN TELEPHONIC COMMUNICATION WITH [REDACTED]

[REDACTED] HCUA WEST COAST INVESTIGATOR, HE HAD BEEN DIRECTED
TO ADVISE THIS OFFICE OF ISSUANCE OF SUBPOENA. [REDACTED] IS

~~FORWARDING~~ ^{FORWARDING} SUBPOENA TO USM, EASTERN DISTRICT OF WASHINGTON. AS

BU IS AWARE, [REDACTED]

[REDACTED]

[REDACTED] HER HUSBAND ALSO WELL KNOWN AS LEADING

CATTLE RANCHER IN THIS STATE. IN VIEW OF ARRIVAL OF THIS

100-22360

SSC:msd

(Approved: [Signature]
Special Agent in Charge

Sent 4:20 P M Per [Signature]

100-21585-47

b6
b7C
b7D

F B I

Date:

Transmit the following message via _____

(Priority or Method of Mailing)

SUBPOENA, WELL AFTER SERVICE OF OTHER SUBPOENAS FOR THIS HEARING, IT WOULD SEEM THAT INSTRUCTIONS FOR HER APPEARANCE EMANATED FROM WASHINGTON D. C. RATHER THAN WITH [REDACTED] A REVIEW OF GOLDMARK-S FILE INDICATES ALL PERTINENT INFORMATION CONCERNING HER HAS BEEN FURNISHED TO THE BU IN PAST. IT IS NOT KNOWN WHETHER MRS. GOLDMARK WILL WILLINGLY TESTIFY OR USE THE FIFTH AMENDMENT. IN THE EVENT SHE DOES TESTIFY FULLY,

b6
b7C
b7D

[REDACTED]

AUERBACH

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

Mrs. Goldmark On National Advisory Group

OKANOGAN — An Okanogan woman today was named as a member of a state Democratic committee which will advise the national committee on many issues.

She is Mrs. John Goldmark, wife of the state legislator from the Okanogan-Douglas County district.

Mrs. Goldmark is one of 21 persons from around the state named to the Advisory Committee on Foreign Policy. The group will study issues and make recommendations to the national group on foreign affairs.

State Democratic Chairman Luke Graham said leading subjects to be worked on first include Canadian - American negotiations concerning Columbia River resource development, tariff and quota problems in the Pacific Northwest trade picture, plus other issues.

Goldmark,
Put in file on Sassy
aka Mrs. Jonathan
Goldmark.
CS

The Wenatchee Daily World
Wenatchee, Wash.
October 15, 1959

100-21585-50

SEARCHED.....	INDEXED.....
SERIALIZED.....	FILED.....
OCT 20 1959	
FBI - SEATTLE	

CS

Office Memorandum • UNITED STATES GOVERNMENT

TO : SAC, SEATTLE (ATTN: WENATCHEE RA)

DATE: 12/28/59

FROM : SA [redacted]

*num. refs on file
100-0-27804*

b6
b7C

SUBJECT: Mrs. JOHN GOLDMARK
Internal Security - C
[redacted] Informant

On 12/28/59, [redacted] appeared at the Spokane RA and advised that he had been using information from an article published by one [redacted] a rabid anti-Communist to instruct his students about Communism; that in Russia there was only one party to choose from, whereas, in America the average person voting could choose from at least two political parties.

He said Mrs. JOHN GOLDMARK, who is the wife of JOHN GOLDMARK, Washington State Legislator has been against his using this material in his classes, and has created trouble for him with the Okanogan, Washington school board. He said Okanogan is a small town of 2000 persons, and Mrs. GOLDMARK carries some "weight" in this small community, and that this is definitely pro-Communist. He said he recalled that on one previous occasion he heard that the FBI had investigated Mrs. GOLDMARK in this same regard, and he desired to furnish additional information concerning her. ~~He~~

[redacted] was furnished with the address of the Wenatchee RA and he said he would attempt to contact that office in the near future, either by letter or in person.

MRA/

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CE/CAK

*Pls handle
m*

100-21585-3-1

[Handwritten signature]

b6
b7C

[redacted]

[Handwritten initials]

[Redacted]

January 7, 1960

Special Agents, F.B.I.

[Redacted]

Wenatchee, Washington

b6
b7C

Dear Sirs:

I have some information which I think your office will be interested in. When you are in this area again, I would appreciate having you stop to see me any time after school hours.

The Spokane office directed me to you since your office is servicing this area. Thank you.

Yours very truly

[Redacted Signature]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

*will be acknowledged
personally -*

*See Ser. 51 - This concern
is with Mrs. [Redacted] ^{Bookmark}*

100-21585-52

SEARCHED _____
INDEXED _____
SERIALIZED _____
FILED _____

[Handwritten mark]

Office Memorandum • UNITED STATES GOVERNMENT

TO : SAC 100-21585

DATE: 1/15/60

FROM : [REDACTED] SA

b6
b7cSUBJECT: Mrs. JOHN GOLDMARK
Internal Security - CALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

Reference is made to memo of SA [REDACTED] dated 12/28/59.

On 1/13/60 [REDACTED]
was contacted and the letter received from him personally acknowledged.

[REDACTED]
[REDACTED] He stated that he has [REDACTED] classes which he teaches. [REDACTED] advised that last year he included a section in these classes which compared that Communist System of Government with that of the United States. He advised that he took his material from an article put out by the Allen Bradley Company entitled "Communism out to Destroy You". He advised that this article was based on the testimony of a [REDACTED] before the U. S. House Un-American Activities Committee. As a result of this section in his classes the President of the had told him that it would be best if he did not get any political implications involved in his classes. He stated that he had learned that Mrs. GOLDMARK had complained of his using this material because it was anti-communist.

[REDACTED] further advised that he had learned that Mrs. GOLDMARK had complained to the Superintendent of Schools because the school had allowed a representative of the American Association of Manufactures give a lecture to the High School assembly. She told the Superintendent that he should now have a representative of labor speak to the students.

[REDACTED] advised that he believed that this information should be made known to the FBI because of the pre-communist implications. He ask advise as to whether he should continue to teach the ~~Communist~~ section regarding the Communist System of Government in his classes.

[REDACTED] was thanked for furnishing this information to the FBI and was told that what he taught in his classes was a matter between himself and the school authorities and the FBI could offer no advise in this matter.

100-21585-53
SEARCHED
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FILED
JAN 16 1960
FBI - NEW YORK
[Signature]

UNITED STATES GOVERNMENT

Memorandum

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

TO : SAC, Seattle

DATE: 4-20-61

FROM : SA [redacted]

SUBJECT: JOHN GOLDMARK
[redacted]
INFORMATION CONCERNING

100-21585
INDEX

100-0-24920

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b7c

On 4-20-61 [redacted]

[redacted]

was interviewed by SA's [redacted] and [redacted] at his request. [redacted]

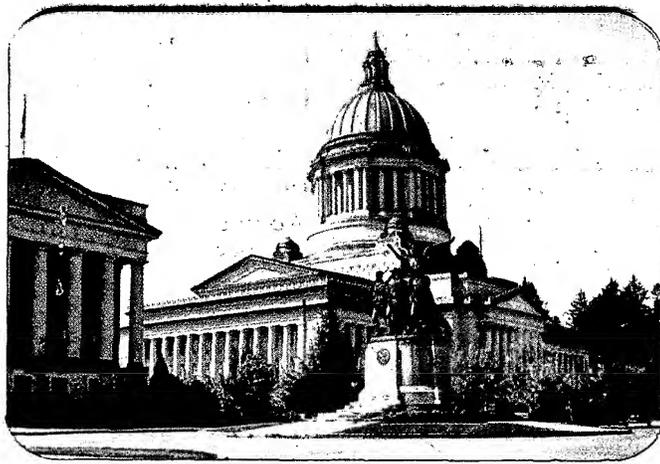
legislature for over 8 years and there was a situation which had been bothering him for over two years and he felt it should be brought to the attention of the FBI. He said there were at least two members of the legislature he thought might be members of communist groups and identified them as follows:

JOHN GOLDMARK, Star Route, Okanogan, Washington. Age 43 years, born New York, Rancher, Member of the House, Dist. 1, 57-61 sessions. He came out to this area from the east and bought a ranch. He flies his own plane and seems to have more money than he could possibly make from his small ranch. He is a graduate lawyer, has an airstrip on his small ranch and lots of planes land on it. He immediately moved into politics and took control of the young democratic club in his area and got himself elected to the state legislature. He has been mentioned as a possible speaker of the house and appears to have possibilities of running for national office. Most mornings in the legislature when the flag is brought in he is not present on the floor. Some of his remarks sound off color. Recently when the Republican wives at the last session entertained the Democratic wives as a breakfast they planned to show one of the films regarding communism. [redacted] who was in charge of the program was contacted by Mrs. Goldmark who stated she was bringing someone from Seattle to speak against the film. [redacted] advised Mrs. Goldmark that no one would speak for or against the film. [redacted] stated that he was very suspicious of Goldmark, his background and his political ambitions. He said he was sure if his background in New York was checked that there would be a record on Goldmark. He said he would like to be directed to any public source information available on Goldmark that could be utilized. He said he was afraid of what Goldmark might do if he actually got into a position of power. Also two sessions ago when a bill came up on the question of requiring a loyalty oath, Goldmark very vigorously opposed the bill in committee and tried to stop it there but when it came to the floor he did not openly oppose the bill.

100-21585-54

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APR 21 1961	
FBI - SEATTLE	

[Signature]



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DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

ALL INFORMATION CONTAINED
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DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

[redacted]
[redacted]
[redacted] of the liberal spenders in the house of representatives. Recently on a bill modifying election laws, [redacted] to the bill regarding voting rights of minority parties. He appears to be very much involved with minority parties. Thinks he may be just a misguided [redacted] but he bothers him with his liberal ways.

[redacted] came from the south to attend school and stayed. Member of the house. He tries to rewrite all the state laws pertaining to discrimination and goes along with the Board against Discrimination. He makes quite an issue of discrimination in the Seattle area. Thinks the recent publicity regarding discrimination against a Univ. of Wash. football player in Jan. 1961 was all staged to affect the legislature.

Board against Discrimination, appointed by the governer under the state laws. This board seems to be very radical regarding discrimination and it is impossible to get a fair hearing before the board as it favors negros, etc. The executive secretary of the board, name forgotten, stated he was a member of the National Association for the Advancement of the Colored People. This definitely affects his ability as a member of the board. A member of the board (FNU) [redacted] is very radical regarding discrimination. Recently [redacted] had publicity in a Seattle newspaper in which he spoke against one of the films being shown regarding communism.

Of all the above [redacted] stated he was mostly concerned with Goldmark as he felt he was an individual who could cause trouble.

[redacted] was thanked for his information and advised it would be made a matter of record. He was reminded that files of the FBI were confidential, that investigations of the FBI were regulated by Federal laws and Executive orders, and that no investigations could be made at the request of individuals or organizations. He was told that the FBI could not, as prohibited by law, make any comments concerning any individuals or organizations. Further it was pointed out to him that the FBI could not investigate State organizations. [redacted] stated that he understood the position of the FBI in this regard but felt that something should be done. It was pointed out to him that the FBI could not become involved in politics or in disputes and name calling between individuals because he could understand that it was prohibited by law and further that the respect accorded the FBI was due to its ability as a fact finding organization. [redacted] indicated he understood this and was in full agreement with the FBI.

Interview was terminated in a very friendly atmosphere.

DIRECTOR, FBI (100-386074)

2/1/62

SAC, SEATTLE (100-21585)

MRS. JONATHAN GOLDMARK, aka
Sally, nee Irma May Ringe,
Sally Ringe
SECURITY MATTER - C

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAF

On January 26, 1962, Mrs. JONATHAN GOLDMARK, Okanogan, Washington, called at the Seattle Office and related that for about the past five years there have been rumors around Okanogan County, Washington, that she and her husband, who is a representative from Douglas and Okanogan Counties in the Washington State House of Representatives, are communists. She stated they have more or less ignored these rumors and have felt that same have been kept alive to injure her husband politically.

Mrs. GOLDMARK stated that during the past year these rumors have become somewhat more vicious, and she believed the rumors are being circulated by ASHLEY HOLDEN, a newspaper editor at Tonasket, Washington, who is opposed to her husband politically, and by LORIS GILLESPIE, publisher of "The Okanogan Independent" newspaper at Okanogan, Washington. She alleged that GILLISPIE has been reported to have made the statement that she (Mrs. GOLDMARK) was a college classmate of ALGER HISS and was in the same "spy ring" with HISS, and that he (GILLESPIE) had seen or had access to "FBI reports" in Spokane, Washington, which would prove it.

Mrs. GOLDMARK commented that she and her husband have discussed the possibility of bringing a libel suit against GILLESPIE and also the possibility of her (Mrs. GOLDMARK) making a public statement to the effect that she had at one time belonged to the Communist Party; that she had not been associated with the Communist Party for a number of years and that [redacted]

[redacted] She informed, however, that she did not desire to bring the FBI

2 - Bureau (Reg.) (AM)
1 - Seattle
OVK/nch
(3)

[Handwritten signature]

[Handwritten initials]

100-21585-55

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SE 100-21585

into this matter; that she has every confidence in the FBI but alleged that GILLESPIE keeps "throwing the FBI" at them. Mrs. GOLDMARK stated she and her husband are undecided as to what to do but felt that she should bring this matter to the attention of the Seattle Office.

Mrs. GOLDMARK alleged that GILLESPIE is closely associated with some individuals affiliated with the John Birch organization in Okanogan, Washington.

The indices of the Seattle Office have been searched but no information identifiable with LORIS GILLESPIE was located.

It appears that the matters discussed by Mrs. GOLDMARK. [REDACTED]

b7D

[REDACTED] stems from a local political situation and this office will not interject itself into the matter. However, since it appears that GILLESPIE may be using the name of the FBI to lend credence to his rumors, I will contact him and without mentioning the GOLDMARKs or communism, inform him that it has come to the attention of the FBI that he is alleged to have said that he has access to FBI reports; which is not true, and that if he has been making these remarks, he should immediately refrain from so doing.

F B I

Date: February 8, 1962

Transmit the following in _____
(Type in plain text or code)

Via Airtel _____
(Priority or Method of Mailing)

To: SAC, Seattle
From: Director, FBI (100-386074)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

MRS. JONATHAN GOLDMARK
SECURITY MATTER - C

Reurlet 2/1/62.

You are to promptly contact Loris Gillespie, publisher of "The Okanogan Independent," Okanogan, Washington, as indicated in referenced letter. Determine if he made the statement that he has seen or has had access to FBI reports. Set him straight concerning the confidential nature of FBI files and advise him that our files are for official Government use only. Forcefully impress upon him that he is not to indicate in any way that he has access to FBI reports. Advise Bureau results of contact.

100-21585-56

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FEB 12 1962	
FBI - SEATTLE	

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DO NOT DESTROY WITHOUT
CONSULTING FOI/PA COORDINATOR

FOI/PA 190-5E-8/121

DO NOT DESTROY SERIAL

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PRIOR TO 8/2005

FILE NO. 100-21585

UNITED STATES GOVERNMENT

Memorandum

X

TO : SAC, SEATTLE (100-21585)

DATE: Rebruary 13, 1962

FROM : SA

SUBJECT: SALLY GOLDMARK, aka
SM-C

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b7C

On Frbaury 13, 1962 Agent received by mail a note from captioned individual, together with pamphlet (4 page) entitled "The Vigilante", Vol. 1, January, 1962, No. 4, Spokane, Washington, which carries a story on page four entitled "IRMA RINGE and the Washington State Legislature".

This story mentions that one of the Washington State legislators has a wife, who was known in the Communist Party as IRMA MAE RINGE "In the days when HAROLD WARE, VICTOR PERLO, and other notorious Communists were operating high wife and handsome in the Nation's capitol with Communist cells penetrating the highest levels of government ----".

The note and copy of "The Vigilante" are being retained in the "La" file of instant case.

"The Vigilante" is published by AL CANWELL and ASHLEY HOLDEN at W. 610 Sprague Ave., Spokane, Washington.

OVK.
(1)

Fol # 818330
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 8/17/99 BY SP2 ALM/EHL

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FEB 14 1962	
FBI - SEATTLE	

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2/19/62

AIRTEL

AIRMAIL

TO: DIRECTOR, FBI
FROM: SAC, SEATTLE (100-21585)
RE: MRS. JONATHAN GOLDMARK
SECURITY MATTER - C

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CE/CAK

ReBUairtel 2/8/62.

I contacted LORIS GILLESPIE on 2/16/62 at his residence in Okanogan, Washington. Mr. GILLESPIE formerly owned the "Okanogan Independent" but has had no interest in it for the last ten years. He categorically denied ever making a statement that he has seen or has had access to FBI reports. GILLESPIE presumed the reason for my contact was because of some remark made by the GOLDMARKS; however, I had no comment to make to him concerning this.

I pointed out to him categorically that the files of the FBI were confidential and that their contents are for official government use only. I advised him that not only was the information confidential, but any suggestion that unauthorized individuals had access to FBI file was most inadvisable and should not be claimed by anyone.

Mr. GILLESPIE was fully appreciative of this problem, stated he had the highest respect for the Bureau, the work it is doing and felt that the country would be at a complete loss without the Bureau's services.

3 - Bureau
1 - Seattle
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(4)

100-21585-58

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UNITED STATES GOVERNMENT

Memorandum

TO : SAC, SEATTLE (100-

DATE: 6/13/62

FROM : SA [redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

SUBJECT: Mrs. JOHN GOLDMARK, aka.,
Irma Ring Goldmark, Sally Goldmark
SM -C

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b7C
b7D

On this date [redacted]

[redacted]

[redacted] said he recalls that you personally came over to this area to check on captioned subject, etc. I could not quite understand what he was trying to say was your reason, what you had done about it, etc.

[redacted] said it is his understanding that she and her husband came to this valley a few years ago from one of the Eastern States, and that while residing in the East she had been a member of the Communist Party during the time of ALGER HISS; he said it is his understanding that she later broke with the CP [redacted]

[redacted]

If there is anything I should know about subject and her husband please have [redacted] brief me.

*R/S to [redacted]
to see [redacted]
next time in office*

Please come JM

100-21585-59
SEARCHED [] INDEXED []
SERIALIZED [] FILED []
JUN 18 1962
[redacted]

b6
b7C

DIRECTOR, FBI (100-386074)

9/25/62

SAC, SEATTLE (100-21585)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

MRS. JONATHAN GOLDMARK, aka
SECURITY MATTER - C

Remylet 2/1/62.

On September 24, 1962, the above-captioned subject, who resides at Okanogan, Washington, appeared at the Seattle Office and advised that in the recent Washington State primaries, her husband, JONATHAN GOLDMARK, and who is a Washington State legislator, was defeated as the Democratic nominee for the position which Mr. GOLDMARK now holds.

Mrs. GOLDMARK pointed out that during the campaign, vicious rumors and statements were made depicting Mr. GOLDMARK and Mrs. GOLDMARK as Communists and that Mrs. GOLDMARK was a former CP member in the same cell with individuals such as ALGER HISS, WITTAKER CHAMBERS and others with Soviet apparatus ties. Mrs. GOLDMARK mentioned that she learned that during the recent primary campaign numerous house gatherings were held in Okanogan County, State of Washington, whereat statements and literature were made and passed out depicting the GOLDMARKS as Communists. She stated that the individuals behind this action are the following:

ASHLEY HOLDEN, publisher of the "Tonasket Tribune"
LORIS GILLESPIE, former publisher of the "Okanogan Independent".

These individuals reside in Okanogan County and these newspapers are circulated in this same county.

Mrs. GOLDMARK stated that as a result of slanderous and libelous statements made by these individuals and in these newspapers she and her husband are going to file a damage suit claiming libel against HOLDEN, GILLESPIE and the two newspapers in Okanogan County Court in Washington State on September 26, 1962. The GOLDMARKS have acquired the legal

2 - Bureau (Reg.) (AM)

1 - Seattle

HEM/nch

(3)

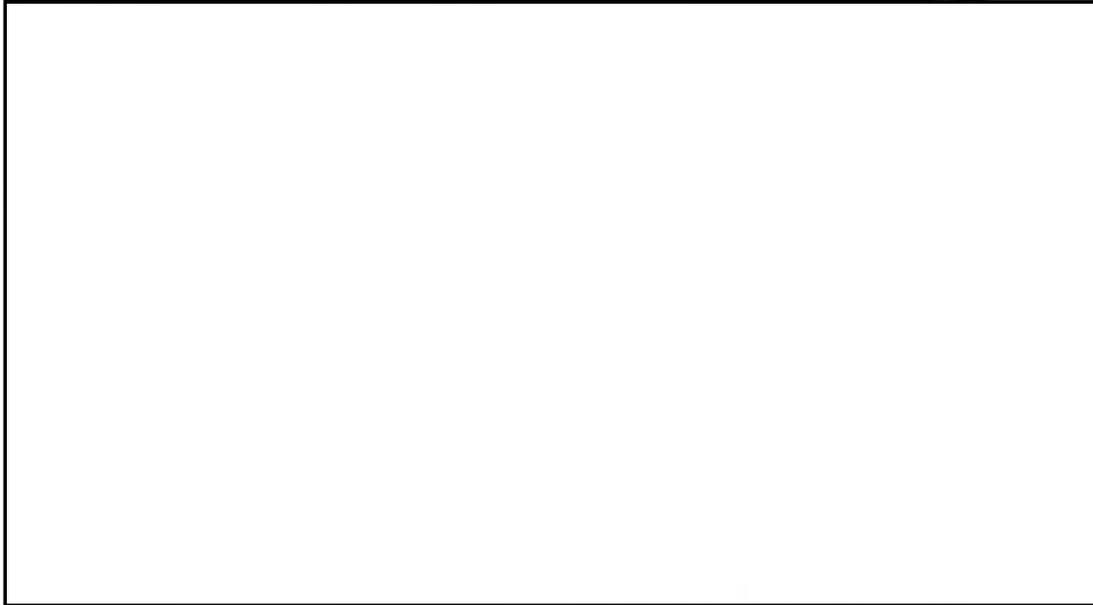
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Classified _____
Serialized _____
Indexed _____
Filed _____

100-21585-60

SE 100-21585

Services of [redacted] to
prepare and present this case in court.



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b7C
b7D

[redacted] The Bureau will be
promptly advised of any additional information received con-
cerning this matter.

DIRECTOR, FBI (100-386074) AM

9/27/62

SAC, SEATTLE (100-21585)

Mrs. JONATHAN GOLDMARK, aka
SECURITY MATTER - C

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

Re mylet 9/25/62

Transmitted herewith to the Bureau is one copy of an article which appears in the 9/26/62 issue of the "Seattle Post Intelligencer", a local Seattle daily newspaper, which article is similar in nature to the information set forth in relet.

The newspaper column entitled "This - Our City" is a local gossip-type column [redacted] of this newspaper.

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This article is being forwarded to the Bureau so that the Bureau will be kept advised of developments in this matter.

2 Bureau (AM) (Encl - 1)
1 Seattle

HEM/hem [signature] searched _____
(3) [signature] [signature] indexed _____
[signature] [signature] [signature] _____
[signature] [signature] [signature] filed _____

100-21585-61

(Mount Clipping in Space Below)

Goldmark Says 'Libel' Files \$225,000 Lawsuit

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60824 AUC BAW/CB/CAK

(Indicate page, name of newspaper, city and state.)

1 THE WENATCHEE DAILY
WORLD
WENATCHEE, WASH.

OKANOGAN — Statewide and possible nationwide interest is growing over a lawsuit filed in Okanogan county superior court Wednesday by State Representative John Goldmark of Okanogan.

Goldmark, who was recently defeated for reelection in the Democratic primary by Joe Haussler of Omak, has filed a libel suit. He and his wife, Sally, are asking almost a quarter million dollars in damages.

In the complaint, Mrs. Goldmark said she once had been a member of the Communist party, but had quit in 1943. The Goldmarks charged that a group of political opponents libelled them by, among other things, implying they were pro-Communists.

Named as defendants in the legal action were Al Canwell, Spokane, Ashley Holden, Tonasket, Loris Gillespie and Don Caron, Okanogan, the Tonasket Publishing Co., the Okanogan Independent and the John Birch Society.

The naming of the John Birch Society as a defendant is believed to be the first of its kind in the country.

Seattle newspapers and television stations are sending teams into cover the story. Local and outside interest of the case has been growing steadily since Wednesday afternoon.

In his formal plea Goldmark claims that the defendants, as individuals and together as a conspiracy, injured the reputation of John and Sally Goldmark through alleged libelous public



LIBEL? — John Goldmark, left, has filed a libel suit of almost a quarter of a million dollars, charging he was libeled during rough primary election campaign in Douglas and Okanogan Counties. One of the defendants is Ashley Holden, right, Tonasket, a man whom Goldmark defeated in legislative race in 1960 and who was prime antagonist this year.

statements and slanderous utterances.

Two of the named defendants were reached for comment yesterday by the Daily World. Ashley Holden Sr., publisher of the Tonasket Tribune, from whom the Goldmarks seek \$50,000, said: "The case will be laughed out of court. It will never go to trial

and I would be eager to go to court and prove any statement that Goldmark thinks is libelous."

Don Caron, the former forest ranger in Okanogan and now the Washington State Coordinator for the John Birch Society, said it was a little too early for him to make any comment.

"I would have to read the ac-

Date: 9/27/62
Edition:
Author:
Editor:
Title: Mrs. JONATHAN GOLDMARK, aka

Character: SECURITY MATTER -
or C
Classification: 100-21585
Submitting Office: SEATTLE

Copy Sent to Bureau

100-21585-62

SEARCHED	INDEXED
SERIALIZED	FILED
3 1962	
FBI — SEATTLE	

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tion before I could make any comments," said Caron.

He did say he believed this to be the first time the John Birch Society has been named in a lawsuit.

Goldmark, a navy officer now in the reserves, alleged the defendants did in a malicious and libelous manner publish or utter with intent to have it understood that John and Sally Goldmark were Communists or pro-Communists or Communist sympathizers, or that the Goldmarks were a part of the Communist conspiracy to turn the U.S. into a totalitarian state and destroy our democratic institutions."

In the suit Goldmark asked damages for an editorial by Ashley Holden in the Tonasket Tribune on July 12, 1962 (\$25,000), a news story on Goldmark's candidacy in the Tribune on August 30 (\$25,000), a mailer type interview alleged issued by Al Canwell (\$50,000), a tape recording of the same alleged interview by Canwell (\$50,000), a column by Don Caron, named in the legal action as a paid agent of the John Birch Society, in the September 6 issue of the Okanogan Independent (\$25,000), and public utterances by Al Canwell and Loris Gillespie at a public meeting in Okanogan, August 31 (\$25,000).

The suit also seeks for Mrs. Goldmark \$12,500 from Canwell for the alleged interview and an additional \$12,500 for the tape recording of the same alleged interview.

As information in the legal action, Mrs. Goldmark states that she was a member of the Communist party during the depression and early World War II from 1935 to 1943, but that she was never engaged in or had any knowledge of espionage or similar unlawful activities during that period.

She said she left the party entirely in 1943 and has had nothing to do with it since. She said she related the full details of her activities in the Communist party to the FBI and to the House Committee on Un-American Activities prior to the publishing of any of the mentioned exhibits.

The legal complaint was filed by Okanogan Attorney R. E. Mansfield and Seattle Attorney William Dwyer.

Auerbach is former SAC

DOUBLE J RANCH

Okanogan, Washington

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

[redacted]
Special Agent in Charge
1015 2nd Avenue
Seattle, Washington

Dear [redacted]

100-21585

On Sept. 24th, my wife, Sally, stopped in and talked with [redacted]. In addition to other things, she told him of a constant rumor about which I would appreciate some additional information.

b6
b7c

[redacted] has widely told the following story:

[redacted] obtained a "file" in Seattle showing that I was a top organizer of the Communist party in the Northwest. On the way home, he was stopped by the State Patrol at the top of Stevens Pass and made to wait for Mr. Richard Auerbach. When Mr. Auerbach arrived, he demanded the "file" and [redacted] surrendered it.

Naturally, the repetition of this story has been injurious to me and I have been forced to take steps to protect my good name. I appreciate the position of the FBI in these matters but any background information that could help me in my own investigation would be most helpful.

I do not have Mr. Auerbach's new address and would appreciate having this letter forwarded to him.

Thank you for any help that you can give me.

Sincerely,

John Goldmark

John Goldmark *100-0-27804*
JMG

100-21585-63

SEARCHED	INDEXED
SERIALIZED	FILED
OCT 2 1962	
FBI - SEATTLE	

(Mount Clipping in Space Below)

Who Will Accept Birch Summons?

OKANOGAN — A legal point popped up in State Rep. John Goldmark's \$225,000 libel suit today as attorneys attempted to decide who is the proper representative of the John Birch Society.

The society is one of three corporations and four persons named in the suit.

A copy of the summons and complaint sent to Don Caron as agent for the John Birch Society has been returned to the sheriff's office. Caron said in Okanogan this morning that, while he was a paid member of the society, he was not a member of the actual corporation and could not accept the summons.

Caron is also named as an individual defendant in the suit.

Last week Goldmark, state representative from the first legis-

lative district who was defeated in the Democratic primary, filed the libel suit on behalf of him and his wife, Sally. He charged the defendants with inferring that he and his wife were Communists or pro-Communists.

Named in the suit besides Caron and the John Birch Society were Al Canwell of Spokane; Ashley Holden, Tonasket; Loris Gillispie, Okanogan; the Okanogan Independent and the Tonasket Publishing Co.

It's now up to Goldmark to determine who is the proper representative of the John Birch Society to accept the complaint.

(Indicate page, name of newspaper, city and state.)

10 WENATCHEE DAILY
WORLD
WENATCHEE, WASH.

Date: 10/1/62
Edition:
Author:
Editor:
Title: JOHN GOLDMARK

Character: SM-C
or
Classification: 100-21585
Submitting Office: SEATTLE

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

Copy Sent Bureau

100-21585-64

SEARCHED	INDEXED
SERIALIZED	FILED
OCT 4 1962	
F.B.I. SEATTLE	

JA

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, Seattle (100-21585)

DATE: October 3, 1962

✓ FROM : Director, FBI (100-386074)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

SUBJECT: MRS. JONATHAN GOLDMARK
SECURITY MATTER - C

Reurlets September 25, 1962, and September 27,
1962.

The Bureau should be kept promptly advised of any information you may receive concerning the libel action which captioned individual stated she and her husband intended to file on September 26, 1962, against Ashley Holden and Loris Gillespie. You are to keep abreast of all proceedings in this legal action and notify the Bureau by the most expeditious communication required by the situation of any mention of the FBI or attempt to involve the FBI in this law suit. The Bureau desires to avoid becoming involved in this private law suit if possible.



b7D

*Baxter
pls
enc
jm*

100-21585-65

SEARCHED	INDEXED
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OCT 11 1962	
FBI - SEATTLE	

pl

UNITED STATES GOVERNMENT

Memorandum

TO : FILE (

DATE: 10/5/62

FROM : SAC, SEATTLE

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

b6
b7C

SUBJECT: JONATHAN GOLDMARK
SM-C

On 10/4/62 USA BROCK ADAMS called and advised that [redacted] of KING-TV had called him, saying that KING-TV was doing a documentary based on the current suit filed by GOLDMARK against ASHLEY HOLDEN, LARIUS GILLESPIE, AL CANWELL, ET AL.

Among the photographs that they have is a picture of CANWELL standing up at a meeting in the American Legion Hall in Okanogan, saying that Mrs. GOLDMARK was a member of the Communist Party and that information concerning this matter had come from the FBI.

I told Mr. ADAMS that we had faced this same problem before and that in approaching GILLESPIE he had admitted that they did not have access to information from the FBI files, and I informed Mr. ADAMS that GILLESPIE was told he should not make such a representation.

Mr. ADAMS advised that [redacted] would handle this in any manner in which we wanted. I told him we would have someone contact [redacted] to see exactly what he had and then decide what action we should take.

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(Mount Clipping in Space Below)

LIBERAL VS. CONSERVATIVE:

Was Goldmark Leftists' 'Pawn' or 'Sitting Duck?'

By WILLIAM W. PROCHNAU

John Goldmark stuffed a huge cigar between his teeth and spoke painfully of the no-holds-barred campaign of the right wing that led to his political death in last month's primary election.

"Don't call those people conservatives," he said bitterly. "I will not accept this tag of conservatism they put on themselves. They are not conservative in any way.

"Anybody they don't like they call a Communist."

GOLDMARK is convinced that a merciless attack from the far-right group was the sole reason for his startling loss—by a 3-to-1 margin — after three terms as an outspoken liberal Democrat in the State Legislature.

Hints of Communism and Communist sympathy, fanned by the right wing, criss-crossed the wheatlands and pine forests of Okanogan and Douglas Counties for months before the 1st Legislative District primary.

A menacing finger was pointed at Goldmark's wife, Sally, who had been a member of the Communist Party from 1935 to 1943.

Goldmark's liberal philosophies came under fire for following what the rightists consider "the Communist line."

The Okanogan Independent published a weekly anti-Communist article by L. Don Caron, state co-ordinator for the John Birch Society, for a year and a half before the election.

The Tonasket Tribune, published by Ashley Holden Sr., fired broadsides at the Goldmarks "as pawns of the left-wing forces of this state."

THE VIGILANTE, a far-right newspaper published by Al Canwell, former chairman of the State Legislature's Un-American Activities Committee, wrote a series of "pleas" for Mrs. Goldmark to reveal her past Communist affiliations.

There is little doubt that the weight of the right-wing attack was largely responsible for Goldmark's defeat. But there also is a considered opinion in Okanogan County that Goldmark was a "sitting duck" for such an attack.

Just who is John Goldmark?

Goldmark was born 44 years ago in Scarsdale, N.Y. He was graduated from Har-

(Indicate page, name of newspaper, city and state.)

SEATTLE TIMES

OCT 8 - 1962

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OCT 8 - 1962	
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vard Law School and spent the Second World War with the Navy in the South Pacific. He is a commander in the Naval Reserve.

He married Irma (Sally) Ringe in Washington, D. C., in 1942, a year before she withdrew from the Communist Party.

AFTER THE WAR, the Goldmarks and their two young sons moved to Southeast Washington where he worked temporarily for an apple-grower in White Salmon, Klickitat County.

In 1947 they moved to their present ranch high on a barren plateau in the Colville Indian Reservation. They bought part of the land outright and acquired the rest through Indian leases.

Goldmark was elected to the Legislature for the first time in 1956. He was re-elected easily in 1958 and 1960.

Today, decked out in scuffed boots and weathered blue jeans, Goldmark looks far more like the Western rancher he has been for the past 15 years than his Okanogan neighbors will concede.

Only his words — not Ivy League but well-chosen — give him away. Maybe the wall of books in his den is a tell-tale sign — but every other title concerns animal husbandry or soil conservation.

But, to his neighbors up and down the Okanogan Valley, Goldmark still is the brilliant graduate of Harvard, the Easterner who

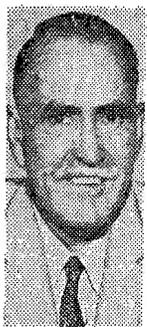
mysteriously settled in their midst.

It's not, with certain glaring exceptions, that they don't like this Easterner. They just don't understand him. He's not their kind.

IT WAS DIFFICULT — if not impossible—for Okanogan natives to understand why a young man, a nephew of Supreme Court Justice Brandeis, would shuck a promising legal career for a rugged life on an Indian reservation.

John Goldmark didn't speak their language. He didn't farm with their methods. And, as a book farmer, he developed one of the richest ranches in the area.

He alienated some neighbors early by paying Indians premium prices for leases



COLEMAN WALLS

As Coleman Walls, Okanogan County auditor and Democrat, said: "John did some things up there that were alien to this area. He never did become indigenous to this area. I think the rank and file wanted John out because they didn't feel he was working for their interests."

"As for the leases," Goldmark answered, "there were one or two situations in which the Indians were getting a bad deal.

"You know, when you are successful, people are going to envy you."

But envy and mystery were converted to distrust and, finally, to an overwhelming repudiation at the polls. It is doubtful that the conversion could have been made without the hellfire of the right wing, a mushrooming phenomenon in the Okanogan Valley.



THE JOHN GOLDMARK RANCH HOME ON COLVILLE INDIAN RESERVATION

(Mount Clipping in Space Below)

Goldmark's Liberal May Have Repercussions

(This is the first of a series of articles dealing with the effects of the defeat in the primaries of state representatives Barry Goldmark and a leader in the Democratic liberal wing.)

By WILLIAM ...

The result was mildly surprising—liberal conservatives—as Goldmark returns tricked in liberal precincts of Nigam, ... and Sam.

For a few hours even the ... of ballots from Omak and Intererville, the liberal became a landslide, a state ... notes that named an Okanogan rancher named John ...

In the ... election of ... the months leading to the ... Goldmark's ... a ... dropped into ...

THREE terms in ... legislature, Goldmark ... leader of the Democrat ... liberal wing. He was chair ... man of the powerful House ...

Ways and Means Committee. He had won handily in ... prior elections.

Yet here was Goldmark, a liberal Democrat, scuttled by a conservative Democrat by a convincing 300-1 margin.

The shock was enough to cause ... throughout the state to ... painfully for the ... of the loss, the repercussions of which are ... be felt far beyond the borders of Goldmark's 1st Legislative District.

To most liberals, the "real meaning" lay irrefragably close to the surface. The one dominant ... of the unusual primary ... 1st Legislative District ... a scathing attack on Goldmark by elements of the far-right wing.

A ... of anti-Goldmark literature repered the district ...

The Vigilante, published occasionally in Spokane ... Goldmark's wife is ...

member of the ... Party—a ... to ... had ... years ... the ... House Un-American ...

The resultant ... flowed through the tiny ... and lumber towns of Okanogan and Douglas Counties.

Goldmark fought back belatedly last week with a \$225,000 libel suit against several of his antagonists, the publishing ... the John Birch Society.

GOLDMARK'S ... is certain ... and even ... of what ... class clash of the ... wings of American ...

The ... emergence of ... wing, from its Birch Societies to its Barry Goldwaters, is a subject of more than mild interest in political circles.

As a force in ... right wing still is ... measured. As a result, both ... as well as the ...

(Indicate page, name of newspaper, city and state.)

SEATTLE TIMES

OCT 7 - 1962

PAGE 19 COL 1

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—Times staff photo by Johnny Closs.

JOHN and SALLY GOLDMARK ON OKANOGAN RANCH

majority in between—are grasping for yardsticks.

But the 1st Legislative District is a strange battleground for a precedent-setting struggle of the right and left.

The DISTRICT is composed of Okanogan and Douglas Counties, a huge area of timber, sagebrush, apple orchards and wheat ranches. It is almost one and one-half times as large as Connecticut, but it has a population density of less than six persons to the square mile.

By its agricultural nature, it would appear to be basically conservative. And yet, in the past three elections, it has sent three liberal Democrats to Olympia.

The tendency, in some quarters, is to accept Goldmark's loss as an accident, a preview of future battles of the right

and left—just as it is of the right wing's campaign techniques as a valid blueprint for victory.

BUT THERE should be a serious questioning of any attempt to make a practical application elsewhere of the lessons learned in Goldmark's defeat.

To ignore the disastrous effect of the right wing in Goldmark's campaign would be pure naivete. But John Goldmark had more than the right wing going against him in 1962.

Two reasons for his defeat stand out.

The most glaring, of course, is his wife's past affiliation with the Communist Party. It is difficult to think of a greater political liability.

The Goldmarks say that

Goldmark severed all connections with the party in 1953, and that during her affiliation she never engaged in espionage.

It is granted that without the assist of the right-wing publicity mills, Sally Goldmark's party affiliation might have remained obscured. But, by the same token, in its moves elsewhere the right wing is highly unlikely to discover such advantageous leverage.

WHETHER IS it likely to find a situation in which its "target" is pitted against so solid an opponent.

Joe Klausler, the Okanogan County commissioner who defeated Goldmark, is

described time and time again as one of the most popular politicians in the district.

Goldmark, a graduate of Harvard Law School and a nephew of Supreme Court Justice Brandeis, is described quite differently by his neighbors. They call him brilliant—"Too brilliant," one said, "to be our representative."

But they also call him mysterious. And they admit readily they don't understand this Easterner who gave up a promising legal career to raise cattle and wheat on a barren plateau in the Colville Indian Reservation.

(Mount Clipping in Space Below)

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Goldmark Would Close Welfare Loopholes

State Representative John Goldmark, Okanogan Democrat, believes tightening loopholes in public assistance programs, adequate school funds and continued highway progress will be key measures in the next legislature.

Seeking his fourth term in the House of Representatives from the Okanogan-Douglas County District, the Okanogan cattle and wheat rancher said:

"In my position of seniority as chairman of the appropriations-writing Ways and Means Committee, it is my intention to require all able-bodied men to work for public assistance checks.

"It is my strong feeling that this program be expanded and other loopholes in assistance laws be plugged up. The law requiring fathers who have deserted their families to pay support for their children also must be strengthened."

In the First Legislative District, 80 per cent of school funds come not from local taxes, but from state funds, Goldmark pointed out.

"Our children are our greatest asset and their greatest need is a good education," the 44-year-old rancher said. "We must continue an adequate program of education for our area."

Goldmark stressed the need for continued strong efforts in behalf of the North Cross State Highway and the water-grade route from the Canadian border to Wenatchee.

"During the present administration, we have started construction of the North Cross State Highway," he said, "and in recent sessions we have obtained funds for major sections of the Highway 97 water-grade route."

As chairman of the Ways and Means Committee, Goldmark said he will continue to make economy in government his watchword.

"Not only have I favored economy in government, but my record bears out this concern," he said. "We now have a State Budget and Accounting Act which is a national model and deficit appropriations are a thing of the past."



JOHN GOLDMARK

(Indicate page, name of newspaper, city and state.)

Pg. 12 WENATCHEE DAILY
WORLD
Wenatchee, Wash.

Date: Sept. 4, 1962

Edition:

Author:

Editor:

Title: John Goldmark

Character:

or

Classification: 100-²¹⁵⁸⁵~~9750~~

Submitting Office: Seattle

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Harris Puts Jobs For Young High On List

Meredith Harris, candidate for state representative, Republican, has filed for one of the two posts to be filled in November.



MEREDITH HARRIS

Born in Wenatchee of a pioneer family and raised in the Entiat Valley, Harris has been active in civic and community work all his life.

Harris considers job opportunities for our young people to be the primary need of Chelan County. The improvement of roads to and through our county; the location of new industries here; the improvement of recreational facilities both public and private would help bring such opportunities, he said.

Harris worked closely with the Chelan County Public Utility District in the relocation of city, roads and railroad in the construction of Rocky Reach Dam. This experience could be of real help, he said, in coordinating efforts of local people and the district in their efforts to bring new industry to our county.

As a regent of the University of Washington and trustee of Northwest Christian College, Harris has gained experience and knowledge in the field of education. A director of the Washington State Horticultural Assn., and of Growers Credit Corp., Harris feels that he knows first hand the problems of the orchardist.

Now 44 years of age, Harris is an honor graduate of the Entiat Schools and the University of Washington. He is president of C. A. Harris & Son, Inc., lumber manufacturers, and an orchardist. His wife, Kilbourne, is state secretary of the Washington State Federation of Women's Clubs and both are active in the Christian Church. Harris has two daughters, Nancy, 12, and Barbara, nine, who will be out ringing door bells again for their dad.

(Indicate page, name of newspaper, city and state.)

Pg. 10 WENATCHEE DAILY WORLD

Date: Sept. 4, 1962

Edition:

Author:

Editor:

Title: Meredith Harris

Character:

or

Classification: 100-

Submitting Office: Seattle

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(Mount Clipping in Space Below)

~~2 Right-Wing Publishers~~



ALBERT F. CANWELL, left, and ASHLEY HOLDEN, SR. Publishers lead the right-wing attack

~~Lead Attack~~ ~~Against~~ ~~Goldmark~~

(Indicate page, name of newspaper, city and state.)

SEATTLE TIMES

OCT 9 - 1962

PAGE 4 COL 1

The libel suit was the first public admission of Mrs. Goldmark's past affiliation with the Communists. But it hardly was news to the voters of the 1st Legislative District, a far-flung area of wheat ranches and pine forest encompassing all of Okanogan and Douglas Counties.

Sally Goldmark's Communist affiliation had been the fodder for the bitter right-wing campaign which had bounced her husband out of the Legislature in the September Democratic primary.

And, under heavy fire from the right, Goldmark hadn't just stumbled. He had fallen hard—overwhelmed, 3 to 1, at the polls.

What manner of political force was this right wing that had so convincingly eliminated one of the state's leading liberal Democrats?

THE VAST WHEATLANDS of Okanogan and Douglas Counties, like most agricultural areas, produce more than a fair share of conservatives. But it took a man out of the Chelan pine forests to turn those conservatives sharply to the right.

Eighteen months ago the

(Third of a series.)

By WILLIAM W. PROCHNAU

In a \$225,000 libel suit filed in Okanogan County Superior Court last week, Sally Goldmark, one of the plaintiffs, admitted she had been a member of the Communist Party.

In dull legalese, the libel suit acknowledged that Mrs. Goldmark had been a party member between 1935 and 1943 and denied that she had engaged in espionage.

It stated that she had revealed details of her party membership years earlier to the Federal Bureau of Investigation and the House Un-American Activities Committee.

"THOSE WERE unusual times," her beleaguered husband, John, said the next day, "and people did unusual things."

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Okanogan Independent began printing a series of anti-Communist articles by L. Don Caron, a forest ranger and founder of the Okanogan Valley Anti-Communist League.

Caron's articles became controversial almost immediately. The Forest Service told him to quit writing. Instead, he resigned.



L. DON CARON

An immediate cry went up that Caron had been "muzzled." An investigation by the Department of Agriculture turned up nothing. The ex-ranger's friends insist to this day that Goldmark started the "get Caron" wheels rolling in Washington, D. C.

Shortly after the investigation, Caron announced he had accepted a job as state coordinator for the John Birch Society. Half-secret meetings and study groups, inspired by Caron and the Okanogan Valley Anti-Communist League, became commonplace from Tonasket to Chelan.

But, while Caron might have grouped the militia, the real leadership of the right-wing attack was mounted on the shoulders of two others.

One was Ashley Holden, Sr., publisher of The Tonasket Tribune and Goldmark's defeated Republican opponent in the 1960 election.

The other was Albert F. Canwell, publisher of the far-right Vigilante and former chairman of the Legislature's Un-American Activities Committee.

BY MIDSUMMER the anti-Goldmark ripple had become a tidal wave of far-right literature and far-out rumors.

One widely circulated and

fanciful tale insisted that Goldmark arrived late at club meetings to avoid saluting the flag. Even Goldmark laughed at that one.

Three weeks before the election, the right-wing campaign was accelerated.

Canwell was scheduled to speak at an Okanogan American Legion meeting scheduled by Loris Gillespie, a trustee of the Okanogan Valley Anti-Communist League.

Canwell spoke on the American Civil Liberties Union, which he described as a "Communist-front organization." Goldmark and Wilbur Hallauer, Democratic state senator from the 1st District, are members of the A. C. L. U. Each was allowed to make a rebuttal.

Goldmark gave a quiet, ten-

minute talk. But Hallauer opened by branding the meeting "a political maneuver against John Goldmark and myself." He was ushered forcibly from the stand.

Then, in the closing days of the campaign, the district was flooded with what some call "Canwell's interview with Canwell."

This as a long mimeographed statement entitled "An Interview with Al Canwell." In question-and-answer form it "exposed" the details of Irma (Sally Goldmark) Ringe's history in the Communist Party.

THE RIGHT WING was upheld days later at the polls. But most voters expressed little private satisfaction with either political extreme

... did they (the right wing) have to pick on us?" Flushed with victory, a bead game.

one young woman asked in Okanogan. "We could take care of our own problems. Now, nobody believes anybody. Why didn't they go somewhere else?"

But already Al Canwell and The Vigilante are building on

10/5/62

AIRTEL

AIRMAIL

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

TO: DIRECTOR, FBI (100-386074)
FROM: SAC, SEATTLE (100-21585)
RE: MRS. JONATHAN GOLDMARK
SECURITY MATTER - C
OO: SE

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ReBulet 10/3/62.

On 10/5/62 [redacted]
KING-TV, Seattle, Washington, advised SA [redacted] that
KING-TV is producing a documentary feature, to be shown for 30
minutes at 9:30 P.M. on 10/19/62, on their program entitled
"SUSPECT."

The material to be shown consists of interviews with
a selected number of individuals in the vicinity of Okanogan and
Tonasket, Washington, concerning the background of the subject,
her husband JONATHAN GOLDMARK, and statements by the defendants
in the current libel suit by the GOLDMARKS.

[redacted] advised that on 9/18/62 he interviewed ASHLEY
HOLDEN, one of the defendants, who is currently the publisher of
the "Tonasket Weekly Tribune," Tonasket, Washington, and former
political writer for the "Spokesman Review" in Spokane, Washington.
HOLDEN stated in the taped recorded interview, to be included in
the program, the following:

"As a result of that I made a trip to Washington in company
with A.F. Canwell, Al Canwell, the chairman, former chairman,
of the Legislative Unamerican Activities Committee. We
went to Washington and spent some little time there in some

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1 - Seattle
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a SA [signature]

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"research into the background of John Goldmark and that led to some discoveries about the former activities of his wife, who then was known as Irma Ringe, R I N G E. We returned and, uh, made public what our finding has been in Washington. Our sources had been the House Un-American Activities Committee, the FBI, and other confidential and informative sources in Washington."

The indices of the Seattle Division contain no information that HOLDEN or CANWELL have ever been furnished any information about the GOLDMARKS.

The Bureau is requested to determine if CANWELL and HOLDEN have ever contacted the Bureau concerning the GOLDMARKS. In the absence of their being any information indicating that they have been provided any information, I recommend that I contact HOLDEN and [redacted] personally, elicit from HOLDEN specifically the identity of individuals in the FBI he has contacted, and specifically what information he says he has been furnished by the FBI concerning the GOLDMARKS, and upon his being unable to produce such, I intend to tell him that he should withdraw the statement, and desist from making such representations in the future.

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[redacted] will include in his narrative a statement to the effect that by Executive Order information in the files of the FBI is confidential and cannot be revealed to other than authorized sources in the government for official purposes.

FBI

Date: 10-9-62

Transmit the following in _____

(Type in plain text or code)

Via Airtel _____

(Priority or Method of Mailing)

To: SAC, Seattle (100-21585)

From: Director, FBI (100-386074)

MRS. JONATHAN GOLDMARK
SECURITY MATTER - C

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DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

Re Seattle airtel 10-5-62.

Bufiles contain no record that Holden or Canwell ever contacted FBI. Promptly contact Holden personally and question him specifically to determine who he contacted in FBI, when he contacted FBI and what information he received from FBI concerning Goldmarks. Upon being unable to produce responses to those questions, he should be firmly directed to go to [redacted] KING-TV, and withdraw his statement concerning the FBI. It should be forcefully impressed upon him that he should desist from making such misrepresentations in the future.

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Contact [redacted] KING-TV, personally and tell him the FBI never furnished information to Holden and Canwell concerning the Goldmarks, that by Departmental Order FBI files are confidential and cannot be revealed to other than authorized sources in the Government for official purposes and that Holden was contacted and of the results of this contact.

Furnish the Bureau the results of these contacts by the most expeditious communication required by the situation.

Handle this matter promptly.

100-21585-73

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Sent Via _____

M P

10/15/62

AIRTEL

AIRMAIL

TO: DIRECTOR, FBI (100-386074)
FROM: SAC, SEATTLE (100-21585)
SUBJECT: MRS. JONATHAN GOLDMARK
SM - C
OO: SE

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ReBuairtel 10/9/62.

Accompanied by Supervisor [redacted] I personally contacted ASHLEY HOLDEN, SR. at Tonasket, Washington, on 10/11/62. Present during the interview was [redacted]

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HOLDEN, Sr. advised that while he was being interviewed by representatives of KING-TV, he was not aware that all of his conversations were being recorded. He was referred specifically to the statement mentioned in Seattle airtel 10/5/62, at which time HOLDEN, Sr. readily admitted that neither he nor to his knowledge CANWELL had ever received any information from the FBI concerning GOLDMARK. He confessed that he had on occasions "used loose language" and that he is well aware that the information in the files of the FBI is confidential and cannot be made available to other than authorized sources.

I advised HOLDEN that he should contact [redacted] KING-TV, and advise him that the statement was false with respect to the FBI and request that he withdraw it. He was firmly impressed that he should desist from making such misrepresentations concerning the FBI at any time in the future.

[redacted] was contacted by me on 10/12/62, advised that the FBI never furnished information to HOLDEN or CANWELL concerning the GOLDMARKS, that by Departmental Order FBI files are confidential and cannot be revealed to other than authorized sources in the government for official purposes. He was further advised

100-21585-73

3 - Bureau
1 - Seattle
JEM:ecm
(4)

[Handwritten signatures and initials]

[Handwritten signature]
ASA [initials]

that HOLDEN had been contacted, admitted that his statement concerning the FBI was false and that HOLDEN was advised to inform [redacted] that the statement should be withdrawn.

[redacted] advised that HOLDEN did contact him on 10/11/62, requested that the statement be withdrawn and advised him of my contact with him. b6 b7C

[redacted] advised me that they intended to specifically state in the broadcast that the information in the files of the FBI was confidential and would not be made to other than authorized sources in the government for official purposes.

DIRECTOR, FBI (100-386074)

10/4/62

SAC, SEATTLE (100-21585)

Mrs. JONATHAN GOLDMARK
SM - C

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DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

ReBulet 10/3/62.

b6
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The Seattle Office, on October 2, 1962, received an undated letter from JONATHAN GOLDMARK, the husband of the subject. In this letter, he states in part:

[redacted] has widely told the following story:

[redacted] obtained a 'file' in Seattle showing that I was a top organizer of the Communist party in the Northwest. On the way home, he was stopped by the State Patrol at the top of Stevens Pass and made to wait for Mr. RICHARD AUERBACH. When [redacted] arrived, he demanded the 'file' and [redacted] surrendered it.

"Naturally, the repetition of this story has been injurious to me and I have been forced to take steps to protect my good name. I appreciate the position of the FBI in these matters but any background information that could help me in my own investigation would be most helpful.

"I do not have Mr. AUERBACH's new address and would appreciate having this letter forwarded to him.

"Thank you for any help that you can give me."

Former SAC AUERBACH advised me on October 4, 1962, that he does not know [redacted] nor does he recall ever having heard his name mentioned; and the whole story is a complete fabrication so far as he is concerned.

The indices of the Seattle Office contain no information identifiable with HARRIS.

2 - Bureau (AM) (Reg.)
1 - Seattle
JEM/nch
(3)

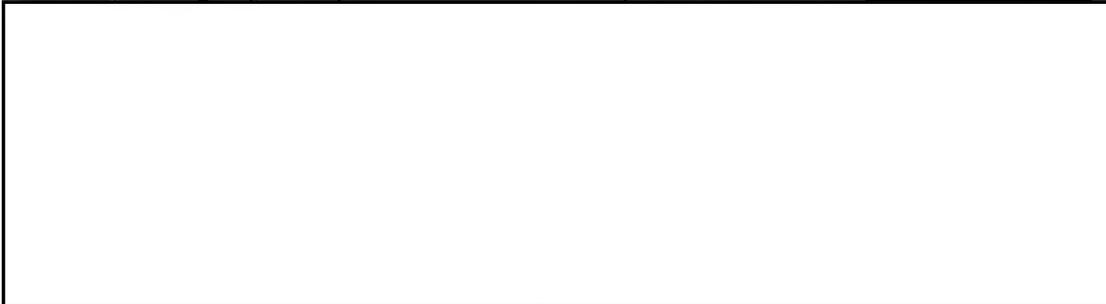
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Indexed _____
Filed _____

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100-21585-63

SE 100-21585

The "Wenatchee Daily World," a daily newspaper, Wenatchee, Washington, dated September 4, 1962, carried an article, "Know Your Candidates." Included in this article is a photograph of [redacted] identified as [redacted]



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I will contact [redacted] personally and elicit from him details concerning this allegation, point out to him that there is no foundation to it so far as AUERBACH is concerned and set him straight re the confidential character of the FBI files and their contents.

The Bureau will be promptly advised of results of this interview, as well as any additional developments concerning this matter.

GOLDMARK's letter is not being forwarded to AUERBACH nor will it be acknowledged formally by me. GOLDMARK will be orally advised, as he has been in the past, of the confidential nature of our files.

DIRECTOR, FBI (100-386074)

10/17/62

SAC, SEATTLE (100-21585)

FOIPA # 1035878

MRS. JONATHAN GOLDMARK
SM - C
OO: SE

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CE/CAK

Re Seattle letter 10/4/62.

On 10/11/62, accompanied by Supervisor [redacted]
I contacted [redacted] at his residence in [redacted]

Without disclosing the source of information, I referred to the story related in relet. [redacted] advised that he had been aware that Mr. AUERBACH had been SAC of the Seattle Division at the same time [redacted]

[redacted] He specifically denied ever having been given any "file" from the FBI, or having been furnished any information from the "files" of the FBI by AUERBACH. In addition he denied ever having been stopped by the State Patrol at Stevens Pass and made to wait for Mr. AUERBACH so that Mr. AUERBACH could retrieve the file.

[redacted] was advised specifically of the confidential nature of the Bureau files, and the fact that the information contained therein is available only to authorized government sources for official use.

[redacted] advised that he was fully aware of this and that he never participated in any infraction of this rule. [redacted] was impressed with the necessity of refraining from any discussion suggesting that the information in the files of the FBI was available to other than authorized sources in the government and was advised to desist from circularization of such a suggestion.

In keeping with mylet of 10/4/62, Mr. GOLDMARK was advised on 10/17/62 that the information in the files of the FBI was confidential and cannot be made available to other than authorized sources within the government for official purposes, and he was requested that in the event he had any specific information indicating an infraction of this rule, I would appreciate being advised. He advised that he expected to be in Seattle in the next two weeks, at which time he would contact me. The Bureau will be advised of the results.

2 - Bureau (AM)
2 - Seattle
JEM:son
(4)

[Handwritten signature]
[Handwritten initials]
100-21585-76

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(Mount Clipping in Space Below)

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DATE 08-15-2006 BY 603224 AUC BAW/CB/CAK

LIBERAL VS. CONSERVATIVE:

Goldmark Defeat May Have Repercussions

(This is the first of a series growing out of the surprising defeat in the primaries of State Representative John Goldmark, a leader in the Democratic liberal wing.)

By WILLIAM W. PROCHNAU

The trend was mildly surprising—but hardly conclusive—as the first returns trickled in from the precincts of Night-hawk and Twisp and Sam.

But, as the hours evaporated into clusters of ballots from Oreck and Waterville, the trend became a landslide, a startling gush of votes that buried an Okanogan rancher named John Goldmark.

In a primary election of few surprises, Goldmark's overwhelming defeat dropped like a bombshell.

AFTER THREE terms in the Legislature, Goldmark was a leader of the Democratic liberal wing. He was chairman of the powerful House Ways and Means Committee. He had won handily in three prior elections.

Yet here was Goldmark, a liberal Democrat, scuttled by a conservative Democrat by a convincing 3-to-1 margin.

The shock was enough to cause liberals throughout the state to search anxiously for the real meaning of this loss, the repercussions of which are certain to be felt far beyond the borders of Goldmark's 1st Legislative District.

To most liberals, the "real meaning" lay frightfully close to the surface. The one dominant feature of the unusual primary in the 1st Legislative District was a scathing attack on Goldmark by elements of the far-right wing.

A MASS of anti-Goldmark literature papered the district

in the months leading to the primary.

The Vigilante, published occasionally in Spokane, exposed Goldmark's wife as a former member of the Communist Party—a fact to which she had testified years earlier before the House Un-American Activities Committee.

The resultant rumors flowed through the tiny farm and lumber towns of Okanogan and Douglas Counties.

Goldmark fought back belatedly last week with a \$225,000 libel suit against several of his antagonists, two publishing companies and the John Birch Society.

GOLDMARK'S libel suit is certain to focus state-wide and even national attention on what could be a classic clash of the right and left wings of American politics.

The nation-wide emergence of the right wing, from its Birch Societies to its Barry Goldwaters, is a subject of more than mild interest in political circles.

As a force in elections, the right wing still is mostly unmeasured. As a result, both extremes—as well as the ma-

(Indicate page, name of newspaper, city and state.)

7 SEATTLE TIMES
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Editor: HENRY MAC LEOD
Title: JOHN GOLDMARK

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OCT 9 1962
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—Times staff photo by Johnny Closs.

JOHN and SALLY GOLDMARK ON OKANOGAN RANCH

majority in between—are grasping for yardsticks.

But the 1st Legislative District is a strange battleground for a precedent-setting struggle of the right and left.

THE DISTRICT is composed of all of Okanogan and Douglas Counties, a huge area of timber, sagebrush, apple orchards and wheat ranches. It is almost one and one half times as large as Connecticut, but it has a population density of less than six persons to the square mile.

By its agricultural nature, it would appear to be basically conservative. And yet, in the past three elections, it has sent three liberal Democrats to Olympia.

The tendency, in some quarters, is to accept Goldmark's loss as an accurate preview of future battles of the right

and left—just as it is to accept the right wing's campaign techniques as a valid blueprint for victory.

BUT THERE should be a serious questioning of any attempt to make a practical application elsewhere of the lessons learned in Goldmark's defeat.

To ignore the disastrous effect of the right wing on Goldmark's campaign would be pure naivete. But John Goldmark had more than the right wing going against him in 1962.

Two reasons for his defeat stand out. The most glaring, of course, is his wife's past affiliation with the Communist Party. It is difficult to think of a greater political liability.

The Goldmarks say that

Mrs. Goldmark severed all connections with the party in 1943, and that during her affiliation she never engaged in espionage.

It is granted that without the assist of the right-wing publicity mills, Sally Goldmark's party affiliation might have remained obscured. But, by the same token, in its moves elsewhere the right wing is highly unlikely to discover such advantageous leverage.

NEITHER IS it likely to find a situation in which its "target" is pitted against so solid an opponent.

Joe Kaussler, the Okanogan County commissioner, who defeated Goldmark, is described time and time again as one of the most popular politicians in the district.

Goldmark, a graduate of Harvard Law School and a nephew of Supreme Court Justice Brandeis, is described quite differently by his neighbors. They call him brilliant—"Too brilliant," one said, "to be our representative."

But they also call him mysterious. And they admit readily they don't understand this Easterner who gave up a promising legal career to raise cattle and wheat on a barren plateau in the Colville Indian Reservation.

(Tomorrow: The "Mysterious" Goldmarks.)

(Mount Clipping in Space Below)

LIBERAL VS. CONSERVATIVE:

Was Goldmark Leftists' 'Pawn' or 'Sitting Duck?'

By HENRY W. PROCKAU

John Goldmark stuffed a huge cigar between his teeth and spoke painfully of the no-holds-barred campaign of the right wing that led to his defeat in last year's primary election.

"I don't tell those people anything," he said bitterly. "I will not accept this kind of conservatism they put on someone. They are not to serve in any way."

"Angry they don't like the word 'Communist.'"

GOLDMARK is convinced that a merciless attack from the far right group was the sole reason for his startling loss in the 1962 primary — a loss which he sees as an indication of Democratic inaction in the state legislature.

Accusations of Communism and Communist sympathy, hurled by the right wing, criss-crossed the wheatlands and pine forests of Okanogan and Douglas Counties for months before the 1st legislative district primary.

A menacing finger was pointed at Goldmark's wife, Sally, who had been a member of the Communist Party from 1935 to 1943.

Goldmark's liberal philosophies came under fire for following what the rightists consider "the Communist line."

The Okanogan Independent, published a weekly anti-Communist article by L. Ben Caron, state co-ordinator for the John Birch Society, for a year and a half before the election.

The Tonasket Tribune, published by Ashley Holden, Sr., fired broadsides at the Goldmarks "as pawns of the left-wing forces of this state."

THE VIGILANTE, a far-right newspaper published by Al Canwell, former chairman of the State Legislature's Un-American Activities Committee, wrote a series of "pleas" for Mrs. Goldmark to reveal her past Communist affiliations.

There is little doubt that the weight of the right-wing attack was largely responsible for Goldmark's defeat. But there also is a considered opinion in Okanogan County that Goldmark was a "sitting duck" for such an attack.

Just who is John Goldmark?

Goldmark was born 44 years ago in Scarsdale, N.Y. He was graduated from Har-

(Indicate page, name of newspaper, city and state.)

19 SEATTLE TIMES
SEATTLE, WASH.

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Editor: HENRY MAC LEOD
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ward Law School and spent the Second World War with the Navy in the South Pacific. He is a commander in the Naval Reserve.

He married Irma (Sally) Ringe in Washington, D. C., in 1942, a year before she withdrew from the Communist Party.

AFTER THE WAR, the Goldmarks and their two young sons moved to Southeast Washington where he worked temporarily for an apple-grower in White Salmon, Klickitat County.

In 1947 they moved to their present ranch high on a barren plateau in the Colville Indian Reservation. They bought part of the land outright and acquired the rest through Indian leases.

Goldmark was elected to the Legislature for the first time in 1956. He was re-elected easily in 1958 and 1960.

Today, decked out in scuffed boots and weathered blue jeans, Goldmark looks far more like the Western rancher he has been for the past 15 years than his Okanogan neighbors will concede.

Only his words — not Ivy League but well-chosen — give him away. Maybe the wall of books in his den is a tell-tale sign — but every other title concerns animal husbandry or soil conservation.

But, to his neighbors up and down the Okanogan Valley, Goldmark still is the brilliant graduate of Harvard, the Easterner who

mysteriously settled in their midst.

It's not, with certain glaring exceptions, that they don't like this Easterner. They just don't understand him. He's not their kind.

IT WAS DIFFICULT — if not impossible—for Okanogan natives to understand why a young man, a nephew of Supreme Court Justice Brandeis, would shuck a promising legal career for a rugged life on an Indian reservation.

John Goldmark didn't speak their language. He didn't farm with their methods. And, as a book farmer, he developed one of the richest ranches in the area.

He alienated some neighbors early by paying Indians premium prices for leases



COLEMAN WALLS Goldmark campaigners.

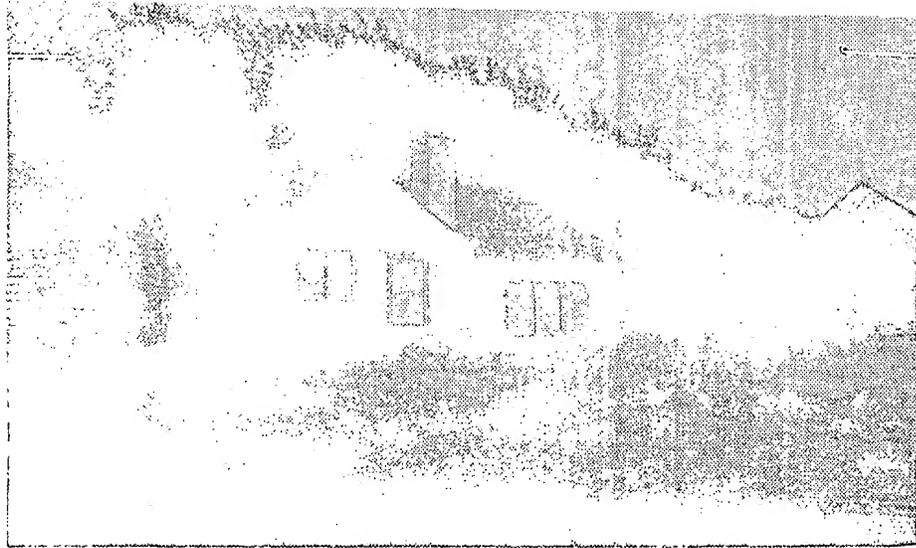
As Coleman Walls, Okanogan County auditor and Democrat, said: "John did some things up there that were alien to this area. He never did become indigenous to this area. I think the rank and file wanted John out because they didn't feel he was working for their interests."

"As for the leases," Goldmark answered, "there were one or two situations in which the Indians were getting a bad deal."

"You know, when you are successful, people are going to envy you."

But envy and mystery were converted to distrust and, finally, to an overwhelming repudiation at the polls. It is doubtful that the conversion could have been made without the hellfire of the right wing, a mushrooming phenomenon in the Okanogan Valley.

on their land as he pushed old-timers aside to expand his ranch. One of the displaced ranchers responded 15 years later by becoming one of the most rabid anti-



THE JOHN GOLDMARK RANCH HOME ON COLVILLE INDIAN RESERVATION

American Intelligence Service

A. F. CANWELL, Director

W. 610 Sprague Avenue - - Spokane, Washington

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August, 1962

Vol. I, No. 2.

AN INTERVIEW WITH AL CANWELL

Question - "What are you presently doing Mr. Canwell?"

Mr. Canwell - "I operate a non-governmental intelligence service, specializing in security information."

Question - "Did you undertake this activity with prior experience in a governmental capacity?"

Mr. Canwell - "I have been in various phases of professional investigations for many, many years. My governmental activity in this direction had to do with directing the Un-American Activities Committee of the Washington State legislature."

Question - "As a consequence of your work and investigative activities in this capacity, did you have an occasion to investigate Communist front organizations?"

Mr. Canwell - "Yes, we investigated a great many Communist fronts. In investigating the Communist apparatus you must investigate the fronts because they are a principal way by which the Party extends its activity. One of the major activities of the Communists is propaganda and this is spread chiefly through fronts."

Question - "Can you tell me anything about the American Civil Liberties Union?"

Mr. Canwell - "The American Civil Liberties Union is in my judgement one of the most effective Communist fronts in America."

Question - "On what do you base this judgement?"

Mr. Canwell - "It was organized in 1920. The founder of the American Civil Liberties Union was Roger Baldwin, whom the House Un-American Activities Committee and the Senate Internal Sub-Committee have listed as belonging to more than one hundred (100) Communist fronts. For most of the history of the American Civil Liberties Union, he was its active head. He is merely representative of many, many such personalities identified with the American Civil Liberties Union. Its activities have been largely on behalf of Communists and Communist causes, particularly when Communists are in trouble with the courts, or with legislative committees."

Question - "Could you give me any information about the Washington State Chapter of the American Civil Liberties Union?"

Mr. Canwell - "The Washington State Chapter is one of the most effective units of the American Civil Liberties Union because it has some of the ablest left-wing lawyers in the country on its board. There are men who are on many of the major Communist fronts, who also are officers on the National American Civil Liberties Union and on the State Civil Liberties Union."

Question - "Could you tell me what the position of the Washington State Chapter of the ACLU is in regards to the McCarran Act which requires Communists to register?"

Mr. Canwell - "The position of the Washington state chapter membership has been identical with that of the Communist Party. They want to eliminate the McCarran Act. They have been traditionally opposed to all anti-Communist legislation, and have opposed all legislation to protect us against the

Communist conspiracy. They have always taken the position of defending the Communist Party."

Question - "Mr. Canwell, upon examining a copy of the letterhead of the Washington State Chapter of the ACLU, I see the name of John Goldmark, who happens to be the Washington State Representative for the First Legislative district from Okanogan and Douglas counties. In the course of your investigations, did you run across Mr. Goldmark and his history of activities?"

Mr. Canwell - "Let me say that I have had a great interest in Mr. Goldmark. He is a brilliant young lawyer, a graduate of Harvard law school, a nephew of Justice Brandeis of the Supreme Court. A man with his legal training and background and family connections could probably obtain a job in almost any law office in America, yet he is in the State of Washington doing anything but practicing law, and coupled with the fact that he has usually taken an extreme left position in his legislative activities, I have been interested in the man."

Question - "Mr. Canwell, what can you tell me about Mr. Goldmark's family? Is he married, and if so, to whom?"

Mr. Canwell - "Yes, Mr. Goldmark is married to Sally Goldmark. At least that's the name she goes by now. In my acquaintance with her background, she was known as Irma Ringe, and I came to know a great deal about Irma Ringe before I knew anything about John Goldmark."

I had investigated the activities of Alger Hiss and many people in the higher levels of Government who had betrayed this Government through their activity in the Communist party. And during that time, I became quite familiar with the Harold Ware cell in Washington, and the various people connected with it. Whittaker Chambers, whom I came to know well, and Elizabeth Bentley, Nathaniel Weyl, the man who wrote "Red Star Over Cuba", were members of this Communist spy cell in Washington. They were organized by Harold Ware, a top Soviet Agent, and the people in such a cell were Soviet Agents, and were exposed and revealed to be Soviet Agents engaged in acts of espionage. Men like Gregory Silvermaster, Hiss, Bentley, Chambers, Perlo and Kramer. In the early fifties the research director of the House Un-American Activities committee asked me to look into the case of Irma Ringe who had been a member of the second highest Communist cell in Washington -- one of those organized by Harold Ware, and in this cell were Victor Perlo, and Charles Kramer an espionage agent. And Irma Ringe had been a member of this group.

To answer your question, I found that she was living in the state of Washington and she was married to John Goldmark; and that John Goldmark was a member of the Washington state legislature.

In investigating her case, I found that it had been very carefully kept secret. A short time after this, the House Un-American Activities committee subpoenaed Irma Ringe to appear before it in Seattle, and at that time she told her story to the committee. She replied to their questions about her activities, admitted former membership in the Communist Party, and an association with Charles Kramer, and

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Victor Perlo and several others in the cell. She stated that she left the Communist Party, and she also stated in answer to questions about the espionage activities of this group that she knew nothing about that phase of it, that in these meetings with these high level agents that all they did was to sit around and talk about philosophical matters. This of course was very disappointing to the committee of Congress because they felt that she would be able to reveal a great deal of information and throw light on things they didn't know, as Bentley, Chambers, Weyl, and others had done. They were very disappointed that she was unable to give them any information other than that the group discussed philosophical matters."

Question - "This same Irma Ringe who has been identified, and who admitted that she was a member of this cell at this time is the same woman who is now Sally Goldmark?"

Mr. Canwell - "Yes, she is one and the same person, I might add too, that she says she left the Communist Party, and I would accept that in the light that it is given if her activity were such as to indicate a clean break with the party. Now, in my experience with ex-Communists, they are willing usually to give a great deal of information to the Government. Then in addition to that, to make up for the treachery against their Government, they feel obligated to take part in opposing Communism. By opposing it, I mean opposing the current Party line.

I can illustrate Irma Ringe's attitude very well on the matter of the film "Operation Abolition." A chief target of the Communist Party in the United States the last several years has been the House Un-American Activities committee, and an official report of that Committee known as "Operation Abolition".

Now it would seem to me that anyone who had been inside the Communist apparatus would know how important to the security of America and to the freedom of the world the operation of this Committee is. He or she would want to do everything in the world possible, it would seem to me, to help the Government of the United States through its Congress to combat and counteract Communism and Communists. That just seems to be the reasonable thing to me. So when I find a person such as Sally Goldmark who has been in the Communist Party on a very high level, and who has been treated exceedingly fairly by the House Un-American Activities Committee and by that I should state it held its hearing on Mrs. Goldmark in executive session and did not make public the minutes of that meeting or the transcript of the testimony. It was a very fair thing to Irma Ringe. And still, in spite of that, she has been very much opposed to the showing of the film "Operation Abolition", which is a report of the House Un-American Activities committee. Such a thing just seems inconsistent to me. I have no way of reading her mind, but I know that if I had been in the Communist Party, and I saw the light, I would then bend all of my efforts to opposing the Party and would join those who are opposing it and I would not be opposed to the House Un-American Activities Committee. I would not be opposed to people who are giving their lives and their energies to accomplishing security for this country and for the world. So I find her activity an enigma. I only wish that she could see Communism in the same light as Elizabeth Bentley, and Whittaker Chambers and others who were in the same

Soviet spy apparatus, but who did so much for this country in revealing what they knew."

Question - "Mr. Canwell could you tell me when Irma Ringe married John Goldmark, and became Sally Goldmark?"

Mr. Canwell - "It was in 1942. They were married in Washington, D. C., and then he was called to active duty by the Naval Reserve, and he served until 1943. After that they came out to Washington and he worked for an apple rancher down in White Salmon, which is the first place that I picked up their trail in Washington state. They then came to the Okanogan and suddenly became cattle ranchers."

Question - "When did Mrs. Goldmark indicate that she had broken with the Communist Party?"

Mr. Canwell - "I believe, now again I'm speaking without my record or notes in hand, but I believe she testified that it was in 1948 or '49 that she broke with the party, but I could be mistaken on that. I would wish to check my records. She did state when she broke with the party, and I believe she said it was when she came to the state of Washington or right after she came to the state of Washington; or it might have been earlier."

Question - "In drawing this to a close would you have any observations, Mr. Canwell, about the present state or condition of our internal and national security as a consequence of the Communist threat or infiltration? Is this threat just a thing of the past or something we need be concerned with at the present?"

Mr. Canwell - "It is my considered opinion, based on nearly twenty-five (25) years of experience in this field, that we are in the most critical situation in our history. We have one enemy the global Communist Party with its world wide apparatus which is working everywhere and we are being told by people who know better there is no internal threat in America. That is a dishonest assertion. It is a dangerous one. The Communist threat is world wide. It's both without and within. It's like an octopus -- the heart or the center may be in Moscow, but the tentacles are everywhere.

Joseph Kornfeder who was one of the highest Communists in America at one time and the only American to serve on the Comintern, said recently we should not be misled by the fact that there are assuredly between five and ten thousand known members of the Communist Party in the United States at the present moment. He said the Communist party would have a great many more members now if it wanted them. This cadre membership is what is convenient to the task that they have at hand. He said this five to ten thousand Communists represents as many professional organizers. They're hard core, disciplined Communists who are going to go all the way. The weaklings have been weeded out. These people are professionals; they're dangerous; they're out to kill us. Actually, to get an idea of how effective this number is for the Communist Party, imaginé what we would give for five thousand professional organizers behind the Iron Curtain.

One can not overestimate the danger. These agents are everywhere. They are in key positions. They are in the ministry of the churches. They are in our educational system. They are in the scientific fields. They are at the highest levels of government.

Only a knave or a fool would underestimate the danger. It has never been greater."



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LEFTWARD HO!

The Western States meeting of the Democratic Party followed close on the heels of the red-tinted State convention, both at Bellingham and both of the same political complexion.

Speaking to and for the assembled democrats was their keynote speaker, Wilbur H. (Ping) Perry of the obnoxious Fund For Republic organization. He launched a viscious attack on J. Edgar Hoover in what is expected to be only the first of a series of back door attacks on Mr. Hoover.

J. Edgar Hoover has become an American institution. His patriotism and integrity are unquestioned by loyal Americans. However, his very integrity has become an annoying obstacle to the New Frontiersmen. His informed and reliable statements on the danger to America from domestic communists does not square with the "no danger from within" theme of the new order.

In fact his knowledge, loyalty and integrity constitute a veritable burr under the saddles of the left-riding new frontiersmen and he obviously must go. But how?

Look for a stepped-up program of sneers and cracks from egghheads on the Left such as Ford's Ferry. They will try to accomplish what the open apparatus of the Communist Party has been unable to do through years of frontal attacks on Hoover and the FBI. The FBI is the only remaining security device left to the American people which has not been scuttled by the "no winners".

First they put the security department of the Department of State out of business and then they crippled the military intelligence units by clobbering General Walker and thus making certain that no lesser soldier would presume to give the Ruskys any trouble. So, Hoover has to go to make way for a more pliable replacement.

BRANDING TIME in the NEW FRONTIER

BEST STORY OF THE SEASON HAS TO DO WITH REPUBLICANS PRINTING AND SELLING THE STATE PLATFORM OF THE DEMOCRATS.

NOT SINCE 1938 HAVE THE DEMOCRATS ASSUMED SUCH A RIGID AND RECOGNIZABLE COMMUNIST POSTURE IN THEIR PARTY PROGRAM. SO FAR TO THE LEFT WAS THE ADOPTED PLATFORM AT THE BELLINGHAM CONVENTION THAT JOE HURLEY OF SPOKANE, A FORMER MEMBER OF THE LEGISLATURE AND A CURRENT CANDIDATE FOR HIS PARTY NOMINATION FOR 5TH DISTRICT CONGRESSMAN BOLTED THE CONVENTION WITH A STINGING DENUNCIATION.

HIS EXACT WORDS WERE: "WHAT THEY HAVE HERE IS THE COMMUNIST MANIFESTO. IF I HAD STAYED AND VOTED WITH THEM, I WOULD HAVE BEEN EX-COMMUNICATED FROM MY CHURCH."

THE PUBLIC REACTION TO THE PLATFORM LEFT MANY DEMOCRAT FACES AS RED AS THE PLATFORM AND THEY QUICKLY SCUTTLED PLANS TO DISTRIBUTE THE DOCUMENT. AT THIS POINT THE REPUBLICANS MOVED IN, PRINTED THE PLATFORM AND ARE SELLING IT LIKE HOTCAKES AT TWO-BITS A COPY.

SUBSCRIBE TO . . .

VIGILANTE

\$5.00 per year

VIGILANTE

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Spokane, Washington

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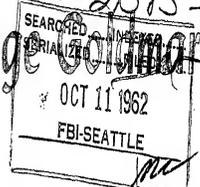
BEN KIZER

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SPOKANE ENIGMA

Open Letter to:

Irma Ringe *Outmark*



THE VIGILANTE

The VIGILANTE is published by
Al Conwell and Ashley Holden at
W. 610 Sprague Ave., Spokane, Wash.

We are taken to task occasionally for the implications surrounding our selection of VIGILANTE as a name for our paper. Some suspect that we are out wandering around with a rope looking for a culprit and a convenient limb. This is not the case. Our attachment to the word has to do with our belief that we had better be a little more vigilant at this time or we shall soon be slaves or dead.

The Vigilantes in early frontier Montana performed a necessary service to the community. Granted their methods were rather direct and just a little abrupt and final, they did never the less perform a very necessary and satisfactory service for Montana and the West.

This sort of thinking could get us around to the 'New Frontier' and maybe we had better remain our usual non-partisan, non-violent selves and say nothing. However, the more we contemplate that bunch of claim jumpers making up the brain trust of the New Frontier the more we are inclined to the belief that the boys who cleaned up Virginia City are more to be praised than censured.

Mr. Citizen - do you have problems - do you hear voices - does your mother hate you - do you love the revenue man? Worse yet, do you seem to see the ugly puss of a dissipated man leering at you from a thousand billboards? Do these billboards seem to suggest in box-car type that you should keep your State moving (left)?

Before you see your head-shrinker ask yourself 'not what he has done for you' but rather what you have done for him.

Don't be too harsh on him. Your willing taxes bought the booze.

Is he worn and pleasure bent? Your ballot bought his shirt and shoes.

Your VIGILANTE subscription will be extended to cover recent lapses in publication.

Ben Kizer - - -

Few men in the history of Spokane have written their names in bolder letters in the history of the community than has Benjamin Hamilton Kizer.

Known by sight to thousands as he vigorously swings his identifying cane in his daily mile-devouring strolls about Spokane. Few men 40 years his junior would care to try to keep pace with him (he was born in 1878) as he covers the blocks from his office to the many civic and community activities in which he is an active participant.

Over the years he has served with distinction in almost every civic post from president of the Chamber of Commerce to the presidency of the local Bar group. And probably no one person is the inspiration for more inquiries from security conscious persons to the local office of the FBI, for along with his good works in the local community he has participated, on a top level, in some of the most deadly of the Communist fronts.

Probing by Red-hunters and Red-baiters only intensifies the loyalty to Ben of the local intelligentsia. The intellectuals of the community, the pseudo-intellectuals and the assorted bird watchers will do battle for him at the drop of a hint that all is not well loyalty wise, for to them he is their patron saint and he can do no wrong - has done no wrong - will do no wrong.

A listing of some of his more prominent and important Communist front connections by this writer in 1950 brought forth immediate public denials although all charges were accompanied by documentary evidence of their accuracy.

Flying in the face of all of the facts and evidence an impressive group of leading local citizens sprang to his defense. The group included judges, lawyers and bankers. They had long ago cast their lot with Ben Kizer and they were not about to be confused with facts and evidence, no matter how substantial and convincing.

Probably the most important Communist front ever developed is the Institute of Pacific Relations, the vehicle used to soften up the government and people of the United States for the subsequent take-over of our ally China by the Reds. High in this apparatus were such clever and



Mrs. Goldmark

important domestic Communists as Alger Hiss and Frederick Vanderbilt Field. In the top echelon for most of its years was also our Ben Kizer.

One of the many achievements of the organization was the development of scores of synthetic experts on China to fill the posts in the Department of State and on international agencies such as UNRRA. Ben Kizer served as head of UNRRA in China although there is little proof that he knew anything significant about China or had any kind of background experience to qualify him for such an undertaking.

Closely associated with the IPR was another Communist serving satellite called Amerasia magazine. It was put out of business as a result of a raid by the FBI and the OSS on its New York office where the government agents recovered about 1700 stolen documents. Kizer was listed on the masthead of the magazine as an editorial board member, his public denials to the contrary.

His connection with the National Lawyers Guild and the American Civil Liberties Union will be dealt with in following articles as will the testimony of sworn witnesses such as Louis Budenz, former managing editor of the Daily Worker who testified under oath that Ben Kizer was a Communist.

Open Letter To:

IRMA RINGE GOLDMARK
Okanogan, Washington

Dear Mrs. Goldmark:

As one of the editors of VIGILANTE, I have taken the responsibility for laying before the people of the First Legislative District some of the facts relating to your one-time membership in the Communist Party. This I felt to be my duty as a citizen since you and your husband, due to his membership in the Washington State Legislature are influential in shaping the legislative future of our State and hence can influence both our economic stability and our physical security for good or ill.

Your now known former membership in the Communist Party was a secret carefully kept from the electorate and hence they had no way of appraising your words and actions in the light of your past.

I believe it proper on my part, having knowledge concerning the tactics of the Communist apparatus, to ask if the Communist Party, knowing your secret, attempted any pressures to accomplish a left-of-center result in Washington State Legislation in recent years or solicited your support for participation in a Communist Party program to oppose the House Committee on Un-American Activities and its official report, "Operation Abolition"?

The public record is bare of any revelation by you, as a former member of an important Communist group in the Nation's capitol, containing such notorious Communists as Victor Perlo and Charles Kramer, which might conceivably guide others in avoiding the pit-falls prepared for us by the Communists both inside and outside of Government.

Repentant Communists such as Whittaker Chambers and Elizabeth Bentley made full and complete public disclosures, under oath, before committees of the Congress; disclosures which undoubtedly helped to set back the Soviet time-table for takeover of the United States. Could you not, in the light of your experience in the Communist Party be a compelling witness before the people of your state and district concerning the dangers from within posed by penetration of government service by agents of the Kremlin?

The story is being circulated, I hope not at your instigation, that you were an undercover agent of the FBI while you were in the Communist Party. From information in my possession I am forced to the belief that you were not acting for, nor in co-operation with, the FBI while you were a member of the Communist Party. If my information is inaccurate I feel that you should publicly set the record straight.

Another suggestion that I feel impelled to make is that you request the HUAC to make public the testimony which you gave in executive session before a sub-committee of that Committee. I am certain that no information was divulged, which by its disclosure might in any manner benefit the Communist Party. In fact I am reasonably certain that no pertinent information was divulged to the Committee regarding the Perlo group which was not already known to the House Committee and to the Justice Department. If I am in error in this matter I shall appreciate any facts and particulars which have thus far escaped me in the examination of the case histories of the Ware and Perlo groups.

The life and death struggle between free men and Communism continues. The time available to us is obviously short. Why not make common cause with the out-spoken anti-Communists in the fight to keep America both safe and free.

Sincerely,

A. F. CANWELL

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DATE 08-15-2006 BY AUC BAW/CB/CAK

(Mount Clipping in Space Below)

LIBERAL VS. CONSERVATIVE: Sen. Magnuson Next Target of Right

By WILLIAM W. PROCHNAU

Giddy with success after bagging John Goldmark in the primary election, the right wing is going elephant hunting.

A searing attack from the right downed Goldmark, a liberal Democrat seeking reelection to the Legislature. But the Okanogan rancher was small game.

The next target?

"Warren G. Magnuson," answers Albert F. Canwell, ace marksman in the safari that got Goldmark.

That Magnuson, the state's senior senator, is a formidable foe is of little concern to Canwell.

"All we have to do is tell the truth about Magnuson," says the former chairman of the Legislature's Un-American Activities Committee. "The people will do the rest."

CANWELL'S vehicle for the "truth" is a far-right newspaper called The Vigilante, published occasionally in Spokane. It was one of the most effective weapons in the bitter campaign against Goldmark.



ALBERT F. CANWELL WILBUR HALLAUER

"In The Vigilante," Canwell said, "we have a formula for getting through the 'paper curtain' that exists in this country."

Asked about the circulation of his newspaper, Canwell said:

"I'm not going to disclose the circulation at this time. But I'll tell you this: If I can put out 100,000 on Mr. Magnuson, I will."

Canwell's strategy is simple: Choose a promising line of attack, then pound it into the readers in issue after issue.

Against Goldmark, he chose Mrs. Goldmark's former affiliation with the Communist Party. Against Senator Magnuson, Canwell has decided to dwell on a list of Communist-front organizations to which he asserts the senator has belonged.

SENATOR Magnuson, however, showed little concern after seeing one of Canwell's early efforts.

"This is completely devoid of facts," the senator said. "I don't see how people can be expected to accept any of it. The statements are completely irresponsible."

Whether the tactics that scuttled Goldmark could do the same to Magnuson is highly questionable. But, in the wake of Goldmark's demise, liberal Democrats of less stature than the senior senator are openly worried about their political future.

One of these is Wilbur Hallauer, a state senator from Goldmark's 1st Legislative District. Goldmark and Hallauer are close friends and political allies.

(Indicate page, name of newspaper, city and state.)

SEATTLE TIMES

OCT 10 1962

PAGE 18 COL 3

Date:
Edition:
Author:
Editor:
Title: JOHN GOLDMARK

Character: SM - C
or

Classification: 100-21585

Submitting Office:

100-21585-81

SEARCHED	INDEXED
SERIALIZED	FILED
OCT 10 1962	
FBI - SEATTLE	

1/4

Like Goldmark, Hallauer the Legislature. Now he's considers himself a liberal Democrat. But he is not up for re-election until 1964. "They've got my name on the list," Hallauer said. "The saying around here now is, 'One down, one to go.' You know, I wasn't planning to run for re-election in '64. But this thing has got my hackles up I might go now."

gone. What does ~~Legislator~~ do? He bends with the wind." Hallauer says he is placing most of his liberal hopes in a \$225,000 libel suit Goldmark has filed against his right-wing critics—a suit the defendants insist never will get into court. "Unless this suit goes through," Hallauer said, "liberal politics are dead in this state."

BUT HALLAUER, still undecided, says he is less worried about his personal political future than he is about the outlook for liberal policies in the Legislature.

Hallauer is afraid that liberal thinking in Olympia will be the biggest single casualty of the conservative's triumph over Goldmark.

"This will cause a coloration of the attitude of the Legislature," Hallauer said. "It was going to be a conservative session anyway. Now it's going to be reactionary.

"After all, politicians read the election results. John was one of the liberal leaders in

UNITED STATES GOVERNMENT

Memorandum

TO : SAC (100-21585)

DATE: 10-18-62

FROM : SA [redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324/AUC BAW/CB/CAK

SUBJECT: JOHN GOLDMARK

This memo is for information purposes *index* as a matter of record.

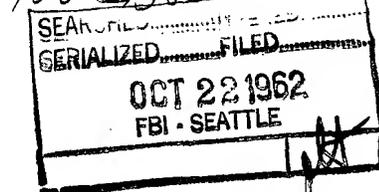
On 10-18-62, [redacted]

telephonically contacted this office to express concern over a TV program scheduled on KING-TV at 9:30p.m. on 10-19-62 entitled "Suspect". She stated that according to a review article in the newspaper this date the program was to be a documentary presented by KING-TV newsmen [redacted] (Phonetic) on the "How and Why of Okanogan County Legislator John Goldmark's recent defeat!"

[redacted] further stated that she knows that MRS. GOLDMARK is an admitted Communist, and fears that this program may be a communist propaganda vehicle, and that [redacted] may be "pink" in as much as his is listed as a member of the ASLU (American Civil Liberties Union), which she suspects as being a front organization because some of its members have communist backgrounds.

[redacted] stated that she has been studying MR. HOOVER'S "Masters of Deceit" and would like to know how to obtain a copy of his new book.

The writer furnished her with the title and publisher of MR. HOOVER'S "A Study of Communism" and thanked her for the info;



b6
b7c

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, SEATTLE (100-21585)

DATE: 10-26-62

FROM : SA GIRARD KEIL

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

SUBJECT: SALLY GOLDMARK
SM-C

b6
b7c

On 10-23-62 at 8:05 PM

[redacted] telephonically contacted
 the Seattle FBI office stating that [redacted] and [redacted]
 and [redacted] respectively, currently
 reside in [redacted] and had become acquainted with SALLY and
 JOHN GOLDMARK socially. They have entertained the GOLDMARKS and
 found them to be very charming and intelligent persons. They have
 never told [redacted] that they at any time had any reason to
 question their loyalty and had no information reflecting that
 they might be associated with subversive organizations. At one time
 [redacted] was employed during the summer at the
 GOLDMARK Ranch. His name is [redacted] and he is [redacted]

[redacted] was concerned about this association since
 Mrs. GOLDMARK has stated in the papers that she at one time had
 been a member of the Communist Party. He wanted to know what he
 should tell [redacted]

He was advised of the confidential nature of information
 in the files of the FBI and that the FBI was not in a position to
 tell him what to say to [redacted] in their
 relationship with the GOLDMARKS. He was advised that if [redacted]
 [redacted] had any information they felt might be of value to the FBI
 concerning this matter the FBI would be happy to have an agent
 contact them.

From the conversation it appeared that [redacted] and
 [redacted] are well known in Olympia and associate with various
 high political members of the Washington State government.

ACTION: None other than index names marked above.

GK (2) 1 - file
 1 - 100-0-27804 (John Goldmark)

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100-21585-83

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FBI - SEATTLE	

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DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

(Mount Clipping in Space Below)

Right Wing Gets Goldmark Blame

"Radical right-wing organizations which represent a new force in Washington politics" were blamed here last night by State Rep. John Goldmark, D-Okanogan, for his defeat in the September primary election.

The Okanogan rancher, who served as chairman of the House Ways and Means Committee in the last legislature, said he undoubtedly was selected as the basic target for the groups because of his role as a leader and spokesman for public power in the long private-public power struggle before and during the last legislative session.

Goldmark, a leader of the liberal group in the legislature, was defeated in the Democratic primary by Joe D. Haussler of Omak.

"I am a case history now," Goldmark told the Spokane chapter of the American Civil Liberties Union in a talk at Unitarian Church last night on the topic, "The Anatomy of Political Assassination."

"My own example may be of some help in preventing something like this from happening in other parts of the state or nation," he said.

"No" Vote Is Blamed

Goldmark, who has filed a \$225,000 libel suit against Ashley Holden, A. F. Canwell and others, alleging defamation of character during the campaign, said it was a "no" vote that defeated him. He said he was the victim of an anonymous whispering and handbill movement.

Part of the campaign against him grew out of the lack of real activity or objectives for anti-Communist study groups that sprang up in eastern and central Washington during the last few years, Goldmark said.

He contended that, lacking true anti-Communist objectives, these groups had turned to conservative political activity and the

campaign against him was the prime example.

Goldmark said the most damaging material used against him was the fact his wife, Sally once had been a member of the Communist Party. This was done first by whispers and then more openly with handbills and newsletters, he said, although Mrs. Goldmark frankly discussed at political meetings her reasons for leaving the party before the end of World War II.

Other Action Seen Needed

But this wasn't enough to counteract the opposition campaign, Goldmark said, and if he had it to do again, he would take more direct action. He said he would go directly to news media with the story of the social and political climate at the time his wife entered the Communist Party, her reasons for leaving and would spell out the details of her cooperation with federal authorities and testimony before an executive session of the House Committee on Un-American Activities.

(Indicate page, name of newspaper, city and state.)

Pg 3 SPOKANE DAILY CHRONICLE
Spokane, Washington

Date: Oct. 30, 1962
Edition: Late Evening
Author:
Editor:
Title: JOHN GOLDMARK

Character: SM-C
or
Classification: 100-21585
Submitting Office: SEATTLE

copy in Seattle copy

100-21585-84
SEARCHED.....INDEXED.....
SERIALIZED.....FILED.....
NOV 3 - 1962
FBI - SEATTLE

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DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

'I'm Just A Case History' Says Goldmark Of Defeat

SPOKANE (AP) — John Goldmark, chairman of the powerful House Ways and Means Committee in the last legislature, said his defeat in the primary came from the efforts of far "right-wing organizations which represent a new force in Washington politics."

The Okanogan rancher said he was undoubtedly selected as the basic target of these groups because of his role as a leader and spokesman for public power in the long private - public power struggle before and during the last legislature.

"I am a case history now," he told the Spokane chapter of the American Civil Liberties Union Monday night in a talk entitled "The Anatomy of Political Assassination."

"My own example may be of some help in preventing something like this from happening in other parts of the state or nation," he said.

Goldmark, who has filed a

\$225,000 libel suit in connection with the campaign, said he was the victim of an anonymous whispering and handbill movement. "It was a 'no' vote that defeated me," he said.

Part of the campaign against him grew out of the lack of real activity or objectives for anti-Communist study groups that sprang up in Eastern and Central Washington during the last few years, Goldmark said.

"They had a problem," Goldmark said wryly. "They got these people all excited and then had a difficult time locating a real, live Communist."

Goldmark contended that lacking true anti-Communist objectives, these groups had turned to conservative political activity and the campaign against him was the prime example.

Goldmark said the most damaging material used against him was the fact his wife, Sally, before their marriage had been a mem-

ber of the Communist Party. This was done first by whispers and then more openly with handbills and newsletters, he said, although Mrs. Goldmark frankly discussed at political meetings her reasons for joining the movement and for leaving the party before the end of World War II.

But this wasn't enough to counteract the opposition campaign, Goldmark said, and if he had it to do again, he would take more direct action. Now he would go directly to news media with the story of the social and political climate at the time his wife entered the Communist Party, her reasons for leaving and would spell out the details of her cooperation with federal authorities and testimony before an executive session of the House Committee on Un-American Activities.

"But there are lots of things you can see to do after losing an election," he said. "I'm just a case history now."

(Indicate page, name of newspaper, city and state.)

3 SPOKANE DAILY
CHRONICLE
SPOKANE, WASH.

Date: 10/30/62
Edition: LATE EVENING
Author:
Editor:
Title: JOHN GOLDMARK

Character: SM-C

or
Classification: 100-21585
Submitting Office: SEATTLE

Copy Sent BU

100-21585-85

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NOV 3 - 1962	
FBI - SEATTLE	

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DIRECTOR, FBI (100-386074)

11/6/62

SAC, SEATTLE (100-21585)

MRS. JONATHAN GOLDMARK, aka
SECURITY MATTER - C

Transmitted herewith to the Bureau is one copy of the Complaint filed in the Superior Court of the State of Washington for Okanogan County by the subject and Mr. JONATHAN GOLDMARK, in which the plaintiff's charge libelous actions on the part of the defendants.

This document is self-explanatory and is being furnished to the Bureau so that the Bureau will be kept abreast of developments in this matter. It is noted that the FBI is only mentioned on Page 6, Paragraph 4, in the enclosed document.

The Seattle Office will keep the Bureau advised of developments in this matter.

2 - Bureau (Encl. 1) (AM) (Reg.)

1 - Seattle

HEM/nch

(3) *HEM*

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Serialized..... *sch*
Indexed.....
Filed..... *sch*

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HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

More Lawyers Enter Goldmark Libel Suit

OKANOGAN — A Spokane law firm will represent six of the seven defendants in the libel suit filed by State Rep. John Goldmark.

Attorneys Witherspoon, Kelley, Davenport & Toole of Spokane have filed notice of appearance in Okanogan County Superior Court representing Al Canwell, Ashley Holden, Loris Gillespie and Don Caron, their wives, the Tonasket Publishing Co. and the Okanogan Independent.

Waterville attorney Ned Kimball filed notice of appearance last week as representative of the other defendant, the John Birch Society.

No trial date has been set for the action in which Goldmark and his wife ask \$225,000 damages for statements which they assert connected Goldmark with Communism.

(Indicate page, name of newspaper, city and state.)

Page 11 Tho Wonatchee
Daily World, Wonatchee, Wash.

Date: Nov. 4, 1962
Edition:
Author:
Editor:
Title:

Character:

or

Classification:

Submitting Office:

100-21585-81

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NOV 7 1962	
FBI — SEATTLE	

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, SEATTLE (100-21585)

DATE: 11/15/62

FROM : SA

SUBJECT: MRS. JONATHAN GOLDMARK
INFORMATION CONCERNING

b6
b7c

By letter dated November 6, 1962, the Bureau was furnished a copy of the Complaint filed by Mrs. GOLDMARK and her husband, JOHN in the Superior Court, Okanogan County, Washington. A copy of this Complaint is being maintained in the 1A exhibit envelope in this file. The Complaint was obtained by SA from the "Spokesman Review" newspaper.

1 - Seattle
PTB/nch
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DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

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FBI - SEATTLE	

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HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

Birch Society Fights Libel Suit

OKANOGAN, Nov. 19. — (A.P.)—Motions for a change of venue and dismissal of the John Birch Society from a \$225,000 libel suit were filed in Okanogan County Superior Court today.

Ned Kimball, Waterville attorney who represents the society, contended the right-wing organization could not get a fair trial in the court of Superior Judge Robert Murray because of prejudice.

Kimball said the society was not doing business as a corporation in the State of Washington and therefore was not

The motions were filed with under state jurisdiction.

The motions were filed with Judge Murray, who will hear arguments tomorrow on a motion for a default judgment asked by Mr. and Mrs. John Goldmark, who filed the suit. Goldmark was defeated in his bid for re-election to the Leg-

islature.

(Indicate page, name of newspaper, city and state.)

SEATTLE TIMES

NOV 19 1962

PAGE 3 COL 5

Date:

Edition:

Author:

Editor:

Title:

SALLY GOLDMARK;
JOHN GOLDMARK

b6
b7c

Character: SM - C

or

Classification: 100-21585

Submitting Office:

COPY SENT TO BUREAU

100-21585-89

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NOV 19 1962	
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DIRECTOR, FBI (100-386074)

11/26/62

SAC, SEATTLE (100-21585)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

MRS. JONATHAN GOLDMARK
SM - C
OO: SE

Re Seattle letter 10/17/62.

I have not been contacted by Mr. GOLDMARK as yet. Should he contact me in the future, the Bureau will be advised at once.

2 - Bureau (AM)
2 - Seattle
JEM:gom
(4)

Handwritten initials

Handwritten initials

Handwritten initials and scribbles

J
100-21585-90



Handwritten signature

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b7c

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DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

Libel Case Motion Due for Hearing

100-0-27804

100-21585

OKANOGAN, Wash.—A motion by John and Sally Goldmark for a default judgment against the defendants in a \$225,000 libel suit will be heard by Superior Court Judge Robert J. Murray at 9:30 a.m. Tuesday.

The Goldmarks filed their libel suit shortly after he was defeated for re-election to the state legislature in the Sept. 11 primary in the 1st District. In their motion for default, filed by attorney R. E. Mansfield, the Goldmarks asked for a default judgment because the defendants had "failed and refused to enter an answer or any responsive pleading whatever" to the libel charges.

One motion was filed against the Spokane law firm of Wither- spoon, Kelley, Davenport and Toole, representing the defend- ants Al Canwell, Don Caron, Ash- ley Holden, Loris Gillespie, The Tonasket Tribune and the Okan- ogan Independent. A second mo- tion was filed against Waterville attorney Ned Kimball, represent- ing the John Birch Society.

If the motions are upheld the defendants would be ordered by the court to pay damages as sought in the suit. It is more likely that the motion instead will result in bringing the case to trial more quickly.

Mansfield also filed notices re- questing the defendants to ap- pear for oral examination prior to court trial. The legal ma- neuver is designed to allow op- ponents in a case to gather addi- tional evidence prior to trial.

(Indicate page, name of newspaper, city and state.)

Page 6 THE SPOKESMAN-REVIEW
Spokane, Washington

Date: Nov. 15, 1962
Edition: Morning
Author:
Editor:
Title:

Character:
or
Classification:
Submitting Office:

Copy Sent To Bureau

100-21585-91

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NOV 21 1962	
FBI - SEATTLE	

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HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

Defendant in Libel Suit Files Pleas

OKANOGAN, Wash.—The John Birch Society filed a motion for change of venue or change of judge and for a dismissal Monday in its response to a libel action being brought by former state legislator John Goldmark and his wife Sally of Okanogan. The motion was filed in the County Clerk's office by Water-ville attorney Ned Kimball in behalf of the Birch Society.

In its motion for dismissal the society claims that since it is not doing business in the state of Washington, it is not subject to the jurisdiction of this court, that the summons was not served properly upon the society and that Don Caron was not acting in its behalf when he wrote a newspaper column for which the Goldmarks have asked damages amounting to \$25,000 from the newspaper, Caron and the Birch Society.

The society and attorney Kimball claim in the venue action that exists here and they believe they would not get a fair trial.

A hearing will be held at 9:30 a.m. today in Superior Court on a motion for default judgment brought by the Goldmarks against defendants Ashley Holden, Al Canwell, Loris Gillespie, Caron, the Birch Society, the Tonasket Publishing Co. and the Okanogan Independent.

(Indicate page, name of newspaper, city and state.)

Pg 10 THE SPOKESMAN-REVIEW
Spokane, Washington

Date: Nov. 20, 1962
Edition: Morning
Author:
Editor:
Title: SALLY GOLDMARK;
JOHN GOLDMARK
Character: SM - C
or
Classification: 100-
Submitting Office: Seattle

C
100-21585

Copy to K...

100-21585-92

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NOV 21 1962	
FBI - SEATTLE	

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 DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

Judge Quits Goldmark Libel Case

OKANOGAN, Nov. 20.—(A. P.)— Superior Judge Robert Murray withdrew from the Goldmark libel case today and the attorney for the plaintiffs dropped a motion for judgment by default.

John Goldmark, former state representative, and his wife are suing the John Birch Society, two publishing companies and four individuals for \$225,000 over statements made in the primary-election campaign in which Goldmark was defeated.

Judge Murray stepped out after Ned Kimball of Waterville, attorney for the John Birch Society, filed a motion of prejudice.

R. E. Mansfield, attorney for the Goldmarks, dropped the default motion. He said it was mainly an attempt to bring the case to trial more quickly.

(Indicate page, name of newspaper, city and state.)

SEATTLE TIMES

NOV 20 1962

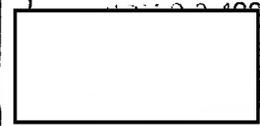
PAGE 6 COL 2

Date: _____
 Edition: _____
 Author: *100-21585*
 Editor: _____
 Title: **SALLY GOLDMARK;
 JOHN GOLDMARK**
100-0-27804
 Character: **SM - C**
 or
 Classification: **100-**
 Submitting Office: _____

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DATE 08-15-2006 BY 60324 UC BAW/CB/CAK

Default Granted In Goldmark Case Withdrawn

OKANOGAN — The attorney for John Goldmark in his \$225,000 libel suit asked today that his motion for default be stricken at this time.

Reese Mansfield told Okanogan County Superior Court Judge Robert Murray that since the defendants had served him with a request for release from default

charges his motion was "improperly before the court."

Goldmark had asked for a default judgment against the seven defendants on the grounds they had failed to answer his charges within 20 days.

Judge Murray also granted the request of E. Glenn Harmon, Spokane attorney representing six of the seven defendants. He had asked that a visiting judge be named to hear the libel action because he felt that Judge Murray was prejudiced.

The judge said the granting of that request was "automatic."

Attorney Harmon also said there may be other motions presented during the day on behalf of his clients, including motions for dismissal and motions for separate trials.

Harmon represents Don Caron, Ashley Holden of the Tonasket Publishing Co., and Loris Gillespie, Duane Watkins and Stan Pennington of the Okanogan Independent. They were in court for the arguments today.

The John Birch Society, another defendant in the action, was not represented in court. The society's attorney, Ned Kimball, had already filed its motion for a change of judge.

Goldmark, who lost out in the primary election to Democrat Joe Haussler, has charged the defendants with libel, contending they caused his patriotism to be doubted.

(Indicate page, name of newspaper, city and state.)

Page 9, The Spokan Daily World,
Spokane, Wash.

Date: Nov. 20, 1962

Edition:

Author:

Editor:

Title: Mrs. JONATHAN GOLDMARK
SM - C

Character:

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Classification: 100-21585

Submitting Office: Seattle

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100-21585-93(A)

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HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

Defendants in Goldmark Suit Seek Dismissal

OKANOGAN — Defendants in a \$225,000 libel suit fired a volley of motions in Superior Court here Tuesday.

One defense attorney asked the

court to strike a portion of State Rep. John Goldmark's lawsuit in which Goldmark alleges a conspiracy.

Spokane Attorney E. Glenn Harmon said in his motion that the conspiracy claim is a sham and frivolous.

He said it is designed only to allow plaintiffs to sue all the defendants in one lawsuit.

Another motion asked for separate trials.

Another motion asked that all charges be dismissed.

There was no court ruling on the motions.

Goldmark and Mrs. Goldmark are suing Al Canwell, Ashley Holden, Don Caron, Loris Gillespie the John Birch Society and the weekly newspapers the Okanogan Independent and the Tonasket Tribune.

Goldmark claims he was libeled by the defendants during the primary election race which he lost.

The defense motions came Tuesday. Earlier in the day Superior Court Judge Robert Murray withdrew himself from the case. Waterville Attorney Ned Kimball, representing the John Birch Society, had filed a motion for a change of judge.

There were hints from defense attorneys that they would have more legal maneuvers Friday.

(Indicate page, name of newspaper, city and state.)

Page 2, The Wenatchee Daily World,
Wenatchee, Wash.

Date: Nov. 21, 1962

Edition:

Author:

Editor:

Title: Mrs. JONATHAN GOLDMARK
SM - C

Character:

or

Classification: 100-21585

Submitting Office: Seattle

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Gillespie Admits Being Member Of Birch Society

Page, name of city and state.)

OKANOGAN — Loris Gillespie of Okanogan, a defendant in the \$225,000 Goldmark libel suit, has acknowledged he is a member of the John Birch Society.

Gillespie made the revelation in a deposition filed in Superior Court.

It says that Gillespie has been a member of the controversial ultra-right organization for two years.

Goldmark has charged that Gillespie and others, including the weekly newspapers, Okanogan In-

dependent and the Tonasket Tribune, and the John Birch Society, were involved in a libelous conspiracy.

Goldmark charges he was libelled during the legislative primary election campaign. He was defeated for re-election and has charged that defendants conspired to cast doubt on his patriotism.

Gillespie's deposition declares he is a member of the John Birch Society, but denies having ever met with other defendants, Al

Canwell of Spokane, Don Caron, Okanogan, or the editors of the newspapers.

Gillespie told the Daily World today: "I have been paying dues to (the Birch Society) for two years." But he said he seldom attended meetings.

He said he paid dues to the society because he felt the organization needed the money.

Gillespie was anti-subversive chairman for the ninth district of the American Legion. In that capacity he presided at a stormy meeting in Okanogan in late August. That meeting was one of the most dramatic events in the stormy legislative campaign.

Page 3, The Wenatchee Daily World, Wenatchee, Wash.

Date: Nov. 23, 1962
 Edition:
 Author:
 Editor:
 Title: Mrs. JONATHAN GOLDMARK
 SM - C

Character:
 or
 Classification: 100-21585
 Submitting Office: Seattle

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 DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

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Delay In Goldmark Libel Suit Asked

OKANOGAN—Two new motions have been filed in the libel suit brought by John Goldmark in Okanogan County Superior Court. Defense attorneys Friday filed a motion asking that the period for taking depositions (written statements) be postponed or continued until a ruling is made on their request that a claim of conspiracy be stricken from the suit. An alternate motion asks that the depositions be taken at the same time or consecutively on the same day at the same place. Each defendant would have the right to be present while other depositions were being taken. The same motion asked that if it is ordered that the depositions be taken separately, the plaintiff's right of examination be limited to exclude questions on the alleged conspiracy. Goldmark filed the libel suit against Al Canwell, Ashley Holden Sr., Loris Gillespie, Don Caron, the Okanogan Independent and the John Birch Society. Canwell, Holden, Gillespie and Caron were represented by the motions filed Friday. The defendants have asked for separate trials.

(Indicate page, name of newspaper, city and state.)

Page 7, The Wenatchee Daily World
Wenatchee, Wash.

Date: ~~Page~~ Nov. 26, 1962
Edition:
Author:
Editor:
Title: Mrs. JONATHAN GOLDMARK
SM - C

Character:
or
Classification: 100-21585
Submitting Office: Seattle

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HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

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Defendants In Suit File Admission

OKANOGAN, Jan. 10. —(U. P.I.)—Six of the seven defendants in the \$450,000 libel suit brought by former State Representative John Goldmark and his wife have filed written answers to a "request for admission of facts," court records showed yesterday.

In general, five of the defendants admitted they had made statements or printed material on which the Goldmarks based their suit, but denied helping plan a meeting at which one defendant, Al Canwell of Spokane, spoke last August.

In his suit, Goldmark contends that statements made by the defendants linked him with Communism and brought about his defeat in the Democratic primary in September.

The only defendant which has not filed an answer is the John Birch Society.

Other defendants in the suit are The Tribune Publishing Co., Tonasket; its publisher, Ashley Holden, Sr.; The Okanogan Independent and Don Caron, a John Birch Society official.

Judge Frank Hale, visiting from Pierce County will hear motions on the case in Okanogan County Superior Court Feb. 14.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

(Indicate page, name of newspaper, city and state.)

SEATTLE TIMES

JAN 10 1963

PAGE A COL 3

Date:

Edition:

Author:

Editor:

Title: JONATHAN GOLDMARK

Character: INFO CONCERNING
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Classification: 100-21585

Submitting Office:

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JAN 10 1963

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DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

Judge Promoted; Goldmark Libel Case Is Delayed

OKANOGAN — The slow-moving Goldmark libel case is without a presiding judge today.

Judge Frank Hale of Tacoma was sworn in as a Washington State Supreme Court judge Monday.

As Pierce County Superior Court judge, he was presiding over the case.

Former State Representative John Goldmark is suing seven defendants for some \$225,000. He alleges he was libelled during the primary campaign last fall during his unsuccessful bid for re-nomination.

The suit was filed in Okanogan County Superior Court in November. On a motion of prejudice by defendants, Okanogan Superior Court Judge Robert Murray disqualified himself.

The state's court administrator named Judge Hale to preside. Judge Hale was to come to Okanogan Feb. 14 to rule on several motions already filed in the case.

Attorneys for Goldmark have said defendants are trying to delay the case. They said they have no indication when a new judge may be appointed to succeed Judge Hale in the case.

(Indicate page, name of newspaper, city and state.)

Page 7, The Wenatchee
Daily World, Wenatchee,
Wash.

Date: Jan. 14, 1963

Edition:

Author:

Editor:

Title: JONATHAN GOLDMARK

Character: INFO CONCERNING
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Classification: 100-21585-95
Submitting Office: SEATTLE

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HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

Elevation Of Judge Hale To Delay Trial

OKANOGAN, Jan. 15. — (U. P.I.) — The appointment of Pierce County Superior Court Judge Frank Hale to the State Supreme Court may delay action in a \$450,000 libel suit brought by Mr. and Mrs. John Goldmark.

Judge Hale had been named to hear the suit and had set motion day in the case for February 14.

Officials of Okanogan County Superior Court said the state court commissioner's office now must appoint another judge, who probably will set his own motion day.

Meanwhile, one of the defendants, Loris Gillespie of Okanogan, and his wife filed a motion for dismissal of the suit against them all on all counts but one.

That count charges that Gillespie and Albert F. Canwell, Spokane, caused slanderous and libelous material to be circulated about Goldmark at a public meeting last August. Goldmark asks \$25,000 damages from Gillespie.

(Indicate page, name of newspaper, city and state.)

SEATTLE TIMES

JAN 15 1963

PAGE 3 COL 5

Date:

Edition:

Author:

Editor:

Title:

**JONATHAN GOLDMARK
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Character:

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Classification: **100-21585**

Submitting Office:

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 DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

Judge Turner To Hear Suit

OLYMPIA, Jan. 22.—(A.P.)
 —King County Superior Judge Theodore S. Turner will hear the Goldmark libel case in Okanogan, the State Supreme Court announced today.

The case originally was assigned to Pierce County Judge Frank Hale when Okanogan Judge Robert Murray withdrew, but then Hale was appointed to the Supreme Court.

Former State Representative John Goldmark and his wife, Sally, are suing the John Birch Society, two publishing companies and four individuals for \$225,000 over statements made in the primary election in which Goldmark was defeated.

Judge Murray stepped down after Ned Kimball, Waterville attorney for the John Birch Society, filed a motion of pre-
 source:

(Indicate page, name of newspaper, city and state.)

SEATTLE TIMES

JAN 22 1963

PAGE 6 COL 2

Date:

Edition:

Author:

Editor:

Title:

**JONATHAN GOLDMARK
 INFO CONCERNING**

Character:

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Classification: **100-21585**

Submitting Office:

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DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

OKANGA, 44, was \$25,000. Then the state court administrator appointed Frank Hale. But he was promoted to a position on the State Supreme Court bench upon the death of one of the justices. The latest appointment of Judge Turner to King County was chosen only last week.

The opening day of the trial will be devoted to hearing motions regarding the amount in which plaintiffs to be awarded, what they are to be awarded and what testimony is to be allowed.

Former Rep. Tom Goldmark and his wife, Lily, are suing the John Birch Society, two publishing firms and four individuals for \$225,000.

The action was brought because of statements allegedly made in the primary election campaign last fall in which Goldmark was defeated.

In addition a \$200,000 counter suit by one of the defendants was also filed.

Indicate page, name of newspaper, city and state.)

Page 7, The Wenatchee Daily World, Wenatchee, Wash.

Date: Jun 29, 1963
Author:
Editor:
Title: JONATHAN GOLD MARK

Character: INFO CONCERNING
or
Classification: 100-31585-98
Submitting Office: SEATTLE

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DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

Libel Defendants Deny Liability

OKANOGAN — Attorneys for the defendants in the Goldmark libel suit said Monday they will admit publication of statements cited by John Goldmark in his \$225,000 suit.

However, they said they will deny any liability as a result of the published statements. They also deny conspiracy charges.

Goldmark's attorneys took an oral deposition from defendant Ashley Holden, Tonasket publisher, in a day-long session Monday.

It was the third day of deposition taking by the plaintiff.

Ed Heath, Pateros; John Paul Larrabee, Tonasket; and Ed Buchert, Tonasket, were questioned Saturday.

Don Caron, a defendant in the case, was scheduled for examination today, Goldmark's attorneys said.

Loris Gillespie is scheduled for deposition Wednesday and Al Canwell is scheduled for Saturday in Spokane, attorneys said.

(Indicate page, name of newspaper, city and state.)

Page 8, The Wenatchee
Daily World, Wenatchee,
Wash.

Date: Feb. 19, 1963

Edition:

Author:

Editor:

Title:

Character:

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Classification:

Submitting Office:

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

2 More Motions In Goldmark's Libel Action

OKANOGAN — Judge Theodore S. Turner will have to rule on a couple more motions when he opens hearings in the John Goldmark libel suit Thursday.

The King County Superior Court Judge will spend that day hearing arguments on the motions filed thus far in the \$225,000 action.

Yesterday two more motions were put on record at the county clerk's office.

Don Caron, one of the defendants in the suit brought by former State Rep. John Goldmark and his wife, Sally, filed a motion for dismissal of the claim set forth against him. He denied any conspiracy between himself and any of the other defendants to libel Goldmark during the September primary election last year.

Caron denied any conspiracy between himself and the Okanogan Independent, the weekly paper

in which articles he authorized appeared.

A motion filed by Ned Kimball, the attorney for the John Birch Society, another of the defendants, seeks dismissal of his client from the suit. Kimball's contention is that the Birch Society cannot be sued as a corporation when it does not conduct business in the state of Washington. His argument was prefaced by a supporting affidavit which lists a number of legal precedences designed to show lack of jurisdiction by the Okanogan County Superior Court.

An affidavit filed yesterday opposes previous motions which sought a finding against certain defendants for reasons of default. Attorneys defend their client's non-appearance for pre-trial depositions on the grounds that all interested parties were informed the testimony would not be taken.

(Indicate page, name of newspaper, city and state.)

Page 3, The Wenatchee
Daily World, Wenatchee,
Wash.

Date: Feb. 12, 1963

Edition:

Author:

Editor:

Title: JONATHAN GOLDMARK

Character: INFO CONCERNING

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Classification: 100-~~21585~~-27804

Submitting Office: SEATTLE

100-21585-100

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DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

Judge Begins Hearing Motions In Libel Suit

By DICK LARSEN

OKANOGAN — Slow, preliminary sparring began in court here today in the John Goldmark libel case.

Attorneys for both sides began arguments on more than three dozen pre-trial motions.

Judge Theodore S. Turner of King County was presiding.

There were indications that all the arguments would not be finished today. Actual opening of the trial is still believed to be far in the future.

Goldmark is seeking \$225,000, claiming that he was libeled during the primary election last

year. He was defeated in his bid for re-election to the state legislature.

In arguments today, Attorney Ned Kimball, Waterville, representing the John Birch Society, asked for dismissal of any action against the society. Judge Turner denied that motion.

Other arguments were over taking witnesses, depositions, and

other pre-trial procedures.

Goldmark was in court today with his attorneys, Reese Mansfield, Okanogan, and William Dwyer, Seattle.

Kimball was the lone attorney for the John Birch Society. Attorneys Joseph Wicks, Omak, and Glenn Harman, Spokane, are representing the other defendants.

Only a handful of spectators watched today's proceedings. Among them were Ashley Holden and Loris Gillespie, both defendants in the case.

(Indicate page, name of newspaper, city and state.)

Page 1, The Wenatchee
Daily World, Wenatchee,
Wash.

Date: Feb. 14, 1963

Edition:

Author:

Editor:

Title: *Jonathan Holman*

Character:

or

Classification:

Submitting Office: *21585*

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 DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

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Judge Scolds Defense in Goldmark Law Suit

By DICK LARSEN

OKANOGAN — Attorneys for John Goldmark scored some early victories in court here Thursday, during the first pre-trial session of the Goldmark libel case.

The judge scolded the defense for delaying proceedings since the case was filed last fall.

He ruled that defense would have to pay some costs incurred by Goldmark's attorneys in their fruitless tries to get depositions from witnesses.

Referring to the delays thus far, Judge Theodore S. Turner said: "Frankly, I think that this type of proceeding is a disgrace."

The King County judge, presiding over the case, indicated he wants to see the case get to trial as early as possible.

But, because of a crowded spring jury term calendar, it couldn't be before fall.

This morning the time was set for opening of the trial: 9 a.m., Oct. 21.

Goldmark is suing the John Birch Society, the weekly newspapers at Tonasket and Okanogan, plus four other defendants for almost a quarter of a million dollars.

Goldmark has charged he and Mrs. Goldmark were libelled during the hot campaign last fall in which he lost his bid for re-nomination to the legislature.

(Indicate page, name of newspaper, city and state.)

1 WENATCHEE DAILY
 WORLD

WENATCHEE, WASH.

Date: 2/15/63

Edition:

Author: Dick Larsen

Editor:

Title: JONATHAN GOLDMARK

Character: INFO CONCERNING

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Classification: 100-21585

Submitting Office: Seattle

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Thursday's was the first court session. It started slowly, then sped up, as the judge moved briskly through a number of arguments and motions. Among other rulings, Judge Turner:

1. Denied a motion by Attorney Ned Kimball, Waterville, that the action against John Birch Society be dismissed;

2. Ruled that there was no "good cause" to grant a defense request for "protective orders," which would spell out the kinds of questions and limit the nature of questioning and other procedures in taking depositions from witnesses;

3. Decided that the defense had cost the Goldmark attorneys time, and money by urging witnesses not to give deposition testimony and decided that defense would have to pay for those costs. (The plaintiffs put in a bill of more than \$2,000. The amount to be awarded was to be decided today.);

4. Directed the defense to provide Goldmark attorneys with a statement of the defense position before Monday morning.

Much of the Thursday work was on the subject of witnesses' deposition testimony.

Depositions are often taken in advance of a court case. It is a process in which witnesses are summoned and questioned in sessions outside of regular court. There is a court reporter present. Questions and answers go on the record, just as in court.

It is called a "discovery" procedure. It brings together facts and testimony, at a savings of time and cost to the court.

Dr. H. C. Maycumber, Tonasket, was the first and only witness from whom deposition testimony was taken.

Goldmark attorneys William Dwyer, Seattle, and Reese Mansfield, Okanogan, said that they made arrangements for other depositions from other witnesses. But those other witnesses were told by defense counsel that they should not give testimony.

Glenn Harmon, Spokane attorney for defendants, said witnesses were given that advice because the court had not then ruled on "protective orders."

He had filed for protective orders which would have set some conditions on deposition procedures.

Dwyer, the Goldmark attorney, said that last December he sought to arrange a session before Judge Hale in Tacoma to get a ruling on protective order,

but defense attorneys "declined to go to Tacoma."

Judge Turner asked: "Did defendants make any effort to get a judge here to (rule) on a protective order?"

No, replied Harmon, attorney for the defense.

Judge Turner said that defense "motions for protective orders were not bonafide," but were for "delay and dilatory purposes."

He said the delay "has effectively blocked the discovery process as far as taking of depositions is concerned."

He added: "I see no need for a protective order" in advance of deposition-taking.

That ruling set up some deposition taking today. Ed Heath of Pateros was scheduled to give deposition testimony today.

Others to be questioned in deposition include John Paul Larrabee, Oroville, Ed Buchert, Tonasket, plus some of the defendants. It was agreed by both sides that depositions will be taken in the court room, if it is available.

Another key action Thursday centered on one section of the plaintiff's case; Goldmark charges that all the defendants were joined in a conspiracy against him.

Defendants asked that that part of his complaint be stricken.

The judge set that motion aside
See **GOLDMARK**-on Page 7



JUDGE — King County Superior Court Judge Theodore Turner is presiding over Goldmark libel case. In opening pre-trial session Thursday, he criticized delays in getting case to trial. Judge Turner succeeded Judge Frank Hale on the case, when Judge Hale of Pierce County, was elevated to state supreme court bench.— Daily World Photo.

GOLDMARK

Continued from Page 1

for now, explaining "the conspiracy count is the only basis on which it can be properly contended that the defendants can be joined together."

Judge Turner said that defense motion will be considered again after depositions are taken.

Frequently the judge showed displeasure with the slow pace of proceedings thus far.

He referred to the vast number of papers already filed: "There is such a terrific record built up in this case and we have not yet gotten to first base . . . All this maneuvering . . . should be dispensed with."

The ruling on the John Birch Society was one of the first.

Ned Kimball of Waterville is the only attorney representing the society. He argued that the society is headquartered in the East, and operates in Washington State and elsewhere for disseminating information on public affairs.

He said "the purpose is not to get involved in politics . . ." and there are no grounds to link the society to this case.

"Applications for membership have been solicited in the state?" asked Judge Turner.

"Yes, we admit that," said Kimball.

"Is that not doing business?" asked the judge.

Kimball agreed, but repeated

that politics is not a function of the society.

"I doubt that that figures into jurisdiction," said the judge.

He ruled the court has jurisdiction over the John Birch Society. He denied the motion to dismiss the action against the society on jurisdictional grounds.

Late in the day, Judge Turner indicated he would like to see the case get to trial soon.

Both sides indicated they want a jury trial.

The judge asked County Clerk Jane Profit if there were an opening in the spring jury term. She said it is doubtful because of a heavy case load on the spring calendar.

That rolled the case back to the fall jury term. Both plaintiffs and defendants indicated that is agreeable.

"How long will it take?" asked the judge, referring to the length of the trial.

"Several weeks, in my opinion," said Dwyer, Goldmark's attorney.

"Several weeks?" asked the judge.

"I think that's realistic," said Harmon, the defendants' attorney.

" . . . if every issue is contested to the bitter end," added Dwyer.

"I hope it will be shorter than that," observed Judge Turner. The judge pledged all possible cooperation in expediting the case.



PLAINTIFFS — These are principals on the plaintiff's side in the \$225,000 Ebel suit being brought by former State

Rep. John Goldmark. From left: Goldmark, and attorneys Reese Mansfield, Okanogan, and William Dwyer, Seattle.

They won some points in pre-trial action in Okanogan County Superior Court Thursday.



DEFENDANTS HUDDLE — Three principals on the defendants' side huddled during some pre-trial proceedings in Goldmark libel suit. From left: Ned Kimball, Waterville, attorney for the John Birch Society; Ashley Holden, Tonasket weekly newspaper publisher and a defendant; and Glenn Harmon, Spokane, defendants' attorney.—Daily World Photos.

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Birch Group Remains In Libel Suit

OKANOGAN, Feb. 15. — (U.P.I.) — Superior Judge Theodore F. Turner of Seattle turned down a motion yesterday in which the John Birch Society asked to be dismissed as a defendant in the \$225,000 libel suit brought by John Goldmark, former state representative.

The society contended the court had no jurisdiction because the society is not a state corporation.

However, Judge Turner ruled that the society does come under the jurisdiction of the court because it has a representative, Don Caron of Okanoga, in the state.

Goldmark's suit against the John Birch Society, two publishing companies and four individuals over statements made during last fall's primary election campaign in which Goldmark was defeated.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

(Indicate page, name of newspaper, city and state.)

9 SEATTLE TIMES
SEATTLE, WASH.

Date: 2/15/63
Edition:
Author:
Editor:
Title:
JONATHAN GOLDMARK
Character: INFO CONCERNING
or
Classification: 100-21585
Submitting Office: Seattle

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100-21585-103

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SERIALIZED FILED
FEB 19 1963
FBI - SEATTLE

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October Date Set in Birch Libel Suit

OKANOGAN, Feb. 15. — (A. P.)—A \$225,000 libel suit by former State Representative John Goldmark against the John Birch Society, two publishing companies and four individuals was set today for trial October 21.

Superior Judge Theodore S. Turner, visiting King County jurist, fixed the date on the Okanogan County Superior Court fall calendar.

There were indications from both sides the trial would last several weeks.

The judge held yesterday the defendants had engaged in "delaying tactics" and their attorneys had blocked Goldmark's lawyers from taking depositions from witnesses.

The judge ordered the defense to pay the costs Goldmark incurred in trying to obtain the depositions.

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(Indicate page, name of newspaper, city and state.)

7 SEATTLE TIMES

SEATTLE, WASH.

Date: 2/16/63

Edition:

Author:

Editor:

Title:

JONATHAN GOLDMARK

Character: INFO CONCERNING

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Classification: 100-21585

Submitting Office: Seattle

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DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

Depositions Mount In Goldmark Suit

OKANOCHAN — Depositions have been taken so far from eight witnesses in the John Goldmark libel suit, an attorney for Goldmark said today.

The attorney, R. E. Mansfield, said preparation of the plaintiff's case is "progressing well."

Earlier this month Judge Theodore S. Turner had reprimanded the defense for delaying the case, particularly for urging witnesses not to give pre-trial testimony sought by Goldmark's attorneys.

Mansfield said depositions so far have been taken from Don Caron, an agent of the John Birch Society; Ashley Holden, Tonasket; Loris Gillespie, Okan-

ogan; Dr. H. C. Maycumber, Tonasket; Ed Heath, Pateros; Ed Buchert, Tonasket; John Paul Larrabee, Oroville; and the Rev. Emmet Buckley, S.J., Port Townsend.

Mansfield said most of the witnesses were questioned for about one day, although questioning of Father Buckley extended over 2½ days.

Goldmark is suing seven defendants, charging they conspired to commit libel against him and Mrs. Goldmark during the legislative primary election last year. Some \$225,000 is sought.

Judge Turner has set Oct. 2 as the date for start of the trial.

(Indicate page, name of newspaper, city and state.)

Page 12, The Wenatchee
Daily World, Wenatchee,
Wash.

Date: Feb. 28, 1963

Edition:

Author:

Editor:

Title:

Character:

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Classification:

Submitting Office:

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DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

5 Subpoenaed in Goldmark Libel Case

OKANOGAN, March 21. — (A.P.) —Attorneys for John and Sally Goldmark have subpoenaed five men for more pretrial depositions in the Goldmarks' \$225,000 libel suit.

The new subpoenas on file in Superior Court list James M. Greene, Cashmere; J. M. Winslow, Tonasket; Ashley Holden, Tonasket; B. E. Kohls, Omak, and Stan Pennington, Okanogan.

Holden is one of four individual defendants and Pennington is editor of The Okanogan Independent, one of two publishing companies named in the suit.

Depositions were taken previously from Holden and eight other persons.

The Goldmarks are suing the John Birch Society, the four persons and two firms in connection with statements made in the September, 1962, primary in which Goldmark was defeated for renomination as a Democratic state representative. The trial is set for October 31.

(Indicate page, name of newspaper, city and state.)

3 SEATTLE TIMES
SEATTLE, WASH.

Date: 3/22/63
Edition:
Author:
Editor:
Title:
JONATHAN GOLDMARK
INFO CONCERNING
Character:
or
Classification: 100-21585
Submitting Office: Seattle

cc to Bureau

100-21585-107

SEARCHED _____ INDEXED _____
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MAR 25 1963

[Redacted box]

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

Five Subpoenaed In Libel Case

OKANOGAN — Five persons have been subpoenaed to give more pre-trial testimony in the John Goldmark libel case here.

Goldmark attorneys have subpoenaed Ashley Holden Sr., Tonasket; James M. Greene Sr., Cashmere; Jim Winslow, Tonasket; B. E. Kohls, Omak; and Stan Pennington, Okanogan.

Several other witnesses have already given pre-trial depositions in the \$225,000 lawsuit.

Goldmark and his wife are suing for that amount. They allege they were libelled during the legislative primary election last year. Defendants are the

weekly newspapers at Okanogan and Tonasket, the John Birch Society and four individuals.

Pennington, one of the new witnesses subpoenaed for deposition testimony, is an owner of the Okanogan paper. Holden, who has already given some deposition testimony, is an owner of the Tonasket paper.

The pre-trial depositions are set up to allow both sides of the lawsuit to explore for facts before the trial starts next October.

The pre-trial depositions have been tentatively scheduled for Friday and Saturday.

(Indicate page, name of newspaper, city and state.)

Page 2, The Wenatchee
Daily World, Wenatchee,
Wash.

Date: March 21, 1963

Edition:

Author:

Editor:

Title:
JONATHAN GOLDMARK
INFO CONCERNING

Character:

or

Classification: 100-21585-108

Submitting Office: Seattle

cc to Bureau

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SERIALIZED *llt* FILED _____

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Bank Records Subpoenaed In Goldmark Case

OKANOGAN, April 19.—(A. P.)—Bank records of Ashley Holden, Sr., a defendant in a \$250,000 libel suit by John and Sally Goldmark, have been subpoenaed.

A subpoena directing him to produce the records today was served yesterday on Hans Lund, president of the First National Bank of Tonasket.

Holden is publisher of The Tonasket Tribune. He is one of four individuals sued with two publishing companies and the John Birch Society by the Goldmarks.

Also subpoenaed to appear today was State Representative Joe Haussler, who defeated Goldmark for the Democratic nomination for that post in the 1962 primary.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

(Indicate page, name of newspaper, city and state.)

SEATTLE TIMES

APR 19 1963

PAGE 48 COL 8

Date:

Edition:

Author:

Editor:

Title:

Character:

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Classification:

Submitting Office:

100-21585-109
SEARCHED INDEXED
SERIALIZED FILED
APR 19 1963
FBI - SEATTLE

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CONSULTING FOI/PA COORDINATOR

FOI/PA 190-SE-81121

DO NOT DESTROY SERIAL 110

PRIOR TO 8/2005

FILE NO. 100-81585

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DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

Ashley Holden's Bank Records To Be Subpoenaed

INDEX

OKANOGAN (AP) — Bank records of Ashley Holden Sr., one of the defendants in a \$225,000 libel suit by John and Sally Goldmark, have been subpoenaed.

A subpoena directing him to produce the records Friday was served Thursday on Hans Lund, president of the First National Bank of Tonasket.

Holden is publisher of the Tonasket Tribune. He is one of four individuals sued along with two publishing companies and the John Birch Society by Goldmark and his wife.

Also subpoenaed to appear Friday was State Rep. Joe Haussler,

who defeated Goldmark for the Democratic nomination for that post in the 1962 primary.

Goldmark, then a state representative, and his wife contend they were libeled during the campaign. Trial of their suit is set for Oct. 21 in Superior Court.

The subpoenas were obtained by R. E. Mansfield of Okanogan, attorney for the Goldmarks.

Mansfield said Haussler will be questioned about his activities during the September, 1962, primary election campaign in which Haussler defeated Goldmark for the Democratic nomination.

Haussler is not a defendant in the \$225,000 libel suit.

(Indicate page, name of newspaper, city and state.)

Page 9, The Wenatchee
Daily World, Wenatchee,
Wash.

Date: April 19, 1963

Edition:

Author:

Editor:

Title:

Character:

or

Classification:

Submitting Office:

100-10186

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DATE 8/17/99 BY SP2 ALM/ETHL

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3 More To Enter Goldmark Case

OKANOGAN — Three more Okanogan County men have been summoned to deliver pre-trial depositions in the \$225,000 John Goldmark libel suit.

They are George Wilson, Brewster, former chairman of the Okanogan County Democratic Central Committee, County Commissioner Jack Abrams and Leonard Theriault of Pateros.

Several depositions have already been taken during lengthy pre-trial preparation by attorneys.

The case is to open in Okanogan County Superior Court next fall.

John Goldmark, former state representative, is suing seven defendants, charging he was libeled during his unsuccessful bid renomination to the Legislature last September.

(Indicate page, name of newspaper, city and state.)

Page 2, The Wenatchee Daily World, Wenatchee, Wash.

Date: April 30, 1963

Edition:

Author:

Editor:

Title:

Character:

or

Classification:

Submitting Office:

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

108-2155-111

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SERIALIZED	FILED
MAY 1 1963	
FBI - WENATCHEE	

[Signature]

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Birch Society Does Business In State, Judge Rules

OKANOGAN, May 4. — (A.P.) — Superior Judge Theodore Turner of King County has ruled that the John Birch Society does business in the State of Washington.

Ned Kimble, attorney for the organization, had sought its removal from the list of defendants in a \$225,000 libel suit on grounds that it doesn't. Judge Turner, in denying the request yesterday, noted that Don Caron of Okanogan is a paid employee of the society. He said evidence showed Caron's job is to organize chapters in Washington and Idaho.

Caron is also a defendant,

along with three other individuals, two publishing firms and the society, in the suit by former State Representative John Goldmark and his wife.

The Goldmarks sued on the basis of statements purportedly made during the 1962 primary election campaign, in which he was defeated.

Trial of the suit is set for October.

(Indicate page, name of newspaper, city and state.)

SEATTLE TIMES

MAY 4 - 1963

PAGE 9 COL 5

Try 100-24754

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

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Submitting Office:

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100-2185-112

SEARCHED INDEXED
SERIALIZED FILED
MAY 4 - 1963
FBI - SEATTLE



September 14, 1964

Mr. J. Edgar Hoover
Director
Federal Bureau of Investigation
Washington 25, D.C.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

Dear Mr. Hoover:

In the September 13, 1964 edition of the Seattle Post-Intelligencer on the Editorial page (pp 26) there was a column by Jack Anderson titled "Behind The Riots" from which I quote as follows:

"WASHINGTON. - Chatting with officials of the retail clerks union who were slipped through a side door of the White House for a private visit, President Johnson told them that the race riots in the East had been planned and provoked by an unholy alliance of communists, Ku Klux Klansmen, and John Birchers.

He based the charge upon information furnished to him by the FBI. He indicated, however, that the three extremist groups had not worked together. But all three hoped to embarrass his administration, he said, by inciting violence and chaos."

I am fully aware of the limitations placed on your office in providing information as to groups, organizations and individuals so my queries will not be directed along this line. I might add that I am also aware of the "ability" of some columnists to twist or select their information to suit their own purpose, so in view of this my question is twofold:

1. To your knowledge, did President Johnson make such a remark, and if he did, is the statement by Mr. Anderson, as quoted above, substantially correct?
2. If President Johnson did make such a remark, is it true that your office has furnished him with information that the planning and provoking of the riots involved The John Birch Society or members of the Society?

As a member of The John Birch Society (in fact, as a full-time Coordinator for the Society) I know that ~~the~~ "inciting violence and chaos" is against the very policies, principles and purposes of the Society. Our main weapon is education with truth, and the application of the knowledge thus gained in action that involves only legal means in a law-abiding manner.

Any information you can provide that will clarify this matter greatly appreciated. Thank you.

Sincerely yours,



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SEARCHED	INDEXED
SERIALIZED	FILED
SEP 22 1964	
FBI - SEATTLE	

September 21, 1964

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

[Redacted]

100-21585-112

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[Redacted]

Dear [Redacted]

Your letter of September 14th has been received.

While I would like to be of service to you, information contained in the files of the FBI must be maintained as confidential in accordance with regulations of the Department of Justice and is available for official use only. Therefore, I trust you will understand why I am not in a position to comment along the lines you have suggested and hope you will not infer either that we do or do not have data in our files relating to the John Birch Society.

Sincerely yours,

J. Edgar Hoover

① - Seattle - Enclosure

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SEARCHED	INDEXED
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SEP 27 1964	
FBI - SEATTLE	

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

More Will Testify In Libel Case

OKANOGAN — About nine more depositions are to be taken from witnesses in the John Goldmark libel case, attorney R. E. Mansfield said here Monday.

One session of deposition-taking is set for Wenatchee on Wednesday.

Others are in Spokane and Okanogan, said Mansfield.

Due to be questioned by the plaintiffs' attorneys in Wenatchee are C. Meredith Harris, twice a Republican candidate for the legislature in Chelan County; East Wenatchee attorney Bill Hamilton; O. K. Latta, Wenatchee and Phil Wainscott, Waterville wheat rancher.

Due to be questioned in Spokane are Al Canwell, one of the defendants, and Mary Kienholz, custodian of the records of an organization known as the Freedom Library.

Loris Gillespie, Okanogan, Bill Kohls, Omak, Ashley Holden, Tonasket, and Don Caron, John Birch Society coordinator for the Northwest, will all be questioned in deposition sessions in Okanogan.

A succession of witnesses have been questioned in deposition sessions by attorneys for Goldmark.

With the conclusion of those, the defense will begin taking depositions.

The trial is set to start in October. Mr. and Mrs. John Goldmark are suing a group of defendants, claiming they were libelled during last year's primary election campaign.

(Indicate page, name of newspaper, city and state.)

Page 2, The Wenatchee
Daily World, Wenatchee,
Wash.

Date: June 18, 1963

Edition:

Author:

Editor:

Title:

Character:

or

Classification:

Submitting Office:

100-21585-113

SEARCHED	INDEXED
SERIALIZED	FILED
JUN 19 1963	
FBI - SEATTLE	

174

DIRECTOR, FBI (100-386074)

6/24/63

SAC, SEATTLE (100-21585)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

MRS. JONATHAN GOLDMARK
SM - C
OO SEATTLE

Re Seattle letter dated 10/17/62.

Enclosed herewith is a newspaper article captioned
"Recordings Figure in Goldmark Case" appearing in the
"Wenatchee Daily World", Wenatchee, Washington, on June 20,
1963.

It is reported in the article that [redacted]
gave a deposition wherein he denied that there was any truth
to the story that he had in his possession a file on GOLDMARK
which was taken from him by a representative of the FBI. This
substantiates the information [redacted] furnished the Seattle
Office as set forth in referenced Seattle letter.

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The above is being submitted for the information of
the Bureau.

2 - Bureau (Encl.) (Reg.)
1 - Seattle
PTB/nch
(3)

Searched.....
Serialized.....
Indexed.....
Filed.....

100-21585-114

6/27/63

PLAIN

AIRTEL

AIR MAIL

TO : DIRECTOR, FBI (100-386074)
FROM : SAC, SEATTLE (100-21585)
SUBJECT: MRS. JONATHAN GOLDMARK
SM - C
OO SEATTLE

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

Re Seattle letter 6/24/63.

Enclosed herewith is an article from the "Wenatchee Daily World", Wenatchee, Washington, dated June 26, 1963, captioned "Pass Incident in Libel Case". It is reported in the article that [redacted] was to give a deposition to relate what he knows about an alleged incident in which the FBI stopped [redacted] on Stevens Pass, Washington, and relieved him of a folder on JOHN GOLDMARK.

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b7c

On June 27, 1963, [redacted] Office Deputy Sheriff, Okanogan County Sheriff's Office, advised SA [redacted] that [redacted] formerly was [redacted] with KOMW, Omak, Washington, and may, at this time, hold a part ownership in this radio station. He has been an [redacted] for over eight years and is considered a successful businessman. [redacted] is approximately [redacted] years of age, he has [redacted] is active in the Democratic Party, and believed to be sympathetic to GOLDMARK concerning his present libel suit.

On June 27, 1963, [redacted] advised SA [redacted] that he is well acquainted with [redacted] and that he has a reputation as a successful, responsible citizen in his community. He believes that [redacted] in giving his deposition,

3 - Bureau (Reg.) (Encl. 1) (AM)
1 - Seattle
PTB/nch
(4)

Searched _____
Serialized _____
Indexed _____
Filed _____

100-21585-115

SE 100-21585

will state that he heard [] had made a statement to the effect that he had a FBI file in his possession which had been taken from him at Stevens Pass. According to [] [] has implied to him that he, [] heard of this incident from []

The indices of the Seattle Office contain no information identifiable with []

b6
b7C

The above is being submitted for the information of the Bureau. As the Bureau has been previously advised, [] had denied that there is any truth to the story that he had in his possession a FBI file, and he has apparently given a deposition denying making such a statement. Inasmuch as [] has given a deposition in connection with the GOLDMARK libel suit, he is not being contacted at this time.

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Recordings Figure In Goldmark Case

By DICK LARSEN

Loris Gillespie of Okanogan sat in a spectator's seat in the north courtroom of the Chelan County courthouse Wednesday, leafing through a magazine, half-listening to testimony being given from the witness chair.

He is one defendant in the half-million-dollar lawsuit being brought by Mr. and Mrs. John Goldmark in Okanogan County.

But for Gillespie and other principals in the lawsuit, there wasn't great drama in Wednesday's proceedings.

It was another round in the lengthy process of taking witness depositions prior to opening of the trial next October.

As in other sessions before it, witnesses gave sworn testimony. There was no judge, but otherwise the proceedings were formal. A court reporter took a transcript of everything that was said, adding to the growing mountain of pre-trial transcripts and documents.

Yesterday's was the first session of deposition-taking in Chelan County. R. E. Mansfield, attorney for Goldmark, had subpoenaed O. K. Latta, Wenatchee; C. Meredith Harris, Entiat, a two-time candidate for the legislature from Chelan County; Bill Hamilton, East Wenatchee attorney; and Phil Wainscott, Waterville wheat rancher.

Mr. and Mrs. Goldmark are suing the John Birch Society, Gillespie, two Okanogan County weeklies and three individuals. They allege the defendants conspired to libel Goldmark last fall in his unsuccessful campaign for re-election to the legislature.

Mansfield asked questions about who did what, and who knew what about the events leading up to Goldmark's defeat at the polls in last September's primary election.

From witnesses Mansfield sought to learn who did what during the campaign and in the months prior to it.

He and other counsel for Goldmark seek to prove there was a conspiracy to identify Goldmark with communism.

Harris was questioned about a story which attorney Mansfield said had been reportedly attributed to him.

The story: Once Harris was



MEREDITH HARRIS

a representative of the FBI arrived and took the file from Harris.

Harris testified there was no truth to that story. He denied ever having told such a story.

O. K. Latta gave extensive testimony on his work to defeat Goldmark.

He told of forming an anti-Communist study group in his home in Wenatchee, using information and tape recordings provided by Father Emmett Buckley, a priest, then of Tonasket.

Latta said: "I met Father Buckley at a Don Caron Committee meeting . . . at John Hancock's house."

Caron is Northwest coordinator for the ultra-right John Birch Society. The Don Caron Committee was a group which was formed to help Caron in 1961 when he quit the forest service in a furor over his anti-Communist

tape recording . . . to expose him."

From the master tape, they testified, copies were made for distribution.

Hamilton said he also helped distribute printed material containing similar information from Canwell.

"You intended the public to believe that the contents were true?" asked Mansfield.

"I wouldn't have distributed them unless I thought so," replied Hamilton.

Mansfield asked Hamilton if he is or ever has been a member of the John Birch Society.

"Unfortunately, I have not been," said Hamilton.

"I am in sympathy with them entirely," he added. Hamilton added that the Birch Society has had unfair treatment in the press, but "I still subscribe to their basic purpose, objectives and ideals."

Mansfield asked if Hamilton had studied the Birch Society's blue book or white book or another publication of the society.

"No," said Hamilton.

Earlier Latta and Harris testified they had never been members of the John Birch Society.

Ned Kimball, Waterville, counsel for the Birch Society, represented witnesses Wednesday. He often asked if their activities in the Goldmark campaign were based on an "honest difference of opinion" with Goldmark's political philosophy. Yes, they replied.

Wainscott testified about "study group" activities in the Waterville area. He said that Luke Williams of Spokane had provided him with information which he issued in an anti-Goldmark mailer to voters just before the election.

As in other depositions, there were questions from Mansfield on dozens of different subjects. But in yesterday's testimony, one avenue of the Goldmark case emerged: an attempt to establish that much of the anti-Goldmark strategy activity originated in Spokane with Canwell and Williams.

(Indicate page, name of newspaper, city and state.)

Page 1, The Wenatchee,
Daily World, Wenatchee,
Wash.

Date: June 20, 1963

Edition:

Author:

Editor:

Title:

Character:

or

Classification:

Submitting Office:

100-21585-116

SEARCHED.....	INDEXED.....
SERIALIZED.....	FILED.....
JUN 24 1963	
FBI - SEATTLE	

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GOLDMARK ISSUE

Pass Incident
In Libel Case

OKANOGAN — A Malott orchardist was being called on today to tell what he knows about an alleged incident in which the FBI stopped Meredith Harris, Entiat, on Stevens pass and relieved him of a folder on State Rep. John Goldmark.

Attorneys are taking depositions now in connection with Goldmark's libel suit charging that there was a conspiracy to defeat him in his bid for re-election.

He was defeated in the primaries. Harris had been said to have told about being stopped on Stevens Pass by the state patrol and held until the FBI arrived to take a file on Goldmark from him. Harris has said the story is untrue and that he had never told such a story.

Among those to be questioned in connection with the reported incident is Nick Cain, a Malott orchardist.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

(Indicate page, name of newspaper, city and state.)

Page 9, The Wenatchee
Daily World, Wenatchee,
Wash.

Date: June 26, 1963

Edition:

Author:

Editor:

Title: MRS. JONATHAN
GOLDMARK

Character: SM - C

or

Classification: 100-21585

Submitting Office: SEATTLE

100-21585-117

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK



ATTORNEYS, PAPERS — There were many attorneys and volumes of files and papers in Okanogan County Superior Court Friday. It was another in series of sessions in John Goldmark libel suit. Mountain of documents in case is growing. Seated in background along wall, from left: Al Canwell, Spokane, a defendant; Ashley Holden Sr., Tonasket, a defendant; and attorney Joseph Wicks. Just in front of them, studying paper, is plaintiff's attorney, R. E. Mansfield.—Daily World Photo.

(Indicate page, name of newspaper, city and state.)

THE WENATCHEE DAILY
—WORLD

Sunday, June 9, 1963
Date: Page 1

Edition:

Author:

Editor:

Title:

Character:

or

Classification:

Submitting Office:

Birch Membership Won't Be Bared —

100-21585-118

SEARCHED.....	INDEXED.....
SERIALIZED.....	FILED.....
JUN 12 1963	
FBI - SEATTLE	

By DICK LARSEN

OKANOGAN — The John Birch Society doesn't have to give a list of its Washington State members to attorneys for John Goldmark in his quarter million dollar libel suit action.

Judge Theodore Turner issued that ruling here Friday in Okanogan Superior Court.

Goldmark attorneys had sought the membership list to prepare for the start of the damage suit.

They seek to prove a conspiracy existed between the Birch Society and other defendants to damage former State Rep. Goldmark in last September's primary election.

But Judge Turner ruled that the society's membership list was entitled to privacy under the constitution.

It was one in a series of rulings made yesterday.

It was a day in which defendants won most of the key victories.

Goldmark attorneys have been taking extensive deposition testimony from witnesses. Witnesses had refused to answer some questions. In ruling on those yesterday, the court pinched off many lines of questioning which Goldmark attorneys sought to explore.

Judge Turner, in a special conference last night with attorneys for both sides, also set a limit on the taking of further depositions by Goldmark attorneys. It must be done before mid-July.

A July 15 date was set for another day of arguing motions. Plaintiff's attorneys must have depositions finished before then. After that defendants will start taking depositions.

Chief interest Friday focused on the arguments over the John Birch Society membership list.

That arose some time ago as Goldmark attorneys were taking a deposition from Don Caron, state coordinator for the John Birch Society, a co-defendant. He then balked at disclosing the list of members.

Yesterday's arguments were on the issue: Should the court direct Caron to name members?

William Dwyer, a Goldmark attorney, said the list was needed by plaintiffs. Its membership roll could indicate that a conspiracy against Goldmark existed, he said.

Of the Birch Society, Dwyer said, "This organization operates in a very unusual manner." He said it suggests projects and campaigns to its members. "They feel they are entitled to do anything they want to do through their members . . . and then be immune from civil process," Dwyer added.

Ned Kimball, Washouville, attorney for the society, argued that the Constitution guarantees freedom of association and the right of privacy.

"The John Birch Society is not a secret organization," said Kimball. "It is secret only to this extent; that members may acknowledge their own membership, but the membership roster is not made public."

Dwyer countered by saying that, unless the plaintiffs know who's in the society, and comparing that list with persons who worked against Goldmark, "they deprive us of our only means of finding out what happened."

Dwyer offered a compromise: provide the names of Birch Society members to the Goldmark side, and no publicity will be given it.

But Judge Turner ruled against the Goldmark attorneys.

These were some of the other rulings by Judge Turner Friday:

1. Caron must answer questions about the number of

John Birch Society chapters "to the best of his knowledge."

2. Caron must answer questions about the number of society chapters he formed and the number of members at the time of the alleged libel "to the best of his knowledge."

3. Caron does not have to identify John Birch Society leaders in Okanogan County.

4. Caron must answer questions about John Birch Society "front organizations" — "if he knows about any front approved by the John Birch Society."

(Defense attorney Glen Harmon had argued unsuccessfully that inquiry into John Birch Society front organizations nationally would be "highly speculative" and not relevant to the Goldmark campaign claims.)

5. Al Canwell of Spokane, a co-defendant, will have to answer deposition questions about persons he interviewed during his "investigation" of the Goldmarks, but those person's names will be kept secret.

Canwell operates the "American Intelligence Service" and was publisher of some material — based on an investigation — which allegedly libeled Goldmark. Goldmark attorneys told the court they want to take people interviewed by Canwell to try and find out: Did he really conduct an investigation?

(Judge Turner ruled that those names would become a confidential part of proceedings.)

6. Ashley Holden Sr., Tonasket, need not answer any deposition questions about money he received from the Committee for Voluntary Unionism. That is a group seeking "right-to-work" legislation.

In arguments Friday, plaintiff's attorneys said that Holden had been executive director of that organization and had received sums of money from it.

Goldmark attorney R. E. Mansfield said that Holden made one deposit to his own bank account and then, the same day, made a deposit in a similar amount to his Tonasket Tribune account.

Mansfield said there was a series of bank deposits, and he indicated the plaintiffs hoped to prove they were coming from the Committee for Voluntary Unionism.

Seattle Attorney Stuart Oles, secretary and counsel for that committee — also a "friend of the court" in the Goldmark case — told the court that Holden had traveled to various meetings for that committee and had been paid for his expenses.

The court ruled that further questioning of Holden about that matter would be "sheer speculation."

(Mount Clipping in Space Below)

Hearing Opens In Goldmark Libel Suit

OKANOGAN (AP) — A hearing opened Friday on motions in the \$225,000 John Goldmark libel suit.

Superior Court Judge Theodore Turner of King County indicated the hearing might continue Saturday.

The motions relate to many pre-trial depositions taken in recent weeks. Attorneys for the Gold-

marks said recently an estimated 1,600 pages of statements were taken from eight persons.

The Goldmarks are suing the John Birch Society, two publishing companies and four individuals for statements made in the primary campaign in which he was defeated when he sought re-election to the legislature last fall.

(Indicate page, name of newspaper, city and state.)

9 THE WENATCHEE DAILY WORLD
WENATCHEE, WASH.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

Date: 6/7/63
Edition:
Author:
Editor:
Title: JONATHAN GOLDMARK
Character: INFO CONCERNING
or
Classification: 100-21585-119
Submitting Office: Seattle

Wing and Bureau

SEARCHED INDEXED
SERIALIZED FILED
JUN 10 1963
FBI - SEATTLE

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

Goldmark Testimony Due Today

OKANOGAN — Two more pre-trial depositions in the Goldmark libel suit are scheduled to be taken at Okanogan today.

An attorney for former State Legislator John Goldmark said one of the defendants in the \$225,000 action and a Spokane businessman will be on the stand.

Luke Williams of Spokane was scheduled to deliver a deposition last week but it was postponed due to his vacation.

One of the four individually named defendants, Don Caron of Okanogan, is scheduled to testify today.

Goldmark's attorney, R. E. Mansfield of Okanogan, said the remaining three defendants will all probably return to the stand sometime this week. They are Loris Gillespie of Okanogan, Ashley Holden of Tonasket and Al Canwell of Spokane.

Goldmark and his wife filed a \$225,000 damage suit against the four individuals, the John Birch Society and two publishing firms in connection with statements made before the September primary election campaign last year. Goldmark was defeated for re-nomination as a Democratic State Representative.

(Indicate page, name of newspaper, city and state.)

Page 2, The Wenatchee
Daily "World," Wenatchee,
Wash.

Date: June 25, 1963

Edition:

Author:

Editor:

Title:

Character:

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Classification:

Submitting Office:

100-21885-120

SEARCHED	INDEXED
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JUN 27 1963	
FBI - SPokane	

44

UNITED STATES GOVERNMENT

Memorandum

TO : SAC, Seattle (100-21585)

DATE: July 8, 1963

FROM : Director, FBI (100-386074)

SUBJECT: MRS. JONATHAN GOLDMARK
SECURITY MATTER - C

Reference is made to your airtel dated June 27, 1963, enclosing an article from the "Wenatchee Daily World," dated June 26, 1963, regarding a libel case in which the captioned subject and her husband are plaintiffs.

The Bureau desires that you follow this matter closely to insure that the Bureau is not involved. In this regard you should promptly report all statements by individuals involved in this matter which would tend to involve the Bureau along with your recommended action. All inquiries by your office, if necessary in this case, should be handled most discreetly. For your information, there is no identifiable information located in Bureau files in regard to

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HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

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DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

Goldmarks Will Offer Testimony

OKANOGAN — An attorney for the John Birch Society will question former State Rep. John Goldmark and his wife, Sally, next week.

Their depositions will be included in the first round of pre-trial discovery proceedings scheduled by Defense Attorneys in the widely publicized libel suit.

Ned Kimball of Waterville, representing the defendant John Birch Society, will question the Goldmarks and George Wilson of Brewster at the county courthouse Tuesday.

Wilson was chairman of the Okanogan County Democratic Central Committee during the September 1962 primary election campaign in which Goldmark lost his bid for the party nomination and re-election to the Wash-

ington Legislature.

Retired Superior Court Judge Joseph Wicks, now an attorney and handling details for the defense, said no other depositions are immediately scheduled though more are planned later.

Visiting King County Superior Court Judge Theodore Turner who is to hear the case in Okanogan this fall has scheduled another session for hearing pending motions for Aug. 2. Turner, in a letter to all parties to the suit, asked that all motions be filed before July 25 in order that they may be considered at the hearing.

The actual trial is set for Oct 21. The Goldmarks are suing the John Birch Society, two publishing company's and four individuals for statements made during the 1962 primary campaign.

Attorneys for the Goldmarks completed their pre-trial depositions last month. By mutual agreement among attorneys, under a stipulation handed down by Judge Turner, the plaintiffs had until July 1 to complete their discovery proceedings.

(Indicate page, name of newspaper, city and state.)

Page 9, The Wenatchee
Daily World, Wenatchee,
Wash.

Date: July 12, 1963

Edition:

Author:

Editor:

Title:

Character:

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Libel Defendants Question Goldmark

By DICK LARSEN

OKANOGAN — Lengthy pre-trial proceedings in the Goldmark libel case went into a new phase in the Okanogan County Superior Court room here Tuesday.

Defendants' attorneys began their depositions-taking. John Goldmark was quizzed extensively by Ned Kimball, attorney for the John Birch Society.

Today Mrs. Goldmark was to be questioned.

Goldmark, former State Representative, told about his early life, his wife's former affiliation with the Communist party, how they came to the Northwest, and to Okanogan.

Kimball repeatedly asked Goldmark to explain how defendants in the case conspired to libel him during last September's election campaign. Goldmark has charged that. In his questioning, Kimball sought to establish that no real conspiracy existed.

Actual jury trial of the case is not scheduled to open until October. In recent months attorneys for Goldmark have taken deposition testimony from 34 witnesses, seeking out facts for the trial.

From now on, defendants will be taking the deposition testimony, preparing their case.

Goldmark is suing the John Birch Society, the Okanogan Independent, the Tonasket Tribune and four individuals for some \$25,000.

Kimball opened the Tuesday questioning by asking Goldmark of his background. Goldmark said he was born in Scarsdale, N.Y., earned his bachelor's degree at Haverford College and graduated in June, 1941 from the Harvard Law School.

He was in the Navy during World War II, and received the rank of lieutenant.

Before joining the Navy, he was in Washington, D.C., with the Office of Price Administration in late 1941. He met Mrs. Goldmark here, he said. They were wed in December, 1942.

Goldmark said the Navy schooled him in bomb disposal and he went overseas to the Pacific theater in January, 1944.

Referring to Mrs. Goldmark, Kimball asked if, when they met, "Did you know that she was a member of the Communist

Yes, Goldmark replied. He learned that soon after they met. "I was down at this place in Maryland (with friends) . . . and we were discussing world affairs and domestic politics . . . and I

made some rather disparaging references to the Communist party . . .

"After the evening was over she took me aside and said: 'I thought you should know I'm a member of the Communist party.'"

Goldmark said he knew little of her activities in the party.

Later Kimball asked Goldmark why he had not made that fact public, that Mrs. Goldmark had once belonged to the party.

"I didn't think it was pertinent to the issue of my being in public life," said Goldmark. "If one of the voters had come to me, I would have told them."

A public pronouncement "would be difficult for my wife and would have been embarrassing to her," Goldmark said.

Kimball asked if Goldmark didn't feel that, elected to public office, his life was an open book. Goldmark said:

" . . . The fact that Sally (Mrs. Goldmark) had left the Communist party, had cooperated with the FBI, had testified before the House Un-American Activities Committee . . . so that all the people who had concern about the security . . . of the country had the information . . . I don't think it was necessary to bring out anything in my wife's life that might be painful to her."

Goldmark testified that he was in the Navy until late 1945. The following February, he and Mrs. Goldmark came west and he took a job in an apple orchard at White Salmon for awhile. He bought his ranch east of Okano-

gan in November, 1946.

At more than one point, Goldmark said that the defendants had sought to smear him as a Communist or Communist sympathizer as Goldmark sought reelection to the Legislature last year.

Kimball pointed out that Goldmark attorneys had quizzed 34 witnesses, taken 42 depositions, accumulating more than 4,000 pages of deposition testimony.

Then he asked Goldmark how that had proved the existence of a conspiracy to libel him. "What was the agreement on between the John Birch Society and the Okanogan Independent?" asked Kimball.

He also asked about alleged conspiracy agreements between the Society and other defendants.

"This isn't an easy thing to trace," said Goldmark. "It's almost impossible to unravel because the society is secret."

"Is it possible that the John Birch Society never heard of John Goldmark until it was sued?" asked Kimball.

"It's possible," said Goldmark.

Goldmark said the Birch Society "gets people stirred up on the menace of communism. . . to stimulate an atmosphere in which a smear campaign against liberals or Democrats can flourish."

Kimball asked if the U.S. faces an internal menace of communism.

"I think it's very slight," said Goldmark.

Kimball noted that an American Legion committee activity had been cited by Goldmark attorneys and that many persons in the "beat Goldmark" effort were Catholics. The American Legion and Catholic church are actively anti-Communist, said Kimball, so why aren't you suing them?

"I'm suing the ones whom I think ultimately were responsible," said Goldmark. " . . . The defendants were the motivating force behind the whole thing (the alleged libel)."

Goldmark was to continue giving testimony this morning, to be followed by Mrs. Goldmark.

(Indicate page, name of newspaper, city and state.)

1 THE WENATCHEE DAILY
WORLD
WENATCHEE, WASH.

Date: 7/17/63

Edition:

Author:

Editor:

Title: JONATHAN GOLDMARK

Character: INFO CONCERNING

Classification: 100-21585

Submitting Office: SEATTLE

Copy Sent Bureau

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Goldmark Asked To Comment On Caron's Writing

OKANOGAN — Former State Rep. John Goldmark returned to the witness stand here this morning, to continue giving deposition testimony in his \$225,000 libel suit.

Goldmark began answering defense attorneys' questions Tuesday. He was on the stand throughout Wednesday.

Mrs. Goldmark was expected to be questioned starting sometime today.

In Wednesday questioning Ned Kimball, attorney for the John Birch Society, asked Goldmark at length about what he considered grounds of the libel suit.

At one point Kimball read passages from some writings of Don Caron, the John Birch Society's Northwest coordinator and a defendant. Kimball asked Goldmark to point out the libel or the reference to Goldmark in various sentences of the writing.

Although the writings purported to describe the Communist take-over of Czechoslovakia through parliamentary procedures, Goldmark declared, it was really a reference to him as a state legislator.

That led to an exchange over Goldmark's political philosophy.

Kimball asked if Goldmark does not favor a graduated net income tax. Yes, said Goldmark.

Kimball noted that a graduated net income tax is "one of the fundamental principles" of Marxist-Lenin doctrine.

"If so, you've got most of the world converted," said Goldmark. He said that such a tax has been used widely in many societies since the last century.

Goldmark was asked if, while in Washington, D.C. in 1941-42, he had met any communists, through his wife.

One, he replied. Asked to name him, Goldmark requested an attorneys' conference.

Attorneys huddled and agreed that Goldmark would be asked more about that topic in a closed session this morning.

Goldmark was answering questions in deposition testimony. Many such depositions are being taken from witnesses. The actual jury trial does not start until October.

(Indicate page, name of newspaper, city and state.)

Page 13, The Wenatchee
Daily World, Wenatchee,
Wash.

Date: July 18, 1963

Edition:

Author:

Editor:

Title:

Character:

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Submitting Office:

100-21585-124

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FBI - WENATCHEE	

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Ex-U.S. Attorney General Called In Goldmark Case

OKANOGAN — Lawyers for former State Representative John Goldmark have scheduled a one-time U.S. Attorney General for a pre-trial deposition.

R. E. Mansfield of Okanogan, said testimony will be taken from Francis Biddle in New York City next month.

Biddle was attorney general from 1941 to 1945. He is also a former U.S. circuit court of appeals judge and one time solicitor general of the United States.

He is to deliver his deposition

August 15. Mansfield said Biddle would be asked questions concerning the American Civil Liberties Union. Biddle is a top official of the organization and Goldmark has been a Washington committeeman for the ACLU.

Objections to the testimony-taking will probably be raised by defense attorneys in the \$225,000 libel case.

Visiting Judge Theodore Turner of King County earlier stipulated that Goldmark's attorneys should

finish pre-trial discovery depositions prior to July 1.

But Mansfield said Biddle's testimony is not for the purposes of discovery, rather it "is to preserve testimony to be presented at the time of trial."

John Goldmark, has sued seven defendants for statements made during last year's primary election campaign. He charges that four individuals, two publishing firms and the John Birch Society conspired to libel him during his re-election to the State Legislature.

(Indicate page, name of newspaper, city and state.)

Page 8, The Wenatchee Daily World, Wenatchee, Wash.

Date: July 30, 1963
Edition:
Author:
Editor:
Title: JONATHAN GOLDMARK

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Submitting Office: SEATTLE

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IN LIBEL SUIT

Mrs. Goldmark Describes Past

By DICK LARSEN

OKANOGAN — "People don't feel happy with their mistakes . . . They're quiet about them."

So said Mrs. John Goldmark here Thursday. She was testifying publicly, for the first time, that she had joined the Communist Party in New York in 1935.

Later she said, she quit the party, but never made any public announcement about that phase of her life, even though her husband was in the Legislature.

She declared Thursday that she learned communism was not the answer to the ills of the world.

She praised the present American system as offering more now and more in the future than communism.

Mrs. Goldmark and her husband are suing seven defendants for some \$225,000.

They allege they were libelled during last year's election. Goldmark, seeking reelection to the Legislature was defeated. They charge that Mrs. Goldmark's former affiliation with the Communist party was used libelously to defeat her husband.

Yesterday Mrs. Goldmark was

giving deposition testimony, in preparation for the opening of the trial next October.

She was questioned by Ned Kimball, Waterville attorney representing the John Birch Society, one of the defendants.

Mrs. Goldmark said she was born in Brooklyn in 1907. Her maiden name: Irma Ringe.

After attending schools in New York, she graduated from the University of Wisconsin with a bachelor's degree in medicine in 1929.

Later she was employed by a Committee on Cultural Relationship with Latin America, and, in the fall of 1933, went to work for a teacher's union in New York: Local No. 5 of the AFofL.

She said she began attending a Communist workers' school in New York in 1932 or 1933. She

attended evening courses during two winters.

"You understand at that time it was an open political party," she said. "It was on the ballot . . . there was no effort to (hide) what it was doing."

She said there were more than 1,000 persons attending the Communist workers' school. "Over 1,000, easy . . . more than that."

"My interest was in unemployment . . . it was a pressing thing in New York City. There were millions out of work and in bread-lines."

She said that one operation of the Communist workers was the East Side Unemployment Council. That organization, she said, set up soup kitchens. "I worked there after work (in the evenings) until the food ran out."

Kimball asked her what was taught in the Communist workers' school.

Mrs. Goldmark said there was talk about the class struggle, but she could remember little beyond that. She said today that it was

(Indicate page, name of newspaper, city and state.)

1 THE WENATCHEE DAILY
WORLD
WENATCHEE, WASH.

Date: 7/19/63

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Author:

Editor:

Title: JONATHAN GOLDMARK

Character: INFO/CONCERNING

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Classification: 100-21585

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AUG 1 1963	
FBI - SEATTLE	

GOLDMARK

Continued from Page One

primarily a study conversation group.

Ultimately, she said, she became disenchanted with communism: "The whole thing broke down."

Kimball asked Mrs. Goldmark if she knew at the time that Communists were dedicated to the overthrow of the U.S. government.

She replied that she knew that was a part of the party doctrine. But she said she saw no activity of that kind, that she was in it because she thought it could be an avenue to help solve unemployment and racial prejudice problems.

Goldmark, earlier this week, testified that his wife had, in 1941 told him that she was in the party, but that they had not discussed her activities in detail.

Yesterday Kimball asked: "How much did you tell him?"

"I told him nothing," she replied.

"What is your reason, Mrs. Goldmark, that you did not?"

"He didn't ask me and, secondly, . . . I had assumed this responsibility on my own and I didn't want to burden others with the responsibility."

She testified today that she stopped going to party meetings in 1943, a year after she and Goldmark were wed.

Kimball asked if she has proof that she really quit the party.

"I have no evidence that I either joined or resigned," she said. She testified that she never had a party card.

Her quitting of the party came after a year in which she went to fewer and fewer meetings, she testified.

After the Goldmarks were in Okanogan County and Goldmark was in politics, "didn't you and John ever discuss the possibility that your former membership in the Communist party could . . . have some effects on his political future?" asked Kimball.

"We had discussed it," she said.

Later she added: "I had made a mistake. . . I didn't want to tell people . . . or my own family. . . because I wanted to take on this responsibility for my mistake."

"I wanted to live in a way that I could work directly with people. . . and be what I considered to be an honest, upright, loyal, thoroughgoing American citizen and this I did."

Mrs. Goldmark testified that she had not discussed her party membership with her own sons until after the election: "I might have told them just before the

(present) suit was filed," she said.

Kimball asked her about the capitalistic system.

"I had grave doubts about the capitalistic system because of the depression," she said. ". . . I was very critical of an economic system that would throw this many men . . . out of a job out onto the street."

She testified she has since changed her mind about capitalism.

"Do you think we can make our economic system superior?" asked Kimball.

She replied: "I think its superior now and I think our possibilities for the future are far superior."

Kimball asked questions about her attitude toward the relationship of government and private enterprise.

"We really have a wonderful system in our country for both private and public enterprise . . . a wonderful balance," said Mrs. Goldmark.

In his questioning Kimball noted that Mrs. Goldmark was mature (28 years old) and a college graduate when she joined the Communist Party.

Mrs. Goldmark testified that the FBI had contacted her first in 1949 about her former party affiliation: "I was at their call. . . and they came to see me on any question they wished and they did so for at least four or five years."

Mrs. Goldmark continued giving testimony this morning. Kimball was asking her why she and Rep. Goldmark didn't reply to campaign mailing literature which made public her former party affiliation and called on her to tell the public about it.



—Daily World Photo.

WELLS — Mrs. John Goldmark gave testimony in Okanogan yesterday how she became a member of the Communist party and how she later left the party. She was giving deposition testimony in \$225,000 libel suit she and her husband, the former state legislator, are bringing against seven defendants. At right are the hands of the court reporter taking the testimony.

IN BIDDLE DEPOSITION**Goldmark Suit Defense Resists New Questions**

OKANOGAN — Defense attorneys are objecting to the questioning of a former U. S. attorney general in the Goldmark libel suit.

Ned W. Kimball and E. Glenn Harmon have filed a motion to quash and cancel notice of the deposition scheduled to be taken from Francis Biddle.

Last week Goldmark's attorneys announced plans to question Biddle, who was attorney general from 1941 to 1945. They said he would be asked questions concerning the American Civil Liberties Union, of which he is a top official. The deposition was planned for Aug. 15 in New York City.

Attorneys for the seven defendants in the \$225,000 suit filed a motion at Okanogan asking Judge Theodore Turner to order cancellation of the deposition. Their main point is that the judge earlier stipulated plaintiff depositions should be completed by July 1. Judge Turner did say, however, that permission of the court could be granted for more, but only for good cause.

Goldmark's attorneys have stated that Biddle's remarks will not constitute a discovery deposition, but will be to "preserve testimony for presentation at the time of trial in October.

Anticipating that the deposition may be allowed, defense attorneys modified their motion by stating they would be agreeable if the court would order the former attorney general's deposition "to be taken only on written interrogation," or order it to be taken "in Okanogan or Spokane," or have the plaintiffs pay expenses incurred by defense attorneys if the questioning is to be done in New York. Harmon and Kimble said they would have to attend in order to protect the interests of their clients.

Kimball, of Waterville, is representing the John Birch Society in the case. Harmon, a Spokane lawyer, is the attorney for the four individuals and two publishing firms named as defendants.

Harmon pointed out the expense to his clients so far in pre-trial proceedings which have now been conducted several months.

"Prior to July 1, 1963, the plaintiffs took a total of 42 de-

total of 3,988 pages of testimony, at a cost to the defendants for transcripts of testimony of approximately \$400," Harmon said.

John Goldmark, former state representative, is seeking damages in Superior Court. He charges that statements made during the September 1962 primary election campaign were designed to defeat his efforts at re-election and were libelous.

Pending motions in the widely publicized libel suit will be heard by visiting Judge Theodore Turner August 9. The King County judge will hear the trial in Okanogan County Superior Court this fall.

Another motion filed recently asks for a summary judgement in favor of the defendant John Birch Society. Attorney Kimball said "There is no genuine issue as to any material facts on the question of libel by this defendant . . ." He bases the appeal for dismissal of the Society on "all records, files and depositions filed" in the case.

(Indicate page, name of newspaper, city and state.)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

Page 6, The Wenatchee
Daily World, Wenatchee,
Wash.

Date: Aug. 4, 1963

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Editor:

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or

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Submitting Office:

100-21585-127

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FBI - SEATTLE	

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[redacted]

August 29, 1963

Federal Bureau of Investigation
1015 Second Avenue
Seattle 4, Washington

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

ATTENTION: [redacted]

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Dear [redacted]

On August 25, 1963, Sally Goldmark, (Mrs. Jonathan Goldmark) Double J Ranch, Okanogan, Washington telephonically contacted me at [redacted] and asked if she could talk to me on the afternoon of August 29, 1963. Informed her I would be at home on that date. She made no mention of what she wanted to discuss.

On this date (August 29, 1963) Mrs. Goldmark appeared at my residence in [redacted] and said they wanted to see me in connection with the pending libel suit she and her husband had filed some time ago against Al Canwell, Ashley Holden, a Mr. Gillispie and one or two other defendents. She informed that allegations had been made by the defendents that her husband had been "head" of the Communist Party (CP) in the Northwest, was sympathetic toward the CP and that other statements had been published by the defendents, one of which stated she was a member of the CP.

[redacted] in talking about the case said they had subpoenaed the records of Al Canwell, who some years back had been chairman of a Washington State Legislative Committee which held hearings on alleged Communist activities in the state of Washington. He mentioned that he and the Goldmarks believe that Canwell had somehow obtained certain information concerning Mrs. Goldmark's past CP affiliations, was instrumental in having her subpoenaed to appear before the House Committee on Un-American Activities and that Canwell had somehow obtained a transcript of her testimony before an executive meeting of that committee in 1956.

[redacted] said one of the practical problems they have in this suit concerns a statement published by the defendents to the effect that Mrs. Goldmark continued to be a member of the CP until 1948. He advised they (He and the Goldmarks) are faced with the problem of proving that Mrs. Goldmark discontinued CP membership in about 1943. He stated he does not know exactly how this can or will be done but desired to know if I would testify that I had contacted Mrs. Goldmark on a number of occasions between "such and such a date and susch and such a date" and that on such occasions she extended a cooperative attitude.

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AUG 29 1963
FBI - SEATTLE
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[redacted] was informed that although I had retired from the FBI I was still governed by the same regulations as govern current Special Agents of the Bureau, i.e., that no Special Agent or former employee of the FBI could divulge any information obtained during an investigation or any information in the files of the FBI to an unauthorized person.

[redacted] stated he realized the above fact but felt that even if I could testify that I had contacted Mrs. Goldmark on "assignments" on a number of occasions it would assist them in their case.

I pointed out to [redacted] that if such testimony was given it would leave me open to cross examination as to what I had contacted her about, what she said, etc., and that I could not answer such questions. [redacted] said, in effect, he realized this and also that by testifying that Mrs. Goldmark had been cooperative, it would be an opinion, it would then be a matter of deciding whether any testimony I had given was material to the case or whether any credibility should be given to the testimony and that this was a chance they would have to take.

During the above conversation Mrs. Goldmark mentioned that she had made a deposition in connection with this action admitting her membership in the CP and the period of such membership.

[redacted] and Mrs. Goldmark were informed that I would not commit myself to them as to whether I would testify as they had asked. They were told the matter would be taken up with the FBI office in Seattle and an attempt would be made to determine whether there would be a violation of any federal statute in giving such testimony as [redacted] had said he desired, i.e. that I testify that I had contacted Mrs. Goldmark on a number of occasions in connection with "assignments" from such and such a date to such and such a date and that on these occasions she extended a cooperative attitude.

[redacted] was also informed that I would inform him of the decision reached after taking the matter up with the Seattle Office why office may desire to discuss the matter with the Bureau.

The above poses a big question in my mind, such as; Would a person be violating a federal law or executive order to testify that he had contacts with Mrs. Goldmark on Official business?

I well realize, as does [redacted] that it would be an opinion if I said she had been cooperative during the contacts and I also realize that I could not, under any circumstances, testify to anything beyond the fact that I had contacts with her.

[redacted] did not say he would subpoena me in this case but I have the feeling he would. Therefore I wish to bring this matter to your attention in an effort to get an opinion; to avoid any violation of a Federal statute on my part; to void bringing any embarrassment to the Bureau or to do anything which might be injurious to the public interest.

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b7C

Since this matter is of deep concern to me any advise you can give me will be appreciated.

Very truly yours

[redacted]

8/30/63

PLAIN

AIRTEL

AIR MAIL

TO : DIRECTOR, FBI (100-386074)
FROM : SAC, SEATTLE (100-21585)
SUBJECT: MRS. JONATHAN GOLDMARK
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HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

ReBulet 7/8/63.

For information of the Bureau, [redacted] retired Special Agent, advised by letter dated August 29, 1963, that on August 29, 1963, he was contacted at his residence, [redacted] by Mrs. JONATHAN GOLDMARK and [redacted] regarding the GOLDMARK libel suit against AL CANWELL, et al.

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Mrs. GOLDMARK stated at that time that allegations had been made by the defendants in this libel suit that her husband, JONATHAN GOLDMARK, had been the head of the Communist Party in the Northwest, was sympathetic toward the CP, and other statements published by the defendants to the effect that the subject was a member of the CP. [redacted] said that he has subpoenaed the records of AL CANWELL, who had previously been the Chairman of the Washington State Legislative Committee on Un-American Activities, which held hearings on alleged Communist activities in the State of Washington. [redacted] mentioned that he and the GOLDMARKS believed that CANWELL had somehow obtained certain information concerning Mrs. GOLDMARK's past CP affiliation, was instrumental in having her subpoenaed to appear before the HCUA and that somehow had obtained a transcript of her testimony before an Executive session of the HCUA conducted in 1958.

3 - Bureau (Reg.) (AM)
1 - Seattle
HEM/nch
(4)

Searched _____
Serialized HEM
Indexed _____
Filed _____

100-21585-129

SE 100-21585

[redacted] said that one of the practical problems that he has in this suit concerns a statement published by the defendants to the effect that Mrs. GOLDMARK continued to be a member of the Communist Party until 1948. [redacted] advised that he is faced with the problem of proving that Mrs. GOLDMARK discontinued CP membership about 1943. [redacted] stated he did not know how he could prove this but desired to ascertain from former FBI agent [redacted] if he could testify that he had contacted Mrs. GOLDMARK on a number of occasions between "such and such a date and such and such a date and that on such occasions, she extended a cooperative attitude".

[redacted] was informed by [redacted] that although he is now retired from the FBI, he was still governed by the same regulations as present employees of the FBI and that these regulations did not permit present or former employees of the FBI to divulge information contained in FBI files and obtained during an official investigation to unauthorized persons. [redacted] stated that he realized the above fact but felt that if [redacted] could just testify that he had contacted Mrs. GOLDMARK on "assignments" on a number of occasions, it would assist him in this case. [redacted] then pointed out to [redacted] that such testimony would nevertheless be subject to cross examination and the defense would be entitled to probe into the essence of interviews conducted by [redacted] with Mrs. GOLDMARK. [redacted] was also aware of the fact that any testimony concerning cooperativeness on the part of Mrs. GOLDMARK would be merely an opinion, and it would then become a matter of deciding whether any testimony of [redacted] would be material to the case. [redacted] understood that limited testimony to the effect that Mrs. GOLDMARK had been cooperative could be argued as to its credibility, and he added that that is the chance that he, as an attorney, would have to take.

[redacted] did not commit himself to either the subject or [redacted] and he told them so, and he pointed out to them that he would refer this matter to the FBI.

In his letter dated August 29, 1963, [redacted] asked the Seattle Office for any instructions or advice as to how he could conduct himself in this matter,

SE 100-21585

particularly from the standpoint of the best interests of the Bureau. [redacted] stated that [redacted] did not definitely say that he would subpoena [redacted] in this libel suit but [redacted] felt that he would be subpoenaed since the GOLDMARKS and their attorney are determined to carry this case to its end.

For information of the Bureau, [redacted] is most conscientious and most desirous to conduct himself in which ever manner would be in the best interests of the Bureau. The Bureau is requested to expeditiously advise the Seattle Office of the proper action [redacted] should take in the event he is or he is not subpoenaed in this libel suit, since it is expected that [redacted] will be again contacted by [redacted] in the near future.

For information of the Bureau, the subject of this case was first interviewed on March 4, 1949, by [redacted] and the results of this interview are set forth in the report of SA [redacted] dated March 11, 1949, at Seattle entitled "JAY DAVID WHITTAKER CHAMBERS, was; et al; Perjury, Espionage - R, IS - R". In addition, the subject was also interviewed on December 14, 1951, and January 2, 1952, by [redacted] and the results of these interviews are set forth in the report of SA [redacted] dated February 13, 1952, in Seattle entitled [redacted] was: SM - C". The subject was also interviewed by [redacted] on June 12, 1952, and the results of this interview are set forth in the report of SA [redacted] dated June 30, 1952, at Seattle entitled "MRS. JONATHAN GOLDMARK, was; SECURITY MATTER - C".

(Mount Clipping in Space Below)

Hallauer Testifies He's Helping In Goldmark Case

OKANOGAN — State Senator Wilbur Hallauer testified in a pre-trial deposition hearing today that he is helping defray some of the legal costs incurred by former state Rep. John Goldmark in his libel suit.

Taking the stand at 9 a.m., in compliance with the request of defense attorneys, Hallauer said he owned a savings account and

received contributions from three men. He then turned over most of the money to Goldmark's Okanogan attorney, R. E. Mansfield.

Hallauer listed among those contributing as Rep. Mark Litchman, Fred J. Martin, director of the state General Services Administration, and Max Nicolai, a Seattle attorney.

Only a handful of spectators

were present in the courthouse this morning for opening testimony in the latest round of pre-trial depositions in the Goldmark libel suit.

Hallauer, an Oroville Democrat, is the first of five persons subpoenaed to appear for questioning.

Hallauer brought with him and produced for examination his past check registers, savings account records, correspondence concerning the American Civil Liberties Union, several books and past correspondence with former State Rep. John Goldmark and his wife, Sally.

Spokane Attorney Glen Harmon, representing six of the seven defendants in the \$225,000 libel action indicated that Hallauer might stay on the witness stand into the afternoon hours.

He was scheduled for two hours of questioning. Four other witnesses have also been called.

The trial is set for Oct. 21 before Superior Court Judge Theodore Turner of Seattle.

Goldmark and his wife are suing the John Birch Society, two publishing firms and four individuals for statements made in the primary election campaign last year. Goldmark, a three-term Democrat leader in the House, was defeated for re-election to the legislature.

(Indicate page, name of newspaper, city and state.)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

Page 11, The Wenatchee
Daily World, Wenatchee,
Wash.

Date: Sept. 5, 1963

Edition:

Author:

Editor:

Title: MRS. JONATHAN
GOLDMARK

Character: SM - C

or

Classification: 100-21585-130

Submitting Office:

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100-21585-130

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FBI - SEATTLE	

9/9/63

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AIRMAIL

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

TO: DIRECTOR, FBI (100-386074)
FROM: SAC, SEATTLE (100-21585)
RE: MRS. JONATHAN GOLDMARK
SECURITY MATTER - C

ReBUairtel 9/4/63.

On 9/6/63 former SA [redacted] was telephonically contacted and was advised in keeping with the Bureau's instructions.

On this same date I personally contacted USA FRANK FREEMAN, Eastern District of Washington, acquainted him with the facts in this case, and informed him in keeping with the Bureau's instructions.

I informed Mr. FREEMAN that in the event [redacted] is subpoenaed he will be informed at once so that appropriate steps may be taken. He indicated his willingness to assist in this matter. [redacted] was advised that should there be any additional developments, he will inform this office at once.

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b7C

3 - Bureau
① - Seattle
JEM:ecm
(4)
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[Handwritten signature]
100-21585-131

Searched _____
Serialized *[initials]*
Indexed _____
Filed _____

① [redacted] *[initials]*
② a94e *[initials]*

F B I

Date: September 4, 1963

Transmit the following in _____
(Type in plain text or code)

Via Airtel _____
(Priority or Method of Mailing)

To: SAC, Seattle (100-21585)
✓ From: Director, FBI (100-386074)

MRS. JONATHAN GOLDMARK
SECURITY MATTER - C

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

Reurairtel 8/30/63.

The following action should be taken by your office:

(1) Advise [redacted] that he was correct in his position in not testifying in this matter; that information gained by him as a Special Agent as well as information in FBI files is confidential and cannot be divulged. Advise [redacted] that this matter has been referred to the Department and the Department is of the opinion that in the event he is subpoenaed, the U. S. Attorney at Spokane, Washington, should appear with him in response to the subpoena for the purpose of invoking the privilege of Department Order 260-62 as well as Supplement Number 4 (revised) Department Order 3464 (which applies the secrecy rule to former employees of the Department of Justice as well as present employees). In the event [redacted] receives a subpoena, he should immediately contact the Seattle Office as well as the U. S. Attorney at Spokane. No additional action should be taken by [redacted] in this matter.

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b7C

(2) You should contact U. S. Attorney at Spokane and acquaint him with the facts in this case as they relate to a possible subpoena for [redacted]. He should be referred to Department Order 260-62 as well as Supplement Number 4 (revised) Department Order 3464 for his utilization in the event [redacted] receives a subpoena. U. S. Attorney should be advised that in the event [redacted] receives a subpoena, your office would appreciate his appearing with [redacted] to protect the information in the files of this Bureau. He should be advised that this matter has been referred to Assistant Attorney General J. Walter Yeagley, Department

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SEARCHED _____ INDEXED _____
SERIALIZED 42 FILED _____
SEP 10 1963
FBI - SEATTLE
[Signature]

b6
b7C

Sent Via _____ M Per 100-21585-132

Airtel to Seattle
RE: MRS. JONATHAN GOLDMARK
100-386074

of Justice, Washington, D. C., and in the event [] receives a subpoena or any other problems arise in this matter involving information in the files of this Bureau, he should immediately contact Assistant Attorney General Yeagley in connection with a possible court appearance.

b6
b7c

You should insure that no information is furnished from your files in any hearing in this matter and that the Bureau's interests are fully protected. The Bureau should be informed promptly of any developments in this matter.

(Mount Clipping in Space Below)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

Birch Society Dismissed In Okanogan Libel Suit

OKANOGAN, Sept. 5.—(U. P.I.)—The John Birch Society was dismissed today as a defendant in the \$225,000 libel suit brought by former State Rep. John Goldmark.

The society had been one of seven defendants in the suit in which the Okanogan Democrat and his wife Sally claimed that statements made about them in the 1962 primary election campaign resulted in Goldmark's loss of his seat in the State House of Representatives.

KING COUNTY Superior Court Judge Theodore S. Turner held that the Birch Society was not a party to any conspiracy as charged in the complaint. He also held that an article written by Don Caron, another defendant, had no connection with Caron's employment by the society.

In a 15-page ruling issued in Okanogan County Superior Court today, Turner also dismissed Caron and the Okanogan Independent, weekly paper for which Caron wrote, as defendants in the conspiracy charge.

He held, however, that Al Canwell, Spokane; Ashley Holden Sr., Tonasket; Loris A. Gillespie, Okanogan, and the Tonasket Publishing Co. must remain defendants against the conspiracy charge.

They were dismissed as defendants in a claim involving Caron's article.

(Indicate page, name of newspaper, city and state.)

**SEATTLE POST
INTELLIGENCER**
SEP 6 - 1963
PAGE 22 COL 6

Date:

Edition:

Author:

Editor:

Title:

**JONATHAN GOLDMARK
INFO CONCERNING**

Character:

or

Classification: **100-21585-133**

Submitting Office:

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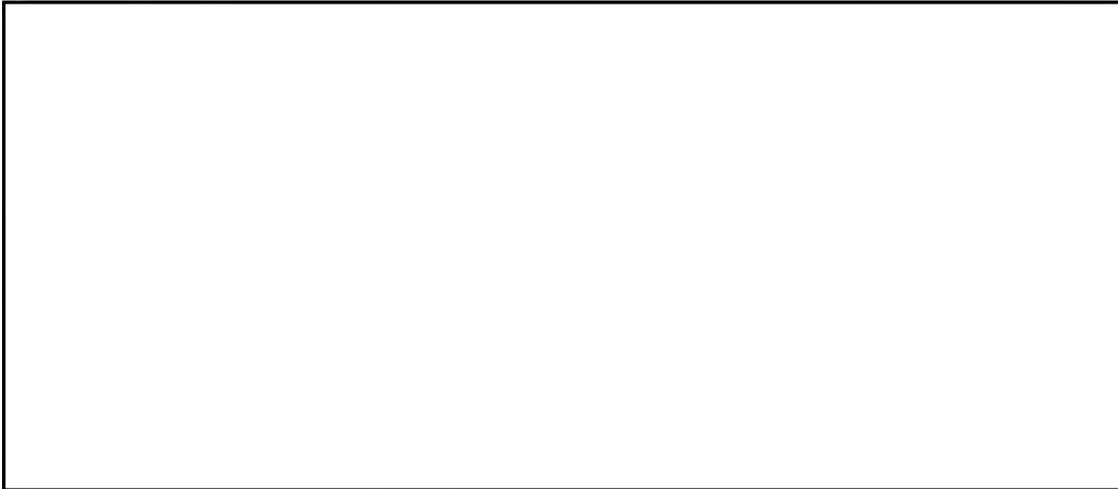
AIR MAIL

TO: DIRECTOR, FBI (100-336074)
FROM: SAC, SEATTLE (100-21585)
SUBJECT: MRS. JONATHAN GOLDMARK
SECURITY MATTER - C

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

Re Bureau airtel, 9/4/63; Seattle airtel, 9/9/63.

In accordance with Bureau instructions set forth in
referenced Bureau airtel, the following information is
submitted:



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It was explained to Mrs. GOLDMARK that Departmental
Orders prevent the FBI from making available information as
contained in FBI to unauthorized persons regardless of the use.

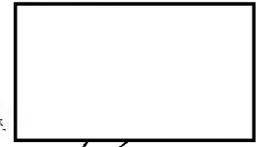
3 - Bureau (AM) (REG.)
1 - Seattle
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Serialized *edk*
Indexed _____
Filed *11/19*

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SE 100-21585

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For information of the Bureau, Mrs. GOLDMARK continues to remain exceedingly friendly to the Bureau and she realizes the necessity of the Departmental Orders restricting use of information in the FBI files.

(Mount Clipping in Space Below)

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HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

(Indicate page, name of newspaper, city and state.)

SEATTLE TIMES

SEP 19 1963

PAGE 52 COL 4

Move for Delay In Goldmark

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Press.

Consolidated defendants in the \$225,000 Goldmark libel suit have moved for delay in the trial scheduled to start at Okanogan October 21. Attorneys for the plaintiff were advised Thursday.

The motion for continuance was filed in Superior Court at Okanogan by E. Glenn Harmon, Spokane attorney for four individuals and a publishing company in the suit against Jonathan Goldmark and Sally Goldmark.

A hearing on the motion is set for 2 o'clock Thursday. Harmon is a representative, as alleged by the plaintiff, of the 1962 primary campaign in which he was defeated for re-nomination.

Date:
Edition:
Author:
Editor:
Title:
**JONATHAN GOLDMARK
INFO CONCERNING**
Character:
or U
Classification: **100-21585**
Submitting Office:

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SERIALIZED FILED
SEP 27 1963
FBI - SEATTLE
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DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

Goldmarks On Stand Again

OKANOGAN — Former State Representative John Goldmark and his wife are taking the witness stand again this week for more depositions by defense attorneys in the widely publicized libel suit.

E. Glenn Harmon of Spokane, who is representing the six remaining defendants, said he would question the former legislator today and his wife, Sally, Tuesday.

They have both testified before.

Last week Harmon examined the Goldmark's financial and correspondence records.

Although he did not say who might be called for more pre-trial discovery proceedings, Harmon said, "There undoubtedly will be ~~more~~ persons scheduled for depositions."

(Indicate page, name of newspaper, city and state.)

Page 3, The Wenatchee
Daily World, Wenatchee,
Wash.

Date: Sept, 23, 1963

Edition:

Author:

Editor:

Title:

Character:

or

Classification:

Submitting Office:

100-21585-136

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 603245 AUC BAW/CB/CAK

Goldmark Case Delay Requested

OKANOGAN — The Goldmark libel suit may not go to trial on schedule.

Defense Attorney E. Glenn Harmon has filed a motion to strike the trial date and is asking for a continuance.

Harmon said there is much important work remaining to be done which cannot be finished by Oct. 21, 1963.

A copy of the motion was mailed to Judge Theodore Turner in Seattle, who will hear the case. He will probably issue an opinion on the motion at the pre-trial conference with attorneys Oct. 2.

Harmon said he was involved in several other lawsuits either recently completed or still pending. He also mentioned that Ned Kimball, Waterville lawyer who had represented the John Birch Society, had been helping with part of the work until that defendant was recently excused from the suit.

"I've never worked as hard in ten years of law practice on preparing a case for trial by a deadline as in this lawsuit," Harmon said. He added that he has already devoted 900 hours of work to it. Harmon said he thought the defense could finish taking discovery depositions by Oct. 1. There also remains "preparation of briefs and memorandums on various issues expected to arise during the trial," Harmon said.

"If given adequate time to prepare their defense, defendants plan to produce a series of witnesses who are expected to testify to facts and events which will cast doubt upon the allegation of Sally Goldmark that she left the Communist party in 1943 and has had nothing to do with it since."

Harmon indicated he would also repudiate John Goldmark's claim that he has not known over a period of years what the Communist party line is.

Today the Spokane attorney is questioning State Senator Wilbur Hallauer in a continuance of the Oroville Democrat's previous deposition. Harmon said more witnesses will be called but in view of the time element and expense he was, at the moment, deciding which ones would be subpoenaed.

luctant to testify.

The Goldmarks entered a suit against seven defendants as a result of statements made during the Sept. 1962, primary election campaign in which he lost his bid for re-election to the State Legislature. Thousands of pages of testimony have been taken and one defendant dismissed from the case. Judge Turner ruled that the Birch Society was not directing the efforts of some of its members at the time of the campaign.

Two publishing firms and four individuals remain in the widely publicized suit. They are the Okanogan Independent, Tonasket Tribune Newspapers, Ashley Holden of Tonasket, Al Canwell of Spokane, Loris Gillespie and Don Caron of Okanogan.

(Indicate page, name of newspaper, city and state.)

Page 20, The Wenatchee
Daily World, Wenatchee,
Wash.

Date: Sept. 19, 1963

Edition:

Author:

Editor:

Title: MRS. JONATHAN
GOLDMARK

Character: INFO CONCERNING
or

Classification: 100-21585

Submitting Office: SEATTLE

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100-21585-137

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SEP 25 1963	
FBI - SEATTLE	

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HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

Greeley, Others To Testify In Goldmark Case

OKANOGAN — Six more witnesses have been called to deliver pre-trial depositions in the libel suit brought by John Goldmark against six defendants.

E. Glenn Harmon of Spokane, who represents the remaining defendants in the case, subpoenaed the five men and one woman Tuesday night.

"We hope to finish taking depositions this week," Harmon said. "There will be more beyond these." One man called to testify this morning will not be available for questioning until later. Clair Greeley of Okanogan, is in Washington, D.C., for a national park board meeting this week.

Scheduled to appear today are: Paul Taylor, Richard Throp, Mrs. Harold Trunkey and Jack Hamilton of Okanogan and Bill Miltenberger of Omak.

Harmon spent the first two days of this week questioning

John and Sally Goldmark. It was a continuance of their depositions began earlier. Certain personal and financial records were produced and examined Monday and Tuesday.

Harmon has filed a motion for continuance, seeking a delay in the start of the trial. Presiding Judge Theodore Turner of Seattle will probably issue an opinion on the motion at the time of the pre-trial conference with attorneys Oct. 2.

The widely - publicized suit is slated to go before a jury Oct. 21. The Goldmarks are suing four individuals and two publishing firms for statements made during the primary election campaign of 1962. Goldmark lost his bid for re-election. The John Birch Society was excused as a defendant when Judge Turner earlier granted a summary judgement for the society.

(Indicate page, name of newspaper, city and state.)

Page 11, The Wenatchee Daily World, Wenatchee, Wash.

Date: Sept. 25, 1963

Edition:

Author:

Editor:

Title:

Character:

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Classification:

Submitting Office:

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SEP 26 1963
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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

**6 Subpoenaed
In Goldmark
Libel Action**

OKANOGAN, Sept. 25.—(A. P.)—The defense continued taking pretrial depositions today in the \$225,000 libel suit brought by former State Representative John Goldmark and his wife.

E. Glenn Harmon of Spokane, attorney for four persons and two weekly newspapers named in the suit, subpoenaed five men and one woman. He reported others would be called.

Those in the new subpoenas were Clair Greeley, Paul Taylor, Richard Thorp, Mrs. Harold Trunkey and Jack Hamilton, all of Okanogan, and William Miltenberger of Omak.

(Indicate page, name of newspaper, city and state.)

SEATTLE TIMES

SEP 25 1963

PAGE 54 COL 3

Date:

Edition:

Author:

Editor: **HENRY MAC LEOD**

Title: **JONATHAN GOLDMARK**

Character: **IS**

or

Classification: **100-21585**

Submitting Office:

COPY SENT TO BUREAU

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HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

Goldmark Case In Court

OKANOGAN — Participants in the Goldmark libel case gathered at Okanogan today for a pre-trial conference.

A jury to hear the suit is to be drawn Oct. 21.

Today Superior Court Judge Theodore S. Turner of Seattle is conferring with attorneys for the two sides. He will probably issue an opinion on a defense motion for continuance of the action.

E. Glenn Harmon of Spokane, representing the six defendants, has asked that the matter be delayed so that he may have more time to adequately prepare his case.

Attorneys for John Goldmark have objected to the delay saying, among other things, that no one is ever completely prepared.

The conference, part of it held in the Judge's chambers, is for the purpose of ruling on such motions and channeling the direction of arguments in the matter to specific points of law.

(Indicate page, name of newspaper, city and state.)

Page 16, The Wenatchee
Daily World, Wenatchee,
Wash.

Date: Oct. 2, 1963

Edition:

Author:

Editor:

Title:

JONATHAN GOLDMARK
INFO CONCERNING

Character:

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Classification:

Submitting Office: Seattle

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DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

Trial of Goldmarks' Libel Case Delayed to November 4th

OKANOGAN, Oct. 4.—(U.P. I.)—Trial of the \$225,000 libel suit of John and Sally Goldmark yesterday was set back to November 4 by King County Superior Judge Theodore S. Turner.

The action came in Okanogan County Superior Court in response to a request by defense attorneys for a delay to allow more time to prepare for trial.

Judge Turner, in moving the date from October 21, said November 4 was the latest possible date on which the case could be set for trial in this jury term. Attorneys for the Goldmarks and the defendants have indicated the trial could take as long as six weeks.

The Okanogan Independent-Dor. Garon of Okanogan.

was excused Wednesday, leaving one other weekly paper and four individuals as defendants in the \$225,000 suit.

Judge Turner dismissed The Independent at the request of Goldmark's attorneys. The attorneys refused to divulge their reason publicly.

Goldmark said he was libeled during the 1962 primary-election campaign, in which he was seeking the Democratic renomination to the State House of Representatives. He was defeated.

The remaining defendants in the case are The Tonasket Tribune and its publisher, Ashley Holden; Al Canwell of Spokane, a former state legislator; and Loris Gillespie and

(Indicate page, name of newspaper, city and state.)

SEATTLE TIMES

OCT 4 - 1963

PAGE A COL 7

Date:

Edition:

Author:

Editor:

Title:

**JONATHAN GOLDMARK
INFO CONCERNING**

Character:

or

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Classification:

Submitting Office:

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HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

Okanogan Paper Excused From Libel Action

OKANOGAN — The number of defendants in the Goldmark libel case now stands at five.

The Okanogan Independent, one of two weekly newspapers named in the suit, was excused from the case late Tuesday.

The motion for dismissal was submitted by attorneys for former State Rep. John Goldmark, plaintiff in the action.

Presiding Judge Theodore S. Turner ordered the Independent stricken since both sides agreed to the dismissal.

R. E. Mansfield of Okanogan, one of Goldmarks' attorneys, had no comment on the unexpected move.

The Independent is the second defendant to be removed from the case. Judge Turner earlier issued a summary judgment in favor of the John Birch Society.

He said then that evidence indicated some society members were involved in the matter but there was insufficient proof that they acted in line with society policy or at the direction of the organization.

Today Judge Turner of Se-

attle is again meeting with lawyers for both sides in a pre-trial conference. The session Wednesday was behind closed doors. Not until pending motions are to be heard will spectators and newsreporters be allowed to listen.

One of the motions Judge Turner may decide is one seeking a delay in the start of the trial.

Filed by Defense Attorney E. Glenn Harmon of Spokane, the continuance is being contested by Goldmarks' lawyer. Harmon has asked for more time to prepare his case.

The trial is now slated for Oct. 21 in Okanogan County Superior Court.

The \$225,000 libel case filed by Goldmark rests against four men and one newspaper. They are Loris Gillespie and Don Caron of Okanogan, Al Canwell of Spokane, Ashley Holden Sr., of Tonasket, and the Tonasket Tribune, which he publishes.

Goldmark has said he was libelled during the primary election campaign of 1962 in which he lost his bid for the party nomination and a chance for reelection to the State Legislature.

(Indicate page, name of newspaper, city and state.)

Page 1, The Wenatchee
Daily World, Wenatchee,
Wash.

Date: Oct 3, 1963
Edition:
Author:
Editor:
Title: JONATHAN GOLDMARK,
Character: INFO CONCERNING
or
Classification: 100-21585 -142
Submitting Office: SEATTLE

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

Goldmark Trial Put Off 2 Weeks

OKANOGAN—The Goldmark libel case has been set back two weeks. Superior Court Judge Theodore Turner granted a defense motion for a continuance Thursday. The delay will put the matter before a jury Nov. 4. It had been scheduled for Oct. 21.

E. Glenn Harmon of Spokane, representing the five remaining defendants, request the delay. He said more time was needed to adequately prepare his case.

Attorneys for former State Representative John Goldmark had contested putting the matter off.

The motion was granted as a pre-trial conference among the participants drew to a close. The session before Judge Turner began Wednesday morning behind closed doors.

Late Wednesday Judge Turner excused the Okanogan Independent as a defendant in the case. His order followed a motion

to that effect submitted by Goldmark's lawyers. They would not comment on reasons for their dismissal motion.

Earlier the judge issued a summary judgement in favor of the John Birch Society. In excusing the society Judge Turner said some members may have been involved but there was no evidence to indicate they acted at the society's direction.

That leaves four individuals and one publishing firm as defendants. Named are Al Canwell of Spokane, Loris Gillespie and Don Caron of Okanogan, Ashley Holden, Sr. of Tonasket and his Tonasket Tribune.

John Goldmark, former first district Democratic Representative, entered the suit following the primary election last year. Goldmark and his wife Sally claim a libelous attack ruined his chances for the party nomination and a chance for reelection to the state legislature.

(Indicate page, name of newspaper, city and state.)

Page 3, The Wenatchee Daily World, Wenatchee, Wash.

Date: Oct. 4, 1963

Edition:

Author:

Editor:

Title:

JONATHAN GOLDMARK
INFO CONCERNING

Character:

or

100-21585

Classification:

Submitting Office: Seattle

cc: B...

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SAC, SEATTLE (137-1735)

10/25/63

SA [redacted]

[redacted]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

On [redacted] made available a copy of the publication Vigilante, Vol. 1, #7, dated August 1962, which he felt that the FBI should have as it contained a picture of [redacted] and a picture of IRMA RINGE GOLDMARK on the second page. Also the back page has some remarks about the FBI and Mr. Hoover, which were complementary. This paper is being retained with the informants file.

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ACTION: FILE

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1-IRMA RINGE GOLDMARK

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100-21585-144

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10-25-63

PLAIN

AIRTEL

AIRMAIL

TO : DIRECTOR, FBI (100-386074)

FROM : SAC, SEATTLE (100-21585)

SUBJECT: MRS. JONATHAN GOLDMARK
SM - C

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

Remyairtel, 9/25/63.

On 10/25/63, Mrs. JONATHAN GOLDMARK and her attorney, [redacted] of Seattle, visited the Seattle Office and advised that in consultations with defense attorneys in this case, in which Mr. and Mrs. GOLDMARK are the plaintiffs, it was pointed out by the plaintiffs to the defense attorneys, that FBI files, as well as FBI Agents or former Agents, are not available for production or testimony in this forthcoming libel suit as a result of regulations of the U. S. Department of Justice. According to Mrs. GOLDMARK and her attorney, the defendants then asked for this fact in writing and the plaintiffs were unable to produce same.

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Mrs. GOLDMARK and her attorney stated that the purpose of their coming to the Seattle Office on this date was to request that a letter be directed to them from the FBI setting forth the availability of FBI records [redacted]

[redacted]

3-Bureau (REG-AM)
1-Seattle

HEM:ldk
(4)

Am

100-21585-146

Searched _____
Serialized *Bck*
Indexed _____
Filed *Bck*

ASA
[redacted] *Wm*

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PAGE TWO

Mrs. GOLDMARK was again advised concerning Departmental orders restricting such use of FBI records and testimony as set out in referenced airtel. Thereupon, [redacted] indicated that he would make a formal request in writing to the Seattle Office as to the availability of FBI records and former SA [redacted] for this forthcoming suit.

When, and if, above request is received by the Seattle Office, the Bureau will be immediately advised along with a recommended reply to this request. This forthcoming trial is scheduled to commence on 11/4/63.

At this same time, [redacted] advised that the defendants in this case have indicated that they are going to use some so called "experts" on Communism to show how Communist discipline has been used in the past with respect to its members and how Communist discipline over the subject would affect her husband and his activities. [redacted] then inquired as to the possible experts that he could subpoena to combat this approach and to this inquiry, no answer whatsoever was made.

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F B I

Date: **October 29, 1963**

Transmit the following in _____
(Type in plain text or code)

Via **Airtel** _____
(Priority or Method of Mailing)

To: SAC, Seattle (100-21585)

✓ From: Director, FBI (100-386074)

**MRS. JONATHAN GOLDMARK
SECURITY MATTER - C**

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

Reurairtel 10/25/63.

[Redacted]
formally requesting information as to (1) the availability of
FBI records [Redacted]

[Redacted]
fact, write you such a letter and/or the specific nature the
letter will take, no specific instructions as to a reply can
be made at this time. However, you should consider calling
his attention to Departmental Order 260-62 signed by the
Attorney General on 1/19/62 and published in the Federal Register
on 1/26/62, also Supplement Number 4 (revised) of Departmental
Order 3464 signed by the Attorney General on 1/13/53. Promptly
advise the Bureau of the receipt of a letter from [Redacted] its
contents and your recommendations as to your proposed reply.

Regarding the last paragraph of referenced airtel
the Bureau believes that, should [Redacted] pursue this inquiry,
you should, of course, advise him that the Bureau will not make
any recommendations as to possible experts on communism.

[Redacted]

James 100-21585-147

a SAC

SEARCHED _____ INDEXED _____
SERIALIZED *138* FILED _____
OCT 30 1963
FBI - SEATTLE
[Signature]

b6
b7c

b6
b7c

Sent Via _____ M Per _____

Airtel to Seattle
RE: MRS. JONATHAN GOLDMARK
100-386074

You should continue to insure that no information is furnished from your files in any hearing in this matter and that the Bureau's interests are fully protected. The Bureau should be informed promptly of any developments in this matter, as you have been doing.

FBI ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60329 AUC BAW/CB/CAK

Date: 10-30-63

Transmit the following in _____
(Type in plain text or code)

Via Radio TELETYPE - URGENT
(Priority or Method of Mailing)

TO DIRECTOR, FBI (100-386074)

FROM SAC, SEATTLE (100-21585)

MRS. JONATHAN GOLDMARK, SM - C.

REBUAIRTEL OCTOBER TWENTY-NINE LAST AND MYTEL
OCTOBER TWENTY-FIVE LAST.

b6
b7C
b7D



AS PER INSTRUCTIONS SET OUT IN U. S.

DEPARTMENT OF JUSTICE ORDER TWO SIX ZERO DASH SIX TWO SIGNED

HEM:ldk
(1)

302239

Approved: _____
Special Agent in Charge

Sent 4 33 M Per RED

100-21585-148

F B I

Date:

Transmit the following in _____
(Type in plain text or code)

Via _____
(Priority or Method of Mailing)

PAGE TWO

BY THE ATTORNEY GENERAL OF THE U.S. ON JANUARY NINETEEN SIXTY-TWO AND PUBLISHED IN THE FEDERAL REGISTER ON JANUARY TWENTY-SIX, SIXTY-TWO AND ALSO AS PER SUPPLEMENT NUMBER FOUR (REVISED) OF THE U.S. DEPARTMENT OF JUSTICE ORDER THREE FOUR SIX FOUR SIGNED BY THE ATTORNEY GENERAL ON JANUARY THIRTEEN NINETEEN FIFTY-THREE.

THIS OFFICE WILL MAKE NO RECOMMENDATIONS WHATSOEVER AS TO POSSIBLE EXPERTS ON COMMUNISM.

[REDACTED] LETTER IS BEING FORWARDED TO THE BUREAU VIA AIRTEL TODAY. ^{b7D}

Approved: _____ Sent _____ M Per _____
Special Agent in Charge

10-30-63

PLAIN

AIRTEL

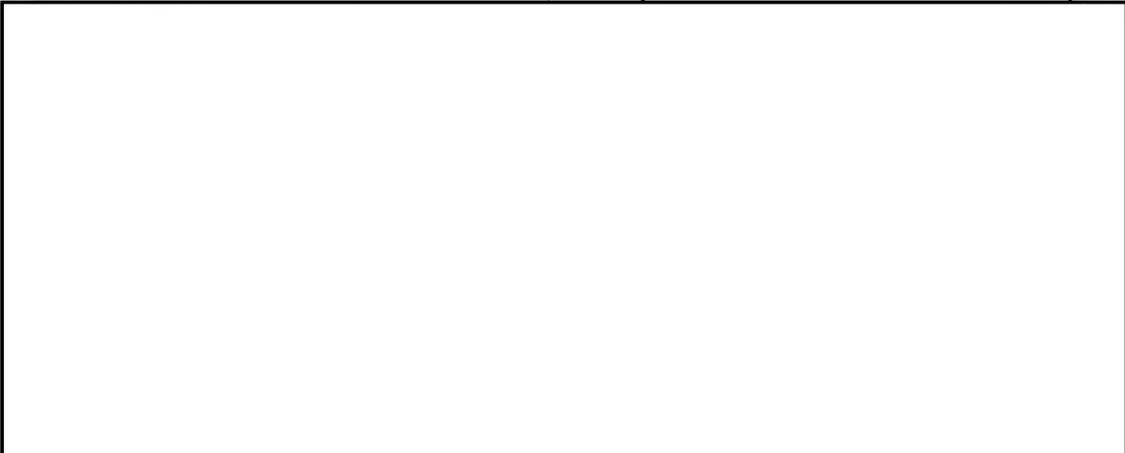
AIRMAIL

TO : DIRECTOR, FBI (100-386074)
FROM : SAC, SEATTLE (100-21585)
SUBJECT: MRS. JONATHAN GOLDMARK
SM - C

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

Remyrad this date.

Transmitted herewith is a copy of a letter directed to the Seattle Office by the



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With respect to the above, I wish to advise that regulations of the U.S. Department of Justice, of which the Federal Bureau of Investigation is a part, precludes any action on my part in making available any files of the FBI for production in [redacted] proceeding. Likewise, these same regulations of the Department of Justice do not permit

2-Bureau (REG-AM)
1-Seattle

HEM:ldk
(3)

Searched _____
Serialized *Bob*
Indexed _____
Filed _____

Jan

100-21585-149

ASA



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PAGE TWO



b7D

Specifically, the regulations mentioned above are the U.S. Department of Justice Order 260-20 signed by the U.S. Attorney General on January 19, 1962 and published in the Federal Register on January 26, 1962 and Supplemental Number 4 (revised) of U. S. Department of Justice Order 3464 signed by the U. S. Attorney General on January 13, 1953.

Since I must strictly comply with these Departmental regulations, I am unable to assist you in this matter.

Very truly yours,".

1015 Second Avenue
Seattle, Washington

October 31, 1963

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-16-2006 BY 60324 AUC BAW/CB/CAK

[Redacted]
Dear [Redacted]

I have received your communication of October 25, 1963, wherein you request that the FBI release all of its records [Redacted]

[Redacted] and also for the FBI to waive any regulations it may have which would other-

[Redacted]

In keeping with what you have been advised in the past, the information in the files of the Federal Bureau of Investigation is confidential and information contained therein can be disclosed only upon the specific authorization of the Attorney General of the United States.

This is in keeping with the instructions set out in Departmental Order 260-62, signed by the Attorney General on January 19, 1962, and published in the Federal Register on January 26, 1962, and in keeping with Supplement No. 4 (Revised) of the Departmental Order 3464, signed by the Attorney General of the United States on January 13, 1953.

In view of this I will be unable to comply with your request.

Searched _____
Serialized _____
Indexed _____
Filed _____
Very truly yours,
[Signature]

J. E. MILNES
Special Agent in Charge

JEM: eon
(3)
100-21585

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b7D

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b7C

100-21585-150

DIRECTOR, FBI (100-386074)

10/31/63

SAC, SEATTLE (100-21585)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

MRS. JONATHAN GOLDMARK
SECURITY MATTER - C
OO: SE

ReBUTel 10/31/63.

Attached is a copy of my letter addressed this date b7D

2 - Bureau (Encl.-1) (AM)
1 - Seattle
JEM:eon
(3)

Searched _____
Serialized *Bch*
Indexed _____
Filed *11/1*

100-21585-151

URGENT 10-31-63 2-31 PM RM

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

TO SAC SEATTLE /100-21585/
FROM DIRECTOR /100-386074/ 2 PAGES

MRS. JONATHAN GOLDMARK, SECURITY MATTER - C.

REURAD OCTOBER THIRTY LAST.

RESPOND TO [REDACTED] LETTER BY INFORMING HER THAT
BUREAU FILES ARE CONFIDENTIAL AND INFORMATION CONTAINED THEREIN
CAN BE DISCLOSED ONLY UPON THE SPECIFIC AUTHORIZATION OF THE
ATTORNEY GENERAL. THEREFORE, FBI RECORDS

b6
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[REDACTED]
[REDACTED]

[REDACTED] WITH REGARD TO DEPARTMENTAL ORDERS MENTIONED IN
REFERENCED RADIOGRAM, YOU MAY USE THEM IN YOUR REPLY TO HER
BY SIMPLY CALLING HER ATTENTION TO THEIR EXISTENCE RATHER
THAN, IN MENTIONING THEM TO HER, USING THE TERMINOLOGY QUOTE
AS PER INSTRUCTIONS SET OUT IN UNQUOTE. THERE IS NO OBJECTION
OF COURSE TO YOUR IDENTIFYING THESE DEPARTMENTAL ORDERS
SINCE THEY HAVE BEEN PUBLISHED.

[REDACTED]

Dunn 100-21585-152

ASAC

SEARCHED.....INDEXED.....
SERIALIZED *Bck*
OCT 31 1963
FBI SEATTLE
[REDACTED] *AM*

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PAGE TWO

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FURNISH THE BUREAU A COPY OF YOUR REPLY
AND KEEP BUREAU ADVISED OF FURTHER DEVELOPMENTS IN THIS
CASE.

END ACK PLS

11-34 AM OK FBI SE JAT

TU DISC

V

URGENT 11-4-63 11-30 AM RM

TO SAC SEATTLE /100-21585/

FROM DIRECTOR /100-386074

MRS. JONTAHAN GOLDMARK, SM - C.

REURAIRTEL OCTOBER THIRTY LAST.

SEE BUTEL OCTOBER THIRTY-ONE LAST FOR INSTRUCTIONS
AND BUAIRTEL OCTOBER TWENTY-NINE LAST FOR PROPER DEPARTMENTAL
ORDER NUMBERS REGARDING REPLY

b7D

END ACK PLS

8-31 AM OK FBI SE JAT

TU DISC

ALL INFORMATION CONTAINED
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DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

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100-21585-153

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SERIALIZED..... FILED.....
NOV 4 - 1963

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b6
b7C

UNITED STATES GOVERNMENT

Memorandum

TO : FILE (100-21585)

DATE: 11/5/63

FROM : SAC, J. E. MILNES

SUBJECT: MRS. JONATHAN GOLDMARK
MS - C

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

Re Bureau tel 11/4/63.

On 11/4/63 I called the Bureau and talked to SA FRED J. BAUMGARDNER. I referred to this teletype and pointed out to him that I couldn't understand why it was sent since we had checked all of the correspondence to the Bureau; from the Bureau; and to [redacted] and the latter correspondence had been exactly in keeping with the Bureau's instructions. I told him it appeared to me possibly that the teletype was sent without a realization that all of this correspondence had taken place.

He advised he would check, and if there was any action needed to be taken, he would let me know.

JEM:eg
(1)

SA Baumgardner is on releasable names list

100-21585-154

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See me pls
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DATE 08-15-2006 BY 60324 AUC BAW/CB/CAK

(Mount Clipping in Space Below)

Okanogan Trial To Explode Battle Of Left Vs. Far Right

BY ROBERT COUR
Post/Intelligencer Public Affairs Writer

O KANOGAN, Nov. 2. —At 9:30 a.m. Monday, in the craggy, fortress-like old Okanogan County building, overlooking this little town, the legal strife which has pitted neighbor against neighbor for over a year, will explode in open court.

John Goldmark, cattle rancher and former member of the Washington State Legislature, and his wife Sally will ask a jury to award them \$200,000 in libel and slander damages from four widely known Central and Eastern Washington residents.

To many, the suit is a frank and open test of Left vs. Right in political views. Goldmark, a brilliant lawyer and Harvard Law School honors graduate, came West after World War II and was well known as a liberal in the three terms he served in the Washington House of Representatives. Sally Goldmark was admitted that under her former name, Irma Ringe, she belonged to the Communist Party from 1935 to 1943.

THE DEFENDANTS are the far right end of the political spectrum. One is Albert G. Canwell, another former state legislator and whip-cracking investigator of the state's "Little House Un-American Activities Committee" of the late 1940s. The Goldmarks want about \$150,000 from Canwell.

A lesser light, but just as well known for his ultra-conservative viewpoint, is defendant Ashley Holden, former Spokane political writer and owner-editor of the Tonasket Tribune. Holden is best-known for his leadership in an unsuccessful campaign to give Washington State a "Right-to-Work" law.



JOHN GOLDMARK, CATTLE RANCHER
Noted As Liberal Lawmaker



ALBERT CANWELL **ASHLEY HOLDEN** **LORIS GILLESPIE**

(Indicate page, name of newspaper, city and state.)
SEATTLE POST
INTELLIGENCER
NOV 3 - 1963
PAGE 6 COL 1

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Editor:
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FBI-SEATTLE
WA

John

Don Caron, former U.S. Forest Service ranger who two years ago resigned when his superiors objected to his political activity.

In a pre-trial deposition, Caron admitted being a paid employe of the Birch Society.

More than 5000 pages of pre-trial testimony have been taken and some 500 exhibits, motions and other legal documents have swelled the files to two bulky packets which will be handed up to Superior Judge Theodore S. Turner of Seattle when the trial opens.

The Goldmarks filed suit alleging libel, slander and conspiracy to do both on September 26, 1962, two weeks after Goldmark was defeated by a fellow Democrat in his bid for a fourth term in the House of Representatives. He had been elected by a district made up by Okanogan and Douglas counties in 1956 and

re-elected in 1958 and 1960.

THE GOLDMARKS charge that the defendants used Sally Goldmark's former membership in the Communist Party to infer that they were subversive and disloyal to the United States. This was done, they claim, at an open meeting of the American Legion and through various stories in newspapers, handbills and pamphlets published just prior to the election.

For the most part, the defendants have taken the position that the suit is political, similar to others filed by losing candidates. Moreover, the pre-trial record shows that they intend to prove most if not all of what was said of the Goldmarks.

First blood in the already-lengthy legal battle was drawn by the defendants. They successfully had the John Birch Society dismissed as a defendant. Judge Turner

says that she left the Communist Party in 1943 and subsequently related full details of her involvement to both the FBI and to a secret session of the U.S. House Un-American Activities Committee sitting in Seattle in 1954.

IN ONE PRE-TRIAL document, Mrs. Goldmark stated that she never had any knowledge in espionage or "similar unlawful activities" of the Communist Party.

Canwell's role in the anti-Goldmark campaign was confined much to a handbill, labeled "An Interview with Al Canwell." The handbill was given wide distribution in Goldmark's district. In the interview, Canwell told of becoming suspicious of the Goldmarks and later, through his own sources made an investigation of the couple. Canwell's recollection was that Mrs. Goldmark left the Communist Party several years later than she claimed.

Court Clerk Mrs. Jane Proffitt, who is readying the case for trial, says that a jury must come from about 90 persons summoned for service in the fall term. Attorneys, acknowledging that it may be difficult to find 12 people who have no opinion in the case, expect the trial to last until early December.

THEY POINT to the fact that all but Canwell, who has an office in Spokane, are well known here. The Goldmarks, Holden and Caron are all highly regarded and most feel that Goldmark served his two-county area well during his service in Olympia. His friends see nothing in his voting record to align him with any left-wing movement in the state.

Goldmark, answering his critics, says he came West after Naval service and after brief stints in law and government service proved unchallenging. He filed the suit, he says, when he and his wife were confronted with persistent questions about their loyalty to the United States.

Washington?

last month ruled that while a number of Birch Society members participated in the anti-Goldmark campaign, there was "a total lack of evidence that it was done at the direction of the society." The ruling is regarded by the many lawyers involved in the case as a severe blow at the conspiracy allegation.

A SECOND, lesser ruling in the case also went against the Goldmarks. Defendant Caron was removed by Judge Turner from most portions of the suit. Caron also has filed a counterclaim against the Goldmarks and some of this remains to be resolved in court.

The Goldmarks, who live on a large cattle ranch on the Colville Indian Reservation, are both originally from the East. This has been viewed with suspicion by many townspeople. Why, they ask, should a young and brilliant lawyer suddenly leave the East where many opportunities beckon, and settle in a remote area of North Central Washington?

Goldmark was born in Scarsdale, N.Y., and was graduated first in his class at Haverford College. He achieved high academic honors at Harvard Law School and became a member of the Harvard Law Review staff. Mrs. Goldmark was born in Brooklyn. Her Communist Party membership occurred while she was living in Wash-

Goldmarks

A third defendant is Loris Gillespie, 63, an orchardist with many business interests in the Okanogan Valley and in Alaska. Gillespie has acknowledged membership in the John Birch Society.

ALSO NAMED in the suit is

(Mount Clipping in Space Below)

Attorney Cites 'Anti-Goldmark' Drive

OKANOGAN, Nov. 5. — (A. P.)—Defendants in the John Goldmark \$225,000 libel suit were accused today of trying "to convince the public Mr. and Mrs. Goldmark were traitors to their country."

William Dwyer, an attorney for the Goldmarks, said in his opening statement to the jury of eight men and four women:

"The defendants a few years ago agreed among themselves that they were going to paint the Goldmarks as Communists in the eyes of the public."

DWYER SAID that accusing a person of being a Communist "is one of the most serious charges that can be made by one citizen against another."

He said such a charge implies "that person is guilty of treason."

Dwyer, a Seattle attorney, explained to the jury that his opening statement does not constitute evidence but simply outlines the case "the Goldmarks will prove."

The libel, slander and conspiracy trial moved quickly after the jury was selected in surprisingly swift order yesterday.

GOLDMARK and his wife, Sally, brought suit after his defeat in a bitter primary-election campaign last year for re-election to the state House of Representatives, where he had served three terms.

Codefendants in the trial are a newspaper, The Tonasket Tribune, and four individuals: Ashley Holden of Tonasket; Al Canwell, former Spokane state legislator, and Loris Gillespie and Don Caron, both of Okanogan. Caron is organizer for the John Birch Society in Washington.

Dwyer urged the jury not to be concerned "with any political aspects that this case might appear to have . . . It is not a case of one political bunch against another political bunch."

Dwyer said libel is an action damaging to another person's reputation, and the libels charged in the suit were contained in publications by Canwell, the Tonasket Tribune owned by Holden, and in tape recordings by Canwell.

DWYER SAID Goldmark's defeat in the 1962 election is not the issue and he might have lost "had the publications and other alleged libels not occurred."

He said the Goldmarks will tell the jury "all about themselves."

The defense was scheduled to follow Dwyer with its opening statement.

The jury represents a typical cross-section of this agricultural area.

Among the male jurors are two orchardists, a power lineman, beekeeper, sawmill worker, two farmers, a long-time resident of the county, two wives of stockmen, a former restaurant cook and an employe of the State Public Assistance Department are the women members.

(Indicate page, name of newspaper, city and state.)

SEATTLE TIMES

NOV 5 - 1963

PAGE 4 COL 4

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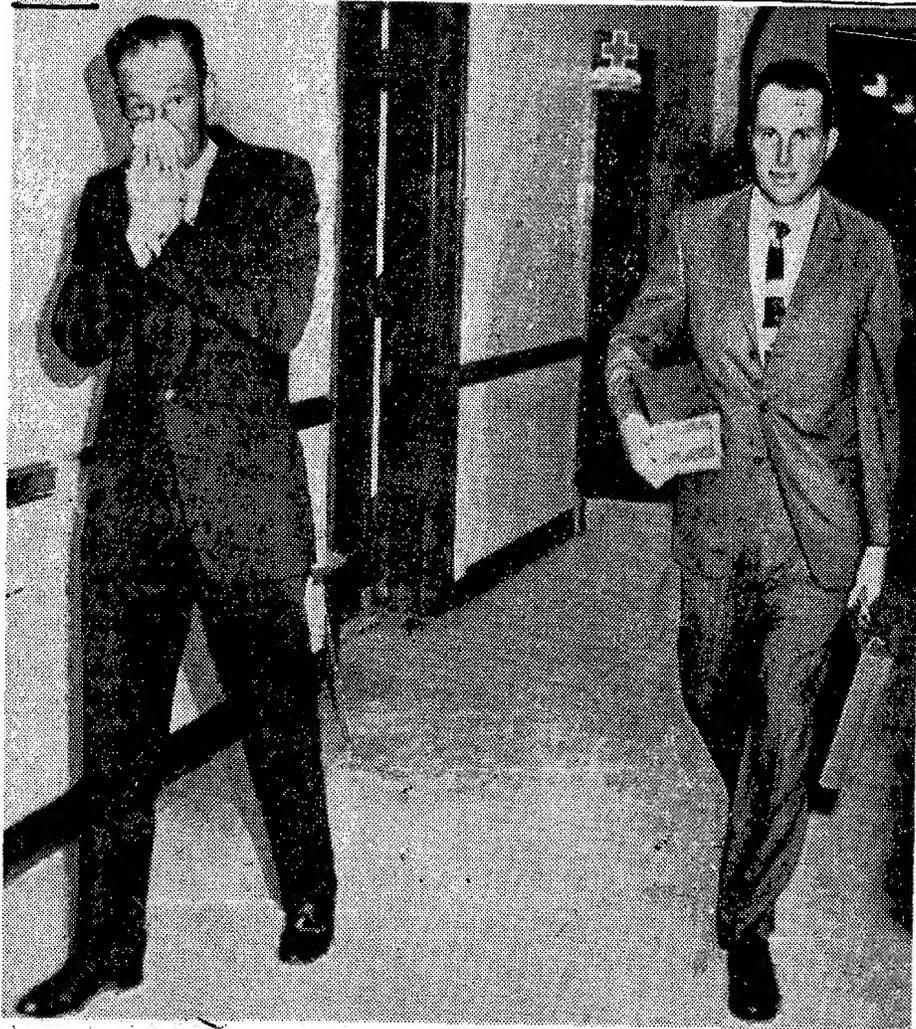
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—A. P. wirephoto.
DON CARON, left, A DEFENDANT, and JOHN GOLDMARK WALKED TO COURTROOM

(Mount Clipping in Space Below)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-15-2006 BY 60324 AUC BAW/CE/CAK

News Article Stressed In Goldmark Suit

OKANOGAN, Nov. 6. — (A. P.) — A newspaper article in The Tonasket Tribune announcing that John Goldmark would seek re-election was the subject of intensive questioning today in the former state representative's \$225,000 libel suit.

Ashley Holden, Sr., testified he wrote the article July 12, 1962, from a press announcement by Goldmark. Holden said he added some things of his own in the article, including a statement that Goldmark was running "on a platform advocated by the Democrats which advocates repeal of the McCarran Act, a law requiring registration of all Communist Party members."

UNDER questioning from R. E. Mansfield, co-counsel for Goldmark, Holden said he had not read the Democratic platform and was unaware that it urged changes in the law, not repeal.

Questioning then followed: **Mansfield:** Do you believe that anyone who is opposed to the McCarran Act is a Communist?

Holden: No. **Mansfield:** Do you think anyone opposing it is suspect?

Holden: Not necessarily. **Mansfield:** Do you think Goldmark was suspect?

Holden: I think so.

Holden replied, "I don't think that necessarily follows" when asked if he thought President Truman was following the Communist line when he vetoed the act.

THE SAME ARTICLE came under scrutiny yesterday for a statement noting that Goldmark's son was a student at Portland's Reed College, which Holden described as the only Northwest campus allowing Gus Hall, Communist Party secretary, to speak.

Holden admitted under questioning that he later learned Hall had been permitted to speak at several other Northwest colleges and universities.

Goldmark, an honor student at Harvard who came West to be a cattle rancher, is suing Holden, his paper and three other individuals for libel, slander and conspiracy during the bitter Democratic primary last year, which Goldmark lost.

Goldmark and his wife were accused in court yesterday of being "under Communist Party discipline now."

The accuser was E. Glenn Harmon of Spokane, co-counsel for the defense.

Harmon made the accusation in opening arguments to the jury of eight men and four women. He surprised most of the courtroom — including the Goldmarks' attorneys — by lashing out against the couple.

HARMON said the defense intends to prove that Mrs. Goldmark, an acknowledged Communist Party member from 1935 to 1943, never left the party. He suggested he would bring in members of the party to back his assertion.

Harmon said Sally Goldmark had not disclosed everything about her Communist activities in Washington, D. C.

Harmon's statements directly conflicted with the opening remarks of William L. Dwyer of Seattle, an attorney for the Goldmarks. Dwyer portrayed Mrs. Goldmark as a naive, puzzled working girl who yielded to a depression-born temptation to join the Communist Party.

"John Goldmark is a man who has detested Communism all his life," Dwyer said. He said Mrs. Goldmark did not take part in any un-American activity while in the party and "she didn't even know there was such a thing."

He said both plaintiffs will testify and answer any question asked concerning their lives.

DWYER SAID Mrs. Goldmark, the former Irma (Sally) Ringe of Brooklyn, made a full statement of her Communist Party activities to the Federal Bureau of Investigation and the House Un-American Activities Committee.

Harmon, following Dwyer just before the noon recess, said all the statements and publications on which the trial is based were "substantially true . . . made without malice and as a matter of public interest."

The Goldmarks say the defendants—Albert F. Canwell, Loris Gillespie, Don Caron, Holden and The Tonasket Tribune—damaged their reputations "with malice and permanently."

Canwell, former state representative and head of the Legislature's Un-American Activities Committee of the late 1940's Gillespie, Okanogan businessman, and Holden are accused of conspiracy. Caron is accused of publishing an article in The Okanogan Independent damaging Goldmark.

(Indicate page, name of newspaper, city and state.)

SEATTLE TIMES

NOV 6 - 1963

PAGE 9 COL 1

Date:
Edition:
Author:
Editor:
Title:
JONATHAN GOLDMARK
Character: **SM - C**
or
Classification: **100-21585**
Submitting Office:

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NOV 6 - 1963
FBI - SEATTLE
Weller Dwyer
McNULTY JH

(Mount Clipping in Space Below)

Defense Says Goldmark Pair Under Control Of Red Party

BY ROBERT COUR

Post-Intelligencer Public Affairs Writer

OKANOGAN, Nov. 5. —

John and Sally Goldmark were accused in court today of being "in fact under Communist Party discipline now."

The accuser was attorney Glenn Harmon of Spokane, co-counsel for the four men the Goldmarks are accusing of libel, slander and conspiracy in a damage suit here. The Goldmarks are asking \$200,000 from the four defendants.

HARMON'S statement came this afternoon before a jury of eight men and four women hearing the case. Superior Judge Theodore S. Turner of Seattle is presiding.

In his opening remarks to the jury, Harmon asserted that Sally Goldmark had not disclosed everything about her party activities when she was a member of a Washington, D.C. branch from 1935 to 1943.

IT CAME in direct contrast to the opening statement of William L. Dwyer of Seattle, one of the Goldmarks' legal team. Dwyer portrayed Mrs. Goldmark as a naive, puzzled working girl who yielded to a depression-born temptation to join the Communist Party.

John Goldmark has never been a communist, nor a communist sympathizer, Dwyer said, and Sally Goldmark quit the party in 1943 and later made a full and detailed statement of her activities to both the FBI and the U.S. House of Representatives American Activities Comm.

"John Goldmark is a man who has detested communism all of his life," Dwyer asserted. He added that both John and Sally Goldmark will take the witness stand and answer any and all questions about their past lives.

DWYER'S opening statement was the first formal action of what is expected to be the longest trial in Okanogan County history. The jury was picked in an all-day session yesterday.

Harmon, following Dwyer just before the noon recess, argued that all of the alleged libelous publications and statements made by the defendants were "basically and substantially true . . . made without malice and as a matter of public interest."

THE publications and statements attributed to the defendants came during and just before the September primary campaign of 1962 in which Goldmark, who had served three terms, was defeated for reelection as State Representative for the district which embraces Okanogan and Douglas Counties.

The Goldmarks claim that the defendants — Albert F. Canwell, Ashley Holden Sr., Loris Gillespie and Don Caron damaged their reputations "permanently," and "with malice."

CANWELL, former State Representative and head of the State's "Little House American Activities Committee of the late 1940s, and Holden, Tonasket newspaper publisher and Gillespie, Okanogan businessman, also are accused of conspiracy. Caron is accused of publishing a story in the Okanogan Independent which was damaging to Goldmark.

Dwyer asserted that all of the acts were designed to convince the public that Mr. and Mrs. Goldmark were traitors to their country.

HE SAID that Mrs. Goldmark not only did not take part in any un-American activity while in the party, "she didn't even know there was such a thing."

Dwyer stated that Mrs. Goldmark's party activity consisted of attending a philosophical meeting with members "once a month or so."

HARMON surprised most of the courtroom — and the Goldmarks' attorneys — by lashing out against the couple in his statement. He said the defense intends to prove that Mrs. Goldmark never left the Communist Party. He suggested he would bring in actual members of the party to back up his claim.

The day ended with Goldmarks' attorneys calling the first witness, defendant Holden. He was being questioned about stories in his Tonasket Tribune when the trial concluded for the day.

(Indicate page, name of newspaper, city and state.)

SEATTLE POST INTELLIGENCER
NOV 6 - 1963
PAGE 7 COL 1

Date:
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Author:
Editor:
Title:
JONATHAN GOLDMARK
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Total Deleted Page(s) ~ 32

Page 103 ~ b7D

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Canwell Hurls More Red Charges

FOIPA # 1035878-01

By JACK FISCHER
S-R Staff Writer

OKANOGAN, Wash.—Charges that Communists had infiltrated the State Department and the National Council of Churches were hurled from the witness stand in Superior Court here Tuesday as the Goldmarks' \$225,000 libel and conspiracy trial entered its second week.

Albert F. Canwell, one of the defendants in the suit brought by John Goldmark, former state legislator, and his wife, Sally, made the charges during questioning concerning "Operation Abolition," a controversial film about the House Committee on Un-American Activities.

He had previously testified that one of the reasons he felt Mrs. Goldmark still was under Communist discipline was her

opposition to the showing of this film.

"Do you know that the National Council of Christian Churches opposed this film?" asked William Dwyer of Seattle, counsel for the plaintiffs.

"I also know that the National Council of Churches is badly infiltrated with Communists," Canwell replied.

"There were members of the ministry in Seattle who opposed the film," Dwyer continued. "Are they Communists?"

"Some are and some are dupes."

"There were some in the Catholic clergy opposed to the film. Are they Communists?"

"There are some left-wingers in the Catholic church."

Dwyer then said many professors opposed the film because of distortions and untruths.

Suspects Professors

"Yes," Canwell said, "and I know that some of the professors are highly suspect."

"You know, do you not, that the film was banned by the Seattle Public Schools?"

"I think they were influenced by the American Civil Liberties Union."

"Don't you feel that it is possible to think this film is a bad film without being a Communist or a Communist dupe?"

"No, not if you are able to think."

Canwell spent the entire day on the witness stand under questioning by Dwyer, who fired his questions at a rapid rate.

The witness admitted that he had not filed income tax returns from 1956-1962, adding that he is in conference with the Internal Revenue Department now to straighten it out.

"I don't think I owe the government a cent," Canwell said.

In earlier testimony taken at a deposition, Canwell said he had not filed these income tax returns because he had not had sufficient income in those years to require such action.

He also admitted that after his American Intelligence Service files were subpoenaed, he had transcribed hand-written notes he had made concerning Mrs. Goldmark's testimony to the HCUA in Seattle to type-written copies and destroyed the original.

It was at this session with HCUA that Mrs. Goldmark purportedly admitted to membership in the Communist party from 1935-1943.

Transcript Available

"The original notes had other information on them not connected with this case which I felt would hurt the security of this country if they fell into

(Indicate page, name of newspaper, city and state.)

Page 11

The Spokesman-Review
Spokane, Wash.

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the hands of Communists," he said.

It was revealed during Tuesday's testimony that a transcript of Mrs. Goldmark's statements to the HCUA in 1956 will be made available for the purposes of this trial.

Testimony involving the State Department came during a rapid fire series of questions by Dwyer asking Canwell to name specific names of Communists in high places of government, as charged in one of his publications circulated during a bitter 1962 campaign in which Goldmark lost his seat in the State Legislature.

"When mistakes by the State Department always run contrary to our security," Canwell said, "the conclusion is obvious. Someone is working for someone other than the United States and we have only one major enemy."

Lashes Out at Rusk

Dwyer asked if some of the mistakes were made by the present Secretary of State Dean Rusk.

"Yes, too many of them," Canwell replied.

"Is he a Communist agent?"

"I know of his record with

Communist fronts. He has either a great lack of knowledge or is doing those things deliberately. He was a most unfortunate selection as secretary of state."

In connection with the Communist fronts, he referred to during the testimony on Rusk, Canwell specifically mentioned the Institute of Pacific Relations.

This line of questioning then was interrupted by defense attorney E. Glenn Harmon of Spokane. Speaking on the objection, Dwyer said, "We wish to show the general recklessness and disregard for truth of these defendants."

Canwell is only the second witness in the trial, the first being Ashley E. Holden, publisher of the Tonasket Tribune, another defendant.

Other defendants in the lawsuit, are Loris Gillespie and Don Caron, both members of the John Birch Society.

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Goldmark Jury Hears Canwell on A.C.L.U.

OKANOGAN, Nov. 13. —(A. P.)— Jurors in the \$225,000 Goldmark libel suit today heard the voice of Al Canwell describe the American Civil Liberties Union as a "major Communist front."

The statement was contained in a tape recording of an August, 1962, meeting in Okanogan sponsored by the American Legion. Among the speakers were John Goldmark and Canwell, a defendant in the suit.

The eight men and four women jurors heard 45 minutes of the tape before yesterday's adjournment and finished listening to it this morning.

A number of tape recordings were made of the meeting because feeling was running high in the primary campaign, in which Goldmark was defeated in a bid for a fourth term in the legislature.

DURING A SPEECH at the gathering, Canwell said the A. C. L. U. "is the major Communist front operating in the State of Washington at the present time."

Canwell also testified that Joe Haussler and B. E. Huhls, Omak Democrats, each donated \$100 toward his work. Haussler later ran for the Legislature and was one of the winners in the three-way race for the Democratic nominations for two House seats. Goldmark lost.

Earlier yesterday, Canwell, also a former legislator, testified he received money to "investigate" Goldmark, but denied the investigation's purpose was to attack the Harvard-educated cattle rancher.

Canwell was asked about an assertion that there are Communist agents in high places in the church and government. A lawyer asked him to name one, and Canwell spoke the name J. Robert Oppenheimer.

THE LAWYER asked what Oppenheimer's government position was.

"I don't know," Canwell said. "I believe he's an adviser."

Canwell testified he destroyed some handwritten notes on secret testimony Mrs. Goldmark gave the House Un-American Activities Committee in 1956. He said he destroyed notes "that had matter on them that should not be seen by anyone."

(Indicate page, name of newspaper, city and state.)

SEATTLE TIMES

NOV 13 1963

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Canwell Testifies He Received Funds To Investigate Goldmark

OKANOGAN, Nov. 12.—(A.P.) — Former State Rep. Al Canwell testified in the John Goldmark \$225,000 libel suit today he received money to "investigate" Goldmark but denied it was for an attack on the Harvard-educated cattle rancher.

THE CASE WENT into its second week after a three-day weekend recess and Canwell resumed testimony begun Friday. Goldmark and his wife charge they were damaged "with malice and permanent injury" in the 1962 Democratic primary election campaign by statements made by Canwell, Ashley Holden Sr., two other defendants and Holden's newspaper. Goldmark was defeated seeking reelection. Addressing Canwell, John Dwyer, Goldmark attorney, said:

"You asked for money from people in this county and they paid you money, for the express purpose of investigating and attacking the Goldmarks."

CANWELL REPLIED he received some money "to continue the investigation of John Goldmark." He denied it was for the purpose of attacking Goldmark.

The former Spokane state legislator was asked by Dwyer about a paragraph in his so-called "non-governmental intelligence service," a news letter publication. The paragraph asserted there are communist agents in high places in the church and government.

Dwyer asked him to name some such person in government and Canwell gave the name of J. Robert Oppenheimer. Dwyer asked what his government position was.

"I don't know," Canwell said. "I believe he's an adviser."

DWYER THEN referred to Hilsman, assistant secretary of state for Far Eastern Affairs; Marine Maj. Gen. Victor H. Krulack, special assistant to the joint chiefs of staff for counter-insurgency activities; White House press secretary Pierre Salinger; Arthur Sylvester, assistant secretary of defense for public affairs, and Robert Manning, assistant secretary of state for public affairs.

A major issue before the group will be to ascertain the amount of U.S. military and financial assistance needed to carry out the anti-communist program in South Viet Nam.

Oppenheimer as a well-known physicist who recently received an award from the Atomic Energy Commission. He asked if Canwell considered Oppenheimer to be in government now.

"I think they're trying to revive and rehabilitate him," Canwell testified. "It is a reprehensible thing, I think."

Under other questioning, Canwell said he thought the

National Council of Churches was "badly infiltrated with communists."

He also admitted he had not filed income tax returns between 1956 and 1962. In pre-trial deposition testimony, he had explained he did not earn enough money those years to require a personal income tax return.

AT ANOTHER stage, Dwyer questioned Canwell about his file on the Goldmarks. It was established that Canwell had had some handwritten notes on secret testimony which Mrs. Goldmark gave the U.S. House Un-American Activities Committee in 1956.

Canwell said he no longer had the notes, saying he had destroyed some "that had matter on them that should not be seen by anyone."

Dwyer asked if Canwell had consulted his lawyer when he destroyed the notes and Canwell said he had not. Canwell's records were subpoenaed for the Goldmark trial some months ago.

(Indicate page, name of newspaper, city and state.)

SEATTLE TIMES

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MRS. JOHN
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Effects of Anti-Goldmark Rumors Told

OKANOGAN, Nov. 14. — (A.P.)—Loris Gillespie, a defendant in the John Goldmark libel suit, was quoted yesterday as saying it is a lie to say that Mrs. John Goldmark cooperated with the Federal Bureau of Investigation in its investigation of Communism.

Jack Hamilton, the fourth witness in the trial of the \$225,000 suit, testified that he gave a coffee party for the Goldmarks at his home here in 1961, when he learned of rumors about possible connection of the Goldmarks with the Communist Party. At the party, Hamilton said, Mrs. Goldmark's membership and subsequent withdrawal from the party were explained.

LATER, Hamilton said, he told Gillespie that Mrs. Goldmark had cooperated with the Federal Bureau of Investigation.

"He (Gillespie) said that was a lie," Hamilton said.

In cross-examination today, Hamilton was asked what Mrs. Goldmark said at the coffee hour about her activity in the Communist party.

The witness replied that Mrs. Goldmark told the group she engaged mainly in study activities.

Two witnesses testified today about contributions they made for political activities by Ashley Holden, Sr., another defendant.

Arthur Lund, former president of a Tonasket bank, told of one \$100 contribution. Lee Franks, operator of a Tonasket store, mentioned one \$50 contribution and another of \$67.

Hamilton, an Okanogan farm-implementation dealer, is the first witness considered friendly to the plaintiffs.

John and Sally Goldmark, cattle ranchers here, are suing Gillespie, three other individuals and a newspaper, saying the defendants damaged them through libel, slander and conspiracy.

Goldmark, a Harvard Law School graduate and former Democratic state representative, lost a primary election last year after a bitter liberal-conservative battle.

Hamilton testified he has known the Goldmarks 10 to 12 years. Before 1961, he said, their reputations were excellent. Then he became aware of the rumors. And as a result of statements made during the 1962 primary campaign, he said, many people began to doubt the loyalty of the Goldmarks.

HE SAID the distribution of tape recordings and publication of writings concerning the Goldmarks had a "very serious affect."

"What was it?" a Goldmark attorney, Reese Mansfield, asked.

"It left a lot of doubt and concern in people's minds as

a result of things that were said," Hamilton replied.

"Doubt about what?"

"About their loyalty."

"Does this still exist?"

asked Mansfield.

"I think it does," Hamilton said.

William Hamilton, an East Wenatchee lawyer prominent in Republican circles, testified yesterday he helped Al Canwell, a defendant in the Goldmark suit, make a tape recording at Brewster during the primary campaign.

The recording featured con-

versation between Hamilton and Canwell about Mrs. Goldmark's activities as a Communist Party member from 1935 to 1943 and about John Goldmark's membership in the American Civil Liberties Union. Canwell has called the latter organization a Communist front.

HAMILTON testified he had been interested in campaigns to defeat Goldmark since 1956, when Goldmark first won election to the Legislature. He said he gave Canwell \$50 to help

pay for gathering information to be used against Goldmark.

Attorney Mansfield brought out that the conversation on the tape eventually was published in Canwell's three-issue newsletter, "American Intelligence Service."

Hamilton said he made the tape available to associates and distributed the published version by mail.

Cross-examination by a defense attorney, Ned Kimball, was aimed at showing there was no conspiracy involved in making the tape.

(Indicate page, name of newspaper, city and state.)

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Lie Claimed in Libel Trial

OKANOGAN (AP) — Loris Gillespie, co-defendant in the John Goldmark libel suit, has been quoted in testimony as saying it is a lie Mrs. Goldmark cooperated with the FBI in its investigation of communism.

Jack Hamilton, the fourth witness in the trial of the \$225,000 suit, testified late Wednesday that he gave a coffee party for the Goldmarks at his home here following the summer of 1961, when he learned of rumors about possible connection of the Goldmarks with the Communist party. At the coffee, Hamilton said, Mrs. Goldmark's membership and subsequent withdrawal from the party were explained.

Later, Hamilton said, he told Gillespie that Mrs. Goldmark had cooperated with the FBI.

"He (Gillespie) said that was a lie," Hamilton said.

In cross examination by the defense today, Hamilton was asked what Mrs. Goldmark said at the coffee hour about her activity in the Communist party.

The witness replied that Mrs. Goldmark told the group she indulged mainly in study activities.

Contributions Told

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Arthur Lund, former president of a Tonasket bank, told of one \$100 contribution. Lee Franks, operator of a Tonasket store, mentioned one \$50 contribution and another of \$67.

Hamilton is an Okanogan farm implement dealer.

John and Sally Goldmark, cattle ranchers here, are suing Gillespie, three other individuals and a newspaper, saying the defendants damaged them through libel, slander and conspiracy. Goldmark, a Harvard Law School graduate and former liberal Democratic state representative, lost a primary last year that followed a bitter liberal-conservative battle.

Hamilton testified he has known the Goldmarks 10 or 12 years. Prior to 1961, he said, their reputations were excellent, but then he became aware of the rumors. And as a result of statements made during the 1962 primary, he said, many people began to doubt the loyalty of the Goldmarks.

He said the distribution of tape recordings and publication of writings concerning the Goldmarks had a "very serious effect."

"What was it?" Goldmark attorney Reese Mansfield asked.

"It left a lot of doubt and concern in people's minds as a result of things that were said," Hamilton replied.

"Doubt about what?"

"About their loyalty."

"Does this still exist?" asked Mansfield.

"I think it does," Hamilton said. William Hamilton, an East Wenatchee lawyer, testified earlier he helped co-defendant Al Canwell make a tape recording at Brewster during the primary.

The recording featured an interview between Hamilton and Canwell about Mrs. Goldmark's activities as a Communist Party member from 1935 to 1943 and about John Goldmark's membership in the American Civil Liberties Union. Canwell has called the organization a Communist front.

Hamilton testified he had been

interested in campaigns to defeat Goldmark since 1956, when Goldmark first won election to the legislature. He said he gave Canwell \$50 to help pay for gathering information to be used against Goldmark.

Mansfield brought out that the conversation on the tape was eventually published in Canwell's three-issue newsletter, "American Intelligence Service."

Hamilton said he made the tape available to associates and distributed the published version by mail.

Cross-examination by defense attorney Ned Kimball was aimed at showing there was no conspiracy involved in making the tape.

Questions Asked

"Was the meeting a spontaneous thing? Was there any prearrangement, Mr. Hamilton?" Kimball asked.

"No, Mr. Canwell didn't even know me until I re-introduced myself," Hamilton said.

"As far as you're concerned it was just political activity?"

"Yes," Hamilton replied. The witness said neither Gillespie nor co-defendant Ashley Holden Sr. was at the meeting.

"Did Mr. Holden or Mr. Gillespie have anything to do with making this tape?" asked Kimball.

"No, they weren't there," Hamilton said.

(Indicate page, name of newspaper, city and state.)

2 Spokane Chronicle
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Conspiracy Against Goldmark Denied

OKANOGAN, Nov. 15.—(A.P.)—An Okanogan orchardist, who said he could not understand why a Harvard University graduate would “bury himself” on a cattle ranch, denied on the witness stand yesterday that he took part in any conspiracy to smear John Goldmark.

Loris Gillespie, grower, former publisher and American Legion officer, testified in the \$225,000 libel-and-conspiracy suit brought by Goldmark against Gillespie and four other defendants.

Gillespie said he always had thought it strange that Goldmark, a cum laude graduate of Harvard, had come west to be a rancher when “he didn’t know one end of a cow from the other.”

THE FORMER publisher of The Okanogan Independent admitted under prodding by Goldmark’s attorney that he might have been “indiscreet” in his private comment to friends about Goldmark.

“I have told people Mrs. Goldmark was a Communist,” Gillespie testified. “I had no knowledge that John Goldmark was a Communist. It is possible I may have been indiscreet at times.”

Gillespie said he had no idea that a \$200 check he gave Al Canwell of Spokane, another defendant, would be used to pay for a trip to Washington, D. C., to investigate Goldmark. He said he didn’t set up a meeting in Spokane with Canwell and Joe Haussler, Goldmark’s Democratic opponent in the 1962 primary, for the purpose of discussing Canwell’s findings. He admitted that “might have been in the back of my mind” but he said the real purpose of the trip was other business.

GILLESPIE SAID that when he was master of ceremonies at an American Legion meeting in August, 1962, he didn’t know Canwell would use the occasion to paint the American Civil Liberties Union as a Communist front. And he said he had nothing

to do with mailing 400 or more copies of Canwell’s Vigilante pamphlet throughout Okanogan County.

Gillespie said he wondered how a man could be married to a Communist, as Mrs. Goldmark has admitted she was from 1935 to 1943, without having some of it rub off on him.

“He must have been willing to accept it or he wouldn’t have married her,” Gillespie said.

Another witness was State Senator Wilbur Hallauer, a Democratic colleague of Goldmark until the latter was defeated last year. He testified for the Goldmarks.

HALLAUER SAID some “very venomous things” were printed about Goldmark and his wife in the campaign. “They were certainly damaging . . .,” Hallauer said. “They created doubts in the public mind which he (Goldmark) was unable to overcome.”

Hallauer said Sally Goldmark had a good reputation until material was distributed at the American Legion meeting in 1962. He said a letterhead of the American Civil Liberties Union showing that Goldmark and Hallauer both were members of its state board was circulated at the meeting.

Hallauer testified he contributed \$1,500 to help the Goldmarks in their suit but that he knew of no contributions from the A. C. L. U.

UNDER QUESTIONING by a defense attorney, E. Glenn

Harmon, Hallauer admitted he had been an “enemy for some time” of one of the defendants, Ashley Holden, publisher of The Tonasket Tribune.

Hallauer said he went into the newspaper business in Tonasket with the idea of trying to keep Holden out. About ten months later, he sold out, having lost \$11,000 on the paper, The Tonasket Times.

Hallauer said he first heard whispered reports about the Goldmarks in 1956. He said people would talk about “airplanes flying in and out at all hours of the night from the Goldmark cattle ranch. He said there was suspicion on the part of some that smuggling was going on.

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Calls Words 'Indiscreet'

OKANOGAN, Wash.—A defendant in the Goldmarks' \$225,000 libel and conspiracy lawsuit admitted in superior court here Thursday that he may have been "rather indiscreet" in private conversations in associating John Goldmark with the Communist party.

Plaintiffs' attorney William Dwyer was questioning Loris A. Gillespie of Okanogan regarding a statement he made on a television program after the campaign last year. The lawsuit stems from that campaign.

A transcription of that program quotes Gillespie as saying that all candidates in the first legislative district were "good Americans."

"That's not the same thing as you have said in private conversations about the Goldmarks, is it?" queried Dwyer.

Indiscretion Hinted

"It is possible in private conversations I have been rather indiscreet," answered Gillespie.

But when Dwyer asked, "In your own opinion he (Goldmark) is a good patriotic American?" Gillespie answered, "A few years ago I might have said that was a true statement."

Gillespie, the day's fifth witness, was still on the stand when court was adjourned.

He said he frequently had been curious about the Goldmarks and why they came to Okanogan County, wondering why a man who was graduated cum laude from Harvard University would never practice the profession for which he was educated.

He then added, "I've always thought that if a man married a Communist, how can he help but be somewhat partial to her views. If I knew that a woman was a Communist, I doubt that we would ever be married."

8 Years in Party

Mrs. Goldmark has acknowledged membership in the Communist party from 1935-1943. The couple was married in 1942.

Earlier in the day, State Sen. Wilbur G. Hallauer, D-Oroville, testified he felt the newspaper articles, campaign literature and tape recordings named in the complaint were "venomous things" and damaged the Goldmarks' reputation. He said their reputation both in the 1st Legislative District and in Olympia were "excellent." But now doubts have been raised in the public's mind they have not been able to overcome.

Hallauer said before 1962 all he had heard concerning the loyalty of the Goldmarks to the United States were "rumors which had been going around since 1956." He added that these rumors involved some "wild story" about airplanes coming and going from the Goldmark ranch.

Hallauer readily admitted

strong animosity toward one of the defendants, Ashley E. Holden, publisher of the Tonasket Tribune, as well as to an unfriendly relationship with Gillespie.

"Didn't you try to stop Mr. Holden from buying a paper in Tonasket?" asked defense attorney E. Glenn Harmon.

"I bought the Tonasket Times," Hallauer replied.

"For a time you and Mr. Holden were competitors?"

"Yes, for eight to 10 months." "During this time was your paper ever a paying proposition?"

"No." "You decided to get out of the newspaper business?"

"That is right." "You had never been in the newspaper business before?"

"No." "That venture was solely for the purpose of trying to keep Mr. Holden from running a newspaper in Tonasket?"

"No, that's not right. It was one of the purposes."

Lost \$11,000 on Venture

Hallauer later testified he lost about \$11,000 on the venture.

He said Gillespie at one time supported him, but was disappointed in 1951 on the stand Hallauer took on a tax bill and that they have been on opposite sides since.

Harmon made several queries regarding an editorial Gillespie wrote in the Okanogan Independent, which he then published, about Hallauer's stand on the antisubversive bill which was passed in 1951.

Hallauer, however, said he could not recall any such editorial.

Hallauer, like Goldmark, is a member of the American Civil Liberties Union, which the defendants claim is a Communist front. He said he joined the ACLU in 1955 or 1956 and has been a large contributor to that organization since that time.

Canwell Speech Listed

One item specifically included in the complaint is a speech made by Albert F. Canwell of Spokane, another defendant, at an American Legion meeting in August 1962. The title of his talk was "The Truth About the ACLU."

Gillespie testified Thursday the American Legion has been asking for an investigation of the ACLU for 25 years.

(Indicate page, name of newspaper, city and state.)

2 Spokane-Spokesman-
Review

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Title: MRS. JOHN
GOLDMARK

Character: SM-C

or

Classification: 100-21585-187

Submitting Office: SEATTLE

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NOV 18 1963
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LEGION OFFICIAL ADMITS BEING POSSIBLY 'INDISCREET' ON GOLDMARK

(Indicate page, name of newspaper, city and state.)

SEATTLE POST INTELLIGENCER

NOV 15 1963

PAGE 11 COL 1

OKANOGAN, Nov. 14. — (AP) — Leris Gillespie, Okanogan orchardist and American Legion official, admitted today, he might have been "indiscreet in personal conversation" about former State Rep. John Goldmark.

GOLDMARK has filed a \$25,000 libel and conspiracy suit against Gillespie and four other defendants.

Questioned whether he had told people privately that the Goldmarks were communists, Gillespie replied:

"I have told people Mrs. Goldmark was a communist. I had no knowledge that John Goldmark was a communist... it is possible I may have been indiscreet at times."

Gillespie, former publisher of the weekly Okanogan In-

dependent, denied that he was involved in any conspiracy to smear Goldmark.

Under questioning he denied:

Knowing that a \$200 check he gave to Al Canwell of Spokane would be used to help pay for a trip to Washington, D.C., to investigate Goldmark.

ARRANGING a meeting

with Canwell in Spokane for Joe Haussler, Goldmark's Democratic opponent in the latter 1962 primary, to discuss Canwell's investigation of the Goldmarks.

Knowing in advance that Canwell would use an American Legion meeting at which Gillespie was master of ceremonies to paint the American Civil Liberties Union as a communist front.

Mailing more than 400 copies of Canwell's Vigilante pamphlet throughout Okanogan County.

GILLESPIE SAID the pamphlets were mailed by Mrs. Don Caron, wife of another defendant, and others and he denied furnishing them with mailing lists.

Gillespie testified he had often wondered why Goldmark,

a cum laude graduate of Harvard University, would "bury himself on a cattle ranch when he didn't know one end of a cow from the other."

He said he also had wondered how a man could be married to a communist and not be subjected to her views. Mrs. Goldmark has admitted being a member of the Communist Party from 1935-1943.

GOLDMARK MUST have been willing to accept it or he would not have married her, Gillespie testified.

Earlier, State Sen. Wilbur Hallauer was called as a witness for the Goldmarks. He testified that "very venomous things" concerning the Goldmarks were included in material distributed by the defendants.

HALLAUER SAID he contributed \$1,500 of his own money to help the Goldmarks in their suit but he knew of no contributions by the American Civil Liberties Union, of which he is a board member.

Goldmark lost his bid in the 1962 election for the Democratic nomination to a fourth term in the State House of Representatives.

Date:

Edition:

Author:

Editor: **BERNE JACOBSEN**

Title: **MRS. JOHN GOLDMARK**

Character: **SM-C**

or

Classification: **100-21585-188**

Submitting Office:

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Goldmark's Marriage Item Of Discussion In Testimony

OKANOGAN, Nov. 15. —

(AP) — A witness testified today that Loris Gillespie once hinted John Goldmark might have been forced into marriage by the communists.

William Barnes, Okanogan undertaker, said Gillespie told of what he called the communists' "forced marriage program" during a conversation between the two last year.

Gillespie is a defendant in the \$225,000 libel and conspiracy suit brought by Goldmark after his unsuccessful bid in the Democratic primary last year. Goldmark also named three other individuals and an Okanogan County weekly.

BARNES SAID the subject of a forced marriage came up during a conversation he had with Gillespie about Barnes' wife supporting Goldmark during the 1962 campaign.

Barnes said Gillespie denied trying to get Mrs. Barnes fired from her job with the State Highway Department because of her political activity. Gillespie did tell him, Barnes said, that his wife's support of Goldmark, a three-time state representative would hurt his undertaking business.

Barnes quoted Gillespie as telling him:

"You know the communists have forced marriages — why would he (Goldmark) marry a girl as homely as Sally if he wasn't forced into it?"

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MRS. GOLDMARK, the former Sally Ringe of Brooklyn, has admitted being a member of the Communist Party from 1935 to 1943.

Another witness, Nick M. Cain, Malott orchardist, said Gillespie had also mentioned forced marriages by the communists to him. He said Gillespie brought up the question of why the handsome Goldmark had married Mrs. Goldmark and asked him if he didn't know that the communists "had a forced marriage program."

Cain said Gillespie told him Al Canwell, Spokane, also a defendant, had access to secret congressional proceedings in which Mrs. Goldmark testified about her past association with the communists.

Seven witnesses paraded to the stand during the ninth day of the trial, by far the busiest session so far.

ONE OF THOSE who testified was Jo Pardee, Wenatchee librarian, who said Gillespie was calling Goldmark a communist as far back as 1956. Miss Pardee, director of the North Central Washington regional library, said Gillespie used a "slang expression for communist" in talking about Goldmark. Told that the Goldmarks were friends of hers, Gillespie said "he didn't think much of my choice of friends," Miss Pardee testified.

The trial was recessed over the weekend to reconvene Monday morning.

(Indicate page, name of newspaper, city and state.)

SEATTLE POST
INTELLIGENCER

NOV 16 1963

PAGE 7 COL 5

Date:
Edition:
Author:
Editor: **BERNE JACOBSEN**
Title: **MRS. JOHN GOLDMARK**

Character: **SM-C**
or
Classification: **100-21585**
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Mr. J. Walter Yeagley
Assistant Attorney General

November 21, 1963

Director, FBI

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DATE 08-18-2006 BY 60324 AUC BAW/CE/CAK

MRS. JONATHAN GOLDMARK
SECURITY MATTER - C

FOIPA # 1035878-01

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b7c

Reference is made to my letter dated September 5, 1963, concerning the captioned individual and to the telephone call to you by Special Agent James P. Bland on November 20, 1963, and other discussions that date between Special Agent Bland and Departmental Attorney Brandon Alvey. These concerned the subpoenas issued for the appearance on November 23, 1963, of former Special Agent [redacted] to testify at the trial of the libel case in which captioned individual is a plaintiff.

Attorney Brandon Alvey advised that he was instructing the United States Attorney at Spokane to appear in court with [redacted] to invoke Departmental Order 260-63 and Supplement Number 4 (revised) of Departmental Order 3464 to any questions asked of [redacted] based on the facts of his interviews with Mrs. Goldmark or any questions calling for a conclusion drawn from these facts. Attorney Alvey pointed out it would be necessary for [redacted] to appear and answer certain preliminary questions as to his identity and former occupation, whether he ever interviewed Mrs. Goldmark and the times and places of these interviews, depending, of course, upon his own recollection. Attorney Alvey advised that he would instruct the United States Attorney in detail concerning the handling of this matter and looking to the protection of the FBI information.

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1 - Seattle (100-21585)

100-21585-190

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Holden Questioned About Story, Editorial Im- Goldmark Libel Suit!

(Indicate page, name of newspaper, city and state.)

1 THE WENATCHEE
DAILY WORLD
WENATCHEE, WASH.

Date: 11/7/63
Edition:
Author:
Editor:
Title: Mrs. SALLY
GOLD MARK

Character: SM-C

or

Classification: 100-21585-191
Submitting Office: SEATTLE

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WAW

By DICK LARSEN

OKANOGAN — Attention was focused on a news story, an editorial and the man who wrote them, as the John Goldmark libel suit went through its fourth day today.

Ashley Holden, editor - publisher of the Tonasket Tribune, was on the stand again.

He testified Wednesday that he still thinks John and Sally Goldmark are Communists.

The jury of eight men and four women heard Holden make some militant statements about what he called a "monstrous conspiracy" which threatens America and "Communist tools" employed in it.

But the heart of the legal aspects of the case began being revealed with the introduction as evidence of the first of the alleged libels.

It is a story which appeared in the July 12, 1962, edition of the Tonasket Tribune. Editor Ashley Holden testified he wrote it.

Goldmark attorneys claim it is one of the libelous acts contrived, through suggestion, to taint the Goldmarks with communism.

Holden said he received from Goldmark a press release about Goldmark's decision to run again for the legislature.

This is how the story appeared in the Tribune:

"State Representative John Goldmark, Okanogan, a Democrat, last week announced his

candidacy for re-election to the legislature. In the last session, as chairman of the House Ways and Means Committee, he was instrumental in securing the passage of Governor Rosellini's high tax program.

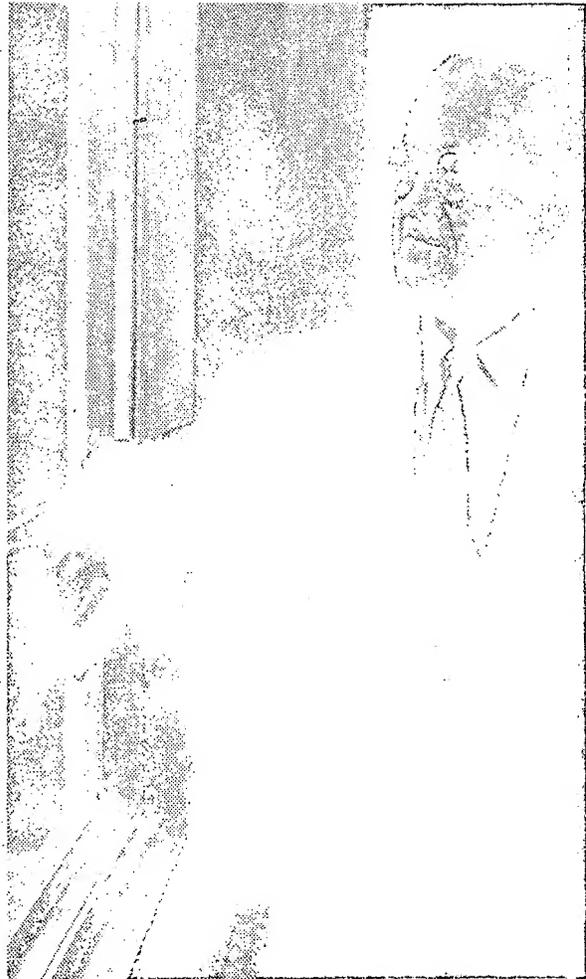
"Goldmark is also running on a platform advocated by the Democrats which advocates repeal of the McCarran Act, a law requiring the registration of all Communist party members. He and his wife, Sally, the former Irma Ringe, have two sons, Chuck, a sophomore in Reed College, the only school in the Northwest where Guss Hall, secretary of the Communist party, was invited to speak, and Peter, a senior at Okanogan High School.

"Goldmark is a member of the American Civil Liberties Union, an organization closely affiliated with the Communist movement in the United States and which was classified as a Communist front in 1948 by the Committee on Un-American Activities of the California legislature."

The story infuriated Goldmark and his political allies when it first appeared.

It was the first public shot in the bitter campaign which brought Goldmark's defeat last year.

In questioning Holden, the first witness, attorney R. E. Mansfield sought to prove that Holden had dragged alien statements into the story to damage Goldmark. He also sought to



ASHLEY HOLDEN TESTIFIES
Tonasket man defends news article

prove that most of Holden's "additives" to the Goldmark press release were untrue.

But, at one point, Holden turned directly toward the jury from his seat in the witness box and said slowly: "To the best of my knowledge every word of that article was true when I wrote it."

But Mansfield, chipping away with questions, brought from Holden the concession that some of the points in the story were not factually correct.

"Weren't you trying to create the impression among your readers that John Goldmark was a Communist?" asked Mansfield.

"I didn't have any way of knowing the impression readers would get," said Holden.

Later he added: "If it created any impressions at all . . . it would be that he was soft on communism . . . or sympathetic."

There was lengthy questioning about segments of the story.

Mansfield brought out the Democratic party platform. He and Holden went over its reference to the McCarran Act. The platform urged elimination of some portions of the act. It did not urge total repeal, noted Mansfield.

Holden said he thought the changes would have the effect of repeal.

Holden acknowledged he had not read the McCarran Act.

Mansfield asked why Holden

used the reference "the former Irma Ringe."

(The Goldmark side contends that the defendants sought to create an air of mystery and suspicion about Mrs. Goldmark by referring to her by her maiden name under which she was a member of the Communist party. Mansfield's question sought to suggest that Holden's use of the name in his story was part of the effort to heighten the mystery about her in the minds of his readers.)

"I must have put it in there to identify Irma Ringe," said Holden. "I thought it was proper identification."

On further questioning, Holden said he'd heard publicity that that was Mrs. Goldmark's name when she was in the Communist party.

Mansfield asked, what publicity? Holden said he couldn't remember specifically.

Mansfield asked: Could it have been in the January, 1962, publication called the Vigilante, which Holden and co-defendant Al Canwell published? Holden said he couldn't recall.

Mansfield also asked: "Why the references to communism" in the story?

"I think the story would have been incomprehensible without it," said Holden. "A lot of readers don't know who Gus Hall is."

There was lengthy questioning about the whys and hows of the

Gus Hall - Reed College reference in the story.

Holden said he understood at the time he wrote the article that that was the only Northwest campus on which Hall spoke.

But he acknowledged he did not research that and later learned it was not true, that Hall had spoken at other colleges.

Mansfield asked about the reference to the ACLU: Why was it put in the story?

Replied Holden: "That had been left out of the Goldmark press release . . . and I thought it was important information."

Mansfield wondered, when Holden was adding things to the Goldmark story, why he didn't add the fact, for example, that Goldmark was a member of the Grange?

That, said Holden, "was common knowledge."

Mansfield sought to establish that Holden knew that, while the ACLU had been once labeled a Communist-front by the California legislative committee in 1948, that stand was later officially reversed and Holden knew it.

Holden said he didn't know that at the time he wrote the story.

Mansfield said the State Civil Liberties Union wrote Holden a rebuttal and asked that its letter be published. Holden did not publish it.

Holden's view that John Goldmark and his wife are Communists came as Mansfield questioned him about another alleged libel. That was a Tonasket Tribune editorial published just before last September's primary election in which Goldmark was beaten.

It called Goldmark a tool of "a monstrous conspiracy" to

overthrow American freedoms.

"Would you say that he was a deliberate tool?" asked Mansfield.

"He knew what he was doing," said Holden.

"This would mean treason, wouldn't it?" noted Mansfield.

"Well, you're drawing your own interpretation," said Holden. "Those who are admitted Communists are certainly the next thing to a traitor."

Later Holden, under more questioning, extended his views.

He said, "I would consider him (Goldmark) worse than a traitor if he adhered to those philosophies."

Later Holden said he thought both Mr. and Mrs. Goldmark are Communists.

Mansfield at one point asked if Holden knew that John Goldmark is a commander in the U. S. Navy Reserve. It had been brought out in deposition testimony that Goldmark, in that position, had Navy security clearance.

"It would make no more im-

pression on my mind," said Holden.

Holden then referred to Alger Hiss and other Communists who held high posts in government.

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Canwell Attacks "Liberties" Union

OKANOGAN, Wash. (AP) — Jurors in the Goldmark \$225,000 libel suit today heard the voice of Albert F. Canwell describe the American Civil Liberties Union as a "major Communist front."

The statement was contained in a tape recording of an August, 1952, meeting in Okanogan sponsored by the American Legion. Among the speakers were John Goldmark and Canwell, a defendant in the suit.

The eight men and four women jurors heard 45 minutes of the tape before Tuesday's adjournment and finished listening to it this morning.

A number of tape recordings were made of the meeting because feeling was running high then in the primary campaign which saw Goldmark defeated in a bid for a fourth term in the Legislature.

During a speech at the gathering, Canwell said the ACLU "is the major Communist front operating in the State of Washington at the present time."

Canwell and his codefendants — three individuals and a newspaper — identified Goldmark in the campaign as a member of the ACLU.

After Canwell finished, the tape recording carried Goldmark's voice as the legislator expressed his view of the ACLU. He said it believes in working to preserve the rights of all persons regardless of which minority group they may represent or how unpopular their cause.

Meeting Said Political

State Sen. Wilbur Hallauer, Oroville Democrat who also was heard charging that the meeting was purely political. Then there were sounds of the crowd hooting as Hallauer was escorted from the stands without finishing his statement.

Goldmark and his wife, Sally, who brought the suit, contend that Canwell's attacks on the ACLU and publicity about Goldmark's membership in the organization were part of a conspiracy to taint them with communism.

Canwell's speech at the meeting is among the acts and publications the Goldmarks say libeled them.

Questioning of Canwell was to resume after the tape was finished.

Earlier Tuesday, Canwell, also a former legislator, testified he received money to "investigate" Goldmark but denied

the investigation's purpose was to attack the Harvard-educated cattle rancher.

Canwell was asked about an assertion that there are Communist agents in high places in the church and government. A lawyer asked him to name one, and Canwell spoke the name J. Robert Oppenheimer.

The lawyer asked what Oppenheimer's government position was.

"I don't know," Canwell said. "I believe he's an advisor."

Canwell testified he destroyed some handwritten notes on secret testimony Mrs. Goldmark gave the House Un-American Activities Committee in 1956. He said he destroyed notes "that had matter on them that should not be seen by anyone."

Goldmark's military record was introduced for the first time, but Canwell said he didn't think it was important.

Goldmark's Navy service was brought out by his attorney, William Dwyer of Seattle.

The record showed Goldmark was on active Navy duty from August 1942 to December 1945 and had been in the Naval Reserve since that time. He began as an ensign and was promoted to a reserve commander in 1961.

Dwyer pointed out that Goldmark had been investigated by the Naval Intelligence Service and other federal agencies concerned with security. He then asked Canwell.

"Do you now attach any importance to that, Mr. Canwell?"

"Not in the light of what else I knew about it," Canwell replied without amplification.

Dwyer ended his questioning of Canwell before the noon recess and Glenn Harmon of Spokane, a defense attorney, began his interrogation.

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(Indicate page, name of newspaper, city and state.)

2 Spokane Chronicle
Spokane, Wash.

Date: 11/13/63

Edition:

Author:

Editor:

Title:

MRS. JONATHAN GOLDMARK

Character: SM-C

or

Classification: 100-21585

Submitting Office: Seattle

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Red Disclosure **EXPLAINED**

By JACK E. FISCHER

Spokesman-Review Staff Writer
OKANOGAN, Wash.—Superior Court was told Wednesday why a decision was made in 1961 to disclose Mrs. John Goldmark's association with the Communist party.

And for the first time, a witness for the plaintiff testified he thought activities during the 1962 legislative campaign had a "very serious effect on the reputation of John and Sally Goldmark, raising doubts about their loyalty."

Albert F. Canwell of Spokane, one of the defendants in the Goldmark's \$225,000 libel and conspiracy trial, had testified earlier he knew in 1956 of Mrs. Goldmark's membership in the Communist party from 1935-1943.

He said he did not disclose that fact in the campaigns of 1956, 1958, or 1960 when Goldmark also ran for the state legislature "because I wanted to give them the benefit of the doubt."

Delay Explained

"Why did you decide in 1961 to disclose the fact which you had known since 1956?" asked defense attorney E. Glenn Harmon of Spokane.

"I think there were two things," Canwell replied. "First, John Goldmark had attained an extremely powerful position in the state legislature. But I suppose the thing that triggered my determination to do something more than anything else was Mrs. Goldmark's opposition to the showing of the film 'Operation Abolition.'"

"I know from my experience with Communists and former Communists that her position was entirely in opposition to anti-Communists or ex-Communists."

Court Packed

He testified that anyone who admitted membership for eight years in "top Communists devices, and prior to that who had been trained in the top Communist school in the country" could not help, but know the importance of the House Committee on Un-American activities.

"Operation Abolition" was a controversial film about the committee.

For the first time since this highly publicized trial started, there was standing room only in the court room.

Also for the first time, a titter of laughter floated through the court room as Judge Theodore S. Turner mildly chided a witness.

William Hamilton of East Wenatchee, an attorney, was on the stand late in the afternoon. Twice he merely nodded his head to questions instead of answering orally and counsel for the defense noted this fact to the court reporter.

"You should remember that," the judge smiled, as the attorney showed obvious embarrassment.

Damage Is Told

The witness who supported the plaintiffs' claim that they were damaged by various statements was Jack Hamilton, an Okanogan farm implement dealer.

He testified that the Goldmarks' reputation and loyalty was "very good" before 1961, but said doubt now had been raised about their loyalty and that it still exists. He said he had known the Goldmarks for 10 to 12 years and acknowledged that he held a coffee hour in behalf of Goldmark's candidacy in 1962.

After his defeat, Goldmark and his wife filed the lawsuit against Canwell, Ashley E. Holden of Tonasket and Loris Gillespie and Don Caron, of Okanogan.

Statements Ruled Out

Judge Turner ruled from the bench that it is a general rule that defamatory statements by a defendant against people who are not parties of the suit are not admissible. This was in answer to a request by counsel for the plaintiffs' who said they wanted to introduce evidence that Canwell had attacked Gen. George C. Marshall, former President Truman and Defense Secretary Robert McNamara.

The court said the general rule does not apply to the sit-



JUDGE THEODORE TURNER Gives Interpretation on ACLU

uation in which a statement is made about a member of the American Civil Liberties Union.

Whether the ACLU is a Communist front is a matter directly in issue in this lawsuit, he said. Defendants claim it is a front, while the plaintiffs claim it is not. Goldmark is a member of the board of the Washington State Chapter of the ACLU.

Canwell Questioned

William Dwyer, attorney for the plaintiffs, again questioned Canwell at length on the ACLU. He called attention to statements that he said were made asserting that Goldmark and state Sen. Wilbur G. Hallauer, D-Oroville, were the only two state legislators in the ACLU. (They are the only two listed as members of the board on ACLU stationery submitted in evidence.)

"Didn't you know they were not the only two legislators in the ACLU?" Dwyer asked.

"I would think so," Canwell answered.

"You know they include most Democrats and Republicans?"

(Indicate page, name of newspaper, city and state.)

3 Spokesman-Review
Spokane, Wash.

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Author:
Editor:
Title: MRS. JONATHAN GOLDMARK
Character: SM - C
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Classification: 100-21585
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WPA

"I don't know if there are any Republicans, but I assume there are."

Never Listed

"You know the Justice Department has never listed the ACLU as a Communist front?"

"Yes, and I've objected to it."

Dwyer also dealt at length with Goldmark's record in the Navy, noting that he served during World War II from Aug. 11, 1942 until Dec. 15, 1945, and now is a commander in the Naval Reserve.

"Did you know John Goldmark was a commander in the Naval Reserve when you published these various publications?" he asked.

"Yes."

"Did you know he must have been investigated in order to be a commander in the Naval reserve?"

"I assumed he had been."

"Do you now attach any importance to that Mr. Canwell?"

"Not in light of what else I know about it."

Canwell finally ended his testimony in late afternoon and the plaintiffs started calling other witnesses.

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Canwell Ends Two Days Of Goldmark Trial Testimony

By DICK LARSEN

OKANOGAN — In a flurry of questions and answers — sometimes passionate—the testimony of Al Canwell, Spokane, came to an end in court here Wednesday.

At one point Judge Theodore Turner frequently sustained objections to questions tossed at Canwell by William Dwyer, attorney for the John Goldmarks.

Once the judge reprimanded Dwyer: "These questions are not fair."

Canwell altogether spent about two full days on the stand.

Throughout, Dwyer sought to portray Canwell as a self-styled

A typographical error occurred in yesterday's story of the trial in the Daily World.

Dwyer asked the question, "Do you know, Mr. Canwell, that the FBI does not want ex-Communists to be publicly identified?"

The prefix "ex" was lost, which altered the meaning. Canwell's answer was: "No, I don't believe that is a true statement."

investigator of subversives who performs character assassination in the name of anti-communism work.

On cross-examination, defense attorney E. Glenn Harmon sought to portray him as a man so dedicated to his anti-Communist work that he has for the past 15 years foregone earning a better living standard for his family.

In his questioning, Dwyer brought out the fact that Canwell hasn't filed income tax returns for the period from 1956 to 1962.

On cross-examination, Harmon brought from Canwell the statement that he didn't earn the required \$600 in any

those years to necessitate filing a return.

Canwell said he and internal revenue officials are now conferring on the issue.

Dwyer also entered in evidence Goldmark's service record—active Navy duty during World War II, and promotions since then. He became a commander in the U.S. Naval Reserve in 1961.

Dwyer wondered if Canwell attached any importance to the fact that Goldmark had been given clearance by the Navy department and other federal agencies concerned with security.

Canwell said no, "not in the light of what else I knew about it."

Dwyer, bearing down on Canwell, tried to introduce some of Canwell's writings "in which he compares Mr. (Secretary of Defense) McNamara with Benedict Arnold." The judge ruled against that.

At another stage Dwyer sought to introduce writings of

FBI Chief J. Edgar Hoover, in which Hoover warns against citizens making private anti-subversive investigations, lest it result in unjust accusations and suspicions.

Judge Turner told the jury to disregard that.

Dwyer asked many questions designed to show malice by Canwell against the Goldmarks. Sample: "You did a good many things to the Goldmarks besides just tell the public the facts about her past, didn't you?"

Soon afterward Judge Turner declared: "Mr. Dwyer, these questions are not fair."

Cross-examination of Canwell by Harmon was relatively brief.

In it, Canwell testified he had no animosity against the Goldmarks.

"For some 15 years I have been gathering information in the field of communism," he said. Canwell testified he has "contacts with people inside the Communist party."

He said he couldn't get out of that field of work: "I had a bear by the tail." Because of his dedication and the time it required, Canwell testified, "there was no income to report" to the Internal Revenue Department.

Canwell said that he has sought "to be careful and accurate about it. I feel that was my responsibility as a citizen."

He testified that, when he was chairman of the Washington State House Un-American Activities Committee in 1948, it

produced "the first testimony about the treacherous activity about Alger Hiss."

Harmon, as Dwyer had earlier, asked Canwell why he didn't reveal Mrs. Goldmark's former membership in the Communist party earlier than 1962.

Canwell said he wanted to give her "the benefit of the doubt." He said he also held off until he grew concerned about Rep. Goldmark's rise in influence in the State Legislature.

(Indicate page, name of newspaper, city and state.)

2 WENATCHEE DAILY WORLD WENATCHEE, WASH.

Date: 11/14/63
Edition:
Author:
Editor:
Title: MRS. JOHN GOLDMARK

Character: SM-C
or
Classification: 100-21585-194
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DATE 08-18-2006 BY 60324 AUC BAW/CE/CAK

Goldmark Tape Called "Venomous" By Hallauer

(Additional stories about the Goldmark case will be found on pages 2 and 3.)

By HU BLONK
OKANOGAN — An Okanogan County Superior Court jury hearing the \$275,000 Goldmark libel and conspiracy suit, heard some of the materials distributed by the defendants against the John Goldmarks called "very venomous things."

Making the statement was State Sen. Wilbur Hallauer, Oroville. He was replying to a question from Goldmark's attorney R. E. Mansfield asking the effect on the reputation of the Goldmarks from an editorial and news story in the Tonasket Tribune and an American Intelligence Service published version of a tape recording made by co-defendant Albert F. Canwell of Spokane.

"They were certainly damaging to the Goldmarks," Hallauer said. "They created doubts in the public mind which he (Goldmark) was unable to overcome" when he sought re-election to the house of representatives.

Goldmark is suing Ashley Holden, publisher of the Tonasket Tribune; Canwell, Don Carson and Loris Gillespie for allegedly having libeled him in the 1962 election campaign.

Hallauer testified he saw Gillespie, a former Okanogan newspaper publisher and theater operator, distribute at an American Legion meeting Aug. 23, 1962 "The Vigilante," published by Canwell, and a letterhead of the American Civil Liberties Union listing Goldmark and Hallauer as members of the state board.

The jury heard Hallauer testify that Gillespie was master of ceremonies at the meeting at which the ACLU was attacked. He said Holden asked questions from the audience.

Hallauer said he and Goldmark were present to present the ACLU's "side of the case." Hallauer declared that the reputation of Sally Goldmark, who has admitted belonging to a Communist group in Washington, D. C., was good until the items distributed at the meeting were made known and became subject to discussion.

"These subjected Sally to suspicion and were certainly damaging," Hallauer said.

Cross-questioning by defense attorney E. Glenn Harmon brought out that Hallauer first heard reports tending to cast suspicion on the Goldmarks back in 1956. People talked about "airplanes flying in and out all hours of the night" from

(Indicate page, name of newspaper, city and state.)

1 WENATCHEE DAILY
WORLD
WENATCHEE, WASH.

Date: 11/14/63

Edition:

Author:

Editor:

Title: MRS. JOHN GOLDMARK

Character: SM-C

or

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the Goldmark cattle ranch at Disautel.

He said the suspicion was a "vague sort of thing." Hallauer added that some people thought smuggling was going on.

Asked as to Goldmark's reputation, Hallauer told Harmon that he knew some people disagreed with Goldmark "on many things but this has nothing to do with reputation."

Harmon asked Hallauer if there was not "animosity on your part towards Holden." Hallauer replied "we're certainly not friends. We've been enemies for some time."

Harmon brought out that Hallauer had purchased the Tonasket Times at the time Holden was trying to obtain it. Hallauer said that he and Holden were in subsequent competition for eight to 10 months.

Having lost \$11,000 on the paper, Hallauer said he "got out of the business," selling the subscription list to the Omak Chronicle. He admitted he had not been in the newspaper business prior to this incident.

Harmon: "Was the venture solely for the purpose of keeping Mr. Holden from running a newspaper in Tonasket?"

Hallauer: "No, that's not right."

Harmon: "Certainly it was

one of the purposes if not the major one?"

Hallauer: "It was one of the purposes."

Harmon then questioned Hallauer about his past relationships with Gillespie. He said that Gillespie contributed money to his campaign for the House of Representatives seat in 1948 and 1950.

But, said Hallauer, he withdrew his support when "I disappointed him in a tax bill in 1951."

Hallauer said: "There was a tax on admissions to theaters. I opposed its repeal. The state was in a position where it had to increase taxes instead of repealing taxes."

Harmon asked Hallauer if it was true that Gillespie began opposing him because he objected to Hallauer's vote on the anti-subversive act. Harmon asked Hallauer if he recalled newspaper criticism by Gillespie of his stand on the anti-subversive act?

Hallauer replied no.

Just before the court adjourned at noon, Hallauer admitted, in reply to Harmon's questioning, that he was making yearly contributions to the state and national American Civil Liberties Union groups in the amount of \$100 each.

(Mount Clipping in Space Below)

Bill Hamilton Tells Of Making Canwell Tape

By HU BLONK

An East Wenatchee attorney, William Hamilton, testified in the John Goldmark \$225,000 libel and conspiracy trial in Okanogan County Superior Court Wednesday afternoon that he helped make a tape recording about Mrs. Goldmark's connection with the Communist party.

The recording, it was brought out, featured Hamilton interviewing Albert F. Canwell of Spokane, a co-defendant, and was made as a political device to defeat Mr. Goldmark in his campaign for re-election to the House of Representatives.

The tape dealt with Goldmark's connection with the American Civil Liberties Union, previously called a Communist front by Canwell when on the stand.

Canwell and Hamilton also discussed Mrs. Goldmark belonging to a Communist group in Washington, D.C., to which Whitaker Chambers (who exposed Alger Hiss) also belonged.

Hamilton said, in reply to questioning by plaintiff's attorney R. E. Mansfield, that the tape was later published by the American Intelligence Service published by Canwell under the title "An Interview with Al Canwell."

Hamilton testified a recording was made at an evening meeting at the Ed Heath Nursery in Brewster during the 1962 election campaign. He said present were Bob Hensel, Douglas County prosecuting attorney; Philip Wainscott, Waterville; Dr. Jay Rottor, East Wenatchee, dentist; C. K. Latta, Wenatchee insurance man; Dr. Hugh Maycumber, Tonasket; Father Buckley of Tonasket.

"What was the reason for making the tape?" Mansfield asked.

"To defeat Goldmark in his bid for re-election to the state legislature," said Hamilton.

He said a number of copies were made.

Hamilton went on to explain that a clipping from the Tonasket Tribune published by co-defendant Ashley Holden, was shown at the meeting. It covered Goldmark's announcement that he was running for re-election. In it was the statement that Goldmark's son was attending Reed College, which it said was "the only college in the Northwest which allowed Gus Hall, secretary of the Communist party, to speak."

Hamilton testified he gave Canwell \$50 to defray Canwell's expenses in gathering information for use in defeating Goldmark and that he made the tape available to friends and associates and distributed the American Intelligence Service's published version by mail and from a table in his law office.

After Hamilton had been on the stand for about a half hour defense attorney Ned Kimball cross questioned him. Kimball apparently sought to show that there was no conspiracy involved in the meeting at which the recording was made. Goldmark is claiming that a conspiracy to defeat him did exist and damaged his reputation.

Kimball: "Was the meeting a

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spontaneous thing. Was there any prearrangement with Mr. Canwell?"

Hamilton: "No. Mr. Canwell didn't even know me until I re-introduced myself."

Kimball: "As far as you're concerned it was just a political activity."

Hamilton: "Yes."

Kimball: "Did Mr. Holden or Mr. Gillespie (co-defendants) have anything to do with making this tape?"

Hamilton: "No, they weren't there."

The next witness — the first friendly one to the plaintiff — was another Hamilton.

A farm implement dealer in Okanogan, Jack Hamilton, testified that he had known the Goldmarks for 10 to 12 years.

Asked what their reputation was prior to 1961, Hamilton said, "very good."

He testified that following the summer of 1961 he became aware of rumors about the Goldmarks being connected with the Communist party. He said he later had a coffee hour at his home for the Goldmarks in which Mrs. Goldmark explained her past association with the Communist party.

Hamilton said he subsequently talked to co-defendant Gillespie about the Goldmarks. This was after it was first published that Mrs. Goldmark once belonged to the party. Hamilton said he told Gillespie that Mrs. Goldmark had cooperated with the FBI in investigation of Communists. "He (Gillespie) said that was a lie," Hamilton said.

Mansfield asked: "What effect, if you know, was the distribution of these things (the published version and the tape) on the reputation of Sally and John Goldmark?"

Hamilton: "A very serious effect."

Mansfield: "What was it?"

Hamilton: "It left a lot of doubt and concern in people's minds as a result of the things that were said."

Mansfield: "Doubt about what?"

Hamilton: "About their loyalty."

Mansfield: "Does this still

exist?"

Hamilton: "I think it does." Defense attorney E. Glenn Harmon then began cross-questioning Hamilton. Shortly after he began, the court was adjourned for the day.

This morning, before a courtroom crowd filling about half the seats, Hamilton testified in reply to Harmon's cross-questioning that Goldmark had done an average of \$1,000 to \$1,500 a year in business with him.

Hamilton said about two months ago Goldmark bought a \$7,000 tractor from him. Subsequent re-direct examination by Mansfield, Hamilton testified that a substantial number of farmers in the area are his customers.

Harmon asked Hamilton if he remembered what Sally Goldmark had said in explaining her role in the Communist party during the coffee hour that Hamilton held for the Goldmarks during the election campaign.

He replied that she said she was "engaged primarily in study activities." She further explained that she had become disillusioned and left the party and later testified "before the FBI or some group."

Harmon asked if the Communist groups to which Mrs. Goldmark belonged was not a "secret underground cell" as differentiated from a study group.

"I don't believe it was discussed," Hamilton said.

Following Hamilton to the stand was Arthur Lund, former president of the First National Bank in Tonasket. When it developed that, because of an operation for cancer of the throat, Lund could not be heard by the jury, he had the court reporter repeat Lund's answers.

Mansfield asked Lund whether he had given Ashley Holden a \$100 check about July 12, 1961, as part of \$450 deposited with the bank. Lund said he had.

Asked what it was for, Lund said "He told me it was (for a trip) back East for a Republican policy conference."

Later, after Mansfield had allowed Lund to read two pages

of a deposition he had given last summer, Lund said he was somewhat confused as to what the donation was for.

At that point Mansfield turned to Judge Theodore S. Turner, saying that Lund's answer came as a matter of surprise and that, as a result, he'd have to treat Lund as an adverse witness.

Judge Turner replied that Lund's answer didn't make him an adverse witness, but that he, Mansfield, was entitled to ask a leading question.

In testimony that followed, Lund again said he did not know what the check was for. "I can't remember. I am now in my 90th year. My memory is so bad I resigned as president of my bank."

Lund was dismissed as a witness after about 15 minutes on the witness stand, to be followed by Lee Franks, who is president of a general merchandise store in Tonasket.

Franks testified that he gave Ashley Holden a \$50 check about July 13, 1961. Asked what it was for, Franks said, "He was going back to Washington on some business. . . I understood it was for a conservative meeting Goldwater was having."

Franks was then questioned about another \$50 check which

was donated, with another \$67, to the "American Intelligence Service" account with the Tonasket Tribune.

Franks replied that he never made out a check to Holden for the AIS. "I don't even know who they are." He said that he had contributed at various times to the "Right to Work" movement but not to any other purpose.

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GOLDMARK TRIAL

Gillespie Denies Conspiracy Charge

By HU BLONK

OKANOGAN — As early as 1956 Loris Gillespie, a co-defendant in the \$225,000 Goldmark libel case, was calling ex-state legislator John Goldmark a Communist, a Wenatchee librarian testified today.

Okanogan County Superior Court heard Jo Pardee, director of the North Central Regional Library, say that she met Gillespie at the home of her landlady and that he used a "slang expression for Communist" about Goldmark in conversation with her.

Miss Pardee had told Gillespie, she said, that she had friends on a ranch in the Okanogan — the Goldmarks. Gillespie made a derogatory comment, she said.

"He said he didn't think much of my choice of friends," Miss Pardee said in answer to questions from Goldmark's attorney R. E. Mansfield.

She testified Gillespie raised the question: What was Goldmark doing in Okanogan County in light of the fact he was a brilliant graduate of Harvard Law School?

In subsequent questioning by defense attorney E. Glenn Harmon, it was brought out through a deposition that Miss Pardee had earlier said Gillespie had used the actual word "Communist" in reference to Goldmark, not just a slang expression.

Miss Pardee was dismissed after only 10 minutes of testimony.

Next on the stand was William Barnes, Okanogan undertaker. He testified he came home one day to find his wife frate. She claimed that Gillespie had gone to the State Highways Department where she works to get her fired because of her activities in support of Goldmark during the 1962 cam-

aign. Barnes said he immediately sought out Gillespie and that during a half-hour conversation Gillespie told him that it wasn't true he was trying to get Mrs. Barnes fired.

Gillespie claimed, said Barnes, he was just trying to keep her from getting fired because she was engaged in political activity. Barnes also testified that Gillespie told him that Barnes' support of Goldmark would hurt his undertaking business.

During the conversation, said Barnes, Gillespie made the statement:

"You know the Communists have forced marriages. Why would he (Goldmark) marry a gal as homely as Sally if he wasn't forced into it?"

A woman in the audience gasped.

Judge Theodore Turner adjourned the session.

It was noon.

Earlier in his testimony Gillespie denied he was involved in a conspiracy against Goldmark when he participated financially and otherwise in matters affecting the Goldmarks.

Loris Gillespie, Okanogan orchardist and former publisher of the weekly Okanogan Independent, told a Superior Court jury:

1. He did not know a \$200 check that he gave to co-defendant Albert F. Canwell of Spokane was to help pay for a 1961 trip to Washington, D.C., where the Goldmarks would be investigated. Canwell and co-defendant Ashley Holden, publisher of the Tonasket Tribune, made the trip together in July, 1961, testimony has shown.

2. He did not arrange a meeting with Canwell in Spokane for former Okanogan County Commissioner Joe Haussler (who defeated Goldmark in the 1962 primary election), Haussler's attorney, J. Kohis, and newspaperman Stan Pennington to discuss Canwell's investigation of the Goldmarks.

3. He did not know in advance that Canwell would paint the American Civil Liberties Union a Communist front at an American Legion meeting in Okanogan on Aug. 23, 1962, at which Gillespie was master of ceremonies. Goldmark is a board member of the state ACLU.

(Indicate page, name of newspaper, city and state.)

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4. He denied he knew in advance that Canwell was sending him 350 to 425 copies of "The Vigilante" (which revealed Mrs. Goldmark to have been a Communist) for distribution in Okanogan County. He said he did not mail them out for lack of time and had Mrs. Don Caron, wife of another co-defendant and other ladies do so. He said he did not furnish them a mailing list.

Gillespie's testimony began soon after court reconvened at 1:30 p.m. in the old courthouse. Goldmark's attorney, William Dwyer of Seattle, asked "in your opinion he (Goldmark) is a good patriotic American?"

Gillespie replied: "A few years ago I might have said that was a true statement."

Dwyer asked Gillespie if it wasn't opposite of "the kind of thing you'd been saying privately."

Gillespie: "I may have been indiscreet in person to person conversation."

Dwyer: "Have you told people the Goldmarks were Communists?"

Gillespie: "I have told people Mrs. Goldmark was a Communist . . . I had no knowledge that John Goldmark was a Communist . . . It is possible I may have been indiscreet at times . . . I had no thought of damaging them, if I did say that."

The bespectacled civic leader testified he wondered sometimes how a man could marry a Communist and not be somewhat partial to her views. He also wondered, as far back as 10 years ago, said Gillespie, if the Goldmarks were sent out here by the Communist party and why a "brilliant" man, who'd graduated cum laude from Harvard Law School and could command \$25,000 to \$100,000 in salary, would "bury himself" on a cattle ranch when "he didn't know one end of a cow from another."

Gillespie, still under questioning by Dwyer, said Father Buckley, a Catholic priest from Tonasket, came to his home to

interest him in forming an anti-Communist study group, which he did.

Dwyer asked if Gillespie gave a \$200 check to Canwell in July, 1961.

Gillespie said yes.

Asked if he knew the trip of Ashley Holden and Canwell to Washington, D.C., was for the purpose of investigating the Goldmarks, Gillespie said he knew Canwell was going to investigate "something," but that he didn't "recall I actually knew what for."

Gillespie testified he delivered the check to Holden's office in Tonasket as he and Mrs. Gillespie were headed there to see their son. En route he said he met James Greene Sr., Cashmere insurance man, along the Okanogan-Tonasket highway and got him to put up \$100 of the amount.

"Did you contribute \$200 toward the expense of this trip?" Dwyer asked.

Gillespie: "I did not."

Dwyer then revealed the check had been cashed by Ashley Holden July 12, 1961, the day before Holden and Canwell left for Washington, D.C.

Gillespie said he never asked Canwell what the money — which he'd promised Canwell some weeks before — was to be used for.

"I don't know what he used it for."

Gillespie said that when the check returned from the bank he was surprised to see Holden's endorsement on it, as he gave it to a girl in Holden's office with instructions it be sent to Canwell.

Gillespie said he'd contributed postage of \$15 or \$20 and furnished 500 envelopes to mail out Canwell's "Vigilante" but not by pre-arrangement.

As to the trip he, Haussler, Kohls and Pennington took to see Canwell in Spokane, Gillespie testified these men went along because he (Gillespie) and his wife were going to Spokane anyway so Mrs. Gillespie could see a doctor.

Dwyer: "Isn't it the truth that you took these three men to Spokane so Canwell could give them evidence he had on Goldmark?"

Gillespie said Dwyer could assume that the three men wanted to see Canwell about Goldmark. He said he was sure they discussed Goldmark during his absence at the doctor's office but they didn't talk over this discussion with him (Gillespie) after leaving Canwell's office and returning home.

Preceding Gillespie to the stand was State Senator Wilbur Hallauer, Oroville. After reading some correspondence between the two men, defense attorney E. Glenn Harmon, Spokane, asked:

"As far as you're concerned this lawsuit is for political vindication (for Goldmark)?"

Hallauer replied: "I disagree with you counsel."

Hallauer agreed with Dwyer that his "political image" was about the same as Goldmark's, saying "there is great correlation. This would necessarily be so as members of the same party."

Hallauer said he'd contributed \$1,500 of his own money to help Goldmark in his libel and conspiracy suit and said he knew of no contributions by the ACLU.

In his closing stand on the stand, Hallauer, asked why he'd contributed to the Goldmark case financially, said: "John's my friend. I respect him and I thought he'd been done a great deal of dirt."

During this morning's session Dwyer continued to question Gillespie in an apparent effort to prove the conspiracy charge brought by Goldmark.

He asked Gillespie if "on the" trip to Spokane Canwell had

asked him for money to investigate Goldmark. Gillespie replied that he had not, nor did he recall that the other men had been asked for money.

Gillespie was asked if on his return to Okanogan County he had sought to raise money for Canwell. He said he had not, qualifying his answer that he always gave Canwell "a little money but no great amount."

He said he tried to raise money for Canwell's investigative work, but didn't know it was for investigation of Goldmark specifically.

Dwyer next questioned Gillespie on whether he (Gillespie) had said "We have proof Mrs. Goldmark is a Communist," or words to that effect."

Gillespie admitted he had made the statement and then was asked who he meant by the word "we." In a long exchange of questions and answers, Gillespie said, in effect, that the "we" meant "the people fighting the Communist deal."

He said he used the word "we" because he did not want to say the word "I, I, I, repeatedly."

Dwyer asked Gillespie who in the State of Washington knew that Mrs. Goldmark had been a member of the Communist party. He said he couldn't name anyone (other than Canwell).

Dwyer then spent considerable time seeking to get Gillespie to say that he arranged the meeting which the American Legion held in Okanogan Aug. 23, 1962.

It was there that Canwell called the American Civil Liberties Union a Communist front.

Gillespie said that Paul Larabee and Dr. Hugh Maycumber came to his house and said the meeting had been arranged. He said they came to ask that Gillespie be master of ceremonies, which he agreed to do, after first telling the men he would have to get permission from Ninth District Commander Nelson Morrow of Bridgeport.

Gillespie said that no one told him the meeting was arranged by a group seeking to defeat Goldmark.

Gillespie said he handled publicity before the meeting and gave Stan Pennington, former editor of the Okanogan Independent, the facts for a story advertising the session.

Dwyer produced the Aug. 16, 1962, issue of the paper which said the ACLU had been cited by some governmental organizations "and Canwell concurs."

The article also said that the ACLU "acts largely on behalf of Communist causes." Dwyer then asked Gillespie if the material in the article was not "substantially the same as the issue of the American Intelligence Service publication, 'An Interview with Al Canwell'" (in which Mrs. Goldmark was accused of being a member of the Communist party). Gillespie replied "very much the same."

Dwyer sought to get Gillespie to say that all the facts in the story came from Gillespie, but was unsuccessful.

Gillespie said he did not know what other sources Pennington had used.

As to the meeting itself, Gillespie again said he did not know that Canwell would call the ACLU a Communist front. "I knew he was going to be highly critical but didn't know what he was going to say."



WILBUR HALLAUER



JACK HAMILTON



DORIS GILLESPIE



BACK TO WORK — Part of the jury files down the stairs into the Okanogan County courtroom as the Goldmark trial resumed Thursday.



BACK TO WORK — Part of the jury files down the stairs into the Okanogan County courtroom as the Goldmark trial resumed Thursday.

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Goldmark Marriage Eyed

OKANOGAN (AP) — A defendant in the \$225,000 John Goldmark libel trial was described by witnesses yesterday as having suggested that the marriage of John and Sally Goldmark was dictated not by love but by the Communists.

The defendant, Loris Gillespie of Okanogan, was quoted by a witness as saying:

"You know the Communists have forced marriages — why

would he, Goldmark, marry a girl as homely as Sally if he wasn't forced into it?"

The testimony of Okanogan undertaker William Barnes came during the busy ninth day of the trial which saw seven witnesses parade to the stand. The trial was recessed last night and will reconvene Monday morning.

Subject Recalled

Barnes said Gillespie brought up the subject of the Communists' "forced marriage program" in a conversation last year. The witness said he had heard reports that Gillespie was trying to get Mrs. Barnes fired from her job with the State Highways Department because of her support of Goldmark in the 1962 Democratic primary. Goldmark, a three-time state representative, was defeated in the primary.

Barnes said Gillespie denied trying to get his wife fired but said Mrs. Barnes' support of Goldmark would hurt his undertaking business.

Nick M. Cain, Malott orchardist, said Gillespie had once brought up the question to him why the handsome Goldmark had married Mrs. Goldmark. Cain said Gillespie asked him if he didn't know that the Communists "had a forced marriage

program" and suggested that might have been the reason.

Mrs. Goldmark has admitted belonging to the Communist Party during the Depression but said she quit in 1943.

Gillespie was questioned by the Goldmarks' attorney, William Dwyer of Seattle, whether he had ever made the statement, "We have proof that Mrs. Goldmark is a Communist." Gillespie said he had and Dwyer pressed him to define the word "we."

Gillespie said he used the word to mean "people fighting the Communist deal."

Early Remarks Told

Jo Pardee, Wenatchee, director of the North Central Washington regional library, said Gillespie was calling Goldmark a Communist as far back as 1956.

Miss Pardee said she told Gillespie once that the Goldmarks were friends of hers and he replied "he didn't think much of my choice of friends."

Richard Thorp, purchasing agent for the Okanogan County PUD, testified Gillespie told him two years ago about some literature that would be published soon about the Goldmarks. Gillespie said the material would be based on an investigation into the Goldmarks conducted by Al Canwell of Spokane, another defendant.

(Indicate page, name of newspaper, city and state.)

2 Spokane Chronicle
Spokane, Wash.

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or

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*Sally Goldmark
100-21585
Nick M. Cain
100-27804*

100-21-198

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Goldmark Marriage Comment Described

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By HU BLONK

OKANOGAN — Another witness in the Goldmark libel case testified late Friday afternoon that a defendant suggested the marriage of John and Sally Goldmark was dictated not by love but by the Communists.

Nick Cain, Malott orchardist, gave this testimony in relating a conversation with co-defendant Loris Gillespie before the 1962 primary in which Goldmark was defeated in a bid for reelection to the House of Representatives for the fourth time.

Earlier Friday William Barnes, Okanogan undertaker, had told the Okanogan County Superior Court jury, hearing the \$225,000 libel and conspiracy case, about a similar conversation with Gillespie.

Cain said Gillespie came to his home with his hired man, saying he had come "to dispel horrible lies about you." Gillespie told Cain he understood that Cain had had a coffee hour for the Goldmarks. "That's not correct, is it?" asked Gillespie. Cain said that it was.

Cain testified that the Okanogan orchardist and ex-newspaper publisher then referred to Mrs. Goldmark as being "homely" and her husband as being good-looking. He asked, said Cain:

"Didn't I know the Communists had a forced marriage program."

Barnes had testified that during a heated conversation with him, Gillespie made the statement:

"You know the Communists

have forced marriages. Why would he (Goldmark) marry a gal as homely as Sally if he wasn't forced into it?"

Cain also told the jury of eight men and four women that Gillespie had mentioned that Albert F. Canwell, Spokane, a co-defendant, had had access to secret Congressional proceedings involving investigation of Communists at the time he was checking the Goldmarks in Washington, D. C.

Cain said he asked Gillespie how Canwell could get to see them.

Gillespie was quoted as saying that Canwell went into a government office where a woman told him they were secret. But she was going out to lunch and she told Canwell she wouldn't be filing the reports until she got back. He looked at them then, was the implication of Gillespie's remarks, Cain said.

Cain was one of 10 witnesses to take the stand Friday in the highly publicized case. Goldmark is seeking \$225,000

from defendants Gillespie, Canwell, Ashley Holden and Don Caron.

Donald McIntosh, Okanogan feed and farm implement dealer, testified that Gillespie called him on the phone to say that Sally Goldmark was supporting the North Central Regional Library. Did he, McIntosh, know that he, Gillespie, had "documentary proof that Sally Goldmark was a Communist?"

McIntosh explained that Gillespie mentioned the library because Mrs. McIntosh was a member of the Okanogan City library board. At the time the town was about to participate in an advisory vote on joining the regional set-up. The plan was defeated.

Attorney Joseph Wicks, still as aggressive an interrogator as he was before he became Okanogan County Superior Court judge, drew out of McIntosh that the Goldmarks were good customers of his. Wicks asked if that would influence his opinion. McIntosh replied: "I only stated what was said to me."

Pacing the floor, Wicks questioned McIntosh at length about an earlier statement he'd made that before 1961 Goldmark's reputation was good. He sought to draw out a list of people who had said that. McIntosh took a long time answering, finally mentioning only Jack Hamilton and Cassell Forrester.

Andrew Mittelstaedt, operator of the Western Auto Store in Omak and formerly of Water-

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ville, reported Gillespie had picked up at his store copies of the letterhead of the state unit of the American Civil Liberties Union. They'd been left there by Dr. Hugh Maycumber of Tonasket, he said.

Earlier testimony showed that this letterhead and a copy of Canwell's "The Vigilante" (containing an open letter to Mrs. Goldmark asking her to make public her past association with the Communist party) were distributed at an American Legion-sponsored meeting in Okanogan on August 23, 1962. Goldmark and State Senator Wilbur Hallauer are members of the board of the state ACLU. It was labeled a Communist front by Canwell at the meeting.

Questioned by defense attorney Ned Kimball of Waterville, Mittelstaedt said he did not know where the letterhead originally came from, but it was not from any of the defendants as far as he knew.

Dr. J. E. Fischmaller, county health officer, testified he'd been approached by Gillespie 1½ to 2 years ago to donate \$50 or \$100 toward the expense of sending Canwell to Washington, D. C., to investigate the Goldmarks.

Goldmark's attorney R. E. Mansfield, who questioned all the afternoon witnesses, brought to the stand Richard Thorp, purchasing agent for Okanogan County PUD and a member of the American Legion post to which Gillespie belongs.

He said Gillespie told him in 1961 that there was "going to be some kind of literature published on Goldmark . . . by some outfit in Spokane."

Defense attorney E. Glenn Harmon questioned Thorp at some length about whether Gillespie had said Goldmarks, plural, or just Goldmark singular. The exchange of questions and answers left the issue in doubt for most reporters.

Lloyd Bussey, a retired PUD auditor, was brought to the stand to substantiate the date of Thorp's meeting with Gillespie but didn't testify when the defense said it had no quarrel with Thorp's testimony.

The ninth day of the trial, which some feel may run 30 court days, ended with Jim

Thomas on the stand. He is an Okanogan lawyer, son-in-law of Wicks and an "attorney of record for the defense."

He testified he saw "The Vigilante" distributed at the American Legion meeting where the ACLU was called a communist front and also the ACLU letterhead listing Goldmark and Hallauer as board members.

During the late morning session Friday a Wenatchee librarian testified that as early as 1956 Gillespie was calling Goldmark a Communist. Jo Pardee, director of the North Central Regional Library, said that she met Gillespie at the home of her landlady and he used a "slang expression for Communist" about Goldmark in conversation with her.

Miss Pardee had told Gillespie, she said, that she had friends on a ranch in the Okanogan — the Goldmarks. Gillespie made a derogatory comment, she said.

"He said he didn't think much of my choice of friends," Miss Pardee said in answer to questions from Goldmark's attorney R. E. Mansfield.

She testified Gillespie raised the question: What was Goldmark doing in Okanogan County in light of the fact he was a brilliant graduate of Harvard Law School?

In subsequent questioning by defense attorney Harmon, it was brought out through a deposition that Miss Pardee had earlier said Gillespie had used the actual word "Communist" in reference to Goldmark, not just a slang expression.

Next on the stand Barnes, the Okanogan undertaker. He testified he came home one day to find his wife irate. She claimed that Gillespie had gone to the State Highways Department where she works to get her fired because of her activities in support of Goldmark during the 1962 campaign.

Barnes said he immediately sought out Gillespie and that during a half-hour conversation Gillespie told him that it wasn't true he was trying to get Mrs. Barnes fired.

Gillespie claimed, said Barnes, he was just trying to keep her from getting fired because she was engaged in political activity. Barnes also testified that Gillespie told him that Barnes' support of Goldmark would hurt his undertaking business.

Barnes then gave the "forced marriage" testimony. Noon recess followed.

The Friday afternoon session had begun with Okanogan undertaker Barnes on the stand.

Barnes testified that at an event at his home in 1962, Gillespie said something about "my Communist friends." He was said to have made the remark when Barnes told Gillespie the Barnes had agreed to go to a Goldmark cocktail party later in the day.

Wicks then took up the questioning for the defense for the first time.

He asked Barnes if it were not true that he'd said in a deposition that he felt Gillespie was trying to keep Mrs. Barnes from being discharged by the State Highways Department by pointing out she couldn't engage in political activities rather than trying to get her fired.

Barnes said he "didn't believe him altogether."

Wicks also questioned Barnes about what he'd heard at a May 28 social event at Paul's Cafe. This testimony had been brought out earlier by Goldmark attorney Mansfield.

Barnes repeated that he'd overheard Gillespie tell Arthur Land, Tonasket banker: "We have documentary proof that the Goldmarks are Communists."

"I was shocked by it so it stuck in my mind," Barnes testified.

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TV Film on Election Drive Is Shown at Goldmark Trial

OKANOGAN, Nov. 18. — (A.P.)—A television documentary film was offered as evidence in the \$225,000 Goldmark libel trial today after agreement was reached that the producers would be subpoenaed as witnesses.

The defense objected to the film, "Suspect," produced by KING-TV in Seattle, on the ground it was biased.

E. Glenn Harmon of Spokane, a defense attorney, said he did not want the film introduced as evidence unless he had a chance to cross-examine the people who made it.

William Dwyer of Seattle, an attorney for Mr. and Mrs. Joh Goldmark, plaintiffs, said he would agree to that.

The documentary was about the 1962 primary campaign in the 1st District, in which Goldmark was defeated in a bid for a fourth term in the Legislature.

Jurors watched the film after Superior Judge Theodore Turner of Seattle restricted the use of rumors as evidence. He said he would allow them only if they can be linked to a specific contention of libel.

The ruling followed an hour of arguments as the trial entered its third week.

Dwyer told the court he plans to introduce "impact testimony" showing that rumors were circulating in the county about the Goldmarks when the purported libels were taking place.

The Goldmarks sued four individuals and the weekly Tonasket Tribune on the ground they were libeled during the

primary campaign by statements and publications linking them to Communism.

(Indicate page, name of newspaper, city and state.)

SEATTLE TIMES

NOV 18 1963

PAGE 6 COL 6

Date:
Edition:
Author:
Editor:
Title:

MRS. SALLY GOLDMARK

Character: **SM-C**
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Classification: **100-21585**
Submitting Office:

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Film Is Issue in Libel Case

OKANOGAN, Wash. (AP)—A television documentary film was offered as evidence in the \$225,000 Goldmark libel trial today after agreement was reached the producers would be subpoenaed as witnesses.

The defense objected to the film "Suspect," produced by KING-TV in Seattle, on grounds it was biased.

E. Glenn Harmon of Spokane, a defense attorney, said he did not want the film introduced as evidence unless he had a chance to cross-examine the people who made it.

William Dwyer of Seattle, an attorney for John and Sally Goldmark, the plaintiffs, said he would agree to that.

"Are we going to have to bring them over?" Harmon asked.

"No, the Goldmark side will subpoena and bring those witnesses over to court from Seattle," Dwyer replied.

The documentary was about the 1962 primary campaign in the 1st legislative district, in which Goldmark, a Democrat, was defeated in a bid for a fourth term in the legislature.

The eight men and four women jurors watched the film after Superior Judge Theodore Turner of Seattle restricted the use of rumors as evidence. He said he would allow them only if they can be linked to a specific contention of libel.

The ruling followed an hour of arguments as the trial entered its third week.

Dwyer told the court he plans to introduce "impact testimony" showing that rumors were circulating in the county about the Goldmarks when the purpor-

ted libels were taking place. The Goldmarks sued four individuals and the weekly Tonasket Tribune on grounds they were libeled during the primary campaign by statements and publications linking them to communism.

After the ruling, James Thomas, an Omak attorney, completed testimony he began Friday. He told of copies of the publication "Vigilante," put out by co-defendant Albert Canwell of Spokane, and letterheads of the American Civil Liberties Union being distributed at an American Legion-sponsored meeting here in August, 1962.

On cross-examination, defense attorney Ned Kimball of Waterville asked Thomas whether he knew if Goldmark had conferred with R. E. Mansfield, one of his attorneys in the trial, before the Legion meeting on a possible libel suit.

Witness Answers

Thomas, who occupied a law office with Mansfield at the time, replied:

"I know that Mr. Goldmark had consulted with Mr. Mansfield . . . prior to this meeting. I do not know the content of those conversations.

Thomas also said Mansfield is a member of the ACLU, which Canwell called a Communist front at the August meeting. Goldmark was identified as an officer of the ~~state~~ ACLU organization.

(Indicate page, name of newspaper, city and state.)

2 Spokane Chronicle
Spokane, Wash.

Date: 11/18/63

Edition:

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TRIAL RESUMES

Rumors Play Part In Goldmark Trial

(Sidelights of the Goldmark trial will be found on page 10).

By DICK LARSEN

OKANOGAN — Indications are that the Goldmark libel suit will go on to at least mid-December.

William Dwyer, attorney for Mr. and Mrs. John Goldmark, said he doesn't think the plaintiff's side will end its presentation until about the first of December.

It is expected the defense will require at least two weeks.

Originally it was estimated the trial would last from four to six weeks. It started Nov. 4. Now it looks it will be six weeks long.

Again the courtroom was crowded as the trial opened its third week here this morning. The session began with a ruling about the use of rumors as evidence.

Goldmark's attorney William Dwyer said he plans to introduce "impact testimony" showing that rumors about the Gold-

marks were circulating around the county as the alleged libels were occurring.

Judge Theodore Turner said rumors are generally not admissible. He said that in this case rumors could not be used to prove damage because "damage is presumed."

However, the judge held that he would allow testimony about rumors provided they're connected in time and place to the alleged libel.

He also held that the defense could offer testimony of rumors about the Goldmarks prior to the time of the alleged libels.

James Thomas, Omak attorney, was still on the stand this morning.

He ended his testimony, which began last Friday. Thomas told about copies of "The Vigilante" and the American Civil Liberties Union stationery being distributed at the August 23, 1962, American Legion meeting.

On cross-examination, defense attorney Ned Kimball asked

Thomas whether he knew if Goldmark, before the meeting, had already conferred with attorney R. E. Mansfield on a libel suit. Thomas at that time was in the same law office as Mansfield.

"I know that Mr. Goldmark had consulted with Mr. Mansfield . . . prior to this meeting. I do now know the content of those conversations."

Thomas testified that attorney Mansfield is a member of the American Civil Liberties Union but he didn't know whether Mansfield had joined that organization before or after that American Legion meeting.

At mid-morning Goldmark's attorneys offered as evidence the TV documentary film "Suspect." That is a film produced by KING-TV in Seattle about the 1962 primary election campaign, in which Goldmark was defeated.

Defense attorney E. Glenn

(Indicate page, name of newspaper, city and state.)

1 WENATCHEE DAILY
WORLD
WENATCHEE, WASH.

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GOLDMARK

(Continued from Page One)

Harmon objected. He said the defense believes there is a bias in the film and he didn't want it introduced as evidence unless the defense had a chance to cross-examine the people who made it.

Goldmark attorney William Dwyer said he would agree to that.

"Are we going to have to bring them over?" asked Harmon.

Dwyer replied that no, the Goldmarks' side will subpoena and bring those witnesses into court from Seattle.

After that agreement, a screen was set up and the showing of this film began.

Dr. Hugh Maycumber, Tonasket veterinarian, was called to the stand shortly before noon. He was questioned by Attorney Mansfield about his work in anti-Communist study groups in 1961 and 1962 and about the tape recording of an interview with Albert Canwell made at the Ed Heath nursery in Brewster. Canwell is co-defendant.

Maycumber testified that he thought six copies of the recording were given to him.

"I was to play it at various places," said Maycumber.

Then Maycumber said he made additional copies of the recording.

"I passed them out to some individuals . . . for them to play . . . as they saw fit . . ."

In questioning the veteri-

arian, Mansfield was seeking to show how the recording was distributed. There were frequent objections by the defense as Mansfield questioned Maycumber.

Dean Nichols, manager of Omak Radio Station KOMW, was another morning witness. He was questioned about the radio station's replay of a tape recording of the Aug. 23 Legion meeting.

Nichols was asked who made arrangements for the broadcast, which occurred on Aug. 27. He said it was Loris Gillespie, a co-defendant.

Later, however, it was brought out that Gillespie had first telephoned Nichols to inquire about a program. Sometime afterwards he and other men visited with Nichols. Defense attorney Joseph Wicks asked if the other people with Gillespie were men from the American Legion.

Wicks asked: "This was a request from the American Legion, not Mr. Gillespie?"

Nichols replied: "That's precisely correct."

Nichols also testified: "The bill was sent to the Okanogan American Legion . . . I'm sure it was."

Nichols said he thought the bill was \$75 to \$90.

In his questioning of Nichols the Goldmark side tried to establish an activity of Gillespie in the replay of the recording. Gillespie is one of the co-defendants, whom the plaintiffs charge was involved in a conspiracy.

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INFORMAL GARB

Sidelights On Goldmark Case

By HU BLONK

OKANOGAN — There's nothing very formal about the jury hearing the \$225,000 Goldmark libel case. Each day the eight men on the jury of 12 come to court in sports or other shirts, no coats.

One of the lawyers said, incidentally, that this is the first major libel case involving charges of someone calling someone else a Communist being tried before a rural jury.

Three or four reporters sit at a small table located in front of the courtroom audience. A special press room has been provided downstairs for their use — the first time that's been done in this county courthouse.

Because of the possible length of the trial, several principals have moved into houses here, rather than staying at motels or hotels.

William Dwyer, one of the two Goldmark attorneys, has moved his attractive wife and small children in with him at a small place he's rented.

The John Goldmarks have rented a place near the courthouse. They live at isolated Disautel, some 20 miles from the county seat.

The startling allegation that one of the defendants had mentioned "communist forced marriage" in conversation about the Goldmarks did not come as a surprise to the Goldmarks.

William Barnes had originally made the statement in a deposition the defense insisted he give. When the plaintiffs saw the deposition, they subpoenaed Barnes to repeat the statement, figuring it would be damaging the defense's case.

One lawyer figures the case will run 30 court days (nine have been used up to date.) With recesses of several days possible at Thanksgiving and at other year-end holidays, he believes the big suit will not finish until mid-January.

However, Goldmark attorneys were to shorten their case over the weekend because the defense lawyers have indicated a different defense than the plaintiffs originally figured on.

There are several repeat spectators at each of the sessions. Two ladies do their knitting as they listen.

Questioning is being done by the lawyers mostly while they're seated. Only Joseph Wicks, once superior court judge here, walks around the room as he puts questions to the witness. He generally accompanies his pacing with some stern looks at the man on the stand.

Added cost of the trial to Okanogan County is \$4 per day of 14 jurors (two alternates) and the salary of the court reporter, who takes down every word with his little machine. His charge is \$50 a day. The wages of Judge Theodore Turner of Seattle are not assessed against the county as Okanogan judge Robert Murray fills in elsewhere on the regular visiting judge basis.

Only if the case is appealed, will the mechanical notes of the

(Indicate page, name of newspaper, city and state.)

10 WENATCHEE DAILY
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Mistrial Is Threatened In Goldmark Libel Case

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1 THE WENATCHEE
DAILY WORLD
WENATCHEE, WASH.

By DICK LARSEN

OKANOGAN — Members of the jury for the John Goldmark libel suit this morning were told by a smiling Judge Theodore Turner that they will have a Thanksgiving vacation.

The judge said court will be recessed Nov. 26-Dec. 2.

The jury members smiled back.

Then they began listening to some more grueling, occasionally heated questioning and maneuvering by attorneys.

At one moment this morning defense attorney E. Glenn Harmon threatened to move for a mistrial. He was objecting to the use of a deposition which had been taken before the trial but the judge upheld Harmon's move and his threat of a mistrial passed.

Frustration, frayed tempers and a Straus waltz figured in Monday testimony.

It was a day in which there was slow, persistent questioning about who did what during the 1962 campaign which gave birth to the lawsuit.

Former State Rep. John Goldmark is suing five defendants for \$225,000 for alleged libels. He and Mrs. Goldmark claimed the defendants conspired and committed libels, portraying

them as Communists or Communist sympathizers.

The frustration came to Goldmark attorney R. E. Mansfield as he tried to link defendants to plans and actions in the campaign to beat Goldmark.

Tempers frayed as the defense resisted Mansfield's questioning approach. And Mansfield's temper frayed as he questioned a reticent witness, Dr. Hugh Maycumber of Tonasket.

The waltz provided the only bright spot in a grueling day.

Mansfield offered a tape recording in evidence. It was the controversial tape on which Al Canwell of Spokane described the American Civil Liberties Union as a Communist front, mentioned Goldmark as a member and talked of Mrs. Goldmark's former Communist party membership.

Mansfield readied the tape machine. Everyone leaned forward with anticipation. Then, as the tape began, the courtroom was filled with the loud, lilting music of the waltz.

It sounded like the wrong record. Surprised, most of the spectators grinned. So did the jury. But it turned out to be just a musical introduction. Soon came Canwell's voice,

speaking on communism.

The grueling questioning came during the afternoon. Mansfield was asking Dr. Maycumber, a Tonasket veterinarian, about his work in the 1962 campaign.

Maycumber, a square-built man with reddish hair, gave mostly yes and no answers and there were frequent objections from defense.

Maycumber said he had attended meetings in Brewster before the 1962 election with a group to talk plans to defeat Goldmark.

At one meeting the Canwell tape recording was made. Maycumber said he later helped distribute copies of the tape.

He also told how he and others mailed out copies of "The Vigilante," containing revelations about Mrs. Goldmark's former membership in the Communist party, just before the election.

Throughout Mansfield tried to establish the fact that some of the defendants were involved in some of those steps.

That is a continuing effort by the Goldmark side — to tie defendants to many phases of the "Beat Goldmark" campaign, thus helping to prove there was a conspiracy.

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For example:

Mansfield asked Maycumber to name all the men who had been at the Brewster meetings. Maycumber named Ed Heath, Brewster; Ed Buchert, Tonasket; O. K. Latta, Wenatchee; Horace Smith, Brewster; Phil Wainscott, Waterville; Jay Rotter and Bill Hamilton, both of East Wenatchee; Andy Mittelstaedt, Omak; and Paul Larabee, Oroville.

"I don't believe you named Mr. Canwell," said Mansfield.

"I'm sorry," said Maycumber.

"Was Mr. Holden in the group?" asked Mansfield. Ashley Holden, Tonasket Tribune publisher, is a defendant in the lawsuit. The Goldmark side claims he was in the conspiracy.

"He was not," replied Maycumber.

Before the trial Maycumber had given a deposition statement. In it he had indicated otherwise.

Mansfield told Maycumber, "I would like to refresh your memory." He handed Maycumber that deposition statement.

Defense attorney E. Glenn Harmon objected.

Has Holden been in the

Mansfield asked repeatedly. There were repeated objections from the defense side.

"What was the relation of Mr. Holden to this group?" asked Mansfield.

Maycumber: "He printed the material."

Mansfield: "Was that all?"

Maycumber: "Yes."

Mansfield: "Do you remember what you just read at my request?"

Mansfield waved the deposition. He referred to a statement in it where Maycumber had said that Holden was "part of the whole operation." What did that mean? asked Mansfield.

"Part of the whole operation of printing," said Maycumber.

Mansfield was exasperated. "Didn't you testify to the contrary in your deposition?"

"There was another objection from Harmon. 'He's attempting to impeach his own witness. . .'"

But Maycumber answered that, yes, he did testify otherwise in his deposition. He said that, near the end of deposition questioning and answering "I was worn out."

Not all of his questioning of Maycumber ended in frustration for Mansfield. He appeared to make one score, as he asked Maycumber about the Al Canwell tape recording.

Mansfield asked: "On whom did you rely for the truth of the statements made (in the tape recording)?"

Maycumber: "I relied on Mr. Canwell."

Mansfield asked if Maycumber had ever asked Canwell to check on the accuracy of the statements made in the record.

"As I remember, yes," said Maycumber.

Maycumber then added he had heard nothing further from Canwell and concluded "either he hadn't gotten around to letting me know or it was accurate."

In the tape recording Canwell called the American Civil Lib-

erties Union a Communist front. He talked about it at length. He also mentioned that Goldmark is a member of the group.

Besides distributing the tape, Maycumber said he had a hand in distributing copies of the state Civil Liberties Union stationery on which Goldmark's name appeared on the letterhead.

Mansfield asked what was the connection between the tape recording and the stationery.

"Well, Mr. Goldmark's name was on the sheets (the stationery) and the tape," replied Maycumber.

Maycumber testified that he and Mrs. Maycumber, Mr. and Mrs. John Bratton, Mr. and Mrs. Vic Lesamiz Jr. and Mr. and Mrs. Ed Buchert were all involved in mailing out copies of "The Vigilante" to northern Okanogan County residents — including Oroville, Molson and Chesaw — before the election.

Then came cross-examination. Harmon asked questions quickly. Maycumber answered readily.

At the Brewster meeting, asked Harmon: "Was there any intention (of) anyone in that group to defame rather than defeat John Goldmark?"

"No," said Maycumber.

About that group, Harmon asked: "Who put it together as far as you were able to see?"

"Father Buckley," replied Maycumber. Father Emmett Buckley of Tonasket has figured prominently in the case and will be a witness. He is not a defendant.

Earlier there had been talk about defendant Loris Gillespie's role in an Aug. 23, 1962, meeting at the American Legion Hall in Okanogan. Al Canwell had spoken at that meeting, attacking the Civil Liberties Union as a Communist front.

The Goldmark side has tried to prove that Gillespie was directly involved in staging the

But Maycumber testified he asked Gillespie to serve as master of ceremonies.

Replying to one Harmon question, Maycumber testified that he (Maycumber) was anti-subversive officer at the Tonasket American Legion Post.

"Why didn't you chair the (Okanogan Legion) meeting yourself?" Harmon asked.

Replied Maycumber: "Mr. Gillespie was the Ninth District anti-subversive officer and he also is a much better public speaker than I."

Earlier Dean Nichols, manager of Omak radio station, KOMW, was on the stand.

Mansfield asked him about the station's replay of a recording of the Legion meeting. Mansfield asked Nichols who

first approached the station to arrange the broadcast.

Nichols said it was Gillespie. But, on cross examination, Joseph Wicks, defense attorney, brought out the statement that Nichols understood that Gillespie was representing the American Legion in making arrangements.

Nichols said the bill — he thought it was \$75 to \$90 — was sent to the American Legion.

On re-direct questioning this morning Mansfield again asked Maycumber about Gillespie's role in the Aug. 23, 1962, American Legion meeting.

Again Mansfield referred to Maycumber's pre-trial deposition.

Harmon interrupted: "I would hate to make a motion for mistrial here. If you use that

I may well be forced to do so."

Then the judge ruled that Mansfield could not use the deposition.

Mansfield was trying to show that Maycumber had in his deposition told more about Gillespie's role in that meeting.

Mansfield reminded Maycumber of a Monday statement that there was no intention to defame Goldmark.

Mansfield asked: "Is it within your definition (of defamation) to accuse a man of treason? Would that be defamation?"

Maycumber replied: "I don't remember him being accused of treason."

Mansfield repeated the question. Maycumber said no, the charge of treason is not within his definition of defamation.

Later Harmon asked about the same thing: "Did you intend to defame or tell the truth as you understood it?"

Maycumber replied: "To tell the truth as I understood it."

John Paul Larrabee of Oroville took the stand about 10:15 a.m. today.

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Veterinarian Reveals Plans For Defeat Of Goldmark

OKANOGAN, Nov. 18. — (AP) — A Tonasket veterinarian testified today in the \$225,000 John Goldmark libel trial about two meetings held in Brewster last year at which he said plans were laid to defeat Goldmark in the 1962 primary election.

Goldmark, a three-time state legislator, was defeated in a bitter Democratic primary. He subsequently filed a libel and conspiracy suit against four individuals and a Tonasket weekly newspaper.

ON THE STAND this afternoon, as the trial entered its third week, was Dr. Hugh Maycumber. He told of the meetings in early 1962 at which he said there was talk about defeating Goldmark and how to go about it.

"Was there any intention at these meetings to defame rather than defeat John Goldmark?" asked defense attorney E. Glenn Harmon. "No," replied Dr. Maycumber.

MAYCUMBER said Ashley Holden, a defendant, was not present at either meeting.

The witness said Al Canwell of Spokane, another defendant, made a taped interview at one of the meetings telling about Mrs. Goldmark's former membership in the Communist Party and about what Canwell called the communist menace in the United States.

DR. MAYCUMBER testified he got six copies of that tape, gave them to friends to listen to and then later distributed additional copies to perhaps "25 or 30" people.

The witness listed the names of about 10 men who attended the meetings. None of the defendants was among them.

Questioning of Dr. Maycumber prompted repeated objections by attorneys for both sides, most of which were overruled, and several heated exchanges between them.

EARLIER, a televised documentary film was offered as evidence in the trial after it was agreed that the producers would be subpoenaed as witnesses.

Harmon objected to the film "Suspect," produced by KING-TV in Seattle, on grounds it was biased. He said he didn't want the film introduced as evidence unless he had a chance to cross-examine the people who made it. The Goldmarks' attorney, William Dwyer of Seattle, agreed to that.

Then the jury of eight men and four women watched the film, which dealt with the 1962 primary in which Goldmark met defeat.

Also on the stand was Omak attorney James Thomas. He was asked by the defense whether he knew if Goldmark had conferred with R. E. Mansfield, one of his attorneys in the trial, about a possible libel suit.

Thomas, who occupied a law office with Mansfield at the time, said Goldmark "had consulted with Mr. Mansfield prior to this meeting. I do not know the content of those conversations."

THE MEETING he referred to was an American Legion sponsored affair in August 1962 at which Canwell was principal speaker.

Thomas said letterheads of the American Civil Liberties Union, showing Goldmark as a state board member, were distributed at that meeting. Testimony has indicated that Canwell painted the ACLU as a communist front at the meeting.

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SEATTLE POST INTELLIGENCER
NOV 19 1963
PAGE 15 COL 1

Date:
Edition:
Author:
Editor:
Title:
MRS. SALLY GOLDMARK

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or
Classification: **100-21585**
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Deposition Ruled Out In Goldmark Trial

OKANOGAN, Nov. 19. — (A. P.) — A wrangle over a pre-trial deposition brought a threat by the defense for a mistrial motion today in the \$225,000 Goldmark libel suit, but it did not materialize.

E. Glenn Harmon, defense attorney, objected heatedly to an attempt by R. E. Mansfield to refer to the deposition in questioning Dr. Hugh Maycumber, Tonasket veterinarian.

Harmon dropped the matter, however, when Superior Judge Theodore S. Turner upheld his objections and ruled Mansfield could not make use of the deposition given by Maycumber fore the trial began November 4.

ANSFIELD, counsel for John and Sally Goldmark in their libel and conspiracy suit, was trying to bring out the fact the deposition gave more information on that point than Maycumber told on the witness stand when Harmon voiced his threat of a mistrial motion.

In testimony yesterday, Dr. Maycumber told of two meetings in Brewster last year he said were for the purpose of planning how to defeat Goldmark in the 1962 primary, not defame him.

Goldmark, a three-term state

legislator, was defeated for reelection in a bitter Democratic primary. He is suing four individuals and a weekly newspaper for purported defamation during the campaign.

EARLIER yesterday, the jury of eight men and four women watched a television documentary produced by KING-TV of Seattle. The film, entitled "Suspect," dealt with the 1962 primary in which Goldmark was defeated.

It was admitted as evidence only after Harmon was assured that the producers would be subpoenaed as witnesses. Harmon contended the film was biased and said he didn't want it introduced unless he had a chance to cross-examine the people who made it. William Dwyer, attorney for the Goldmarks, agreed to this.

James Thomas, Omak attorney who once shared a law office with R. E. Mansfield, another Goldmark attorney in this trial, also was on the stand.

THOMAS said Goldmark had consulted Mansfield prior to a controversial American Legion-sponsored meeting in August, 1962, but he didn't know if their conversation was about a possible libel action.

(Indicate page, name of newspaper, city and state.)

SEATTLE TIMES

NOV 19 1963

PAGE A COL 6

Date:

Edition:

Author:

Editor:

Title:

MRS. SALLY GOLDMARKCharacter: **SM - C**
orClassification: **100-21585**

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(Mount Clipping in Section)

By **JACK E. FISCHER**
Spokesman-Review Staff Writer

OKANOGAN, Wash. — Temper-
pers flared briefly Monday dur-
ing the Goldmark \$225,000 libel
and conspiracy trial as a frus-
trated witness under persistent
questioning at one point threw
his arms up in despair.

Dr. Hugh Maycumber, Tonas-
ket veterinarian, was being in-
terrogated by plaintiffs' attor-
ney, R. E. Mansfield, and ob-
viously was answering different-
ly than had been expected.

At one point defense attorney
E. Glenn Harmon, who had
been making frequent objec-
tions, interrupted Mansfield to
assert, "I object to the treat-
ment Dr. Maycumber received
at his deposition and the same
thing is being done again."

Judge Theodore S. Turner
then asked to read a copy of
the deposition and commented:
"I note quite a difference in
terminology between questions
at the deposition and those
here."

Questioning Resumed

Mansfield continued question-
ing and Harmon continued ob-
jecting, suggesting at one point
that the jury be excused and
the matter be argued out.

As Mansfield continued to
probe in an effort to obtain the
answers he obviously expected,
Judge Turner said: "There is
no claim of surprise and it ap-
pears that the witness has an-
swered this question. Another
question to get an affirmative
answer is an effort to impeach
your own witness."

Mansfield then assured the
court that the plaintiffs were
surprised that the testimony
was different than that in a

deposition taken under oath last
December.

The interrogation involved a
series of meetings at Brewster,
Wash., before the 1962 primary
election. It had been determined
that a tape recording entitled,
"An Interview With Al Can-
well," had been made at one of
the meetings.

Agreed to Speak

Dr. Maycumber testified that
at another meeting Canwell, one
of the defendants, agreed to
speak at an American Legion
meeting in Okanogan Aug. 23,
1962 on the subject of "The
Truth About the ACLU."

This speech is included in the
specific charges for damages
and the American Civil Liber-
ties Union has been mentioned
frequently during the trial, with
defendants maintaining it is a
Communist front.

"Was this a continuing organ-
ization that met at Brewster?"
Mansfield asked.

"I think you could call it
that," replied Maycumber.

"Were Mr. (Ashley E.) Hol-
den or Mr. (Loris A.) Gillespie
at any of these meetings?"

"They were not."

"Was Mr. Holden a member
of the continuing organization?"

(Indicate page, name of
newspaper, city and state.)

2 Spokesman-Review
Spokane, Wash.

Date: 11/19/63
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"No."
 "Do you want to refresh your memory from the deposition?" Here Harmon interrupted with an objection which the court sustained.
 Mansfield then asked, "What was the relationship of Mr. Holden with this group?"
 "He printed the material," Maycumber answered.
 "Is that all?"
 "Yes."
 "Are you sure?"
 "Yes."

Another objection and Judge Turner took over the questioning asking Dr. Maycumber, "To what do you refer when you say the whole operation?"
 "The whole operation of printing," answered Maycumber.
 "The whole operation of printing?" repeated Mansfield incredulously.

Was Worn Out

"Yes."
 At that point, the defense began cross-examination, Harmon asked, "Why did you answer the way you did in your deposition?"
 "Because I was worn out," replied Maycumber.
 "You know it is not true, don't you?" (that Holden was part of a continuing group.)
 "Yes sir."
 "Your answer at the deposi-

tion came after a full day of examination?"
 "Yes."
 Earlier in the day a television production called, "Suspect" was shown in full to the jury. This program was made shortly after the primary election last year in which John Goldmark was defeated in his bid for reelection to the state legislature.
 Harmon said the defense had no objection to the film being placed in evidence if those who

made it are available for examination.
 "We consider it an extremely biased production," he said. Counsel for the plaintiff assured him those involved would be available.
 The trial entered its third week Monday with indications it would last the predicted six weeks, or more. Counsel for the plaintiff said they doubted if they could complete their case before Dec. 1.

1015 Second Avenue
Seattle, Washington 98104

November 20, 1963

Mr. Frank Freeman
United States Attorney
Eastern District of Washington
Spokane, Washington

RE: SALLY GOLDMARK

Dear Frank:

Apropos to our conversation, there are attached
a copy of Departmental Order No. 260-62, and a copy
of Supplement No. 4 (Revised) signed by the Attorney
General on January 13, 1963, and a copy of a
Departmental Memorandum accompanying Supplement No. 4.

Sincerely yours,



J. E. MILNES
Special Agent in Charge

Airmail - Registered

JEM:eon
(2)

100-21585

100-21585-208

F B I

Date: 11/20/63

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Via RADIOGRAM

URGENT

(Priority or Method of Mailing)

TO: DIRECTOR, FBI (100-386074)

FROM: SAC, SEATTLE (100-21585)

b6
b7c

RE: MRS. JONATHAN GOLDMARK, SM-C.

REMYTEL CALL TO BUREAU TODAY ADVISING THAT USA FRANK FREEMAN, SPOKANE, HAD STATED FORMER SA [] HAD BEEN ISSUED A SUBPOENA TO APPEAR IN TRIAL NOV. TWENTYTWO NEXT.

FORMER SA [] HAS JUST ADVISED THAT HE HAS RECEIVED A SUBPOENA AND IS GOING TO IMMEDIATELY DISCUSS SAME WITH USA FREEMAN WHO HE UNDERSTANDS WILL OBJECT TO ANY TESTIMONY BY [] UNDER DEPARTMENTAL ORDER 260-62. [] ALSO ADVISED THAT THIS SUBPOENA INSTRUCTED HIM TO BRING ANY NOTES, MEMORANDA OR RECORDS OF INTERVIEWS WITH SALLY GOLDMARK MADE BY [] WHILE AN AGENT OF THE FBI. [] STATED OF COURSE HE HAD NO SUCH RECORDS.

BUREAU WILL BE ADVISED OF ANY FURTHER DEVELOPMENTS.

WTW:eon
(1)

100-21585-209

[]

Amul

[Signature]

Approved: _____

Special Agent in Charge

Sent 4

4:06p

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Per

203

URGENT 11-21-63 K 1-45 PM NH

TO SAC SEATTLE /100-21585/
FROM DIRECTOR /100-386074/ 2 P

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b7c

MRS. JONATHAN GOLDMARK, SECURITY MATTER - C.

REUR RADIOGRAM NOVEMBER TWENTY LAST. BUREAU HAS DISCUSSED
SUBPOENA OF [] TO APPEAR IN GOLDMARK CASE WITH DEPARTMENT.
DEPARTMENT ADVISED THAT USA, SPOKANE, IS BEING INFORMED HE
SHOULD APPEAR WITH [] IN COURT TO INVOKE THE PRIVILEGE OF
DEPARTMENTAL ORDER TWO SIX ZERO DASH SIX TWO AND TO UTILIZE
SUPPLEMENT NUMBER FOUR /REVISED/ OF DEPARTMENTAL ORDER THREE
FOUR SIX FOUR. USA IS BEING INSTRUCTED IN DETAIL REGARDING
USE OF THESE DEPARTMENTAL ORDERS. DEPARTMENTAL ORDERS WILL BE
INVOKED BY USA WHENEVER [] IS ASKED QUESTIONS BASED ON THE
FACTS OR CALLING FOR A CONCLUSION BY [] BASED ON THE FACTS.
THE DEPARTMENT FURTHER ADVISED THAT USA IS BEING INSTRUCTED IT
WILL BE NECESSARY FOR [] TO APPEAR IN RESPONSE TO THE
SUBPOENA AND HE WILL HAVE TO ANSWER PRELIMINARY QUESTIONS AS TO
HIS IDENTITY AND FORMER OCCUPATION, WHETHER HE EVER INTERVIEWED
MRS. GOLDMARK, AND THE TIMES AND PLACES OF THESE INTERVIEWS,

END PAGE ONE

[]

11/22/63

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advised

[]

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NOV 21 1963	
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PAGE TWO

DEPENDING, OF COURSE, UPON HIS OWN RECOLLECTION. YOU SHOULD FOLLOW THIS MATTER CLOSELY WITH THE USA AND TO INSURE THAT THE INSTRUCTIONS OF THE DEPARTMENT ARE FOLLOWED AND THE FBI INFORMATION IS PROTECTED. BUREAU MUST BE KEPT ADVISED OF ALL DEVELOPMENTS.

END ACK PLS

10-50 AM PST OK FBI S E JAT

TU O

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TO: DIRECTOR, FBI (100-386074)

FROM: SAC, SEATTLE (100-21585)

MRS. JONATHAN GOLDMARK, SECURITY MATTER - C.

REBUTEL NOV. TWENTYONE INST. R. E. MANSFIELD, ATTORNEY FOR
MRS. GOLDMARK, CONTACTED FORMER SA [] TODAY, ADVISED
HIS APPEARANCE WAS BEING DELAYED AND IT MAY NOT BE NECESSARY FOR
HIM TO APPEAR FOR APPROXIMATELY TWO WEEKS. FORMER SA []
ADVISED OF BUREAU INSTRUCTIONS. USA FREEMAN BEING CONTACTED
AND WILL BE INFORMED. BUREAU WILL BE ADVISED OF DEVELOPMENTS.

JEM:eon
(1)

100-21585-211

ASA []
[]
Amc

McNULTY

212258

Approved: [Signature]
Special Agent in Charge

Sent 4 ³⁷/_P M

Per [Signature]

(Mount Clipping in Space Below)

Goldmark's Son Testifies That He Heard 'No Red Views'

OKANOGAN, Nov. 26. — (AP) — Charles Goldmark, 19, testified today in the \$225,000 libel suit brought by his mother and father and said he never heard any pro-Communist views expressed in his home.

Former State Rep. John Goldmark and his wife have sued four individuals and a weekly newspaper for remarks and publications made during the bitter Democratic primary of 1962 which Goldmark lost.

ONE OF the alleged libels concerns a story published in the Tonasket Tribune. The article said Reed College, Portland, Ore., which Charles Goldmark attends, was the only school in the Northwest which permitted Gus Hall, secretary of the Communist Party in the United States, to speak on its campus.

Young Goldmark was asked if he heard Hall's speech. He said, "I attended part of the talk ... but about halfway through it I left."

GOLDMARK said there was a demonstration outside and he found that "more interesting than Mr. Hall."

He said Hall's appearance at Reed was sponsored by a campus organization called the Focus Club and that he did not belong to the club. Goldmark said about 800 heard Hall, but estimated only 300 of those were students.

He also said it was his understanding Hall had spoken at other Northwest colleges including Lewis and Clark, the University of Oregon and Oregon State University.

GOLDMARK testified he did not know his mother had once belonged to the Communist Party until she told him in the spring of 1962. He said he was surprised because her affiliation seemed "very inconsistent with everything she had said."

Mrs. Goldmark has acknowledged membership in the party from 1935 to 1943.

DEFENSE attorneys did not cross-examine young Goldmark and court was recessed until December 2 following a warning by Superior Judge Theodore Turner to the jury not to read about or listen to news of the trial.

Prior to Goldmark's testimony, John Pemberton, executive director of the American Civil Liberties Union from New York City, was called. John Goldmark was a member of the ACLU state board.

PEMBERTON testified about many cases in which the ACLU has been concerned. He said the organization has no affiliation with the Communist Party, but seeks to preserve the rights guaranteed to all individuals under the Bill of Rights.

The morning session dealt with Goldmark's Navy record in World War II. At one point Judge Turner observed, "We are trying a lawsuit on alleged libels ... We are not fighting the Japanese war."

HE ALLOWED the testimony to continue, however, when Goldmark's attorney pointed out "the libels go to the matter of Mr. Goldmark's patriotism."

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NOV 27 1963
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MRS. SALLY GOLDMARK

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Defense Sounds Mistrial Threat

OKANOGAN, Wash. (AP)—A wrangle over a pre-trial deposition brought a threat by the defense for a mistrial motion today in the \$225,000 Goldmark libel suit, but it did not materialize.

Defense attorney E. Glenn Harmon objected heatedly to an attempt by R. E. Mansfield to refer to the deposition in questioning Dr. Hugh Maycumber, Tonasket veterinarian.

"I would hate to make a motion for a mistrial here," Harmon fumed. "If you use that . . . I may well be forced to do so."

He dropped the matter, however, when Superior Judge Theodore S. Turner upheld his objections and ruled Mansfield could not make use of the deposition given by Maycumber before the trial began Nov. 4.

Role Questioned

Mansfield, counsel for John and Sally Goldmark in their libel and conspiracy suit, asked Dr. Maycumber on redirect examination about the role of Lois Gillespie, one of the defendants, at an American Legion-sponsored meeting here in August last year.

Mansfield trying to bring out the fact the deposition gave more information on that point than Maycumber told on the witness stand when Harmon voiced its threat of a mistrial motion.

The jury of eight men and four women learned from the judge at the start of the morning session they would have a Thanksgiving holiday.

Judge Turner said the trial would be recessed from Nov. 26 to Dec. 2.

In testimony yesterday, Maycumber told of two meetings in Brewster last year he said were for the purpose of planning how to defeat Goldmark in the 1962 primary, not defame him.

Goldmark, a three-time state

legislator, was defeated for reelection in a bitter Democratic primary. He is suing four individuals and a weekly newspaper for alleged defamation during the campaign.

Asked by defense attorney E. Glenn Harmon if there was any intention at the meetings "to defame rather than defeat" Goldmark, Dr. Maycumber replied "no."

Asked if Ashley Holden, a defendant in the suit, was among those who attended the meetings, Dr. Maycumber replied he was not.

The witness said Albert F. Canwell of Spokane, another defendant, made a taped interview at one of the meetings about Mrs. Goldmark's former membership in the Communist Party. Dr. Maycumber said he distributed copies of the tape to "about 25 or 30 people."

Earlier yesterday, the jury of eight men and four women watched a television documentary produced by KING-TV of Seattle. The film, entitled "suspect," dealt with the 1962 primary in which Goldmark was defeated.

It was admitted as evidence only after Harmon was assured that the producer would be subpoenaed as witnesses. Harmon contended the film was biased and said he didn't want it introduced unless he had a chance to cross-examine the people who made it. William Dwyer, attorney for the Goldmarks, agreed to this.

Omak attorney James Thomas, who once shared a law office with R. E. Mansfield, another Goldmark attorney in this trial, also was on the stand.

He said Goldmark had consulted Mansfield prior to a controversial American Legion-sponsored meeting in August, 1962, but he didn't know if their conversation was about a possible libel action.

Canwell was principal speaker at the meeting, painting the American Civil Liberties Union as a Communist front. Letterheads showing that Goldmark was a state board member of the A.C.L.U. were distributed at the meeting.

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2 SPOKANE CHRONICLE
SPOKANE, WASH.

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GOLDMARK

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3 King County Judges in A. C. L. U. Are Named by Goldmark Witness

OKANOGAN, Nov. 20.—(A. P.)—Three King County Superior Court judges were named today as members of the American Civil Liberties Union, which a defendant in the Goldmark libel suit has branded a "Communist front."

Robert Winsor, Seattle attorney and former president of the state A. C. L. U., was called as a witness in the trial of the \$225,000 suit by a former state representative, John Goldmark, and his wife, Sally.

WINSOR explained that the A. C. L. U. seeks to preserve the Bill of Rights, and added: "We don't care who it is that is being denied the right of speech, the right of worship as he pleases . . . We don't care who it is . . . it is the issue that we are interested in."

"Do both Republicans and Democrats belong?" asked William Dwyer, an attorney for the Goldmarks.

"Indeed," Winsor replied. He said the total membership in the state is about 1,600. He said it includes Judges Lloyd Shorett, Edward Henry and Solie Ringold of the King County Superior Court.

Superior Judge Theodore S. Turner of King County is hearing the case.

A WEEK AGO, while Al Canwell of Spokane, was on the stand a tape recording was played of a speech given by Canwell at an American Legion-sponsored meeting here Aug. 23, 1962.

In the speech Canwell, one of the defendants, described

the A. C. L. U. as "the major Communist-front operating in present time." He identified "Considerable skepticism exists about John Goldmark's loyalty since the 1962 primary campaign, Joe Dwyer, state director of agriculture, testified yesterday.

Dwyer said Goldmark, a three-time state legislator, enjoyed an "excellent reputation, the very highest" until the 1962 Democratic primary in which he was defeated.

"I think there is considerable skepticism about his loyalty to our country since the 1962 campaign," said Dwyer.

ANOTHER OFFICIAL, Charles Hodde, chairman of the Washington State Tax has been a depreciation in his (Goldmark's) reputation due to various items that were distributed during the 1962 campaign.

Hodde said Goldmark attained his "greatest eminence and influence" as chairman of the powerful House Ways and Means Committee in the 1961 Legislature.

Hodde was asked by a defense attorney, Glenn Harmon, if a political candidate doesn't often "cast some doubts about

the qualifications or character of the man on the other side" during a campaign.

"I wouldn't say it was standard practice to raise issues of loyalty," replied Hodde.

ALSO ON THE STAND yesterday were two Okanogan County housewives. Mrs. Ken Crandall of Malott said Mrs. Goldmark told her early last year of once belonging to the Communist Party.

Mrs. Charles Nelson of Carlton said Goldmark told a political meeting early in last year's campaign that his wife had once been a Communist but had quit the party.

Goldmark is suing four individuals and the Tonasket weekly newspaper for defamation during the 1962 primary. He contends that he and his wife Sally were pictured as Communists or Communist sympathizers.

John Paul Larrabee, Tonasket orchardist, and Phil Wain-scott, Waterville wheat rancher, testified they played tape recordings of "An Interview with Al Canwell" for friends and discussed "Goldmark's high tax record" during the primary campaign. Canwell is a defendant.

(Indicate page, name of newspaper, city and state.)

SEATTLE TIMES

NOV 20 1963

PAGE 4 COL 1

Date:
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Editor:
Title: **HENRY MAC LEOD
MRS. JOHN GOLDMARK**

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or **100-21585**

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Two State Officials Testify On Goldmark's Loss Of Reputation

OKANOGAN, Nov. 19. — (AP) — Two high-ranking Washington State officials testified today that John Goldmark's reputation has not been the same since the 1962 Democratic primary in which Goldmark, a three-time state legislator, was defeated.

ON THE STAND in Goldmark's \$225,000 libel and conspiracy suit against five defendants were Joe Dwyer, state director of agriculture, and Charles Hodde, chairman of the Washington State Tax Commission.

"I think there is considerable skepticism about his loyalty to our country since the 1962 campaign," said Dwyer.

"I'm quite aware there has been a depreciation in his reputation due to various items that were distributed during the 1962 campaign," testified Hodde.

BOTH OFFICIALS said Goldmark enjoyed a good reputation in state government prior to the campaign. Hodde noted that Goldmark was chairman of the powerful House Ways and Means Committee in the 1961 Legislature. "He had attained his great

est eminence and influence at this time," said Hodde.

Defense attorney Glenn Harmon asked Hodde if it were not true that in any political campaign the candidate on one side "casts some doubts about the qualifications or character of the man on the other side?"

"I wouldn't say it was standard practice to raise issues of loyalty," replied Hodde.

GOLDMARK is suing four individuals and a weekly newspaper for alleged defamation during the bitter 1962 primary, claiming he and his wife were pictured as communists or communist sympathizers.

Two Okanogan County housewives also were on the stand, Mrs. Ken Crandall, Malott, and Mrs. Charles Nelson, Carlton.

MRS. CRANDALL said Mrs. Goldmark volunteered the information in a conversation early last year that she had once been a member of the Communist Party.

Mrs. Nelson said Goldmark told a political meeting early in the 1962 campaign that his wife had once been a communist but had quit the party.

EARLIER, a dispute over

a pre-trial deposition brought the threat of a motion for mistrial by the defense. However, the matter was ironed out when Superior Judge Theodore S. Turner upheld Harmon's objections and ruled that R. E. Mansfield, a counsel for the Goldmarks, could not use the deposition given by Tonasket veterinarian Dr. Hugh Maycumber.

MANSFIELD contended the deposition gave more information about the role of defendant Loris Gillespie in an American Legion sponsored meeting in August, 1962, than Maycumber had told on the witness stand.

Judge Turner also had good news for the jury of eight men and four women. He said the trial would be recessed from November 26 to December 2 for a lengthy Thanksgiving holiday. The trial is in its third week.

(Indicate page, name of newspaper, city and state.)

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2 Testify Goldmarks' Reputation Damaged

By JACK E. FISCHER

Spokesman-Review Staff Writer
OKANOGAN, Wash. — Two state officials Tuesday testified as character witnesses for Mr. and Mrs. John Goldmark in the Goldmarks' \$225,000 libel and conspiracy trial here in Superior Court.

Both Charles W. Hodde, chairman of the State Tax Commission, and Joe D. Dwyer, state director of agriculture, said the Goldmarks' reputation was "excellent" before 1962 but has been damaged since.

The lawsuit against four men and the Tonasket Publishing Co. was filed after the 1962 political campaign in which Goldmark was defeated in his bid for reelection to the state legislature.

Items alleged in the complaint as being libelous were said, published, or circulated during that campaign.

Under cross-examination Hodde testified that the fact Mrs. Goldmark formerly was a member of the Communist party did cause him some concern.

Full Trust in Her

"I had to re-evaluate the situation," he said, "but I still had full trust in her."

One of the claims of the defendants is that the American Civil Liberties Union, of which Goldmark is a member, is a Communist front.

Dwyer testified that he is a member of the ACLU and has been for about 15 years. He said he had not been real active, however, since 1948 when he moved from Seattle.

On a letterhead which has been introduced as evidence in the trial, his name is listed as a member of the Washington committee of that organization.

Another document frequently mentioned in the lawsuit is the 1962 state Democratic platform, particularly its plank on the McCarran Internal Security Act.

Circular Is Evidence

Plaintiffs attorney William Dwyer Tuesday offered as evidence a circular distributed during the campaign which was signed by several people, including Loris A. Gillespie, one of the defendants.

The circular stated, in part, "Ask Mr. Goldmark why he supports a party platform which states that Communists should not have to register with our Justice Department?"

Dwyer told the court the McCarran Internal Security Act does not require Communists to register, that this is required under the Communist Control Act of 1954.

After a recess he said he had checked the act and had been mistaken. "There is a provision in the McCarran Internal Security Act which calls for the registration of Communist and subversive organizations and members thereof," he said. "However, I still feel that this circular should be admissible."

Some Doubt Created

Judge Theodore S. Turner said that the first portion of the 1962 platform involving the McCarran Internal Security Act could create some doubt as to the interpretation by the general public. That portion read,

"We view the McCarran Internal Security Act as a threat to freedom of thought and action under the Constitution of the United States. . . ."

(The rest of the plank continues, "and we urge an immediate revision of its several provisions which no longer are consistent with our national goals.")

Harmon Makes Threat

The court then ruled that the circular would be admitted, but only in connection with the defendant Gillespie and only for the purpose of showing malice.

Much of Tuesday's testimony came from witnesses who commented on the Goldmarks' reputation before 1962 and whether it had been damaged during the campaign of that year. All of those called gave substantially the same testimony as Hodde and Dwyer.

Early in the day, defense attorney E. Glenn Harmon, threatened to move for a mistrial if attorneys for the plaintiffs did not discontinue what he claimed to be improper use of a deposition (testimony taken under oath prior to a trial).

The court, however, sustained Harmon's objections to that particular line of questioning, thereby removing any reason for a mistrial motion.

Another witness called by the plaintiffs was Francis Crane of Brewster, a captain in the Naval Reserve, who testified that Goldmark was a commander in his reserve unit.

Still another was Mrs. Elizabeth Crandell of Malott, who said she had worked closely with Mrs. Goldmark in Parent-Teacher Association activity.

The plaintiffs have maintained that Mrs. Goldmark told about her former membership in the Communist party. Mrs. Crandell testified that in January or February of 1962 she had lunch with Mrs. Goldmark who told her at that time about her former Communist activity.

Defense attorneys, however, brought out that it was in January 1962 that the first report of this former membership was published in a copy of the "Vigilante," a pamphlet published by two of the defendants, Albert F. Canwell and Ashley E. Holden of Tonasket.

(Indicate page, name of newspaper, city and state.)

5 SPOKESMAN-REVIEW
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Title: MRS. JOHN
GOLDMARK

Character: SM-C

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GOLDMARK WITNESSES — Charles Hodde, left, and Joe Dwyer, key state officials, walk up the stairway leading into the Okanogan County courtroom, where they testified Tuesday.—Daily World Photo.

(Indicate page, name of newspaper, city and state.)

1 THE WENATCHEE
DAILY WORLD
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ACLU Issue In Goldmark Case

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By DICK LARSEN

OKANOGAN — The jury in the John Goldmark libel trial today heard an explanation of the American Civil Liberties Union.

On the witness stand this morning was Seattle attorney Robert Winsor. The civil liberties union, of which John Goldmark is a member, has entered into the case often. It was attacked by defendants in the case. Goldmark contends that those attacks were in effect an attack on him. He is suing four defendants for \$225,000 charging libel.

Looking toward the jury Winsor explained that the civil liberties union seeks to preserve the Bill of Rights.

"We don't care who it is that is being denied right of speech, the right to worship as he pleases . . . we don't care who it is . . . it is the issue that we are interested in."

He said the civil liberties union advocates the "widest pos-

sible discussion of all points of view".

He said there are some 1,600 members in the State of Washington; about 65,000 members across the United States.

Goldmark attorney William Dwyer asked: "Do both Republicans and Democrats belong to the ACLU?"

"Indeed," Winsor replied. He gave the names of many businessmen, teachers, attorneys and others who are members. Winsor named three King County Superior Court judges—Lloyd Shorett, Edward Henry, and So Ly Ringold.

Dwyer noted they are on the King County bench and "that is the same court that Judge Turner is on in Seattle".

The questioning also produced the fact that both Goldmark attorneys, Dwyer and R. E. Mansfield, are members of the ACLU.

A series of witnesses testified Tuesday that John Goldmark's reputation was stained by the 1962 election campaign.

There was another standing-room-only crowd in the courtroom as witnesses testified that Mr. and Mrs. Goldmark enjoyed a good reputation before 1962, but that a shadow of doubt has fallen on them since.

Two of the witnesses were top state officials, Washington State Tax Commission Chairman Charles Hodde, and State Agriculture Director Joe Dwyer.

Two women, Mrs. Ken Crandall, Malott, and Mrs. Charles Nelson, Carlton, gave similar testimony. Mrs. Crandall said that Mrs. Goldmark long before the election voluntarily told her that she (Mrs. Goldmark) had once been in the Communist party.

Okanogan County Public Utility District Commissioner Irvin Woods testified that the Goldmark reputation has been harmed. He and Defense Attorney Joseph Wicks provided one of the most entertaining interludes of the day.

Francis Crane, Brewster, one of the state's best known orchardists, told the jury that he and Goldmark are in the same Naval Reserve unit and, as officers, have government security clearance on the "secret" level.

The defense tried in a mild way to poke holes in testimony about Goldmark's reputation prior to the campaign in which the alleged libels occurred.

An example came in Hodde's testimony.

Hodde was asked what was Goldmark's reputation in 1961 when Goldmark was last in the Legislature.

Hodde noted that Goldmark was chairman of the House Ways and Means Committee. "I would say that it (his reputation) was at its height. He had attained the greatest eminence and influence."

Hodde was asked what was Goldmark's reputation for loyalty.

Hodde said: "I think they are synonymous."

"Has there been any change in Mr. Goldmark's reputation?"

Hodde: "I'm quite aware there has been a depreciation in his reputation due to various items that were distributed during the 1962 campaign."

Hodde was cross-examined by E. Glenn Harmon of Spokane.

He asked Hodde if the doubts might have arisen as a result of a fact: that Mrs. Goldmark had been a member of the Communist party. "Wasn't that an element in the creation of this doubt?"

Hodde: "I think the substantial element was the inference that there was still Communist direction."

Harmon tried to get Hodde to acknowledge that many things are apt to come up in a heated political campaign.

Hodde declared that it is sometimes politics "to differ with the policies of the opposition, but it can be done without

casting references upon their character or reputation."

"But doesn't it sometimes happen that a candidate's character is questioned in a campaign?"

"I would say there are occasions when people get out of line, yes," said Hodde.

Dwyer was asked of Goldmark's reputation prior to the 1962 election. "My observation is that his reputation . . . was excellent, the very highest."

Since then, Dwyer testified, "I think there is considerable skepticism about his loyalty to our country . . ."

Dwyer testified that he (Dwyer) has been a member of the American Civil Liberties Union for the past 12 or 15 years. He said he has not been active in it recently. It has been frequently mentioned in the case, particularly Goldmark's membership in it.

Mrs. Ken Crandall of Malott, longtime P-TA colleague of Mrs. Goldmark, gave testimony about the Goldmark reputation. "I feel that there is a cloud of doubt in connection with their name at the present time . . . as to their loyalty," she said.

Mrs. Crandall said she used to have lunch frequently with Mrs. Goldmark, to talk over P-TA affairs. She remembered a phone invitation from Mrs. Goldmark to lunch in January or February of 1962.

"I had been warned previous to Sally's phone call that I should not be seen with her," said Mrs. Crandall.

But they had lunch together. At that lunch, said Mrs. Crandall, Mrs. Goldmark volunteered an explanation that she (Mrs. Goldmark) had once been in the Communist party.

Mrs. Crandall was asked if Mrs. Goldmark had satisfactorily explained that she quit the party and had later cooperated with the FBI and the House Un-American Activities Committee.

"To my satisfaction, yes," said Mrs. Crandall.

On cross-examination, Harmon asked how many people Mrs. Crandall has heard talk about the Goldmark's reputation.

"I've heard it discussed in groups of two, three persons, five persons and how many can be crammed into a booth at the Cariboo Inn, she replied.

Mrs. Crandall testified that the person who warned her not to be seen with Mrs. Goldmark was not one of the defendants. She never identified the person who gave her the warning.

Mrs. Nelson gave similar reputation testimony.

Wicks cross-examined Mrs. Nelson. He established that she has been an active campaign worker for Goldmark in past elections.

"In fact your precinct is the only precinct in 1962 where Mr. Goldmark carried more votes than Mr. Haussler," Wicks noted.

With a broad smile, Mrs. Nelson agreed.

The day's most fascinating exchange came as Wicks cross-examined Woods.

Wicks is former Superior Court judge. Woods is an Omak orchardist and has been PUD commissioner for the past 16 years. Both are well-known Okanogan County personalities.

Woods had testified that, since the 1962 election, he has learned that Goldmark's reputation has been damaged.

"What was his reputation for loyalty in 1961?" asked Wicks.

"I know of nothing unfavorable in his reputation," replied Woods.

Woods was asked what is the present state of Goldmark's reputation for loyalty.

"I would presume that many people question it at the present time," said Woods.

It was brought out that Woods had had contact with Goldmark on legislative matters, particularly PUD affairs.

Carefully Wicks established the fact that their contact had really been through a PUD attorney, that it was an indirect relationship between Woods and Goldmark.

So Goldmark's cooperative-ness and legislative work is "all based on hearsay" so far as Woods is concerned, Wicks noted.

"That's right," said Woods.

Wicks, who has shown quite a dramatic flair in cross examination, noted: "In the case of every American citizen, it's assumed that he is a loyal citizen?"

"Right," said Woods.

Then Wicks continued in a series of questions, pointing out that a man's character and his reputation aren't necessarily the same — that the character is

what a man really is and the reputation is what the public thinks he is.

"If the things that you heard were in fact true, that would still injure his reputation, wouldn't it?" asked Wicks.

"It would," replied Woods.

Wicks began a question: "Mr. Woods, if since the publication of these remarks, Mr. Goldmark had been elected by civic organizations in the community . . . to responsible positions . . . would it still be your opinion that his reputation has been damaged?"

There was an objection.

Again Wicks rephrased and reoffered the question. Only it was more complex. There was another objection. Goldmark attorney R. E. Mansfield said he didn't understand the question and he doubted that the witness did.

"Perhaps I'm a little stupid here but I don't know what he's getting at," said Woods.

Even Wicks conceded that by now, he didn't know what the question was.

So again the question was altered, growing more complex, almost elephantine.

Everyone listened carefully as it was finally asked:

"Mr. Woods, if it is a fact that since the publication of these statements you say that has in your opinion, has injured Mr. Goldmark's reputation for loyalty; if it is a fact that subsequent to the publication of those documents, he is still shown to be held in esteem by the people in the area where he resides . . ."

Mansfield objected. But Wicks was allowed to continue.

" . . . by electing him to the master of his local grange,

would that in your opinion indicate that the people who elected him to that particular office still held that he was disloyal or was injured, or his reputation is injured? In other words, that would indicate to you that his reputation has not been injured, would it?"

There was an expectant pause.

Woods answer: "I don't know." There was laughter.

With a grin, Wicks continued, noting that Woods had been a loyal supporter of Goldmark.

Woods, also grinning, said, "I never said that and I have not been one of his loyal supporters . . . financially or otherwise. I always support candidates of my own party."

Wicks reacted with mock surprise.

Woods is a Republican and Wicks knows it. But it was a neat finale to an interesting exchange which the people in the court room had enjoyed.

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ACLU STAND ON REDS TOLD AT GOLDMARK SUIT TRIAL

OKANOGAN, Nov. 20.—(A.P.)—Communists could join the American Civil Liberties Union "but they are not welcome," a former president of the Washington State ACLU testified today.

The witness, Seattle attorney Robert Winsor, appeared in the trial of the \$225,000 damage suit by John and Sally Goldmark.

Goldmark, himself an ACLU member, is suing four individuals and a newspaper, contending he was damaged in a political campaign by

suggestions that he and his wife were communist sympathizers.

ONE OF THE defendants, Al Canwell of Spokane, said in a speech recording played at the trial that the ACLU was "the major communist front operating in the state of Washington . . ."

Winsor said about 1,600 persons, including judges, businessmen, teachers and attorneys, belong to the organization in this state. He said its aim is to preserve

the Bill of Rights for everyone . . . "We don't care who it is . . . it is the issue that we are interested in."

Winsor was asked by defense attorney Glenn Harmon of Spokane whether the ACLU would favor abandoning the right of free political expression when it came to the point of actually advocating overthrow of the government.

"I would say that when advocacy is so closely related to the likelihood of a clear and present danger to our country," Winsor re-

plied, "then, of course, government has a right to step in and does step in."

Asked about the ACLU's attitude toward teacher loyalty oaths, the attorney said the organization opposes them on the grounds that government should not be allowed to look into a person's political conscience.

But he added that if a teacher and his activities reach a point where he "is imminently dangerous to the United States of America . . . then to be sure he should be

prevented from teaching."

Another witness was the Rev. Francis Conklin, S. J., professor of constitutional law at Gonzaga University in Spokane.

Father Conklin, who said he joined the ACLU last September, called it "one of the strongest bulwarks against communism" in this country.

The Jesuit teacher said "the most important thing about the struggle between the communist world-domination mentality and our mentality is to preserve the individual liber-

ties of individual citizens.

"The Civil Liberties Union has constantly over the years fought hard, long, bitter struggles to defend the rights of individual cit-

zens," he said. "That is why I regard it as one of the strongest bulwarks against communism or any form of totalitarianism in this country."

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Canwell Reiterates

'Red' Charges

Civil Liberties Union Emerging as Vital Point in Goldmark Suit

Attorneys for John and Sally Goldmark continued their interrogation of defendants this week, eliciting from one an admission, he believes, both the Goldmarks are communists, and from another a long list of persons and groups he believes to be communist-tinged.

Ashley Holden Sr., a defendant both as an individual and as publisher of the Tonasket Tribune, was first in who promises to be a long line of witnesses called by the plaintiffs.

In answer to questions by R. E. Mansfield, Holden reiterated previous testimony that he believed both Goldmarks to be conscious, deliberate agents for the communist conspiracy.

Holden pointed to the Goldmarks' opposition to two controversial films, "Communism on the Map" and "Operation Abolition" as being indicative of their position regarding communism itself. He charged that Goldmark "was sold on communism . . . or synthetic".

The publisher also charged that Mrs. Goldmark "has followed the communist line on anything that might discredit the party". She had testified in a deposition that she had left the party in 1943.

Further testimony by Holden concerned a trip he made to Washington, D. C., in July of 1961. Mansfield questioned him at length in an effort to determine if Holden and Can-

well had investigated Mrs. Goldmark's background.

The witness denied having transmitted by word of mouth that Sally Goldmark was a member of a spy apparatus, that the Goldmarks' wedding was connected with communist discipline, or that she had never left the communist party.

Names of persons other than defendants came out during Holden's examination. Luke Williams of Spokane, Joe Haussler, Ben Pennington and Bill Koels were mentioned in connection with a trip to Spokane during the fall of 1962.

Al Canwell, one-time legislator and co-defendant in the \$225,000 lawsuit, was questioned by Wm. Dwyer, Seattle attorney sharing the plaintiffs' table with Mansfield and Goldmark.

In answer to queries from Dwyer, the witness traced his early life as a farm hand, fruit worker, one-time weekly newspaper publisher and Spo-

(Indicate page, name of newspaper, city and state.)

Pages 1, 12, 16

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Kane county sheriff's deputy.

He was elected to the state legislature in 1946, he said, but was defeated for reelection two years later. He was a candidate for the U. S. senate in 1950 and the house of representatives in 1952 and '54, but was defeated each time.

Canwell said he had been "in the internal security field" since about 1948, but that it had returned him little financial reward. His American Intelligence Service had provided security information to many individuals and firms, he testified, but no fees had exchanged hands.

"There have been general contributions to my work," he said.

Dwyer then launched into a subject he had previously described as one of the major issues of the case—identification by Canwell of the American civil liberties union as a "front" organization.

In response to questioning, Canwell identified several ACLU members whom he described as belonging to various front organizations. One of the persons so identified, he admitted, had been expelled from the union some 23 years ago.

Canwell added, however, the expulsion was premised on the fact the member was too well known as a "frontier" and was thus interfering with the image of the ACLU and had to go.

He charged that cited instances of ACLU offers of help to controversial figures were "fraudulent . . . a grandstand play".

Dwyer established that Canwell had filed a petition for bankruptcy and had also failed to file income tax return for the period 1956-62. The witness testified he hadn't earned enough money to pay taxes for those years, and is currently in conference with the internal revenue service.

He expressed confidence, however, he didn't owe the government any taxes for those years.

Canwell was asked by Dwyer why he thought Mrs. Goldmark is still a communist.

"Because of her failure to make a public disclosure of her activities," Canwell replied, "and her opposition to

showing of 'Operation Abolition'."

He said her stand on showing of the filmstrip "was a very significant thing." The communists and the apparatus they set up opposed it, he charged.

He declared he thought it impossible for anyone to think it a bad film without being a communist or dupe.

On Tuesday afternoon the plaintiffs played into the record a tape recording made at a stormy American Legion meeting held in August of 1962. It was at that meeting Canwell attacked the ACLU after state senator Webb Hallauer created a furor and

was escorted from the speakers' stand.

Hallauer had protested procedures of the Legion meeting, presided over by Loris Gillespie, another defendant. The jurors heard Gillespie tell the senator he would be permitted to speak at the end of the meeting, but Hallauer persisted in his protestations.

At one point Gillespie told him the meeting had been called for a specific purpose, and that if he wanted to talk at length he should "call his own meeting."

Still on the stand yesterday, Canwell repeated charges of communism and "duress" in reference to many individuals and organizations.

Judge Theodore Turner narrowed the field of admissible questioning by Dwyer when he ruled it improper to interrogate Canwell about persons in public life who were not members of the ACLU.

Dwyer had said the questioning was to display "general recklessness and disregard for truth" by defendants.

Canwell had previously been characterized as "not competent" letters supporting the

ACLU from former presidents Truman and Eisenhower as well as other public figures.

He also said "infiltration" had been made into the national council of churches, the state department, and both protestant and Catholic churches.

Canwell left the stand yesterday afternoon and was followed by attorney William Hamilton, earlier identified as one of those present at a Brewster meeting at which a tape recording, "An Interview With Al Canwell" was made.

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Shorett Denies Membership In A. C. L. U.

Superior Judge Lloyd Shorett said last night he never has been a member of the American Civil Liberties Union.

Judge Shorett said testimony by a witness in the Goldmark libel suit in Okanogan yesterday that Judge Shorett and two other King County Superior Court judges are A. C. L. U. members was "mistaken."

"I have always been opposed to judges' taking part in organizations which deal in matters which may come before the court," Judge Shorett said. He said, however, he has "nothing against" the organization.

Superior Judges Edward E. Henry and Solie M. Ringold, also identified by the witness as members of the organization, said they resigned before becoming judges to avoid any possible conflicts of interest. Neither is now a member, they said.

The Associated Press had quoted Robert Winsor, Seattle attorney and former president of the state A. C. L. U., as saying that the three judges are members. Actually, Winsor testified on cross-examination that the judges had resigned from the organization on becoming judges.

Winsor said in Seattle today that the organization believes it is inappropriate for a judge to retain membership.

(Indicate page, name of newspaper, city and state.)

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Defendant's Wife Called In Libel Trial

OKANOGAN, Nov. 21.—(A. P.)—Mrs. Don Caron, wife of a defendant in the \$225,000 Goldmark libel suit, testified today she helped mail some anti-Goldmark literature in the 1962 election campaign.

This was the first time the role of the Carons in the primary campaign had been brought out in the 2½-week-old trial.

MRS. CARON, the day's first witness, said she assisted in mailing some copies of the "American Intelligence Service" to the East Wenatchee area just before the September primary election.

Former State Representative John Goldmark was defeated in the Democratic primary in a bid for a fourth term.

The "American Intelligence Service" was a question-and-answer publication prepared by Al Canwell of Spokane, another defendant, and dealing with Communism and the Goldmarks.

Mrs. Caron said she helped with the mailing so the "people could learn the truth."

~~SUPERIOR~~ JUDGE Theodore S. Turner denied a defense motion to dismiss two charges against Caron, a former Forest Service employe and now state organizer for the John Birch Society.

The charges relate to Caron's participation in distributing the Canwell publication.

The American Civil Liberties Union, described by Canwell as a "Communist front," occupied the attention of the jury yesterday.

One witness, a Jesuit priest, characterized the A. C. L. U. as "one of the strongest bulwarks against Communism."

The Rev. Francis Conklin, S. J., professor of constitutional law at Gonzaga University, Spokane, testified in the suit brought by John and Sally Goldmark against four individuals and a Tonasket weekly newspaper.

THE GOLDMARKS contend they were smeared during the 1962 Democratic primary, which resulted in the defeat of Goldmark, a three-time state legislator. Goldmark is a former state board member of the A. C. L. U.

Father Conklin said the A. C. L. U. "has constantly over the years fought hard, long, bitter struggles to defend the rights of individual citizens."

"That is why I regard it as one of the strongest bulwarks against Communism or any form of totalitarianism in this country."

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Goldmark's War Record Stressed

By DIOR LARSEN

OKANOGAN — John Goldmark's war action was described in court here today by a former Navy colleague as the libel suit was resumed for one day this week after an extended weekend recess. The trial will recess again tonight until after the Thanksgiving holiday.

On the witness stand was Peter Asher, now a New York attorney. Asher recalled how he and Goldmark first met in Australia in 1944.

He said they were both officers in Mobile Explosives Investigation Unit Number 1. Asher explained it was an all volunteer outfit whose job was to take apart Japanese shells, torpedoes and other unexploded shells to learn what the new Japanese weapons were.

Asher told how teams from

the unit were assigned to various Pacific invasions directed by Gen. Douglas MacArthur.

Asher testified he and Goldmark were together on one operation—the landing on Quezon in the Philippines in Dec., 1944. He explained they worked around the beachhead for several days taking apart Japanese shells.

Later, he said, they joined the First Cavalry Division on its march to Manila. Although they were Navy men, Asher said there were no engineers with the First Cavalry to deactivate shells. At Manila, he said, there were numerous shells and mines "so Mr. Goldmark and I were getting rid of this stuff so the American tanks and armored vehicles could advance." Asher said he was wounded in the chest.

Goldmark attorney William

Dwyer asked Asher "do you remember what you told him (Goldmark)?"

Asher: "I told him to get out of the area."

Dwyer: "Did he do it?"

Asher: "Not to my knowledge."

Asher testified that he (Asher) received the Silver Star, Bronze Star, Purple Heart, and his unit the Navy Unit Citation.

There were occasional objections from the defense. At one point, Judge Theodore Turner observed "We are trying a lawsuit on alleged libels in Okanogan County . . . we are not fighting the Japanese war."

However, Goldmark's attorney Dwyer said, "The libels go to the matter of Mr. Goldmark's patriotism."

So extensive testimony about the war experiences was allowed.

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LOADED WITH EVILENCE — E. Glenn Harmon of Spokane, one of the defense attorneys in John Goldmark's \$225,000 libel and conspiracy suit against five defendants, heads for courtroom with a box load of material he plans to use in the lengthy trial. Behind him, also loaded with a heavy file, is William Dwyer of Seattle, attorney for Goldmark, a former state legislator.

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Caron Begins His Testimony

By DICK LARSEN

OKANOGAN — Don Caron, one of the defendants, took the witness stand here today in the John Goldmark libel case.

It was the first time the trial has focussed on Caron and his role in the 1962 campaign in which the Goldmarks claim they were libeled. They're seeking \$225,000 from five defendants.

Caron wrote a story in the Okanogan Independent, a weekly newspaper, just before the primary in which Goldmark was beaten for reelection to the House of Representatives.

That is one of the articles that is alleged to be libelous. It talked about the danger of Communists infiltrating the legislative branch of government.

Caron took the stand shortly before noon.

Goldmark attorney William Dwyer began asking him about his contacts with co-defendant Albert F. Canwell of Spokane in the year prior to the election.

Dwyer indicated he was trying to prove that in his story Caron was referring to the Goldmarks although the story did not mention their names.

Caron testified that he couldn't remember how many times he had met with Canwell. He said the Goldmarks' names had come up but he couldn't recall any of the conversations.

Caron is an employee of the John Birch Society. He explains his job is to organize new chapters. He was once an employee of the Forest Service at Condonally.

Earlier Mrs. Caron was witness.

She was asked about helping mail some literature just prior to the primary election.

She testified that she mailed some copies of the "American Intelligence Service" to the East Wenatchee area.

That was a question and answer publication by Al Canwell, dealing with communism and the Goldmarks. Canwell and Mr. and Mrs. Caron are co-defendants.

Mrs. Caron was asked on whom she relied for the truth in the publication. Earlier she had said the mailing was made so that people could learn the truth. She testified, "Mr. Canwell was a reputable man. I didn't think he would publish anything that wasn't the truth." She added, "Also I know other people who felt it to be the truth."

In a technical move this morning defense attorney Ned Kimball asked the court to dismiss two charges in the lawsuit against Mr. and Mrs. Caron.

The charges related to their participation in distributing the "American Intelligence Service." The motion was denied.

Judge Theodore Turner asked the plaintiffs to file an amended complaint that would satisfy the technical legal problems that Kimball cited.

The American Civil Liberties Union was described as a bulwark against communism during Wednesday testimony in the libel case.

Members of the organization testified it is not a Communist front, in fact is actively anti-Communist in its views.

The union has been a key issue in the long lawsuit.

During the campaign in which state Rep. John Goldmark was beaten in 1962, his membership in the ACLU was an issue. There were charges that it was a Communist front organization.

In his and Mrs. Goldmark's lawsuit, Goldmark contends that was part of the libel conspiracy to portray the Goldmarks as Communists or Communist sympathizers.

Probably the most telling testimony came Wednesday from a Catholic priest, the Rev. Francis Conklin. He is professor of Constitutional Law at Gonzaga University, longtime student of the philosophy of communism and teacher and lecturer on the subject.

He said to the jury Wednesday:

"I feel that the most important thing about the struggle between the Communist world domination mentality and our mentality is to preserve the individual liberties of individual citizens.

"Once a state no longer respects the individual rights of citizens then that state is a totalitarian state and the Civil Liberties Union has constantly, over the years, fought hard, long bitter struggles to defend the individual rights of individual citizens and that is why I regarded it as one of the strongest bulwarks against Communist or any form of totalitarianism in this country."

Father Conklin said he had studied the philosophy of communism since 1947, particularly its atheistic features.

He said he had long been interested in the ACLU.

"I had heard allegations that it was Communist dominated," he said. So he studied it.

He concluded it "not only is not a Communist front, but was

one of the most important organizations fighting against the menace of communism in this country, because of the principles it stands for."

Father Conklin said he joined the ACLU last September.

E. Glenn Harmon, defense attorney, asked: "Had you ever heard of John Goldmark before you joined the ACLU?"

Father Conklin replied no.

Earlier in the day Robert Winsor, Seattle attorney and an ACLU member, had given long testimony about the organization.

He described its organization, saying its monthly board meetings are open to anyone.

Winsor was asked about the last annual meeting and who was speaker.

He replied the speaker was Arthur Fleming, President of the University of Oregon and former member of the Eisenhower cabinet.

Winsor said Fleming talked about why the University of Oregon had allowed Gus Hall, secretary of the Communist party, to speak on its campus.

That matter had come up before. One of the alleged libels is a Tonasket Tribune story about Goldmark in which it was said that Reed College, where Goldmark's son is a student, was the only college where Hall had been allowed to speak.

Winsor said the University of Oregon president said the decision to allow Hall to speak there was "in keeping with the right of teachers and students to learn everything they can about what's going on in the world."

Winsor cited various cases in which the Washington State Chapter of the ACLU has taken action. They ranged from civil rights of persons charged with

crimes to rights of obscure religious sects.

Winsor also talked at length about members. He named teachers, attorneys, businessmen and others.

He named Fred Haley, Tacoma businessman, president of the Brown and Haley Candy Co. He was a witness later, giving only brief testimony.

Others included Payton Smith, chief assistant to the district attorney under the Department of Justice; Robert J. Block, Seattle businessman; Ray Moore, past chairman of the King County Republican Central Committee, and others.

Three King County superior court judges were named.

However, it was later pointed out that all three had quit the ACLU when they became judges.

Asked a question, Winsor would often reply at length.

He explained the ACLU's opposition to un-American activities investigations. He asked, "Who's going to tell you or me what's un-American?"

He explained that many things once considered un-American are now accepted. An example was the first attempts at child labor laws.

Winsor said that investigations and publishing of names often hurt innocent people.

"Does this mean sympathy with the Communist party?" asked Dwyer.

"Certainly not," said Winsor.

Winsor said the Civil Liberties Union opposed a legislative investigation of the Ultra-Conservative John Birch Society.

(But on cross-examination attorney Harmon established that the Birch Society had invited that investigation of itself.)

Winsor testified that the ACLU believes that all persons have a right to their opinion and to publish and speak their opinion.

"This is the key difference" between Russia and the U.S., he said. "In Russia there is plenty of freedom of speech if you agree with the government, but not if you don't."

On cross-examination Harmon probed Winsor's views and the ACLU views on Communist utterances, teaching and loyalty oaths for teachers.

Harmon wondered if the ACLU favors freedom of Communists to advocate espionage and sabotage in America.

Winsor said it advocates free speech "so long as their advocating is not so closely related to acts of espionage."

Harmon asked at what point do you consider that advocacy of espionage becomes more of a threat to the country and less of an issue of civil liberties.

Winsor: "I would say that when advocacy is so closely related to the likelihood of clear and present danger to our country then, of course, government has a right to step in and do something."

Doesn't the existence of the Community party "in and of

itself represent a clear and present danger to the U.S.?" asked Harmon.

Winsor: "I think that most of the ACLU members recognize that the Community party is part of an international organization whose object is to change our form of government."

Winsor added that could become "a clear and present danger," but he said he doesn't think the existence of the party itself is that now.

On teachers, Winsor said the ACLU asks that a teacher be allowed to teach the truth as he sees it.

"If he is a Communist he would have the right to teach the Communist truth as he sees it?" asked Harmon.

Winsor replied that the school administration should have knowledge that a teacher is a Communist. And if the administration feels that is a factor in the teachings, action should be taken.

If there is danger to the United States arising from such a teacher, "Then, to be sure, he should be prevented from teaching," Winsor said.

He testified the ACLU opposes the present loyalty oaths asked at the University of Washington on constitutional grounds, that they represent a government prying into the political beliefs of an individual.

Another witness, Sam Fancher, Spokane ACLU member, said there are 43 members of the Spokane Chapter and "not one is a Communist."

Later questioning got around to Fancher's views toward defendant Al Canwell.

"Are you familiar with Mr. Canwell's reputation in his own community as far as telling the truth is concerned?" asked Goldmark attorney William Dwyer.

"I am," said Fancher.

"What is it?"

"Bad."

Later Fancher was asked, "You don't particularly like Mr. Canwell, do you?"

"I don't like the character assassination I have seen him carry out for years."

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IN TRIAL AT OKANOGAN

Birch Chief

Denies Malice

By JACK E. FISCHER
Spokesman-Review Staff Writer
OKANOGA, Wash. — The Washington state coordinator for the John Birch Society testified in Superior Court here Thursday that in partisan politics he is Democrat.

Don Caron, Okanogan, who has held his position in the ultra-conservative Birch Society since September 1961, was on the witness stand during most of the day's activity in the Goldmark \$225,000 libel and conspiracy trial.

He has been dismissed as a defendant on the conspiracy charge but is a defendant in a libel charge which specifically mentions a column he wrote entitled "Pillaging Parliament."

The article does not mention by name either plaintiff, John or Sally Goldmark, but plaintiff's attorneys claimed the inference is there.

In cross examination, defense attorney Ned Kimball asked, "When you wrote the article did you have any malice toward the Goldmarks?"

"No," Caron replied.

Same Political Faith

"Incidentally," Kimball continued, "are you of the same political faith as the Goldmarks?"

"I am a Democrat, yes," Caron answered.

The trial now has ended its 13th day and Thursday was the first time Caron took the stand. It was one of the few days in which he was even mentioned.

Plaintiff's attorney William Dwyer questioned Caron at great length regarding distribution of various pieces of literature for which damages are being

asked in an effort to show that he had used them as source material for "Pillaging Parliament."

He testified that he had not used an "American Intelligence Service" letter called "An Interview with Al Caswell" as a source. Dwyer pressed the point and Kimball objected, maintaining that Caron already had testified that he had not used the AIS letter as a source.

"I suggest we are not bound by that testimony," Dwyer commented.

The article in question concerned a book, "And Not a Shot Is Fired," which tells about Communist subversion and infiltration in taking over various countries.

One statement in the article was that "Americans have been undergoing a softening-up process so they will not too strongly resist the centralization of political power."

"Who is softening up America now?" Dwyer asked.

"Communists, Communist sympathizers, socialists, those who want complete centralized government," Caron replied.

Dwyer asked Caron repeatedly to name some countries which had been taken over by Communists in any way except force.

After nearly every country named by Caron, the attorney commented that force had been used or the country was not Communist and at one point the questioning sounded more like a philosophical argument between the two.

The questioning then went to Communists in government and Dwyer asked, "Is it your claim that this country allowed peo-

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ple to continue in government after being identified as Communist?"

"It's not a claim, it's a fact," Caron answered.

"Name one," Dwyer said.

"Harry Dexter White is an excellent example."

Prior to Caron's appearance on the stand, his wife, Margaret, was called as a witness.

Her testimony primarily involved the mailing of campaign literature, some of which is included in this lawsuit.

In the AIS letter discussed, Albert F. Canwell, Spokane, another defendant, told of Sally Goldmark's former membership in the Communist party.

One witness, Mrs. Florence Sonnichsen, of Twisp, said she had planned to vote for Goldmark in the 1962 legislative elec-

tion but changed her mind after reading the letter.

"Why did you decide not to vote for John?" asked attorney R. E. Mansfield, plaintiff's attorney.

"Just a better judgment, I guess," she replied. "After I received the letter I decided not to vote for him."

Another witness, however, Tom McKay, Omak school-teacher and son of the late John F. McKay, onetime Democratic nominee for Congress in the 5th District, said he read the letter and continued to support Goldmark.

After objection by defense attorneys the jury was excused and Mansfield told the court they wanted to show that a janitor who showed McKay the AIS letter later accused him of being a Communist because he continued to support Goldmark.

Judge Theodore S. Turner ruled, however, that such evidence would have to be shown by the janitor and was not admissible from McKay.

"Isn't it a fact that there was no disruption at the meeting; that pamphlets merely were passed around outside the meeting hall."

Views on Canwell.

"I understand the pamphlet was disruptive."

"You disagree with Mr. Canwell on almost every issue, do you not?"

"I don't see eye to eye with him politically, that is correct."

"You don't particularly like Mr. Canwell, do you?"

"I don't like the character assassination I have seen him carry out for years."

"Your view is that he is doing no useful purpose. He is just a character assassin?"

"That's about it."

The involvement of the ACLU in this lawsuit came about because a plaintiff, John Goldmark, is a member of that organization. One of the specific charges in the complaint is on a speech made by Canwell at an American Legion meeting here in August 1962 entitled, "The Truth About the ACLU."

Mr. and Mrs. Goldmark filed the suit following the 1962 campaign. Defendants are Canwell, Ashley E. Holden, publisher of the Tonasket Tribune; Loris A. Gillespie and Don Caron, members of the John Birch Society and the Tonasket Tribune publishing company.

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GOLDMARK CASE**Priest Defends
ACLU at Trial**

By JACK B. FISCHER

Spokesman-Review Staff Writer

(Also see "Lawyer Queried," on page 8.)

OKANOGAN, Wash.—A Catholic priest from Spokane testified in Superior Court here Wednesday that the American Civil Liberties Union is "the strongest bulwark against communism in this country."

The Rev. Francis Conklin, professor at Gonzaga University's law school, was one of four ACLU members called by plaintiffs in the Goldmark \$225,000 libel and conspiracy trial in a move to refute claims of defendants that the ACLU is a Communist front.

The others were Samuel W. Fancher, Spokane attorney and president of the Spokane ACLU chapter; Fred T. Haley, Tacoma businessman and Robert W. Winsor, Seattle attorney.

Father Conklin said he had studied the philosophy of communism since 1947. In answer to questions from plaintiff's attorney, William Dwyer, he said he had heard reports about the ACLU being a Communist front.

Most Important

"I investigated these allegations as thoroughly as I could," he said, "and determined that the ACLU not only is not a Communist front but one of the most important organizations in the country in fighting communism."

"What made you decide this," Dwyer asked.

"That the most important thing about the struggle between the Communist world domination mentality and our mentality is to preserve the individual liberties of individual citizens," Father Conklin replied.

"Once a state no longer respects the individual rights of citizens then that state is a totalitarian state and the ACLU has consistently over the years fought hard, long, bitter struggles to defend the individual rights of individual citizens. That is why I regarded it as one of the strongest bulwarks against communism or any form of totalitarianism in this country."

Or cross examination, defense attorney E. Glenn Harmon, asked if the Inland Register, official newspaper for the Spokane Catholic Diocese, generally contained official Catholic opinion.

"I'd be careful of that," Father Conklin answered. "Only those articles carrying the bishops signature and his crest are official. The rest is just opinion."

Harmon then showed him an article by Paul H. Hallett, from the Denver Catholic Register, reprinted in the Spokane Catholic paper. The article was on the "Left Wing Activities of the ACLU."

The attorney asked Father Conklin if he regarded Hallett as an authority and the priest answered: "I know he's very conservative."

Fancher testified that there

are 43 members in the Spokane ACLU chapter and that "not one is a Communist."

Dwyer asked him about a "Ban the Bum" committee headed by Albert Canwell, one of the defendants in this lawsuit, which was active some time ago in passing out literature against Dr. Henry Steele Commager when he spoke at Gonzaga University.

"Are you familiar with Mr. Canwell's reputation in his own community as far as telling the truth is concerned," Dwyer asked.

"I am," Fancher replied.

"What is it?"

"Bad."

Harmon asked the witness if the ACLU supported Canwell's rights in distributing pamphlets telling the background of Dr. Commager.

"He didn't ask us," Fancher replied.

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Lawyer Queried in Goldmark Case

By SPOKESMAN-REVIEW STAFF WRITER

OKANOGAN, Wash.—Teaching the truth as they see it should be the only demand made on teachers in public schools, Robert W. Winsor, Seattle attorney, testified in Superior Court here Wednesday.

Winsor was the first of four witnesses called by the plaintiff in the Goldmark \$225,000 libel and conspiracy lawsuit to espouse the virtues of the American Civil Liberties Union.

"The ACLU feels we need teachers to teach the truth as they see it," Winsor said in answer to a question by Defense Attorney E. Glenn Harmon.

"Wouldn't that mean a Communist could teach the truth as he sees it?" Harmon queried.

"I don't know if the ACLU has taken a stand on that question," Winsor replied.

UW Oath Hit

"Is it the position of the ACLU that such people as Communists do have a right to teach in a tax-supported college?"

"I'm not sure the ACLU has taken a position on that question. It does take the position that the only requirement asked of any teacher of any school is that he teach the truth, the whole truth and nothing but the truth as he sees it."

"Is the position of the ACLU that it is improper to require a loyalty oath?"

"That is law. We take the position that the oath required at the University of Washington is unconstitutional."

"Has the ACLU ever gone into the field of the rights of students or parents to know if a teacher is a Communist?"

"I don't know."

ideas. If it only investigated espionage, that would be one thing, but it has a much broader directive."

"What is un-American today may not be un-American tomorrow. The way we feel, who is going to tell you or me what is un-American?"

Attorneys ACLU Members

It was testified Wednesday that Dwyer and R. E. Mansfield, attorneys for plaintiffs John and Sally Goldmark, are members of the ACLU.

None of the defense attorneys, Harmon, Ned Kimball and Joseph Wicks, is a member of that organization.

The only subject discussed from the witness stand Wednesday was the ACLU, which defendants have claimed is a Communist front.

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Spokane, Wash.

ACLU Stand Told

He testified that the ACLU opposed the McCarran Internal Security Act, the Smith Act and the House Committee on Un-American Activities. He also noted that the organization had acted in behalf of such ultra-conservatives as Gen. Edwin Walker.

Under questioning by plaintiffs' attorney William Dwyer, Winsor listed numerous cases in Washington state in which the ACLU has taken an active part.

One of these was in opposition to congressional or legislative investigations of the ultra-conservative John Birch Society.

Later, Harmon asked him if it were not true that the Birch Society wanted such investigations and requested them.

"I believe that is right," Winsor commented.

Opposed Film

He said the organization opposed the film, "Operation Abolition," because it attempted to say that anyone who found fault with the House Committee on Un-American Activities was a Communist or a Communist dupe.

"Has the ACLU taken issue with the House Committee on Un-American Activities," he was asked.

"Yes."
"On what grounds?"
"It gets into investigating

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Efforts Against Goldmark Told

OKANOGAN, Wash. (AP) — Mrs. Don Caron, wife of a defendant in the \$225,000 Goldmark libel suit, testified today she helped mail some anti-Goldmark literature in the 1962 election campaign.

This was the first time the role of the Carons in the primary campaign had been brought out in the 2½-week-old trial.

Mrs. Caron, called as the day's first witness, said she assisted in mailing some copies of the "American Intelligence Service" to the East Wenatchee area just before the September primary election.

Goldmark Defeated

Former State Rep. John Goldmark was defeated in the Democratic primary in a bid for a fourth term in the legislature.

The American Intelligence Service was a question-and-answer publication prepared by Albert R. Canwell of Spokane, another defendant and dealing with communism and the Goldmarks.

Mrs. Caron said she helped with the mailing so the "people could learn the truth."

When asked on whom she relied for the truth in the publication she replied:

"Mr. Canwell was a reputable man. I don't think he would publish anything that was not the truth. . . . Also I know other people who ask it to be the truth."

During the morning session Superior Judge Theodore S. Turner denied a motion by defense attorney Ned Kimball to disallow two charges against Caron, a former U.S. Forest Service employee and now state organizer for the John Birch Society.

The charges relate to Caron's participation in distributing the Canwell publication.

The plaintiff's attorney asked the plaintiff to file an amended complaint that would satisfy Kimball's technical legal objections.

The American Civil Liberties Union, described by Canwell as a "Communist front," occupied the attention of the jury all day yesterday. One of the witnesses, a Jesuit professor, characterized the ACLU as "one of the strongest bulwarks against communism."

The Rev. Francis Conklin, S.J., professor of constitutional law at Gonzaga University in Spokane, testified in the suit brought by John and Sally Goldmark against four individuals and a Tonasket weekly newspaper.

The Goldmarks claim they were smeared during the bitter 1962 Democratic primary, which resulted in the defeat of Goldmark, a three-time state legislator. Goldmark is a former state board member of the ACLU.

Father Conklin said the ACLU "has constantly over the years fought here, long, bitter struggles to defend the rights of individual citizens."

"That is why I regard it as one of the strongest bulwarks against communism or any form of totalitarianism in this country," he said.

The ACLU was assailed by defendant Canwell of Spokane, in a tape recording played at the trial of a speech delivered earlier, as "the major Communist front operating in the State of Washington."

Barbara Winsor of Seattle, former president of the Washington State ACLU, testified that Communists could join "but they are not welcome."

He said about 1,600 persons, including judges, businessmen, teachers and attorneys, belong to the organization in Washington State.

"Our aim is to preserve the Bill of Rights for everyone," Winsor said.

He was asked by defense attorney E. Glenn Harmon if the ACLU would favor abandoning the right of free political expression when it comes to actually advocating overthrow of the government.

"I would say that such advocacy is so closely related to the viewpoint of a clear and present danger to our country, the government has a right to step in and does step in," replied Winsor.

Winsor said the ACLU opposes teacher loyalty oaths but said if a teacher and his activities reach a point where they are "imminently dangerous to the United States . . . then to be sure he should be prevented from teaching."

During his early testimony Winsor named King County Superior Court Judges Lloyd Shortt, Edward Henry and Solie Ringold as members of the ACLU.

But on cross-examination by Harmon, Winsor said the three had resigned from the ACLU when they became judges.

In Seattle, Judge Shortt denied he had ever been a member of the Civil Liberties Union and said "I don't know where he Winsor got his information, but it is wrong."

"I have always been opposed to judges taking part in organizations which deal in matters which may come before the court," he said, adding that he had "nothing against" the ACLU.

Judges Henry and Ringold confirmed they had belonged to the ACLU but withdrew when they became jurists to avoid any possible conflicts of interest.

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Birchite Denies Libeling Goldmarks

OKANOGAN, Nov. 22.—(A. P.)—Don Caron, state organizer for the John Birch Society, testified yesterday he had no one in mind when he wrote an article dealing with Communist infiltration shortly before the 1962 Democratic primary.

Caron's testimony was in the \$225,000 libel suit brought by John Goldmark and his wife against Caron, three other individuals and a Tonasket weekly newspaper.



DON CARON

CARON, who said he is a Democrat, was questioned about the article which he wrote for The Okanogan Independent about a month before the primary in which Goldmark, a three-time state legislator, was defeated.

Although the Goldmarks were not named, they contend Caron's article libeled them. The article cited a booklet describing the fall of Czechoslovakia after Communists had infiltrated the legislative branch of government.

Caron, asked by the plaintiffs' attorney to name other countries which had fallen to Communism through infiltration of legislative branches, listed British Guiana, Sweden, Iceland Norway.

"You really consider Sweden under Communist domination?" asked William Dwyer, attorney. Caron said he did.

Caron said he could not remember how many meetings he had with Al Canwell of Spokane, another defendant, before publication of the article. He said Goldmark's name had come up in their conversations.

CARON'S WIFE testified she helped mail copies of the "American Intelligence Service," a question - and - answer publication prepared by Can-

well. It discussed Communism and the Goldmarks.

Mrs. Caron said she helped mail the publication to the East Wenatchee area "so people could learn the truth."

Superior Judge Theodore S. Turner denied a motion by defense attorney Ned Kimball to dismiss charges against Caron. The judge asked the plaintiffs to file an amended complaint to satisfy Kimball's technical objections.

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Birch Official Says Article On Reds Not Aimed At Goldmark

OKANOGAN, Nov. 21. — (AP) — Don Caron, state organizer for the John Birch Society who testified today he was a Democrat, was questioned about an article John Goldmark contends libeled him prior to the bitter Democratic primary election of 1962.

Caron is one of four individuals charged in the \$225,000 libel suit brought by Goldmark, a three-time state representative, and his wife, Sally.

CARON'S ARTICLE, published in the Okanogan Independent, dealt with the communist takeover of governments through infiltration of the legislative branch.

Although the Goldmarks were not mentioned, they contend Caron's article damaged them. Caron testified he had no one in mind when he wrote the article.

Caron's article cited a booklet describing the fall of Czechoslovakia to the communists after they had infiltrated the legislative branch.

ASKED BY William Dwyer attorney for the Goldmarks, if it wasn't true that Czechoslovakia had fallen to the Russian army at the end of World War II, Caron said, no.

There was a time, Caron testified, when the Red Army was not in the country, and that basically the takeover was accomplished by communist infiltration of the legislative branch.

In response to a question by Dwyer, Caron listed British Guinea, Sweden, Iceland and Norway as countries which had fallen to the communists through infiltration of their legislative branches.

"YOU REALLY consider Sweden under communist domination?" Dwyer asked.

Caron said he did.

Caron was also asked how many times he had met with Al Canwell, another defendant, prior to the publication of the article about a month before the September primary and about their conversations.

He said he couldn't remember how many meetings the two had had. He said Goldmark's name had come up in their conversations, but he could not recall specific details.

Court recessed as defense attorney Ned Kimball began his cross-examination.

EARLIER Caron's wife testified she helped mail some copies of the "American Intelligence Service," a question-and-answer publication prepared by Canwell which dealt with communism and Goldmarks, to the East Wenatchee area.

Superior Judge Theodore S. Turner denied a motion by Kimball to dismiss charges against Caron which stemmed from his participation in distributing the Canwell publication. The judge asked the plaintiffs to file an amended complaint to satisfy Kimball's technical legal objections.

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Caron Talks About Article

By DIKE LARSEN

OKANOGAN — Don Caron, state coordinator for the John Birch Society testified Thursday that he didn't have John Goldmark or anyone else in mind when he wrote an article which is alleged to be libelous.

Caron — his correct name is Lee W. Caron — is one of the defendants in Goldmark's \$225,000 libel suit.

Caron surprised many in the courtroom late in the day when he testified he is a Democrat. Caron's role in the lawsuit is different from other defendants. He is not charged with being part of the conspiracy which the Goldmark side alleges against the Tonasket Tribune. Albert D. Canwell and the others.

Caron is cited as the author of one alleged libel.

Thursday questioning was about that article, his motives in writing it, the truths in it. The Goldmark side did not appear to have great success in questioning Caron.

At one point he said: "The article had nothing to do with the Goldmarks."

At times the testimony ranged far afield. In the process, Caron began reciting the nations of the world which he considers to be under Communist domination.

He named, among others, Bolivia, Venezuela, Norway, Sweden.

At one point Judge Theodore Tamm agreed with a move by the defense to limit the field of questions and answers. The judge said if the testimony continued to stray "pretty soon you are trying an entirely different lawsuit than this one."

Caron said he writes articles about communism, which have appeared in the Okanogan Independent, the Chelan Valley Mirror and the Waterville Em-

pire-Press.

The alleged libel came out in the Sept. 6, 1962, Independent, the issue of the weekly just before the election in which Goldmark was beaten.

It was titled, "Pillaging Parliament."

In it Caron discusses a book entitled "And Not a Shot is Fired." It deals with the Communist take-over of a government by infiltration.

Caron wrote: "This book tells how, by using a system of ever-patient gradualism, the Communist agents can change the complexion of the free government of any area.

"It explains the conditioning of people to accept centralization of the services of government with a resultant loss of local responsibility for and control of services . . ."

It adds at one point: "The early steps involve the usurping of the responsibilities of local peace officers, such as sheriffs and the city police systems, and extends to many other public services at the local level, such as libraries, water, sewer and transportation systems, etc."

At another point it says: "One of the reasons why state legislators are a key to the subverting of a country is that the average person does not pay much attention to what the state legislature is doing. . ."

"It is important to notice that in all the countries that have been taken over so far by this parliamentary penetration, it has been at the level of govern-

ment equal to our state government that the work of subversion has been accomplished. One of the techniques employed by the revolutionary apparatus to implement this is to send the agents whom they want elected into rural areas. . ."

The Goldmark side contends that article, published just before the primary election, amidst rumors which had begun about Mrs. Goldmark's former membership in the Communist party and other alleged damages, was really referring to Goldmark.

Goldmark Attorney William Dwyer picked out portions of the article, trying to show it was aimed at Okanogan County.

In the "usurping of the responsibilities of local police officers, such as sheriffs . . .", Dwyer suggested it had a local implication for readers. Okanogan County Sheriff Russell Will had, before the article, complained about state inspection of his jail.

The reference in the article to libraries, suggested Dwyer, was a reference to Mrs. Goldmark's support of a regional library, a hot issue in Okanogan at one time.

In long questioning, Dwyer tried to get Caron to testify that the article had local implications and that Caron was referring to Goldmark. Dwyer also tried to indicate that Caron had used information about the Goldmarks from co-defendant Al Canwell.

Caron did not testify that way. Dwyer led off by, asking questions about Caron's relationship and conversations with Canwell in the 1961-62 period.

Caron said he had visited with Canwell, but he couldn't remember how often and he couldn't recall any specific conversations.

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2 THE WENATCHEE DAILY
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Asked if the Goldmark name had come up during the conversation, Caron replied, "I can't remember any specific discussion, but it seems to me his name was mentioned, yes."

Dwyer asked if it was Canwell who first told Caron that Mrs. Goldmark had once been in the Communist party.

"I don't recall where I first heard it," said Caron.

Caron testified that he once picked up some copies of Canwell's publication, "The Vigilante," for mailing.

"How many?" asked Dwyer. "I can't remember," said Caron.

After extensive questioning in that area, Dwyer turned to Caron's frame of mind when he wrote the article.

He asked if, when Caron wrote the article in 1962, "At that time did you know that there were reports . . . being circulated (about the Goldmarks)?"

"I don't believe that I heard any rumor that John Goldmark was a Communist," said Caron.

Caron testified he had heard that Mrs. Goldmark had once been in the party. Dwyer asked if he had read that in one of Canwell's publications.

"I can't remember whether I had or not," said Caron.

Then Dwyer turned to questions about parts of Caron's article.

He asked about "The process of ever - patient gradualism" in which Communists can take over the legislative branch of a government. Where in the book "And Not a Shot is Fired," did that appear, asked Dwyer.

Caron cited a page. Dwyer contended that was not in the book, but in a forward written by a man named Snow.

"Snow is on the board of the Birch Society?" asked Dwyer. "I have never checked it," said Caron.

Caron testified he had no local persons or events in mind when he wrote his article.

Dwyer then went into more general questioning, asking Caron about governments which have been taken over by Communists through infiltration of their legislative branches.

Caron named Bolivia and Venezuela.

"You feel they are Communist countries?" asked Dwyer.

"I feel they are," said Caron.

Caron also mentioned, among others, Lithuania, Esthonia and Latvia.

"They were taken over by the Red Army, were they not?" asked Dwyer.

Caron replied that "They were softened up" by infiltration.

Caron's article specifically referred to the takeover of Czechoslovakia.

In his questioning Dwyer sought to establish that the Communist take-over was due to the force of the Red Army at the end of World War II.

But Caron contended that legislative infiltration was at the heart of the fall of the Czech government.

Asking about other countries which fell to communism through legislative infiltration, Dwyer said Caron had cited Finland and Sweden in his deposition.

Caron agreed that is still his testimony.

Dwyer: "That Sweden is a Communist satellite?"

Caron said it is "under the control of the Communists."

Dwyer: "Iceland?"

Caron: "Yes, that's another one."

Dwyer: "Norway?"

Caron: "Ok, Norway, too."

Dwyer asked who is softening up America now.

Caron replied it is Communist, Communist sympathizers, socialists and others who want "complete centralized government."

At one point Dwyer asked Caron about Communists in government.

He wondered about a Caron allegation that known Communists are still allowed to continue in government.

Caron said That is true. Asked to name them, Caron said Harry Dexter White.

On cross examination, Defense Attorney Ned Kimball asked Caron if, at the time he wrote the article, he had any malice toward the Goldmarks.

"The article had nothing to do with the Goldmarks," said Caron.

"Are you of the same political belief as the Goldmarks?" asked Kimball.

"I am a Democrat, yes," said Caron.

Other witnesses during the day included Mrs. Florence Sonnichsen of Twisp. She said literature she received in the mail, including matter written by Canwell, caused her to change her mind about supporting Goldmark.

Tom McKay, Omak teacher, was on the witness stand. He was to testify that a school janitor had suggested he, McKay, would be supporting of a

Communist if he supported Goldmark.

However, that testimony was not allowed.

Dave Morgan, Okanogan, gave brief testimony about having received material in the mail just before election.

So did John Weymeyer of Winthrop.



KEY WITNESS — Don Caron, right, is on the witness stand in the Goldmark libel suit. Here

he talks with Defense Attorney Ned Kimball during the morning recess. --Daily World Photo

Cold Speeds Up Libel Lawyers

OKANOGAN — The cold weather has in a small way, caused a speed-up in the John Goldmark libel case.

At one point in Thursday proceedings, attorneys had to argue a point of law. That has happened often. The jury is led out of the court room while that happens.

But Judge Theodore Turner observed that the small room off

the court room, where jurors are taken, has insufficient heat.

The judge urged attorneys to speed their arguments, so the jury would not be kept too long in the cold room.

Smilingly, attorneys agreed. They spoke rapidly. The point was settled swiftly.

The jury was brought back. Ever solicitous, Judge Turner said to them: "I hope you're not all frozen."

Mrs. Goldmark's Sister On Stand

By DICK LARSEN

OKANOGAN — The Goldmark trial was recessed at 11 a.m. today when word reached Judge Theodore Turner of the shooting of President Kennedy.

He scheduled resumption of the trial at 1:30 p.m.

The sister of Mrs. John Goldmark took the witness stand in the Goldmark libel trial today.

She is Edna Ringe Larchar of New York. She identified herself as a housewife.

She testified that her husband is retired after 35 years with the General Motors Corp.

Mrs. Larchar testified of her recollections of New York City during the depression and her younger sister's interest in communism at that time.

Mrs. Larchar said they talked about the depression and the economic trouble.

"We had many discussions about what we could do about it," Mrs. Larchar said that Mrs. Goldmark "was a very impulsive, warm - hearted, energetic

person . . . she wanted to do something about it."

They had a difference of opinion about communism, said Mrs. Larchar. Mrs. Larchar said she objected to the "hysterical fanaticism" which communists required and the "uncritical acceptance you had to make" in communism.

"I thought she was blind to the defects of the Communist party (but) she was determined . . ."

Mrs. Larchar's testimony was continuing at mid-morning today.

Mrs. Goldmark's membership in the Communist party has been a factor in the lawsuit. The Goldmark side said in its opening statement that Mrs. Goldmark joined the party when she was concerned about the economic ills of the country during the depression, then later quit the party and in remorse had made no public statement about her membership.

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Sister-in-Law Takes Stand In Goldmark Libel Trial

OKANOGAN, Nov. 22. — (AP) — A sister of Mrs. John Goldmark took the stand today in a Goldmark libel suit session shortened by news of President Kennedy's assassination.

Court adjourned at 11 a.m. after the tragic news from Dallas had been relayed to Superior Judge Theodore S. Turner.

THE SISTER, Mrs. Edna Ringe Larchar of New York City, told the court of her sister Sally's early childhood in New York and was explaining her early interest in communism when court recessed.

Mrs. Goldmark has admitted being a member of the Communist Party from 1935-1943. She said she quit the party and had not made her affiliation public because she regretted her action.

Mrs. Goldmark's membership in the party was used during the bitter Democratic primary of 1962 which saw her husband, John, defeated in his bid for a fourth term as a state representative. As a result of remarks and publications of that campaign the Goldmarks are suing four individuals and a newspaper for \$250,000.

Mrs. Larchar, wife of a retired foreign representative for the General Motors Corp., said she and Sally were extremely concerned about the man problems during the depression.

"We had many discussions about what we could do about it," she said.

SHE described Mrs. Goldmark as "a very impulsive, warm-hearted, energetic person" who wanted to do something about the problems.

Mrs. Larchar said the sisters disagreed about communism to which Sally was attracted. She said, "I thought she (Sally) was blind to the defects of the Communist Party."

Mrs. Larchar said she objected to the "hysterical fanaticism" of communism.

SHE told the court their parents had emigrated from Germany and that both died before Sally finished school. Mrs. Larchar said she and another sister sent Sally to the University of Wisconsin. Court adjourned with Mrs. Larchar still on the stand.

(Indicate page, name of newspaper, city and state.)

SEATTLE POST
INTELLIGENCER
NOV 23 1963
PAGE 15 COL 6

Date:
Edition:
Author:
Editor: **BERNE JACOBSEN**
Title: **MRS. JOHN GOLDMARK**

Character: **SM-C**
or
Classification: **100-21585-231**
Submitting Office:
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Sister Tells Why Mrs. Goldmark Was Attracted to Communism

OKANOGAN, Nov. 23. — (A.P.)—Mrs. Edna Ringe Larchar of New York City testified yesterday about the early interest of her sister, Sally Goldmark, in communism.

The testimony came in a session of the Goldmark libel suit cut short by the news of the assassination of President Kennedy.

Superior Court Judge Theodore Turner recessed the trial at 11 a. m., when Mrs. Larchar was still on the stand.

SHE TESTIFIED that their parents emigrated from Germany, and both died before Sally completed school, so Mrs. Larcher and another sister sent Sally to the University of Wisconsin.

Mrs. Larchar, wife of a retired foreign representative for General Motors Corp., told of Sally's early childhood in New York and explained her interest then in communism.

She said she and Sally were extremely concerned about human problems during the depression.

"We had many discussions about what we could do about

it," Mrs. Larchar said.

She testified that they disagreed about communism, to which Sally was attracted and said, "I thought she was blind to the defects of the Communist Party."

MRS. LARCHAR described Mrs. Goldmark as "a very impulsive, warm-hearted, energetic person" who wanted to do something about the problems of the depression.

Mrs. Goldmark has admitted being a Communist Party member from 1935 until 1943. She said she quit the party but didn't make her former affiliation with it public because she regretted having joined.

During the Democratic primary last year when John Goldmark lost his bid for a fourth term in the Legislature, Mrs. Goldmark's former membership in the Communist Party was brought out.

The Goldmarks are suing four individuals and a newspaper for \$225,000, contending that remarks and publications at the time libeled them.

(Indicate page, name of newspaper, city and state.)

SEATTLE TIMES

NOV 23 1963

PAGE 19 COL 6

Date:

Edition:

Author:

Editor: HENRY MAC LEOD

Title: MRS. JOHN GOLDMARK

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SEATTLE POST
INTELLIGENCER
NOV 24 1963
PAGE 10 COL 4

Only One Day Of Goldmark Trial In Week

OKANOGAN, Nov. 23.—(A. P.)—The Goldmark libel trial will be in session only one day next week, under plans announced today.

Superior Court Judge Theodore Turner said there will be no court Monday. The court will be in session Tuesday, then recess until December 2 because of the Thanksgiving holiday.

FORMER State Rep. John Goldmark and his wife are suing four individuals and a weekly newspaper, contending they were damaged by suggestions they were communist sympathizers. The trial has been in progress three weeks.

Date:
Edition:
Author:
Editor: **BERNE JACOBSEN**
Title: **MRS. JOHN GOLDMARK**

Character: **SM-C**
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Classification: **100-21585**
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Goldmark Trial Resumes Tuesday

Only One Day Of Testimony; Thanksgiving Recess Planned

OKANOGAN — Testimony resumes here Tuesday in the John Goldmark libel case in Okanogan Co.

Today when news reached Judge Theodore Turner of the assassination of President Kennedy.

Court remained in recess today, the day of national mourning.

There will be only one day of testimony this week. At the end of Tuesday proceedings, court will be recessed until Monday, Dec. 2 so that jurors and other principals may have a thank giving holiday.

Mrs. Edna Ringe Larchar of New York City, Mrs. Goldmark's sister, was giving testimony when the interruption came Friday.

Earlier in that day the Goldmark side had made an unusual presentation. It offered the deposition testimony of Loretta Nansen of Omak, in which she told of some planning to defeat Goldmark in the 1962 election.

The deposition was allowed because Mrs. Nansen could not be in court. Attorney R. E. Mansfield asked questions. Attorney William Dwyer sat in the witness chair, as Mrs. Nansen, and from a copy of the deposition, read answers.

Mrs. Nansen recalled a meeting at the home of former Judge Joseph Wicks, Omak, an attorney for the defense in this case. She recalled being there, along with Ashley Holden, a de-

fendant, Ben Wilson of Okanogan and, she thought, former Republican State Sen. Robert French.

She said she thought it was in the late summer of 1961.

The conversation dealt with the Goldmarks, said Mrs. Nansen. It came to talk about "hat a poor housekeeper Sally was," said Mrs. Nansen. There was also talk of their being poor parents.

Wilson is a furniture dealer in Okanogan.

Mrs. Nansen says she argued the point with the others. "I had been in their (the Goldmarks') home," she testified. She said she was impressed with the home, the books, the conversation, the other environment given the Goldmark sons.

"I feel they were very good parents," she testified.

"This sort of thing wasn't the kind of thing to be used in a campaign," she recalled telling the others.

Mrs. Nansen quoted Holden as disagreeing, that it should be used. She testified that Holden said: "When we get through with him he won't want to show his face around here."

Mrs. Larchar gave testimony about her sister, Sally, and their early life in New York City. She was beginning to give testimony about her sister's attraction to the Communist party in the 1930s when the Friday recess came. She is to be back on the stand Tuesday.

(Indicate page, name of newspaper, city and state.)

2 THE WENATCHEE DAILY
WORLD
WENATCHEE, WASH.

Date: 11/25/63
Edition:
Author:
Editor:
Title: MRS. JOHN GOLDMARK
Character: SM-C
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Classification: 100-21585
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Goldmarks' Son Tells Of Gus Hall's Portland Talk Trial Recessed Until After Holiday

By DICK LARSEN

After a long day of testimony Tuesday, the John Goldmark libel trial has recessed until after the holiday.

Yesterday's proceedings brought these highlights:

Asher, New York attorney, reviewed their landing on the island of Luzon and their work in the fight for Manila. Asher said he was wounded, but later he said he rejoined Goldmark and they helped clean up exploded bombs and ammunition out of the much-bombed naval base at Ormoc.

Asher recalled a postwar reunion in New York and a conversation in which Goldmark expressed a desire "to come out west and be a farmer."

More than once the Goldmark side has sought to establish that desire of Goldmark's. The unusual fact of Goldmark, graduated in law at Harvard, but becoming an Okanogan County rancher, has been cited as a suspicion was set up in some of the alleged "plots."

The tall, 19-year-old said he went through the Long Lake grade school, later went to Okanogan High School, where, he said, he was senior class president.

Asher recalled his and Goldmark's war experiences. They were both Navy officers. Asher told how they engaged in dueling and obscuring Japanese shells, bombs and torpedoes.

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(Indicate page, name of newspaper, city and state.)

7 THE WENATCHEE DAILY
WORLD
WENATCHEE, WASH.

Date: 11/27/63

Edition:

Author:

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Title: MRS. JOHN GOLDMARK

Character: SM-C

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by Communist party secretary, Gus Hall. (The Goldmark side got on that matter, but the Tribune story, was discussing Goldmark's candidacy and referred to him: "Chuck, a sophomore in Reed College, the only school in the Northwest where Gus Hall, secretary of the Communist party, was invited to speak . . .")

Goldmark attorney William Dwyer asked young Goldmark who invited Hall to speak on the Reed campus.

Goldmark: "A group of students on campus called Focus Club."

Dwyer: "Were you part of that student group?"

Goldmark: "No."

Dwyer then asked if Goldmark went to hear Hall speak.

Goldmark replied: "I attended part of the talk . . . About halfway through it I left." He added that a demonstration started outside the meeting and "that was more interesting than Mr. Hall."

Goldmark added: "Mr. Hall's speech seemed to me to be unrealistic and pretty much a lot of nonsense."

Young Goldmark was asked if Hall spoke on any other campus. He said Lewis and Clark, the University of Oregon and Oregon State University.

Goldmark testified he has lately done some reading about communism, but knows little about it.

Dwyer asked if he had ever heard his parents express any Communist views.

"From what I've read, looking back, it seems to me I heard no such doctrine expressed at home," said young Goldmark.

Any views in "favor of Russia or Castro or anything like that?" asked Dwyer.

"No, I heard no such thing . . . Never," he answered.

The Goldmarks' son said his mother, in the spring of 1962, told him that she had once belonged to the Communist party before he was born: "I was really quite surprised. It seemed very inconsistent with everything . . . she had said."

(Mrs. Goldmark has said she was a member of the Communist Party beginning in 1935, then quit it in 1943. The Goldmarks are suing for \$225,000, alleging that the defendants tried to pay the Goldmarks as Communists or Communist sympathizers in the 1962 campaign.)



RAY MOORE
Republican Speaks



JOHN PEMBERTON
-ACLU Head Testifies

Moore, the Seattle investment broker, gave only brief testimony about having been King County GOP central committee chairman in 1948-53.

Moore said he joined the American Civil Liberties Union 10 years ago: "I liked the cases . . . they had taken a stand on."

(The ACLU is an issue in the case. In some of the alleged libels, it was attacked as a Communist front organization. The Goldmark side, through three weeks of presenting its case has sought to show the ACLU as an organization — with bipartisan support — seeking to preserve civil rights.)

Pemberton, executive director of the ACLU, came from New York to testify.

He said he is a registered Republican, a native of Minnesota, former Republican county chairman there, and former member of the Republican state central and finance committees in Minnesota.

On questioning by Dwyer, Pemberton said the purpose of the ACLU "is to protect and to advance the kind of liberties and rights that are granted by the Bill of Rights under the U. S. Constitution."

Dwyer asked him about cases in which the ACLU has been involved.

Pemberton cited the Scopes Case, the famous one in Tennessee in which the issue was whether or not a teacher could teach Darwin's theory of evolution.

Clarence Darrow, one of the attorneys in that, was a founder of the ACLU, said Pemberton.

Pemberton cited other cases in which the ACLU has been involved. One, he said, involves Gov. Ross Barnett of Mississippi. The governor is charged with interfering with a federal court order in the integration issue on the University of Mississippi campus.

Pemberton said Gov. Barnett contends he should have a jury trial. The U. S. government contends that a court order is a court order. He should not have a jury trial.

Pemberton said the ACLU has filed a brief urging that Gov. Barnett receive a jury trial.

Pemberton said the ACLU has not taken other issues of civil liberties in which the ACLU has not been involved.

Pemberton's testimony ranged far, as he talked about the ACLU.

He said Roger Baldwin, its first executive director, went to Japan after World War II to help frame civil rights provisions of the new Japanese constitution.

Dwyer asked: "Who asked him to go to Japan for that purpose?"

"General MacArthur," replied Pemberton.

Pemberton testified about some "name" members and officers of the ACLU: Arthur Schlesinger Jr., former assistant to the late Pres. Kennedy, Dr. Robert Hutchins, former president of the University of Chicago, author Pearl Buck, Thornton Wilder, playwright author of "Our Town" and other plays, plus others.

"Is the ACLU paying any part of the plaintiff's cost in this case?" asked Dwyer.

Pemberton said no. Dwyer asked about the ACLU policy toward Communists; if a Communist can gain "a position of influence" in the ACLU.

Pemberton said the ACLU policy declares that no one with devotion to communism, any other form of totalitarianism, "or any other non-democratic institution" may hold local or national office.

Defense Attorney E. Glenn Harmon of Spokane began cross-examination with a blunt question.

"Are you now or have you ever been a member of the Communist party?"

"No," said Pemberton. Then Harmon asked if he is or has been "under Communist party discipline?"

Pemberton again replied no. Harmon said he had asked those questions to illustrate a point: That the ACLU defends the right of anyone to refuse to answer those questions on Constitutional grounds.

"Why did you choose to answer them?" asked Harmon.

"Because I have no objection to answering them," said Pemberton.

In questions and answers, Harmon brought out the ACLU position that if a person refused to answer such questions, on his Constitutional grounds, the right of non-self-incrimination, there should be no guilt associated with that refusal.

Harmon: "Doesn't the ACLU say that no guilt whatsoever should be drawn against a person who refuses to answer that question?"

Pemberton: "I think that's a fair statement."

Later, Harmon asked Pemberton's views on whether or not communism is a serious internal menace to America.

Pemberton said he thinks it is a menace, but he said he isn't a judge of whether or not it is a serious internal menace.

Later there were questions and answers about loyalty oaths. Harmon raised ACLU objections to certain such oaths.

Testified Pemberton: "The ACLU has no objection to oaths of the person . . . to support the Constitution of the United States or oaths of allegiance." But he said that oaths which go into a person's private beliefs, are improper in the eyes of the ACLU.

"Should persons subject to Communist party discipline be permitted to teach in high school . . . without being required to take any loyalty oath?" asked Harmon.

Pemberton said that a loyalty oath, or any oath which gets into one's personal convictions, should not be a factor on one's securing a teaching or other public post.

"I don't think oaths help, and I think they're clearly offensive to civil rights of an individual," Pemberton testified.

Harmon asked if the oath might serve a useful purpose; that a Communist who falsely takes such an oath could later be prosecuted for perjury.

Pemberton said that the "persons you're talking about would not, in my judgement, be deterred by that threat."

Harmon wondered, basically, what is really wrong with an oath which seeks to expose Communist teachers for what they are?

Said Pemberton: "Its impact on the conscientious person is to inhibit him in the kinds of organizations he may join, the kinds of views he may express . . . because (of) fear that what he says or what he joins may be confused with communism . . . so it has an inhibiting effect on the conscientious person . . . and no (inhibiting effect) on some person connected with an outside force."

The height of cross-examination came with this question and answer:

Harmon: "In your opinion, which is the most dangerous, a switchblade knife in the hands of an irresponsible teenager or a deadly ideology such as communism in the hands of a secret Communist teacher?"

Pemberton: "The switchblade knife, because to say that a

deadly ideology is the most dangerous is to lose faith in the people to judge between right and wrong, and it is to assume that the only way we can protect people from making errors is to keep erroneous opinions from being expressed. I don't think the people are that weak."

Pemberton again alluded to the ACLU position that a teacher's competency to teach is what is important. He said that such a teacher would not be competent.

Later Pemberton testified, that the ACLU is involved in many cases arising out of civil rights questions and "the proportion of its cases involving the Communist issues is comparatively small . . ."

Later, returning to the matter of Communist teachings, Harmon suggested that it is not always possible to tell what is Communist propaganda: "The Communists at least have shown a very great aptitude for deceitful propaganda."

Pemberton replied: "I'm sure the Communists have been particularly apt at deceitfulness. This doesn't weaken our ability to handle deceit."

Can the average man really tell, if the ideas are shrouded in deceit? wondered Harmon.

The average American can "recognize them as bad ideas," replied Pemberton.



SISTERS—Mrs. Edna Ringe Larchar of New York, right, testified in the lawsuit being brought in Okanogan County by her sister, Mrs. John Goldmark, and John Goldmark. Mrs. Larchar is shown here with her sister.



WITNESS—Charles Goldmark, 19-year-old son of Mr. and Mrs. John Goldmark, was a witness Tuesday in the \$225,000 libel suit his parents are bringing against a group of defendants in Okanogan County.



RECALLS WAR—Peter Asher, right, New York attorney, came to Okanogan to testify Tuesday in the John Goldmark libel trial. Here he chats with Goldmark. Asher testified about Goldmark's World War II experiences together in the Pacific. Former Vice President Richard M. Nixon is in Asher's law firm in New York.

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Mrs. Goldmark On Stand After Hearing Praises for Husband

OKANOGAN, Dec. 2. — (A. P.) — Mrs. John Goldmark testified of her early home life today in the trial of the \$225,000 libel suit she and her husband have brought against four individuals and a newspaper.

Her appearance gave indications the Goldmark side might finish presentation of its case this week. The trial began November 4.

Mrs. Goldmark told about her childhood in Brooklyn, N. Y. She said her mother died when she was 8 and her father six years later. She said she worked her way through the University of Wisconsin.

THREE OTHER witnesses had preceded her to the stand.

Republican State Representatives Slade Gorton, Seattle, and Thomas Copeland, Walla Walla, and Mrs. Arthur Skelton, former president of the Washington State Parent-Teacher Association, testified of John Goldmark's reputation prior to the 1962 primary election. The Goldmarks contend they were libeled during that campaign, in which Goldmark was defeated in his bid for re-election to the Legislature.

Asked by Goldmark's attorney, William Dwyer, about Goldmark's reputation for honesty and loyalty, Gorton replied:

"His reputation was excellent. It was never questioned."

Dwyer asked about Gorton's and Goldmark's political views.

"We were almost invariably on opposite sides," Gorton replied.

"I've never heard any discussion attributing to Mr. Goldmark any (connection) with Communism or Communist causes," Gorton said in reply to another question.



—A. P. wirephoto.

MRS. GOLDMARK

THE DEFENSE attorney, E. Glenn Harmon, asked if Goldmark could be classified as "in the extreme left."

"No," Gorton replied. **"I believe there were more liberal members in the Democratic Party in the Legislature."**

Copeland said of Goldmark: "He was considered to be loyal and honest."

Mrs. Skelton testified she had served in 1959 with Goldmark on the State Child Welfare Advisory Committee. She said his reputation for loyalty and honesty was good.

She said that in connection with child-welfare work she considered Goldmark a "conservative." She explained that he favored efforts to strengthen families, thus easing the child-welfare problem.

Defendants are Ashley Holden, Tonasket; Albert F. Canwell, Spokane; Don Caron; Loris Gillespie, Okanogan, and Holden's newspaper, The Tonasket Tribune.

(Indicate page, name of newspaper, city and state.)

SEATTLE TIMES

DEC 2 - 1963

PAGE 4 COL 1

Date:
Edition:
Author:
Editor:
Title:
MRS. SALLY GOLDMARK

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**Mrs. Goldmark, On Anniversary,
Denies Reds 'Forced Marriage'**

OKANOGAN, Dec. 2.—(U.P. I.) — Sally Goldmark, on the 21st anniversary of her marriage, testified in Okanogan County Superior Court today that she and John Goldmark got married "because I loved John and John loved me."

Asked by her attorney, William Dwyer, if the marriage was forced by the Communist Party, she replied, "I never heard of such a thing."

AN EARLIER witness at the trial of the Goldmarks' \$225,000 libel suit had testified that forced marriages were common among Communist Party members and quoted a defendant in the suit as asking, "why else would a young fellow like John marry someone like Sally?"

Mrs. Goldmark testified that she joined the Communist Party in the fall of 1935 soon after she moved to Washington, D.C., and went to work for the Works Progress Administration.

She said she still belonged at the time she and Goldmark were married but she quit about nine months later. She said Goldmark had influenced her by his criticism of the party and its members.

SHE SAID her only activities as a communist were attending meetings and paying dues. She said the meetings were devoted to theoretical discussions of such things as unemployment and the wars in Europe and the Orient.

She said when she quit all she did was notify her group that she would no longer attend meetings.

The Goldmarks seek damages for statements made during the 1962 primary election campaign which they said libeled them by linking them to communism. Goldmark lost his bid for nomination to a fourth term as a member of the state House of Representatives.

EARLIER TODAY three Republicans testified that Goldmark enjoyed a good reputation for honesty and loyalty. The witnesses included members of the House, Slade Gorton of Seattle, and Thomas Copeland of Walla Walla.

Also testifying was Mrs. Arthur Skelton, Seattle, former president of the Washington Congress of Parents and Teachers.

(Indicate page, name of newspaper, city and state.)

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Defense Opens 'Strong Attack' on Mrs. Goldmark

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SEATTLE TIMES

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OKANOGAN, Dec. 3.—(A.P.) — Mrs. John Goldmark faced an attack by the defense today in one of the tensest moments of the month-long trial of the Goldmarks' \$225,000 libel suit.

E. Glenn Harmon, defense attorney, prefaced his cross-examination of Mrs. Goldmark by saying:

"I'm sorry that I am compelled by the necessity of this lawsuit to pry into your past . . . and question your veracity and loyalty. You do understand that?"

He then apologized in advance "if at times I appear to be rude."

William Dwyer, counsel for the Goldmarks, quickly objected that Harmon's remarks were "argumentive" and Mrs. Goldmark said she considered them to be "intimidating."

Superior Judge Theodore S. Turner of Seattle, hearing the case, overruled Dwyer's objection and held that Harmon's statement was proper.

Harmon then began questioning Mrs. Goldmark, an acknowledged former Communist, about testimony she gave on direct examination yesterday.

Before Harmon started his cross - examination, Mrs. Goldmark said under questioning from Dwyer at the start of the morning session that she was "hurt severely" during the 1962 election campaign in which her former Communist Party membership was discussed publicly.

Testifying yesterday, her 21st wedding anniversary, she said she began to think around the time of her marriage that no political party should be secret and that "the whole program of the Communist Party . . . was no longer valid."

She began to attend party meetings less frequently and late in 1943, she said, she told her chief party contact she "wasn't going to any more meetings."

A defendent, Ashley Holden, Sr., has testified he believes Sally Goldmark never left the party and her husband is a Communist.

The Goldmarks, Okanogan cattle ranchers, are suing four individuals and a newspaper, contending the Goldmark family was libeled last year during a primary-election campaign. Goldmark sought nomination for a fourth term as Democrat state representative and lost.

After taking the stand yesterday morning, Mrs. Goldmark reviewed her childhood and entry in 1935 into the Communist Party.

The depression of the 1930's, she said, caused her to feel "the whole capitalist system had broken down."

"It was also the beginning of the rise of Hitler," she said, "really the beginning of fascism, and I was against fascism."

In 1933-35 she worked for the Teachers' Union in New York. Communists and so

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cialists were among the union members, she said, but she did not join the Communist Party until 1935, in Washington, D. C.

Then she married Goldmark, who she knew was critical of the Communist Party.

She made her break from the party, and after Goldmark left the Navy they came West and settled on a ranch in 1947.

She told the Federal Bureau of Investigation and the House Committee on Un-American Activities all she knew about the Communist Party. But she made no public declaration about her years as a Communist because she had changed her mind about Communism and was embarrassed over her former membership in the party.

Early in the trial witnesses testified that one of the defendants, Loris Gillespie, once talked of what he called the Communists

"forced-marriage program" and implied the Communist Party "forced" Goldmark to marry Sally.

William Dwyer, a Goldmark attorney, asked Mrs. Goldmark if her marriage was a "forced" one.

"Mr. Dwyer," she said, "I never heard of such a thing. I don't know anything about that sort of thing. I loved John very much, and he loved me."

Dwyer asked what Mrs. Goldmark's early feelings toward Goldmark were.

"I hate to say this," she said, "but I really fell in love with him at first sight."

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Forced Marriage Story Is Denied

By JACK E. FISCHER
Spokesman-Review Staff Writer

OKANOGAN, Wash.—Sally Goldmark denied from the Superior Court witness stand Monday that she and her husband, John, participated in a Communist forced marriage.

Testimony by one of the plaintiffs in the \$225,000 libel and conspiracy trial regarding romance and marriage came, appropriately, on the Goldmarks' 21st wedding anniversary.

When her attorney, William Dwyer, asked Mrs. Goldmark what her impression of her husband was when she first met him, she answered.

"I hate to say this, but I really fell in love with him at first sight. I came to respect him very highly as a person . . . I knew he was critical of the Communist party and the things the Communist party stood for.

"He asked her to marry him in the spring of 1942 and I told him, 'You don't want to marry me. I am a member of the Communist party.'

Love Each Other

"The next day he said he had thought about it a lot, but loved me and wanted to marry me, that he had great faith in me and this meant a great deal to me."

"Was this a forced marriage?" Dwyer asked.

"Mr. Dwyer, I never heard of such a thing. I don't know anything about that sort of thing. I loved John very much and he loved me. . . ."

First mention of forced marriages came earlier in the trial when a witness testified that one of the defendants, Loris A. Gillespie, mentioned them and added, "Why else would a good looking young man like John marry anyone as homely as Sally?"

The trial, heavy with political overtones, entered its 16th day Monday, but the calling of Mrs. Goldmark to the stand indicated that the plaintiffs are nearing the end of their case.

Legislators on Stand

First witnesses called Monday were two Republican state legislators, Rep. Tom Copeland, Walla Walla, and Rep. Slade Gorton, Seattle.

Both were asked questions concerning Goldmark's repu-

tation as to honesty and loyalty prior to 1962 and both said it was good. Copeland did say he had heard several rumors regarding Mrs. Goldmark and that her husband may have been included by association.

Both legislators were subpoenaed to testify and Copeland, in answer to questions by Dwyer, said he was neither a member of the American Civil Liberties Union nor the John Birch Society. Both organizations have been mentioned prominently and frequently during the trial.

Mrs. Goldmark, who still was on the stand, when court adjourned for the day, was questioned at length about her affiliation with the Communist party from 1935 to 1943.

Was Disillusioned

She told about attending a Communist workers' school in New York in 1930 and 1931 and of being disillusioned with the capitalistic system because of high unemployment during the depression.

"When I first got out of college," she said, "I was fortunate in having a job, but all around me people were unemployed. I was very concerned as to why this could happen."

She also said the war in Spain, the rise of Hitler in Germany, and the advancement of Fascism were of great concern to her. She said the Communist Party helped the Republic of Spain, was opposed to both Hitler and Fascism.

"What was it about the Communist Party that attracted you?" Dwyer asked.

"I really felt the whole capitalistic system has broken down," Mrs. Goldmark replied. "The Communist Party taught unemployment was heavy because people insisted on making too much profit. Only a few could be wealthy and the rest would be impoverished."

"What was the Communist Party's answer?"

"State control of production and wages."

She said her contact in Wash-

ington, D.C., when she joined the Communist Party, was Charles Kramer and that Victor Perlo belonged to the same unit. Both were later described to Congressional committees as top echelon Communists.

"Did you pay any dues?" Dwyer asked.

"Oh, yes."

"What were they?"

"Either 5 or 10 per cent of my salary."

"Did you know what this was used for?"

"Yes, for the Communist Party, for organizing and propaganda."

No Contact After 1943

She said she had no contact with Communists or the Communist Party after she left the party in the fall of 1943 and has had a growing conviction since then that it is totally unwise for people to join secret groups involved in politics.

She also testified at great lengths to various sessions with representatives of the Federal Bureau of Investigation and at one time Dwyer read the entire transcript of her testimony at an executive session of the House Committee on Un-American Activities at Seattle in 1956.

The Goldmarks came to Washington in 1946 and bought a ranch in the Okanogan Valley in 1947. Goldmark was active in the Democratic Party and in 1956 was elected to the state legislature, being reelected in 1958 and 1960.

Active in Club

Mrs. Goldmark testified that she had been active in the Okanogan Women's Democratic Club and last fall was appointed chairman of the legislative committee for the Washington State Federation of Women's Democratic Clubs.

After the election of 1952, when Goldmark was defeated, he and his wife filed charges against Albert F. Canwell, Spokane, former chairman of the state legislative committee on Un-American Activities; Ashley E. Holden, publisher of the Tonasket Tribune; Don Caron, state coordinator for the John Birch Society, and Gillespie, Okanogan orchardist and also a member of the Birch Society.

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Past Recalled by Mrs. Goldmark

OKANOGAN, Wash. (AP) — Mrs. John Goldmark testified of her early home life today in the trial of the \$225,000 libel suit she and her husband brought against four individuals and a newspaper.

Her appearance gave indications the Goldmark side might finish presentation of its case this week. The trial began Nov. 4.

In early testimony, Mrs. Goldmark told about her girlhood at Brooklyn, N.Y. She said her mother died when she was 8 years old and her father six years later. She testified of working her way through the University of Wisconsin.

Others Testify

Three other witnesses had preceded her to the stand as the trial resumed.

Republican State Reps. Slade Gorton, Seattle, and Thomas Copeland, Walla Walla, and Mrs. Arthur Skelton, former president of the Washington State Parent-Teacher Association, testified of John Goldmark's reputation prior to the 1962 primary election. The Goldmarks contend they were libeled during that campaign, in which Goldmark was defeated in his bid for re-election to the state legislature.

Gorton said that he and Goldmark were both members of the House Ways and Means Committee in the 1959 session. Asked by Goldmark attorney William



Mrs. John Goldmark
—AP wirephoto

Dwyer about Goldmark's reputation for honesty and loyalty, Gorton replied:

"His reputation was excellent. It was never questioned."

Views Queried

Dwyer asked about Gorton's and Goldmark's political views. "We were almost invariably on opposite sides," Gorton replied.

"I've never heard any discussion attributing to Mr. Gold-

mark any connection with communism or Communist causes," he said in reply to another question.

On cross-examination, Defense Atty. E. Glenn Harmon asked if Goldmark could be classified as "in the extreme left" of the Democratic party.

"No, I wouldn't say that that is the case," Gorton replied. "I believe there were more liberal members in the Democratic Party in the legislature."

He then added:

"I would consider John Goldmark liberal and myself a conservative."

Testimony Brief

Copeland's testimony was brief. Dwyer also asked him about Goldmark's reputation for loyalty and honesty prior to 1962. Copeland said:

"He was considered to be loyal and honest."

On cross-examination, Copeland was asked about any conversations he heard around the legislature about Goldmark prior to 1962.

Copeland said there were some conversations but added:

"The questions were not so much about John as they were about his wife."

Mrs. Skelton testified she had served in 1959 with Goldmark on the state child welfare advisory committee. She was also asked about his reputation for loyalty and honesty. She said that it was good.

Position Told

She said that in connection with child welfare work she considered Goldmark a "conservative." She explained that he favored efforts to strengthen families, thus easing the child welfare problems. "He certainly was not a rabid spender," she testified.

She was asked on cross-examination if she was a personal friend of the Goldmarks and replied that she was not. "I never see them socially. I have never been in their home," she testified.

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Mrs. Goldmark Tells Of Collecting Songs for W.P.A.

OKANOGAN, Dec. 4. — (A. P.)—A link between the Communist Party and folk music has been brought up in the trial of the Goldmarks' \$225,000 libel suit.

John Goldmark's wife, Sally, was testifying late yesterday about a job she had with the Works Progress Administration.

SHE MENTIONED a W. P. A. project that involved the gathering of folk music.

"The Communist Party was interested in folk songs, was it not?" asked Glen Harmon, a defense attorney — songs about the woes of the working man, he amplified.

Mrs. Goldmark replied that the W. P. A. project involved existing folk music of the country, "not made-up songs."

Cross-examination of Mrs. Goldmark was resumed for the final 15 minutes of yesterday's session after Mrs. Goldmark had left the stand early in the afternoon to make way for two Seattle television-station employees.

Bob Schulman and Christopher Spier, both of KING-TV, were quizzed about their part in making a documentary film, "Suspect."

THE FILM, produced late last year, was shown to the

jury earlier in the trial. It concerned the 1962 Democratic primary campaign and Goldmark's defeat. In the primary, Goldmark sought nomination for a fourth term as state representative.

He and his wife are suing four individuals and a newspaper, contending statements and publications linking them with Communism libeled them.

Mrs. Goldmark, an acknowledged former member of the Communist Party, has testified she joined the party in 1935 and left it for good in 1943.

Okanogan County residents were interviewed in making the film. Schulman said no interview answer was edited to change its meaning.

Schulman testified that during the film's preparation he asked the office of Attorney-General Robert Kennedy if the American Civil Liberties Union was listed as a Communist front. The office replied that it was not, he said.

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Changed Mind About Reds, Mrs. Goldmark Tells Court

OKANOGAN, Dec. 3.—(U.P.I.)—"I just simply changed my mind," Sally Goldmark said today in explaining why, after eight years, she left the Communist Party in 1943. Mrs. Goldmark was testifying for the second day in trial of the \$225,000 libel suit she and her husband John filed after the 1962 primary election.

"The Communist Party had never been a controlling factor in my life," Mrs. Goldmark said. Under cross examination by defense attorney E. Glenn Harmon, she said "My faith in it (the capitalistic system) as a democratic society was greatly renewed... over a period of years. Later, I began to see communist ideas as related to the economy of the country were no longer valid."

MRS GOLDMARK said she believed the internal threat to the nation from communism was greater before World War II than it is now "because our government is stronger today than it was, and our people are better prepared to resist communism. They know what it is all about."

When Harmon asked her directly, "Do you or do you not believe that communism is a serious internal threat to the United States?" she replied, "My answer would be no."

She said she did not know what the Communist Party line is although she feels it has changed since 1939. "I haven't kept up with party thinking," she said.

EARLIER today Mrs. Goldmark testified that she had been deeply hurt by the statements made during the 1962 campaign.

When Harmon prefaced his questioning with an apology and the warning that he would question her veracity and loyalty, Mrs. Goldmark turned to Judge Theodore S. Turner and commented "he is intimidating me... he is really threatening me."

MRS. GOLDMARK'S cross examination was interrupted this afternoon so that Robert Schulman of KING-TV in Seattle could testify. A television film, "Suspect," about Goldmark and his political opponents written, produced and narrated by Schulman was admitted as evidence earlier in the trial on condition he be subpoenaed.

Schulman admitted under cross examination that he had served on the state board of the American Civil Liberties Union with Goldmark.

HE DESCRIBED the film as "a fair and balanced presentation." He said, "We tried to undertake a clinical study of the campaign tactics" used against Goldmark in the 1962 campaign.

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Red Threat Is External, Not Internal, Witness Says

By JACK E. FISCHER

Spokesman-Review Staff Writer OKANOGAN, Wash. — Mrs. John Goldmark, one of the plaintiffs in a \$225,000 libel and conspiracy trial here, Tuesday testified she does not believe the Communist party today is a serious internal threat.

"I think we face a threat from communism externally," she said, "but I believe there is a much smaller internal threat than there was before World War II."

Mrs. Goldmark, the former Irma Ringe, of Brooklyn, N.Y. is an admitted ex-Communist, having testified that she joined the party in 1935 and left it in 1943.

Fact Aired in '62

This fact was first brought to public attention in the 1962 political campaign and following the election in which Goldmark was defeated in his bid for re-election to the state legislature, the couple filed the lawsuit against five defendants.

Mrs. Goldmark was placed under a grueling cross examination by defense attorney E. Glenn Harmon, but this was interrupted during the afternoon to accommodate two out-of-town witnesses.

Before he started his interrogation of Mrs. Goldmark, Harmon said: "You understand, Mrs. Goldmark, that I'm sorry I'm compelled by the necessity of this lawsuit to pry into your past and question your veracity and loyalty?"

Dwyer Objects

"I want to apologize in advance if at times I appear to be rude."

At this point, plaintiffs' attorney, William Dwyer, objected and Mrs. Goldmark told the court: "This makes it difficult for me to answer. The suggestions of Mr. Harmon are intimidating to me. He is really threatening me."

Harmon then dealt at great length on the question of the threat posed today by the Communist party and Dwyer frequently objected. The witness, however, finally answered a flat

"No" to a question as to whether communism offered a serious internal threat.

Harmon also directed numerous questions in the area of the Communist party line today as compared to the eight years during which Mrs. Goldmark was a member.

"Do you at this time know and recognize the Communist party line," he asked.

"No," Mrs. Goldmark answered.

"Do you have any knowledge of any aspect of communism at this time?"

"I have knowledge of what the Soviet Union is doing. Beyond that I have no knowledge."

"From what you have read and observed, you know, do you not, that the Communist party has not changed its stand on the basic truths of communism?"

"From what I understood of the basic issues when I joined

I'd say there was a complete reversal in some instances."

"Isn't it true that the basic truths of communism are the same today as when you were a member?"

"No, I do not think they are."

Harmon then repeated the question and Mrs. Goldmark said: "I don't know because I haven't kept up with Communist party thinking since I left the party."

"Do you really believe that Russia and Communists have given up their aim of communizing the United States?"

"I believe that Russia is our enemy in this regard."

"Is it true that the Communists would like us to believe that they have abandoned their plan for world conquest . . . don't you know that?"

"No, I don't Mr. Harmon."

"Do you believe peaceful co-existence is a solution to the world's problems?"

"I have no general theory on this question. I would be hesitant to state one."

Faith in Democracy Back

Later, Mrs. Goldmark testified that she left the Communist party because she began to see that the capitalistic society had "a great many advantages."

"My faith in it as a democratic society was greatly renewed," she said. "I began to see that Communist ideas, as related to the economy of our country were no longer valid."

She has said that one reason she joined the party was because of its opposition to

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fascism. She said Tuesday members of the unit to which she belonged were "considerably shaken" by the Hitler-Stalin pact of 1939.

The out-of-town witnesses who were on the stand virtually all afternoon were: Robert Schulman, narrator of the television program, "Suspect," and Christopher Spier, producer and director of the production filmed by KING-TV of Seattle shortly after last year's primary election in which Goldmark was defeated.

Bias Claimed

Defendants have claimed that the program was biased toward Goldmark although the film has been introduced in evidence in this trial.

A statement on the program by George Wilson, who at that time was Okanogan County Democratic chairman, has been denied by the four Democrats he named.

One of these, Joe Haussler, former county commissioner, took Goldmark's legislative seat. Harmon indicated that Haussler's statements on the show were run together and the questions in between answers were eliminated.

He read from a transcript which he said was made by Haussler's secretary (Miss Mary Louis) at the time of the television interview.

Spier said he kept watching the secretary and did not think she was taking notes during the interview.

"Would you question her word if she testified she did take notes?" Harmon asked.

"Yes, I think I would," Spier answered.

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Mrs. Goldmark Testifies Charges 'Hurt Severely'

By DICK LARSEN

OKANOGAN — Mrs. John Goldmark testified early Tuesday that she was "hurt severely" during the election campaign in which her former Communist party membership was discussed.

That statement came as Goldmark attorney William Dwyer this morning ended direct examination.

Then cross-examination of Mrs. Goldmark began. It brought a tense moment.

Defense attorney E. Glenn Harmon said: "I'm sorry that I am compelled by the necessity of this law to put into your past . . . and question your veracity and loyalty. You do understand that?"

Harmon apologized in advance "if at times I appear to be rude."

There was an objection from plaintiff's attorney Dwyer that Harmon's remarks were "argumentative."

Upset, Mrs. Goldmark said she interpreted Harmon's remarks as intimidating.

"I'm sorry to do so, Mrs. Goldmark," said Harmon.

Judge Theodore Turner ruled that Harmon's statement was proper.

Then Harmon began questioning Mrs. Goldmark about testimony she gave on direct examination Monday in the \$225,000 libel case the Goldmarks had brought against five defendants.

In her Monday testimony Mrs. Goldmark told about her attraction to communism in the de-

pression years, her differing views from communism and her departure from the party in 1933.

At one point there was a direct reference to an earlier segment of testimony in the case, a suggestion that the Goldmark's marriage had been a forced marriage directed by the Communists.

Attorney William Dwyer asked Mrs. Goldmark if theirs had been a forced marriage.

"Mr. Dwyer, I never heard of such a thing," exclaimed Mrs. Goldmark. "I don't know anything about that sort of thing. I loved John very much and he loved me and we were married . . ."

Mrs. Goldmark took the wit-

ness stand at mid-morning Monday.

This is how her testimony unfolded:

She said she was born April 30, 1907, in Brooklyn, the youngest of four daughters of Mr. and Mrs. Henry Ringe. She said her mother died when she was nine, her father died six years later.

Working in the New York City Library, she went through high school, then went to college at the University of Wisconsin. There she majored first in physical education, later English, finally in pre-medicine. She graduated in June, 1929.

"I hoped to go back the next year and continue my medical work, but I was unable to do so," she said.

Her first job was with an organization called the Cultural Relations Committee on Latin America.

She testified: "When I first got out of college it was in New York City. The early part of the depression had started. The unemployment problem in New York City was very severe . . . and I was very concerned about why this thing had happened . . . so many people were thrown out of work . . . people of all walks of life were thrown out of work . . . they had no homes and no work."

At that time, Mrs. Goldmark said, the Communist party was active and had a full slate of candidates on the ballot in 1932. She added: "And the Com-

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munists, of course, were telling everybody . . . that the Capitalist system was breaking down . . ."

Mrs. Goldmark said she joined a Communist workers' school in the winter of 1931. "It was a regular public school, I mean it was open to the public, it was advertised."

She said the class met one night a week for an hour.

The subject matter "Probably had to do with some Marxist theory about the depression," she said.

There was pressure on students at that school to join the Communist party, said Mrs. Goldmark, but she said she didn't join then.

She went to work for the New York Teachers Union in 1933.

"I know there were Communists in the Teachers Union. There were Socialists," she said.

She said a friend urged her to join the party but she didn't do so until 1935, when she moved to Washington, D.C.

Attorney Dwyer asked her why she joined.

Her reply: "I really felt the whole capitalistic system had broken down . . . and, of course, at that time it was just at the beginning of the war against Spain. . . it was also the beginning of the rise of Hitler, really the beginning of fascism and I was against fascism."

Mrs. Goldmark added that the Communists taught that major world powers were ex-

ploiting the colonies and the Negro was being exploited in the U.S.

"I was very upset about the way Negroes were being treated and I felt there had to be a way in which their wrongs could be righted and communism seemed to be the answer to me . . ."

Communists advocated state control of production and wages to cure the economic ills and, said Mrs. Goldmark, "I believed it at that time."

In 1935 she joined the party. The man most directly involved in enrolling her, she said, was Charles Kramer, later identified as a top echelon Communist.

Mrs. Goldmark testified: "He said that it would be a group of people similar to me who don't know much about communism who were going to be employed in and around Washington and we would have meetings. . . in people's houses once or twice a month and that we wouldn't be known as Communists to anyone else."

Mrs. Goldmark said she was then starting work for the W.P.A.

Kramer, she said, was "in federal government in some capacity . . . I think he was an economist. . ."

Mrs. Goldmark told about meetings, with five, six or seven persons attending. She described those persons as "musicians, artists, sculptors. These people were not trained in the field of economics." She said there was talk about current events, the Spanish War, fascism.

Kramer's chief assistant, Mrs. Goldmark testified, was Victor Perlo, also identified later as a top echelon Communist.

Dwyer asked Mrs. Goldmark how many meetings she attended. She said she was in the party eight years, until 1943. She said she thought there were 15 or 20 meetings a year and she "probably missed one third of them."

Dwyer asked what activity besides study and discussion she was involved in.

She replied: "Well, I remember once I was asked to draw up a pamphlet. . . on recreation and . . . It wasn't very

good and it was not ever used."

She testified she disagreed with some things about the party and there were arguments about communism.

Mrs. Goldmark was asked how much dues she paid to the party. "They were either five or 10 per cent of my salary, whatever my salary was."

She said she paid the dues to Kramer.

"Did you ever have access to classified security information of the United States?" asked Dwyer.

"No," she replied.

She added that she had never been asked to obtain any such data and there had been no talk about it.

Mrs. Goldmark recalled doubts building in her mind about communism: "It was a gradual change of my mind in the last few years before I left the Communist party."

One of her disagreements was with the Communist line that the end justifies the means. "I felt the means by which you do something would influence what the end result would be. . . I didn't like violence."

She testified she had never heard discussion about violence from communism to be used in the United States, but there was talk about violence in the revolution in Russia.

In 1941 she met John Goldmark, then on the legal staff of the office of price administration in Washington.

"I hate to say this, but I really fell in love at first sight," she said. "I came to respect him very highly as a person. . . I knew he was very critical of the Communist party and the things the Communist party stood for. . . I didn't argue with him, but I respected his judgement a good deal."

Dwyer asked: "Did you tell him anything about your affiliation with the Communist party?"

"Yes, we had been going together for several months. . . and John asked me to marry."

she said. She recalled saying "You don't want to marry me. I'm a member of the Communist party."

"The next day or next evening he said he thought about it a long time. He said he loved me and he wanted to marry me and he had great faith in me and this meant a great deal to me."

They were wed in December, 1952. It was Dec. 2 and yesterday was their 21st anniversary.

"Did you go to any meetings of the Communist party after you were married?" asked Dwyer.

She replied she went to some meetings in the summer of 1953. "I went to far fewer meetings, but I still paid dues. . . and finally I told Mr. Kramer I wasn't going to them. . . to any more meetings."

She said she saw Kramer after that, but had no more relationship with the party. . . "I felt that the whole program of the Communist party, so far as total ownership of the means of production . . . was no longer valid."

Mrs. Goldmark said she also became opposed to the secrecy principle of communism.

"I came to believe. . . it is totally unwise for people to join secret groups in politics. . . (politics) should be discussed openly and freely by all sides. . . I think the whole secrecy method is the wrong method in a democratic society."

She recalled that when her husband returned from overseas after the war they moved west.

In the spring of 1949, she said, she was questioned at the Goldmark ranch by the FBI.

"They asked me if I knew Mr. Alger Hiss or Mrs. Hiss. . . I had not."

She said she later had other sessions with the FBI and in 1956 testified before the House Committee on Un-American activities in Seattle.

A transcript of her testimony at that time was read to the jury Monday.

In that testimony she told of Kramer and Perlo and gave names of other party members she could recall.

Dwyer asked: "Did you know Mr. Kramer or Mr. Perlo had been accused of committing espionage?"

"Yes," replied Mrs. Goldmark. "It was during the 1950s."

"Do you know who they did

after you left the Communist party?" asked Dwyer.

"No, I have no idea," she said.

Mrs. Goldmark testified that for several years after moving onto the ranch in Okanogan County she was too busy to be in any social or community activities. Eventually, she said, she helped form a 4-H Club, worked on the county fair board, became active in the grange and P-TA.

She recalled playing a tape recording for the grange in about 1958 or 59, which described how Communists had brainwashed captives in the Korean War.

Reflecting on her Communist party membership, Mrs. Goldmark said: "It naturally was very painful to me."

She said she did not tell her sons about it until the issue arose in the 1952 campaign.

She said she told her older son, Chuck, about her one-time party membership when he was home from college during spring vacation that year.

"I was most concerned about Pete (the youngest son) he was still in high school. . . I knew he was being hurt in school."

She said she did tell Pete about her former membership.

Also during the campaign, she added, she and her husband talked about whether or not she should go on the radio and write in the press, publicly talking about her onetime membership.

She said her husband concluded "He didn't want to go through this agony. . . he didn't think it was necessary."

She said a factor in that decision was her conferences with the FBI and the house committee at which, she said, she had made the disclosures she thought were proper.

Dwyer asked if the Communists had approached her or her husband or sought to pressure them in any way. "No, never," she replied.

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Judge Calls For Arguments On Goldmark Case Motions

OKANOGAN, Dec. 9.—(AP) — Attorneys for Mr. and Mrs. John Goldmark rested their case today in their \$225,000 libel suit against four individuals and a weekly newspaper.

On orders from Judge Theodore Turner, the defense began its case immediately and presented the expected motions for dismissal at the end of the day.

JUDGE TURNER, who asked both sides to prepare written arguments overnight, said he would have to study the motions and did not know when he would rule on them.

The Goldmarks contended in their suit that certain oral and public remarks made during the 1962 primary election campaign were libelous. Goldmark, seeking re-election to the legislature, was defeated.

IN HIS FINAL day of testimony today, Goldmark was asked what impact the alleged libel had on him during the election campaign.

"It was a very painful process," he answered.

Then Goldmark was asked if he didn't think the voting public had a right to know that his wife had been a member of the Communist Party from 1935 to 1943.

Goldmark said he felt that the information which had been given to the Federal Bureau of Investigation and other government agencies was an adequate and proper revelation of Mrs. Goldmark's one-time party membership.

ASKED IF his opponents had a right to bring out Mrs. Goldmark's one-time Communist Party membership during the campaign, Goldmark replied:

"They did have a right to bring it out, but they did not have a right to say falsely that she had been a traitor or that I had been under Communist influence."

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SEATTLE POST
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Mrs. Goldmark Never Showed Red Leanings, Son Testifies

OKANOGAN, Nov. 27. — (A. P.)—The 19 - year-old son of John and Sally Goldmark has told jurors in the Goldmarks' \$225,000 libel suit that he did not know until last year that his mother had been a Communist.

Charles Goldmark testified yesterday she told him in the spring of 1962 of her 1935-43 membership in the Communist Party. He said the revelation astonished him because such an affiliation seemed "very inconsistent with everything she had said."

CHARLES GOLDMARK said he has never heard pro-Communist views expressed in his home.

Mrs. Goldmark's sister, Mrs. Edna Ringe Larchar, wife of a General Motors field representative in New York City, testified yesterday that she first met Goldmark after he aided her family. She said she did not know her sister had been a Communist until after Mrs. Goldmark left the party. ~~Peter W.~~ Asher, Brooklyn,

who served with Goldmark in the Philippines during the Second World War, told of Goldmark's service as a volunteer member of a Navy explosives-investigations unit.

ANOTHER witness was John Pemberton of New York, executive director of the American Civil Liberties Union. Defendants have described the organization as a Communist front.

Pemberton said the A. C. L. U. seeks to preserve individual rights as guaranteed by the Bill of Rights and has no affiliation with the Communist Party.

Another witness was Ray Moore of Seattle, former King County Republican Central Committee chairman and a former Republican state committeeman.

He testified he is a member of the American Civil Liberties Union. Asked why he had joined, he said he had admired the A. C. L. U. stand on numerous cases involving civil liberties.

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Okanogan County 'Anti-Reds' Criticized by Mrs. Goldmark

OKANOGAN, Dec. 5.—(A. P.) — Mrs. John Goldmark testified today that she is dedicated to keeping her country safe and free, and that she does not feel the "anti-Communist fight" in Okanogan County is doing that.

The testimony came under cross-examination in the \$225,000 libel suit she and her husband have filed against four men and a weekly newspaper.

A defense attorney, E. Glenn Harmon, Spokane, asked her a number of questions aimed at indicating she opposed anti-Communist efforts in Okanogan County.

Harmon asked if she had contacted anyone in the United States Forest Service to complain about the columns one of the defendants, Don Caron, had written. Caron left the Forest Service

amid controversy over his columns in 1962. He now is state coordinator for the John Birch Society.

Mrs. Goldmark said she had telephoned Caron's superior in the Okanogan National Forest headquarters and had said it was inappropriate for a federal employe to be writing such columns.

HARMON ASKED her about her opposition to showing of the film "Operation Abolition."

Mrs. Goldmark said she was not opposed to the showing of the film, but felt that the film was not fair and the other side should be given when it was shown.

She said the film suggested that persons opposing the operations of the House Un-American Activities Committee were Communists or

Communist dupes, and added she did not feel this to be the case.

Earlier, Mrs. Goldmark was asked if Alger Hiss had visited the house she shared with another young woman in 1936.

"I don't remember the occasion at all," she replied.

Mrs. Goldmark, an acknowledged member of the Communist Party from 1935 to 1943, testified she doesn't think the party membership "influenced me in my relationships with people, or what I have done."

MRS. GOLDMARK said she does not believe the party membership was pertinent to her husband's political activity.

"My position was that I regretted the whole thing, that I had told all I knew to the F. B. I.," she testified.

"I was happy to do it and

I felt they were the people who knew best how to handle this type of information . . . I had left the Communist Party. I had nothing more to do with it."

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Mrs. Goldmark Says She Rid Herself All The Way On Reds

OKANOGAN, Dec. 4.—(AP)—Mrs. John Goldmark testified today she does not believe her former membership in the Communist Party influenced her "in my relationships with people" or her other activities.

Under severe cross-examination by defense attorney E. Glenn Harmon in her third straight day on the witness stand, Mrs. Goldmark agreed with Harmon that people in her husband's legislative district "may have had a right to know" of her one-time party affiliation.

HARMON, representing four individual defendants and a newspaper sued by the Goldmarks, pressed the question whether she did not think persons in the district had the right to such knowledge. The Goldmarks contend they were libeled by statements in the 1962 primary election campaign in which Goldmark lost out in his bid for re-election.

"My position was that I regretted the whole thing, that I had told all I had known to the Federal Bureau of Investigation," Mrs. Goldmark testified.

"I was happy to do it and I felt they were the people who knew best how to handle this type of information . . . I had left the Communist Party. I had nothing more to do with it . . ."

HARMON persisted with his question, and she answered:

"I think they may have had the right to know but it would have caused me a great deal of agony, and for my family . . ."

She said she did not believe the party membership was a pertinent matter.

Harmon asked if she had ever employed or recommended for employment any communist while she worked for the Works Progress Administration. She said no.

"Were you ever urged to do so by Mr. Kramer, Mr. Perlo or any member of the cell?" Harmon asked.

SHE AGAIN replied no. She had testified earlier that Charles Kramer and Victor Perlo, whom she identified as high echelon communists, had been in the same cell with her.

Harmon asked about visitors to a house she shared with another young woman in Akokeek, Md., in 1936. To the question whether Alger Hiss, former government official and convicted perjurer, visited the house, Mrs. Goldmark replied:

"I don't remember the occasion at all."

She has also been asked previously during the trial if she ever met Hiss and she has testified she did not.

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Public Life Wrecked, Says Goldmark

OKANOGAN, Dec. 6. — (A. P.)—Former State Representative John Goldmark testified today his future in public life had been demolished by what he called the libelous campaign against him in 1962.

Goldmark and his wife, Sally, are suing four men and the Tonasket weekly newspaper for \$225,000, charging they were damaged by statements made in the 1962 campaign.

GOLDMARK'S attorney, R. E. Mansfield asked Goldmark to describe the effect of the libel.

"My hopes, my interests and my training have led me all my life toward public service," Goldmark said. "These libels have damaged my reputation for that field . . . because they have cast suspicion on my loyalty."

Goldmark said he had never been under any Communist Party influence, never belonged to a Communist front, and never had been used as a tool of "the monstrous conspiracy of Communists."

He added that for two weeks when he was 17, he read some books that portrayed Communism "as a beautiful solution to the world's problems," but that he abandoned the idea immediately.

"Were you sent to the Okanogan country by the Communists to run for the Legislature," Mansfield asked.

"Certainly not," Goldmark replied.

EARLIER, Goldmark testified he and his wife agreed by correspondence during the Second World War that they would move west and take up farming when the war ended.

Goldmark failed to achieve nomination for a fourth term as state representative. During the Democratic primary it was revealed — and acknowledged by Mrs. Goldmark — that Goldmark's wife was a member of the Communist Party from 1935 to 1943.

Goldmark testified he was born at Scarsdale, N. Y., 46 years ago, a nephew of Louis Brandeis, former justice of the Supreme Court.

He recalled attending Haverford College, a Quaker institution near Philadelphia, and eventually graduating from Harvard Law School.

Goldmark said he worked as an attorney in the Office of Price Administration at Washington, where he met Mrs. Goldmark, then Irma (Sally) Ringe, in 1942.

He testified he served as a Navy ensign specializing in bomb disposal in the South Pacific during the World War.

TOWARD THE END of her cross-examination, Mrs. Goldmark was asked by E. Glenn Harmon, Spokane attorney for the defense, if the Communist Party taught there is nothing wrong with free love.

"We had no discussions on this whatsoever," Mrs. Goldmark said.

Defendants are Ashley Holden, Tonasket; his newspaper, The Tonasket Tribune; Loris Gillespie and Don Caron, both of Okanogan; and Al Canwell, former Republican state legislator from Spokane.

Caron is the state organizer for the John Birch Society.

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Goldmark Takes Stand, Tells Of Life Before Moving West

OKANOGAN, Dec. 5.—(AP)—Former State Rep. John Goldmark took the stand today in his \$225,000 libel suit and outlined some of the events in his life prior to moving to this North Central Washington community.

GOLDMARK testified he was the nephew of one-time U.S. Supreme Court Justice Louis Brandeis. He said he was born in Scarsdale, N.Y., 46 years ago and had attended Haverford College, a Quaker institution near Philadelphia.

After graduation from Harvard Law School, Goldmark said he went to Washington, D.C., and worked as an attorney for the Office of Price Administration. He met his future wife in 1942, Goldmark said.

GOLDMARK then told of

entering the Navy as an ensign, of teaching bomb disposal techniques and eventually becoming a bomb disposal officer who participated in the Allied invasion of the Philippines. He did not go into detail concerning his military service.

During the war, Goldmark said, he and his wife had agreed in letter exchanges that they would move West when he returned and take up farming.

GOLDMARK said at the end of the war he returned to Washington, D.C., where his wife was living. Court recessed for the day before Goldmark was questioned further about his move West.

Goldmark and his wife, Sally, have sued four individuals and a weekly newspaper as an outgrowth of statements made during the 1962 Demo-

cratic primary campaign which Goldmark lost.

Cross examination of Mrs. Goldmark, a witness for four days, was completed before her husband took the stand.

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Rightist Activity Hit by Goldmark

OKANOGAN, Dec. 7. — (A. P.) — Former State Republican John Goldmark says he believes the nation-wide rightist activities back in the early 1950s were revived to help defeat him in the 1962 primary election campaign.

He also termed the movie film, "Operation Abolition," and the film strip, "Communi-

nism on The Map," as unfair presentations.

THE TRIAL of the Goldmarks' \$225,000 libel suit against four individuals and a newspaper was in recess today after Goldmark was on the witness stand all day yesterday. He was called in mid-afternoon Thursday. He will undergo more cross-examination Monday and as the plaintiff's 50th witness is expected to wind up the prosecution's case in the trial which began November 4.

Under cross-examination by E. Glenn Harmon, defense attorney, Goldmark blamed his primary election defeat on "right wing activities." He and his wife have charged that they were libeled by statements and published matter in the campaign.

Goldmark said he had seen such movements develop in North Central Washington.

"When I saw this, I recognized it as a revival of the attempt to discredit everybody you disagree with, by calling them Communists," he testified.

GOLDMARK SAID he had seen "Communism on The Map" and read about "Operation Abolition." He described the former as a film strip which portrays a take-over by communism of many nations of the world and suggests that whenever Communists want they can take over England, France, Italy, all of South America and many other nations.

"I feel the film was a political weapon of certain groups," Goldmark testified. "It was their right to attempt to show it, and show it where they could . . ."

"But there should be an effort to get to the audience some of the factual inaccuracies."

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Not Up On Communist Line, Says Goldmark

OKANOGAN, Dec. 9. — (A. P.) — John Goldmark returned to the witness stand today as cross-examination continued in his \$225,000 libel suit against four individuals and a Tonasket weekly newspaper.

E. Glenn Harmon, Jefense attorney, probing Goldmark's attitude toward Communism and politics, asked:

"What have you done to keep track of what the Communists are doing in the state since you have been here?"

"Very little," answered Goldmark.

He added, "I don't know what the Communist Party line is in domestic affairs in the State of Washington."

Goldmark said he has supported his country by supporting debate of public issues under the two-party system "without hatred and suspicion."

Harmon asked Goldmark about statements attributed to him in a speech at a Grange meeting before the 1962 election — in which Goldmark lost his seat in the State House of Representatives.

Harmon asked if Goldmark had taken a stand against a state law outlawing the Communist Party in the state.

Goldmark said he had not taken such a stand. He said he pointed out in the Grange speech that such a law probably would be unconstitutional because the area of law appeared to be a federal concern.

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Mrs. Goldmark's Actions, Ideas Probed

By JACK E. FISCHER
Spokesman-Review Staff Writer

OKANOGAN, Wash.—Defense attorneys in the Goldmark \$225,000 libel and conspiracy trial spent the entire day Wednesday probing past and present thoughts and actions of Mrs. John Goldmark.

Testimony ranged from philosophical discussions of communism to bird watching, and familiar names such as Alger Hiss frequently were mentioned.

At one time, Mrs. Goldmark said she does not believe the causes in which communism finds its roots still exist in this nation. She listed these causes as poverty, ignorance, fear, authoritarian rule, lack of freedom, suppression of individual beliefs and suppression of individual race or religion.

In his opening statement a month ago, E. Glenn Harmon claimed Mrs. Goldmark had not cooperated fully with the House Committee on Un-American Activities or the Federal Bureau of Investigation in revealing her past connections with the Communist party.

He named names Wednesday of people identified with the Communist party by Mrs. Goldmark in a deposition taken prior to this trial which she had not given to the House Committee on Un-American Activities.

Concern for Others
"I was very anxious that these people were not harassed and intimidated as I have been," Mrs. Goldmark said. "I was anxious not to have them hurt by my actions. I am not willing to have mass communications publicize anything about people who no longer have anything to do with me."

(At the request of the plaintiff's attorneys Judge Theodore S. Turner Monday asked reporters if they would refrain from publishing the names of some persons who might be identified in testimony as one-time Communists. The Spokesman-Review did not agree to the request in so far as it might pertain to persons known locally, possibly future witnesses or others of news significance, and on

Wednesday declined to be bound by any portion of the request.)

"You named Mrs. Gerald Graze in your deposition, but not to the House Committee on Un-American Activities," Harmon said. "I want to know why."

"I was not certain if she was a member of the Communist party," Mrs. Goldmark replied. Mrs. Goldmark testified that Graze was a member of her Communist unit and that they met several times at his home in Washington, D.C. She said Mrs. Graze attended at least a few of those meetings which were held at her home.

Did Not Take Oath

The witness, an admitted ex-Communist, said she did not take an oath of allegiance to the Communist party when she joined.

"What was said to you when you joined? Harmon asked.

"Nothing."

"Didn't Mr. (Charles) Kramer even congratulate you?"

"I don't remember."

"Weren't you supposed to infiltrate the United States Government?"

"No."

"Isn't it a fact that then and today the Communists try to place people in the federal government?"

"Yes."

Mrs. Goldmark previously testified that she belonged to a Communist unit which also included in its membership Kramer and Victor Perlo, both later identified as top echelon Communists.

No Personal Knowledge

"You knew they were engaged in espionage, didn't you?" Harmon asked.

"I do not know that," Mrs. Goldmark answered. "They have been accused."

"You do not believe it?"

"I have no personal knowledge. I didn't ask for personal knowledge."

"Did not the FBI tell you?"

"No, they did not."

"Did they not tell you both pleaded the Fifth Amendment?"

"No, they did not."

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"You have no knowledge whether there was espionage activity during the eight years you were in the party?"

"I never saw any evidence."

She did admit that her unit (which she referred to as a group but which Harmon called a cell) was secret and that if anyone had asked her if she were a Communist, she probably would have lied.

Several questions were asked regarding the political campaign last year from which this lawsuit stemmed. It was during that

campaign when it became known Mrs. Goldmark formerly had belonged to the Communist party.

"Don't you feel something like that was a matter about which the people had a right to know?" Harmon asked.

"I think they may have a right to know," Mrs. Goldmark said, "but it would have caused me a great deal of agony and hurt my family, so I said nothing about it."

The attorney then began asking numerous questions concerning the house at Akokeek, Md., in which Mrs. Goldmark lived before her marriage in 1942. He asked whether numerous people ever visited there, including such names as Harry Hopkins, Alger Hiss, and John Apt.

Mrs. Goldmark denied that any of those had ever visited her home.

Mrs. Goldmark spent virtual-

ly the entire day on the stand, with the exception of a brief period in the morning when the plaintiffs recalled defendant Don Caron. Cross-examination of Mrs. Goldmark is expected to continue today.

Defendants in the case are Albert F. Canwell of Spokane, Ashley E. Holden, publisher of the Tonasket Tribune; Loris A. Gillespie, Okanogan oratorist, and Caron, state coordinator of the John Birch Society.

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Plaintiff Criticizes Anti-Red Tactics

By JACK E. FISCHER
Spokesman-Review Staff Writer

OKANOGAN, Wash.—Mrs. John Goldmark testified in Superior Court Thursday she does not think anti-Communist activities as conducted in Okanogan County are helping to keep the nation safe and free.

The testimony came during Mrs. Goldmark's fourth day on the witness stand in the \$225,000 libel and conspiracy lawsuit, brought by Mr. and Mrs. Goldmark against five defendants.

There has been an unusually large amount of anti-Communist activity in the Okanogan area, both of the Freedom Fighter and the John Birch Society type.

Mrs. Goldmark, an admitted ex-Communist, told the court she telephoned defendant Don Caron's superior when he was employed by the U.S. Forest Service and also was writing anti-Communist articles.

Caron eventually resigned from his job and now is state coordinator for the Birch Society.

Hatch Act Mentioned

"I told his superior I thought it was inappropriate for a federal employe to be writing such articles," Mrs. Goldmark said, adding that she raised a question of the Hatch Act.

The Hatch Act prohibits federal employes from participating actively in partisan political campaigns.

"Did you consider his anti-Communist activities political?" asked defense attorney E. Glenn Harmon.

"Yes," Mrs. Goldmark replied.

Mrs. Goldmark's interrogation finally was completed and an hour before the court adjourned for the day her husband, expected to be the plaintiff's last witness, took the stand. As it has in the past, questioning Thursday covered many areas, including religion, Communist philosophy, marriage and sex.

Not Taught That

"When you were a member of the Communist party you were taught that religion is the opiate of the people, were you not?" Harmon asked.

"It was discussed. I wasn't taught that," Mrs. Goldmark answered.

"It was the Communist party line?"

"Yes."

"You also discussed in your cell the Communist position regarding marriage?"

"No. We were taught the Soviet Union's policy."

"What was that?"

"It was much easier to obtain a divorce than we know it."

"Wasn't the Communist party seeking here the same as in Russia?"

"Not to my knowledge."

"Was it not the position of the Communists that there was nothing wrong with free love?"

"I have no such knowledge. We had no discussion of this nature."

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MRS. SALLY GOLDMARK

Character: SM - C

or

Classification: 100-21585

Submitting Office: Seattle

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100-21585-254

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"Did the Communist party have a position of approval or disapproval of such activities as mixed nude swimming parties?"

At this point plaintiff's attorney William Dwyer objected and was sustained by Judge Theodore S. Turner. Dwyer, however, changed his mind and said he would like the witness to answer this one question.

"I have no knowledge of any position regarding anything like that at all," Mrs. Goldmark said.

Mrs. Goldmark also testified that her husband lived in a house she shared with another woman at Anokreek, Md., before their marriage. She said he was ill and she helped take care of him.

"What was his illness?" Harmon asked.

"Well, I hate to admit this, but a doctor gave him a diagnosis of a heart condition."

Wanted Both Sides

Harmon then questioned her at length over her purported opposition to two anti-Communist films, "Operation Abolition" and "Communism on the Map."

She said she did not oppose the showing of the films if a speaker was permitted to pre-



**MRS. GOLDMARK
Still on Stand**

sent the other side. She said she felt both films had many inconsistencies and inaccuracies and stirred up emotion and distrust.

The defense attorney then went back to the period of 1935-1943 when Mrs. Goldmark had acknowledged she was a member of the Communist party.

"When you were in the Communist party, Communists were

interested in controlling men's lives, were they not?" he asked.

"Yes, they were interested in propaganda," Mrs. Goldmark replied.

"To control people's minds?" "I would say to persuade them."

"Didn't they maintain a division called Agit-Prop, which is short for agitation and propaganda?"

"I've heard of it."

"Isn't it a fact that the man known as Charles Kramer (who was in the same Communist unit with Mrs. Goldmark) and has been identified as a Soviet espionage agent) was a Russian named Krevitsky?"

"I didn't know about it at the time, but learned so subsequently."

Harmon then asked if J. Peter was not the head of the Com-

munist underground and lectured to the Kramer-Perlo Communist cell as often as one or two times a month.

"I never met the man," Mrs. Goldmark replied. "I never saw him."

Later, she was asked by Dwyer, "Do you believe you did anything wrong while you were a member of the Communist party?"

"The thing I did wrong," she answered, "was to join. I don't think I did anything wrong while I was a member, but the total thing was wrong."

The lawsuit was filed after a bitter conservative vs. liberal campaign last year in which Goldmark was defeated in his bid for re-election to the state legislature.

It was during the campaign

that knowledge of Mrs. Goldmark's former membership in the Communist party was revealed.

"Is your complaint that the defendants revealed the fact you formerly were a Communist?" Dwyer asked.

"No. My complaint is that this was mixed up with a lot of lies and innuendoes," Mrs. Goldmark said.

In his opening statement a month ago, Harmon told the jury, "We will introduce evidence to convince you that John and Sally Goldmark are, in fact, today under Communist discipline."

The plaintiffs are expected to end their case early next week. Arguments on usual motions probably will last a full day before the defense opens its case.

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Defense Moves for Dismissal As Goldmarks Rest Case

OKANOGAN, Dec. 10. — (A.P.)—Defense motions for dismissal of a conspiracy charge and two of the five defendants have been made following the conclusion of the month-long plaintiffs' case in John and Sally Goldmark's \$225,000 libel suit.

On orders of Judge Theodore Tuner, defense attorneys began their case before orally presenting their dismissal motions yesterday afternoon.

The plaintiffs' case was rested early in the afternoon at the end of cross-examination of Goldmark, the 50th witness.

The defense presented three witnesses — Loris Gillespie, one of the defendants, Gillespie's wife and Russell Will, Okanogan County sheriff—before the judge called for oral presentation of the motions.

The defense seeks dismissal as defendants of Gillespie and Don Caron, state organizer for the John Birch Society. It also asks dismissal of the charge that the five defendants joined "in a plan and course of action designed to defame and injure the plaintiffs." If the motion is successful the remaining defendants would be respon-

sible individually for the eight charges of libel and slander instead of jointly sharing responsibility.

Mrs. Gillespie had just taken the stand when the judge halted testimony for the night. She testified Bob Schulman and others from KING-TV, Seattle television station, spent at least 2½ hours in her house last year while filming the documentary "Suspect." She said her husband's appearance in the edited film lasted just a few minutes.

The defense has tried to show that the film, which dealt with the primary campaign last year when Goldmark failed to get nomination for a fourth term as Democrat state representative, was slanted.

Gillespie was asked about a remark he reportedly made last year about a Communist "forced marriage" program. A Goldmark witness said Gillespie implied the Communist Party might have forced the Goldmarks to marry.

Gillespie said he recalled saying:

"Here is a personable young man, and Mrs. Goldmark is somewhat older and not particularly attractive . . . and I just don't know,

but I have no information on Mr. Goldmark ever having been a Communist, but I know she was at one time."

In final cross-examination, Goldmark said last year's primary was "a very painful process" because of libelous publications and statements he contends were made about his family.

Goldmark was asked if he didn't think the voters had a right to know that Mrs. Goldmark had once been a member of the Communist Party. He said he believed an adequate and proper revelation of her one-time membership occurred when she gave information to the Federal Bureau of Investigation and other government agencies.

"They (the defendants) did have a right to bring it out," Goldmark said. "But they did not have a right to say falsely that she had been a traitor or that I had been under Communist influence."

(Indicate page, name of newspaper, city and state.)

SEATTLE TIMES

DEC 10 1963

PAGE 2 COL 1

Date:
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Author:
Editor:
Title:
MRS. SALLY GOLDMARK

Character: **SM - C**
or
Classification: **100-21585**
Submitting Office:

Being Investigated

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Mrs. Goldmark Asked About Party Members

By DICK BENSEN
OKANOGAN — Mrs. John Goldmark was being questioned extensively in Superior Court here today about her membership in the Communist party from 1935 to 1943.

Defense attorney E. Glenn Harmon asked her about people who were in the party with her, and at one point asked if she knew of any espionage being conducted.

Harmon asked: "So far as you're concerned you have no knowledge of whether there was or was not espionage activity carried on in that cell during that period of time?"

Mrs. Goldmark replied: "No, I have no such knowledge."

Harmon asked her if it wasn't true that the Communist party at that time was aimed at overthrowing the United States government.

She answered: "It was a general advocacy of the Communist party but it had no direct application or immediacy. It was a remote tenet . . . and I didn't go along with it."

She explained that she had joined the party out of concern over the nation's depression and other concerns.

She testified: ". . . I thought I was being a big help. I was mistaken."

This concluded testimony up to noon.

Earlier this morning Mrs. Goldmark told about person

she knew while she was in the party.

At the request of Judge Theodore Turner newsmen covering the trial have agreed not to publish the names of persons she mentions, except those who have already been identified as Communists in the news or in any other public way.

Two examples are Victor Perlo and Charles Kramer. Both have been identified as top echelon Communists.

Newsmen qualified their agreement by saying they would run any names that appeared to have local interest. Judge Turner said the request came from the Goldmark side in order that Mrs. Goldmark might testify freely about her former party associates and not embarrass them.

Asked why she was apparently reluctant to name names of former party associates, Mrs. Goldmark said that she did not want to cause embarrassment to any of those persons.

She said she feared they "would be harassed, intimidated and cruelly torn apart in their lives and those of their families as I have been."

She said she was going to tell all about herself but she did not want to harm others who may have quit the Communist party.

Harmon asked Mrs. Goldmark if Perlo and Kramer were in her party unit all the time she was in it.

"To the best of my recollection he was," Mrs. Goldmark said when asked about each one.

The names of two women she knew as Communists turned up in testimony earlier in the trial and again today. Mrs. Goldmark said one of them still lives in the East. She said she doesn't know what happened to the other one, after Mrs. Goldmark left the party.

Don Caron, John Birch Society coordinator, was on the witness stand Wednesday morning. He was asked a few questions about the Okanogan County Anti-Communist League, the showing of the film, "Communism on the Map," and distribution of some printed material.

Caron was to be recalled to the stand later in the week but because he had to leave town, both sides agreed that he could be returned to the stand this morning for that brief testimony.

Tuesday testimony covered a broad field ranging from Communist philosophy to production of a TV show, to a suggestion about Communist propaganda in folk songs.

Mrs. Goldmark was on the stand most of the day, being cross-examined by Defense Attorney E. Glenn Harmon.

But there was an interruption in that testimony in the afternoon when two out-of-town witnesses were called. They were from KING-TV, Seattle, producers of a documentary film which dealt with the 1962 election.

That election produced some campaign charges which form the basis for the Goldmarks' \$225,000 libel suit.

They contend they were libeled by the use of Mrs. Goldmark's former Communist party membership and suggestions they are both Communists or Communist sympathizers.

Asking questions slowly and deliberately, Harmon sought out Mrs. Goldmark's views on communism and the Communist threat, as she saw it, when she was in the party, when she left it and now.

"Do you at this time know and recognize the Communist party line?" asked Harmon.

No, said Mrs. Goldmark. She added later "I haven't kept up

(Indicate page, name of newspaper, city and state.)

1 The Wenatchee Daily World
Wenatchee, Wash.

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with Communist party thinking.

Harmon asked if it wasn't true that communism was dedicated to world conquest when Mrs. Goldmark was in the party and communism is still dedicated to that aim.

"At the time I was a member of the Communist party I didn't believe the Soviet Union to be an imperialistic power which it has since turned out to be."

Harmon asked Mrs. Goldmark to explain "Dialectical Materialism."

"I'm not sure. I never understood it . . . I couldn't explain it to anyone."

Harmon asked more questions about that, suggesting it is a Communist principle involving alternating "hard" policy and "soft" policy to cause confusion about the Communists' aims.

Harmon asked: . . . "Don't you know definitely that the idea that Russia has given up its (goal) of domination is only a good example of change . . . dictated by dialectic materialism?"

"No, I don't know, Mr. Harmon."

Harmon asked if Mrs. Goldmark thinks communism has given up its determination to conquer and communize the United States.

"I believe that Russia is our enemy in this regard," Mrs. Goldmark replied.

"Do you really believe that Russia and the Communists have given up their determination to conquer and communize the United States?"

Mrs. Goldmark replied: "No, I do not."

Harmon: "Do you believe that peaceful co-existence is the solution to the world problems now?"

Mrs. Goldmark: "I have no general theories on this question, or simple solutions or general solutions . . . I really don't have any theory on this question and I'm frank to say I would hesitate to state it."

Harmon asked if she thought communism was an internal menace to the U.S. in 1953 when Mrs. Goldmark was last in the Communist party.

Mrs. Goldmark: "I don't know if I really thought about the problem in that way because we were involved in a war with the Soviet Union as an ally . . ."

Harmon asked about her reasons for leaving the party.

She said ". . . I began to see the capitalist society had a great many advantages . . . my faith in it as a democratic society was greatly renewed . . . I had no use for the general ideas of communism . . ."

She added that the improvement of the nation's economy since the depression was a factor in that decision.

She also said her husband's opposition to communism influenced her.

"At the present time . . . do you believe that communism represents an internal menace to the United States?" asked Harmon.

Mrs. Goldmark: "I think we face a threat from communism externally. I believe that the United States faces a much less threat of communism than it did prior to World War II. I think our government is stronger now . . . than it was . . . there is one (an internal threat), it is far less than it used to be."

Harmon repeated his question about an internal menace and asked for a yes or no answer.

"Do you or don't you believe that it is a serious internal threat to the United States?"

"No. The answer would be no."

Late in the day as Mrs. Goldmark was talking about her work in the WPA, the subject got around to a government project of collecting folk songs.

"The Communist party was interested in folk songs, was it not?" asked Harmon.

Mrs. Goldmark said she knew that some of the people involved in that folk song project were Communists.

But Harmon asked: "Isn't it a fact that some of the folk songs were of the woes . . . of the working man and blaming some of their woes on the boss and the factory owner?"

Mrs. Goldmark: "They were not made - up songs. They were songs already being sung." She testified they were stored in The Library of Congress.

Testifying on the film "Suspect" were Robert Schulman and Christopher Spier, both of KING-TV.

That documentary film had been shown to the jury early in the trial. The defense, contending it is a biased show, had asked that the men who produced it be brought to court for trial questioning. Goldmark's attorneys agreed.

The show dealt with the 1962 primary campaign in which Goldmark was defeated. It was made soon after the election, said Schulman.

It had in it several interviews with Okanogan County residents, including Loris Gillespie and Ashley Holden, both defendants in the lawsuit, plus Rep. Joe Haussler, who defeated Goldmark, and George Wilson, 1962 Democratic chairman for the county.

On cross - examination Harmon asked Schulman if he were a member of the American Civil Liberties Union. Schulman said he was. Spier subsequently testified that he (Spier) is not.

Harmon asked Schulman what research he had done on the information presented in the show.

Schulman said he checked with Goldmark's Naval Reserve Commanding Officers on Goldmark's security clearance, contacted the office of the U.S. Attorney General to learn that the ACLU is not classified as a Communist front organization, checked with the FBI office in Seattle and made other checks of the statements involved in the campaign.

Harmon focused particularly on one phase of that show; A statement on the film by Wilson that Joe Haussler, Jack Abrams, Sheriff Russell Will and Attorney Bill Kohls - all Democrats - had approached him before the election and claimed to have "indisputable evidence" that John Goldmark was a Communist.

"The four gentlemen named here all vehemently deny making that statement," observed Harmon.

Harmon also said that Haussler, when being interviewed for the show stated: "I have no reason to believe that John and Sally Goldmark were dis-

BACKGROUND—In this old-fashioned courtroom case at Okanogan, a legal battle drawing national attention continues. Mr. and Mrs. John Goldmark are suing five defendants for \$225,000, charging they were libeled last year in con-

nection with an election campaign. County officials report a drain on county funds due to costs of a court reporter and wages and mileage for the jury.—Daily World Photo.

...val to their country." The essence of Harmon's questioning was: Why wasn't a check made on the accuracy of Wilson's statement?

Schulman said he was unable to contact Will and Kohls.

He added it was a documentary film. "A good, fair documentary presenting both sides of an issue." He added that if he returned to Haussler to have him comment on Wilson's statement, he would then have to return to Wilson to comment on Haussler's statement, and on indefinitely.

(Sheriff Russell Will has denied making the statement attributed to him by Wilson in the film).

Harmon had some notes which Secretary Mary Louis took while Haussler was being interviewed for the show. Spier testified he didn't think that any transcript was being made of that interview of Haussler by the KING-TV crew.

Harmon asked if Miss Louis were to testify that she had taken notes, could Spier dispute that testimony?

Spier replied: "Yes, I think I would."

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Wenatchee Daily World Mrs. Goldmark Trial

By DON LARSEN

OKANOGAN — Free love and nude swimming parties came in for mention as cross-questioning of Mrs. John Goldmark continued today in the \$225,000 libel case and her husband have brought against five defendants.

Wednesday the name of Alger Hiss, convicted perjurer, popped up. Defense attorney E. Glenn Harmon this morning questioned Mrs. Goldmark about some of her activities in relation to anti-Communist activity in Okanogan County.

He asked her about the film "Operation Abolition." He asked if she opposed it.

She said she was not opposed to the showing of it but she said it should have had some explanation in a spirit of fairness. She claimed that the movie lacked opponents to the House Committee on Un-American Activities "as Communists or Communist dupes."

She said that was not the case of all who opposed the committee operations.

She was also asked about her role in the opposition to the

anti-Communist writings of Defendant Don Caron in 1965.

Controversy occurred on Caron's writings about communism in the Okanogan Independent. He subsequently left his forest service job and is now state coordinator for the John Birch Society.

Mrs. Goldmark said that in 1961 she did telephone Paul Taylor, Caron's superior in the forest service. She said she raised a question about whether it was proper for a federal employee to be writing as Caron was.

Harmon asked Mrs. Gold-

mark: "Did you consider Mr. Caron's activities . . . as political activities?"

She said yes.

She said her telephone conversation with Taylor was only a brief one.

Earlier this morning the questions and answers got into a delicate subject when Harmon asked about Communist attitude toward free love.

He wondered if that was discussed at Mrs. Goldmark's party group.

She replied: "We had no discussion on this whatsoever."

Harmon also asked: "Did the Communist party have any position of approval or disapproval of such things as nude swimming parties, mixed?"

"I have no knowledge of any position with regard to anything like this, Mr. Harmon," Mrs. Goldmark said, coldly.

At 11:45 a.m. today Harmon completed his cross-examination. Then Goldmark attorney began re-direct questioning.

Wednesday the famous, or rather, infamous, name of Alger Hiss popped up in testimony.

Defense Attorney E. Glenn Harmon asked Mrs. Goldmark

if she had ever met Hiss, convicted of perjury in a trial famous for his denials of Communist activity.

She said she had no recollection of ever meeting him.

Mrs. Goldmark repeated several times that her break from the Communist party was complete after she left at 20 years ago.

Harmon questioned Mrs. Goldmark at length about many phases of her former membership in the Communist party.

One reference to Hiss came late in the day as Harmon questioned Mrs. Goldmark about visitors to a house in Akeley, Md., just outside Washington, D.C., where she and a girl friend lived while working for the federal government.

Harmon asked if Alger Hiss or his wife had visited there. "Not that I know of," replied Mrs. Goldmark.

Previously Mrs. Goldmark said she had talked with the FBI about her former membership in the party and the FBI had asked if she had known Hiss. She said no then, too.

The lengthy cross-examination, which lasted throughout Wednesday and resumed today, at times produced some tense moments and occasionally terse questions, answers and objections.

Attorney Harmon probed Mrs. Goldmark's one-time membership in the Communist party and her attitudes toward communism then and now. He sought to show discrepancies between her testimony earlier this week, that which she gave in pre-trial deposition and that which she gave in 1956 to the House Committee on un-American activities.

These were some of the highlights:

Harmon asked what was Victor Perlo's job (Perlo was in the same Communist party group as Mrs. Goldmark, she had testified earlier.)

"He and Mr. Kramer were in charge of the group in general," said Mrs. Goldmark. "I don't know if he had a job."

Harmon asked what was Perlo's employment.

Mrs. Goldmark: "I really don't know exactly . . . I know he was employed in the federal government."

Referring to the party unit to which she belonged, Harmon asked: "Was it called a cell?"

Mrs. Goldmark: "I thought of it in terms of a group."

(Indicate page, name of newspaper, city and state.)

1 The Wenatchee Daily World Wenatchee, Wash.

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Harmon noted that Mrs. Goldmark in her pre-trial deposition had named at least one more party associate than she had named in testimony to the House Un-American Activities Committee in 1952.

Mrs. Goldmark told of her reluctance to name names because persons "would be harassed, intimidated and cruelly torn apart in their life and those of their families, as I have been . . . I didn't want to be a party to that."

Harmon: "Were you aware of the existence of other Communist cells?"

Mrs. Goldmark: "Well, of course, I know of some Communist activity going on in New York City."

Harmon asked if, since she left the Communist party in 1943, she has seen Charles Kramer.

Mrs. Goldmark: "When John came back from overseas and we were in Washington, D. C. . . we met Mr. Kramer briefly."

Harmon asked if they talked about communism or her one-time membership.

"No, we discussed nothing about communism."

Harmon: "He was still a member of the Communist party at that time, was he not?"

Mrs. Goldmark: "I have no knowledge about that."

Harmon asked if Perlo or Kramer ever tried to dissuade Mrs. Goldmark from marrying her husband.

She replied no, "Nothing of that nature."

Harmon asked if she remembered her first Communist party meeting.

Mrs. Goldmark said no.

"Weren't you excited about this new venture?" asked Harmon.

She had "no definite recollection."

"Were Mr. Kramer and Mr. Perlo there?"

"Mr. Kramer was there and myself and a girl friend (of Mrs. Goldmark's) was there . . . that's as definite as I can get."

"Did you take an oath of allegiance to the Communist party?" asked Harmon.

"I took nothing."

Harmon wondered what, then, signified her joining.

Mrs. Goldmark replied she just joined a group and paid dues — "That was all there was to it."

"Is that the only obligation you undertook to the Communist party, Mrs. Goldmark?" asked Harmon.

"Yes," she replied.

"There were numerous questions and answers about discussions in the Communist party group. Mrs. Goldmark said, as she had in earlier testimony, that there were arguments about different views."

Later Harmon asked if members weren't supposed to help the Communist party "in its efforts to infiltrate the government of the United States."

No, she replied.

She added ". . . Sometimes when people came to town we were asked to see if jobs which fit their qualifications might not be available . . . at the time I didn't think of it as infiltration, just as helping friends."

Later Harmon turned to a thesis that the group as Mrs. Goldmark called it, or the cell, as Harmon called it, was more than a discussion group—but instead an action group.

He asked if there was any discussion of "the historic mission of the Communist party to destroy capitalism in the United States as well as elsewhere in the world."

"No there was not," she responded.

"There was discussion of the Communist party line, but there was no discussion of the destruction of the United States government," she said.

Mrs. Goldmark added that the goal then was probably the erection of a Communist regime, "But it was an entirely theoretical thing . . . there was no activity in any way or form to make it an accomplished fact."

Harmon asked if it wasn't true that, and since, that the eventual aim of the Communist party was destruction of the U. S. government and the creation of a new Socialistic or Communistic government.

Mrs. Goldmark said that wasn't necessarily so, that during World War II the Communist attitude was almost reversed. She said: "The Communists were very much for the government and they supported the government 100 per cent on almost everything."

She cited Communist support of the draft, the heightened war production and other war-time actions of the government.

Harmon noted that came about not because of a change in the Communist party line, but because the U. S. happened to be an ally of Russia then.

"Didn't you thoroughly and completely embrace communism during this eight-year period (1935-43)?" asked Harmon.

Mrs. Goldmark: "I would say that I had been attracted to it for various reasons that I have tried to explain . . . I didn't go along with all of it but I was attracted to it . . . I lost faith in them. I stayed in longer than I should have. I don't know why . . ."

Harmon repeated his question, if she completely embraced communism.

"I would say I was not totally committed," she replied.

"Do you mean that during the eight years you were in the Communist party you had mental reservations during that entire period of time, while you were attending meetings regularly?"

"Yes, I had mental reservations. I was not dedicated, if that is what you mean, Mr. Harmon."

Harmon asked if she knew that members of that cell were "actively engaged in espionage."

"I don't know that. I know they have been accused of it."

Harmon asked if Mrs. Goldmark believes that is true.

"I have no personal knowledge of any such activity," Mrs. Goldmark replied.

Harmon asked later if some Communists thought they were doing the right thing for their country by advocating communism.

Said Mrs. Goldmark: "I thought in the beginning that way. I thought that I was being a big help. I was mistaken."

Mrs. Goldmark testified that the party group to which she belonged was a secret one. She added that she did not talk about her membership and that if anyone had asked her then if she were a Communist she would have denied it.

She testified that the problems in which communism finds its roots no longer exist in this country. She listed them as ignorance, fear, suppression of individual beliefs, race or religion, authoritative rule and lack of freedom.

Late in the day Harmon asked her about a house at Akokeek, Md. where she and a girl friend lived prior to her marriage to John Goldmark.

"Did you ever tell anyone that you rented the house with the help of some big people in the New Deal with the understanding they could use it as a weekend hideaway?" asked Harmon.

"I never heard of such a thing," she replied.

Harmon asked if she remembered some events of July 3 and July 4, 1936. He asked a series of questions about whether she and her girl friend remembered meeting a Ralph De Sola and a companion in Washington, D.C., going to the Akokeek house, receiving other visitors there, doing some bird watching on the nearby Potomac River, a dinner at a Washington seafood restaurant and other events.

Mrs. Goldmark said she had no recollection of the events. Harmon asked if Alger Hiss had been to that house.

Mrs. Goldmark said, "I don't remember this occasion at all."

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**LIBEL CASE MAY CONTINUE
INTO MONTH OF JANUARY**

ORANOGAN — The Goldmark libel suit gives indication it will continue through New Years.

Mrs. Goldmark, still on the stand today, is the 48th witness.

Plaintiffs will probably have John Goldmark on the witness stand and perhaps one or two other witnesses.

Defense attorneys have indicated they will have about as many witnesses.

Already there has been a tentative agreement on the schedule of recesses through the holiday season.

After the Goldmark side finishes presenting its case, which probably will continue through this week and into next week, there will probably be some defense moves for dismissal.

After those are argued the defense will start presenting its case.

(Indicate page, name of newspaper, city and state.)

1 The Wenatchee Daily
World
Wenatchee, Wash.

Date: 12/5/63

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Mrs. Sally Goldmark

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Goldmark's Claims Have Been Ruled

By JACK LARSEN

OKANOGAN — Former State R. E. Mansfield testified that Goldmark's future in public life has been demolished by the libelous campaign against him in 1932.

With surprising suddenness Goldmark ended direct-examination testimony at mid-morning. He had gone to the witness stand late Thursday afternoon.

Goldmark's testimony on direct examination ended with this series of questions and answers:

Q. Goldmark attorney R. E. Mansfield asked Goldmark to describe the effect of the libel.

A. Goldmark: "Well, Mr. Mansfield, my hopes and my interests and my training have led me all my life toward public service . . . these libels have damaged my reputation for that field . . . because they have cast suspicion on my loyalty . . ."

Q. Goldmark added that he feels his future in public life is, in effect, destroyed. "I'm sure the damage still exists."

A. Mansfield: "Have you ever been connected with the Communist party?"

A. Goldmark: "No, I have not."
Q. Mansfield: "Have you ever been under any Communist party influence?"

A. Goldmark replied that for two weeks when he was 17 years old he read some books that portrayed communism as "a beautiful solution to the world's problems."

Q. He said he abandoned that idea immediately.

A. Mansfield then referred to some writings of defendant Ashley Holden in the Tonasket



JON GOLDMARK

Triune that Holden publishes.

Q. Mansfield: "Did you invariably vote with the extreme liberals?"

A. Goldmark: "No, I don't think I voted with anybody."

Q. Mansfield: "Have you ever belonged to a Communist front?"

A. Goldmark: "No."

Q. Mansfield: "Are you or have you ever been a tool of the monstrous conspiracy of Communists?" (Mansfield was referring to terminology in one of the alleged libels.)

A. Goldmark: "No."

Q. Mansfield: "Were you sent to the Okanogan country by Communists to run for the legislature?"

A. Goldmark: "Certainly not."

At that point Mansfield ended direct examination of Goldmark and the defense began cross-examination.

Goldmark, 46-year-old former state legislator, went to the witness chair late Thursday afternoon to begin telling about himself.

He is the 50th witness in the case.

He said his full name is Jonathan Edwards Goldmark. He explained he was named for his mother's father, Jonathan Edwards, a historically famous Congregationalist preacher.

Goldmark was asked by his attorney, R. E. Mansfield, about his relationship to the late U.S. Supreme Court Justice Louis Brandeis. Goldmark said that the jurist was an uncle. "He had married my father's sister, Alice."

Goldmark throughout the day continued telling about himself and his views.

He took the stand immediately after Mrs. Goldmark finished testimony.

In her final day on the stand, Mrs. Goldmark was asked more questions about her one-time membership in the Communist party, and her views.

Again the range of testimony was varied — from anti-Communist films to free love.

Defense Attorney E. Glenn Harmon sought to show her opposition to anti-Communist movements and efforts.

At one point she said: "I

(Indicate page, name of newspaper, city and state.)

1 The Wenatchee Daily World
Wenatchee, Wash.

Date: 12/6/63
Edition:
Author:
Editor:
Title: Mrs. Sally Goldmark

Character:
or
Classification: 100-21585-259
Submitting Office: Seattle

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don't feel that the anti-Communist fight in Okanogan County as I have seen it is keeping my country both safe and free and I am very much dedicated to that cause . . ."

Harmon asked if she was opposed to the House Committee on Un-American Activities.

"No I was not, Mr. Harmon. That doesn't mean unqualified support, but I was never opposed to it."

Harmon asked if Mrs. Goldmark had had a hand "in the preparation or choice of any books to be used" in an Okanogan high school course on communism and democracy.

"No, I don't believe I had anything to do with the curriculum of the school," she said.

Harmon returned to the subject of what he suggested was Mrs. Goldmark's opposition to anti-communism. He asked her about opposition to a series of radio programs on station KPQ in Wenatchee.

She said she objected to the broadcasts on such grounds as a charge that the National Council of Churches was a Communist front organization or a Communist organization.

"So I asked KPQ . . . to look into it."

She said the station manager said he hadn't listened to the series, being run as a "public service feature." She added he agreed that it did not qualify as that and the series ended.

At one point Harmon noted that no member of the Communist party group to which Mrs. Goldmark had belonged had made any public disclosures about membership in their Communist activities.

There have been many references to Charles Kramer and Victor Perlo, both high level Communists, both of whom have been accused of espionage.

"Isn't it a fact that the man known as Charles Kramer was a Russian named Krevitsky?" asked Harmon.

"I didn't know about it at the time, but learned so subsequently."

Mrs. Goldmark has testified that both Perlo and Kramer were in the same Communist group as she from 1935 to 1943.

But she observed Thursday: "They might also have been in a group in which I was not."

During his questions about Communist party philosophy, Harmon also asked: "You were taught that religion is the opiate of the people, were you not?"

"It was discussed. I wasn't taught that."

At times Harmon noted discrepancies between testimony Mrs. Goldmark had given to the FBI starting in the late 1940s, the House un-American Activities Committee in 1955 and in her deposition testimony before the trial.

On re-direct examination, Goldmark Attorney William Dwyer sought to explain that.

He brought out the fact that Mrs. Goldmark had been subpoenaed to appear before the House Committee in the late afternoon of the day before her appearance.

She said she had little time to prepare, then testified for about an hour and a half.

Dwyer asked how much time did she spend with the FBI altogether.

"It would be an awfully long guess . . . it would be about 15 or 20 hours in total."

In his testimony Goldmark recalled attending college at Haverford, a Quaker college near Philadelphia, a short time at the University of Wisconsin in 1937 and, later, Harvard Law School.

He recalled one course on capitalism and communism and the professor.

"He taught that the way in which communism came to power in Russia was almost the opposite from the way in which Marx had taught that communism could come to power."

He added that he was taught that the philosophy of communism could not overthrow capitalism because of the strength of capitalism — the strength of the middle classes, the rise in strength of labor unions.

"There was more distribution of wealth."

Goldmark recounted his work through Harvard Law School, his qualification to practice law in New York, his meeting Sally in Washington, D.C., their marriage Dec. 2, 1942, and his World War II work as a bomb disposal specialist in the South Pacific.

At one point he recalled his wife telling him about her party membership before their marriage.

He said it happened during a social occasion.

"We were discussing something about the war . . . I had been quite critical of what the Communist position was on something."

He said Sally took him aside and said: "I think you should know that I'm a member of the Communist party and maybe this would affect the way you feel about me."

Goldmark said he thought about it that night and the next day. Then "I told her . . . that it did not change the regard that I had for her . . . that I wanted to marry her."

In later testimony about himself, Goldmark told how he had decided while in the Navy that he would eventually move to the west and be a farmer. He described their move to the

Okanogan ranch in 1947.

He also reflected on some of his early ranching problems.

Mansfield asked if Goldmark's prime occupation is farming.

"This is the way I make my living," said Goldmark.

Defendants in the case are: Ashley Holden Sr., Tonasket; his newspaper, the Tonasket Tribune; Loris Gillespie and Don Caron, both of Okanogan; and Al Canwell, former Republican state legislator from Spokane.

Twisp Witness Adds Touch Of Mirth To Trial

OKANOGAN — No doubt the star witness of the long Goldmark libel trial so far has been Mrs. Anna K. Hanan of Twisp.

That's one thing that both sides of the lawsuit can agree on. Her appearance on the witness stand Thursday provided a moment of mirth for judge, jury and everyone.

She was called as a witness for the Goldmark side.

Mrs. Hanan, petite, bespectacled and gray-haired, wore an orchid-colored suit and a little light-colored hat with a flower.

She was testifying about some campaign material which, she said, defendant Loris Gillespie had brought to her Methow Valley home just before the 1962 election.

"It was when he was campaigning against Mr. Goldmark and I was strongly supporting Mr. Goldmark," said Mrs. Hanan.

She said her caller left much material with her. "I'd read a little and get mad and then

Defense Attorney Ned Kimball, Waterville, interrupted in order to identify the material and her caller. He wondered if Mrs. Hanan were certain it had been Mr. Gillespie.

If it wasn't "He had no business coming to my house introducing himself as somebody else," she quipped.

Kimball, certain that her caller had not been Gillespie, wondered if Mrs. Hanan recognized Mr. Gillespie anywhere in the court room. Gillespie sat behind Kimball.

Mrs. Hanan said she did not recognize her man in the court room.

"Can you describe the gentleman who brought this to you?" asked Kimball.

"You'd feel better if I didn't," said Mrs. Hanan.

That prompted laughter. Kimball asked for a huddle of attorneys with the judge. Then he renewed his request that Mrs. Hanan describe her election campaign visitor.

She said: "He was a good-

roughly and he sat down and twisted up his face and that settled him right there with me."

Judge Turner, with a smile, asked her to just describe the man.

"How tall was he, Mrs. Hanan?" asked Kimball.

"I didn't measure," said Mrs. Hanan.

"Was he blond?"

"I believe he was medium." Gillespie is bald.

Ultimately it seemed certain there was a mix-up of identity. Later Gillespie testified it had not been he at Mrs. Hanan's home.

As Mrs. Hanan was dismissed she rose from the witness chair. Kimball asked her one impromptu last question: "Would you mind telling us your age."

Poised, she said proudly: "I don't mind at all. I'm a little past 75. . . and I have 21 great-grand-children."

Grateful for a bright change of pace in the tense proceedings,

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Voluntary Sensorship Asked To Protect The Innocent

A fascinating question about news ethics and journalistic principles and responsibilities came up this week in the widely-followed Goldmark libel case in Okanogan County.

It came as Mrs. Goldmark was preparing to give a phase of testimony about her former membership in the Communist party.

Plaintiff's counsel made a request of Judge Theodore Turner. The request was on two grounds: Mrs. Goldmark would be testifying about her former membership and, in the process, she would be giving names of some persons she knew as members in those days. The concern was that reporting by the press of those names, incidental to the case, could cause harm or embarrassment to some persons involved.

Public revelation of former membership could be harmful to someone who long ago repudiated communism and left the party.

In particular the concern was about names in a transcript of Mrs. Goldmark's 1956 testimony to the House Committee on Un-American Activities. That testimony was in executive session of the committee. Thus those names were already available to responsible federal authorities.

Reporters covering the trial were invited by Judge Turner into such an agreement, lest an innocent person be hurt.

Reporters made some practical reservations, so that the public's right to know would not be jeopardized:

1. No name would be left out if it had any bearing on the Goldmark case.
2. No name would be withheld if it had any local importance.

3. No name of a known Communist—such as Victor Perlo or Charles Kramer, both names involved in the lawsuit—would be left out.

It was an agreement designed only for Mrs. Goldmark's testimony.

Judge Turner made the request informally, outside the court room. It was no order. There have been precedents in which court news reporters have agreed not to print names of persons who might unnecessarily be injured by publishing of their names. An example was a rape trial a few years ago in Seattle. The press agreed then not to publish names of victims.

Daily World reporter Dick Larsen said the suggestion seemed to be a token arrangement only, without practical effect on coverage of the trial. He said that because of the tremendous volume of testimony coming out of the trial, the few obscure, unfamiliar names mentioned in Mrs. Goldmark's recollections had no news importance to compare with some of the other absorbing testimony competing for news space.

He observed: "It's like agreeing in advance not to publish the names of the water boys when you write the story of the Rose Bowl game."

But, said Larsen, a second thought: The agreement—however innocuous—could be construed as an obstacle to free news coverage of future public trials or events.

So the agreement idea was abandoned as a matter of principle.

Now Mrs. Goldmark's testimony has ended, and the need to make a distinction did not arise. None of the water boys saw action in the Rose Bowl game.

(Indicate page, name of newspaper, city and state.)

4 The Wenatchee Daily
World
Wenatchee, Wash.

Date: 12/6/63

Edition:

Author:

Editor:

Title: Mrs. Sally Goldmark

Character:

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Classification:

100-21585-260

Submitting Office: Seattle

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Goldmark Charges 'Communism'

By SYD LARSEN

OKANOGAN — Former State Rep. John Goldmark testified Friday that the campaign against him in 1962 was a revival of McCarthy era politics. "I and your opponents as communists in order to discredit them."

Goldmark and his wife are suing the defendants for \$225,000 for alleged libels during the campaign in which Goldmark was beaten in 1962.

They claim the defendants sought to paint them as Communists or Communist sympathizers.

Goldmark remained on the stand throughout Friday afternoon, undergoing cross-examination by defense attorney E. Glenn Harmon, Spokane.

It did not finish. Thus Goldmark will be back on the stand Monday after the weekend recess.

In his Friday testimony, Goldmark:

Told of his knowledge of his wife's former membership in the Communist party and her acquaintances in it;

Recalled her first talk with the FBI about it;

Reflected on some of parts of his political career; and

Recalled what he considered the first signs of attack on himself and other liberals.

Harmon asked Goldmark about whether he knew or had met Victor Perlo or Charles Kramer, both of whom were in the same Communist party group as Mrs. Goldmark.

"Do you have any recollection of any meetings with Mr.

Perlo?" asked Harmon. "I have an impression of his personality, but not a very clear recollection of when I met him," said Goldmark.

Goldmark said he had met and talked with Kramer. Harmon asked, "Do you recall any of the conversations you had with Mr. Kramer?"

"In a very general way, yes. . . . Generally they (the conversations) were economics and congressional politics. He was working most of the time . . . on the staff of some senator. He knew a lot about the politics of Congress and this, of course, interested me very much."

Harmon asked: "Did you meet Mr. Perlo before or after you and your wife were married?"

"I can't be positive. I think it was after."

Harmon noted that Perlo was working in the Office of Price Administration, an agency for which Goldmark worked briefly prior to his wartime Navy service.

"I didn't know him in the OPA," said Goldmark.

Harmon asked when Goldmark first learned that those men had been Communists.

"My best recollection would be at the time there was discussion in the press . . . I would say shortly before the FBI came to see us" in 1948 or 1949.

Goldmark testified about the time FBI men came to the Goldmark ranch. He said it was winter and the agents had to walk through snow to reach the

remote ranch house, because the road was drifted closed.

He testified he had not heard all of the questioning, but remembered their asking Mrs. Goldmark about her onetime party membership "and about a lot of different people." He remembered there were some questions about Kramer and Perlo.

Harmon asked if anyone else besides the Goldmarks was present during that conversation.

Goldmark said their hired man came in for lunch and was introduced to the FBI agents.

Harmon asked if the visitors were introduced to the hired man as FBI agents.

Goldmark said: "I think if they had been he'd have jumped out of his skin."

He explained that the FBI later arrested the hired man. "He'd been a deserter from the Army...which none of us knew."

Goldmark later testified he and his wife talked about her 1956 testimony before the House Committee on Un-American Activities, but he knew "only generally" about it.

During the questions and answers about Goldmark's political career, there was recollection about the time when Goldmark was president of the state young Democrats. That was before he ran for the Legislature.

Then, testified Goldmark, King County Republican Ray Moore charged in the press

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1 The Wenatchee Daily World
Wenatchee, Wash.

Date: 12/8/63

Edition:

Author:

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Title: Mrs. Sally Goldmar

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Classification: 100-21585-26/

Submitting Office: Seattle

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that "young Democrats were not on communism."

"This seemed to me to be way out," said Goldmark. Goldmark replied to Moore's charge to the press.

Goldmark said Moore subsequently became a member of the American Civil Liberties Union and, in fact, was a witness subpoenaed by the Goldmark side earlier in the trial to testify about the ACLU.

Goldmark was asked about his candidacy for the speaker of the House of Representatives in the 1931 session of the Legislature.

He testified that before that session he was aware of a movement of the Democratic Party which sought to elect "a private power Speaker."

Rep. Goldmark had three supporters for himself prior to the election of the Speaker. He conferred with previous speaker, Hon. John O'Brien.

"After negotiations with Mr. O'Brien . . . you voted for Mr. O'Brien, is that right?" asked Harmon.

"Yes," said Goldmark.

Then Goldmark became Chairman of the House Ways and Means Committee of that Legislature: "I became one of Mr. O'Brien's leaders."

Goldmark said he first became aware of one incident of strong activity against him in 1958: "I was aware that some individual or group in East Wenatchee was going around to people in East Wenatchee, saying they should not vote for me because I was a Communist. The Republican party chairman down there wrote me about it, he was so embarrassed."

In 1961 Goldmark said he saw the film strip "Communism in the Map."

He said it was "full of a tremendous number of factual errors . . . to scare Americans, make them distrust their own government."

Among other factual errors, he said, it suggested that such nations as England, France, Italy, Sweden, Norway, all of Latin America, were either under Communist control or susceptible of Communist control. It also, he said, "an attempt to create fear."

"I feel that the film strip was a political weapon of certain groups," he said. He added he didn't object to their right to show it, but he added "there should be an effort to present to the audience the view that there were some factual inaccuracies in it."

As court recessed Friday, Judge Theodore Turner outlined for jurors the proposed holiday session court schedule: Court will be held regularly until Christmas week. During that week there will be court only on Monday, Dec. 23. Then it will recess for the rest of the week. During the following week there will be recess on only one day: New Year's Day.

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Harmon Seeks Goldmark's Attitude On Communism

By DICK LARSEN

OKANOGAN—John Goldmark returned to the witness stand Monday to continue answering cross-examination questions in his \$225,000 libel suit against five defendants.

Defense attorney E. Glenn Harmon was probing Goldmark's attitude toward communism and politics.

At one point Harmon asked: "What have you done to keep track of what the Communists are doing in the state since you've been here?"

"Very little," answered Goldmark.

He added he has followed Communist strategy in world affairs but said: "I don't know what the Communist party line is in domestic affairs in the state of Washington."

Goldmark said he has sup-

ported his country by supporting debate of public issues under the two-party system "without hatred and suspicion."

Harmon asked Goldmark about statements attributed to him in a speech before a grange meeting prior to the 1952 election (in which Goldmark lost his seat in the House of Representatives).

Harmon asked if Goldmark had taken a stand against a state law outlawing the Communist party in the state of Washington.

Goldmark said he had not taken such a stand.

He said he pointed out that such a law would probably be unconstitutional because such an area of law appeared to be under federal concern.

"I told them I thought there were lot better things to do . . .

about the great menace of communism within."

Goldmark said he felt internal threat of communism in the country should be handled "through the FBI and counter intelligence work."

Goldmark said he told the grange meeting about "positive ways . . . in which they could help protect this country from the total menace."

He said he referred to support of such programs as the Peace Corps.

Harmon asked if Goldmark had endorsed recognition of Red China.

Goldmark said no.

Harmon asked if Goldmark had endorsed resumption of trade with Red China.

"I don't think I did," replied Goldmark.

(Indicate page, name of newspaper, city and state.)

1 The Wenatchee Daily
World
Wenatchee, Wash.

Date: 12/9/63
Edition:
Author:
Editor:
Title: Mrs. Sally Goldmark

Character:
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Submitting Office: Seattle

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Goldmark Opposed State Ban On Reds, Witness Testifies

OKANOGAN, Dec. 11. — (A.P.) — John Goldmark spoke against a resolution to outlaw the Communist Party in Washington State, a witness at Goldmark's libel trial testified today.

Mrs. Jewel Roberts of Conconully, Okanogan County, said the county's Pomona Grange turned down the resolution after Goldmark's remarks.

There was testimony earlier that Goldmark had opposed outlawing the party in the states, on the ground that it already was outlawed by the federal government.

MRS. ROBERTS was one of three defense witnesses who spoke today.

Robert Gallaher, of San Jose, Calif., formerly of Okanogan, testified about showing the film strip "Communism on the Map" with one of the defendants, Don Caron. Gallaher said Goldmark and his wife, Sally, had objected to the showings.

Gallaher said he had heard about a meeting at Omak before the 1962 primary at which the Goldmarks would discuss Mrs. Goldmark's former membership in the Communist Party.

Gallaher said he understood that the meeting was for Democrats, and that since he was a Democrat, he went. But he said he was told at the meeting that it "was for a few of the loyal friends of the Goldmarks," and was asked to leave.

SUPERIOR JUDGE Theodore S. Turner of Seattle

agreed this afternoon to hear arguments on motions for dismissal of the entire \$225,000 libel suit.

All four men and the weekly newspaper named as defendants filed for the dismissal. Judge Turner did not indicate when he would rule on the motions.

State Representative Joe Haussler, who defeated Goldmark, a three-term pre-entrant, in the primary, wound up his testimony this morning.

Haussler yesterday said he took no part in spreading rumors or doubts about the Goldmarks' loyalty.

Haussler told of going with a group to Spokane in the fall of 1961 to hear from a defendant, Al Canwell, evidence Canwell reportedly had linking Mrs. Goldmark with the Communist party.

Canwell, former Republican state representative and leader of a committee similar to the House Un-American Activities Committee, has testified he is self-employed as a collector of information about Communism and people connected with it.

With him on the Spokane trip, Haussler said, were Stan Pennington, then editor of The Okanogan Independent; Bill Kohls, and Mr. and Mrs. Loris Gillespie.

"**DIDN'T YOU** know of a smear campaign against him (Goldmark)?" asked William Dwyer, Goldmark attorney.

"No, I did not," Haussler answered.

He and Kohls, his campaign manager and an Omak lawyer, who testified earlier yesterday, said they had been under the impression they were making the visit to Canwell on behalf of the Democratic Party.

But when they reported to George Wilson, then chairman of the Okanogan County Democratic Central Committee, Haussler said, Wilson accused them of going behind his back.

It was agreed, Haussler said, that Wilson and one other Democrat would approach Goldmark to learn the facts about Mrs. Goldmark's connection with Communism. Haussler added he never learned whether such a meeting took place.

HAUSSLER testified he was misquoted in a documentary film, "Suspect," produced by Seattle's KING-TV concerning the election and Goldmark's defeat.

In the film, shown to the jury earlier in the trial, Wilson says Haussler and other Democrats confronted him with what they described as "indisputable evidence" that Goldmark was a Communist.

Haussler denied ever saying such a thing to Wilson.

The legislator testified that one of four answers he gave in an interview for the film was edited out of the final product. That answer, he testified, was:

"I certainly have no reason to believe that John and Sally Goldmark are disloyal to their country."

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Date:

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Author:

Editor:

Title:

MRS. SALLY GOLDMARK

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TO: DIRECTOR, FBI
FROM: SAC, SEATTLE (100-21585)
SUBJECT: MRS. SALLY GOLDMARK
SM-C

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For the information of the Bureau the GOLDMARKS
rested their case on 12/10/63 without calling former SA [redacted]
[redacted] There has been no contact made by either of the GOLDMARKS
or their attorneys with [redacted] so it is not known at this time
whether they will call him as a rebuttal witness.

This matter will be followed and the Bureau will be
informed immediately of any developments.

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AIRMAIL

TO: DIRECTOR, FBI (100-386074)
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Remyaairtel 11/12/63.

At approximately 4:20 PM this date the above-captioned individual telephonically contacted the Seattle Office and advised that [redacted] had just testified as an expert witness on communism in the libel suit which is being tried at Okanogan, Washington. Mrs. GOLDMARK stated that [redacted] has testified that [redacted] was at one time a member of the CP, and also that once an individual is a member of the CP, he cannot leave the CP. Mrs. GOLDMARK stated also that [redacted] testified that the CP had to approve the marriages of CP members.

Mrs. GOLDMARK claimed that the testimony of [redacted] was most damaging to her case. She requested that the FBI provide information to her which she could use to portray the real truth concerning the CP with respect to these matters to refute the testimony of [redacted]

Mrs. GOLDMARK was reminded again that the information in the files of the FBI was confidential and could not be disclosed without the specific permission of the Attorney General. In view of the nature of the information being sought, I would recommend most strongly against providing any assistance to her. She has not made a formal request in writing for this and should she do so, the Bureau will be advised.

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American Legion Irked Goldmark Solon Testifies

OKANOGAN, Dec. 13. — (A.P.)—A Republican legislator testified yesterday that John Goldmark once told him the American Legion and similar organizations gave Goldmark "a pain in the neck."

The witness, State Representative Richard W. Morphis of Spokane, testified in the trial of Goldmark's \$225,000 suit against four Eastern Washington conservatives and a weekly newspaper owned by one of them.

GOLDMARK, seeking nomination in 1962 for a fourth term as Democratic state representative, lost the primary following a conservative-liberal campaign that brought out the information that Goldmark's wife was a

member of the Communist Party from 1935 to 1943.

Goldmark contends his family was libeled by suggestions that the Goldmarks were communist sympathizers.

Morphis testified about an Olympia discussion concerning a measure in the 1957 Legislature that would have repealed a 1949 memorial indorsing a stronger United Nations organization. Goldmark opposed the 1957 measure; Morphis supported it.

Morphis testified he told Goldmark he supported it because it had been indorsed by Pro - America and the American Legion. Morphis said Goldmark responded: — "Oh Pro-America, American Legion, those superpa-

triotic groups give me a pain in the neck." equal it was questionable."

In cross - examination, a Goldmark attorney pointed out that the 1957 measure was killed in committee.

Asked about Goldmark's reputation for loyalty in 1957, Morphis said:

"I would say that he had a good reputation in 1957."

Morphis said the reputation remained unchanged in the 1959 Legislature, but in 1961:

"I would say there were questions raised at that time."

THE DEFENSE seeks to show that Goldmark's reputation was blemished before the 1962 campaign when the statements were made that

Goldmark charges were libelous and damaging.

Goldmarks' attorney William Dwyer questioned Morphis about his relationship with Goldmark in the 1961 Legislature.

Morphis said he got along well with Goldmark.

"Are you suggesting you had very good relations with a man whose loyalty you doubted?"

"Yes," replied Morphis. Earlier, State Representative Margaret Hurley, conservative Spokane Democrat, testified that in the 1959 Legislature "there were rumors and gossip" about the Goldmark's loyalty and doubts persisted until the 1961 session "when in gen-

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Date:
Edition:
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Title:
MRS. SALLY GOLDMARK

Character: **SM - C**
or **100-21585-266**

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State Solon Says Goldmark Loyalty Was 'Questionable'

OKANOGAN, Dec. 12. — (A. P.) — State Rep. Margaret Hurley, Spokane, testified today that in the 1961 legislature John Goldmark's reputation for loyalty to the United States "in general was questionable."

MRS. HURLEY, a member of the conservative Democratic faction that joined with Republicans in controlling the House in the 1963 session, was a defense witness in the \$225,000 Goldmark libel trial.

Goldmark, a Democrat who served three terms in the House, and his wife, Sally, sued four individuals and a weekly newspaper on grounds they were linked with communism during the '62 primary campaign in which Goldmark was defeated.

MRS. HURLEY said that in the 1959 session "there were rumors and gossip" about Goldmark's loyalty and doubts persisted until the '61 session "when in general it was questionable."

Another legislator, Republican State Rep. Elmer C. Huntley of Thornton, agreed with Mrs. Hurley there had been rumors about Goldmark in past legislative sessions. Huntley also was called as a defense witness.

MRS. HURLEY testified Goldmark voted "along with others of extra-liberal philosophy."

When asked who such people were, she said they were "persons who believe in extension of government controls, fiscal irresponsibility, and in embarrassing those who uphold morality, patriotism and things that are decent."

MRS. HURLEY listed the same group of legislators she considered to be in this category as was given yesterday by Dr. Alfred O. Adams of Spokane, a Republican legislator.

William Dwyer, defense attorney, asked Mrs. Hurley in cross-examination specifically what Goldmark had voted against that prompted her view.

She mentioned the American Heritage bill.

Dwyer pointed out the bill was defeated in the '61 session and added, "there must have been a lot of such people."

HUNTLEY was asked by Dwyer if he had ever seen Goldmark do anything that caused him (Huntley) to doubt his loyalty.

"No, not that I ever observed personally," Huntley said.

Referring then to the rumors, Dwyer asked if "this isn't one of the conditions of political life?"

"Yes, it is," Huntley replied.

(Indicate page, name of newspaper, city and state.)

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REDS WORKED FOR CANWELL DEFEAT, MRS. HARTLE SAYS AT GOLDMARK TRIAL

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OKANOGAN, Dec. 13. — (A. P.) — Former Communist Barbara Hartle testified today that the Communist Party worked for the political defeat of Al Canwell of Spokane, one of the defendants in the Goldmark libel trial.

Former State Rep. John Goldmark and his wife are suing Canwell, three other men and a weekly paper for \$225,000. The Goldmarks contend they were damaged during the 1962 political campaign by suggestions that they were communist sympathizers.

Mrs. Hartle, of Evans, Wash., was convicted as a communist conspirator but later renounced communism and has testified at several state and federal hearings.

ASKED WHAT was the Communist Party's attitude toward the state legislative un-American Activities Committee headed by Canwell in 1948, the witness replied.

"... The attitude ... was to maintain an all-out campaign for the defeat of the Canwell committee and later of Mr. Canwell himself."

Canwell was defeated later for re-election to the Legislature and in campaigns for the United States Senate and House.

Mrs. Hartle said she first joined the Communist Party in Spokane in the winter of 1953-54. She listed the "Spokane Public Forum" among "communist front organizations" to which she belonged.

TOWARD THE end of the day Mrs. Hartle was asked by E. Glenn Harmon, defense attorney:

"In your opinion would it have been possible for any person to be a member of a

communist cell in Washington, D.C. or anywhere else and not be totally committed to communism?"

Harmon said he was referring to the period between 1934 and 1943—the period during which Mrs. Goldmark has admitted to membership in the party.

"No, it would not be possible," Mrs. Hartle answered after plaintiffs' objections had been overruled.

SHE SAID the Communist Party opposed investigations by the Federal Bureau of Investigation and the House Committee on Un-American Activities, and added it was party policy to teach members to lie when asked about their membership.

The name of Dr. Melvin Rader, University of Washington professor, was brought up in defense questioning and Mrs. Hartle testified Rader had been "known to be a member of the Communist Party." Goldmark's attorney William Dwyer of Seattle objected, indicating he might have to call rebuttal witnesses.

(Notified in Seattle of Mrs. Hartle's statements, Professor Rader vehemently denied her testimony. He added:

"So far as I know, I have never met the woman in my life.

"I have never been a member of the Communist Party. I have never been under Communist Party discipline. I disagree fundamentally now as I always have in the past with the theory and practice of communism."

THE PROFESSOR denied under oath at the 1948 Canwell Committee hearing in Seattle that he had ever been

a Communist Party member. The calling of Mrs. Hartle as a witness was permitted by the trial presiding judge earlier today.

Presiding Superior Court Judge Theodore Turner ruled neither side could ask Mrs. Hartle questions which would bring out the names of persons in the Communist Party, with the exception that questions could be asked where persons had been linked with the American Civil Liberties Union.

The ACLU has figured in much testimony in the trial and Rader has been identified as a former president of the ACLU's Washington chapter.

Harmon questioned Mrs. Hartle extensively about Rader.

In overruling objections to her being called by counsel for John and Sally Goldmark, Judge Turner said:

"I think the nature of the Communist Party ... is relevant because of the nature of the libel charge."

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Goldmark Trial in Third Week

In order to maintain some chronological order in reporting the Goldmark libel suit, future issues of the Independent will carry the preceding week's court activity on a day-by-day basis. Counsel for plaintiffs are William Dwyer and R. E. Mansfield. Representing defendants are Glenn Harmon, Joseph Wicks, and Ned Kimball.

The \$225,000 libel suit brought by John and Sally Goldmark against the remaining four defendants and a weekly newspaper ground onward during the past week.

Defendants are Ashley Holden, the Tonasket Tribune, Al Canwell of Spokane, Loris A. Gillespie and Don Caron, both of Okanogan.

Previously discharged by the court as defendants were the John Birch society on two counts, Caron and the Okanogan Independent on one count each. Plaintiffs later moved to dismiss "without prejudice" the Independent on a second count.

A capsule day-by-day account follows:

WEDNESDAY

Al Canwell ended his two-day testimony in a flurry of hotly-contested questions and answers. He had followed Ashley Holden to the stand.

Dwyer spent some time probing Canwell's possible animosity to the Goldmarks and was chided by judge Turner for asking "unfair" questions.

The attorney did elicit admission from Canwell that he had known of Mrs. Gold-

mark's one-time communist membership since 1956, but that he had not used this information during the 1956, '58 or '60 elections.

Canwell's knowledge of the ACLU came in for a great deal of questioning during the two days.

In answer to Dwyer's query, "You know the justice department has never listed the ACLU as a communist front?", Canwell replied:

"Yes, and I've objected to it!"

Others on the stand during the day were Jack Hamilton, who testified as to the good reputation previously enjoyed by the Goldmarks; William Hamilton, a Wenatchee attorney who acknowledged being present when the tape "An Interview with Al Canwell" was made; Arthur Lund, Tonasket banker, who said he had given \$100 to Holden but could not specifically say for what purpose the money was to have been used, and Lee Franks, also of Tonasket, who also acknowledged giving Holden \$50 for what he believed to be a "conservative meeting Goldwater was hav-

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Civil Liberties Union Official Takes Stand

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1-OKANOGAN INDEPENDENT
OKANOGAN, WASHINGTON

Plaintiffs' attorneys showed some signs they were approaching the point where their clients will take the stand and as the \$225,000 Goldmark libel suit entered into its fourth week.

The tragedy of the Kennedy assassination disrupted court sessions both last week and this, and subsequent adjournment for Thanksgiving week had permitted only two full days of testimony since last Wednesday.

Judge Theodore Turner recessed the court upon receiving news of the president's assassination, and it remained closed on Monday, the national day of mourning.

The few days' testimony heard since last Wednesday, however, moved the American civil liberties union into earlier focus as a major element in the case.

WEDNESDAY

A Catholic priest, father Francis Conklin, professor at the Gonzaga school of law, testified at length concerning the ACLU and alleged imputations it was a communist front.

After thorough investigation, the lawyer-priest said, he determined the ACLU

"not only is not a communist front but one of the most important organizations in the country in fighting communism."

Another witness was Samuel Fancher, president of the Spokane chapter of the ACLU. He testified that Al Canwell's reputation in his own community for telling the truth was "bad".

He further testified that Canwell had carried out "character assassination" for years.

Robert Winsor, a Seattle attorney and ACLU member,

was also questioned closely about the organization. He testified at length about the philosophies of the group and its continuing campaigns in defense of individual liberties.

At one point he said the ACLU had opposed a legislative investigation of the John Birch society, but cross-examination by defense counsel Glenn Harmon established the society had invited such investigation.

In reply to questions by Harmon, Winsor said the ACLU upholds the right of

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communists to advocate espionage and sabotage in the United States "so long as their advocating is not so closely related to acts of espionage."

Wmsor also stated the ACLU asks that a teacher be allowed to teach the truth as he sees it.

THURSDAY

Don Caron, one of the defendants in the libel suit, was on the stand to answer questions concerning the article "Pillaging Parliament," published in the Okanogan Independent on September 6, 1962.

The questioning produced an explanation of law to the jury from presiding judge Turner.

What the writer had in mind when he wrote or published an article is unimportant, Turner said. The important fact is how the general public construed the publication in question. If the jury decides the public generally would consider the publication applicable to the plaintiff, then it must decide if it were a question of bona fide error or malicious.

"If malicious," the judge said, "then what the writer had in mind becomes important."

Throughout his testimony, Caron maintained the article had nothing to do with the Goldmarks and that he had no malice toward the plaintiffs at the time the article was written.

Plaintiff attorney William Dwyer struck at several portions of the allegedly libelous article. He spent some time in trying to gain an admission the article had local implications, at one point citing an earlier news interview in which sheriff Russell Will hit at inspection of his jail.

Dwyer sought to connect this with "usurping of the responsibilities of local police officers, such as sheriffs", mentioned in the article. Caron denied any conscious connection.

Dwyer then led Caron into a discussion of governments which had been taken over by communist infiltration of their legislatures.

Caron listed Bolivia, Venezuela, Lithuania, Esthonia, Latvia, Sweden, Finland, Iceland, Norway, and Czechoslovakia.

The attorney then suggested that in most cases the takeover was actually ac-

complished by force of arms, but Caron maintained legislative infiltration had softened up the countries before the red armies took over.

Caron said "communists, socialists, sympathizers . . . those who want complete centralized government" are at work softening up America.

Other witnesses on the stand during the day included Mrs. Caron, who testified she had mailed some literature now involved in the lawsuit, Mrs. Florence Sönnichsen of Twisp, Omak school teacher Tom McKay, and Dave Morgan of Okanogan.

The latter three testified they had received mailed literature which affected their decisions regarding Goldmark's candidacy.

FRIDAY

An unusual proceeding took place as a deposition by Mrs. Edna Nansen, Omak, was read into the record. In the deposition Mrs. Nansen, who could not be present, told of certain events she said took place to defeat John Goldmark in his bid for the democratic nomination for the house of representatives.

According to Mrs. Nansen's deposition, she had been present at the home of former superior court judge Joe Wicks—now a defense attorney—together with Ashley Holden, Bev Wilson, and, she thought, former state senator Bob French.

She said some of the conversation centered around statements disparaging Mrs. Goldmark as a housekeeper and parent. "I felt they were very good parents," Mrs. Nansen said, and "this was not the sort of thing to be used in a campaign".

The deposition said Holden disagreed, and declared, "When we get through with him (Goldmark), he won't want to show his face around here!"

Mrs. Edna Larchar of New York, a sister of Mrs. Goldmark, had testified only a short time when court was abruptly recessed upon hearing the news of president Kennedy's shooting.

"She told the jury something of her sister's background of

her interest in social and economic problems of the depression era. They had many differences of opinion on the subject of communism, she said.

Scheduled to resume at 1:30, the court recessed for the remainder of the day when it became known the president had died as the result of an assassin's bullets.

TUESDAY

Additional testimony was introduced during the day regarding the ACLU and its philosophies, including an appearance by the group's executive director, John Pemberton of New York.

Pemberton mentioned a great many cases in which the ACLU had interested itself, citing as the common denominator its purpose to "protect and advance the kind of liberties and rights granted by the bill of rights under the constitution."

A prolonged discussion on loyalty oaths began when Harmon cross-examined Pemberton.

The witness said the ACLU has no objection to oaths of the person to support the constitution of the United States or oaths of allegiance. But oaths which invade the domain of private beliefs are improper, he said.

He declared that oaths pervading the area of personal convictions should not be a factor in obtaining a teaching or other public position. Such oaths, he said, are "clearly offensive to the civil rights of the individual".

He said the ACLU's position is that a teacher's competency to teach should be the deciding factor in employment.

Harmon then asked, "In your opinion, which is the most dangerous: a switchblade knife in the hands of an irresponsible teenager, or a deadly ideology such as communism in the hands of a

secret communist teacher?"

Pemberton replied, "The switchblade knife. To say that a deadly ideology is the most dangerous is to lose faith in the people to judge between right and wrong... it is to assume that the only way we can protect people from making errors is to keep erroneous opinions from being expressed."

"I don't think the people are that weak."

An earlier witness was Peter Asher, a New York attorney and war-time fellow-officer with Goldmark.

Asher described their experiences as navy demolitions officers during the last year of the war in the Pacific. He testified that Goldmark had discussed with him a desire to move west after the war.

Ray Moore, Seattle investment broker and King county republican leader, told of studying the ACLU for some five years before joining ten years ago.

Moore's parents lived in Oroville while he was going to college and he considered Okanogan county as "home", he said.

The Goldmarks' 19-year-old son Chuck also took the stand during the day to testify he had no inkling of his mother's party membership until she told him in 1962.

"I was quite surprised," he said, "as it seemed so inconsistent with everything she had said."

Young Goldmark is a student at Reed college, identified by Holden as "the only school in the northwest where Gus Hall, secretary of the communist party, was invited to speak".

Concerning that appearance, the junior Goldmark said he had attended the



DON CARON

meeting but left midway through the speech because "it seemed to be unrealistic and pretty much a lot of nonsense".

He said Hall had made speaking appearances at Lewis & Clark, the University of Oregon, and Oregon State university.

Court was recessed until next Monday morning.

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"Extra Liberals" Hit by Defense Witness

By JACK E. FISCHER
Spokesman-Review Staff Writer

OKANOGAN, Wash.—Called as a witness in the Goldmarks' \$225,000 libel and conspiracy trial, a Spokane legislator Thursday attacked those she termed "extra liberals."

Mrs. Joseph E. Hurley, a Democrat, was one of three eastern Washington legislators called to the stand Thursday by the defendants to testify primarily on the reputation of John Goldmark when he was in the legislature.

When asked by plaintiffs' attorney William Dwyer to define her term of "extra-liberal," Mrs. Hurley said:

"Those who advocate extension of government control, are fiscally irresponsible, and take actions to embarrass anyone who upholds morality, patriotism, and things that are decent."

"That's quite an indictment," commented Dwyer.

"Yes, it is," snapped Mrs. Hurley.

Following Mrs. Hurley to the stand were state representatives Elmer Huntley, R-Thornton, and Richard W. Morphis, R-Spokane.

Huntley did not show any enthusiasm about "getting mixed up with this," but had little choice. "I was in Pullman all day yesterday," he said, "and when I got home I found a process server had been waiting at my house for an hour and a half with a subpoena."

however, his reputation as to loyalty was free from question.

"Was there any change by 1961?" asked defense attorney E. Glenn Harmon.

"Yes, I would say that in general it was questionable."

She then termed Goldmark a leader of those in the extra-liberal element in the House of Representatives.

"Using the term left and right in the political sense, where would you place yourself?" Harmon asked.

Not on Left

"I'm certainly not on the left," she replied.

Huntley placed an earlier date on rumors circulating in Olympia concerning Goldmark's reputation as to loyalty.

"Were you aware of any rumors connecting Mr. or Mrs. Goldmark to communism in 1957?" Harmon asked.

"There were rumblings as to whether he was rather socialistic."

"Did those rumors raise any question as to loyalty?"

"I'm sorry to say that they did."

Morphis related to the court an incident in the 1957 session when Goldmark objected to his stand on a memorial to Congress.



E. GLENN HARMON
Busy Day of Questioning

Niendorff to the stand. She is the widow of a longtime Seattle newspaper man and testified that she worked many years in the field of research.

She also testified that when "Communism on the Map" became such a controversy, she made a study and found the statements by the narrator to be factual.

At adjournment time Harmon still was questioning Mrs. Niendorff on specific phrases in the transcript which have been singled out by opponents of the film as being inaccurate.

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Not Her Running Mate

Dwyer asked Mrs. Hurley her opinion as to the political philosophy of several other legislators, asking if she termed them "extra liberal."

"How about Rep. (Keith H.) Campbell?" he asked.

"I would say he was," Mrs. Hurley replied.

"He is one of your running mates in Spokane?"

"He's not my running mate."

Dwyer then asked if she were a political opponent of Goldmark and the witness answered, "We've had very few words, but sometimes they got rather hot."

The attorney then referred to the power fight in the 1961 legislative session and asked, "Wasn't that a fight between public and private power?"

"No," Mrs. Hurley replied. "It was a fight to give people a right to vote on whether they should be served by public or private power."

"That's the basis of your feeling toward Mr. Goldmark, isn't it?"

Words Over Budget

"This is not our controversy. No. Ours came in the Democratic caucus over the budget."

The attractive witness, whose husband served two sessions with Judge Theodore S. Turner, who is presiding over this trial, testified that by the 1959 session there were rumors in Olympia linking the Goldmarks with communism.

She said that at that time,

"Pain in the Neck"

"He asked me who supported the resolution and I told him Pro-America and the American Legion," Morphis said. "He then said, 'those super-patriotic groups give me a pain in the neck.'"

Earlier in the day a transcript of the narrative for the controversial film strip, "Communism on the Map," was admitted in evidence after nearly two hours of legal argument.

Plaintiffs' attorneys vigorously opposed the admissibility of the transcript, but Judge Turner overruled the objection.

"As long as there is a conspiracy issue in this case," he said, "I don't see how I can, in fairness, keep this exhibit out."

Fundamental Issue

"The issue dealt with in this film is very fundamental. It is very controversial, but is an issue on which people feel very strongly. The film is such a fundamental part of the picture it cannot be left out without depriving the defendants of some of their defense as to conspiracy."

Harmon took the same stand, saying, "The defendants are charged with malicious conspiracy and have the right to show what activated them. If we are denied this, the defense would be crippled."

After the transcript was admitted, the defense called Hazel W.

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Concern for Party Claimed Factor in Goldmark Affair

By JACK E. FISCHER
Spokesman-Review Staff Writer
OKANOGAN, Wash. — State Rep. Joe Haussler, D-Omak, testified in Superior Court today that he wanted to find out about Mrs. John Goldmark's past because of concern for the Democratic party in the event it was true she was an ex-Communist.

He emphasized, however, that discovery of her former membership in the Communist party was not an influencing factor in his decision to run for the House of Representatives.

Haussler and incumbent Horace Ezarh, D-Mansfield, defeated Goldmark in the 1962 primary election and then both went on to win seats in the legislature from the 1st District in the general election.

At one point in his testimony, Haussler said he stayed as far away as possible from any portion of the campaign linking Goldmark with communism. At another point, however, he said he didn't know any such campaign was being waged.

Checked With Canwell

It previously had been established that Haussler, B. E. Kohls, Omak attorney; Loris A. Gillespie, one of the defendants in the Goldmarks' \$225,000 libel and conspiracy lawsuit, and Stanley Pennington visited Spokane in 1961 to talk to Albert F. Canwell, another defendant in the trial.

Haussler testified that Leonard Therrault told him George Wilson, then Okanogan County Democratic chairman, wanted him to check with Canwell to see if there was any evidence that Mrs. Goldmark was an ex-Communist.

"I had heard no rumors about John Goldmark," he said, "but had heard that Mrs. Goldmark had been a member of the Communist party and that Canwell had evidence."

After the meeting with Canwell a group of Democrats met in Kohls' office to discuss what to do. Haussler said at one point Wilson "got his ire up and wanted to know why people went behind his back in making such a check when he was county chairman."

"I turned to Leonard Therrault and said Wilson either knew about our going to Spokane or someone is an awful liar," Haussler said. "Leonard turned to Wilson and said he knew about the trip and Wilson then said, 'if you say so, I knew it.'"

Did Not Say So

Earlier, Kohls testified that at the same meeting, when tempers apparently flared, he turned to Wilson and said, "Damn it, George, I did not say John Goldmark was a member of the Communist party."

The meeting became a matter of discussion in this trial because of a statement by Wilson on the television program, "Suspect," which was produced after Goldmark's defeat.

In the film Wilson said Haussler, Kohls, Sheriff Russell Will and County Commissioner Jack Abrams told him, "We have indisputable evidence that John Goldmark is a card-carrying Communist and head of the Communist party in Washington, Oregon, Idaho and Montana."

Statement Is Denied

All four have denied making such a statement. And Robert Schulman of Seattle, reporter and narrator for the production, admitted that he had not checked with any of the four.

Haussler testified that during the last legislative session he requested Schulman not to show the film, because "it was incorrect."

Christopher Spier, producer-director of the TV show, testified earlier in the trial that during the interview with Haussler he constantly watched the girl who reportedly took dictation of the interview.

When asked why he watched her (Mary Louis) Spier replied, "Well, she was a pretty attractive girl." But then he added that he did not see her taking any notes.

Miss Louis took the stand today with the transcript she made of the interview, showing that Haussler's answers were run together on the program, while intervening questions were left out.

Plaintiffs assert that the television program was a fair presentation of what took place in

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the legislative campaign in the First District last year. Defendants claim that it was a biased production.

Most witnesses Tuesday were from the Methow area and had attended a grange meeting in the spring of 1962 at which Goldmark spoke. That grange had passed a resolution urging legislation outlawing the Communist party in the state of Washington and Goldmark had requested an opportunity to speak on the resolution.

One witness, Foss Crevling, testified Goldmark said he did not think communism was any threat to the United States internally or externally.

Not His Impression

Plaintiffs' attorney William Dwyer, asked him, "Didn't he say the internal threat was less than the external threat?"

"That isn't the impression I got," Crevling replied.

He then added that he felt Goldmark was "soft on communism."

His son, Dewayne, testified that Goldmark said at the meeting he favored Red China being admitted to the United Nations. Plaintiffs have maintained Goldmark consistently has opposed such a move.

Douglas Zahn, Methow orchardist, said his impression of the speech was that Goldmark said there was no internal threat from communism and he even played down the external threat.

"What did he say about the resolution which favored outlawing the Communist party?" he was asked.

"He said he felt the resolution was improper," Zahn answered. "That it already was covered by the Smith Act."

Cahn also testified that Gold-

mark said Red China should be recognized by the UN and the United States, but Mrs. Catherine Bolinger who testified she took notes at the meeting, made no mention of such a comment by Goldmark.

Dwyer asked all these witnesses what Goldmark's reputation was regarding loyalty prior to 1961. In questioning Zahn, he first referred to 1958 when Goldmark originally ran for the legislature.

"He was a political unknown," Zahn answered.

"How about 1957 after his first legislative session?"

"Suspicious and rumors began to rise."

"What was his reputation in 1958 in regards to loyalty?"

"I would say middle of the road."

"How about 1960?"

"By then the evidence of Mrs. Goldmark's former membership in the Communist party was out."

"Oh, it was? How did you find out?"

"Rumors and hearsay. Statements then should have been made to correct the situation and they weren't. In my mind this cast some suspicion of loyalty."

"How did you find out?"

"Party telephone lines would be the best way to put it."

"What was Mr. Goldmark's reputation as to loyalty in 1960?"

"It was slipping."

"During this time Mr. Goldmark was elected to the state legislature three times and his reputation was bad?"

"Yes."

"Isn't that strange?"

"Not particularly."

"And then it got worse in 1962?"

"The pot boiled."

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Libel Trial Bogs Down Over Film

(Also see "Liberal," page 25
"Oswald," page 29.)

By JACK E. FISCHER
Spokesman-Review Staff Writer

OKANOGAN, Wash. — Legal arguments interrupted testimony in the Goldmark \$225,000 libel and conspiracy trial Wednesday as the jury was excused early to permit attorney's presentations to the court.

The primary question was over admissibility of a film strip "Communism on the Map," which has been the subject of a large amount of testimony in the trial.

Plaintiffs' attorneys objected violently to the admission in evidence of the film, claiming it was immaterial and irrelevant.

Defense attorneys assert Mr. and Mrs. John Goldmark protested the showing of this film to the public along with another anti-Communist presentation "Operation Abolition."

Superior Court Judge Theodore S. Turner said Wednesday that no concrete evidence to such protests has been shown in this trial as yet and asked defense attorney E. Glenn Harmon if later testimony would show such action.

"There is a possibility," Harmon replied, "we have heard about such opposition, but at this point it still is hearsay."

Judge Says Irrelevant

"It appears to me," Judge Turner said, "the most convenient way out of this is to instruct the jury that 'Communism on the Map' is not relevant to this lawsuit."

Plaintiff's attorney, William Dwyer, said admission of the film would raise the multiplicity of issues.

He later said, "The reason the defense wants this film introduced is not to convince the jury that the Goldmarks are Communists, but to get the jury in the same frame of mind as were the people in this area in 1961."

It was in that year that numerous showings of the film were made in the Okanogan area.

The plaintiffs have claimed the film was inaccurate and merely "stirred up emotions."

Was a Communist

It also was in 1961 that reports first circulated on Mrs. Goldmark's former membership in the Communist party. She later acknowledged she had been a member of the Communist party in Washington, D.C., from 1935 to 1943.

Harmon argued before the court: "This film strip is so tied up with the case I don't see how the jury can make a decision without ever seeing it."

Earlier, another film, the television production, "Suspect," was introduced in evidence by the plaintiffs. A comment in this film obviously impressed the court regarding the admissibility of "Communism on the Map" to the point where Judge Turner said it would take more study to arrive at a decision.

Slow on Decisions

It also is taking a considerable amount of time for the court to decide on numerous motions made by the defense Monday. At that time the plaintiffs rested their case and the defense moved for dismissal of numerous charges including the entire conspiracy charge.

As yet, the court has not handed down a ruling on any of these motions.

Harmon said Wednesday the defendants' theory on the motions is that the plaintiffs did not present sufficient clear, cogent and convincing evidence to support their charges.

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'Liberal' Defined at Trial

SAN STEPHEN WEYER
OKANOGAN, Wash. — A liberal was defined here today by Dr. Alfred O. Adams, Republican state representative from Spokane as a person who has very little knowledge of fiscal responsibility.

Dr. Adams stated his definition from the witness stand in the Goldmark \$225,000 libel and conspiracy trial.

He appeared in court under a subpoena permitted by a law passed in the 1953 Legislature. The law, which Dr. Adams said he opposed, makes it permissible to serve a subpoena issued in this state anywhere else in the state. He told the court he would classify John Goldmark, former state representative, as "toward the left."

Called Leader

When asked by Defense Atty. E. Glenn Harmon to classify four other representatives in the 1961 legislative session—Keith H. Campbell of Spokane, Norman B. Kenley of Seattle, Paul Holmes of Ellensburg and William Klein of Vancouver, all Democrats — he answered, "Their voting pattern was to the left."

On cross-examination, plain-

tiffs' attorney R. E. Mansfield asked, "Weren't you the leader of the right?"

"I wouldn't say that," replied Dr. Adams.

"How do you describe yourself?"

"I would place myself a little right of center."

He then was asked for his description of two Republican representatives who earlier testified in this trial — Tom Copeland of Walla Walla, and Slade Gorton of Seattle.

"I would say a little to the right of center — not a great deal," Dr. Adams said.

Likes Word "Left"

He said he felt the word "left" has a greater meaning than the word "liberal."

When questioned as to the reputation of both Mr. and Mrs. Goldmark regarding loyalty in Olympia during the 1961 session, Dr. Adams answered, "It was questionable."

Also on the stand Wednesday, the 23rd day of the trial, was Robert J. Gallaher of San Jose, Calif., a resident of Okanogan County until last summer.

Previous testimony had identified him as the person who, along with defendant Don Car-

on, state coordinator for the John Birch Society, had shown the filmstrip, "Communism on the Map," throughout this area in 1961.

He testified that he and Caron belonged to a Catholic Church group, the Holy Name Society whose membership decided to study communism. When they saw the film strip, they decided to show it to other groups.

Asked to Leave

The plaintiff has claimed that Mrs. Goldmark made adequate explanations of her former membership in the Communist party at "coffee hours" during the 1962 campaign.

Gallaher, however, testified that he was asked to leave such a meeting by the hostess, Mrs. Thomas McKay of Omak.

Later, he admitted, that at the time of the coffee hour, he was opposing Goldmark's candidacy although he previously supported him.

Gallaher said from the stand that he became concerned over communism when he discovered the United States had never been victorious in any engagement against the Communists.

"Would you say we did not win over the Communists in the

Berlin Blocade of 1948?" Dwyer asked.

"No, we are worse off there now than we were," Gallaher answered.

"Wasn't it a victory when we insisted that missiles be removed from Cuba?"

"Have you any proof that missiles went out of Cuba other than Khrushchev's word?"

"The word of the late President Kennedy," Dwyer snapped.

"Would you say the Marshall Plan in Europe was not a victory over communism?" the attorney asked.

"I won't say yes or no on that."

Called Defeat

"Was the United Nations activity in the Congo a victory over communism?"

"Very definitely that has been a defeat for our side."

"You think our country is under socialist or Communist influence?"

"To a certain extent."

Gallaher testified that he was a "third generation" Democrat and a member of the John Birch Society although he did not belong to that group at the time he was showing the film "Communism on the Map."

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Argument Stalls Goldmark Case

OKANOGAN (AP)—Argument over whether the film strip "Communism on the Map" could be introduced as evidence tied up the \$225,000 Goldmark libel trial today.

Attorneys for the four men and the weekly newspaper named as defendants in the suit filed by former State Rep. John Goldmark and his wife, Sally, contended the jury would have a "great gap of understanding about the case" unless they saw the film.

There already have been thousands of words of testimony about the film, defense attorneys said.

Attorneys for the Goldmarks objected to introduction of the film strip on grounds it would further complicate the case and that both sides would have to present witnesses testifying for and against the film's accuracy.

Witness Queried

A defense witness, Mrs. Hazel Niendorff of Seattle, widow of a Seattle newspaperman and a self-described "longtime student of communism," had been asked about the film strip.

Defense attorney E. Glenn Harmon offered a transcript of the film's narrative in evidence. The Goldmarks' attorneys objected again, and the jury was dismissed while Superior Court Judge Theodore S. Turner studied the narrative.

Yesterday, State Rep. Alfred O. Adams, Spokane Republican, was called as a defense witness, and defined the word "liberal" as "a person that has very little idea of fiscal responsibility."

Asked if he considers "left" to mean the same as "liberal," Dr. Adams replied:

"I think the word 'left' has a little greater meaning."

torney, asked Adams if he thought more than half the representatives in the legislature at the time would be considered on the "left."

"I can't say," Adams replied. Mansfield asked him how he would class himself in his political beliefs.

"A little to the right of center," Adams said.

Mansfield asked Adams if he was not actually a leader of the "right" in the legislature.

"I wouldn't say that," Adams testified.

Adams told newsmen he was subpoenaed to the trial under a law passed this year by the legislature permitting a subpoena issued in the state to be served anywhere in the state.

He said he voted against the law, but it was passed—"so I'm here."

Late in the afternoon, attorneys presented arguments on a defense motion to admit the film strip "Communism on the Map" as evidence for showing to the jury. Judge Theodore Turner did not indicate when he will rule on that motion and earlier defense motions for dismissal of portions of the suit.

Attorneys discussed suggestions by the defense that the holiday court schedule be relaxed. Defense attorneys said they were experiencing trouble obtaining plane reservations during the holidays to bring witnesses from other parts of the country. Goldmark attorney William Dwyer said a Seattle travel agency had told him plane space was available daily Dec. 16-31 to and from New York, Chicago, Denver and Los Angeles.

Turner indicated no change in the schedule.

The judge has said the court will recess Tuesday through Friday during Christmas week and only New Year's Day the following week.

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Politicians Identified

Under further questioning, Adams identified Keith Campbell of Spokane, Norman Ackley of Seattle, Paul Holmes of Ellensburg and William Klein of Vancouver as members of the 1961 legislature he considered "left."

"Their voting pattern was to the left," Adams said. He said he thought Goldmark's voting record was "to the left" when he and Goldmark served together in the legislature.

Asked what he thought about Goldmark's loyalty prior to the 1961 session, Adams said:

"I would say it was questionable."

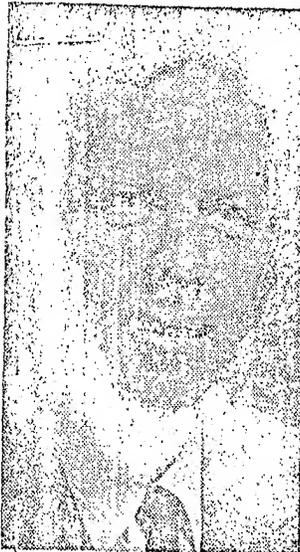
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RUSSELL WILL

George either knew about our going to Spokane or someone is an awful liar.' "

"Leonard told George 'you knew it' and George said 'well, if you say so, I knew it.' "

Wilson produced a telegram from Sen. Henry M. Jackson at this meeting, stating that Goldmark had security clearance as a Naval Reserve Officer.

Kohls recalled saying "dammit, George, I didn't say that John was a member of the Communist party."

Kohls testified the discordant meeting ended when it was decided that Wilson and Cooley would visit Goldmark and seek first-hand information about Mrs. Goldmark's one-time party membership.

He said he never heard the outcome.

All that testimony was aimed at one of the many side issues in the \$225,000 libel suit: the TV film "Suspect" has been shown to the jury by the Goldmark side. It discusses the 1962 defeat of Goldmark. The defense has sought to show it was a biased production.

The Tuesday afternoon testimony was aimed at refuting Wilson's statement in the film.

Mary Louis, secretary to the Okanogan County commissioners, testified she recorded Haussler's question and answer session with the TV crew filming the show.



GEORGE WILSON

She testified that Haussler had made the statement expressing no doubt about the Goldmarks' loyalty, but it had not been used in the final film.

Later Haussler was asked if he had any hand in raising the communism issue in the election.

"I stayed away from it as far as I possibly could," he said.

He was asked if he knew who was involved in it.

"No, not to any great extent." Testimony earlier in the day dealt with a Methow Valley grange meeting which Goldmark addressed in March of 1962.

The grange had passed a resolution urging that the Communist party be outlawed in the State of Washington.

Goldmark asked to talk to the grange and he did.

Witnesses were Mrs. Morris Bollinger, Mr. and Mrs. Foss Creveling and their son, Dewane, and Doug Zahn, all of the Methow Valley.

Their testimony was that Goldmark endorsed the United Nations and United States recognition of Red China and he endorsed the idea of Communist party Secretary Gus Hall speaking on college campuses.

Of Goldmark, Creveling said: "He was soft on communism."



JOE HAUSSLER

Creveling added: "Mr. Goldmark said that he didn't feel that the internal threat of communism or that communism was any threat to the United States."

On cross-examination, Goldmark Attorney William Dwyer asked Creveling if Goldmark really said that communism is a threat, but that the internal threat is less dangerous than the world threat of communism."

"That isn't the impression I got. . . ." said Creveling.

Dwyer asked if Goldmark hadn't suggested that Hall, the Communist, be allowed to speak so people could hear him and judge him for themselves.

"That's right."

Dwyer then asked if Goldmark hadn't said that a law outlawing communism in the State of Washington was unnecessary "because it's already outlawed under a federal law."

"That's what he told us, yes," said Creveling.

Creveling was asked what was Goldmark's reputation for loyalty when he first entered public life.

"He was soft on communism."

Dwyer asked about 1956. "The same," said Creveling.

1958? "My feeling was the same."

The same in 1960.

"It hadn't changed," said Dwyer. "He had been elected three times and his reputation was bad for loyalty the whole time?"

"That's my feeling," said Creveling.

Zahn testified that "suspicion and rumors began to rise" in 1957.

Zahn was asked who started that.

"I suspect visits of strangers in the area."

In 1960, said Zahn, "evidence of Mrs. Goldmark's former membership in the Communist party was out."

"Oh, it was?" asked Dwyer. "How did you find out?"

"Rumors, hearsay and then statements should have been made to correct the situation and they weren't. In my mind this cast some suspicion of loyalty."

"How did you find out?"

"Party telephone lines would be the best way to put it, sir."

"Do you recall who's party telephone lines you found out from?"

"No."

Haussler finished his testimony early Wednesday. Then Mrs. Jewel Roberts, Concomly, took the stand briefly.

She testified that Goldmark had spoken in opposition to two resolutions which came before the Pomona Grange prior to the 1962 campaign.

One resolution called for outlawing the Communist party in the state. She testified both resolutions were voted down by the grange.

Then Robert Gallaher began to testify about how he and Don Caron first began showing the film strip, "Communism on the Map."

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Forced Marriage Note Is Denied

By DECK LARSEN

WENATCHEE—The long Goldmark libel case is in a new phase: the defense is presenting its case.

Attorneys for Mr. and Mrs. John Goldmark rested the plaintiff's case at 5:11 p.m. Monday, after nearly 21 days of testimony from 51 witnesses.

Four defense attorneys called their first witness, County Sheriff Russell Will, plus two others before the end of Monday afternoon proceedings.

One was defendant Loris Gillespie. He was asked about a "Communist forced marriage" quote attributed to him in earlier testimony.

After Monday recess, the defense moved for some dismissals in the case. (For story on that see article below).

When he was on the stand, Gillespie was asked if he had made a statement about the Goldmark marriage which witness William Barnes remembered.

Barnes, testifying in mid-November, had quoted Gillespie as saying:

"You know the Communists

have forced marriages. Why would he (Goldmark) marry a gal as homely as Sally if he wasn't forced into it?"

Gillespie testified yesterday he remembered saying this:

"You know, Bill, they do have forced marriages among the Communists. John here is a personable young man and Mrs. Goldmark is somewhat older and not particularly attractive . . . and I just don't know. I have no information on Mr. Goldmark ever having been a Communist, but I know she was at one time."

Being questioned by Defense Attorney Ned Kimball, Gillespie claimed to have no role in some of the alleged libels. It was a direct move against the plaintiff's contention that there was a conspiracy among the defendants.

For example, Kimball produced a Tonasket Tribune editorial which is one of the alleged libels.

"What did you have to do with the writing of it?" asked Kimball.

"Not one bit," replied Gillespie.

"What did you have to do with the publication of it?"

"Nothing, sir."

"What did you have to do with the distribution?"

"Nothing."

Gillespie also testified he never heard the tape recorded Al Canwell interview, another of the alleged libels, until he heard it in the courtroom. He also disclaimed advance knowledge of work involvement in other alleged libels.

On cross-examination, Goldmark attorney William Dwyer asked Gillespie if he recalled making a statement to Jo Pardee of Wenatchee, suggesting a link between Goldmarks and communism. Gillespie said he did not recall such a statement.

"So you think she's mistaken?" said Dwyer.

"Well, I think she's mistaken," said Gillespie.

Later Dwyer asked Gillespie about a statement attributed to him by earlier witness Don McIntosh. Gillespie said he didn't recall such a statement, "Not to the best of my knowledge."

"So he is mistaken, too?"

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said Dwyer.

"I would assume that he must be," replied Gillespie.

Sheriff Russell Will, wearing a gray suit instead of his customary sheriff's uniform, was asked about the Goldmarks' views on the film strip "Communism on the Map."

The sheriff gave clipped answers to attorneys on both sides.

He testified that he visited the Goldmarks in Olympia during the 1961 legislature. They expressed concern about the film then being shown in Okanogan County. He said Mrs. Goldmark wondered if the Democratic party in the county were doing anything to offset it.

He said he knew nothing being done by the Democratic party.

Returning to Okanogan County, the sheriff said: "I advised Mr. Caron (who was showing the film here) that if "Communism on the Map" was a political issue, he was under the Hatch Act . . ." Caron at that time was a federal employee working for the forest service.

Will also denied making statements attributed to him in the TV film documentary, "Suspect." He said he had never been contacted by the TV crew producing it.

Will, a Democrat, testified he opposed Goldmark's candidacy in the legislative primary of 1962, the race which produced this lawsuit.

Goldmark Attorney William Dwyer asked Will: "Did you have any part in the campaign which accused Mr. Goldmark of being a Communist?"

"No sir."

"You were asked to take part . . .?"

"Yes."

"And you refused, did you not?"

"Yes."

Mrs. Gillespie took the stand late Monday and returned early today. She, too, mentioned the TV film "Suspect" which the Goldmark side had shown to the jury. The defense has sought to show it was biased for the Goldmarks.

Mrs. Gillespie said the TV filming crew was at the Gillespie home for some 2½ hours interviewing her husband, but his interview was cut to only a few minutes in the final version of the film.

Goldmark was the final witness for his side.

Cross examination questions and answers ranged afar. At one time Goldmark was asked if his political opponents had a right to bring out the fact of Mrs. Goldmark's former party membership.

"They had a right to bring this fact out. But they did not have the right to say that Sally was a traitor or that I was under Communist influence."

Goldmark later testified he felt it was enough to disclose her past Communist connection to such groups as the FBI, The House Committee on Un-American Activities and other such organizations.

"But since it had no effect on my action, it would cause Sally pain and the FBI does not want former Communists identified publicly. We did not feel we had a duty to disclose this to the general public."

Asked what he has done to fight communism, Goldmark replied:

"I have done the most I can do to support what I think is opposition to communism.

"This is the development of the United States as a free country in which political discussions between the two major parties can be carried on without hatred and suspicion.

"It is when the two parties can present their points of view as to what they think is best for the welfare of the United States and the State of Washington and the voters can choose."

Mrs. Gillespie finished her testimony Monday morning. She was followed on the witness stand by Edna Creveling, who was secretary of the Methow Valley Grange in 1962.

She was testifying about Goldmark's views on some anti-Communist resolutions passed by her grange.

Goldmark Judge To Study Motions For Dismissal

OKANOGAN — Defense attorneys in the Goldmark libel trial Monday moved for dismissal of many of the libel charges.

The action, not unusual in such suits, came as the Goldmark side rested its case.

Judge Theodore Turner said his rulings may not come until later in the week. Meanwhile, the defense is unfolding its case for defendants Ashley Holden, his "Tonasket Tribune," Al Canwell of Spokane, Don Caron, state coordinator for the John Birch Society, and Loris Gillespie, Okanogan businessman and John Birch Society member.

If all the motions were to be granted, Caron and Gillespie would be out of the lawsuit.

Following is the "box score" of the nine charges brought by the Goldmarks in the lawsuit. In parentheses are the dismissal motions of the defense:

1. Goldmark claims \$25,000 damage from a July 12, 1962, story in the Tonasket Tribune in which his candidacy for reelection was announced.

(All defendants, except Holden and his Tonasket Publishing Co., moved for dismissal for lack of evidence.)

2. Goldmark claims \$25,000 damage from an Aug. 30, 1962, editorial in the Tonasket Tribune, titled "Catching Up With John," which suggested he was a tool of a Communist conspiracy.

(All defendants, except Holden and his publishing firm, moved for dismissal for lack of evidence.)

3. The third claim is based on the newsletter type publication,

"An Interview With Al Canwell," which talks about the Goldmarks and communism. Holden testified he printed it. For it, Goldmark seeks \$50,000 damages.

(All defendants, except Holden and Canwell, moved for dismissal.)

4. The tape recorded version of "An Interview With Al Canwell," is the basis for the fourth claim. For it, Goldmark seeks \$50,000 damages.

(The defense moved to have all the defendants, except Canwell, dismissed.)

5. "Pillaging Parliament," an article by Don Caron in the Okanogan Independent, is the basis of the fifth claim. It discussed Communist infiltration of a nation's legislative branch, particularly state legislatures. Goldmark charges it is a refer-

ence to him, claims \$25,000 damages.

(Attorney Ned Kimball moved for complete dismissal of that on grounds that there has been no proof that any reader construed the article as a reference to Goldmark.)

6. The sixth cause of action is the Aug. 23, 1962, Okanogan American Legion meeting. Al Canwell was the speaker. He called the American Civil Liberties Union a Communist front organization and Goldmark was identified as a member, it is claimed.

(The defense moved for dismissal of that charge against all defendants, although on varying grounds.)

7. and 8. The seventh and eighth causes of action are based on the printed and tape recorded interview with Al Canwell, the same as No. 3 and 4, except they relate only to alleged damage to Mrs. Goldmark. The total amount sought in damages to her in the two claims is \$25,000.

(The defense moves for dismissal were the same as on Nos. 3 and 4.)

9. The ninth claim is the conspiracy claim. In it the Goldmarks charge that all defendants "conspired and wilfully participated in a plan and course of action designed to defame and injure the plaintiffs". That has the effect of joining all the defendants together in any judgement which might be rendered. Among the defendants, only Caron is not included in the conspiracy claim.

(The defense moved for complete dismissal of the conspiracy claim.)

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Reds Fully Support Party Aim--Witness

By SPOKESMAN-REVIEW STAFF WRITER

OKANOGAN, Wash.—Mrs. Barbara Hartle, a member of the Communist party from 1933 to 1954, testified in Superior Court Friday that it would not be possible to be a member of a secret, underground, Communist cell and not be totally committed to communism.

Called as a witness in the Goldmarks' \$225,000 libel and conspiracy trial, Mrs. Hartle said that this would have been true from 1933-1943.

It was during those years that Mrs. John Goldmark has admitted being a member of the Communist party. Defendants claim she was a member of the so-called Fero-Kramer cell and Mrs. Goldmark has admitted her unit was secret.

Mrs. Hartle who now lives in Evans, Wash., testified at length about her Communist activities, which ended in a conviction under the Smith Act for which she served a jail sentence.

Dwyer Objects

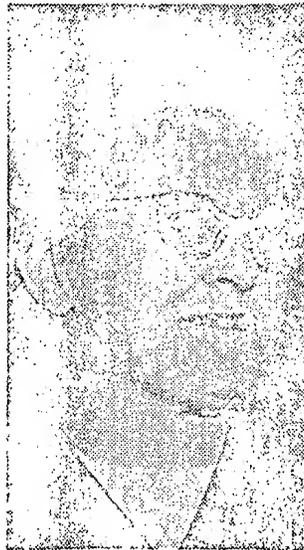
While she was awaiting appeal, she told her story to the Federal Bureau of Investigation.

Plaintiffs' attorney William Dwyer objected strenuously to the defendants calling Mrs. Hartle to the stand.

He said she would testify as to what the Communist party line is.

"We object to the introduction of any such testimony," Dwyer said, "on the ground that no foundation has been laid, that it is irrelevant, immaterial and prejudicial to the jury."

He claimed the plaintiffs, Mr. and Mrs. Goldmark, did not know what the Communist party line was and no inference could be drawn because their stand on a few issues of the day were the same as that of the Communist party.



BARBARA HARTLE
Tells of Red Activities

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Rules on Marriage

Defense attorney E. Glenn Harmon, however, argued that the Goldmarks were not in the same position as the average person since it is an admitted fact that Mrs. Goldmark was once a Communist.

Throughout this trial, which has completed its 25th day, there has been considerable testimony involving forced marriages by the Communist party.

Mrs. Hartle testified that no member of the Communist party could marry an enemy of the party such as an FBI agent, policeman or member of the armed forces.

"It was understood," she said, "that whom a person is married to was important and that a member could not marry anyone who could keep them from being active."

She said she joined the Communist party in Spokane, then went to Great Falls, Mont., back to Spokane, and in 1942 went to Seattle.

Arrested in 1938

She said she was arrested in Spokane in 1938 on a charge of obstructing a sidewalk with picketing.

"Was an attorney provided for your defense?" Harmon asked.

"Yes," she answered, "a Benjamin H. Kizer."

She said the Communist party was strongly opposed to the state legislative committee on Un-American Activities in

1948. This committee was headed by one of the defendants in the libel suit, Albert F. Canwell of Spokane.

"What was the attitude of the Communist party toward the Canwell Committee?" Harmon asked.

"To mount an all-out campaign for defeat of the committee and later to defeat Canwell himself," she answered. "The Communist party worked very strenuously to defeat Mr. Canwell."

She said she later came to know Canwell and "found him knowing as much or more about communism and the Communist party as anyone I've ever known."

Objected to Programs

Also testifying Friday was Carl Tyler of a Wenatchee radio station. He said Mrs. Goldmark opposed a series of programs called "Know Your Enemy." He said she objected to them being played as a public service.

Another witness, George Wilson of Brewster, former Okanogan County Democratic chairman, said at a meeting in Omak in 1961 B. E. Kohls claimed he had "indisputable evidence that John Goldmark is a card-carrying Communist and head of the Communist party in Washington, Oregon, Idaho and Montana."

On the television program, "Suspect," which has been introduced as evidence in this lawsuit, Wilson said he was told this by Kohls, State Rep. Joe Haussler, County Commissioner Jack Abrams, and Sheriff Russell Will.

Wilson testified Friday that only Kohls said it, but the others were at the meeting. Kohls testified earlier he did not make such a statement, and the other three also have denied ever making such a comment.

Mrs. Hartle still was on the stand when court recessed for the weekend.

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Ex-Red Barbara Hartle Attacks UW Prof Again

By Dick Larsen

GOLDMARK — The complex Goldmark libel case went into a new phase Friday, as an ex-Communist took the stand as a defense witness to talk about communism.

Testifying was Barbara Hartle, a small, greying woman, who now lives on a chicken farm north of Colville, at the community of Evans on the lake above Grand Coulee Dam.

In her testimony, she:

1. Said that she had been in the Communist party for 21 years.

2. Declared that a person in a Communist cell in Washington, D. C. in the 1930s and early '40s had to be "totally committed" to communism;

3. Mentioned the name of University of Washington professor Melvin Rader as a onetime Communist, thus reviving a long-standing issue that made headlines across the state beginning in 1948.

In Seattle Prof. Rader issued a denial of her statement.

The stage for Friday's testimony had been set last Nov. 5, in the opening statement of defense attorney E. Glenn Harmon, representing libel defendants Ashley Holden, his Tonasket Tribune, Albert Canwell, Loris Gillespie and Don Caron, John Birch Society coordinator.

Harmon said in that statement that, in defending the alleged libels, they would prove that both Mr. and Mrs. Goldmark "are under communist party discipline."

As Mrs. Hartle was to go to the witness stand, Goldmark attorney William Dwyer objected to allowing her testimony.

Dwyer said the defense would bring on an ex-Communist to talk about the Communist party line, then point out where the Goldmarks' views on an issue coincided with that of the Communist party line.

Dwyer declared: "It is possible to convict any person in the United States of Communist sympathy" if that course is taken.

He said that President Eisenhower could thus be shown to be a Communist sympathizer if his attitude or action at a given time coincided with the Communist party line.

Harmon said "...These plaintiffs are not quite in the same position as every other American...It is an admitted fact that Mrs. Goldmark was a member of the Communist party..."

They argued at length. Then Judge Theodore Turner overruled Dwyer's objection. The judge said "the nature of the Communist Party...is relevant

(Indicate page, name of newspaper, city and state.)

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BARBARA HARTLE

"because of the nature of the libel charge."

Mrs. Hartle, who has given much testimony about her former party membership to the House Committee on Un-American Activities, talked at length about her activities as a Communist.

She said she was a graduate of Washington State University and first joined the Communist party in the winter of 1933-34 in Spokane.

She testified about Communist fronts. "There were a number of organizations that the Communist party was working through..." She named the Friends of the Soviet Union, The Washington Old Age Pension Union and the American League Against War and Fascism.

She told of positions she held in the party, first secretary of a neighborhood unit, then organizational secretary of the Spokane Section of the party in 1939.

That year she went to Montana for a year, then returned to Spokane, she said.

"In the latter part of 1940...I was assigned as a full-time organizer in Spokane, to be paid by the party."

In 1942 she moved to district headquarters in Seattle and became organizational secretary for the Northwest district.

Harmon asked her about theory and practice of communism. She said communism held that theory and practice are intertwined. "It is our duty not only to study the world, but to change the world."

Harmon asked what was the "historic mission" of the Communist party in 1935-43. He used those dates often in framing his questions. Those are the dates Mrs. Goldmark testified she was in the Communist party.

Mrs. Hartle said the historic mission as been "to achieve world communism."

Harmon asked if there has been any change in the Communist party since then.

"No there's been no change."

Harmon asked what was the attitude of the Communist party toward the Canwell committee. That was the state legislature's committee on un-American activities in 1948, headed by defendant Al Canwell during his one term in the Legislature.

"The attitude of the Communist party was to maintain an all-out campaign for the defeat of the Canwell committee and later of Mr. Canwell himself."

Mrs. Hartle said she organized a picket line around the Seattle Armory where that committee was holding hearings in 1948.

She said she knows Canwell well and she said he is probably the best informed person about communism in the state.

Harmon asked: "Did the Communist party have any policy of teaching its members to lie when asked about communism...?"

"Yes it did. When members joined the Communist party many of them would say I want to be known as a Communist. That was alright for some persons, but most of the persons could be more effective...if they were not known as Communists."

At various points, Dwyer objected. When the questioning approached the subject of Prof. Rader, he objected.

Judge Turner ruled that there would be no testimony about persons in the Communist party not related to the lawsuit. But Rader had been earlier identified in testimony as a former president of the Washington chapter of the American Civil Liberties Union. That has become a factor in the case.

"What are the facts as to whether Mr. Rader was under Communist party discipline?" asked Harmon.

"I knew him to be under Communist party discipline," said the witness. "He was known to be a member of the Communist party..."

In Seattle Prof. Rader Friday night issued a statement vehemently denying her statements.

He said that as far as he knows, he had never met Mrs. Hartle and added:

"I have never been a member of the Communist party. I have never been under Communist party principle. I disagree fundamentally now, as I always have in the past, with the theory and practice of communism."

In 1948 Rader denied under oath at a Canwell committee hearing that he had ever been a member of the Communist party.

Subsequently there was an investigation by the University of Washington and the president announced that the school was satisfied that there was a conflict in testimony and evidence in that hearing. Prof. Rader was retained on the faculty.

Mrs. Hartle testified she went "underground" for the Communist party in 1950. She said she travelled to Sumner, Tacoma, Puyallup, Portland, Oregon City, Salem and Eugene, but she did not testify what she did except to mention that underground agents helped each other move from place to place. She also recalled writing "an article of condolence" to the widow of a party member "who had had her husband pass away."

Mrs. Hartle said she was arrested by the FBI in Eugene Sept. 17, 1952. She was one of seven Communists arrested.

She was tried and convicted, then later she went to the FBI and told about her former party activity.

"I had to do something," she said. The Communist party "kept after me and kept after me...I finally came to the conclusion the only way to get away from them...was to go to the FBI."

She testified that the film "Operation Abolition", mentioned in previous testimony was "absolutely, totally accurate."

A climax question came late in the day. Harmon asked: "In your opinion would it be possible for a person to be a member of a Communist cell in Washington

D. C. or anywhere else in 1935-1943 and not be totally committed to communism?"

Dwyer objected. He sought to show that Mrs. Hartle wasn't informed about the Communist party anywhere in the east. He also suggested that Mrs. Hartle at that time was an open Communist, giving speeches, at a time when the Communist party was an open political party and on the ballot.

But the court ruled the witness could answer the question.

She answered: "No, it wouldn't be possible."

Earlier in the day there was testimony from George Wilson, 1962 Democratic Central Committee chairman for Okanogan County.

He testified about a Democratic dispute that has come up during the trial.

Democrats, B. E. Kohls, State Rep Joe Haussler and Sheriff Russell Will have denied a statement of Wilson's on the film "Suspect." In it Wilson said those three, plus Jack Abrams, told him prior to the 1962 campaign that they had undisputable evidence that John Goldmark is a card-carrying Communist and head of the Communist party in Washington, Oregon, Idaho and Montana."

Kohls, Haussler and Will all denied the statement.

But Wilson testified that Kohls said it during a meeting of Democrats in Kohls' office and that he understood Kohls to be the spokesman of the group.

Mrs. Hartle goes back on the witness stand Monday.

A ruling may also come Monday from Judge Turner on the defense motions for dismissal of several of the charges in the libel suit.

The Goldmarks are suing Holden, the Tonasket Tribune, Cahwell and the others for \$225,000, claiming they committed libels during the 1962 campaign, designed to smear the Gold-

marks with the stigma of Communism or Communist sympathy.

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Mrs. Hartle Sues Party Discipline

By DICK LARSEN

SKANOGAN — Former Communist Barbara Hartle said in court here Monday that a member of a Communist party cell in Washington, D.C., from 1935 to 1943 would be bound to communism.

Her testimony was obviously directed at the contention by Mrs. John Goldmark that she quit the party in Washington, D.C., in 1943, and has had no relationship with communism since.

E. Glenn Harmon, attorney for the defense in the \$225,000 Goldmark libel case, opened the week of testimony with this question:

"Could any person have been a member of a secret underground Communist cell in Washington, D.C., from 1935 to 1943 with Communist party members then employed in espionage activity, and maintained mental reservation about communism so as not to have been a dedicated Communist?"

Goldmark Attorney William Dwyer objected strenuously to the question, as he did to other questions.

But Judge Theodore Turner ruled that Mrs. Hartle could answer.

She replied: "No, I don't think that it would have been possible for a Communist in such a situation to have mental reservations."

Later Harmon asked if such a person could have been married in December, 1942, and then have remained a member of

the same cell for almost a year without Communist party approval.

The witness replied that a Communist "does not get married without the approval of the party and certainly does not get married against the wishes of the party."

She added that if a member gets married without party approval "they will be expelled out of the party. . ."

Such a wedding she said would be "a danger to the party" and disciplinary measures would be taken.

Harmon asked if such a member of such cell could get out of that cell simply by stopping going to cell meetings.

Mrs. Hartle replied: "No it would not be possible for members to simply drop out of a cell of that character. . . The rules of the Communist party and the discipline are very strict and the reason . . . is to protect the security of the party."

She added: "The member is brought back into the party . . . or else it comes to an end in another way, and that is by the members either renouncing the party or some record (made

in the branch (of the party) of what has happened to that person."

Harmon later asked her what was the Communist party attitude on the film "Operation Abolition" in 1961 and 1962.

She replied that the Communist party line takes "a position of opposition to 'Operation Abolition'; that it is incorrect, that it tends to create hysteria and that it should not be shown."

She said the partyline is similar on the film strip "Communism On the Map."

Harmon asked her about the party line in regard to anti-Communist study clubs.

She replied: "The Communist line is that the anti-Communist study clubs are harmful, that they cause bigotry and hatred and that they should not be con-

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tinued."

All the testimony referred to Mrs. Goldmark's self-admitted one-time Communist party membership and to the Goldmarks' position on the films in 1961 and 1962.

Mrs. Hartle took the stand Friday after an objection to her testimony had been overruled.

Goldmark attorney William Dwyer objected at length, saying that the defense in the case would, through testimony of such witnesses, establish that the Communist party line would coincide at points with the Goldmarks' views.

Dwyer said that, through such a process, former President Eisenhower or almost any other person, could be identified with some points of the Communist party line. Dwyer argued that such testimony would be irrelevant.

But defense attorney E. Glenn Harmon declared that Dwyer's argument wasn't valid. He said the Communist party and the Communist party line are relevant to the lawsuit, because Mrs. Goldmark has admitted she was once in that party.

Judge Turner overruled Dwyer's objection, saying that he agreed that the issue of communism is relevant to the case.

Mrs. Hartle told how she joined the Communist party in Spokane 21 years ago and gradually worked her way into higher posts in the organization in the Northwest.

She said she went into the Communist underground in 1950. Mrs. Hartle was arrested by the FBI Sept. 17, 1952, and was charged under provisions of the Smith Act.

She and four others were convicted and, while those convictions were on appeal, Mrs. Hartle told the FBI about her career and work in the party.

The other Communists had their appeals sustained, but Mrs. Hartle spent more than a year in jail.

Since then she has testified before hearings probing into

Un-American activities. She was a witness before the House Committee on Un-American activities in San Francisco three years ago when the riot broke out.

Those riots were the subject of the movie, "Operation Abolition." The Goldmarks had expressed opposition to that film in their testimony. Mrs. Goldmark said it was an exaggeration, portraying all the rioters as Communists or Communist dupes, while, she said, many were just sincere students who opposed the committee's procedures.

But Mrs. Hartle testified that the movie "is absolutely, totally accurate as it can be and not have the action in front of four eyes."

She said criticisms of it are "of an extremely technical nature."

Judge Rules On Motions In Goldmark Libel Case

OKANOGAN — Judge Theodore Turner Monday morning issued a number of rulings on motions for dismissal of certain charges in the Goldmark \$225,000 libel suit.

The rulings have the effect of keeping the lawsuit just as it was prior to the motions.

Certain dismissals were granted but they were technical and did not alter the number of defendants involved or the dollar claims involved.

Judge Turner overruled a move by the defense to dismiss a conspiracy charge. The Goldmarks claim that defendants Ashley Holden, The Tonasket Tribune, Loris Gillespie, Albert Carwell and Don Caron conspired in a plan to injure Mr. and Mrs. John Goldmark in

1962. His ruling is that the conspiracy claim will stay in the lawsuit.

His other rulings had this effect:

1. Canwell, Gillespie and Caron were removed from the claim of damage from a story and an editorial in the Tonasket Tribune.

Holden and the Tribune remain a party to that charge.

2. All defendants except Al Canwell and Caron were removed from a claim of damage connected with the printed "Interview with Al Canwell." Caron remained a party of that claim because he had distributed some copies.

3. All the defendants except Canwell were removed from a charge of libel from the tape

recording of the Canwell interview.

4. All the defendants except Caron were removed as parties to the claim arising from Caron's article "Pillaging Parliament" in the Okanogan Independent.

5. All the defendants except Canwell, Gillespie and Holden were removed as parties from the libels alleged from the Aug. 23, 1962, American Legion meeting in Okanogan.

The total asked in the lawsuit, \$225,000, remains unchanged. The conspiracy claim has the effect of making all defendants financially responsible if a dollar claim is awarded.

In effect, the ruling on the conspiracy points toward a jury decision on that count, rather than a judge's decision.

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Ex-Red's Testimony in Goldmark Case Fought

By DICK LARSEN

OKANOGAN — A major issue arose shortly before noon today in the Goldmark libel case.

Will a former member of the Communist party be allowed to testify about what the Communist party line is?

Barbara Hartle, who lives near Spokane was prepared to go to the witness stand for the defense when the legal issue arose.

The jury was excused while attorneys argued.

Goldmark attorney William Dwyer said that the defense will try to offer such testimony and then suggest that Mr. and Mrs. Goldmarks' views on some issues might be the same as the party line views.

That would infer improperly that they were sympathetic with communism.

Dwyer noted, for example, that Goldmark and other Democrats opposed provisions of the McCarran Act.

"Even if it's true that the Communist party opposes the McCarran Act . . . no inference of communism is or can be raised against them for doing so."

Dwyer added: "It is possible to convict any person in the United States of Communist sympathy" if that course is taken.

He said that could apply to former President Eisenhower or to the late Senator Taft because Senator Taft's views on the Marshall Plan at one time coincided with the Communists.

"J. Edgar Hoover has said it's absurd and dangerous to label anyone as a Communist in this way."

Attorney E. Glenn . . . seems to me

that Mr. Dwyer is overlooking the fact that these plaintiffs are not quite in the same position as every other American. . . .

It is an admitted fact that Mrs. Goldmark was a member of the Communist party. . . ."

Harmon added: "The chain of circumstantial evidence starts out from a base of fact . . . The fact is that John Goldmark married her when she was a member of the Communist party."

The issue appears to go squarely into the course which the defense set for itself in its opening statement of the long law suit more than a month ago. That was the declaration it would prove that Mr. and

Mrs. Goldmark have been "under Communist party discipline."

The arguments were interrupted by the noon recess. They were to be renewed this afternoon. It was expected that the judge — Theodore Turner — might make a ruling.

A Wenatchee man, Carl Tyler, KPQ radio news director, was a Friday morning witness. He testified that Mrs. Goldmark had contacted his radio station urging that it stop playing a program called "Know Your Enemy."

He said she claimed it was not factual and tended to cause hysteria on the subject of communism. Tyler testified about other letters the station had received: "We did receive lots of praise for carrying this show. We also received lots of criticism."

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He said the show had been offered to the station free of charge and was carried as a public service. But when controversy arose it was dropped.

That incident had been referred to in earlier testimony as the defense in the case sought to show Mrs. Goldmark's opposition to certain anti-Communist programs.

Three legislators were on the witness stand Thursday to say there were rumors in the legislature about John Goldmark's reputation for loyalty.

All were called by the defense in the case. The defense seeks to show that Goldmark's reputation was scarred before the 1962 campaign in which the alleged libels occurred.

The witnesses were State Reps. Margaret Hurley and Richard Morphis of Spokane and Elmer C. Huntley of Thornton.

The attractive Mrs. Hurley, a coalition Democrat in the 1963 legislature, at times gave some scathing, oratorical testimony.

She described what she called "extra liberals" in which she grouped Goldmark. She said they believe in "extension of government control, fiscal irresponsibility (and) embarrassing those who uphold morality, patriotism and things that are decent."

"That's quite an indictment," retorted Goldmark Attorney William Dwyer.

Questioned by Defense Attorney E. Glenn Harmon, she said that State Rep. Goldmark's reputation for loyalty in the legislature is "questionable."

She said he consistently voted with a certain group: "There was a pattern. Those with an extra liberal philosophy would vote together."

On cross-examination, Mrs. Hurley was asked by Dwyer what measures Goldmark voted on to prompt her views.

She cited his opposition to the American Heritage Bill.

Noting that was voted down

in the legislature, Dwyer observed "There must be a lot of such people."

"Too many," said Mrs. Hurley.

Later she referred again to liberal politicians, saying they oppose "things that are moral and would tend to uplift the community."

"You can't sit in the legislature since 1953 and not categorize people . . . you can almost tell them by the time they sit down in their seats."

Dwyer asked how many of the 99 legislators she'd put in that group. "Would it be 50 or 60.?"

"I would say 15," she replied.

Dwyer sought to show that Mrs. Hurley and Goldmark were long-time enemies in the public versus private power fight in the legislature.

She also testified about a budget battle.

"In that fight you and Mr. Goldmark were on opposite sides," asked Dwyer.

"As usual," she said.

Rep. Huntley, asked about Goldmark's reputation in the legislature, said "there were rumblings in the corridors and the men's lounge as to actually whether he was socialistic."

He was asked if the rumors dealt with Rep. Goldmark's loyalty.

"I'm sorry to say they did," replied Rep. Huntley.

On cross-examination he was asked, "Did Mr. Goldmark ever say or do anything to cast any doubt on his loyalty" so far as Huntley had seen.

"No."

Dwyer asked if there aren't many things said and rumored about men in politics.

"Yes, all the time in fact."

"This is one of the conditions of public life, isn't it?"

"Yes it is."

Morphis, Spokane Republican, testified about an incident in the 1957 legislature.

The issue was a memorial to the U.S. Congress. It would have repealed an earlier memorial which had urged a stronger United Nations organization.

Goldmark, said Morphis, asked who supported the resolution "and I told him Pro-America and the American Legion. He then said, 'those super-patriotic groups give me a pain in the neck.'"

Morphis, too, testified there were rumors of doubt about Goldmark's loyalty.

Cross-examining the three legislators, Dwyer sought to show that often many other lawmakers were voting the same way Goldmark did.

Morphis testified that he and Goldmark had sometimes voted together and that they had good personal relations.

Dwyer: "Are you suggesting you had very good relations with a man whose loyalty you doubted?"

Morphis paused. "Yes."



TESTIFY — Three state representatives testified in a libel suit. Two of them are Rep. Margaret Hurley, left and Rep. Elmer Huntley.

—Daily World Photo.

Lawyers Argue About Film

OKANOGAN — It was plaintiffs' exhibit 167.

To anyone who hasn't closely followed the lawsuit, it might not appear to have much bearing on the libel case of Mr. and Mrs. John Goldmark versus Ashley Holden, The Tonasket

Tribune and other defendants.

It was a mimeographed document, a transcript of the sound track of the controversial film strip "Communism on the Map".

The defendants wanted it to be introduced as evidence. The Goldmark side opposed it.

Both sides argued in the court room, with the jury excused. The passion of the arguments indicated the passions which have arisen at many stages of the long lawsuit.

E. Glenn Harmon, defense attorney, contended that "Communism on the Map" had been often mentioned in the testimony.

The film purports to show the spread of communism in the world. Goldmark, in his testimony, said it is filled with factual errors and it is designed to stir up unreasonable fear.

It had been one of the factors in the anti-communism movement in Okanogan County, a prelude to the atmosphere of the hot 1962 campaign which gave birth to the alleged libels.

Harmon said that, after all the mention of the film, the jury should be entitled to know what it was about. If the film can't be shown to the jury—and there was doubt that a showing of it will be allowed—the jury would be confused.

At the end of the trial, the juror would wonder, "I don't know what the shooting was all about," said Harmon.

The film strip was a factor in the political atmosphere of the campaign, said Harmon. ". . . We feel very strongly that the defendants are charged with a malicious conspiracy and they are entitled to prove the things which activated them . . ."

If the exhibit is denied, the defense is crippled in this part

of the case."

Goldmark attorney William Dwyer argued that, to introduce the exhibit, would touch off long testimony about the factual correctness or inaccuracy of the film strip and parade more witnesses and more exhibits into the lawsuit.

That would become "a big, gigantic public dispute over whether the far right was right or wrong. . . . This would be disastrous for the whole judicial process."

There would be complicating and prolonging of the already complicated and long libel suit and "all we'd have is a jury which would be exhausted and utterly confused."

Dwyer charged that the film strip "is a straw man they (the defense) set up so they can knock it down."

Harmon replied: "Mr. Dwyer is seeing a ghost under the bed that isn't there. . . . We're interested in getting home, too."

Their arguments ranged over many legal points.

At last Judge Theodore Turner ruled that the film strip issue "has been a very fundamental one and I think it was of such strength that it is a circumstance the jury is entitled to take into consideration."

He overruled the plaintiffs' objection.

But he showed he is also dedicated to getting the trial completed as soon as possible. He set some limitations on the kind of testimony that could be introduced as a result of exhibit 167.

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Bircher Not Wanted At Demo Talks Barred From Goldmark Meeting, Gallaher Says

By DICK LARSEN

OKANOGAN — A former resident of Quincy and Okanogan testified Wednesday that he had been turned away from a 1962 Democratic meeting at which Mrs. John Goldmark's former Communist party membership was to be discussed.

The witness was Robert Gallaher, now of San Jose, Calif. He testified he is a Democrat and a member of the John Birch Society.

Gallaher lived at Quincy from 1952 to 1956, then moved to Okanogan. He mentioned he is brother of Herrn Gallaher, Wenatchee, the man who taught Goldmark to fly an airplane.

Gallaher testified how he first became interested in the communist menace and how he, with defendant Don Caron, also of the John Birch Society, first began showing the film strip "Communism on the Map" in Okanogan County.

That film strip, considered a political device by the Goldmarks, became one of the issues erupting before and during the 1962 campaign which produced the \$225,000 libel suit. Gallaher said that early in 1962, he heard of a meeting of

Democrats in the Thomas McKay home at Omak. He testified he heard that, at that meeting, Mrs. Goldmark's former Communist party membership would be discussed.

He went. Gallaher said the hostess, Mrs. McKay, told him the meeting was for "a few of the loyal friends of the Goldmarks" and added, "I'm sorry, but I'm going to have to ask you to leave."

"I never got the answers to my questions, only by hearsay," said Gallaher.

On cross examination, attorney William Dwyer sought to prove that, at the time of the meeting, Gallaher was already an active opponent of Goldmark.

Among Dwyer's questions was one about Gallaher's opposition to the regional library in Okanogan, an issue which Mrs. Goldmark supported publicly.

Dwyer asked if Gallaher didn't contend that the regional library was an example of big government, centralized government.

"Socialism, yes," said Gallaher.

In a letter to the editor,

Dwyer suggested that Gallaher had at one time contended that civil defense fallout shelters were part of a Communist plot.

"It's been a long time since I wrote that letter. It's probably there if you say it is," said Gallaher.

Dwyer asked many questions about Gallaher's views on the spread of communism around the world. Gallaher testified that this country has never won a victory in any engagement with the Communists.

"Would you say we did not win over the Communists in the Berlin blockade of 1948?" Dwyer asked.

"No, we are worse off there now than we were."

Dwyer wondered if the blockade of Cuba in the missile crisis wasn't a victory.

"Have you any proof that missiles went out of Cuba, other than Khrushchev's word?" asked Gallaher.

"The word of the late President Kennedy," said Dwyer.

Gallaher also testified he thought Sweden was under Communist influence "to a great extent," and Norway too.

An earlier witness was state Rep. Dr. Alfred O. Adams, Spokane Republican.

He classified Goldmark's legislative record as "toward the left."

Defense attorney R. E. Mansfield asked him: "Weren't you the leader of the right?"

"I wouldn't say that," said Adams.

He described himself as "a little right of center."

Another Wednesday witness was Ray Vincent of Chesaw. He testified that in a grange meeting he supported a resolution which was aimed at outlawing the Communist party in the State of Washington.

He testified he was in a minority of a committee which recommended the resolution's defeat. Goldmark spoke for its defeat. It was defeated by the Pomona Grange.

That stand of Goldmark mentioned often in testimony, came up in questioning of Gallaher, too.

Gallaher said Goldmark opposed the resolution. Dwyer asked him if he didn't know there already was a state law outlawing communism.

"No," said Gallaher. "I learned later but I didn't know at that time."

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Demo Hassle Enters Case

By DICK LARSEN

OKANOGAN — A Democratic party haggles and a Methow Valley Grange meeting were talked about in Tuesday proceedings of the John Goldmark libel case in Okanogan County Superior Court.

It was the first full day of testimony by the defense side.

But it was an unspectacular day. The defense was apparently sparring, waiting for rulings on its several motions for dismissal.

Those rulings are expected this week. If all are granted the number of libel charges would be reduced and defendants Loris Gillespie and Don Caron would be out of the lawsuit.

Democratic State Rep. Joe Haussler, the man who beat John Goldmark in the 1962 primary election, took the stand Tuesday.

His testimony was aimed at a statement in the TV documentary film "Suspect."

That statement was from George Wilson, former Okanogan County Democratic Central Committee chairman.

Wilson on the film said that Haussler and some other Democrats confronted him prior to the 1962 election campaign saying they had "indisputable evi-

dence" linking Goldmark with communism.

Rep. Haussler said he never made any such statement to Wilson. Earlier witnesses Sheriff Russell Will and Bill Kohls — two of the Democrats mentioned by Wilson — also denied it.

Haussler testified that when he (Haussler) was being interviewed for "Suspect" he made this statement:

"I certainly have no reason to believe that John and Sally Goldmark are disloyal to their country."

Haussler testified that statement had been left out of the film. Because Wilson's statement was in the film "that should have been in there," said Haussler.

The prelude to all that came in the fall of 1961.

Kohls, who became Haussler's 1962 campaign manager, told how he, Haussler, Stan Pennington, Okanogan newspaperman, and Loris Gillespie, a defendant, all went to see Albert Canwell, a co-defendant in Spokane.

They went to inquire about a rumor that Mrs. Goldmark had once been in the Communist party.

At Spokane, said Kohls, Gillespie introduced them to Canwell.

Said Kohls: "As I recall, he

had a folder with some clippings . . . he gave us, John's background."

Kohls added that Canwell produced "what looked like a pamphlet . . . a photostatic copy with the name Irma Ringe circled . . . he said that Sally Goldmark and Irma Ringe were one in the same person."

It stated that Irma Ringe had been in the Communist party, said Kohls. He added later he didn't know what the document was.

After that trip there was a meeting of Democrats in Kohls' office. Among those present were Haussler, Kohls, Wilson, Leonard Therriault, Jack Abrams and Lew Cooley.

Their topic: What to do about Mrs. Goldmark's one-time Communist party membership, in view of the upcoming campaign.

Haussler and Kohls testified that Wilson was irate about their trip to Spokane with Gillespie.

Kohls quoted Wilson, the party chief, as saying "I'd like to know why you two men went behind my back."

Haussler contended Wilson had asked him, through Therriault, to go to Spokane in the first place.

Haussler said: "I turned to Leonard (Therriault) and said

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Defense Puts Another Ex-Communist On Stand

By DICK LARSEN

OKANOGAN — Another former Communist, John Lautner of New York, took the witness stand here Tuesday in the Goldmark libel case.

Hungarian-born Lautner, 61, testified that he had been in the Communist party for 21 years. He said he joined in New York City in 1929, then traced his career of party work in Detroit, Canada, Cleveland and later in the coal mining districts of West Virginia.

He said that he was in military intelligence, assigned to General Dwight Eisenhower's headquarters and later in the headquarters of British Marshal Alexander.

He told about his early training in the fundamentals of Marxism and Leninism and particularly his work in New York City during the depression. He cited the activities of the party, listing "soup kitchens and mass meetings and availing ourselves to speak to the people who we tried to gain influence over."

He said that an objective of the party was "infiltration of the city relief services."

The gray-haired man, with full voice and slight accent, was continuing his testimony this afternoon. He is the second former Communist which the defense has had as a witness.

Mrs. John Goldmark, who

with her husband are plaintiffs in the \$225,000 libel suit against five defendants has acknowledged she was a member of the Communist party from 1935 to 1943. She testified that she was attracted to the party because of the problems she saw in New York City during the depression years.

There was an indication in his early testimony that Lautner did not know her then.

Defendant Ashley Holden, editor-publisher of the Tonasket Tribune, was in the witness chair earlier in the morning.

He testified that the facts in his writings, alleged libelous in the lawsuit, were essentially true.

He had been on the stand early in the trial, called by the plaintiffs as a witness. Today he was testifying for his own side—the defense.

As he had done earlier, Holden talked about individual sentences in the alleged libels—a news story and an editorial published in the 1962 campaign when he opposed Goldmark.

He said that each statement was true, or "true to the best of my knowledge."

One example was an editorial sentence which said of State Rep. Goldmark "never has he reflected the views of a majority of the voters."

Attorney Ned Kimball asked

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if that were true.
"Definitely true," replied Holden.

Holden said that the Goldmarks had consistently favored a state net income tax, a proposal which the state voters had repeatedly turned down.

Holden was an unsuccessful candidate for the legislature in the previous campaign, the one of 1960.

On cross-examination Goldmark attorney R. E. Mansfield asked Holden to cite specific actions of Goldmark in the legislature on which Holden had based his writings.

Among other issues Mansfield asked him to cite specific tax measure votes of Goldmark.

Holden said he couldn't remember any specifically.

He added: "There were so many that I couldn't do it."

Former Communist Barbara Hartle finished testifying late Monday. She told of Communist party philosophy and a contact she said she had with University of Washington Professor Melvin Rader.

She also mentioned briefly an effort of the Communists to infiltrate the union at the Boeing plant in Seattle and the state P-TA.

Mrs. Hartle was a member of the Communist party from 1933 to 1954, she said.

During the day her testimony was interrupted for the showing of the film "Operation Abolition."

The jury and a big crowd of spectators watched the movie. It showed the San Francisco riots of 1960, in which the hearings there of the House Committee on Un-American activities were protested.

It portrays known west coast Communists agitating students into a protest riot. Its sound track called it "Communism With its Mask Ripped Off."

It came amidst Mrs. Hartle's testimony about the Communist party line and activities. She said, "In my opinion the Communist party is an internal threat that is continuing . . . part of an international conspiracy to set up communism on a world scale."

Throughout his questioning of Mrs. Hartle, defense attorney E. Glenn Harmon, referred to Mrs. Goldmark's admitted one-time party membership.

A sample question: "Could it have been possible for a person to be in a Communist party cell in Washington, D.C., or elsewhere from 1938 to 1943, with Communist party members who were engaged in espionage . . . could any such cell member have dropped out of the cell simply by stopping going to the cell meetings and stopping the paying of dues?"

"No, it would not be possible . . ." said Mrs. Hartle.

Attorney William Dwyer has continuously objected to that line of questioning. He contends that Mrs. Hartle can't be an authority on what was the case in a Communist party group in Washington, D.C., when she was active only in the northwest.

Dwyer also contends the line of questions are unfair and irrelevant.

In her Friday testimony Mrs. Hartle had mentioned that University of Washington Professor Rader had been known as a Communist.

On cross-examination, Goldmark attorney William Dwyer first questioned her on that issue. He established that she had testified before the House Committee on Un-American Activities in Seattle in 1954 and had identified hundreds of persons whom she said she had known as Communists during her career in the party.

"I think there were several

hundred names . . ." she said.
"Would about 500 be right?"
asked Dwyer.

"Well, I don't know, I never
counted the names. It seems a
little high."

"At the time you gave your
testimony you were aware that
Mr. Canwell had previously ac-
cused Mr. Rader of being a
Communist?" asked Dwyer.

Mrs. Hartle said yes. (Al Can-
well, Spokane, a defendant in
the lawsuit, had headed a House
Legislative Committee which
held hearings in Seattle in 1948.
Out of that came his charge
against Rader and Rader's de-
nial. The ensuing controversy
led to an investigation by the
University of Washington).

"You know in 1954 Mr. Rader
had denied that under oath and
had been cleared by an investi-
gation by the president of the
University of Washington?" ask-
ed Dwyer.

Mrs. Hartle said she couldn't
remember the specifics.

Dwyer noted that in 1954, in
naming Communists she knew,
Mrs. Hartle had not named
Prof. Rader.

"I don't think that I did," she
said.

"You don't have any doubt
about it, do you?"

"No, I don't as far as I recall
now . . . I wouldn't be absolutely
certain."

Dwyer produced a transcript
of her 1954 testimony and they
agreed Prof. Rader's name
wasn't on the index list of
names.

Dwyer questioned her about a
1937 meeting in which she said
she attended a Communist
group meeting in Seattle's
north end. She said she had
been invited there to speak and
that Rader was there. She said
she couldn't remember all who
were there, but she recalled the
names of two, one of them
Herbert Phillips.

She said she had not met the
people before.

"So you did not know there
were Communists?" said
Dwyer.

"Well, I was told that this
was a Communist party (meet-
ing)."

"Did Mr. Rader say any-
thing?"

"I don't recall that he did."

She added: "I think I had
seen him before, not in a Com-
munist party meeting, but as a
very leading and active leader
in the Washington Common-
wealth Federation . . . I was a
member . . ."

It is expected that Prof. Rader
might appear as a witness be-
fore the Goldmark suit ends,
because of Mrs. Hartle's state-
ment about him last Friday.

In other cross - examination
questions, Dwyer probed some
of Mrs. Hartle's testimony
about communism and the
party.

He asked if it were possible
for a person to believe that the
Communist party stood for free-
dom and peace just prior to
World War II and during the
war.

She replied: "A member of
the Communist party during
World War II would believe that
the Communist party wanted to
support the war effort and was
wholly opposed to acts of any
kind that would hinder the war
effort."

Dwyer asked Mrs. Hartle if
some people who had once join-
ed the Communist party did so
on the belief that it was for
freedom and peace.

"I think I believed that when
I was in the Communist party."

In her testimony Mrs. Hartle
said it has always been the ob-
jective of the party to overthrow
the U.S. government and ulti-
mately to establish world com-
munism.

Dwyer asked her about a

statement she gave Oct. 16, 1953, to a federal court when she was being convicted of Smith Act violations: "Never at any time did I understand that my work was designed to contribute in any way to the overthrow of our government."

On re-direct examination, defense attorney E. Glenn Harmon asked her about that and she said: "It was a Communist party lawyer who helped me draw up that statement . . ."

She said that was typical of Communist "duality" — a line of propaganda which sometimes differs from the real fundamentals and goals of the party.

At one time Dwyer asked her "just exactly what did you accomplish for the party . . . did you try to infiltrate the union at Boeing's?"

She said yes, there was such an effort. "It was not very successful."

"It failed, didn't it?" asked Dwyer.

She also acknowledged there was an effort to infiltrate the P-TA and "it was fairly successful in the State of Washington."

There was no further development of either of those exchanges. No dates were mentioned.

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Ex-Red Dramatic Witness At Trial

By DICK LARSEN
 OKANOGAN — Perhaps the most dramatic witness of the long Goldmark libel trial took the stand Tuesday: ex-Communist John Lautner of Youngstown, Ohio and New York.

He was in the Communist party for more than 20 years, he said: from 1929 to 1950.

A full house crowd of courtroom spectators heard him tell of his career in the party and his sharp anti-Communist views now.

Hungarian born Lautner, 61, speaking fluently, often at length, and with a decided accent, was back on the stand today.

Lautner is the second former Communist called by the de-

fense in the long \$225,000 libel trial, which began Nov. 4.

Both Lautner and ex-red Mrs. Barbara Hartle told about Communist party discipline and control over its members and the threat of communism.

Their testimony is obviously designed to impeach the testimony of Mrs. John Goldmark that when she joined the Communist party during the depression, she became part of a group which was primarily engaged in discussions about communism and other matters. She testified she left the party in 1943 soon after she was married and had no later contact with it.

Lautner said he has been a lecturer and teacher in the

east: "I'm accepted in the academic community." He has also testified in some 90 trials, hearings and other proceedings, he said.

Lautner's testimony was that:
 1. No Communist party group was ever just a discussion group.

2. There are marriages arranged by the Communists. (he said he was twice married in that way).

3. Communism is a major internal and external menace to this country.

4. He said today that certain planks in the Washington Democratic party platform of 1962 parallel the Communist party line.

Lautner told of joining the party in New York in 1929, of being trained in party strategy and tactics.

He mentioned a series of assignments in New York, Detroit, Canada, then the coal mining district of West Virginia. During the war he was with U.S. military intelligence, but remained a Communist and returned to the party after the war, he said.

In 1950, said Lautner, he went into the party's national review commission. "The disciplinary arm of the Communist party... to safeguard Marxist - Leninist purity of the party... it's like the FBI of the Communist party."

After 1948 he also had the assignment "to organize the underground in New York State as part of a national underground."

Lautner was asked about a man named Jay Peters, high echelon Communist party organizer. "In 1949 he was assigned into my care and I had him hidden away for months." Suddenly, said Lautner, Peters took a plane "and he is behind

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the iron curtain today."

Lautner said his own break with the party came in 1950. He testified "I was assigned to go to Cleveland and assist the midwest underground in their activities."

At Cleveland, he said, he found himself in a cellar, being beaten, charged with being a traitor to the party.

"I was being accused of being an FBI agent and I practically ran from that place with my life in my hands . . ."

He explained that, unknown to him, his name had been mentioned in a Communist trial in Hungary in 1949. Someone had incorrectly called him a traitor to the party.

Later he went to the FBI. Lautner testified that "marriage is an institution (which) if necessary will accommodate the aims of the Communist party from time to time."

He recalled that once, while he was in a Communist school, a superior came to him and asked him if he were married or planning to get married. Lautner replied he was not.

"He said 'Good, you're getting married now.'"

Lautner testified he was then married to a woman and he added: "I saw her about five years later at a picnic in Cleveland."

Lautner said that wedding was a legal device to extend the woman's temporary passport status in the U.S.

Lautner testified he was married a second time under similar circumstances. He got a divorce after the first marriage and an annulment of the second.

The witness was asked if it would be possible to be in a party group dedicated only to "philosophical discussions."

Lautner replied vehemently that the party "never has been and never will be an organization in which you can just sit around and become a spittoon philosopher and indulge in mental gyrations. It is an action organization."

Often defense attorney E. Glenn Harmon asked Lautner questions phrased to refer directly to Mrs. Goldmark's one-time membership.

Often Lautner's answers were complex and long, sometimes several minutes in length.

Plaintiffs' attorney William Dwyer objected frequently. He said the line of questions and answers is immaterial and irrelevant to the libel case.

Virtually all his objections were overruled.

An example of Lautner's long answers came when Harmon asked him about the menace of communism.

(Dwyer objected again. The judge overruled the objection).

Lautner's reply:

"In my estimation, the danger of communism today is much stronger than it ever was before for the following reasons. First of all, the Communist movement is a monolithic world organization. To be a member of a Communist party doesn't mean to be a member of just an organization in a given country. He is part of a world-wide movement. The largest world-wide, if you want to call it a political organization, which it is not.

"What helps and aids communism anywhere, Communists take joy in it everywhere. What retards communism any place creates sorrow in Communists everywhere. You cannot separate the world-wide Communist units to component parts. You cannot separate the issue of a domestic threat and a foreign threat and counterpose each other. It just doesn't exist. They are all part of a world-wide movement. It is a disciplined movement. The objective of the world-wide movement is the same for every Communist — the realization of the ultimate aim.

"The tactics may vary. In the United States they may even cuddle up to the encyclical Pope because that will serve their purpose. They will endorse, for technical reasons, all kinds of noble issues that a lot of people are concerned with, because the objective reality allows them to do that in a free society.

"Other places, where these methods are not available to them. As one example, in the World Marxist review, they give the floor over to Mr. Rifle, like in Venezuela. They indulge in other types of technical innovations, like stopping the American convoy on the Autobahn for no reason whatsoever, killing our soldiers in Viet Nam, kidnapping people in Bolivia.

"The tactics vary but the urge and the effort goes on in all parties in this world-wide movement toward the same ultimate aim. For this reason,"

the threat of communism today is much more serious, much more dangerous than ever before.

"Now turn inwardly, domestically, what the Communist party can do today, in the 1930's, during the so-called United front . . . they couldn't do.

"When (Earl) Browder . . . around 1938 was invited, for instance, to Harvard to give a lecture it was a milestone in the history of the party. Today Communist leaders can roam all over the country, invited to universities and speak to students. They are accepted in the labor movement again. In 1949 eleven international unions were expelled from the CIO for being Communist led. Today, with the exception of four, (all) are back in the labor movement in the mainstream of labor.

"In the field of education there is a reluctance to single out and fight Communists in the field of education, so much so that honest liberals are beginning to raise issues. I have specifically in mind Mr. Schrecker, the leader of the Anti-Defamation League in Los Angeles, who raises the alarm: How come we liberals who fought communism in the past aren't fighting it today? I can't make out any difference in the liberal and the Communist in the schools any more."

"These are the reasons why communism today is a much greater danger. And the very fact that the spearhead of this world-wide Communist movement is a terrific, technically developed armed force that is a constant threat to our country, which never existed before, these are the reasons why communism is a threat.

"And the time has come, in my opinion, in the near future to realize this. And if we . . . recognize this factor our base of operation as a free nation must be considered endangered. And if there is any internal subversion I think it is the duty of every one of us to eliminate that kind of a subversion. Therefore we would only strengthen ourselves."

"Now these things are not happening today for some odd reasons, but for all the reasons I recited communism really in this period of time, with its flexible, technical lines, and the reluctance to fight it by those who know better and should fight it, the apathy that exists, the indifference that exists, we are looking at very turbulent days because of this lack of attention to this problem."

To break from the Communist party, said Lautner, one must go to the federal authorities.

"You give them whatever knowledge you have . . . you fully cooperate . . . help government authorities to fight communism . . . you come to the bureau (the FBI). When the bureau has to come to you there's something wrong."

In testimony Wednesday morning Lautner was asked about certain planks in the state Democratic party platform adopted in Bellingham in 1962. One issue was the "elimination of negative loyalty oaths."

That referred to loyalty oaths in which a person swears that he or she is not a member of certain organizations.

The platform suggested a positive oath avowing loyalty to the United States.

When he was asked about negative loyalty oaths, Lautner said "the Communist party opposes them definitely . . . especially in the academic field and in government employment."

Lautner also testified that some changes which the platform urged in the McCarran-Walter Act, relating to deportation of persons, also paralleled the Communist party line.

"The Communist party has been consistently carrying on a fight for decades . . . against all immigration laws that would expose their people to possible deportation . . ."

He said the platform plank fits that aim.

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Defense in Libel Trial Urges That Jury See Film Strip

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ORANOGAN, Dec. 12.—(A.P.)—Argument over whether the film strip "Communism on the Map" could be introduced as evidence tied up the \$225,000 Goldmark libel trial today.

Attorneys for the four men and the weekly newspaper named as defendants in the suit filed by former State Representative John Goldmark and his wife, Sally, contended the jury would have a "great gap of understanding about the case" unless it saw the film.

Asked if he considers "left" to mean the same as "liberal," Adames replied:

There have been thousands of words of testimony about the film, defense attorneys said. Attorneys for the Goldmarks said introduction of the film strip would further complicate the suit and both sides would have to present witnesses testifying for and against the film's accuracy.

A DEFENSE witness, Mrs. Hazel Niendorff of Seattle, widow of a Seattle newspaperman and a self-described "long-time student of Communism," was asked about the film strip.

Glenn Harmon, defense attorney, offered a transcript of the film's narrative in evidence. The Goldmarks' attorneys objected again, and the jury was dismissed while Superior Judge Theodore S. Turner of Seattle studied the narrative.

Yesterday State Representative Alfred O. Adams, Spokane Republican, was called as a defense witness. He defined the word "liberal" as "a person that has very little idea of fiscal responsibility."

"I think the word 'left' has a much greater meaning."

ADAMS IDENTIFIED Keith Campbell of Spokane, Norman Ackley of Seattle, Paul Holmes of Ellensburg and William Klein of Vancouver as members of the 1961 Legislature he considered "left."

"Their voting pattern was to the left," Adams said.

He said he thought Goldmark's voting record was "to the left" when he and Goldmark served together in the Legislature.

Asked what he thought

about Goldmark's loyalty prior to the 1961 session, Adams said:

"I would say it was questionable."

R. E. Mansfield, Goldmark attorney, asked Adams if he thought more than half the representatives in the Legislature at the time would be considered on the "left."

"I can't say," Adams replied.

MANSFIELD ASKED him how Adams would class himself in his political beliefs. "A little to the right of center," Adams said.

Mansfield asked Adams if he was not actually a leader of the "right" in the Legislature. "I wouldn't say that," Adams testified.

ATTORNEYS discussed suggestions by the defense that the holiday court schedule be relaxed. Defense attorneys said they were experiencing trouble obtaining plane reservations during the holidays to bring witnesses from other parts of the country.

A Goldmark attorney, William Dwyer, said a Seattle travel agency had told him plane space was available daily December 16-31 and from New York, Chicago, Denver and Los Angeles.

Judge Turner indicated no change in the schedule. The judge has said the court will recess Tuesday through Friday during the Christmas week and only New Year's Day the following week.

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SEATTLE TIMES

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REDS WORKED FOR CANWELL DEFEAT

MRS. HARTLE SAYS ~~AT~~ GOLDMARK TRIAL

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SEATTLE POST
INTELLIGENCER
DEC 14 1963
PAGE 9 COL 4

OKANOGAN, Dec. 13. — (A. P.) — Former Communist Barbara Hartle testified today that the Communist Party worked for the political defeat of Al Canwell of Spokane, one of the defendants in the Goldmark libel trial.

Former State Rep. John Goldmark and his wife are suing Canwell, three other men and a weekly paper for \$225,000. The Goldmarks contend they were damaged during the 1962 political campaign by suggestions that they were communist sympathizers.

Mrs. Hartle, of Evans, Wash., was convicted as a communist conspirator but later renounced communism and has testified at several state and federal hearings.

ASKED WHAT was the Communist Party's attitude toward the state legislative un-American Activities Committee headed by Canwell in 1948, the witness replied.

"... The attitude ... was to maintain an all-out campaign for the defeat of the Canwell committee and later of Mr. Canwell himself."

Canwell was defeated later for re-election to the Legislature and in campaigns for the United States Senate and House.

Mrs. Hartle said she first joined the Communist Party in Spokane in the winter of 1933-34. She listed the "Spokane Public Forum" among "communist front organizations" to which she belonged.

TOWARD THE end of the day Mrs. Hartle was asked by E. Glenn Harmon, defense attorney:

"In your opinion would it have been possible for any person to be a member of a

communist cell in Washington, D.C. or anywhere else and not be totally committed to communism?"

Harmon said he was referring to the period between 1934 and 1943—the period during which Mrs. Goldmark has admitted to membership in the party.

"No, it would not be possible," Mrs. Hartle answered after plaintiffs' objections had been overruled.

SHE SAID the Communist Party opposed investigations by the Federal Bureau of Investigation and the House Committee on Un-American Activities, and added it was party policy to teach members to lie when asked about their membership.

The name of Dr. Melvin Rader, University of Washington professor, was brought up in defense questioning and Mrs. Hartle testified Rader had been "known to be a member of the Communist Party." Goldmark's attorney William Dwyer of Seattle objected, indicating he might have to call rebuttal witnesses.

(Notified in Seattle of Mrs. Hartle's statements, Professor Rader vehemently denied her testimony. He added:

"So far as I know, I have never met the woman in my life.

"I have never been a member of the Communist Party. I have never been under Communist Party discipline. I disagree fundamentally now as I always have in the past with the theory and practice of communism."

THE PROFESSOR denied under oath at the 1948 Canwell Committee hearing in Seattle that he had ever been

a Communist Party member. The calling of Mrs. Hartle as a witness was permitted by the trial presiding judge earlier today.

Presiding Superior Court Judge Theodore Turner ruled neither side could ask Mrs. Hartle questions which would bring out the names of persons in the Communist Party, with the exception that questions could be asked where persons had been linked with the American Civil Liberties Union.

The ACLU has figured in much testimony in the trial and Rader has been identified as a former president of the ACLU's Washington chapter.

Harmon questioned Mrs. Hartle extensively about Rader.

In overruling objections to her being called by counsel for John and Sally Goldmark, Judge Turner said:

"I think the nature of the Communist Party ... is relevant because of the nature of the libel charge."

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GOLDMARK TRIAL:

**Judge Refuses
To Dismiss
Plotting Charge**

OKANOGAN, Dec. 16.—(A.P.)—Defense motions to eliminate two of the five defendants in the \$225,000 Goldmark libel suit, dismiss the conspiracy charge and reduce damages sought were denied today.

Superior Judge Theodore S. Turner, sitting here from King County, ruled on a series of motions made a week after the plaintiffs' testimony was completed.

The rulings highlighted the beginning of the seventh week.

THE JUDGE held that the conspiracy count should remain in issue. It contends Ashley Holden, Al Canwell, Loris Gillespie, Don Caron and The Tonasket Tribune conspired to injure Mr. and Mrs. John Goldmark in the 1962 primary-election campaign.

Retention of the conspiracy charge has the effect of making all defendants libel if the jury makes any financial award.

The Goldmarks sued on

grounds they were libelously linked with Communism during the primary. Goldmark lost his bid for the Democratic nomination for a fourth term in the Legislature.

Judge Turner also rejected motions to remove Gillespie, an Okanogan businessman, and Caron, state organizer for the John Birch Society, as defendants and to cut damages to \$175,000.

IN OTHER rulings, Judge Turner:

Removed Canwell, Gillespie and Caron from the claim of damage from an article and editorial in The Tonasket Tribune, but kept Holden and the weekly newspaper as parties to the charge.

Removed all defendants except Canwell and Caron from a damage claim connected with the printed "interview" with Canwell.

Removed all defendants except Canwell from a charge of libel from a tape recording of the Canwell interview.

Removed all defendants except Caron as parties to the claim connected with Caron's article "Pillaging Parliament" in The Okanogan Tribune.

Kept only Canwell, Gillespie and Holden as parties to the claim of libel in connection with an August 23, 1962 Amer-

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Writings on Goldmark True, Says Holden

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SEATTLE TIMES

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PAGE 11 COL 1

~~OKAY~~ GAN, Dec. 17. — (A.P.) — Ashley Holden, editor-publisher of The Tonasket Tribune and a defendant in the John Goldmarks' \$225,000 libel suit, asserted today that statements in his writings reported to be libelous were essentially true. Holden had been called to the witness stand by the plaintiffs earlier in the trial, now in its seventh week, but testified for the defense today.

As in earlier questioning, he was asked about individual sentences in the writings — a news article and editorial published during the 1962 primary election campaign. Goldmark, seeking re-election to the Legislature, was defeated. He and his wife contend they were falsely linked with Communism during the campaign by Holden, his newspaper, and three other defendants.

IN REPLY to queries by a defense attorney, Ned Kimball, whether his state-

ments were true, Holden testified each was true or true "to the best of my knowledge."

The attorney cited a sentence which said of State Representative Goldmark that "never has he reflected a majority of the voters." He asked Holden if that was true.

"Definitely true," Holden replied.

Holden also said Goldmark had consistently favored a state net-income tax, which he said the state's voters had repeatedly turned down.

HOLDEN WAS an unsuccessful candidate for the Legislature in the previous campaign, in 1960.

Meantime the movie "Operation Abolition" has been added to the films and tape recordings presented in evidence to the jury.

"Operation Abolition," a 45-minute film showing riots in San Francisco during House Un-American Activi-

ties Committee hearings in 1960, was screened yesterday afternoon.

Mrs. John Goldmark, plaintiff with her husband, has testified she thinks "Operation Abolition," which declares the San Francisco riots were inspired by top Communists, is controversial and facts "of the other side" should be presented when it is shown. She has said the film incorrectly suggests the many students involved in the riots were all Communist or Communist dupes.

Mrs. Goldmark has acknowledged she joined the Communist Party in 1935. She has testified she left it in 1943 and has had no connection with it since.

DURING THE 1962 Democratic primary campaign, which resulted in the defeat of State Representative John Goldmark, Mrs. Goldmark's former Communist Party membership was brought out. The Goldmarks contend that statements uttered and published by four men and a newspaper falsely linked

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them in the present with Communism.

The showing of "Operation Abolition" interrupted cross-examination of Mrs. Barbara Hartle of Evans, in Stevens County. Mrs. Hartle, a member of the Communist Party in Washington State from 1933 to 1954, was arrested by the Federal Bureau of Investigation in 1952 and charged with violation of the Smith Act. She was convicted and served a year in federal prison.

CALLED as a defense witness last week, she testified that the Communist Party line toward "Operation Abolition" in 1961 and 1962 was "that it is incorrect, that it tends to create hysteria and that it should not be shown." The implication was that the attitude of Mrs. Goldmark corresponded to the Communist line.

The plaintiffs have objected to that and similar testimony by Mrs. Hartle on grounds many loyal Americans can be found to have had views at times coincid-

ing with Communist Party views.

SHE TESTIFIED there were about 4,000 members on the Communist Party in Washington State in 1939. She said 1939'40 was a "testing period" for party faithfuls because the Hitler-Stalin pact had just disillusioned many people on Communism.

"A good many left the Communist Party," she said, "and some were stricken from the rolls."

Another drop in membership occurred at the beginning of the cold war after the Second World War.

"I don't know how many are left today . . . but I would say there are quite a few," Mrs. Hartle testified.

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Libel Trial Testimony:
**Red Party Ordered
Divorce--Mrs. Hartle**

OKANOGAN, Dec. 16. — (UPI) — Mrs. Barbara Hartle former Communist Party functionary in the Northwest, testified today that she divorced her husband under direction of the Communist Party.

Mrs. Hartle, defense witness in the \$225,000 libel suit brought by John and Sally Goldmark, said she remained single for several years after the divorce and was urged by party leaders to marry again.

SHE TESTIFIED that Communist Party officials also persuaded her, against her better judgment, to live with James K. Bourne, who she functionary in the party. She said was an international functionary in the party. She said she had planned to marry Bourne.

Earlier in the seven-week-old trial, a witness quoted defendant Loris Gillespie as saying that communists have forced marriages and "why else would a young fellow like John marry someone as homely as Sally?"

WHEN Mrs. Goldmark took the stand two weeks ago, she said she and John Goldmark got married "because I loved John and John loved me." Asked by her attorney William Dwyer if the marriage was forced by the Communist Party, she replied, "I never heard of such a thing."

Mrs. Goldmark admitted earlier that she had belonged to the Communist Party from 1935 to 1943.

JUDGE Theodore S. Turner today ruled in favor of a defense motion to dismiss all defendants except Mr. and Mrs. Ashley Holden and Holden's weekly newspaper, the Tonasket Tribune, from one count of the complaint. He ruled against the other motions, leaving the Gillespies as defendants in one count in the suit and Mr. and Mrs. Caron as defendants in three counts.

THE Goldmarks filed their suit after the 1962 primary election, claiming they were libeled by statements linking them to communism. Goldmark, a former state representative, was defeated while trying for a fourth legislative term.

Mrs. Hartle, who said she left the party in 1954, said today it would have been impossible during the period she was a party member to belong to the Communist Party and not know its historic purpose.

SHE SAID the party had two goals. One was to attract the people through an idealistic party line, the other was to establish communism and the dictatorship of the proletariat.

(Indicate page, name of newspaper, city and state.)

SEATTLE POST
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Some Demo State Planks Called 'Red'

SEATTLE, Dec. 18. — (A. P.) — A former Communist testified in the \$225,000 John Goldmark libel suit today that certain planks in the Democratic Party state platform in 1962 were "parallel to" the Communist Party line.

John Lautner, 61, on the stand the second day as a defense witness in the trial of the Goldmarks' action against four individuals and a weekly newspaper, was asked about planks in the platform adopted at Bellingham. The Goldmarks charge they were falsely linked with Communism in statements during the 1962 primary election campaign.

COUNSEL ASKED Lautner about the "elimination of negative loyalty oaths" — ones in which a person swears he or she is not a member of certain organizations. The party platform urged a positive oath avowing loyalty to the United States.

"The Communist Party opposes them definitely — especially in the academic field and in government employment," Lautner replied.

Under cross-examination, Attorney William Dwyer asked Lautner if it was true that the Democratic Party platform "follows" the Communist Party platform "follows" the Communist Party line.

"No, it does not . . . It is parallel to it," Lautner replied.

Dwyer said the statute of limitations provision of the Democratic plank on deportation limited the possibility of deporting persons for political reasons. He asked Lautner if he knew that the proposal came originally from the American Bar Association.

"It may be," Lautner testified.

Lautner, second former Communist called as a defense witness, testified yesterday he thinks the "danger of Communism is much stronger than it ever was before." He added: 1962 followed the Communist Party line.

"To be a member of a Communist Party doesn't mean to be a member of just an organization in a given country. (A member) is part of a world-wide movement, the largest world-wide political organization—if you want to call it a political organization which it is not.

LAUTNER SAID the party obedience of anyone who had required the most stringent

been a member more than a year.

The stable membership were people who were in the party two years, or three years on up," he said.

Like another former Communist, Mrs. Barbara Hartle, who left the stand Monday, Lautner said a 1935-43 member of a Communist group in Washington, D. C., would have had to be dedicated to Communism.

Mrs. John Goldmark, a plaintiff with her husband, acknowledged she became a Communist in the nation's capital in 1935 but that she dropped out in 1943.

Lautner testified he broke with the party after he was accused of being an undercover agent for the Federal Bureau of Investigation.

When he demanded an impartial hearing on the charge, and the party denied him one, he said, he went to the F. B. I. He has testified for the government in 90 cases.

ASKED HOW a Communist who sincerely wants to repudiate Communism goes about it, Lautner answered:

"You (go to government authorities and) give them whatever knowledge you have . . . you fully cooperate . . . help government authorities to fight Communism. You come to the bureau (F. B. I). When the bureau has to come to you, there's something wrong there."

(Mrs. Goldmark has testified the F. B. I. went to her in the late 1940's and she subsequently revealed to the government all she knew about the Communist Party.)

Lautner, a native of Hungary, testified he once served on the Communist Party's national review commission.

"It's like the F. B. I. of the Communist Party," he said.

Lautner said the party arranged marriages and that he married twice under party orders.

(Indicate page, name of newspaper, city and state.)

SEATTLE TIMES

DEC 18 1963

PAGE 3 COL 4

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Ex-Red At Goldmark Trial Says Marriages Forced

OKANOGAN, Dec. 17.—(A. P.) — Another former Communist Party functionary testified in the \$225,000 Goldmark libel trial today as the defense sought to show long-time members were under strict party discipline.

JOHN LAUTNER, 61, New York, said the party required the most stringent obedience of anyone who had been a member more than a year.

"The stable membership were people who were in the party two years, or three years on up," he said.

LAUTNER also said the party arranged forced marriages and he, himself, married twice under party orders.

"Marriage is an institution (which) if necessary will accommodate the aims and objectives of the Communist Party from time to time," he said.

Mrs. Barbara Hartle, one-time Communist Party leader in Washington State, also testified yesterday that marriages were sometimes forced within the ranks.

The testimony of the two

ex-party officials was designed to discredit statements made by Mrs. John Goldmark earlier in the lengthy trial.

MRS. GOLDMARK admitted she belonged to the Communist Party from 1935-43 but said the group with which she met in Washington, D.C., was primarily "for study."

She said she quit the party in 1943 the year after she married her husband John and repudiated communism largely because of his dislike for it. She called her marriage one of love.

Earlier in the trial it was brought out that rumors had circulated in Okanogan County that the Goldmark marriage must have been forced "because John was so handsome and Sally so homely."

LAUTNER, a native of Hungary, said he was security officer for the Communist Party in New York State in 1947-48, and was on the party's National Review Commission in '48. He said the commission was the disciplinary

arm of the party, and added:

"It's like the FBI of the Communist Party."

He said he broke with the party in 1950 after he was accused of being an undercover agent for the FBI. He said his name had turned up at a trial in Hungary in 1949 when an allegation was made against him that he was a traitor to the party.

LAUTNER said he demanded an impartial hearing on the accusation and it was denied by the party.

He said that later he went to the FBI and has testified in about 90 cases under Smith Act conspiracy and Communist Party membership cases.

His first forced marriage, he said, was while attending a communist training school and that after his wedding day he did not see his wife again until five years later at a picnic in Cleveland. He said the purpose was to legalize the woman's temporary visa to make her stay in the United States permanent. He subsequently obtained a divorce.

(Indicate page, name of newspaper, city and state.)

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Dismissal Denied in Libel Motions

By SPOKESMAN-REVIEW STAFF WRITER

OKANOGAN, Wash.—Superior Court Judge Theodore S. Turner Monday denied a defense motion to dismiss the conspiracy charge from the Goldmark \$225,000 libel and conspiracy lawsuit.

The motion was one of several made a week ago when the plaintiffs, Mr. and Mrs. John Goldmark, rested their case.

The court ruled Monday on all motions made at that time. Several individual defendants were removed from specific claims, but all claims originally listed remained intact with one or more defendants.

All Claims Remain

The claims, amounts asked and defendants under the rulings of Judge Turner are:

Claim 1 — For a story published July 12, 1962, in the Tonasket Tribune; Tonasket Publishing and Ashley E. Holden, defendants; damages asked, \$25,000.

Claim 2 — For an editorial in the Tonasket Tribune Aug. 30, 1962; Tonasket Publishing Co. and Holden defendants; damages asked, \$25,000.

Claim 3 — Printed "Interview With Al Canwell" — Tonasket Publishing Co., Holden, Albert F. Canwell and Don Caron, defendants; damages asked, \$50,000.

Claim 4 — Tape recording of "Interview with Al Canwell;" Canwell, defendant, damages asked, \$50,000.

Claim 5 — Article "Pillaging Parliament," by Caron; Caron,

defendant; damages asked, \$25,000.

Claim 6 — American Legion meeting at Okanogan on Aug. 23, 1962, at which Canwell spoke; Canwell, Holden and Loris A. Gillespie, defendants; damages asked, \$25,000.

Claim 7 — Same as Claim 3, except as applied only to Mrs. Goldmark; same defendants as Claim 3, damages asked, \$12,500.

Claim 8 — Same as Claim 4, except as applied only to Mrs. Goldmark; same defendants as Claim 4, damages asked \$12,500.

Claim 9 — Conspiracy charge, Canwell, Gillespie and Holden,

defendants.

The ninth claim is an alternate charge for which \$225,000 is asked. However, in the event there are damages, the total asked for all charges would not be more than \$225,000, according to the amended complaint.

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Spokesman Review
Spokane, Wn.

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Ex-Commie Claims Reds Infiltrated P-TA Groups

By JACK E. FISCHER

Spokesman-Review Staff Writer
OKANOGAN, Wash.—Communists were "fairly successful in infiltrating the Parent-Teacher Association in the state of Washington, Mrs. Barbara Hartle testified Monday in the Goldmark \$225,000 libel and conspiracy trial.

Mrs. Hartle, who now lives quietly on a chicken ranch at Evans, Wash., was a member of the Communist party from 1933 to 1954 when she told her story to the Federal Bureau of Investigation.

She spent a year and a half in prison and since then has appeared "15 to 25 times as a witness on communism.

While being cross-examined by plaintiff's attorney William Dwyer, she said the Communist party tried to infiltrate the union at the Boeing Co. in Seattle while she was a member, but that this was a substantial failure.

Dwyer then asked her if they tried to infiltrate the PTA and she said, "Yes. It was fairly successful in the State of Washington."

Film Is Viewed

She previously had testified that she felt the controversial film "Operation Abolition" was factual. Although Dwyer objected to the showing of this film, the court permitted the jury to view it immediately after the noon recess.

This was the film produced after riots at a San Francisco hearing of the House Committee on Un-American Activities in 1950.

Defendants claim both Mr. and Mrs. John Goldmark opposed the film.

Mrs. Goldmark, who had admitted membership in the Communist party from 1935 to 1943, previously testified that such membership consisted primarily of attending discussion groups.

Mrs. Barrie testified it would be impossible for anyone to be a member of the party for any length of time without knowing that its basic effort was the violent overthrow of the United States government.

against the wishes of the party." Mrs. Goldmark also has testified that she quit the Communist party in 1943 by not attending meetings and not paying dues.

"Would it be possible," Harmon asked, "for a member of a secret, underground Communist cell from 1935 to 1943 to drop out of the cell simply by not going to meetings and not paying dues?"

"No," Mrs. Hartle answered. "Rules and discipline are very strict to protect the party. Dropping out . . . is considered a high danger signal."

Both the Goldmarks testified that they did not feel communism was as great an internal threat as it is an external threat.

In opinion there was a great internal threat saying, "If it is in existence at all it is a threat because its purpose is to overthrow our government and it is a part of an international conspiracy."

Admits Use of Name

Under probing by Dwyer, Mrs. Hartle admitted that for three years she went under the name of Barbara Bourne. She said she was to marry a James K. Bourne but found out he was already married.

"I lived with this man for three years without being married," she said.

Later, in answer to questions by Harmon she said she and Bourne had obtained a marriage license but Communist party business kept Bourne away until the license expired.

"Against my better judgment

I was persuaded to live with him with the understanding we would be married," she said. "When I finally confronted him about getting married I found out he wasn't free to do so."

She reiterated her testimony that Prof. Melvin Rader of the University of Washington, was known as a Communist in the late 1930s. Rader has denied the accusation and is expected to testify at this trial later.

Denial Is Repeated

Notified of her testimony, Rader issued a statement at Seattle in which he vehemently denied Mrs. Hartle's statements. Rader said that as far as he knew he had never met Mrs. Hartle, and added:

"I have never been a member of the Communist party. I have never been under Communist party principle. I disagree fundamentally now, as I always have in the past, with the theory and practice of communism."

In 1943, at a meeting of the Canwell committee at Seattle, Rader also denied under oath that he had ever been a member of the Communist party.

(Indicate page, name of newspaper, city and state.)

15 Spokesman-Review
Spokane, Wash.

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Aided by Lawyer

"When you were convicted under the Smith Act, didn't you tell Judge (William) Lindberg in Seattle that at no time did you think you were doing anything to overthrow the government?" Dwyer asked.

"It was a Communist party lawyer who helped me draw up that statement and urged me to say it," Mrs. Hartle answered.

She later answered, "Yes," to a question by defense attorney E. Glenn Harmon to the effect that at the time she still was a member of the Communist party and that her statement was "a Communist lie."

Early in the day Harmon asked a series of questions which referred specifically to a person "who was a member of a secret, underground Communist cell from 1935 to 1943."

Mrs. Hartle said it would be impossible for anyone in those circumstances not to be bound by Communist party discipline.

She also said that it would be impossible to be such a person and not have Communist activities interfere with a normal life.

Many statements have been made during this lengthy trial in reference to Communist-forced marriages.

Not Against Wishes

Mrs. Hartle testified Monday that a person in a secret underground cell "does not get married without the approval of the party and certainly not

FOIPA # 1035878-01

Mr. J. Walter Yeagley
Assistant Attorney General

Director, FBI

December 23, 1963

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MRS. JONATHAN GOLDMARK
SECURITY MATTER - C

Reference is made to my letter dated November 21, 1963, concerning the possible appearance of former Special Agent [redacted] to testify at the trial of the libel case in which the captioned individual is a plaintiff.

As you know, the trial of this libel case is currently taking place. On December 10, 1963, the plaintiffs rested their case without calling former Special Agent [redacted] as a witness. There has been no contact made by the plaintiffs or their attorneys with [redacted] so it is not known at this time whether they will call him as a rebuttal witness.

On December 13, 1963, the captioned individual telephonically contacted our Seattle Office and advised that [redacted] had just testified as an expert witness on communism in the libel case. You will recall that [redacted] is a former functionary of the Northwest District, Communist Party (CP), who was convicted in 1953 for violating the Smith Act of 1940. She was imprisoned in 1954 and paroled in 1956, later receiving a Presidential pardon. After her release from the penitentiary, [redacted] appeared as a witness for the Department of Justice on several occasions in security trials and hearings. Mrs. Goldmark stated that [redacted] testified that [redacted] was at one time a member of the CP. This is a reference to [redacted] a University of Washington professor. In 1948 in public hearings in Seattle conducted by a committee of the Washington State Legislature, [redacted] denied under oath that he was or ever had been a communist. The files of this Bureau contain no information which would place [redacted] in the CP; however, in the late 1930's and early 1940's, he was active as a speaker at meetings sponsored by communist front organizations.

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Mr. J. Walter Yeagley

Mrs. Goldmark stated that [redacted] also testified that, once an individual was a member of the CP, he could not leave the CP. Mrs. Goldmark stated also that [redacted] testified that the CP had to approve the marriages of CP members.

Mrs. Goldmark claimed that the testimony of [redacted] was most damaging to her case. She requested that the FBI provide information to her which she could use to portray the real truth concerning the CP with respect to these matters in order to refute the testimony of [redacted]

Mrs. Goldmark was reminded again that the information in the files of the FBI was confidential. This is being furnished for your information.

ATTENTION: SAC, SEATTLE:

Regarding the introduction of [redacted] name into this trial by [redacted], you should review your files and advise if [redacted] has previously furnished information to you or has ever previously testified that [redacted] was at one time a member of the CP. You should also advise, from your following of this libel case, why [redacted] name has been brought into the case. You should, of course, make no contact with [redacted] or take any other step which would indicate an FBI interest in the case. Handle the above matters immediately and continue to follow the libel case and keep the Bureau advised of all pertinent developments.

FOIPA # 1035878-01

DIRECTOR, FBI (100-~~38604~~)

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MRS. SALLY GOLDMARK
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OO: SEATTLE

ReBulet to Department, 12/23/63 with note to Seattle.

A review of the files of the Seattle Office reveals that [redacted] has furnished no information concerning [redacted]. This review also fails to reflect that [redacted] has ever previously testified concerning [redacted] affiliation with the CP.

[redacted] name was injected into testimony in the GOLDMARK case under objection because of previously admitted testimony concerning the American Civil Liberties Union. In this connection, the Judge had ruled that there would be no testimony allowed concerning persons in the CP not related to the law suit. He ruled that [redacted] had been earlier identified in testimony as a former President of the Washington Chapter, ACLU and in view of this fact, his alleged CP connections then became a matter of issue.

It has been indicated that [redacted] will be called to testify in the GOLDMARK case for the purpose of specifically denying CP affiliation.

The Bureau will be kept advised of all pertinent developments in this case.

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SALLY GOLDMAN

FOIPA # 1035878-01

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- during course of Bureau investigation
- from informants
- from complainants or other sources *newspaper clippings*

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[Redacted box]

CSC, Level

Remarks:

*No wanted public source re
Sally Goldman and's admission
in level suit at Chicago in 1963.*

*Advised 8/28/77
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Special Agent

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Goldmark Quizzed on Ranch Operations

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OKANOGAN, Dec. 19. (A.P.) — John Goldmark, plaintiff in a \$225,000 libel suit, testified again today as an adverse witness for the defense.

Attorney Ned Kimball asked if it were true that Goldmark's income-tax returns showed a \$70,000 loss over the years in the Goldmarkranch operations. Kimball said the question was pertinent because of a statement in a television film, shown the jury, that Goldmark was a successful rancher.

Goldmark said the sum, was correct but that it did not completely reflect how the ranch was making out.

GOLDMARK ALSO was asked about the nature of some books in his library. He said he had no knowledge of one book the defense produced. Another volume he described as "sort of gobbledygook."

Goldmark also was on the stand as an adverse defense witness yesterday.

E. Glenn Harmon, defense attorney, asked if the Gold-

marks met Charles Kramer, described as a top rank member of the Communist Party, in 1945 in Washington, D. C.

Goldmark replied they did. "Did Charles Kramer give either you or your wife any instructions to be carried out on behalf of the Communist Party?" asked Harmon.

"Of course not, Mr. Harmon," Goldmark said.

GOLDMARK, FORMER three-term Democratic state representative, is a Harvard Law School honor graduate who became a cattle rancher after the Second World War. During a bitter Democratic primary last year it was acknowledged by the Goldmarks that Mrs. Goldmark was a member of the Communist Party from 1935 to 1943.

In the suit, against four men and a weekly newspaper owned by one of them, Goldmark contends his family was libeled by statements seeking to link them with Communism now.

Earlier yesterday, John Lautner, 61, New York, a Communist Party member from 1929 to 1950, completed testimony as a defense witness.

Under cross examination by William Dwyer, Lautner was asked about fees he has earned as a witness in some 90 court cases involving Communism.

"If I would have considered that, sir, I would be on your side today sitting here for \$1,000," the witness said.

A HEATED LINE of questioning followed:

Dwyer: Why do you say that?

Lautner: Because I was approached by a law firm from your group to be here.

Dwyer: And you want to testify here that someone representing us offered you money to come here and testify?

Lautner: I will tell you exactly what was done.

Dwyer: I want to know if that is what you are saying.

Lautner: I was approached by a representative, no, an attorney friend of mine was approached by a representative of Mudge, Todd

and so on, a law firm. The person who approached him works for the firm. He is a cousin of Bob Morris, and this friend of mine was asked whether he could get me or Earl Browder to come down here and there is a big fee for coming down here. And the person who approached me is Cardiello, of the firm Bell, Dodd and, and Jim Cardiello. And you can invite Mr. Cardiello here to testify.

(The United Press International identified the Mudge, Todd law firm as Mudge, Stern, Todd, Nixon & Baldwin, a New York firm in which former Vice President Nixon recently became a partner. A previous witness in the trial, Peter Asher, is a member of the firm. Asher testified about Navy wartime service in which he and Goldmark were engaged.)

Lautner testified that neither Goldmark's counsel nor Goldmark had communicated with Lautner.

When asked by Dwyer about his fee as a defense witness in the Goldmark

case, Lautner said: "I didn't discuss it. What brought me here was an idle curiosity to find out why decent Americans who are patriotic are being pushed around."

(Indicate page, name of newspaper, city and state.)

SEATTLE TIMES

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TESTIMONY OF EX-RED HEATS LIBEL TRIAL

OKANOGAN, Dec. 18.—(A. P.) — Former communist John Lautner, testifying for the defense in the John Goldmark \$225,000 libel suit trial, said today overtures were made indirectly to him in New York to come West to testify for the Goldmark side of the case.

The testimony, under cross-examination, brought heated questioning by Goldmark attorney William Dwyer. To quick queries, Lautner admitted that neither of the Goldmark counsel nor Goldmark himself had made any such approaches to him.

IT WAS LAUTNER'S second day on the stand. Mr. and Mrs. Goldmark seek damages from four individual defendants and a weekly newspaper, charging they were libeled in the 1962 primary election campaign in which Goldmark was beaten seeking re-election to the legislature.

The exchange began when Dwyer asked the 61-year-old Hungarian-born Lautner about fees he has received for testifying in such cases. He said yesterday he had testified in about 90 involving Smith Act conspiracy charges and Communist Party membership over the country.

TO DWYER'S comment Lautner would receive a fee for testifying in the Goldmark

case, Lautner broke in:

"If I had considered that, sir, I would be on your side."

Explaining, he said he had been notified indirectly some time ago that he could receive \$1,000 for coming to testify for the Goldmark side.

Dwyer, obviously angered, said:

"You realize you are under oath here, don't you?"

LAUTNER SAID a New York attorney friend of his was contacted by an intermediary from another New York firm to see if he would come West to be a Goldmark witness. He said the word given him was "... and there's a big fee..."

Dwyer shot questions at Lautner:

"Have I ever communicated with you?"

"No, not you."

Dwyer, again:

"Mr. Mansfield (referring to co-counsel R. E. Mansfield)?"

"No."

Dwyer:

"Mr. Goldmark?"

"No."

On redirect examination, defense attorney E. Glenn Harmon of Spokane asked Lautner:

"Have you asked for any special fee or have you been promised any specific fee?"

"No, sir," Lautner replied. He added:

"I made certain sacrifices to come out here and I expect to be compensated for those sacrifices."

IN EARLIER testimony today, Lautner was asked by his counsel and under cross-examination about planks in the state Democratic Party platform adopted at Bellingham last year. He said they were "parallel" to the Communist Party line.

(Indicate page, name of newspaper, city and state.)

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Priest Tells Role To Unseat Goldmark

OKANOGAN, Dec. 19. — (AP) — The Rev. Emmet Buckley, a Roman Catholic priest, formerly of Tonasket, testified in the trial of the Goldmark libel suit today that he set in motion the plan to unseat former State Rep. John Goldmark.

FATHER BUCKLEY, now of Sheridan, Ore., said he lived in Tonasket, an Okanogan County community, 1960-62. During that time, he said, he organized an anti-Communist study club in the county.

Buckley said it was his idea to tape-record an interview with defendant Al Canwell of Spokane about Goldmark and about Mrs. Goldmark's former membership in the Communist Party. That tape recording and the printed version of it are among communications alleged by the suit to be libelous.

BUCKLEY'S testimony was interrupted to allow W. Gordon Kelley, a Wenatchee lawyer to take the stand. Kelley said Goldmark's reputation was "questionable" prior to 1962. He acknowledged he and another Republican were beaten by Goldmark and another Democrat in a race for two seats in the State Legislature in 1956.

Father Buckley returned to the stand late in the afternoon court session to face cross-examination.

THIS MORNING, Goldmark, testifying in his family's \$225,000 suit, said the atmosphere at a 1962 American Legion meeting here "was about as close to a lynch mob that I have come into contact with in the United States."

Goldmark's testimony referred to an American Legion-sponsored meeting where Canwell attacked the American Civil Liberties Union.

Goldmark said "many people from the far right" were at the meeting. He said they urged that State Sen. Wilbur Hallauer of Oroville be thrown out of the meeting because the senator said meeting procedure was unfair.

THEN GOLDMARK made the "lynch mob" reference. Goldmark was asked about a speech he made in Ellensburg last May in which he was quoted as saying "... The far right has a much greater appeal (than) communism and I think it is much more dangerous."

He told the jury he still holds these views.

(Indicate page, name of newspaper, city and state.)

**SEATTLE POST
INTELLIGENCER
DEC 20 1963
PAGE 8 COL 5**

Date:
Edition:
Author:
Editor:
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SM-C**

Character:
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Ex-Congressman Raps Mrs. Goldmark

OKANOGAN, Dec. 20. — (A.P.) — A former California congressman, Donald L. Jackson, testified today he did not think Mrs. John Goldmark cooperated fully with the House Un-American Activities Committee at a Seattle hearing in 1952.

Jackson, now a radio-TV commentator at Santa Monica, testified for the defense in the trial of the Goldmarks' \$225,000 libel suit against four individuals and a weekly newspaper.

JACKSON SAID he had read the transcript of the Seattle closed hearing. He was not at the hearing. Mrs. Goldmark has testified she told the committee all about former membership in the Communist Party.

Jackson said he thought her testimony was "inconclusive and incomplete."

Mrs. Goldmark had testified the group to which she belonged was primarily a study group. The Goldmarks contend they were libeled by statements and published matter during the 1962 primary election campaign, in which Goldmark was defeated seeking re-election to the Legislature.

Jackson said:

"I've heard of a great many Communist study groups . . . this is the kindergarten of Communism."

HE ASSERTED that all such members were required to do much more than study, adding:

"It may be peddling the Sunday Worker, it may be collecting dues . . . but everyone has an assignment."

He said he left Congress three years ago, to combat what he called the "greatest

threat against the liberties of free man since the time of Genghis Khan . . . the international menace of Communism."

YESTERDAY a Roman Catholic priest, the Rev. Emmet Buckley of Sheridan, Ore., said he set in motion the plan to defeat Goldmark for reelection as a state representative.

FATHER BUCKLEY testified that while he lived at nearby Tonasket in 1960 to 1962, he organized a county anti-Communist study club and had the idea to tape-record an interview with Al Canwell of Spokane about Goldmark and about Mrs. Goldmark's former membership in the Communist Party.

Canwell is a defendant, and the tape recording and the printed version of the interview are among the communications the Goldmarks contend contain libelous statements.

(Indicate page, name of newspaper, city and state.)

SEATTLE TIMES

DEC 20 1963

PAGE 11 COL 1

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Witness Says Red Menace Greater

By JACK E. FISCHER

Spokesman-Review Staff Writer

OKANOGAN, Wash. — A former top echelon Communist testified in Superior Court here Tuesday that communism today, both internally and externally, presents a greater danger to the United States than ever before.

John Lautner of New York, a top functionary in the Communist party from 1929 until 1950 was called as a witness by the defense in the Goldmarks' \$225,000 libel and conspiracy lawsuit.

Mrs. John Goldmark, one of the plaintiffs, has acknowledged membership in the Communist party from 1935 to 1943. Both she and her husband have testified in this trial that they did not feel there was a great internal threat from communism, but there is a threat from without.

This prompted defense attorney E. Glenn Harmon to ask Lautner, "Is the menace of communism at this time greater or less than it was, say up to and including the time of World War II?"

The witness, a naturalized citizen born in Hungary and who speaks six languages fluently, proceeded in an articulate manner to express his opinion.

"In my estimation," he said, "the danger of communism today is much stronger than it ever was before for the following reasons:

World Wide Movement

First of all, the Communist movement is a monolithic world organization. To be a member of the Communist party doesn't mean to be a member of just an organization in a given country. He is part of a world-wide movement.

"Whatever helps and aids communism anywhere, Communists take joy in it everywhere. What retards communism anywhere, creates sorrow in Communists everywhere. You cannot separate the world-wide Communist unit into component parts. You cannot separate the issue of a domestic threat and a foreign threat. The objective of the world-wide movement is the same for every Communist — the realization of the ultimate aim. The tactics may vary.

"Domestically, what the Communist party can do today in the 1930s it couldn't do.

"When, (Earl) Browder once, around 1938, was invited to Harvard to give a lecture, it was a milestone in the history of the party.

Education Field

"Today, Communist leaders can roam all over the country, invited to universities to speak to students. They are accepted in the labor movement again. In 1949, eleven international unions were expelled from the CIO for being Communist led. Today, with the exception of four, they are back again in the mainstream of labor.

"In the field of education, there is a reluctance to single out and fight Communists. So much so that honest liberals are beginning to raise issues. I have specifically in mind the leader of the Anti-Defamation League in Los Angeles who raises the alarm, 'How come we liberals who fought communism in the past, aren't fighting it today? I can't make out any difference in the liberal and the communist in the schools anymore.'

"I think it is the duty of every one of us to eliminate that kind of subversion. We would only strengthen ourselves.

"Now these things are not happening today for some odd reasons, but because of the Communist party's flexible technical lines and the reluctance to fight communism by those who know better and should fight it; because of the apathy that exists; the indifference that exists. We are looking at very turbulent days because of the lack of attention to this problem.

Lautner, who was head of the Communist party's top discipline committee at the time he was expelled, was critical of the so-called "peaceful coexistence" policy.

Technical Program

"This is a technical program of the world wide Communist movement," he said. "It is a gimmick being used by the Communists."

He said he was expelled from the party because of reports that he was an enemy agent. He was given an assignment to go to Cleveland, Ohio, apparently for organizational purposes.

Instead, he found himself in a cellar where the accusation was made and he was physically beaten. When he returned to New York, his picture was in the Daily Worker, he was described as an enemy agent and was expelled from the party.

He asked for an impartial hearing, but the request was ignored. His wife, also a Communist, was told to leave him, which she did. He testified he then went to the Federal Bureau of Investigation.

Since then he has appeared as an expert witness about 90 times.

(Indicate page, name of newspaper, city and state.)

12 Spokesman-Review
Spokane, Wash.

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FORMER RED TESTIFIES — John Lautner of Youngstown, Ohio, and New York, testified in the \$225,000 libel suit brought by John Goldmark. He and Goldmark attorney William Dwyer clashed Wednesday in Okanogan County Superior Court.—Daily World Photo.

(Indicate page, name of newspaper, city and state.)

1 WENATCHEE DAILY
WORLD
WENATCHEE, WASH.

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Attorney And Ex-Red Clash

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Amul

By EICK LARSEN

OKANOGAN — Former State Rep. John Goldmark was back on the witness stand here today, this time as an adverse witness called by the defendants in his \$225,000 libel suit.

Goldmark, who testified earlier in the trial during the presentation of his side of the case, went to the stand late Wednesday following a dramatic episode that seemed like something out of a Perry Mason script: a charge of a \$1,000 witness fee offer.

Goldmark today was asked about financial matters in the Goldmark ranch operation and about some books from the Goldmark library.

The witness fee issue arose suddenly during cross-examination of John Lautner, former Communist, now of Youngstown, Ohio, and New York.

Lautner said he was told he had been offered a fee to come testify for the plaintiffs.

But he was here testifying for the defense. He told today about tough Communist party discipline and the menace of communism in the world and within the U.S.

On cross-examination, Goldmark attorney William Dwyer was asking Lautner about his background and his occupation. Dwyer was obviously aiming to show that Lautner is a man who made his livelihood from communism, first as a paid Communist functionary whose profession now involves speaking, teaching and being a witness about communism.

"But one way or another, either by working for the party or testifying in cases, you have made your living off communism ever since 1929?" asked Dwyer.

Lautner, almost shouting, snapped his answer.

"If I would have considered that, sir, I would be on your side today, sitting here for \$1,000."

"Why do you say that?" asked Dwyer, startled.

"Because I was approached by a law firm from New York, from your group to be here."

Lautner sounded angry. Dwyer responded with equal anger.

"Is this what you want to say?" snapped Dwyer.

"Yes."
"You realize you are under oath?"

"Yes. And I give you the law firm and I give you the person who approached me."

"And you want to testify here that someone representing us offered you money to come here and testify?"

"I will tell you exactly what was done."

"I want to know if that is what you are saying."

"I was approached by a representative — no, an attorney friend of mine was approached by a representative of Mudge, Todd and so on, a law firm, the person who approached him works for the firm. He is a cousin of Bob Morris. And this friend of mine was asked whether he could get me or Earl Browder to come down here and there is a big fee for coming down here. And the person who approached me is Cardiello of the firm of Bell, Dodd and Jim Cardiello. And you can invite Mr. Cardiello here to testify."

"Yes. Where does he live?"

"He lives in New York, 100 West 2nd St., on fifth floor."

Dwyer paused and wrote down that address.

"Have I ever communicated with you, Mr. Lautner?"

"No, not you."

"Has Mr. Mansfield?" Referring to co-counsel R. E. Mansfield.

"No."

"Mr. Goldmark?"

"No. It was a New York law firm trying to entice me to come over here to testify in this case in behalf of the plaintiffs."

"Are you receiving a fee for your testimony here?"

"I didn't discuss it. What brought me here was an idle

curiosity to find out why decent Americans who are patriotic are being pushed around."

"Who did you first discuss this case with. Was it Mr. Canwell?"

"Mr. Harmon and Mr. Canwell. They were both in New York last September . . ."

"You have received fees in the past for testifying, haven't you?"

"I didn't receive fees per se. I received witness fees from the government."

"Tell me this, Mr. Lautner, by your own standards, how could we and the jury be sure you're not a Communist agent yourself?"

"What a laugh. I am 13 years on the record, sir. The Congressional Record speaks for me. I have letters from J. Edgar Hoover, from other distinguished Americans who associated with me for the last 13 years. I have letters which say, and I quote, 'the country owes you a great debt,' so how can you raise this question?"

". . . No, this isn't what I think, Mr. Lautner. I don't think you are a Communist agent."

"Then why do you raise it?"

"The question is, by your own standards of not being able to tell by a person's behavior whether he is or not a Communist, how do we know? Why couldn't this all be an elaborate trick on the U.S. Government?"

"Find out. Put a couple of tails on me. I lead a very, very open life."

"And you think that should be sufficient to convince?"

"And my public life is open for your scrutiny at any time."

"So if someone leads an open life and is open to his neighbors and has a public record, that is the best way to tell he is not a Communist?"

"Not exactly."

"So you want to take that

back?"

"No. I wouldn't take it back. I would like to add one little thing. To be dedicated anti-Communist in the face of the present dangers we face."

"Dedicated anti - Communist?"

Yes. I am an anti-Communist."

"Doesn't that mean thinking just exactly like you do, does it?"

"No, I am speaking about myself. What everyone else does that is their concern and their problem."

"Wouldn't you agree with me that a person's conduct, behavior, his open public life, his association with his friends, his association with his neighbors over a period of year after year in the same community is the best way to tell whether he is a loyal American?"

"That would be one of the criteria. But I know, Sir, that people went underground: in 1950-51, high functionaries of the party. They established identities somewhere in small communities off the main track and are leading very serene lives and I am certain as I am sitting here that they are sleepers."

"Sleepers?"

"When the time comes they will be called to the fore again and they will assume responsibilities and activities again. But because of the climatic conditions that we live in and the handicaps that the party must live under, this party works every possible angle to maintain the continuity of its leadership and preparation for the time to carry out its historic mission. Looks way ahead, and time element plays a very unimportant factor in this role. People are manipulated on the checkerboard toward that aim."

Later, talking to newsmen, Lautner said the witness fee offer had come from a member — he didn't know the man's name — of the law firm of Mudge, Stern, Todd, Nixon and Baldwin.

The Nixon of the name is former Vice President Richard M. Nixon.

An attorney associated with that firm is Peter Asher, wartime colleague of Goldmark.

Lautner said the attorney who made the offer was a cousin of Robert Morris, former general counsel for the Senate Internal Security committee and a former New York judge. That, seemingly, would not be Asher.

Lautner said the offer didn't come directly to him. The man whose name he didn't know made the offer to James Cardillo, an acquaintance of Lautner, Lautner said.

The irate Dwyer said he couldn't make a statement about Lautner's statement, because an attorney isn't allowed to talk about evidence or testimony in a case.

Lautner told newsmen he was to come to the court, according to the reported offer, to answer one question in the affirmative: "Can a person leave the Communist party?"

In his testimony Tuesday and earlier Wednesday, Lautner repeatedly declared that a person can't just leave the Communist party without repercussions from the party, particularly if the person had been in the party at least two years.

That was aimed at Mrs. Goldmark's contention. She testified she was in the party from 1935 to 1943, then quit the party after she got married and never had any repercussions.

Before the fireworks Wednesday, Dwyer was questioning Lautner on that issue and was having some success.

Lautner acknowledged that a half million people had gone in to and through the Communist

party 1919 in this country.

Asked if many of those persons left the party in the 1930s and 1940s, he said yes.

Dwyer asked Lautner if he wanted the jury to believe that he can "look into the minds of all these thousands" and determine what their thinking was as they left and after they left.

Lautner said he didn't want to convey that impression. "I judge them by their activities."

Dwyer brought up the name of author John Dos Passos, considered a name Communist at one time.

"He is a very nice, staunch conservative today," said Lautner. "A very upright man."

Dwyer asked Lautner about the Communist party line. At one point Lautner said the 1932 Democratic state party platform paralleled the party line. He said it didn't follow it, it paralleled the party line.

One plank involved in the testimony urged repeal of some provisions of the McCarran Internal Security Act.

Lautner said that the Communist party line is that the law should be completely eliminated.

Dwyer asked Lautner if it wasn't true that President Truman had called the law a threat to American freedoms.

"He might have said so at that particular time," replied Lautner.

Questioning Lautner about the Communist party line, Dwyer established that the Reds oppose the American economic system, they opposed NATO intervention by America in the Korean war, and that the Communists endorse Castro.

Lautner testified on a number of Communist positions on a broad range of issues.

Then, obviously referring to Goldmark, Dwyer brought them all into one broad question:

"A man who was an adult for the last . . . 25 years, who was opposed to Fascism and Nazism, who was in favor of lend lease to Britain, who has always praised our economic system . . . who was in favor of the Marshall Plan, who was in favor of the Truman Doctrine, in favor of NATO, was against the Communists in the Italian election in 1948, was in favor of our intervention in the Korean war, who was in favor of German reunification, who was on our side in the Berlin crisis, was critical of Castro . . . would have been dead against the Communist party line in each of these points, is that true?"

Lautner replied, "Yes, if he isn't a Communist."

This morning defense attorney Ned Kimball asked Goldmark if income tax returns on his ranch operation didn't show a \$70,000 loss over the years.

There was an objection.

Judge Theodore Turner asked if that was relevant.

Kimball said that a TV film shown earlier in the trial said Goldmark was a successful rancher.

So the question was allowed.

Goldmark replied that the sum Kimball mentioned was about right but he said that because of capital gains provisions and depreciation, and other factors "this cash basis income tax does not reflect altogether how well we're making out."

He added that it also does not take into account offsetting profits.

The questions about the books from the Goldmark library are apparently aimed at showing that some Communist line literature is included there.

Goldmark said of one book that he didn't have any knowledge of it. Of another one, he said he read part of it but found "it was unintelligible to me. . . sort of gobble-the-gook. . ."

Then Kimball asked Goldmark

if he remembered having favored a unilateral nuclear test ban.

Goldmark replied: "I'm in favor of a nuclear test ban."

But he added that he wasn't sure if the 1957 legislative action he supported favored unilateral action by the United States.

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SEATTLE POST
INTELLIGENCER
DEC 21 1963
PAGE 14 COL 5

ASSASSINATION SHOWS MARXIST DANGER SAYS EX-SOLON AT GOLDMARK TRIAL

OKANOGAN, Dec. 20.—(AP)—A former member of the House Un-American Activities Committee testified today he thinks the assassination of President Kennedy demonstrated the menace of communism in the United States.

THE WITNESS, former Rep. Donald L. Jackson of California, testified in the trial of Mr. and Mrs. John Goldmark's \$225,000 libel suit,

which ended its seventh week. When he adjourned court Judge Theodore Turner announced a Christmas present: no more court until December 30.

"The danger of the threat from within was demonstrated last November 22 when a self-styled Marxist fired a shot and killed the President," Jackson said.

The reference was the first about the assassination in the trial, a battleground of in-

tensely liberal and conservative politicians and other witnesses.

JACKSON SAID he thinks Mrs. Goldmark, who has acknowledged she was a member of the Communist Party from 1935 to 1943, did not cooperate fully with the House Un-American Activities Committee when she testified before it at Seattle in 1952.

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Libel Defendant in Goldmark Trial Praised by Ex-Solon

OKANOGAN, Dec. 21. — (A. P.) — A former member of the House Committee Un-American activities has praised former State Representative Al Canwell's work in fighting communism.

Canwell, a Spokane Republican, is a defendant in a \$225,000 libel suit filed by former State Representative John Goldmark, Okanogan Democrat, and Goldmark's wife, Sally.

THE SEVENTH week of the trial of the suit ended yesterday. The trial will be in recess all next week and will resume the following Monday.

The Goldmarks' attorney, William Dwyer, cross-examined former Representative Donald L. Jackson of California yesterday afternoon. Jackson, elected to Congress in 1946, served seven consecutive terms and was a member of the House Committee on Un-American Activities throughout the past decade.

Dwyer asked Jackson if it were not true J. Edgar Hoover, director of the Federal Bureau of Investigation, has warned against private citizens making investigations and

reports about people they suspect are Communists. Dwyer referred to Canwell, who headed the Washington State Legislature's Committee on Un-American Activities in 1948 but who now operates what he calls a "non-governmental intelligence agency" gathering information about persons who might be subversive.

JACKSON REPLIED he considers Canwell a reliable person.

"Mr. Canwell made substantial contributions to the work of the subcommittee," Jackson said, explaining that Canwell assisted in a hearing at Seattle in 1954.

Canwell and others have assisted the House Committee on Un-American Activities in hearings and other phases of its work he said, and the help of such a person is welcome "if that individual has a reputation for careful procedure."

Dwyer asked if Jackson knew Canwell personally, and Jackson replied that he did. Under further questioning Jackson testified that the only time he had dealings with Canwell was during the Seattle hearing in 1954.

(Indicate page, name of newspaper, city and state.)

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Far Right Is Greater Peril, Says Goldmark

By JACK E. FISCHER
Spokesman-Review Staff Writer

OKANOGAN, Wash. — John Goldmark testified in Superior Court here Thursday that the far right, as a political force, is a greater threat to the United States today than communism.

Goldmark and his wife, Sally, are plaintiffs in a \$225,000 libel and conspiracy lawsuit filed after a political campaign last year in which Goldmark said actions linking him with communism damaged him.

Mrs. Goldmark has admitted to membership in the Communist party from 1935 to 1943.

Questioned by Kimball

As an adverse witness called by the defense, Goldmark was under questioning by attorney Ned Kimball when he said that in the political sphere, the far right has a greater appeal than communism.

"It attracts a lot of people with good intentions and can mislead them the same as communism did in the 1930s," he said.

Goldmark told Kimball Thursday he could not produce his income tax records from 1948-1962 until Monday, but admitted that his losses on the Goldmark ranch south of Okanogan "were sizeable." Kimball placed the figure at \$70,000.

An exchange then was started on the so-called far right and Kimball asked, "When you refer to the far right, whom do you include?"

"The people who are appealing to Americans not on the basis of tolerant, rational appeal, but on the basis of hatred

and suspicion," Goldmark answered.

"Do you include those who show 'Communism on the Map'?"

"I think 'Communism on the Map' has this tendency. If they show it consistently, I think they are on the far right."

Called Totalitarian

The attorney then asked Goldmark if he did not say in his speech earlier this year that members of the far right were "fascists, racists and white supremacists?"

"I did not," he answered. "I called them totalitarian."

Kimball passed the question until after recess when he quoted from a speech Goldmark made at Ellensburg last May in which he stated, "I mean in general the right wing is racist. They believe in white supremacy."

Goldmark said he did feel the right wing used racial strife in certain areas to help obtain its objectives.

Again quoting from the Ellensburg speech, Kimball referred to a statement that the actions of the far right "are the most un-American thing I've seen in the United States . . ."

When I attended an American Legion meeting in Okanogan in August of 1962 . . . it was about as close to a lynch mob as I have seen," Goldmark answered.

"Do you consider the far right subversive?" Kimball asked.

"I don't consider it subversive in that they are disloyal. No."

"Who is the far right hurting?"

"They are hurting the com-

mon bond of trust and security in our national institutions."

"Is it hurting the far left?"

"Not particularly. This is also the objective of the far left."

Jesuit Takes Stand

Following Goldmark to the witness stand was the Rev. Emmet C. Buckley, S.J., who formerly lived in Tonasket, Wash., but now lives in Sheridan, Ore.

The Catholic priest frequently has been mentioned in testimony during the trial and readily admitted Thursday that the purpose of his plan and campaign in 1962 was to put the record of John and Sally Goldmark before the public.

"I believe at that time all of us (a group at a meeting) were settled on the urgency of bringing to the people a knowledge of the background of John Goldmark because of the degree of success of psychological warfare that is being waged against the American people," he said.

He testified he helped organize anti-Communist study groups in this area and produced a packet of taped recordings, the same as those used in the Spokane Freedom Fight movement.

Judge Theodore S. Turner, however, refused to permit the tapes to be admitted as evidence. He said he was not satisfied they would serve any useful purpose in the lawsuit and would take more than eight hours to play.

Plaintiffs' attorney R. E. Mansfield was just starting to cross-examine Father Buckley when court adjourned for the day.

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2 Spokesman-Review
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18 THE SUN
VANCOUVER, B.C.

U.S. Woman Claims Reds Told Her to Live in Sin

OKANOGAN, Wash. (UPI) —Mrs. Barbara Hartle, 55, of Evans, Wash., once a top functionary of the Communist party, testified Monday she divorced her husband and lived with another man on orders from the party.

The question of whether

marriages were forced by the Communist party had been raised in previous testimony in the \$225,000 Goldmark libel suit.

In the suit, former state representative John Goldmark and his wife, Sally, seek damages, claiming they were libeled in the primary election campaign of 1962 by statements linking them to communism.

Mrs. Goldmark, who admitted membership in the Communist party from 1935 to 1943, testified earlier she had

never heard of such a thing when asked if her marriage to Goldmark was ordered by the party.

Mrs. Hartle testified that her divorce came at the direction of the party and that party officials persuaded her, against her better judgment, to live with James K. Bourne, whom she identified as an international functionary of the Communist party.

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FBI Agent Testifies

A woman charged with bank robbery said she kept a loaded pistol because she was afraid of her former husband, an Assize Court jury was told Tuesday.

Federal Bureau of Investigation agent Alfred Gunn told the court he got this explanation from Sylvia Isted, 32, when he and local police arrested her the day after a bank robbery.

The woman and her husband, laborer William Isted, 46, are charged with the \$3,500 robbery of the Toronto-Dominion Bank, 2127 West Forty-first, Aug. 13.

She also is charged with possessing an offensive weapon. Gunn testified he found a loaded automatic pistol in Mrs. Isted's purse.

Det. Sgt. William Morphett, who searched Isted, testified he found \$2,390—in bundles of \$20s, \$10s, and \$5s—in the man's pockets and \$473 in his wallet.

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48 THE SUN
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Goldmark Returns to Witness Stand

STANOGAN (AP) — John Goldmark, co-plaintiff in a \$225,000 libel suit, has taken the stand for the second time—this time as an adverse witness for the defense.

Defense Attorney E. Glenn Harmon called Goldmark to testify late yesterday. Harmon asked Goldmark if he and Mrs. Goldmark met Charles Kramer, top-ranking member of the Communist party, in 1945 in Washington, D.C. Goldmark replied they did.

"Did Charles Kramer give either you or your wife any instructions to be carried out on behalf of the Communist party?" asked Harmon.

"Of course not, Mr. Harmon," Goldmark said.

Career Recalled

Goldmark, former three-term Democratic state representative, is a Harvard Law School honor graduate who came west after the war to become a cattle rancher. During a bitter liberal-conservative Democratic primary last year it was brought out, and acknowledged by the Goldmarks, that Mrs. Goldmark was a member of the Communist party from 1935 to 1943.

In the suit, against four men and a weekly newspaper owned by one of them, Goldmark contends his family was libeled in the primary by statements uttered and published that linked his family with communism in the present.

Earlier yesterday, John Lautner, 61, New York, a Communist party member from 1929 to 1950, completed testimony as a defense witness.

Fees Mentioned

Under cross-examination by Goldmark attorney William Dwyer, Lautner was asked about fees he has earned as a witness in some 90 court cases involving communism.

"If I would have considered that, sir, I would be on your side today sitting here for \$1,000," the native Hungarian said.

A rapid, heated line of questioning followed.

Dwyer: "Why do you say that?"

Lautner: "Because I was approached by a law firm from your group to be here."

Dwyer: "And you want to testify here that someone representing us offered you money to come here and testify?"

Lautner: "I will tell you exactly what was done."

Dwyer: "I want to know if that is what you are saying."

Lautner: "I was approached by a representative, no, an attorney friend of mine was approached by a representative of Mudge, Todd and so on, a law firm. The person who approached him works for the firm. He is a cousin of Bob Morris, and this friend of mine was asked whether he could get me or Earl Browder to come down here and there is a big fee for coming down here. And the person who approached me is Cardiello, of the firm Bell, Dodd and, —Jim Cardiello, and you can invite Mr. Cardiello here to testify."

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Residence Wanted

Dwyer: "Where does he live?"

Lautner: "He lives in New York, 100 W. 42nd Street on fifth floor."

Dwyer: "Have I ever communicated with you?"

Lautner: "No, not you."

Dwyer: "Mr. Mansfield?"

Lautner: "No."

Dwyer: "Mr. Goldmark?"

Lautner: "No."

On re-direct examination by Harmon, Lautner said he had not asked for any specific fee and had not been promised any specific fee. He added:

"I made certain sacrifices to come out here and I expect to be compensated for those sacrifices."

When asked by Dwyer about his fee for the Goldmark case, Lautner said:

"I didn't discuss it. What brought me here was an idle curiosity to find out why recent Americans who are patriotic are being pushed around."

Discussion Recalled

He said his first discussion about the case was with Harmon and Albert F. Canwell in

New York in September.

Lautner had testified the Communist party required most stringent obedience and dedication of anyone who was a member longer than a year. Dwyer asked:

"By your own standards, how could we and the jury be sure you're not a Communist agent yourself?"

"What a laugh," Lautner said. "I am 13 years on the record, sir. The Congressional Record speaks for me. I have letters from J. Edgar Hoover, from other distinguished Americans. . . which say, and I quote, 'The country owes you a great debt,' so how can you raise this question?"

"I wasn't serious about it," Dwyer said.

Movie is Noted

"You must have seen 'The Manchurian Candidate'." Lautner referred to a movie that deals with brainwashing.

"The question is," Dwyer said later, "by your own standards of not being able to tell by a person's behavior whether he is or is not a Communist, how do we know? Why couldn't this all be an elaborate trick on the United States government?"

"Find out. Put a couple of tails on me. I lead a very, very open life."

Wouldn't a person's open public life, associations with friends and neighbors in the same community year after year, then, be the best measure of his loyalty, Dwyer asked?

"That would be one of the criteria," Lautner said. "But I know, sir, that people went underground in 1950-51, high functionaries of the party. They established identities somewhere in small communities off the main track and are leading very serene life, and I am certain as I am sitting here that they are sleepers."

"Sleepers?"

They'll Be Called

"When the time comes, they will be called to the fore again and they will assume responsibilities and activities again; this party works every possible angle to maintain the continuity of its leadership and preparation for the time to carry out its historic mission. Look way ahead, and time element plays a very unimportant factor in this role. People are manipulated on the checkerboard toward that aim."

Defense Attorney Ned Kimball asked Goldmark today if it were true his income tax returns showed a \$70,000 loss over the years for the Goldmark ranch operations.

Kimball said he asked the question because of a statement in a television film shown earlier in the trial that Goldmark was a successful rancher.

Sum 'About Right'

Goldmark said the sum was about right, but did not reflect altogether how the ranch was making out.

Kimball asked if he remembered favoring a unilateral nuclear test ban. Goldmark replied he favored a nuclear test ban, but that he wasn't sure if the 1957 legislative measure he supported favored unilateral action by the United States.

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Trial Witness Predicts Fall

John Lautner, a New Yorker who said he left the Communist party in 1950 after more than 20 years' active membership, declined here yesterday to discuss aspects of the Goldmark libel trial in Okanogan, where he testified earlier this week.

Lautner, in Spokane to address a public meeting at First Baptist Church last night, said any statements he might make about the proceedings in Okanogan could jeopardize the case and could bring motions for a retrial.

Saying there can be no separation between the internal and external threat of communism, Lautner said it all is part and parcel of a world-wide effort of which no segment can logically be separated.

He said communism is more than a political party in this country and throughout the world, because it also deals in subversion and other aspects of society besides politics.

Lautner said it must be fought economically, politically and ethnically and that each generation must fight for freedom and peace in its own way as it finds necessary.

"We can have peace on earth," he added, "only if we have national unity and military strength so that anyone who fools with peace will receive the full effect of our wrath. Communism will stamp itself out if we encourage within our own families a civilized, Christian life."

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Attacks on Reds Praised at Trial

OKANOGAN (AP) —A former member of the House Committee on Un-American Activities yesterday praised former State Rep. Al Canwell's work in fighting communism.

Canwell, a Spokane Republican, is a defendant in a \$225,000 libel suit filed by former State Rep. John Goldmark, Okanogan Democrat, and Goldmark's wife, Sally.

The seventh week of the trial of the suit ended yesterday. The trial will be in recess all next week and will resume the following Monday.

Ex-Solon Queried

Goldmark attorney William Dwyer cross-examined former Rep. Donald L. Jackson of California in the afternoon. Jackson, elected to Congress in 1946, served seven consecutive terms and was a member of the HUAC throughout the last decade.

Dwyer asked Jackson if it were not true J. Edgar Hoover, director of the Federal Bureau of Investigation, has warned against private citizens making investigations and reports about people they suspect are Communists. Dwyer referred to Canwell, who headed Washington State's legislative committee on un-American activities in 1948 but who now operates what he calls a "non-governmental intelligence agency" gathering information about persons who he says might be subversive.

Jackson replied he considers Canwell a reliable person who has helped the HUAC.

Mr. Canwell made substantial contributions to the work of the subcommittee," Jackson said, explaining that Canwell assisted in a hearing at Seattle in 1954.

Canwell and others have assisted the HUAC in hearings and other phases of its work, he said, and the help of such a

Personal Role Told

Dwyer asked if Jackson knew Canwell personally, and Jackson replied that he did. Under further questioning, Jackson testified that the only time he had dealings with Canwell was during the Seattle hearing in 1954.

Mrs. Goldmark has testified she was a member of a Communist party group in Washington, D.C., from 1935 to 1943 that had as members Charles Kramer and Victor Perlo.

Early yesterday, Jackson testified that the late Elizabeth Bentley, a former Communist party member, once identified Perlo and Kramer as espionage agents.

Dwyer tried to establish that a New York grand jury failed to indict Kramer after a hearing and that "Mr. Kramer said he had never engaged in espionage." But Jackson testified he didn't recall those facts.

Mrs. Goldmark has testified her Communist activities were limited generally to "study." Jackson said the Washington D.C., group Perlo and Kramer were associated with is known as the "Perlo-Kramer espionage cell."

Dwyer asked if it were not possible there were two groups in the capital frequented by Perlo and Kramer.

"There's no evidence that it

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Spying Held Red Cell Aim

Jackson Says Sally Didn't Cooperate Fully at Probe

By JACK E. FISCHER
Spokesman-Review Staff Writer

OKANOGAN, Wash.—A former member of the House Committee on un-American Activities testified in Superior Court here Friday that he did not think that Sally Goldmark fully cooperated with the committee.

Mrs. Goldmark, who, with her husband, John, is a plaintiff in a \$225,000 libel and conspiracy lawsuit has admitted to membership in the Communist party from 1935 to 1943 and testified at an executive session of the House Committee in Seattle in 1956.

The witness, former congressman Donald E. Jackson, of San Jose, Calif., was asked by defense attorney Ned Kimball, if he felt Mrs. Goldmark had cooperated fully with the committee.

"My judgment would be no," Jackson replied. He then added, "It is inconceivable to me to believe that in such a group as the Perlo cell, the sole occupation of the group would be to discuss the theoretical questions regarding Marxism. They were organized to conduct espionage."

Two Groups Claimed

Mrs. Goldmark has testified that she belonged to a Communist group headed by Victor Perlo and Charles Kramer. On cross-examination, plaintiff's attorney William Dwyer, dealt at length in trying to establish that there was more than one Perlo-Kramer cell and that the group to which Mrs. Goldmark belonged had nothing to do with espionage.

Jackson, who was a member of the House Committee, from 1950 to 1960, said study groups in the Communist party "are kindergartens.

"This is what members do in the early stages of Communist indoctrination," he said.

"Would it be possible for a member of the Perlo-Kramer cell from 1935 to 1943 not to take any action other than philosophical discussion?" Kimball asked.

"I would say it would be impossible," Jackson answered.

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He Sees Two Threats

The attorney asked if Jackson felt there is a Communist threat in the United States today and the witness replied, "I would say there is a twin threat, from within and from without."

"How serious is the threat from within?"

"It is almost impossible to separate the two because they consist of an identical instrument designed to destroy us," Jackson answered. "I think the threat from within was demonstrated last Nov. 22 when a self-admitted Marxist fired the shot that killed President Kennedy."

Dwyer objected strenuously to this comment and moved to strike it from the record, but Judge Theodore S. Turner denied the motion.

Kimball then asked Jackson if he knew the position of the Communist party regarding the House Committee on un-American Activities.

"It is continuous, unremitting and outright opposition," he answered.

Success in Churches

In answer to a question as to what success the Communist party has had in churches, Jackson said, "Unfortunately, it has had a substantial measure of success, not in recruitment, but in persuading ministers to follow parallel measures of action."

He had high praise for Albert F. Canwell, one of the defendants in the lawsuit as an authority on communism and said he has "made a substantial contribution."

On cross-examination, Dwyer asked, "You take the view that the House Committee is a good thing?"

"I think it is a vital thing," Jackson answered.

"I presume you are aware that there is a conspiracy over

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the committee," Dwyer asked.
"No one knows that better than a man who served on it."
"You don't think that every one who is opposed is a Communist, do you?"

"No."

"Nor a dupe?"

"It has been said that some are dupes and some are dopes."

Dwyer then read statements in opposition to the committee from such people as Franklin D. Roosevelt, Harry S. Truman and John F. Kennedy and asked after each one, "Was he a dupe or a dope?"

Exchange Becomes Heated

The exchange on cross-examination at times became heated and at one time when Dwyer started quoting someone, Kimball objected saying, "This name dropping business, it seems to me, is an unfair method."

Dwyer did ask, however, if the witness felt Attorney General Robert Kennedy was an expert on communism.

"Certainly not to the extent I consider the head of the Federal Bureau of Investigation," Jackson replied.

"Is Robert Kennedy an expert?"

"I would say probably not."

The testimony of the Rev. Emmet C. Buckley, S.J., was interrupted to permit Jackson to take the stand. Father Buckley completed his testimony later in the day. He was the last witness of the day but defense attorneys introduced a deposition from Francis Biddle, former U.S. attorney general.

He currently is chairman of the national committee of the American Civil Liberties Union. Kimball started reading the deposition but was unable to finish before adjournment.

Judge Turner announced that the court session set for Monday had been canceled and court was recessed Friday afternoon until Monday, Dec. 30.

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Witness Tells of \$1,000 Fee Offer

(Also see "Ex-Red," page 17)

By JACK E. FISCHER
Spokesman-Review Staff Writer
OKANOGAN, Wash. — A defense witness in the Goldmark \$225,000 libel and conspiracy lawsuit here testified Wednesday he was offered \$1,000 to testify in behalf of the plaintiff, John and Sally Goldmark.

John Lautner of New York, a Communist from 1929 to 1950 and probably the most dramatic and articulate witness of this lengthy trial, made the revelation while being cross-examined by plaintiffs' attorney William Dwyer.

It was shortly after the noon recess and Dwyer posed a series of tight questions concerning Lautner's past and the way he made his livelihood. Finally, he queried, "One way or another, either by working for the Communist party or testifying against it, you have made your living off communism ever since 1929, haven't you?"

Temper Flares

His temper obviously flaring, Lautner leaned forward in the witness box and asserted, "If I would have considered that, sir, I would be on your side today, sitting here for \$1,000."

"Why do you say that," a surprised Dwyer asked.

"Because I was approached by a law firm in New York from your group to be here," Lautner answered.

"Is this what you want to say?"

"Yes."

"You realize you're under oath?"

"Yes. And I will give you the law firm and the person who approached me."

"And you want to testify here that someone representing us offered you money to come here and testify?"

"I will tell you exactly what was done."

"I want to know if that is what you are saying."

"I was approached by a representative — no, an attorney friend of mine — was approached by a representative of Mudge, Stern, Todd, Nixon and Baldwin. The person who approached him works for the firm."

"He is a cousin of Bob Morris and this friend of mine was asked whether he could get me or Earl Browder to come down here and there was a big fee for coming down here. And the friend who approached me is Jim Cardiello of the law firm of Bell, Dodd, and Cardiello and you can invite Mr. Cardiello here to testify."

Identifies 'Morris'

(After he left the stand, Lautner told reporters the Morris he referred to was Robert Morris, former president of the University of Dallas and former general counsel for the Senate Internal Security subcommittee. He said he was asked to come to this trial and answer favorably one question, "Can a person leave the Communist party quietly?")

"Have I ever communicated with you, Mr. Lautner?" Dwyer asked.

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"No, Not you."

"Has Mr. R. E. Mansfield?"

"No."

"Mr. Goldmark?"

"No, it was a New York law firm trying to entice me to come over here to testify in behalf of the plaintiffs.

Receiving Fee?

"Are you receiving a fee for testifying here?"

"I didn't discuss it. What brought me here was an idle curiosity to find out why decent Americans who are patriotic are being pushed around."

Another member of the law firm of Mudge, Stern, Todd, Nixon and Baldwin is Peter Asher, a wartime friend of Goldmark who testified earlier in this trial for the plaintiff.

Following testimony on the purported fee, Lautner still was visibly upset.

Dwyer then asked him, "By your own standards, how could I and the jury be sure you are not now a Communist agent yourself?"

"What a laugh," the witness

replied. "I am 13 years on the record, sir. The Congressional Record speaks for me. I have letters from J. Edgar Hoover, from other distinguished Americans who associated with me. I have letters which say, 'the country owes you a great debt.' So how can you raise this question?"

"This isn't what I think, Mr. Lautner. I don't think you are a Communist agent."

"Then why do you raise it?" Lautner snapped.

"The question is, by your own standards of not being able to tell by a person's behavior whether he is or is not a Communist, how do we know? Why couldn't this all be an elaborate trick on the U.S. government?"

"Find out. Put a couple of tails on me. I lead a very, very open life."

Actions a Criteria?

Dwyer then asked, "Wouldn't you agree with me a person's conduct, behavior, his open public life, his association with his friends, his neighbors, over a

period of year after year in the same community, is the best way to tell whether he is a loyal American?"

"That would be one of the criteria. But I know, sir, that people went underground in 1950-1951, high functionaries of the party. They established identities somewhere in small communities off the main track and are leading very serene lives. And I am as certain as I am sitting here that they are sleepers."

Sleepers Claimed

"Sleepers?"

"When the time comes, they will be called to the fore again and they will assume responsibilities and activities again. But because of the climactic conditions we live in and the handicaps that the Communist party must live under, this party works every possible angle to maintain the continuity of its leadership and preparation for the time to carry out its historic mission. People are manipulated on the checkerboard toward that aim."

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Ex-Red Quizzed on Demo Platform

By SPOKESMAN-REVIEW STAFF WRITER

OKANOGAN, Wash.—A former top echelon member of the Communist party testified in Superior Court here Wednesday that certain portions of the 1962 Washington State Democratic platform parallel the Communist party line.

The Democratic platform has been mentioned frequently in the \$225,000 libel and conspiracy lawsuit which starts its 29th trail day here today because it was staunchly defended in the 1962 campaign by plaintiff John Goldmark.

John Lautner of New York, a "highly functionary" of the Communist party from 1929 to 1950, was on the witness stand for the second day.

He was asked by defense attorney E. Glenn Harmon about several sections of the platform. One point was the plank which urged elimination of negative loyalty oaths.

Loyalty Oath Probed

"What is the Communist party line on negative loyalty oaths?" Harmon asked.

"The Communist party opposes them, definitely," Lautner replied.

The platform also stated, "We view the McCarran Internal Security act as a threat to freedom of thought and action and urge revision of this law."

"What is the Communist party line with respect the McCarran Internal Security Act?" Harmon asked.

"The party is carrying on a vigorous campaign against it," the witness answered.

On cross-examination, Lautner denied that he had said the platform was the Communist party line.

"It is the Democratic party line in the state of Washington," he said. "It says so on the document. Some of the points parallel the Communist party line. But the Communist party line goes much further."

The section in the platform on the McCarran Internal Security Act triggered a walkout at the state Democratic convention last year at Bellingham. It also played an important role in a break in the party's unity.

the coalition this year in the legislature's lower chamber.

Throughout his testimony, Lautner has insisted that the internal and external threat of communism cannot be separated, that it all is part of a worldwide movement.

"Didn't you know," asked plaintiffs' attorney William Dwyer, "that Atty. Gen. Robert Kennedy has said all the talk about an internal threat is nonsense?"

"If that is so," replied Lautner, "why don't they fire every one in the Internal Security Division of the Justice Department?"

Later, under heavy questioning from Dwyer, the witness said that many people joined the Communist party, became disillusioned and left. He also testified that many people who are not Communists take the same stand on various issues as the Communist party.

The Party Line?

After a series of questions dealing with the Communist party line on numerous issues, Dwyer asked, "Wouldn't a man who always was against fascism, always favored lend-lease, praised our economic system, favored Marshall Plan, favored NATO, favored intervention in the Korean War and was critical of Castro, have been against the party line on every point?"

"Yes," Lautner answered. "If he were not a Communist."

He added that in some instances the Communist party found it to its advantage to oppose the party line.

Other witnesses Wednesday were Mrs. Kathleen Price of Oroville and Stanley Pennington of Okanogan.

Just before court adjourned, the defense called Goldmark to the stand as an adverse wit-

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Similarities Seen in Party Views

OKANOGAN (AP)—A former Communist testified in the \$225,000 John Goldmark libel suit today that certain planks in the state Democratic party platform in 1962 were "parallel to" the Communist Party line.

John Lautner, 61, on the stand the second day as a defense witness in the trial of the Goldmarks' action against four individuals and a weekly newspaper, was asked about planks in the platform adopted at Bellingham.

The Goldmarks charge they were falsely linked with communism in statements during the 1962 primary election campaign.

Counsel asked Lautner about the "elimination of negative loyalty oaths"—ones in which a person swears he or she is not a member of certain organizations. The party platform urged a positive oath avowing loyalty to the United States.

Opposition Told

"The Communist Party opposes them definitely — especially in the academic field and in government employment," Lautner replied.

Lautner, who identified himself yesterday as a member of the Communist Party from November 1929 to January 1950, was asked about changes which the Democratic platform urged in the McCarran-Walter act relating to deportation. He said the party plank fitted in with Communist aims.

Under cross-examination, attorney William Dwyer asked Lautner if it was true the Democratic Party platform "follows" the Communist Party line.

"No, it does not . . . It is parallel to it," Lautner replied.

Dwyer said the statute of limitations provision of the Democratic plank on deportation limited the possibility of deporting persons for political reasons. He asked Lautner if he knew that the proposal came originally from the American Bar Association.

"That may be," Lautner testified.

"The Communist Party has been consistently carrying on a fight for decades . . . against all immigration laws that would expose their people to possible deportation . . .", he testified.

Lautner, second former Communist called as a defense witness, testified yesterday he thinks the "danger of communism today is much stronger than it ever was before." He added:

"To be a member of the Communist Party doesn't mean to be a member of just an organization in a given country. A member is part of a world-wide movement, the largest world-wide political organization — if you want to call it a political organization, which it is not."

Requirements Told

Lautner said the party required the most stringent obedience of anyone who had been a member more than a year.

"The stable membership were people who were in the party two years, or three years on up," he said.

Like former Communist Mrs. Barbara Harkle, who left the stand Monday, Lautner said a 1935-43 member of a Communist group in Washington, D.C., would have had to be dedicated to communism.

Mrs. John Goldmark, co-plaintiff, has acknowledged she became a Communist in the nation's capital in 1935 but has testified she dropped out in 1943

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and has had no connection with Communism since. She has testified her party group was primarily "for study."

Purpose Questioned

Defense attorney E. Glenn Harmon asked Lautner if anyone could have been a Communist from 1935 to 1943 without ever having heard or talked about the "historic mission of the Communist Party . . . to destroy capitalism in the United States and elsewhere in the world."

"It's just inconceivable," Lautner said.

Mrs. Goldmark has testified overthrow of the U.S. government "was a general advocacy of the Communist Party, but it had no direct application or immediacy. . . . It was a remote tenet of the doctrine, and I did not go along with it."

Lautner testified he broke with the Communist Party after the party accused him of being an undercover agent for the Federal Bureau of Investigation. When he demanded an impartial hearing on the charge, and the party denied him one, he said, he went to the FBI and has since testified for the government in 90 court cases involving communism.

Repudiation Method Asked

Harmon asked how a Communist who sincerely wants to repudiate communism goes about it.

"You go to government authorities and give them whatever knowledge you have . . . you fully cooperate . . . help government authorities to fight communism," Lautner said. "You go to the bureau FBI. When the bureau has to come to you, there's something wrong there."

Mrs. Goldmark has testified the FBI went to her in the late 1940s and she subsequently revealed to the government all she knew about the Communist Party.

Lautner told of having served in military intelligence assigned to Gen. Dwight Eisenhower's headquarters and of having worked at the headquarters of British Field Marshal Harold Alexander.

Lautner, a native of Hungary, testified he once served on the Communist Party's national review-commission, the disciplinary arm of the party.

"It's like the FBI of the Communist Party," he said.

Lautner said the party arranged marriages and he married twice under party orders.

His first forced marriage, he said, occurred while he was attending a Communist training school. After his wedding day, he said, he did not see his wife for five years. The purpose of the marriage was to enable the wife, who was in the United States on a temporary visa, to remain in this country permanently.

After a divorce, he said, he was ordered to marry a second woman for the same purpose. That marriage was annulled.

"Marriage is an institution that if necessary will accommodate the aims and objectives of the Communist Party from time to time," Lautner said.

Rumors Recalled

It has been brought out in the trial that rumors once circulated that the Goldmark marriage must have been forced "because John was so handsome and Sally so homely." Mrs. Goldmark, asked if her marriage was forced by the Communist Party, has testified she "never heard of such a thing."

Lautner wound up testimony for the day with expostulations about communism in general.

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Ex-Congressman Talks Of Reds

By DICK LARSEN

OKANOGAN — A former congressman testified in court here this morning that he didn't think Mrs. John Goldmark, cooperated fully with the House Un-American Activities Committee.

On the witness stand this morning was Donald L. Jackson, former congressman from California, and member of the House committee for some 10 years.

Jackson said he is now a radio-TV commentator, specializing in communism.

Mrs. Goldmark has contended that when she testified before the House committee in Seattle in 1956 she told all about her former party membership.

Jackson was not present at that hearing but he said he has read the transcript of it.

Ned Kimball, attorney for the defense in the \$225,000 libel case, asked Jackson his impression of Mrs. Goldmark's testimony.

Jackson cited the opinion of the committee's attorney, saying "it is inconceivable to me that in such a group as the so-called Perlo group, organized in the nation's capital of government workers, that the sole occupation of this group would be the discussion . . . of theoretical questions regarding Marxism. . ."

Jackson added that other members said "they were organized for the conducting of espionage."

Jackson said he thought Mrs. Goldmark's testimony to the committee was "inconclusive and incomplete."

Mrs. Goldmark testified during the trial that she had been subpoenaed to testify before the committee at the Seattle hearing. She said she got the subpoena the day before she

was to appear. She also said that her testimony then was probably not as complete as she had given the FBI in previous interviews.

Mrs. Goldmark had testified that the Communist group she belonged to in Washington, D.C., was primarily a study group.

Jackson said: "I've heard of a great many Communist study groups . . ."

He said: "This is the kindergarten" of communism.

But he said that all members are required to do more than just study: "It may be peddling the Sunday Worker, it may be collecting dues . . . but everyone has an assignment."

The former congressman gave earlier testimony about the make-up of the committee.

He said he quit the Congress three years ago to carry out what he called "the greatest threat against the liberties of free men since the time of

Genghis Kahn, the international menace of communism."

He now lives at Santa Monica. He said his radio-TV work is sponsored by Dr. Ross Pet' Foods.

Thursday brought some strong statements from Goldmark about the danger of the far right, some testimony from a priest who is formerly of Tonasket, Father Emmet Buckley, about his role in the 1962 campaign, and some brief testimony from attorney W. Gordon Kelley of East Wenatchee.

Goldmark's statements about the far right came on questioning by defense attorney Ned Kimball, Waterville.

Goldmark said the far right created "an atmosphere of fear and hysteria . . . not possible until the development of the radical right in the state in 1951."

The former legislator said he saw its effect on people he knew. "People could look at you with hate and suspicious eyes . . . to me it was very strange that this could happen to people that I knew."

He said the far right primarily used the communism issue to stir hatred.

Goldmark referred to the Aug. 23, 1962, meeting in the American Legion Hall in Okanogan. At that meeting defendant Al Canwell attacked the American Civil Liberties Union as a Communist front.

The witness said most of the people in the crowd were of the far right. "When I sat in the American Legion meeting and heard that crowd . . . say to throw Sen. Hallauer out because he suggested the procedure was unfair . . . that was about as close to a lynch mob that I

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1 THE WENATCHEE DAILY
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have come into contact with in the United States.

At various points in his questioning of Goldmark, Kimball asked questions about his views toward the far right.

At one point Goldmark defined the far right this way:

"The people who are appealing to Americans not on the basis of a tolerant, rational discussion of issues, people who are appealing to the American people on the basis of things based on hate and suspicion, to make them distrust other Americans on the issue of communism, primarily. There are other issues that they use, but this is the main one they are exploiting at the moment."

Goldmark also said that in some parts of the country, racist groups are connected with the far right, using racial hatreds as an issue.

Kimball asked: "Now is it your opinion that the, what you term far right in this country, has a much greater appeal than the Communists?"

Goldmark answered: "In the political sphere, yes. The Communists . . . are clearly identified with our enemies. It is a very serious charge to say that a person is a Communist. It is like charging them with being a criminal."

"The far right, on the other hand, can take advantage of the great concern that people in America feel about the threat of communism in the rest of the world. . . so they can exploit those people's good intentions."

Kimball: "Then I take it Mr. Goldmark, from that answer, you feel that the far right are probably as great a criminals as the Communists?"

Goldmark: "No, that isn't what I said at all."

Kimball: "You feel they are far more dangerous, I take it, than the Communists?"

Goldmark: "As a political force, yes, for the reason . . . that while, in the past, in the 30s, you could get people to go into the Communist party because they were really, sincerely concerned about taking care of ordinary people's problems and they thought this was a way to help . . . you can't do that now. The Communist party is connected with our enemies."

"The far right says they are fighting our enemies and this is the way to do it—our way. Again they get a lot of people in because of those people's good intentions and they can

Goldmark later was questioned on the subject of protection against communism in the U.S.

"I point (to) acts of sabotage, espionage, acts of conspiracy to commit those things . . . in dealing with crime . . . it takes people trained in counter - intelligence work and people who are in that tell you they don't want a lot of volunteers around trying to help them."

"Now if the FBI asks people to report matters to them and I'm sure other counter - intelligence groups do . . . and a matter of going and making a report about something is one thing, a matter of action. Going out and labelling people as Communists . . . is something quite different."

Goldmark added: "The FBI, Mr. Hoover, makes it quite clear he welcomes reports which they will investigate . . . he does not welcome people who set themselves up as judges of their fellow Americans and call them Communists without any ground. He has said that on numerous times."

Kimball: "You are also familiar with Mr. Hoover's statement that the public or individuals should be decidedly concerned with this matter and assist in rooting out Communists are you not?"

Goldmark: "I think he has called for rededication to a lot of ideals of American democracy so that people would be less susceptible to the appeals of communism."

During his testimony, Goldmark said the film "Communism on the Map" was a tool of the far right in its campaign.

On cross examination, plaintiffs' attorney R. E. Mansfield produced a John Birch Society publication in which it was said the film strip was "conceived, prepared and produced by an ardent member of the John Birch Society."

Father Buckley, in his testimony, told of helping organize meetings at which the defeat of Goldmark was planned and discussed.

He said it was his idea that Al Canwell make the tape recording, which is one of the alleged libels in the case.

Father Buckley's testimony is aimed at showing there were many involved in the political effort to defeat Goldmark in the 1962 campaign, and others were as much a factor in it as the defendants, Canwell, Ashley Holden, his Tonasket Tribune, Don Olson and Loris Gillespie.

Kelley gave very brief testimony. He was asked what was Goldmark's reputation prior to 1962, when the alleged libels occurred. Kelley said it was "questionable."

It was also brought out that Kelley had run for the legislature in 1956 as a Republican and had lost. That was one of the years when Goldmark was re-elected.

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JACKSON ENDS TESTIMONY

Goldmark Trial Is Recessed

By DICK LARSEN

POKANOGAN — After lengthy testimony from another "name" witness Friday, the Goldmark libel case has gone into recess until Dec. 30.

Judge Theodore S. Turner announced that there will be no court session next Monday. That was to have been the lone session of the Christmas week.

The major witness Friday was Donald L. Jackson, former congressman from California and longtime member of the House Committee on Un-American Activities.

He testified he didn't think Mrs. Goldmark had been fully cooperative when in 1956 she gave testimony to the committee about her past membership in the Communist party.

Jackson's testimony, and cross-examination went right to the heart of a major issue in the \$225,000 lawsuit: What was the nature of the Communist group in which Mrs. Goldmark

was a member and what were her activities in it?

In her testimony, Mrs. Goldmark said she was in the party from 1935 to 1943. In the latter part of that time she was in a group in Washington, D.C. which had, as members, Victor Perlo and Charles Kramer, she said.

She testified it was primarily a study and discussion group about Communist philosophies, world events and other matters.

But the defense in the lawsuit has held that Perlo and Kramer were involved in espionage.

Jackson's key statement, from the defense standpoint was: "It is inconceivable to me that in such a group as the so-called Perlo group, organized in the nation's capital of government workers, that the sole occupation of this group would be the discussion . . . of theoretical questions regarding Marxism."

On cross-examination, Goldmark attorney William Dwyer challenged Jackson. He sought

to show that:

1. Mrs. Goldmark was in a Communist group in Washington, D.C., in which Perlo and Kramer were members, but it was not necessarily the same Perlo-Kramer group against which the espionage charge has been made.

2. Jackson's conclusion that there was espionage is based on the unproven testimony of one witness before the House committee, the famous former Communist, Elizabeth Bentley.

Jackson testified that Miss Bentley in 1948 had named persons whom she knew were in the Communist party in Washington, D.C.

In her testimony then Miss Bentley — who died not long ago — named some members of the Perlo group.

In her testimony in this lawsuit, Mrs. Goldmark named members of the group she was

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WITNESS — Donald L. Jackson, right, of Santa Monica, Calif., former California congressman, testified Friday in Goldmark libel suit in Okanogan County Superior Court. Here he confers with defendant Al Canwell, left, and defense attorney Ned Kimball. — AF — Wirephoto.

She named Perlo, Kramer and five others.

Questioning Jackson, Dwyer pointed out that none of the other names Miss Bentley gave were the same as the names given by Mrs. Goldmark.

Dwyer suggested that there were two groups, both of which included Perlo and Kramer, one of which Miss Bentley was talking about in 1948, the other the one in which Mrs. Goldmark was a member until 1943.

Referring to Miss Bentley's testimony, Dwyer said to Jackson: . . . "There's no evidence that it is the same group."

Jackson: "Well, there is no evidence that it is not the same group."

Jackson added that Miss Bentley "referred to it as the Perlo-Kramer group." He emphasized the word "the."

Jackson, the former congressman, agreed that there need not have been just one group necessarily, "but it is a very reasonable assumption."

Dwyer persisted. He asked if it wasn't possible that there were two groups.

"This is in the realm of possibility, but not in the realm of probability," said Jackson.

That line of interrogation was interrupted when Judge Turner declared: "Counsel (Dwyer), I think the argument has gone about far enough."

Earlier on cross - examination, the former California congressman, now a radio-TV commentator specializing in communism, repeated his earlier statement: "I see in that particular group people who were identified under oath as part of an espionage ring and I testified before, it is inconceivable to me that a group of that character would have been engaged in a philosophical discussion (as Mrs. Goldmark had testified) . . ."

Dwyer suggested that Mrs. Goldmark's group wasn't just engaged in philosophical discussions, but "were engaged in raising money for the Communist party."

"All Communists raise money for the Communist party," said Jackson.

Dwyer noted "Miss Bentley was the only witness who ever testified about the "alleged acts of espionage of Mr. Perlo."

He challenged the testimony taken by the House committee on the grounds that it is given without the opportunity for cross - examination by persons named by a witness, and the witness can testify on hearsay.

Referring to one person named a Communist by Miss Bentley, Dwyer asked Jackson, "She was testifying of what she heard from someone else?"

"That is substantially correct," said Jackson. ". . . That she had been told by her superiors and others."

Jackson added: "Elizabeth Bentley's testimony, by and large, was 99 per cent corroborated."

The former congressman added that the House Committee on Un-American Activities holds hearings no different from any other Congressional committee: without cross-examination.

Jackson said the House Committee on Un-American Activities has been criticized. There has been frequent testimony in the case that it has been attacked by Communists and the film "Operation Abolition," which declares it is portraying that opposition has been shown in the trial.

Ex - Congressman Jackson said the committee is serving a vital purpose in developing facts about subversive activities. "I think its procedures . . . have become increasingly fair. I think it has served its purpose well . . ." said Jackson. (He served on the committee from 1950 to 1960.)

But Dwyer sought to show that many Americans disagree with its procedures.

He asked Jackson if he thought all persons who disagreed with the committee were Communist sympathizers. Jackson replied no.

Dwyer asked if Jackson thought such persons were dupes of Communism.

"In some instances, yes," said Jackson.

He said he has sometimes referred to them as "dupes, or dopes."

Then Dwyer began quoting to Jackson some views on the committee:

"The committee is sordid - flagrantly unfair and Un-American." - Franklin D. Roosevelt . . . Dupe or dope?" asked Dwyer.

Jackson: "I would probably

classify that as a dupe statement.

Dwyer: "The House Committee on Un-American Activities is the most un-American thing in America' — Harry S. Truman . . . Dupe or dope?"

Jackson: "Misinformed."

Dwyer: "Unscrupulous demagogues have used the power to investigate as tyrants of an early day used the bill of attainder." — Sen. John F. Kennedy. Dupe or dope?"

Jackson: "I would think misinformed."

On cross-examination, defense attorney Ned Kimball showed Jackson the booklet from which those quotes came.

Jackson identified one of the publishers as "an identified member of the Communist party."

Dwyer asked Jackson if he doubted the accuracy of the quotes Dwyer had read.

"I don't doubt the accuracy of the quotes as I do of the source," Jackson replied.

Jackson, in his testimony, praised the work of defendant Al Canwell of Spokane.

"... The work that was done by the so-called Canwell Committee (the 1948 Washington legislative Committee on Un-American Activities) was the source of vital information not only (to) the people of the State of Washington but also the committees in Congress."

Asked about the investigative work of private individuals like Canwell, Jackson said they are helpful "when they are qualified to do so . . . when it (the work) stands the test of credibility, I think they have rendered a service to their government."

In replying to a question of Dwyer's, Jackson said he wasn't familiar with Canwell's work in the past few years.

Canwell, of Spokane, operates what he calls a "non-governmental intelligence service," specializing in gathering and filing information about persons whom he considers associated with communism or other subversive activity. He is a defendant in the lawsuit. The Goldmarks claim he conspired with the others to libelously link them with communism.

During Jackson's testimony Friday, there was the first reference in the trial to President Kennedy's assassination. In talking about the internal menace of communism, Jackson said: "The danger . . . from within was demonstrated last Nov. 22 when a self-admitted Marxist fired a shot and killed the President."

Jackson was first elected to Congress in 1946 and won seven consecutive terms. He did not seek re-election in 1960.

The Rev. Emmet C. Buckley, S.J., completed his testimony late Friday. The priest told of his many activities in 1961 and 1962, having heard rumors linking the Goldmarks with communism and his opposition to Goldmark.

Father Buckley's testimony, produced by the defense in the lawsuit, was aimed at showing he was a leader in the opposition to Goldmark. That is to suggest that there were others out to defeat Goldmark in the 1962 election, not just the defendants in the lawsuit.

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Goldmark Libel Trial Resumes

OKANOGAN, Dec. 30. — (U.P.I.) — Trial of the Goldmark libel suit resumed in Superior Court today after a ten-day recess.

The session opened with continuation of the reading of a 300-page deposition from former United States Attorney General Francis Biddle about the American Civil Liberties Union. Whether the A. C. L. U. is a Communist-front organization is an issue in the trial. The A. C. L. U. never has been listed by the United States government as a Communist front, Biddle said.

Former State Representative John Goldmark and his wife are suing over statements made in the 1962 primary election campaign, which they charge libeled them.

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Inconsistencies' Cited At Goldmark Trial

OKANOGAN, Dec. 30. — (AP) — A defense attorney in the trial of Mr. and Mrs. John Goldmark's \$225,000 libel suit tried today to point out inconsistencies in Mrs. Goldmark's testimony and scored on at least one point. in at least those two respects," Harmon said. Mrs. Goldmark acknowledged it was "technically inaccurate."

ATTORNEY E. GLENN HARMON compared Mrs. Goldmark's testimony in the current case with her testimony before the House un-American Activities Committee at Seattle in 1956, where she told of her membership in the Communist Party from 1935 to 1943.

IS IT NOT TRUE, Harmon asked Mrs. Goldmark, that she told the HUAC she had not come in contact with any members of her Washington, D.C., Communist Party unit since 1943, yet told the Okanogan jury she had seen two members, Lenore Thomas and Charles Kramer, since then?

It is true, she told Harmon.

"I had forgotten my good friend Lenore Thomas," Mrs. Goldmark said. "I had seen her."

MRS. GOLDMARK said she also saw Kramer — briefly, in 1945. Her conversations with both persons, she said, did not involve communism.

"So your testimony that you had not seen any of these people was inaccurate."

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Drawn-Out Goldmark Case Will Resume On Monday

By DICK LARSEN

OKANOGAN—After a week's recess, the Goldmark libel trial resumes here Monday and indications are that the long lawsuit won't be going into the homestretch for awhile yet.

Defense attorney E. Glenn Harmon told the Daily World from his Spokane office that he thinks the defense case might be finished during the coming week.

There will be court every day during the upcoming week except New Year's Day.

"We hope to finish Friday," said Harmon. "If we don't then, we hope it will be the following Monday."

After that, the Goldmark side will have a chance to provide rebuttal witnesses. That is expected to require at least a week.

After that the defense can have surrebuttal (re-rebuttal) testimony.

Thus, it seems doubtful that the case can go to the jury of eight men and four women before mid-February.

Already it has established a record: It is the longest court case in Okanogan County history.

It began Nov. 4. When it went into recess on Dec. 20 that was its 30th court day. The previous record was the 29 days of court required to hear the Okanogan County Public Utility District concentration case in 1942-43.

There are many reasons for the length of the lawsuit.

Among other reasons is the number of defendants: five.

Mr. and Mrs. John Goldmark allege the defendants conspired to commit libels against them during the 1962 legislative political campaign when Goldmark was defeated.

It has required time for the plaintiff's side to portray the actions of each of the defendants and to try to prove conspiracy.

It has required equal time for the defense to try to disprove the charges.

While the Goldmark side was presenting its case, the tide appeared to be running heavily its way. Recently, as the defense has presented its case, the tide appeared to change.

It is expected that the defense will finish with a heavy barrage this coming week.

Then the plaintiff's side gets its chance to turn the tide once again.

Defendants are the weekly newspaper the Tonasket Tribune, its editor-publisher, Ashley Holden, Albert F. Canwell of Spokane, Loris Gillespie of Okanogan, and Don Caron, Okanogan, state coordinator for the John Birch Society.

Many issues have been raised in the lawsuit, because there were so many in the campaign and in the alleged libels. The result has been many "trials within the trial."

For instance, the American Civil Liberties Union has been "on trial," too.

Some of the alleged libels involved references to the ACLU and communism. Goldmark is a member of the ACLU.

The plaintiffs presented such witnesses as ACLU executive director John Pemberton of New York. He and other witnesses said it is an organization set up to safeguard individuals' rights under the Bill of Rights, even if the individuals involved are associated with such unpopular causes as communism.

Some films have also been "on trial." One, a TV documentary called "Suspect," was shown to the jury. It dealt with the 1962 campaign, portraying it as a smear in which then-State Rep. Goldmark was falsely linked with communism.

The defense has sought to show that film was biased and inaccurate. Thus, there has been much testimony about the facts in the film.

No doubt the key issue in the lawsuit was spelled out in the defense's opening statement:

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2 THE WENATCHEE DAILY
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It said it would show that the Goldmarks are "under Communist party discipline."

That added a major new dimension to the trial.

Just before the holiday recess the defense presented two ex-Communist witnesses, both well-known: Barbara Hartle of eastern Washington, and John Lautner of New York and Ohio.

Their testimony was that it would have been impossible for anyone to have left the Communist party after several years of membership without strong party pressure to remain in it. They also testified that there was no such thing as a study group in the Communist party.

Mrs. Goldmark had testified that she was in the party from 1935 until 1943. She said she joined in the midst of the depression in New York City, was in a group that engaged in philosophical discussions and studies, then left after marrying Goldmark. She said she was subjected to no pressures from the party when she quit attending meetings.

Cross-examining Mrs. Hartle and Lautner, Goldmark attorney William Dwyer sought to show that thousands of persons joined the party in those days and left without repercussions from the Communist party.

But Lautner steadfastly testified that anyone who had been in the party for two years necessarily became enmeshed in communism.

What is the cost of the long lawsuit?

Neither side is venturing any estimates of cost. But costs have been great, in travel expenses of witnesses, long distance telephone calls and other expenses.

Most of these costs must be borne by each side, regardless of the outcome.

When a decision is handed down, certain costs will be imposed on the losers: a nominal statutory attorney fee, some filing fees for documents filed with the county clerk, travel expenses for subpoenaed witnesses within the state, and costs of taking depositions which have been entered in evidence.

But those represent only a fraction of the real costs, say both sides.

The expenses of the judge and jury are borne by the county.

A decision either way will require at least a 10-2 vote of the jury members.

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GOLDMARK CASE

Counterspy On Witness Stand

By DICK LARSEN

OKANOGAN — Another ex-Communist was testifying for the defense in court here today in the Goldmark libel case.

On the stand was Karl Prussion, South Pasadena, Calif. He said he was on the Communist party for 26 years.

Tanned and gray-haired, Prussion said that he left the party in 1960 after serving for 13 years as a counterspy for the FBI within the Communist party.

He told of tough Communist discipline and infiltration work in various organizations. He said: "When you're in the Communist party for about three years . . . you have dedicated yourself as a Communist . . . you become involved in infiltration tactics of communism . . . you actually become a brain-washed person."

Prussion is the third ex-Communist to testify for the defense in the libel suit. The apparent aim of their testimony is to suggest that Mrs. Goldmark could not completely have severed her relations with communism. She testified she quit the Communist party in 1943.

Prussion said he joined the party in the late 1930's in Detroit. He told about picketing activities and infiltration of unemployment councils and var-

ious other organizations.

He said he attended the Communists' national training school where "we were given a course in insurrection."

He said a teacher from the Soviet Union "taught us how to siege police stations. . . we had maps and diagrams." He said they were also taught house-to-house fighting.

Prussion said that Communist party discipline is strict, discouraging members from leaving and from conforming. Prussion related a tale about a man named "Bill" Guernney. He said Guernney was counterspy and was "called to a discipline committee meeting and . . . was pistol whipped and bludgeoned and kicked . . . and finally Bill Guernney admitted that he was a counterspy."

Prussion said that was to demonstrate to other Communists present of the seriousness of party discipline.

Prussion related the activities of the Palo Alto Peace Club. He said it was a Communist organization and that after it was called subversive by the attorney general, members went into "a very wonderful Christian organization." Having infiltrated that, they got that organization "to call a conference to ban atomic testing."

Prussion said that through in-

filtration Communists are directing this country toward "a strong centralized left-wing government.

"This is the direction in which the Communists have been working over the years for about three decades or more."

Mrs. Goldmark, who has spent more hours in the witness chair than anyone else in the lawsuit, returned to the stand just before noon Monday, called by the defense.

She was questioned at length about some books subpoenaed from the Goldmark library by

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1 THE WENATCHEE
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the defense.

She was also asked a scattering of questions aimed at showing inconsistencies in her testimony at various times about her former Communist party membership.

Early in the questioning, Harmon noted Mrs. Goldmark had testified in a pre-trial deposition that she had worked in a New York soup kitchen during the depression, soon after joining the Communist party.

He also noted that, in the trial, she had testified that she did not work in the soup kitchen.

She replied: "My best recollection is that I didn't work in the soup kitchen, but that I did some promotion work in connection with it."

Harmon asked about a book from the Goldmark library, "Proletarian Literature in the United States." It was inscribed, "November, 1935."

Harmon asked if it were a Communist-published book.

Mrs. Goldmark replied: "International Publishers (the publishing firm) is recognized as such."

"How does it still happen that you still have it in your personal library?"

"I kept quite a few of my old books. That's just one I kept," said Mrs. Goldmark.

Harmon asked if the book were available to the Goldmarks' two sons.

"I don't think they even know it's there."

"Did you ever warn your sons of the danger of communism?" asked Harmon.

"I don't think I even discussed communism with them in any shape or form," said Mrs. Goldmark.

Harmon asked about a book of cartoons, "A Quarter Century of Un-American," published by Marzani and Munsell.

"Do you not, from your own experience in the Communist party, recognize that (the) cartoons in this book (are) obvious Communist propaganda aimed at the House Un-American Activities Committee?"

"No, I do not, Mr. Harmon," she replied.

Mrs. Goldmark testified that that and certain other books had come to her through the Prometheus Book Club.

Other books on which she was questioned included "The Tragedy of American Diplomacy," by Carl Marzani. Harmon asked if that book doesn't lay down the Communist party line on what American diplomacy should be.

"I don't think that's what the book is at all," replied Mrs. Goldmark.

Most of her answers were terse, clipped, the only sign of strain she has shown through the long trial.

Other books on which there were questions included "The Great Ascent" by Robert L. Heilbroner, "Maxim Litvinoff" by Arthur Pope, "The Political Economy of Growth" by Dr. Paul Baran, and "The Negro Today" by Herbert Aptheker.

Harmon asked if the books, and others, were on the Communist party line and if their authors were Communists.

Mrs. Goldmark said she hadn't read or finished some, did not know the Communist party line and didn't know about the authors being Communists.

Seeking to show inconsisten-

cies in her testimony, Harmon said to Mrs. Goldmark: "You told the House committee (on Un-American Activities in a 1956 hearing) that you had no touch with any of the people in the Perlo-Kramer cell since you left Washington, D.C."

"Yes," replied Mrs. Goldmark.

Then Harmon noted she had testified in this trial of having later had some contacts with two persons.

Mrs. Goldmark acknowledged that. She recalled that she had had contact with a friend, Lenore Thomas, after leaving the party, and that, in 1945, she had had a visit with Kramer.

She said the contacts were social and there had been no conversation on communism.

"So that your testimony that you hadn't seen any of these people . . . was inaccurate in at least those two respects," noted Harmon.

Mrs. Goldmark said that was true, that she had forgotten those occasions.

"You said to the House committee that you left the Communist party in early 1943," noted Harmon.

"The fact is I left in November, 1943," said Mrs. Goldmark.

She acknowledged: "I'm very bad on dates."

Mrs. Goldmark has said she left the party then, soon after marrying John Goldmark, and has had no touch with communism since.

Her former Communist party membership has been a key issue in the lawsuit. The Goldmarks claim the defendants used that and other circumstances to brand them as Communists or Communist sympathizers during the 1962 legislative campaign in which Goldmark was defeated.

Defendants in the \$225,000 action are Ashley Holden and his Tonasket Tribune, Albert Canwell of Spokane, Don Caron, state coordinator of the John Birch Society, and Loris Gillespie, Birch Society member and Okanogan businessman.

Another witness gave brief testimony yesterday: Mrs. Dorothy Martin of Sumner, Wash. She is the wife of a former hired hand on the Goldmark ranch.

She said she lived on the ranch from 1954 to 1955.

Mrs. Martin said Goldmark was gone from the ranch at least half the time.

Attorney Ned Kimball asked Mrs. Martin: "Did you and Mrs. Goldmark ever have any discussion relative to your respective beliefs in God?"

Plaintiff's Attorney R. E. Mansfield objected on the grounds the question was irrelevant. The objection was sustained.

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(Mount Clipping in Space Below)

Deposition From Biddle Read At Goldmark Trial

OKANOGAN — The Goldmark libel trial resumed in Okanogan County Superior Court here today with a surprising standing room only crowd of spectators. The lengthy lawsuit, recessed since Dec. 20, resumed on a quiet note, as defense attorney Ned Kimball read a lengthy deposition taken before the trial from former U.S. Attorney General Francis Biddle.

Today's big crowd in the courtroom was probably the result of holiday season visitors to Okanogan County.

Biddle's deposition dealt with the American Civil Liberties Union, of which Biddle is chairman of the National Committee.

The ACLU has been an issue in the case. In some of the alleged libels, it was linked with communism. And plaintiff John Goldmark is a member of the ACLU.

Kimball was reading the questions and answers, questions of Goldmark attorney William Dwyer and defense attorney E. Glenn Harmon, and Biddle's

replies.

The deposition session had taken place in New York.

Biddle said that the ACLU has occasionally been branded as a Communist front. He said that charge "crops up now and then, usually around election time."

But, he said, it has never been listed by the U.S. government as a Communist front organization.

At times the deposition's questions and answers ranged afar.

On questioning by Harmon Biddle referred to a 1920 report by a New York State legislator which Harmon contended, termed the ACLU "a supporter of all subversive movements."

Biddle said he was familiar with the author of that report and said "I would not trust it for a minute."

Kimball began reading the

Biddle deposition late in the afternoon of Dec. 20, just before the Christmas week recess. His reading continued through much of this morning.

In his deposition Biddle said he thought that Roger Baldwin, one of the ACLU founders, had been a socialist.

Biddle's deposition had been taken by the Goldmark's side before the present trial. But they did not enter it as evidence. However, the defense now is using it, apparently in an effort to show that the ACLU has been soft on communism.

Among the witnesses earlier in the trial was John Pemberton, of New York, ACLU executive director. He said that the organization is concerned with safeguarding the rights of any individual under the Bill of Rights, regardless of the unpopularity of the individual's views.

(Indicate page, name of newspaper, city and state.)

1 THE WENATCHEE
DAILY WORLD
WENATCHEE, WASH.

Date: 13/30/63

Edition:

Author:

Editor:

Title: MRS. JOHN
GOLDMARK

Character: SM-C

or

Classification: 100-21585-320 ^{at}

Submitting Office: SEATTLE

Copy Sent to BU

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SERIALIZED <i>done</i>	FILED
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FBI - SEATTLE	
<i>McNULTY</i>	

UNITED STATES GOVERNMENT
MEMORANDUM

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-18-2006 BY 60324 AUC BAW/CE/CAK

TO : SAC, SEATTLE (100-25999)
FROM : SA [redacted]
SUBJECT: CP, SOUTH CENTRAL SECTION
INTERNAL SECURITY - C

DATE: 12/31/63

APPROVED: [signature]

b6
b7C

<u>Source</u>	<u>Activity</u>	<u>Rec'd</u>	<u>Agent</u>	<u>Location</u>
[redacted]	South Central Section meeting, [redacted]	12/20/63	[redacted]	[redacted]
[redacted]	[redacted]			

b2
b6
b7C
b7D

Informant furnished the following report:

"December 17, 1963

"South Central Section Meeting.
"Home of [redacted]
[redacted]

b6
b7C
b7D

1 - 100-25999 (CP SOUTH CENTRAL SECT)
cc: [redacted]

b2
b7D

[redacted]

100-21585 (SALLY GOLDMARK)
100-0-27804 (JOHN GOLDMARK)

[redacted]

100-21585-321
SEARCHED... INDEXED...
SERIALIZED... FILED...
DEC 31 1963
FBI - SEATTLE
[signature]

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b7C

- 100-17755 (POL. ACT.)
- 100-19248 (STRATEGY IN INDUSTRY)
- 100-26674 (COMINFIL RACIAL MTRS)
- 100-8405 (NAACP)
- 100-24103 (MASS ORGS)
- 157-253 (RACIAL MTRS SEA DIV)
- 100-17605 (FUNDS)
- 100-22716 (POLITICAL AFFAIRS)
- 100-24766 (WCC)

LOG/djf
(24)

"The South Central section meeting commenced at approximately [redacted] with the following being present.

[redacted] and [redacted] officiated as chairman of the section. [redacted] stressed the point of organizing an electoral committee which would acquaint the comrades with more of what is going on in the political scene. After some discussion [redacted] was selected to be the head of this committee with [redacted] and [redacted] also serving on this committee. [redacted] then discussed the need of the working class to get more representation and with this the need of getting a Negro candidate for city council. [redacted] said she had talked to [redacted] about this and that he had mentioned that he was very low in finances and also was discouraged over the death of President KENNEDY. [redacted] then suggested that someone speak to [redacted] at the A.M.E. church and also [redacted] from NAACP. [redacted] then commented on the up-surge in unemployment throughout the state and also other parts. [redacted] commented that one in fifteen were unemployed now and the Dyna-soar project did not help matters any. [redacted] went on to say that this was the breaking down of the capitalist system. [redacted] said the recent death of the President has awakened the American people to the terrors of the Ultra-Right movement. The GOLDMARK case was discussed with [redacted] as being very low in their estimation. [redacted] then discussed various people's who had informed on the party. [redacted] said their backgrounds left much to be desired. [redacted] then went on that despite the possibility of informers in their ranks they should nevertheless move on for the fight for Socialism and better relations for all man-kind. [redacted] then discussed some of the people running for candidates through-out the state. [redacted] was discussed and considered to be one of the better and had had a good position on open housing. [redacted] made mention that [redacted] finances were running low. [redacted] then mentioned [redacted] who was running for mayor as also being very good on open housing. [redacted] was listed as unfavorable since he had served on a labor committee for [redacted] at one time and that he had no endorsement as yet from Cope. [redacted] who was also running for mayor received no comment. [redacted] urged those present to find out more about him. [redacted] said [redacted] was meeting with the south end Democratic club Wednesday December 18. [redacted] said [redacted] was working quite a bit there. [redacted] said the Democratic club

b7D

b6
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was made up of mostly young couples and were interested mainly in local events. [redacted] then told the group that the Christmas Bazaar had made \$105.00 which was above last year. [redacted] said the things left from the bazaar would in turn be handed over to the January 20, rummage sale. [redacted] said there would be an organizational secretary meeting December 29, 11: A.M. at the home of [redacted] [redacted] told [redacted] to work out some arrangement in her club for someone to act as org. sec. at the meeting. [redacted] said there was a national drive to increase the sale of Political Affairs. [redacted] said to his knowledge there was at present one hundred and eleven being sold throughout the state. [redacted] asked [redacted] to keep an account of all P.A. being sold at the book-store. [redacted] said often times the secretaries of the various clubs are negligent about picking their copies up therefore causing a hardship at the bookstore. [redacted] urged those present to be cognizant of this fact. [redacted] then made mention that \$495.00 had been turned in on the party fund drive and that this included the \$105.00 made on the Christmas Bazaar. [redacted] told the section that when he and [redacted] had been over on the peninsula a certain individual had given them forty cans of salmon which they had been negligent in getting it over to the bazaar. [redacted] asked the section what they thought should be done with this. [redacted] thought it could be raffled off even mentioning that she would be willing to buy some. The next section meeting was discussed with [redacted] opening her home. It was decided to hold the meeting January 13, at 9:30 A.M. Refreshments were then served with various ones discussing candidates that were running for office. It was noted that upon leaving that [redacted] went home with [redacted] [redacted] and [redacted] and [redacted] leaving with [redacted]

ACTION: NONE. Source could furnish no further information and agent has taken all necessary action.

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Mrs. Goldmark Is Quizzed on Books

OKANOGAN, Jan. 2. — (A. P.)—Mrs. John Goldmark testified about churches, radio programs and books today in the 33rd day of the Goldmark libel trial.

Mr. and Mrs. Goldmark are suing four individuals and a weekly newspaper for \$225,000. They contend they were damaged by being linked to Communism during the 1962 campaign, in which Goldmark was defeated for renomination as a Democratic state representative.

A DEFENSE attorney, E. Glenn Harmon, questioned Mrs. Goldmark concerning a request she made last year that a Wenatchee radio station drop an anti-Communist series called "Know Your Enemy."

She replied that she objected because one part of the series "attacked the churches." She added: "I just don't think it was a public service."

Mrs. Goldmark was questioned concerning the library on the Goldmark ranch, from which the defense has subpoenaed some books.

She said there are 429 books, not counting pamphlets, and they include novels, poems and cookbooks. The library, she added, includes books by Presidents Truman, Eisenhower and Kennedy; J. Edgar Hoover's "Masters of Deceit" and the Bible.

Asked on cross-examination why so many books were in her home available to her children, the witness said she thought they should have access to all kinds of literature.

MRS. GOLDMARK has testified that she was a Communist Party member from 1935 to 1943. She said she joined the party during the depression because she thought Communism offered a simple answer to ills of the country.

She said that after she left college she had no home and no access to literature. "I think if I had such access," she said, "I wouldn't have fallen prey to propaganda and a simple answer."

She added that she doesn't think "her sons will be duped by anything."

(Indicate page, name of newspaper, city and state.)

SEATTLE TIMES

JAN - 2 1964

PAGE A COL 1

Date:
Edition:
Author:
Editor:
Title:

MRS. SALLY GOLDMARK

Character: **SM - C**

or

Classification: **100-21585 -**

Submitting Office: **322**

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Witness Describes Founder of ACLU

By JACK E. FISCHER
Spokesman-Review Staff Writer

OKANOGAN, Wash.—Former U. S. Atty. Gen. Francis Biddle Monday by deposition described Roger Baldwin, founder of the American Civil Liberties Union, as a Socialist.

Biddle's deposition was read into the record of the \$225,000 libel and conspiracy lawsuit brought by Mr. and Mrs. John Goldmark following a bitter 1st District legislative campaign last year.

The retired attorney, who held nine different federal government posts and who has the reputation of being a liberal, testified that he did not think Baldwin was a Communist, but was a Socialist.

"That's a very different animal," he said.

Mentioned Often

The ACLU has been mentioned frequently during the trial. It was a subject of a speech by defendant Albert F. Canwell of Spokane in Okanogan last year in which one of the claims of the case is based. Defendants claim that the organization, of which Goldmark is a member, is a Communist front.

The lengthy trial ended its 1st day Monday following a week's recess for Christmas. Court will be held four days this week, with only New Year's day excluded.

The defense, which reportedly is nearing the end of its case, called Mrs. Dorothy Martin of Sumner, Wash., to the stand. She testified her husband worked on the Goldmark ranch from 1953 to 1955 and that she lived on the ranch from 1954 to 1955.

In answer to a question by defense attorney Ned Kimball, he said Mrs. Goldmark was from the ranch "very little" but that Goldmark was there "at least 50 per cent of the time."

Objection Sustained

When Kimball asked, "Did you and Mrs. Goldmark ever have any discussion relative to your respective beliefs in God?" plaintiff's attorney R. E. Mansfield objected. Judge Theodore S. Turner sustained the objection.

Primary witness of the day was Mrs. Goldmark who has acknowledged membership in the Communist party from 1935 to 1943.

She has testified that she severed all connections with the party at the time and has no knowledge of the "Communist party line."

Defense E. Glenn Harmon questioned her at length over a group of books which were subpoenaed from the Goldmark library.

Book Club

Most of these, she testified, came to her through the Prometheus Book Club.

One of these books was "A Quarter Century of Un-Americanism" which is composed of a group of cartoons in opposition to the House Committee on Un-American Activities.

"Do you not, from your own experience in the Communist party recognize that these cartoons are obvious Communist propaganda aimed at the House committee?" Harmon asked.

"No, I do not," Mrs. Goldmark answered.

"Have you so completely forgotten what you learned about communism that you do not know whether or not this book follows the Communist party line?"

"I wouldn't have any idea."

Another book from the library was "The Political Economy of Communism" by Dr. Paul A. Baran, professor at Stanford University.

"Do you recognize it as carrying the Communist party line?" Harmon asked.

(Indicate page, name of newspaper, city and state.)

13 Spokesman-Review
Spokane, Wash.

Date: 12/30/63

Edition:

Author:

Editor:

Title:

MRS. SALLY GOLDMARK

Character: SM - C

or

Classification: 100-21585-323

Submitting Office: Seattle

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Called Complicated

"It's a pretty complicated book . . ." the witness answered.

"Wouldn't you say it's a Communist gobbledegook?"

"I wouldn't know about that."

"Isn't it the same type terminology you were used to when you were in the Communist party?"

"It might be."

"Isn't Dr. Baran described on the cover as a Marxian social scientist? Doesn't it follow that he is a Communist?"

"No, it doesn't follow. If he is a Marxian economist . . . this does not make him a Communist."

"Isn't this party line literature?"

"No. I think he is developing an economic theory . . . probably under the Marxist theory."

"Doesn't it coincide with the Communist party line?"

"I wouldn't know, Mr. Har-

mon. I really wouldn't."

Mrs. Goldmark said she had not read most of the books which the defendants had subpoenaed from her library.

Obvious Effort

Harmon then asked a long series of questions in an obvious effort to show that Mrs. Goldmark had not fully cooperated with the House Committee on Un-American Activities when she testified before it in 1956.

"Didn't you tell the House committee you had no touch with any members of the Perlo-Kramer Cell (the Communist unit of which Mrs. Goldmark was a member) since you left Washington, DC.?" he asked.

"Yes," was the answer.

"That testimony was not correct, was it?"

"No. I had forgotten my good friend, Lenore Thomas."

"Didn't you testify before the House committee that you left the Communist party early in 1943?"

"Yes."

"What is the fact."

"I left the Communist party in November 1943."

"Didn't you tell the House committee you left the Communist party early in 1943 when you left Washington, D.C.?"

"Yes, and I left Washington in early 1944. I am very bad on dates."

Defendants in the lawsuit, which is heavy with political overtones, are Ashley E. Holden, publisher of the Tonasket Tribune; Don Caron, state coordinator for the John Birch Society; Loris A. Gillespie, Ckanogan orchardist; the Tonasket Publishing Co., and Canwell.

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Mrs. Goldmark Denies She's 'Nonbeliever'

OKANOGAN, Jan. 6.—(A.P.)
—An objection halted question-
ing on religion at the Gold-
mark libel trial today after
Mrs. John Goldmark denied
she had told acquaintances she
did not believe in God.

Superior Judge Theodore
Turner upheld the Goldmark
attorney's objection.

Goldmark, a former state
representative, and his wife
were on the stand briefly as
trial of their \$225,000 libel suit
resumed after the week-end.
The trial began November 4.

MRS. GOLDMARK testified
she was reared in the Dutch
Reformed Church and was
baptized and confirmed. She
said she and her husband, for-
merly a Protestant, are Uni-
tarians.

Goldmark was asked about
his support of a resolution be-
fore the 1957 Legislature. E.
Glenn Harmon, defense attor-
ney, asked if the measure did
not urge unilateral action by
the United States to stop nu-
clear testing.

"No, I don't think that is a
fact," Goldmark replied.

GOLDMARK said he be-
lieved the proposal was "even-
tually embodied in the nuclear-
test-ban treaty."

Former State Representative
Albert Canwell of Spokane, a
defendant, returned to the
witness stand.

Canwell said he had studied
the American Civil Liberties
Union since 1947 or 1948 and
that some of his information
on the Washington chapter
was based on "an undercover
source."

"I have a person operating
with that group, so I have con-
siderable knowledge about
their day-to-day work," Can-
well added.

(Indicate page, name of
newspaper, city and state.)

SEATTLE TIMES

JAN 6 - 1964

PAGE 6 COL 1

Date:
Edition:
Author:
Editor:
Title:
MRS. SALLY GOLDMARK

Character: **SM - C**
or
Classification: **100-21585 -**
Submitting Office: **324**

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Religion And Test Ban Goldmark Case Topics

By DICK LARSEN

OKANOGAN. — There was testimony about religion and the nuclear test ban as the Goldmark libel suit resumed in Okanogan County Superior Court here this morning.

Both Mr. and Mrs. John Goldmark made brief appearances on the witness stand, called by the defense.

Mrs. Goldmark was asked: "Did you tell people you didn't believe in God?"

"No," she replied.

She said that she was raised in a Dutch Reform Church and was baptized and confirmed in that church.

Mrs. Martin was an earlier witness in the trial. Her husband formerly worked on the Goldmark ranch and Mrs. Martin lived there for a while.

There was an objection to further questioning about religion.

Judge Theodore Turner was to confer later in the day with attorneys to rule on such questioning.

Mrs. Goldmark did testify that her husband is a Protestant. She said: "We consider ourselves Unitarians."

Goldmark attorney William Dwyer asked Mrs. Goldmark if she ever told anyone not to discuss religion in her home. She said: "No, we often discuss religion in our home."

While he was on the stand, former State Representative Goldmark was asked about his support for House Joint Resolution 24 in the 1957 Washington State Legislature.

Defense attorney Harmon sought to show that that measure called for unilateral halting of nuclear testing by the United States, which "was clearly

Communist party position at the time."

Harmon asked Goldmark if the memorial didn't urge unilateral action by the United States; that is, America's stopping of nuclear testing by itself.

"No, I don't think that is a fact, Mr. Harmon," replied Goldmark.

Goldmark said the memorial urged "a trial moratorium as long as other nations adhered to a like policy . . . this is, in fact, what the Eisenhower administration did about two years after."

Goldmark added that the proposal in the memorial was "eventually embodied in the nuclear test ban treaty of the Kennedy administration."

Then Albert F. Canwell of Spokane, one of the defendants in the Goldmark's \$225,000 libel suit, returned to the stand.

His testimony, not well interrupted by James Herbert P. Erick.

Harmon resumed questioning Canwell about statements Canwell made about the American Civil Liberties Union in one of the alleged libels.

As he was asked about statements he made, Canwell replied, "They are precisely true, based on factual knowledge."

One of those statements was the position of the Washington State chapter of the ACLU membership has been identical with that of the Communist party."

There were several objections from Pappas, he contended that this line of questioning should go just to Canwell's attitude and the possibility of malice as Canwell was stating his views on the ACLU.

But the questioning was allowed.

Canwell said he has studied the ACLU since 1947 or 1948. He said some of his information on the Washington chapter of the organization is "based on an undercover source."

Canwell referred to one chapter, although he did not identify it.

"I have a person operating within that group so that I have considerable knowledge about their day-to-day work."

Canwell also mentioned that editorials used opposing the films "Communism on the March" and "Operation Abolition" have appeared in the University of Washington Daily, identical with those in "The People's World," which Canwell said was the Communist party publication in the Northwest.

(Indicate page, name of newspaper, city and state.)

1 THE WENATCHEE DAILY
WORLD
WENATCHEE, WASH.

Date: 1/6/64

Edition:

Author:

Editor:

Title: MRS. JOHN GOLDMARK

Character: SM-C

or

Classification: 100-21585

Submitting Office: SEATTLE

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100-21585-325

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PHILBRICK ON STAND:

**'Lied For FBI'
Philbrick Gives Testimony**

By GEORGE RICHARDSON OKANOGAN — Herbert A. Philbrick, who was a "Communist for the FBI," took the stand Friday in the 34th day of the Goldmark libel suit.

Under questioning by defense attorney E. Glenn Harmon, Philbrick testified that it is his opinion the American Civil Liberties Union is a Communist front organization.

Philbrick is author of the book "I Led Three Lives" and his career formed the basis for the TV series "I Was a Communist For the FBI."

He testified that the Communists have been ordered to infiltrate the Catholic church; that the Communist threat is becoming greater; and he also outlined different degrees of party membership.

In reply to a question from Harmon, Philbrick said that Gus Hall, in a directive to Communists in America, specifically mentioned the Catholic church as a target for subversion. "We are taught by the Communist party bosses that we cannot distinguish between good and bad religion. To us they are all bad," said Philbrick.

Harmon had asked Philbrick the Communist party's objectives regarding the infiltration of churches and other organizations.

Philbrick was also asked about the dangers of communism from within and without the U.S. "You cannot say the internal threat is any less or any greater than the external threat. It's one in the same thing."

Earlier in testimony, Philbrick told about the characteristics displayed by former Communists. "Without exception, these people are dedicated to

the cause of informing people of the country of the real danger, the real menace of communism, international, as they had seen it."

He outlined the different degrees of party membership, distinguishing between the legal, or above-ground, and the illegal, or underground members. He said there are also what are known as "floaters" and "sleepers."

A "floater," although he continues actively with the party, does not attend a cell meeting and does not pay dues, Philbrick said.

A "sleeper" "goes on ice completely," does not participate in Communist activities of any kind. This may go on for years until the party has a special project or assignment for him, Philbrick said.

He cited the Rosenbergs of the Rosenberg spy case as examples of "sleepers."

Just as have previous former Communist witnesses, Philbrick said it would not have been possible to leave the party simply by not attending meetings and not paying dues.

A member is completely dedicated to communism: "To break away from this total way of life is a difficult process," said the witness.

Harmon asked would it have been possible to be a member of the party and not be under Communist party discipline.

"No sir. Absolutely impossible," said Philbrick.

Earlier Philbrick had talked about the ACLU, saying he thinks it has served as a Communist front organization.

"I would almost say, more than an opinion . . . matter of fact, as I observed, the Communist press constantly used the name of the American Civil Liberties Union over and again to espouse causes in which the Communists were interested. In my opinion, because of the widespread good reputation of the ACLU, this was most effectively used by the Communists as a front behind which they could move in directions they wished to move."

Philbrick was allowed to reply over the objections of plaintiffs' attorney William Dwyer. He contended the testimony was irrelevant and immaterial; as he has during testimony of previous former Communist witnesses.

The ACLU is an issue in the case because of charges made against it in the alleged libels and Goldmark's membership in it.

Philbrick also testified about his friendship with Al Canwell, who has said he operated a "non governmental intelligence agency."

He said he has known Canwell "for 15 or more years at least." He said the nature of the friendship was informal and friendly, "keeping in touch with the movement and conduct of the Communist apparatus."

He mentioned specifically a case in which Canwell provided information on a Communist then in Washington State in connection with an investigation in New Hampshire.

He said he felt Canwell's competency as an investigator is "of the highest, factual, true and very fair."

He cited a report by Gus Hall, Communist party secretary, in 1961 urging all Communists to destroy at all costs the anti-Communist movement.

Philbrick said the Commu-

(Indicate page, name of newspaper, city and state.)

1 THE WENATCHEE DAILY
WORLD
WENATCHEE, WASH.

Date: 1/3/64
Edition:
Author:
Editor:
Title: MRS. JOHN GOLDMARK
Character: SM-C
or
Classification: 100-21585-
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JAN - 7 1964
FBI - SEATTLE
MC MULLEN

might not attack any anti-Communist as "extremists or extreme right wingers."

He said a recent copy of "Political Affairs," a Communist magazine, blamed the assassination of President Kennedy on "the extreme right wing monopolies of America and the drugs of American society."

Philbrick testified that he became involved inadvertently with the Communist movement in 1950 when he joined the Cambridge Youth Council, but outside Boston. It was said to be a Christian pacifist youth organization, he testified, but it was actually dominated and controlled by the Communist apparatus.

It included all church youth groups and had its headquarters in the YMCA in Cambridge.

He said it took him about six months to find out it was a Communist front organization. His first thought was to get out, he said, but then he thought the FBI might be interested in finding out what was going on within the front.

"The FBI suggested, rather than quit, I stay on and find out what Communists were doing among the youth groups," said Philbrick. He was later asked to join other Communist front groups and finally the Communist party in 1953.

He joined the organization after checking with the FBI, he said.

He was literature director for several cells and educational director and he was also Massachusetts State director for American Youth for Democracy, said Philbrick.

Philbrick, during his last two years as a Communist, was invited to join PRO group, a deeply underground movement, he testified. "Here I found the leader of the Communist apparatus." He explained PRO stands for Professional Revolutionists and includes highly trained, college-trained personnel.

As to the responsibility, he said, "the device and plan for the end strategy, which would overthrow the Soviet Union and work on the United States."

He said the security measures were intensive, that he never to go near Communist party headquarters, never to be seen with a known Communist or to ever carry a Communist party card. The PRO group he said was kept secret even from the rank and file members of the Communist party.

His primary duty area was propaganda. He was employed at the time as advertising director for Paramount pictures in New England, said Philbrick.

His association with the Communist party ended in the spring of 1949 when he was subpoenaed by the Justice Department to appear as a witness against top Communists in Smith Act cases.

The question of whether the writings of Canwell about the Goldmarks was malicious, was an issue during the Thursday session.

Canwell went on the stand at mid-morning and the day was taken up with reading from three copies of "The Vigilante," a Canwell publication, and a written version of a taped interview with Al Canwell.

Harmon went through each article and asked Canwell, item by item, what his opinion of the statement was. He would reply: "Entirely true."

He was asked the sources of each statement. Canwell testified much of the information contained in the articles he got from statements made by Mrs. Goldmark before the U.S. House Committee on Un-American Activities.

Judge Theodore Turner pointed out to the jury that Canwell's testimony was being admitted not to prove the truth of the statements, but rather to indicate the scope of his investigation, to determine malice. In other words, the jury should know whether Canwell had had information, true or false, to back up his statements.

Earlier in the day Judge Turner ruled that Canwell was qualified to testify as an expert witness regarding Communism.

Read to the jury were articles in "The Vigilante" of January, March and August, 1952. The first told of a woman whose maiden name was Irma Ringe, who was a former Communist and who was married to a state legislator.

"We don't question whether she broke with the party," Canwell said. "We question whether thinking has been changed."

And Canwell wondered: "Could her husband have been allowed to the state legislature if frank disclosures could have been made?"

Canwell explained under questioning that he was referring to the lack of publicity given her statements before the committee. The session of the committee at which Mrs. Goldmark testified in 1953, was an "executive session," which was not

open to the public and press. Canwell did not give the maiden name of the woman in the story who was later identified as Mrs. Goldmark. He said this was his method, giving the Communist a chance to come forward voluntarily and "join forces with us."

He said she did not come forward and was subsequently named in later Vigilante stories.

In reply to Harmon's questions about the first Vigilante article, Canwell said: "All was truthful, still is truthful, fair opinions are my own based on such background as I have in the field."

The interview with Canwell was first taped at a meeting in Brewster and then printed. In it Canwell refers to the American Civil Liberties Union as "one of the most effective Communist fronts" in the U.S. Goldmark is a member of the ACLU.

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IN LIBEL TRIAL

Testimony Of Philbrick Ends

By GEORGE RICHARDSON

OKANOGAN — Another former Communist working now as an anti-Communist told his story Friday to the Okanogan County Superior Court jury hearing the \$225,000 John Goldmark libel suit.

Herbert A. Philbrick, author of "I Led Three Lives," was called to the stand as court resumed Friday morning and testified steadily. Attorneys on both sides agreed to extend the usual 4 p.m. hour of adjournment to allow Philbrick to complete his testimony.

He said that, in his opinion, the American Civil Liberties Union was used as a front organization by Communists and that it would not be possible for a Communist to quit the party simply by not attending meetings and not paying dues.

The defense is attempting to refute Mrs. Goldmark's contention that she left the Communist party in 1943 when she quit going to meetings.

The defense is also trying to show the ACLU, of which Goldmark is a member, is a Communist front organization.

Both his ACLU membership and Mrs. Goldmark's former party membership were brought up during Goldmark's unsuccessful bid for reelection to the state legislature. In his suit, Goldmark charges libel and conspiracy.

Philbrick said Communist party discipline was so strict and so inclusive that it would have been impossible to be a member of the party and not be subjected to it. To become a Communist, he said, the wife or husband must become a Communist too.

"Could any person who was a member of a Communist underground cell for eight years suddenly drop out of a cell by

stopping going to meetings and stopping paying dues with no further repercussions?" asked defense attorney E. Glenn Harmon.

(That has been a frequently-asked question in the trial.)

"It would be impossible," Philbrick replied. He pointed out that the Communists would consider the person a security risk and would exert any means to prevent his leaving, including assassination, if necessary.

Earlier in his testimony, Philbrick said he felt the American Civil Liberties Union "was most effectively used" as a front by the Communists.

The afternoon session got underway with a sharp rap of Judge Theodore Turner's gavel, one of the rare times he has had to call for order despite the large crowds jamming the

third floor courtroom.

The crowd of some 150 persons was almost cut by half Friday afternoon — but not for lack of interest in the case. Judge Turner observed that the aisles, along all the walls and down the center, were jammed with people. He said the state fire marshal had advised him this was not permissible.

Before the afternoon recess he said he was going to talk the problem over with attorneys and, while he did not want to exclude anyone from the courtroom, he felt that something must be done in the interest of safety.

The problem was solved when some spectators left and the others filled up the folding chairs hastily set up at the front of the courtroom just below the county clerk's stand.

Harmon sought during the afternoon to show similarities between the Communist party line and the platform of the Democratic party.

This included the points calling for the elimination of negative loyalty oaths, amending the immigration laws to prevent deportation of persons for political reasons and changing the law which requires Communists to declare their affiliation publicly.

Philbrick said the Communist line regarding these goals was similar to the Democratic party platform drawn up by the same Democrats before the last election.

William Dwyer, attorney for the Goldmarks, countered this testimony as he read a quotation rebuking the clamor for loyalty oaths as an indication of "political cleanliness."

"Is that the party line?" asked Dwyer.

"Yes," said Philbrick. "Did you know," asked

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1 THE WENATCHEE DAILY
WORLD
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HERBERT PHILBRICK

Dwyer, "that this statement was made by President John F. Kennedy in 1960?"

"No," said the surprised Philbrick.

During the exchanges, which at times threatened to erupt into an argument, Dwyer pointed out that recommendations against political deportations were first made by the American Bar Assn. and that President Harry Truman had vetoed the bill which would have had Communists declare themselves openly.

Philbrick and Dwyer also were involved in a discussion over the labels "far right" and "far left."

Philbrick said the American Nazi Party was an extremist group on the far right, a fascist group which seeks one centralized government.

"The term 'far right' does not apply to the John Birch Society. If you examine its platform it is far from the far right or pro-fascist. It would abolish most of the government we have in Washington, D.C. More than I would."

He said the terminology has been greatly confused as part of the Communist campaign against anti-communism.

"The term 'far right' has been applied to practically everyone — even President Kennedy himself," Philbrick said. "This is one of the areas in which I think the Communists have been successful."

Philbrick, under questioning again by defense attorney Harmon, said he felt "the greatest danger comes from the extreme left. Not only the Soviet Union and Castro's Cuba but those groups in the United States

which cooperate with them.

"It is the left wing which has today in Cuba tanks, thousands of rounds of ammunition and men under arms. I know of no right wing group which has such a force."

But, Philbrick said, he was opposed to extremes on either side, and had criticized some groups such as the Birch Society for their views.

"I hope I'm dedicated against all forms of totalitarianism," he said.

Earlier in his testimony, Philbrick had said there was no such thing as "an external threat or an internal threat."

"You cannot say the internal threat is any lesser or any greater than the external threat. It's one and the same thing."

He said the Communist Party is dedicated to infiltrating churches, and other organizations.

In fact, he said a directive from Gus Hall, head of the party in the United States, has ordered infiltration of church groups, specifically mentioning the Catholic Church as a target for subversion.

The Communist are also dedicated to destroying the growing anti-Communist movement, Philbrick said.

The work of such groups as the Birch Society, the Lions Club and the Baptist Church are doing much to combat communism, he said. Philbrick said he was both a Baptist and a Lion.

Philbrick, 48, makes his living now as a lecturer and writer. He also owns, he said, a country general store where he lives in Rye Beach, N.H.

PHILBRICK:

JFK Was Victim Of Communism

The Communists were responsible for the murder of President John F. Kennedy, Herbert Philbrick, former Communist for the FBI, said here in a speech Friday night.

Philbrick addressed a crowd at Wenatchee High School. His appearance here was sponsored by the Wenatchee Speakers Bureau, which arranged his talk because Philbrick was in this area to testify at the Goldmark libel trial in Okanogan County.

Philbrick said the Communist conspiracy, which involves teaching and training in violence, which preaches hate for the American system, which fosters such organizations as the "Fair Play for Cuba" committee, helped prepare the mind of the assassin for the killing of Pres. Kennedy.

Philbrick reviewed his experiences in the Communist Party. He infiltrated the party for the FBI and later he wrote the book, "I Led Three Lives."

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A.C.L.U. ts Red Front, Says Philbrick

OKANOGAN, Jan. 3. — (A. P.) — Herbert A. Philbrick, author of the book, "I Led Three Lives," testified today that in his opinion the American Civil Liberties Union is a Communist-front organization.

Philbrick was called on the 34th day of the trial in which John Goldmark and his wife seek \$225,000 damages from four individuals and a weekly newspaper for statements during the 1962 primary-election campaign.

Philbrick, whose career formed the basis for the TV series, "I Was a Communist for the F. B. I.," said he had observed the Communist press "constantly" use the name of the A. C. L. U. to espouse causes in which the party was interested.

The A. C. L. U. is an issue in the case because of Goldmark's membership in the organization.

Philbrick also testified of his friendship for Al Canwell, one of the defendants. He said he feels Canwell's competency as a Communist investigator is "of the highest—factual, true and very fair."

Canwell testified yesterday that important Washington State appointments were cleared by a Communist agent in the late 1930's and early 1940's.

He told the court that because of that step "every appointment in the state from the president of the University of Washington down to a scrubwoman had to be approved by a Communist agent."

Canwell took the stand after Mrs. Goldmark, who has acknowledged she belong to the Communist Party from 1935 to 1943, testified. He read articles from a publication called The Vigilante concerning her.

Canwell, who edits the publication, said that in the first article about Mrs. Goldmark's former Communist affiliation she was referred to by her maiden name of Irma Ringe to give her a chance to "come forward and identify herself . . ."

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Goldmark Trial:

**Canwell Says
He Set Up
Informer System
In Red Party**

OKANOGAN, Jan. 2.—(AP) — Al Canwell of Spokane, co-defendant in the \$225,000 Goldmark libel suit, testified today he set up an informer system within the Communist Party.

Canwell testified concerning anti-communist work after Superior Court Judge Theodore Turner ruled, over plaintiffs' objections, that he was qualified to testify as an expert witness on Communism and communist activities.

THE SPOKANE man followed Mrs. John Goldmark to the witness stand. Goldmark and his wife are suing four men and a weekly newspaper, contending they were damaged during the 1962 political campaign by suggestions they were communist sympathizers. Goldmark was defeated in the primary for renomination as a Democratic state representative.

William Dwyer, Seattle, one of the Goldmark attorneys, had contended Canwell could not qualify as an expert witness. Dwyer said virtually all Canwell's testimony was based on hearsay.

After the judge's ruling, Canwell reviewed what he has described as anti-communist activities. He said these included setting up an informer system within the Communist Party, getting a list of communists in the Inland Empire and infiltrating "Russian War Relief" by offering his service as a public man.

MRS. GOLDMARK, who has acknowledged she belonged to the Communist Party from 1935 to 1943, was questioned by defense attorneys E. Glenn Harmon of Spokane about her objections to anti-communist recordings called "Know Your Enemy" played over a Wenatchee radio station. She said she objected because one section in the series "was attacking the churches" and she didn't think it was a public service.

ON CROSS examination Dwyer asked Mrs. Goldmark about books in the Goldmark library, some of which were subpoenaed by the defense. She said there were 429 books, not counting pamphlets, and they included writings of Presidents Eisenhower, Truman and Kennedy and FBI director J. Edgar Hoover.

Mrs. Goldmark said she wanted her children to have access to all kinds of literature and information, adding: "I think if I had had such access (after leaving college) I wouldn't have fallen prey to propaganda and a simple answer."

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Philbrick Identifies Kennedy Comment As Following Red Line

OKANOGAN, Jan. 4. — (A. P.)—A statement by the late President Kennedy against the loyalty oath yesterday was identified by the author of "I Led Three Lives" as corresponding to the Communist Party line.

Herbert A. Philbrick, 48, Rye Beach, N. H., testified for the defense in the trial of the Goldmark libel suit that the Democratic Party platform's position favoring elimination of the loyalty oath paralleled the Communist Party position.

PHILBRICK was a top government witness in the prosecution of Communist leaders in 1949.

On cross-examination, a Goldmark attorney, William Dwyer, read a statement decrying the trend toward compelling persons to show their "political cleanliness" by signing loyalty oaths.

"Is that the party line?" Dwyer asked.

"Yes," said Philbrick.

"Did you know this state-

ment was made by President John F. Kennedy in 1960?" asked Dwyer.

"No," Philbrick said.

JOHN AND SALLY Goldmark are suing four men and a weekly newspaper for \$225,000, contending the defendants libeled them in 1962 by suggesting a connection between the Goldmarks and Communism.

Goldmark, an Okanogan cattle rancher, is a former three-term Democratic state representative. His wife has acknowledged she joined the Communist Party in 1935 but left it eight years later.

While being questioned by a defense attorney, Philbrick testified that Gus Hall, Communist Party secretary, mentioned the Roman Catholic Church in a directive to party members in America as a target for infiltration.

"We are taught by Communist Party bosses that we cannot distinguish between good and bad religion," Philbrick said.

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At Goldmark's Trial: **Author Describes Red Infiltration**

OKANOGAN, Jan. 3.—(A. P.) — Communists in the United States received instructions to infiltrate the Catholic Church, Herbert A. Philbrick, author of the book "I Led Three Lives," testified in the John Goldmark \$225,000 libel suit trial today.

Philbrick, called as a defense witness on the trial's 34th day and under questioning by attorney E. Glenn Harmon, expressed belief the communist threat is becoming greater and defined what he called the degrees of party membership.

THE GOLDMARKS contend they were libeled in the 1962 primary election campaign by being linked with communism by four individual defendants and a weekly newspaper. Philbrick was a top witness for the government in prosecution of communist leaders after being subpoenaed by the Justice Department in 1949.

He testified today that Gus Hall, Communist Party secretary, mentioned the Catholic Church in a directive to party members in America as a target for subversion.

"We are taught by Com-

munist Party bosses that we cannot distinguish between good and bad religion," he added.

DISCUSSING different kinds of party membership, Philbrick said there are what he called above-ground members, underground members, "floaters and sleepers." He said a "floater" continues membership but does not attend cell meetings and does not pay dues. A "sleeper," he said, "goes on ice completely" and takes no part in party activities of any kind, possibly for years, until a special assignment is found for him.

Former communists who have renounced the party, he said, are "without exception people dedicated to the cause of informing people of the real danger, the real menace . . . as they see it."

PHILBRICK testified of his friendship for former State Rep. Al Canwell, one of the trial defendants. The competency of Canwell, who operated a so-called "non-governmental intelligence agency," was "of the highest, true and very fair," he said.

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ACLU Aid to Communists, Says Ex-FBI Counterspy

By JACK E. FISCHER

Spokesman-Review Staff Writer
OKANOGAN, Wash. — A former Communist counterspy for the Federal Bureau of Investigation testified in Superior Court here Tuesday that Communists consider the American Civil Liberties Union a good front for them.

Karl Prussian, South Pasadena, Calif., called as a defense witness in the Goldmark \$225,000 libel and conspiracy trial, said he joined the Communist party in 1932.

In 1947, he said, he became a counterspy for the FBI, a post he held until 1950 when he revealed his Communist identity by testifying before the House Committee on un-American Activities.

ACLU Plays Vital Role

The ACLU has played an important role in this lawsuit. One of the claims for damages is based on a talk on that organization by defendants Albert F. Canwell, Spokane, at an American Legion meeting in Okanogan on Aug. 23, 1962.

Plaintiff John Goldmark is a prominent member of the ACLU.

"The ACLU is the protective coat and the armorplate of the Communist conspiracy in the United States," Prussian said. "The Communist party has the greatest regard, respect and admiration for the ACLU."

"I was a member and other Communists are directed to join the ACLU because this is where they can go when they get into trouble. The ACLU is not subversive, but it is serving the same purpose."

ACLU 'Great Asset'

"It is a great asset to the Communist party in the United States today."

Prussian was on the stand the entire day and on cross-examination he obviously irritated plaintiff's attorney, William Dwyer, who interrupted the witness at one point to ask loudly, "Are you sure you know what you're talking about?"

At a rapid fire rate, Prussian was relating some of the objectives of the ACLU, including what he termed "taking God out of the schools and the military."

When he finished, he asked Dwyer, "That's the objective of the ACLU, isn't it, sir?"

Dwyer Disagrees

"No, it isn't," snapped Dwyer, at which point the court called an afternoon recess.

Later, Dwyer asked Prussian if he published a magazine.

"I certainly do," the witness replied. "It's called 'Heads Up! I'd like to have you subscribe to it.'"

Dwyer did, however, appear to score heavily in his cross-examination at one point. Prussian had testified that a person couldn't leave the Communist party such as Mrs. Goldmark has said she did, merely by not going to meetings and not paying dues.

Skipped Meetings

Under questioning by Dwyer, Prussian admitted that from 1941 to 1947 he did not attend any meetings and did not pay any dues.

The former counterspy was high in his praise for the so-called anti-Communist groups, claiming "a clique of Communists, intellectuals, liberals and left-wingers trying to destroy them."

"The most wonderful thing that ever happened in America is the strong, conservative patriotic movement that is sweeping the country today," he said.

He added that the group he termed a clique was composed of people who are not liberals, but are actually reactionaries because they help to perpetuate the most reactionary form of post-reactionary form of not (communism) ever

Questioning Resumes

"If we were to legislate all the things supported by these cliques today," he said, "we would be an appendage to the Soviet Union tomorrow."

Under questioning by defense attorney Ned Kimball, Prussian told of his various activities in the Communist party including infiltration of unions and church groups.

He also told of the physical, economical and social attrition possible when a person leaves the Communist party.

"After I testified before the House committee they made it so difficult for me I had to move five times in a year and a half," he said. "A great deal of this pressure was generated by the ACLU."

Dwyer moved to strike the answer but the motion was denied.

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by Judge Theodore Turner.

Prussian said there is a concentrated effort by Communists to infiltrate churches and church groups "because the party knows its greatest obstacle is the belief in God and the strength of places of worship."

"Is there a threat from communism from within?" Kimball asked.

"I think the threat to the United States is totally from within," Prussian answered. "The Communists, left wing, liberal action within the United States is the threat. We are rapidly approaching strong centralized government which already is starting to control our lives."

Witness in 1960

Prussian was one of the witnesses at a hearing of the House committee, in San Francisco in 1960 when a riot erupted which led to the film "Operation Abolition."

He said the only criticism he had of the film was that it was not strong enough and added, "The House committee is the most important committee in the nation today working in your behalf."

After Dwyer asked Prussian why he considered the ACLU a Communist front, he asked, "Under your definition you could call the Parent-Teacher Association a Communist front, is that right?"

"The Communist party has done quite a bit of work in the

PTA and has been quite successful," the witness answered.

Methodists Too?

"I suppose the Methodist Church is another example?"

"I wouldn't say the Methodist Church. I would say various religious groups."

"You say the Communist party is grateful to the ACLU. Is it also grateful to the U.S. Supreme Court?"

"I think it is in some of the court's decisions, yes."

At one point Dwyer asked Prussian if he felt the 1962 Washington State Democratic platform "followed the Communist party line."

"I haven't read the platform," Prussian replied, "but I can tell you the California state Democratic clubs have been so thoroughly infiltrated they are Communist fronts."

Dwyer then showed him the controversial section of the Washington state Democratic platform dealing with citizen's rights and asked, "You say this platform is unpatriotic?"

"It serves the purpose of the Communist party," Prussian answered, "and I don't think it represents the views of a patriotic American."

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Canwell Ruled an Expert on Communism

By JACK E. FISCHER
Spokesman-Review Staff Writer

OKANOGAN, Wash.- Superior Court Judge Theodore S. Turner Thursday ruled that Albert F. Canwell of Spokane was qualified to testify as an expert on communism.

Canwell is one of the defendants in the \$225,000 libel and conspiracy lawsuit filed by Mr. and Mrs. John Goldmark after a bitter legislative campaign here in 1962. It was in that campaign that Canwell first revealed Mrs. Goldmark's former membership in the Communist party.

Plaintiffs' attorneys have insisted that Canwell is not an expert, but Judge Turner of Seattle who is presiding over the lengthy trial, ruled that under the definition of an expert witness, Canwell was qualified.

"Deeply Religious Person"

Earlier in the day, Mrs. Goldmark testified that she was "a deeply religious person."

The religious issue came up through questioning why Mrs. Goldmark had objected to a series of programs broadcast by a Wenatchee radio station which were anti-Communist in nature.

She said she opposed the programs because they were presented as a public service and one stated that the Communists had infiltrated the National Council of Churches.

"Mrs. Goldmark," asked defense attorney E. Glenn Harmon, "you're not a member of the National Council of Churches or any organization connected with it, are you?"

"I feel I am a deeply religious person and it hurt me to hear churches attacked," she replied.

Harmon then repeated his question and Mrs. Goldmark answered, "Here in Okanogan I am not a member of any church, but I am a deeply religious person and I think these attacks against the National Council of Churches are terrible things. I think it is wrong to destroy people's faith in their churches."

"If it is known that there is infiltration, do you still think it is wrong to call this fact to the attention of the public?" Harmon queried.

"I know of no Communists in the pulpit," Mrs. Goldmark replied. "I know that some people may call them that if they disagree with them, but that does not mean they are. My faith in the National Council of



ALBERT F. CANWELL
Qualified as Expert

Churches is such that I feel it can handle that problem itself. I think it can be handled without being in the political arena."

"Do you know the position of the Communist party on this issue?"

"I have no knowledge of the position of the Communist party on anything."

On cross-examination, plaintiffs' attorney William Dwyer dealt at considerable length over books in the Goldmarks' library. The defense earlier subpoenaed several books from the library which had been published by Communist publishing firms.

Dwyer presented a list showing that there were about 500 books in the library including

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novels, books on ranching and horses, on airplanes, and on cooking.

Why did you have all these books, including some dealing with communism, when your children were growing up? Dwyer asked.

"I think that they should have access to all types of books and information," Mrs. Goldmark answered. "I didn't have access to this. If I had, I might not have fallen prey to propaganda."

Testifies About Accuracy

While most of Canwell's testimony Thursday pertained to the accuracy of various articles he authored during the 1962 campaign, it at one time evoked a brisk exchange between Dwyer and Judge Turner.

Harmon asked Canwell if he were aware of a statement which referred to the state of Washington as "the soviet of Washington."

"Yes," Canwell replied. "That

statement was made by a distinguished American, James A. Farley."

Dwyer objected strenuously, but was overruled by the court.

"This is hearsay," Dwyer retorted.

"Certainly it is," snapped Judge Turner, "but it also is a matter of common knowledge."

"That doesn't make it true," replied Dwyer.

But the ruling held.

Harmon questioned Canwell at great length on his background and experience in the field of communism as a prelude to having him qualified as an expert. He was on the stand when court adjourned and is expected to testify during a considerable portion of today's session.

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Philbrick Claims ACLU Is 'Front'

GRANOGAN, Wash. (AP) — Herbert A. Philbrick, author of the book, "I Led Three Lives," testified today that in his opinion the American Civil Liberties Union is a Communist front organization.

Philbrick was called on the 11th day of the trial in which Mrs. Goldmark and her husband were ordered to pay \$225,000 damages from four individuals and a weekly newspaper for statements during the 1942 primary election campaign.

Philbrick, whose career formed the basis for the TV series, "I Was A Communist for the FBI," was questioned by defense attorney E. Glenn Harmon.

He said he had observed the Communist press "constantly use the name of the ACLU over and over again, to espouse causes in which the Communists were interested."

Philbrick was allowed to reply over objections of plaintiff attorney William Dwyer.

He contended the testimony was irrelevant and immaterial, as he has protested during testimony of other witnesses.

The ACLU is an issue in the case because of testimony of Goldmark's membership in the organization.

Philbrick also testified of his friendship for Albert F. Canwell, who has said he operated a "non-governmental intelligence agency." He said he had known Canwell "for 15 or more years, at least." He said the nature of their friendship was informal, "keeping in touch with the movement and conduct of the Communist apparatus."

Case Mentioned

He mentioned specifically a case in which he said Canwell provided information on a Communist then in Washington state, in connection with an investigation in New Hampshire.

He testified he felt Canwell's competency as an investigator was "of the highest, factual, true and very fair."

He said he inadvertently became involved with the Communist movement in 1939 when he joined the Cambridge Youth Council, near Boston, Massachusetts.

His association with the Communist party ended in 1949 when he was subpoenaed by the Justice Department as a witness against top Communists in Smith Act cases.

'Appointments Cleared'

Canwell testified yesterday that important Washington state appointments were cleared by a Communist agent in the late 1930s and early 1940s. He was testifying about his concern about communism and his activities in fighting it.

He, three other individuals and a weekly newspaper are being sued by Mr. and Mrs. John Goldmark.

Canwell testified that Communists brought an agent into Washington and saw to it that he became executive secretary of one of the major political parties.

He told the court that because of that step "every appointment in the state from the president of the University of Washington down to a scrubwoman had to be approved by a Communist agent."

Canwell, who is a former state representative, said: "During the late 1930s and early 1940s Communists and Communist sympathizers penetrated the Washington State Legislature so strongly that the Communists were pretty well able to get what they wanted."

Mrs. Goldmark Testifies

Canwell took the stand after Mrs. Goldmark, who has acknowledged she belonged to the Communist party from 1935 to 1943, testified.

He read articles from a publication called The Vigilante concerning her.

Canwell, who edits the publication, said in the first article concerning Mrs. Goldmark's former Communist affiliation she was referred to by her maiden name of Irma Ringe to give her a chance to "come forward and identify herself."

Harmon questioned Canwell about his early activities in fighting communism, trying to establish Canwell as an expert in the field.

Canwell said he was concerned that the legislature was being infiltrated by Communists, and during his discussion he said he was worried by remarks such as James Farley's reference to the 47 states and the Soviet of Washington.

Dwyer objected to that remark, saying it was hearsay.

Superior Court Judge Theodore Turner overruled the objection, saying the statement, even if hearsay as far as Canwell was concerned, was common knowledge.

(Indicate page, name of newspaper, city and state.)

2 Spokesman-Review
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Title: SALLY GOLDMARK

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By Fred Bureau

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Author Is Questioned on Loyalty Oaths

OKANOGAN (AP) — A statement by the late President Kennedy about loyalty oaths has been described by the author of "I Led Three Lives" as corresponding to the Communist party line.

Herbert A. Philbrick, 48, of Beach, N.H., testified for the defense Friday in the trial of the Goldmark libel suit that the Democratic party platform's position on loyalty oaths parallels the Communist party position. Philbrick was a top government witness in prosecution of Communist leaders in 1949.

On cross-examination, Goldmark attorney William Dwyer read a statement decrying the trend toward persons being forced to show their "political cleanliness" by signing loyalty oaths.

Question Asked

"Is that the party line?" Dwyer asked.

"Yes," said Philbrick.

"Did you know this statement was made by President John F. Kennedy in 1960?" asked Dwyer.

"No," Philbrick said.

John and Sally Goldmark are suing four men and a weekly newspaper for \$225,000, contending the defendants libeled them in 1962 by suggesting a connection between the Goldmarks and communism. Goldmark, Okanogan cattle rancher, is a former three-term Democratic state representative. Sally, his wife, has acknowledged she joined the Communist party in 1935 but has testified she left it eight years later.

Philbrick's arrival to testify interrupted the testimony of Albert F. Canwell of Spokane, a defendant. Canwell is expected to resume testifying when the trial resumes Monday.

Church is Target

While being questioned by a defense attorney, Philbrick testified that Gus Hall, Communist party secretary, mentioned the Roman Catholic Church in a directive to party members in America as a target for infiltration.

"We are taught by Communist party bosses that we cannot distinguish between good and bad religion," he said.

He said party members can be classed as above-ground members, underground members, floaters and sleepers. A floater, he said, sustains membership but does not attend cell meetings or pay dues. A sleeper, Philbrick said, "goes on ice completely" and may go years without taking part in party activities until a special assignment is found for him.

He declared that Communists who renounce communism become "without exception people

dedicated to the cause of informing people of the real danger, the real menace . . . as they see it."

He testified concerning the American Civil Liberties Union and the Fair Play for Cuba group. The ACLU has been an issue in the trial because of testimony that Goldmark is a member of it. Philbrick said he believes it is a Communist front.

On cross-examination, Dwyer produced the U.S. attorney general's list of subversive organizations, a trial exhibit, and asked Philbrick if he knew the ACLU and the Fair Play for Cuba organization are not on the list. Philbrick testified he knew neither is listed.

Philbrick discussed the far right and far left and the definitions of those terms.

Bishop 'Misled'

He said criticism of the radical right has been led by the Communist party, and some misled people have repeated the charges. He mentioned Episcopal Bishop James Pike as one such person.

"The far right does not apply to the John Birch Society," Philbrick said. "If you examine its platform it is far from the far right."

He defined the far right as pro-Fascist, and noted fascism calls for a strong centralized government. The John Birch Society is on the other side of that issue, he said.

"It would abolish most of the government we have in Washington, more than I would," Philbrick said.

Danger Cited

"In my opinion, the greatest danger comes from the extreme left, not only in the Soviet Union and Castro's Cuba but those groups in the United States which cooperate with them," he said. "It is the left wing which has today in Cuba tanks . . . men under arms. I know of no right wing group which has such a force."

He said there is a "growing number of individuals in all parts of the country" studying communism. Besides the John Birch Society, he said, the Lions Club and the Baptist Church are studying it.

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2 Spokane Chronicle
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Packed Courtroom Is Told Reds Use ACLU Effectively

OKANOGAN, Wash.—Herbert A. Philbrick, who gained national prominence as the man who led three lives as a counter-spy for the Federal Bureau of Investigation, Friday testified here before a jam-packed Superior Court room where the aisles finally had to be cleared.

Philbrick, called as a defense witness in the Goldmark \$225,000 libel and conspiracy lawsuit, was on the stand the entire day and testified on numerous subjects.

His testimony included the following:

1. The American Civil Liberties Union is used most effectively as a Communist front.

2. Since 1960 the Communist party has placed a high priority on the danger to it from the anti-Communist movement in the United States, and has orders to destroy it.

3. Tape recordings of speeches such as those used in the Freedom Fighter Study Groups in this area are "excellent" and would do anything but spread fear and hysteria.

Churches Targets

4. Communists have an equal contempt for all churches and will infiltrate whenever possible. This is especially true of the Catholic Church which Gus Hall specifically named as a main target.

There has been an increasing number of spectators at the trial, which now has completed its 34th day, but on Friday they filled every available seat, all aisles and spilled out the door into the hallway.

Judge Theodore S. Turner explained that he was reluctant to impose any restrictions, but a check with the state fire marshal forced him to clear all aisles.

Canwell Is Praised

Philbrick, obviously the star attraction, was the second expert witness during the trial to heap high praise on Albert F. Canwell of Spokane, one of the defendants in the lawsuit.

He said he has known Canwell for about 15 years and has kept in close touch with him in matters pertaining to the Communist apparatus.

"My opinion of Mr. Canwell is of the highest," he said. "I have found his information to be accurate, true and very fair." This is a reputation he enjoys among investigators in the field of communism, in Washington, D.C., and elsewhere."

One of the plaintiffs in the suit, Mrs. John Goldmark, who has admitted being a Communist from 1935 to 1943, has testified that she left the party by not attending meetings and not paying dues.

Can't Just Leave

Defense attorney E. Glenn Harmon asked Philbrick, "Would it be possible for a member of a secret, underground Communist cell for eight years to leave merely by not attending meetings and not paying dues?"

"It would be utterly impossible," the witness answered. "They would use any means to prevent such a person from leaving the Communist apparatus, including assassination, if necessary."

Harmon showed Philbrick a copy of the 1962 Washington State Democratic Party platform which has been discussed numerous times during the trial. He referred to the section on

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2 Spokesman-Review
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citizens' rights and asked whether there was any relation between various planks and the Communist Party line.

One such plank involved the McCarran Internal Security Act and ignited a walkout at the 1962 convention in Bellingham. As to a relation between that plank and the Communist Party line, Philbrick said, "There is a complete agreement, not only in the position taken, but even in the language used."

The language he referred to stated, "We view the McCarran Internal Security Act as a threat to freedom of thought and action..."

Heated Exchange

On cross-examination, this point stirred up a brief, but heated exchange between the witness and plaintiffs' attorney, William Dwyer.

"Do you know the McCarran Internal Security Act was vetoed by President Truman?" Dwyer asked.

"Yes," Philbrick answered.

"Did you know that in his veto message Mr. Truman said the act threatened freedom of thought and action?"

"I recall that statement and the Communists have used it to support their position."

"Does that mean the statement is wrong?"

"It means they have used it."

"So what?"

"So it's a fact."

Used By Red Press

Another organization which has been mentioned frequently during the trial is the ACLU of which Goldmark is a prominent member. Defendants have claimed that the organization is a Communist front.

In answer to questions by Harmon, Philbrick said, "The Communist press has consistently used the name of the ACLU to espouse causes in which the Communist party was interested. In my opinion it was most effectively used as a Communist front."

Dwyer later asked him if he were using the definition of a Communist front as set out in the McCarran Internal Security Act.

"In part, yes," Philbrick answered. "As far as aiding the Communist organization. More than 80 per cent of the efforts of the ACLU has been for the benefit of the Communist apparatus."

Through questioning Dwyer brought out that the 80 per cent figure was first used in 1931 and "no one knows where it came from."

Philbrick testified that he joined the Cambridge, Mass., Youth Council in 1940. In about six months he discovered it was a Communist front and was going to leave, but instead went to the FBI.

Reported to FBI

The FBI asked him to stay on and report to them. Later, with approval of the FBI, he joined the Young Communist League and in 1944 joined the Communist party. He remained in the party until 1949 when he was subpoenaed to testify in the Smith Act trial of 11 top Communists.

A frequent critic of the present United States Supreme Court, Philbrick said he thought it was unfortunate that so many rulings favorable to the Com-

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IN LIBEL TRIAL

Testimony Of Philbrick Ends

(Indicate page, name of newspaper, city and state.)

1 THE WENATCHEE
DAILY WORLD
WENATCHEE, WASH.

By GEORGE RICHARDSON
OKANOGAN — Another former Communist working now as an anti-Communist told his story Friday to the Okanogan County Superior Court jury hearing the \$225,000 John Goldmark libel suit.

Herbert A. Philbrick, author of "I Led Three Lives," was called to the stand as court resumed Friday morning and testified steadily. Attorneys on both sides agreed to extend the usual 4 p.m. hour of adjournment to allow Philbrick to complete his testimony.

He said that, in his opinion, the American Civil Liberties Union was used as a front organization by Communists and that it would not be possible for a Communist to quit the party simply by not attending meetings and not paying dues.

The defense is attempting to refute Mrs. Goldmark's contention that she left the Communist party in 1943 when she quit going to meetings.

The defense is also trying to show the ACLU, of which Goldmark is a member, is a Communist front organization.

Both his ACLU membership and Mrs. Goldmark's former party membership were brought up during Goldmark's unsuccessful bid for reelection to the state legislature. In his suit, Goldmark charges libel and conspiracy.

Philbrick said Communist party discipline was so strict and so inclusive that it would have been impossible to be a member of the party and not be subjected to it. To become a Communist, he said, the wife or husband must become a Communist too.

"Could any person who was a member of a Communist underground cell for eight years simply drop out of a cell by

stopping going to meetings and stopping paying dues with no further repercussions?" asked defense attorney E. Glenn Harmon.

(That has been a frequently-asked question in the trial.)

"It would be impossible," Philbrick replied. He pointed out that the Communists would consider the person a security risk and would exert any means to prevent his leaving, including assassination, if necessary.

Earlier in his testimony, Philbrick said he felt the American Civil Liberties Union "was most effectively used" as a front by the Communists.

The afternoon session got underway with a sharp rap of Judge Theodore Turner's gavel, one of the rare times he has had to call for order despite the large crowds jamming the

third floor courtroom.

The crowd of some 150 persons was almost cut by half Friday afternoon — but not for lack of interest in the case. Judge Turner observed that the aisles, along all the walls and down the center, were jammed with people. He said the state fire marshal had advised him this was not permissible.

Before the afternoon recess he said he was going to talk the problem over with attorneys and, while he did not want to exclude anyone from the courtroom, he felt that something must be done in the interest of safety.

The problem was solved when some spectators left and the others filled up the folding chairs hastily set up at the front of the courtroom just below the county clerk's stand.

Harmon sought during the afternoon to show similarities between the Communist party line and the platform of the Democratic party.

This included the points calling for the elimination of negative loyalty oaths, amending the immigration laws to prevent deportation of persons for political reasons and changing the law which requires Communists to declare their affiliation publicly.

Philbrick said the Communist line regarding these goals was similar to the Democratic party platform drawn up by the state's Democrats before the last election.

William Dwyer, attorney for the Goldmarks, countered this testimony as he read a quotation rebuking the clamor for loyalty oaths as an indication of "political cleanliness."

"Is that the party line?" asked Dwyer.

"Yes," said Philbrick. "Did you know," asked



HERBERT PHILBRICK

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Dwyer, "that this statement was made by President John F. Kennedy in 1960?"

"No," said the surprised Philbrick.

During the exchanges, which at times threatened to erupt into an argument, Dwyer pointed out that recommendations against political deportations were first made by the American Bar Assn. and that President Harry Truman had vetoed the bill which would have had Communists declare themselves openly.

Philbrick and Dwyer also were involved in a discussion over the labels "far right" and "far left."

Philbrick said the American Nazi Party was an extremist group on the far right, a fascist group which seeks one centralized government.

"The term 'far right' does not apply to the John Birch Society. If you examine its platform it is far from the far right or pro-fascist. It would abolish most of the government we have in Washington, D.C. More than I would."

He said the terminology has been greatly confused as part of the Communist campaign against anti-communism.

"The term 'far right' has been applied to practically everyone — even President Kennedy himself," Philbrick said. "This is one of the areas in which I think the Communists have been successful."

Philbrick, under questioning again by defense attorney Harman, said he felt "the greatest danger comes from the extreme left. Not only the Soviet Union and Castro's Cuba but those groups in the United States

which cooperate with them.

"It is the left wing which has today in Cuba tanks, thousands of rounds of ammunition and men under arms. I know of no right wing group which has such a force."

But, Philbrick said, he was opposed to extremes on either side, and had criticized some groups such as the Birch Society for their views.

"I hope I'm dedicated against all forms of totalitarianism," he said.

Earlier in his testimony, Philbrick had said there was no such thing as "an external threat or an internal threat."

"You cannot say the internal threat is any lesser or any greater than the external threat. It's one and the same thing."

He said the Communist Party is dedicated to infiltrating churches, and other organizations.

In fact, he said a directive from Gus Hall, head of the party in the United States, has ordered infiltration of church groups, specifically mentioning the Catholic Church as a target for subversion.

The Communist are also dedicated to destroying the growing anti-Communist movement, Philbrick said.

The work of such groups as the Birch Society, the Lions Club and the Baptist Church are doing much to combat communism, he said. Philbrick said he was both a Baptist and a Lion.

Philbrick, 48, makes his living now as a lecturer and writer. He also owns, he said, a country general store where he lives in Rye Beach, N.H.

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PHILBRICK:

JFK Was Victim Of Communism

The Communists were responsible for the murder of President John F. Kennedy, Herbert Philbrick, former Communist for the FBI, said here in a speech Friday night.

Philbrick addressed a crowd at Wenatchee High School. His appearance here was sponsored by the Wenatchee Speakers Bureau, which arranged his talk because Philbrick was in this area to testify at the Goldmark libel trial in Okanogan County.

Philbrick said the Communist conspiracy, which involves teaching and training in violence, which preaches hate for the American system, which fosters such organizations as the "Fair Play for Cuba" committee, helped prepare the mind of the assassin for the killing of Pres. Kennedy.

Philbrick reviewed his experiences in the Communist Party. He infiltrated the party for the FBI and later he wrote the book, "I Led Three Lives."

(Indicate page, name of newspaper, city and state.)

1 THE WENATCHEE
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Religion And Test Ban Goldmark Case Topics

By **DICK LARSEN**
OKANOGAN — There was testimony about religion and the nuclear test ban as the Goldmark libel suit resumed in Okanogan County Superior Court here this morning.

Both Mr. and Mrs. John Goldmark made brief appearances on the witness stand, called by the defense.

Mrs. Goldmark was asked, "Did you tell people you didn't believe in God?"

"No," she replied.

She said that she was raised in a Dutch Reform Church and was baptized and confirmed in that church.

Mrs. Martin was an earlier witness in the trial. Her husband formerly worked on the Goldmark ranch and Mrs. Martin lived there for a while.

There was an objection to further questioning about religion.

Judge Theodore Turner was to confer later in the day with attorneys to rule on such questioning.

Mrs. Goldmark did testify that her husband is a Protestant. She said: "We consider ourselves Unitarians."

Goldmark attorney William Dwyer asked Mrs. Goldmark if she ever told anyone not to discuss religion in her home. She said: "No, we often discuss religion in our home."

While he was on the stand, former State Representative Goldmark was asked about his support for House Joint Resolution 24 in the 1957 Washington State Legislature.

Defense attorney Harmon sought to show that that measure called for unilateral halting of nuclear testing by the United States, which "was clearly

Communist party position at the time."

Harmon asked Goldmark if the memorial didn't urge unilateral action by the United States; that is, America's stopping of nuclear testing by itself.

"No, I don't think that is a fact, Mr. Harmon," replied Goldmark.

Goldmark said the memorial urged "a trial moratorium as long as other nations adhered to a like policy . . . this is, in fact, what the Eisenhower administration did about two years after."

Goldmark added that the proposal in the memorial was "eventually embodied in the nuclear test ban treaty of the Kennedy administration."

Then Albert F. Canwell of Spokane, one of the defendants in the Goldmark's \$225,000 libel suit, returned to the stand.

His testimony last week was interrupted by witness Herbert Philbrick.

Harmon resumed questioning Canwell about statements Canwell made about the American Civil Liberties Union in one of the alleged libels.

As he was asked about statements he made, Canwell replied, "They are precisely true, based on factual knowledge."

One of those statements was: "the position of the Washington State chapter (of the ACLU) membership has been identical with that of the Communist party."

There were occasional objections from Dwyer. He contended that this line of questioning should go just to Canwell's attitude and the possibility of malice as Canwell was stating his views on the ACLU.

But the questioning was allowed.

Canwell said he has studied the ACLU since 1947 or 1948. He said some of his information on the organization is "based on an undercover source."

Canwell referred to one chapter, although he did not identify it.

"I have a person operating within that group so that I have considerable knowledge about their day-to-day work."

Canwell also mentioned that editorials used opposing the films "Communism on the Map" and "Operation Abolition" have appeared in the University of Washington Daily, identical with those in "The People's World," which Canwell said was the Communist party publication in the Northwest.

(Indicate page, name of newspaper, city and state.)

1 THE WENATCHEE
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—Daily World Photo.

WITNESS — Karl Prussion, former member of the Communist party, testified Tuesday in the Goldmark libel suit in Okanogan.

Mrs. Goldmark Questioned On Party Activity

By **DICK LARSEN**
OKANOGAN — Mrs. John Goldmark will return to the witness stand tomorrow after the New Year's Day recess in the \$225,000 Goldmark libel suit. She testified only for a few moments late Tuesday, after almost a full day of testimony from Karl Prussion, another former Communist witness. Prussion, of South Pasadena, Calif., said he had been a member of the Communist party for 27 years and that he had spent his last 13 years in the party, from 1947 to 1960, as a counterspy for the FBI. His testimony was similar to that of John Leutner, another former Communist who testified earlier in the lawsuit. He

ing been in the Communist party for a period of time, can't just leave the party by not going to any more meetings and not paying dues. He also said that "a member of the Communist party isn't in the Communist party to study Marx and Lenin." He added: "You don't argue with a superior (in the party) . . . You get a directive and you carry it out." Those statements, brought on questioning by defense attorney Ned Kimball, were again aimed at Mrs. Goldmark's description of her former Communist party membership. She said she was in the party from 1933 to 1943. She said her group was primarily a

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1 THE WENATCHEE DAILY
 WORLD
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Date: 1/1/64
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 Character: **SM-C**
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study group of Marxism and other philosophical ideas. She said she never had any action assignments from the party and simply quit the party by not going to any more meetings and not paying dues.

On cross-examination of Prussion, Goldmark attorney William Dwyer developed a point: For several years, while he was in the Communist party, Prussion acknowledged, he did not pay dues and didn't get any assignments from the party.

In his cross-examination, Dwyer also developed the fact that a book by Prussion had been a hot political issue in the California governor's election in 1962.

It prompted California Gov. Pat Brown to get a court order prohibiting its circulation on grounds that it was "spurious and libelous." The California governor also sued for a half million dollars, but later dropped the lawsuit.

Prussion's testimony also struck at the American Civil Liberties Union. The ACLU is involved in the lawsuit, because Goldmark is a member and some of the alleged libels, it is charged, linked the ACLU with communism.

Prussion testified: "The ACLU is the protective coat and the armor plate of the Communist conspiracy in the United States. It's like A, B, C," he said.

"If you're a member of the Communist party, you join the ACLU," Prussion said that a Communist in trouble can turn to the ACLU.

He testified he was a member of the ACLU for four years, from 1954 to 1958.

Prussion was asked to name Communists who he knew have been ACLU members.

"From my own first hand knowledge, William Z. Foster and Elizabeth Gurley Flynn have been leaders in the ACLU," he said.

Dwyer later asked if Prussion didn't know that Mrs. Flynn and Mr. Foster were expelled from the Civil Liberties Union in 1940.

"Yes," said Prussion.

"And you know that in that year the ACLU adopted a policy prohibiting a Communist from holding any office . . ." said Dwyer.

"Yes, I know this," said Prussion. But he added later he didn't think the organization was effective in getting rid of Communist elements.

Prussion's testimony ranged afar at times. At times it became political. He said at one point: "I think the threat to the United States is totally from within. The Communists, left wing, liberal action within the United States is the threat. We are rapidly approaching strong, centralized government which already is starting to control our lives."

He said that is the direction the Communists want the American government to take.

"The most wonderful thing that has happened in America," said Prussion, "is the strong conservative patriotic movement that is sweeping our country today."

Prussion said he was not a member of the John Birch Society.

One cross-examination he was asked by Dwyer to cite one example of government programs. Dwyer wondered: "Is Social Security an example?"

"Social Security has always been a drift toward the kind of Socialist government the Communists are working for."

Prussion told of many jobs he held between 1940 and 1947 in the East, in New Mexico and California. He is a metallurgical engineer and the jobs were mostly in that field.

Dwyer asked if, during this period, "did you have a card?"

"No," said Prussion.

"Did you pay dues?"

"No, sir, I did not pay dues during this period."

Dwyer asked if it was true that Prussion had no card, paid no dues, and had no assignments from the party during that time.

"This was general in the Communist party throughout that period," said Prussion.

Prussion said he had his own construction business in Calif-

ornia until 1960, when he went through bankruptcy.

He testified that the business problems were the result of reprisals for his having testified at the 1960 San Francisco hearings of the House Committee on Un-American Activities about his former party membership.

He said that is a technique of the Communists: to bring economic and other reprisals against former party members who leave communism.

"Since that time I have been doing nothing but lecturing and writing," Prussion testified.

Prussion declared that the film "Operation Abilition," which dealt with the riots accompanying the San Francisco hearing, was accurate. That has been another of the many issues in the long libel suit.

Another of the issues is the matter of Communist-compelled marriages.

Prussion testified: "Many times the Communist party will choose and practically order you . . . to marry a person. . . . I have seen much of this . . . I personally was directed in Communist fashion to marry a girl in Communist fashion . . . This was done at party direction."

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Mrs. Goldmark Objects To Attack On Churches

By GEORGE RICHARDSON
OKANOGAN — Mrs. John Goldmark testified today about churches, radio programs and books as the 33rd day of the Goldmarks' \$225,000 libel suit began.

There were a few vacant seats in the courtroom today, compared to the standing-room-only crowds earlier in the week.

Glenn Harmon, defense attorney, questioned Mrs. Goldmark regarding her opposition to the so-called anti-Communist tape recordings played over radio station KPQ, Wenatchee.

There was reference to the script. The radio series was called "Know Your Enemy."

She testified about the program: "It was carried as a public service and, as a public service, was attacking the churches . . . I just don't think it was a public service."

Harmon asked Mrs. Goldmark whether she was a member of the National Council of Churches, mentioned as Communist-infiltrated in the script.

"I feel I'm a deeply religious person and it (the accusation) hurts me deeply," she replied.

She said that she was not a member of the National Council of Churches.

Harmon also referred to testimony by Karl Prussion earlier this week that one of his jobs was to infiltrate churches. Mrs. Goldmark said: "I think to make a generalization on the basis of one man's experience . . . I think it's wrong to destroy people's faith in their churches."

"I know of no such instance where a Communist is involved in a pulpit position. I don't think we need to defame the whole structure."

Referring to the infiltration of the churches, Harmon asked Mrs. Goldmark whether she knew the present position of the Communist party on that subject.

"I have no knowledge of the position of the Communist party on anything," Mrs. Goldmark said.

On cross-examination, plaintiffs' attorney William Dwyer sought to clear up a misunderstanding about when Mrs. Gold-

mark quit the Communist party. She had told the House Committee on Un-American Activities that she quit early in 1943. During the trial she testified it was November, 1943.

Under Dwyer's questioning, she said she could place the November date exactly, because it was then she moved from an apartment to a house and "I never went again."

She said that she may have gone to party meetings once or twice earlier in the year, but knew she had not gone at all after she moved.

Dwyer also questioned Mrs. Goldmark about some books from her library. He referred to some books about which defense attorneys had questioned her. They were books she said she had owned while still in the Communist party.

Dwyer asked when the last time was she had read the books. Mrs. Goldmark said, "I haven't read them at all since I've been to the ranch, 20 years or so."

Dwyer asked Mrs. Goldmark what other books were in her library. She said there were some 429 books in the house, not counting pamphlets on horse training and other subjects.

She said more than half of them were novels, poems, short stories, and cook books. Some were the Harry S. Truman book, "The Man From Independence," former President Eisenhower's

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1 THE WENATCHEE DAILY
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"Crusade in Europe," "Profiles in Courage" by the late President Kennedy, J. Edgar Hoover's "Masters of Deceit," and the Bible.

Dwyer asked Mrs. Goldmark why so many different types of books were available in her home to her children. She said she felt that they should have ready access to all kinds of information. She said that after college she had no home and no such access. "I think if I had had access I wouldn't have fallen prey to propaganda and a simple answer."

In reply to Dwyer's questioning she said she didn't think her sons would ever be duped by anything.

At mid - morning, presiding Judge Theodore Turner ruled that Al Canwell was qualified to testify on communism as an expert witness.

The ruling came after the attorney for Mr. and Mrs. John Goldmark, plaintiffs in the \$225,000 libel action, asked that an objection be read again into the record. One of the objections raised by William Dwyer was that Canwell was not qualified as an expert, but Judge Turner said defendants had shown in testimony that Canwell, who has said he operates a non-governmental intelligence agency, was qualified on the subject of communism.

Dwyer also objected to testimony about groups whose relationship to the Goldmarks were not shown and also that Canwell's testimony was based on hearsay. Judge Turner noted that these continuing objects would be allowed.

Canwell, who was called to the stand about mid-morning reviewed his early anti-Communist work in Spokane and his activities as a state legislator and chairman of a joint Ur-American Activities Committee.

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Cain Says ACLU Isn't 'Red Front'

OKANOGAN, Jan. 6.—(AP)—Former Sen. Harry P. Cain, R-Wash., testified today in the Goldmark libel case that the American Civil Liberties Union "simply could not be construed . . . to be a communist front."

Cain appeared as a rebuttal witness for the plaintiffs, Mr. and Mrs. John Goldmark, in the trial of their \$225,000 libel suit against four individuals and a newspaper. The Goldmarks contend the defendants libeled them by linking them with communism in 1962. Goldmark is a member of the ACLU.

ALTHOUGH the defense has not concluded its case, Judge Theodore Turner allowed Cain, now of Miami, Fla., to testify today so he could return home.

Cain, elected to the Senate in 1946, was defeated by Sen. Henry M. Jackson, D-Wash., in 1952. In April, 1953, President Eisenhower appointed Cain to the Subversive Activities Control Board, where he served for more than three years, Cain testified.

The board was established to adjudicate merits of cases when the attorney general contends an organization is controlled by the Communist Party, Cain said.

"DO YOU HAVE an opinion," asked Goldmark's attorney William Dwyer, "as to whether the American Civil Liberties Union is a communist front?"

"I have," said Cain. "As a result of . . . studies and inquiries (of the Justice Department, House Un-American Activities Committee and other agencies) it had to be my opinion that the American Civil Liberties Union by definition and practice could simply not be construed . . . to be a communist front."

ON CROSS-EXAMINATION, Cain testified his board never had occasion to investigate the ACLU because no question about the organization was ever put before it.

Questions about religion were banned earlier today by Judge Turner, who said he wanted to avoid a complicating, emotional issue.

The trial judge made the ruling after attorneys for Mrs. Goldmark objected to defense questions. She had been asked by defense attorney E. Glenn Harmon whether she had told acquaintances she did not believe in God.

She denied saying this and the judge later ruled out the line of questioning.

AT THE SAME time he told the jury to disregard previous testimony by Mrs. Goldmark, in which she commented she was "a very deeply religious person."

"Lay that aside," said Judge Turner, "and stick to the issues in this case. I'm sure you can."

Before the ruling against questions about religion Mrs. Goldmark said she was confirmed in the Dutch Reformed Church, that her husband is a Protestant and now "we consider ourselves Unitarians."

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Ex-Reds Can Live Patriotic, Normal Lives, Cain Testifies

OKANOGAN, Jan. 7. — (A.P.) — Former Senator Harry P. Cain, Washington Republican, has contradicted testimony of several former members of the Communist Party who testified for the defense in the Goldmark libel case.

Cain was called by the plaintiffs as a rebuttal witness yesterday. Now a resident of Miami, Fla., Cain was permitted to testify before the conclusion of the defense case so he could return home.

Former State Representative John Goldmark and his wife, Sally, are suing four men and a newspaper for \$225,000, contending the defendants libeled them by linking them with Communism in 1962. Mrs. Goldmark has testified she joined the Communist Party in 1935 but left it in 1943.

From 1953 to 1956, Cain served on the Subversive Activities Control Board, a federal panel that hears testimony about organizations the Justice Department contends are controlled by the Communist Party.

Is it possible for former Communists to lead normal lives? William Dwyer, Goldmark attorney, asked.

"As related particularly to the period of time to which you have made reference it would be my judgment . . . that a large number of the Communist Party left by one means or another to resume what we would call a perfectly normal patriotic life," Cain testified, ". . . without ever mentioning a word publicly about the Communist Party."

Friday, a former Communist, Herbert A. Philbrick, author of the book "I Led Three Lives," testified that former Communists who have renounced the party are "without exception people dedicated to the cause of informing people of the real danger, the real menace . . . as they see it."

Cain was questioned about the characteristics of an average 1935-43 member of the Communist Party.

"For such a person not to be entirely dedicated to Communism, he said. "Would be quite an understandable and reasonable . . . conduct."

"It often happened" that such a person was not given work assignments but involved primarily in discussion meetings, Cain said.

Such a person could have married a non-Communist without repercussions or prior permission from the party, he said.

Cain said he has encountered instances of such persons dropping out of the party without reprisals, "particularly in . . . the early years of the war."

Cain's testimony generally was the reverse of that of Philbrick and other former Communists who have taken the stand during the month-long defense portion of the two-month-old trial. Another of those is John Lautner, 61, New York. Defense Attorney E. Glenn Harmon asked Cain if he considers Lautner an expert on Communism.

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"Mr. Lautner was a witness in several matters which I and other members of the board heard," Cain said. "I could only judge Mr. Lautner on the basis of what he said . . . My memory is that some of what he said we thought to be true and other portions . . . we thought to be invalid."

Cain said he has concluded "the sole function of the American Civil Liberties Union as I understand it is to maintain throughout the United States and its possessions those guarantees within the Constitution which deal with liberty for the individual and to advocate those rights in every legitimate way."

He mentioned some recent activities of the A. C. L. U. including an effort in Alabama to defend the right of

the States' Rights Party to assemble and have meetings.

On the board, Cain said, he made many inquiries of the Justice Department, the House Committee on Un-American Activities and other agencies about the organization.

"As a result of those studies and inquiries," Cain said, "it had to be my opinion the the American Civil Liberties Union by definition and practice could simply not be construed . . . to be a Communist front."

The A. C. L. U. was a subject because Goldmark is a member. Defense witnesses and a defendant, Al Canwell of Spokane, have testified they believe the A. C. L. U. to be a Communist front.

Canwell testified today he knew of no recent time when there had been any difference between the stands taken by the A. C. L. U. in its press announcements and those of the Communist press.

Canwell's attorney, Harmon, asked him to compare some A. C. L. U. statements with the Communist Party press view.

Canwell cited an A. C. L. U. statement calling for a hearing on a United States Supreme Court decision upholding the constitutionality of the House Committee on Un-American Activities.

"The A. C. L. U. position is almost identical to the Communist position," Canwell said.

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ACLU Is Not a Red Front, Court Told by Harry Cain

By JACK E. FISCHER
S-T Political Writer

OKANOGAN, Wash.—Former Sen. Harry P. Cain Monday supported virtually every claim made by John and Sally Goldmark regarding the American Civil Liberties Union and Mrs. Goldmark's testimony relative to her Communist party membership.

Cain, a Republican, served one term in the U.S. Senate from the state of Washington, elected in 1946 and then defeated in 1952. He now lives in Miami, Fla., where he is in the mortgage and savings business.

He was called as a witness in the \$225,000 libel and conspiracy trial by the Goldmark plaintiffs, taking the stand out of order. In effect, he started the plaintiffs' rebuttal before the defense rested its case. He finished his testimony just prior to adjournment and the defense is expected to complete its presentation today.

Member of Board

Following his defeat, Cain was appointed as a member of the Subversive Activities Control Board (SACB) where he served for just over three years during the administration of President Eisenhower.

The sole function of this board, he said, is to adjudicate the merit of cases where the attorney general alleges that an organization is dominated, controlled and directed by the Communist party.

Defendants have claimed that the ACLU, of which Goldmark is a member, is a Communist front. Plaintiffs deny that claim.

"During your time on the SACB, what was your opinion as to whether or not the ACLU was a Communist front?" asked plaintiffs' attorney William Dwyer.

"As the result of studies and inquiries," Cain replied, "it had to be my opinion that the ACLU, by definition and practice simply could not be assumed or construed as being a Communist front."

Would Not Qualify

"Using the definition of a Communist front as stipulated in the McCarran Internal Security Act, was the ACLU dominated, controlled and directed by the Communist party?"

"My judgment is that it would not so qualify."

"Was it serving the interest of the Communist party?"

"It would not so qualify."

"In your opinion, is the ACLU a Communist front today?"

"By definition and practice, I am not able to believe it could be."

He later said that he "pursued every avenue possible in checking out inquiries on the ACLU and that there was a total absence of any justification to have the ACLU listed by the attorney general as a Communist front."

Testimony Upheld

Defendants have challenged Mrs. Goldmark's testimony that when she was in the Communist Party from 1935 to 1943 she became disillusioned with the party, had participated only in philosophical discussions and left by merely not going to meetings and not paying dues.

Cain upheld her testimony on all points.

"Could a person be a member of the Communist Party from 1935 to 1943 and not be entirely dedicated or sold on the Communist Party?" Dwyer asked.

"It would be quite understandable and reasonable conduct," Cain answered.

"Could that person be in a group where there were not necessarily any regular work assignments, but merely discussion of philosophical questions?"

"Communists in considerable numbers have so testified before the SACB. It often happened."

"Could such a person quit the party by not going to meetings, and not paying dues?"

"Communists have supported that view before the board."

Could Lead Normal Lives

Dwyer then asked if the bulk of ex-Communists in the United States lead normal lives and Cain answered, "As related to the time to which you have referred it would be my judgment that a large number of Communists left the party to resume what we could call perfectly patriotic and normal lives without mentioning a word publicly about the Communist Party."

On cross-examination defense attorney E. Glenn Harmon asked Cain if he considered John Lautner, a former Communist who testified in this trial, an expert on Communism.

"The sum of what he said as a witness before the subversive activities control board we took to be true and other portions to be invalid," Cain answered.

"Do you mean that, Sen. Cain?"

"Yes."
"Wasn't he the principal witness for the Justice Department the entire time you were on the SACB?"

"Yes."
"You think the Justice Department made a mistake?"

Answer Stands

"My answer still stands."
Harmon then asked if Cain felt Harvey Matusow was an expert on communism.

"My memory is that all or a majority of the board grew to not believe a preponderance of what Matusow said," he answered.

"Isn't it a fact that in the campaign of 1952, Mr. Matusow was employed on your staff as

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an expert on communism?"

"I think Matusow was paid \$200 or \$300 to come out here and be a so-called expert on communism in 1952 and I am assuming that at that time I had no reason to believe he would not tell the truth."

"You were not able to tell that he was not an ex-Communist, but still a Communist doing the party's bidding?"

Remarks Withdrawn

"I would presume I was too busy..."

"He is not asking for your excuse," Judge Theodore S. Turner interrupted. "He is asking for a fact."

"I presume it was," Cain answered.

Earlier in the day, Judge Turner ordered all testimony regarding the religious belief of Mr. and Mrs. Goldmark withdrawn from the record.

The court said that while it is true communism has been linked to atheism, it did not hold that even if a person were an atheist he was necessarily a Communist.

Judge Turner told the jury that there was such a deep feeling regarding religion such testimony "would present the danger of great prejudice rather than shed any intelligent light on the real issue."

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Defense Rests In Goldmark Libel Trial

OKANOGAN, Jan. 8. — (A. P.) — The defense rested its case in the \$225,000 Goldmark libel suit this morning, two months and four days after the trial began.

The Goldmark side then began rebuttal testimony, calling Peter Goldmark, 17-year-old son of Mr. and Mrs. John Goldmark, as the first witness.

The youth testified his parents always had favored the position of the United States in discussions about the cold war and had never criticized America's free-enterprise system.

Before Peter took the stand, William Dwyer, attorney for the plaintiffs, said several rebuttal witnesses would be called "but we are going to try to be as brief with each one as we can."

There were indications that testimony in the lengthy trial may end by the middle of next week.

THE GOLDMARKS sued four individuals and the weekly Tonasket Tribune on the ground that they were libeled during the 1962 primary-election campaign by statements and articles linking them to Communism.

Peter, the second of the Goldmarks' two sons to testify, was asked by Dwyer if there had been discussions in their home "about the various issues and crises of the cold war."

"Yes, I would say so," young Goldmark replied.

Dwyer: "Can you tell us whose side your father has taken?"

Peter: "Definitely with our side . . . that is, the United States."

Dwyer: "How about your mother?"

Peter: "The same, definitely."

Cross-examination of Albert Canwell of Spokane, one of the defendants and last of the defense witnesses, ended just before young Goldmark was called.

WHILE IN THE Legislature, Canwell led a committee to investigate Communist activity in Washington State. Subsequently he ran for Congress four times, once for the Senate and three times for the House.

Dwyer asked Canwell if he thought Communists actively opposed him in all his races for a seat in Congress.

"I think it was a major factor, yes," Canwell said.

"Even when you lost in the Republican primary (in 1950, when W. Walter Williams won the senatorial nomination)?"

"Yes," said Canwell.

He explained that he believes he incurred the wrath of the Communist Party through his activities with the legislative committee investigating subversion.

DWYER TRIED to shake the defense contention that Mrs. Goldmark's Washington, D. C., Communist Party group was an espionage cell. Mrs. Goldmark has testified she was a member of the party from 1935 to 1943 and met a Victor Perlo and a Charles Kramer at meetings, which she said were primarily for study.

"Whose testimony have you ever read that mentioned her name" in connection with a cell involved in espionage, Dwyer asked. Canwell mentioned a Nathan Witt and a Nathaniel Weyl.

Witt "testified sometime after the Second World War in the 1950's; it was after Mrs. Goldmark had gone to the Federal Bureau of Investigation," Dwyer said.

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"Yes, I believe it was after 1950," Canwell replied. Properly, though, Canwell corrected, after the F. B. I. went to Mrs. Goldmark.

Dwyer said Witt's testimony was that he had never heard of Mrs. Goldmark. "That was his answer," Canwell acknowledged.

DWYER SAID Weyl quit the Communist Party in 1934, "so Mr. Weyl didn't know Mrs. Goldmark, did he?"

"No, he did not," Canwell said. Then he added, of Witt's testimony: "And I should qualify that. I have no reason to believe Nathan Witt."

Dwyer said: "So the only thing you have to connect her with this co-called group is her own testimony?"

"No, I wouldn't say that is the only thing."

"What other sources do you have?"

"That is the major source," Canwell said.

Once Canwell testified he thought Goldmark favored trade with a Communist country.

Dwyer asked if Canwell considers the United States-approved sale of wheat to Russia a part of the Communist Party line.

"I think it is certainly in agreement with the Communist Party line . . . They are gratefully receiving it and to that extent it is the Communist Party position," Canwell said.

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Sterling Hayden Testifies For Goldmarks

OKANOGAN, Jan. 9.—(A.P.)—Sterling Hayden, Hollywood movie and television actor, testified in a \$225,000 libel suit today he once was a Communist briefly but quit the party with no strings attached.

The tall, bearded actor was called as a rebuttal witness for former State Representative John Goldmark and his wife, Sally.

The Goldmarks sued four individuals and a weekly newspaper on the ground that they were libeled during the 1962 primary-election campaign by statements and publications linking them with Communism.

HAYDEN SAID, he joined the Communist Party in Hollywood in 1946 after fighting with the Partisans in Yugoslavia during the Second World War. He said he dropped his membership after about six months by not attending any more meetings or paying dues.

His testimony paralleled that of Mrs. Goldmark, an admitted former Communist, who said she quit the party in 1943 in the same fashion.

The defense has contended no one can leave the party after being in it for any length of time without remaining under Communist domination. Mrs. Goldmark said she was a member from 1935-43.

Hayden was asked by William Dwyer, counsel for the Goldmarks, if the Communists had tried to run his life.

"Not in the least," he said. "I was the only person to buy a yacht and join the Communist Party in the same week."

Hayden said his Communist cell in Hollywood consisted of "back-lot workers in the motion-picture industry." He said the group met weekly and talked about world affairs.

Asked if he was given any "action assignments," he replied: "After three or four months I was told to contact people in the acting field to enlist their interest in Communism."

Hayden gave similar testimony about his Communist Party membership before the House Un-American Activities Committee in 1951.

ANOTHER rebuttal witness was Paul Jacobs of San Francisco, a writer specializing in labor and Communism, and a consultant to the Peace Corps.

Jacobs, who identified himself as a former "Trotskyite," testified he attended the same Communist workers' school in 1935 that Mrs. Goldmark had told of joining in New York.

He corroborated Mrs. Goldmark's testimony, saying, "It was more of an adult-education center in a way." He said he took a course in the theater, and added that music and cultural activity were taught there.

"It was quite open," he said.

The defense has contended the school was a training ground for Communist agents.

"It would be very unlikely that anyone being trained for espionage or any illegal acts would have been in the workers' school," Jacobs testified.

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Jacobs said he left the Trotsky movement in 1939 and had done anti-Communist work since then in the labor movement.

The rebuttal in the trial, which began November 4, is expected to last into the middle of next week. Then there will be a week or two of sur-rebuttal testimony.

THE REBUTTAL testimony was aimed at depicting the Goldmarks as liberal but loyal to the United States.

Payton Smith, Seattle attorney and counsel for House Speaker John O'Brien in the 1959 and 1961 Legislatures, and former State Representative Paul Holmes of Ellensburg testified there was no one in the Legislature then who could be characterized as opposed to the free-enterprise system or individual freedom.

State Representatives Margaret Hurley and Alfred O. Adams of Spokane testified earlier that during the 1961 Legislature, Goldmark's reputation for loyalty was questionable. Adams said Holmes was one of the legislators he considered as having a voting pattern to the left.

Mrs. Anne Nelson and Mrs. Minnie Campbell of Carlton, Okanogan County, testified about a Methow Valley Grange meeting in March, 1962, at which Goldmark spoke.

They said they understood him to say he felt a state law to outlaw the Communist Party wasn't needed because that was being accomplished under federal law.

EARLIER, Doug Zahn, son of State Highway Commissioner George Zahn, and others testified that in his Methow speech Goldmark took the position there was no internal threat from Communism and that he played down the external threat.

Another rebuttal witness, Dr. Raymond E. Muse, chairman of the Washington State University history department, minimized the political importance of the Communist Party in the United States.

"As a party that formulates and takes positive action . . . it is a complete dud politically," he testified. "I can't think of a single piece of domestic legislation that the Communist Party has had anything to do with . . . the institution of, or the carrying out of."

R. E. Mansfield, an attorney for the Goldmarks, recalled one of the defendants, Loris Gillespie. He asked if Gillespie had issued a \$3,000 check payable to Carl Prussion, a former Communist who testified for the defense.

Gillespie said he had written a check for \$300 to cover Prussion's travel expenses and that he was reimbursed.

Defendant Canwell Charges Suit Is Slap at Right Wing

By JACK E. FISCHER

Spokesman-Review Staff Writer

OKANOGAN, Wash.—Defendant Albert F. Canwell of Spokane testified in Superior Court here Tuesday that the primary purpose of the Goldmarks' \$225,000 libel and conspiracy lawsuit was "a part of the Communist opposition to the right-wing movement in America."

Canwell leveled his charge after presenting a 10-point indictment against John and Sally Goldmark alleging their actions led him to conclude that they still are under Communist discipline.

Trial of the lawsuit which stemmed from a bitter legislative campaign here in 1962 now has completed 36 days. Canwell was nearing the end of his testimony at adjournment time Tuesday and defense attorneys said he will be their last witness. This means the defense will rest its case early today, but rebuttal and argument may take as long as two weeks.

Defendants have claimed that Mrs. Goldmark belonged to a secret, underground Communist cell in Washington, D.C., from 1935-43 which was engaged in espionage. They also claim she did not fully cooperate with the House Committee on Un-American Activities or with the Federal Bureau of Investigation.

Espionage Denied

Mrs. Goldmark has testified that she did belong to a secret Communist group, but did not engage in any espionage, merely discussed philosophical questions. She also said she did cooperate with both the House committee and the FBI, having talked with the FBI on numerous occasions and in 1958 testified before the House committee.

During a scathing cross-examination, plaintiffs' attorney William Dwyer asked, "Have you seen any testimony other than your own where Mrs. Goldmark's name was mentioned at all in connection with the Communist party?"

"No," Canwell admitted.

"The only thing you have to connect her with this group is her own testimony?"

"No, I wouldn't say that was the whole thing."

"What other sources do you have, Mr. Canwell?"

"That is the major source."

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Does Not Recall

Mrs. Goldmark has admitted belonging to a Communist group which included Victor Perlo and Charles Kramer, both of whom were accused of espionage activity by Elizabeth Bentley. Miss Bentley, however, testified only to a time period from 1944, after Mrs. Goldmark had left Washington, D.C.

"Did anyone beside Miss Bentley testify that Perlo or Kramer ever committed any act of espionage?" Dwyer asked.

"I do not recall," Canwell answered.

Canwell's indictment against the Goldmarks included:

They did not warn people of the danger of communism, particularly internal communism, which is inconsistent for a person who has broken with the Communist party.

They asked Sheriff Russell Will of Okanogan County to stop

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the showing of "Communism on the Map."

Mrs. Goldmark opposed the showing of "Operation Abolition" unless the other side was presented.

She opposed a series of radio broadcasts which were anti-Communist in nature.

Mrs. Goldmark complained to Don Caron's superior in the Forest Service about anti-Communist articles he was writing.

Goldmark opposed a grange resolution supporting Caron's right to have such articles published.

He opposed another grange resolution which would have outlawed the Communist party in this state.

In connection with this point, Canwell said, "He took the position that it was unnecessary because it was pre-empted by the Smith Act, but did not say he was opposed to the Smith Act."

Plaintiff claim Goldmark opposed the resolution because a similar law is already on the statute books in the state.

Objection Sustained

After listing the various actions Canwell said: "All of these things and many others add up to an observation in my mind that they are, have been, and are still today, under Communist party discipline. That would include the starting of this legal action which falls in line with instructions. . . ."

At this point Dwyer objected and was sustained by the court.

Canwell then continued in virtually the same vein, saying, "My conclusions are that they (the Goldmarks) are responding to that discipline as is evidenced in response to a call in opposition to the right-wing movement in America as laid down by Khrushchev and Gus Hall."

Defense attorney E. Glenn Harmon went through numerous news releases of the American Civil Liberties Union with Canwell, who invariably said the position taken by the ACLU was similar or identical to the Communist party line.

ACLU Is Attacked

The ACLU has played a major role in this trial because of a speech Canwell made here in 1962 against it and because Goldmark is a prominent member.

"The ACLU repeatedly takes the same stand as the Communist party," Canwell said, "and has done a job for the Communist party that the party could not possibly do for itself . . . because the ACLU is al-

ways wrapping the flag around its own activity."

"Earl Browder (former Communist head in the United States) once said that the ACLU is the best transmission belt the Communist party has."

In addition to Canwell, defendants are Caron, state coordinator for the John Birch Society; Ashley E. Holden, publisher of the Tonasket Tribune; Loris A. Gillespie, Okanogan orchardist, and the Tonasket Tribune Publishing Co.

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**Rebuttal Starts
The Goldmark Trial**

OKANOGAN, Wash. (AP) — The defense rested its case in the \$225,000 Goldmark libel suit at 10:28 a.m. today, two months and four days after the trial began.

The Goldmark side then began rebuttal testimony, calling Peter Goldmark, 17-year-old son of Mr. and Mrs. John Goldmark, as the first witness.

The youth testified his parents always had favored the position of the United States in discussions about the cold war and had never criticized America's free enterprise system.

Before Peter took the stand, William Dwyer, attorney for the plaintiffs, said several rebuttal witnesses would be called "but we are going to try to be as brief with each one as we can."

End Sean Fear

There were indications rebuttal testimony in the lengthy trial may end by the middle of next week.

The Goldmarks sued four individuals and the weekly Tomasket Tribune on grounds they were libeled during the 1962 primary campaign by statements and articles linking them to communism.

Peter, the second of the Goldmarks' two sons to testify, was asked by Dwyer if there had been discussions in their home "about the various issues and crises of the cold war."

"Yes, I would say so," young Goldmark replied.

Dwyer: "Can you tell us whose side your father has taken?"

Peter: "Definitely with our side . . . that is, the United States."

Dwyer: "How about your mother?"

Peter: "The same, definite-ly."

Questioning Ends

Cross-examination of Albert Canwell of Spokane, one of the defendants and last of the defense witnesses, ended just before young Goldmark was called.

While in the legislature, Canwell led a committee to investigate Communist activity in Washington State. Subsequently he ran for the United States Senate and the House.

Dwyer asked Canwell if he thought Communists actively opposed him in all his races for a seat in Congress.

"I think it was a major factor, yes," Canwell said.

"Even when you lost in the Republican primary in 1950, when W. Walter Williams won the senatorial nomination?"

"Yes," said Canwell.

He explained he believes he incurred the wrath of the Communist party through his activities with the legislative committee investigating subversion.

Dwyer tried to shake the defense contention that Mrs. Goldmark's Washington, D.C., Communist party group was an espionage cell. Mrs. Goldmark has testified she was a member of the party from 1935 to 1943 and met a Victor Perlo and a Charles Kramer at meetings, which she said were primarily for study.

Question Asked

"Whose testimony have you ever read that mentioned her name" in connection with a cell involved in espionage? Dwyer asked.

Canwell mentioned a Nathan Witt and a Nathaniel Weyl.

Witt "testified sometime after World War II in the 1950s; it was after Mrs. Goldmark had gone to the FBI," Dwyer said.

"Yes, I believe it was after 1950," Canwell replied. He said it was the FBI, however, which went to Mrs. Goldmark.

Dwyer said Witt's testimony was that he had never heard of Mrs. Goldmark.

"That was his answer," Canwell acknowledged.

Dwyer said Weyl quit the Communist party in 1934, "so

(Indicate page, name of newspaper, city and state.)

2 Spokane Chronicle
Spokane, Wash.

Date: 1/8/64
Edition:
Author:
Editor:
Title: MRS. SALLY
GOLDMARK

Character: SM-C
or 100-
Classification: 21585-348
Submitting Office: SEATTLE

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FBI-SEATTLE

[Signature]

Mr. Weyl didn't know Mrs. Goldmark, did he?"

"No, he did not," Canwell said. Then he added, of Witt's testimony:

"And I should qualify that. I have no reason to believe Nathan Witt."

Dwyer said:

"So the only thing you have to connect her with this so-called group is her own testimony?"

"No, I wouldn't say that is the only thing."

"What other sources do you have?"

"That is the major source," Canwell said.

Earlier in the trial, Mrs. Elizabeth Bentley was said to have named Perlo and Brenner and others she knew as members of the Communist party in the capital after 1944.

Besides Mrs. Bentley, Dwyer asked, "who else . . . has ever accused Mr. Perlo or Mr. Kramer of having committed or committing espionage?"

"Weyl for one," Canwell said.

"A man who quit the party in 1934?" asked Canwell.

"I don't know when he quit the party."

Dwyer asked how many cells Perlo and Brenner dealt with. There have been suggestions in the trial that the espionage cell Mrs. Bentley spoke of and Mrs. Goldmark's group may not have been identical.

"I would have no way of knowing that, no, I wouldn't know it," Canwell replied.

Canwell has testified that since 1948, aside for campaigning for public office he has occupied himself primarily with running a "non-governmental intelligence service," privately investigating possible subversive persons. He has testified he did not earn enough money from 1956 to 1962 to require his filing a personal income tax return.

Dwyer asked him if he held a job from January to April 20, 1961, managing an apartment house in Spokane for \$400 a month.

Income Unknown

"It was an interim accommodation job to my brother," Canwell said. He said he could not recall precisely the length of the job or the income he received from it.

Once Canwell testified he thought Goldmark favored trade with a Communist country.

Dwyer asked if Canwell considers the U.S.-approved sale of wheat to Russia a part of the Communist party line.

"I think it is certainly in agreement with the Communist party line . . . they are gratefully receiving it and to that extent it is the Communist party position," Canwell said.

"And is it your testimony that members of Congress who authorized that were acting under Communist party influence or discipline?" asked Dwyer.

Judge Theodore Turner sustained an objection to that question on grounds it was unfair.

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Goldmarks Depicted As Loyal To U.S.

OKANOGAN, Jan. 8.—(AP)—The defense, which began its presentation in the lengthy \$225,000 Goldmark libel suit December 9, rested this morning and the plaintiffs began calling rebuttal witnesses.

The rebuttal testimony was aimed at depicting former State Rep. John Goldmark and his wife, Sally, as liberal but loyal to this country.

THEY SUED four individuals and the weekly Tonasket Tribune on grounds they libelously were linked with communism during the 1962 primary election campaign. Goldmark lost a bid for the Democratic nomination for a fourth term in the legislature in the primary.

A parade of witnesses, starting with the Goldmarks, ~~young son, Peter, 17,~~ was called during the day.

THE REBUTAL, which William Dwyer, attorney for the Goldmarks, ~~promised~~ would be as brief as possible, is expected to take into the middle of next week.

Peter testified that in discussions at home about the cold war, his parents had never criticized America's free enterprise system "and definitely took our side . . . that is, the United States."

Two other witnesses were Payton Smith, a Seattle attorney and counsel for House Speaker John O'Brien in the 1959 and 1961 sessions of the Legislature, and Paul Holmes of Ellensburg, a state representative at these sessions.

BOTH SAID there was no one in the Washington State Legislature then who could be characterized as opposed to the free enterprise system or individual freedom.

Mrs. Anne Nelson and Mrs. Minnie Campbell, both of the small Okanogan County town of Carlton, testified about a Methow Valley Grange meeting which figured in defense testimony.

The two, who attended the meeting at which Goldmark spoke, said they understood from his remarks he felt a state law to outlaw the Communist Party was unnecessary because that already was being accomplished under federal law.

THE DEFENSE had contended Goldmark spoke at the meeting against outlawing communism.

Dr. Raymond E. Muse, chairman of the history department at Washington State University, minimized the political importance of the Communist Party in the United States.

(Indicate page, name of newspaper, city and state.)

7 - SEATTLE
POST-INTELLIGENCER
SEATTLE, WASH.

Date: 1-9-64
Edition: SUNRISE
Author:
Editor:
Title:

Character:
or
Classification:
Submitting Office: SEATTLE

Being Investigated

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JAN 10 1964
FBI - SEATTLE

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Historian Terms Red Party a 'Dud'

By JACK E. FISCHER
Spokesman-Review Staff Writer

GRANOCAN, Wash.—The chairman of Washington State University's history department testified in Superior Court Wednesday he saw no internal threat from communism and that the political importance of the Communist party is nil.

Dr. Raymond Muse went so far as to say that the Communist party is a "dud."

Muse testified as a witness for the plaintiffs in the Goldmarks' \$225,000 libel and conspiracy trial after the defense had rested its case earlier in the day—the 37th trial day.

Trial End in Sight

He was one of 12 rebuttal witnesses called. William Dwyer, attorney for John and Sally Goldmark, said he anticipated about 25 rebuttal witnesses in all.

Muse was asked by defense attorney E. Glenn Harmon if he felt there is any serious internal menace from communism to the United States.

"I would say it is a nuisance," Muse answered, "but I do not consider it a menace or a major problem. The party is absolutely . . . a dud. The Communist party since 1917 has been trying to make us an appendage to the Soviet Union, but we are no closer to that today than we were then."

He then added that, in his opinion, capitalism is stronger in the United States today than it ever was.

The internal threat of communism has been debated at length during this trial, with the Goldmarks testifying they thought the danger came only from without. Defendants claim this is the "Communist party line" and that there is a real danger from within.

When questioned by plaintiffs' attorney, R. E. Mansfield, Muse said he could not think of a single piece of domestic legislation in the United States that the Communist party drafted or passed.

"were you in the state where Initiative 172, drafted by William Pennock, who has been identified as a member of the Communist party, was on the ballot?" Harmon asked him later.

"I don't know whether I was or not," Muse replied. "I think not."

The professor said he felt there is a civil liberties issue involved in loyalty oaths and Harmon asked, "Do you feel that signing the oath infringes on your civil liberties in any way?"

Oath O.K.

After a long pause, Muse answered, "No."

Harmon then asked, "In your opinion, which is the greater menace to America — communism on the left or the anti-Communist movement on the right?"

"That is an exceedingly difficult question to answer," Muse replied. "My own inclination is that they are both outside of American tradition . . . I can't

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(Indicate page, name of newspaper, city and state.)

2 Spokesman-Review
Spokane, Wash.

Date: 1/9/64

Edition:

Author:

Editor:

Title: MRS. SALLY GOLD-
MARK

Character: SM-C

or

Classification: 100-21585-350

Submitting Office: SEATTLE

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FBI-SEATTLE

evaluate it. It is impossible to answer with any accuracy."

"You'd rather not answer the question?"

"No."

Defendant Albert F. Canwell of Spokane was on the stand just before the end of the defense case. Through questioning by Harmon he cited numerous federal reports which he said he relied on in making various statements, some of which are issues in this lawsuit.

One report by J. Edgar Hoover termed the so-called Perlo Communist cell in Washington, D.C., as the "second network of espionage." Mrs. Goldmark has admitted to membership in a group headed by Victor Perlo from 1935-1943, but claimed she merely discussed philosophical questions.

Defense Rests

Then, at 10:28 a.m., the defense rested its case.

Dwyer immediately called Peter J. Goldmark, 17-year-old son of the plaintiffs, to testify primarily that he had never heard communism discussed in his home and that in discussions on the cold war, both his mother and father "were on the side of the United States, definitely."

The second rebuttal witness was Payton Smith, Seattle attorney who was legal counsel for state Rep. John L. O'Brien, D-Seattle, when he was speaker of the House in 1959 and 1961.

He was asked by Mansfield if, during those two sessions, there were any members of the legislature "who were on the extreme left and did not believe in free enterprise."

"No," he answered.

Knew Mrs. Hurley

"Did you know Mrs. (Joseph E.) Hurley?" he was asked by Harmon.

"Yes."

"She is a Democrat?"

"Yes."

"And a competent legislator?"

"Mrs. Hurley, I think..."

Mansfield objected at this point and was sustained by the court.

"Do you consider her a good authority on the quality of voting records of fellow members of the House?" Harmon continued.

"My personal opinion is no."

Mrs. Hurley earlier in the trial was called as a defense witness and termed Goldmark an "extreme liberal." She was a member of the House coalition in 1963 legislative session, but in 1961 supported O'Brien as speaker when the Democrats elected him by the margin of one vote in their caucus.

Other rebuttal witnesses Wednesday included Mrs. Roberta Morical, East Wenatchee; Mrs. Anne Nelson, Carlton; Mrs. Minnie Campbell, Carlton; Loris A. Gillespie, a defendant from Okanogan; Jack Abrams, Okanogan county commissioner; Paul Holmes, former legislator from Ellensburg, and William E. Schneider, of Olympia, administrative assistant to the director of the Department of General Administration.

\$300 Paid Out

When John Lautner, former Communist from New York, testified earlier in the trial he stunned plaintiffs' attorneys when he said from the stand that he had been offered a fee of \$1,000 to testify in behalf of the plaintiffs. On Wednesday, Mansfield asked Gillespie, "Within the last week or 10 days have you issued a check for \$3,000 payable to Carl Prussian (another former Communist who was a defense witness)?"

"No sir," Gillespie responded.

"Have you issued a check in any amount?"

"Yes, for \$300."

"Did that cover only Mr. Prussian's expenses?" Harmon asked.

"Yes, sir, and I was reimbursed."

DIRECTOR, FBI

1/9/64

SAC, SAN FRANCISCO (65-9)

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SALLY GOLDMARK;
JONATHAN GOLDMARK
INFORMATION CONCERNING

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b7c

On 11/17/63, AL F. CANWELL of Spokane, Washington, who was formerly connected with the Washington State House Committee on Un-American Activities and who claims he heads the General Research Facility at Spokane, Washington, telephonically contacted SA [redacted] at his residence at Auburn, California, and advised that he was aware that SA [redacted] had at one time interviewed SALLY GOLDMARK in connection with the VICTOR PERLO and ETHEL and JULIUS ROSENBERG espionage rings and stated that he and five others were being sued by JONATHAN and SALLY GOLDMARK of Okanagan, Washington, in a libel action in connection with their publishing background of the VICTOR PERLO ring which contained information concerning the GOLDMARKS. He advised that he was en route to Southern California on a vacation and desired to ascertain if SA [redacted] could furnish any information to him which would be of assistance in defense of the libel action. Agent [redacted] advised Mr. CANWELL that he was unable to furnish any information without specific clearance from FBI Headquarters in Washington, D.C., concerning this or any other matter and that even if such authorization was forthcoming Agent [redacted] would not be in a position to comment in view of the length of time since he was assigned to the Seattle Division without research into the matter. Mr. CANWELL asked various questions concerning whether or not Mrs. GOLDMARK was cooperative when she was interviewed or if she furnished information of value to the FBI, at which time Agent [redacted] declined to furnish any information regarding the matter.

On 12/27/63, at 3 p.m., WILLIAM DWYER, an attorney, 812 Hoge Building, Seattle, Washington, telephonically contacted the Auburn Resident Agency and talked to SA [redacted]. He advised that he was the attorney for the GOLDMARKS in the libel action against CANWELL and others and stated that he

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2 - Seattle (REG)
1 - San Francisco
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wondered if Agent [] was in a position to furnish any information regarding whether or not Mrs. GOLDMARK had been cooperative with the FBI when interviewed. He stated that he had learned that AL CANWELL had talked to Agent [] and was specifically interested in whether or not any information was furnished to CANWELL. He stated that he expected the libel action to continue for another seven weeks in this matter. Mr. DWYER was advised by SA [] that he would have to respectively decline to answer any questions of Mr. DWYER as he had done with Mr. CANWELL and that he could not furnish any information regarding the GOLDMARKS or any aspects of the case without specific authorization from FBI Headquarters in Washington, D.C. Mr. DWYER was specifically questioned as to whether or not FBI Agents would be called as witnesses in this matter, and he advised that he did not feel that Bureau Agents would be called upon to testify.

1/16/64

AIRTEL

AIR MAIL

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DATE 08-18-2006 BY 60324 AUC BAW/CB/CAK

TO : DIRECTOR, FBI (100-38604)
FROM : SAC, SEATTLE (100-21585)
SUBJECT: SALLY GOLDMARK
SM - C
CO - SEATTLE

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b7C

Re Seattle letters to Bureau, 12/26/63 and 12/13/63.

AL F. CANWELL, defendant in libel suit in which subject is plaintiff, received a telephone call at noon recess January 16, 1964, from individual who identified himself as [redacted] advised he was calling from Cashmere, Washington, and would meet ASHLEY HOLDEN, also a defendant in instant suit, at the Wenatchee Bus Depot at 8:00 p.m. this date and furnish him with information establishing CP membership on the part of SALLY GOLDMARK and would furnish other documents indicating members in CP on part of subject under that name. [redacted] stated he would furnish this material to HOLDEN in exchange for \$20,000.00. CANWELL advised he is highly suspicious of this offer and caller in that subject's CP name was SALLY RINGE not GOLDMARK. CANWELL advised no effort would be made to contact [redacted] who is unknown to the defendants.

Seattle indices contain no record of [redacted].

Seattle will make no investigative inquiry of this matter. Chief of Police WILLIAM REICHT, FBI N.A., Wenatchee, Police Department, was furnished this information on instant date.

Above information is for Bureau's information .

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2 - Seattle

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AIRTEL

AIR MAIL

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DATE 08-18-2006 BY 60324 AUC BAW/CB/CAK

TO : DIRECTOR, FBI (100-38604)
FROM : SAC, SEATTLE (100-21585)
SUBJECT: SALLY GOLDMARK
SM - C
~~CG - SEATTLE~~

Label suit involving the above subject was submitted to the jury this date. Testimony of former SA [redacted] not required during course of trial.

ISA, Spokane, is being advised of fact that former SA [redacted] did not testify this trial. Bureau will be advised of jury decision in this matter.

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Indexed _____
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3 - Bureau (AM) (REG)
2 - Seattle
SSG/AM -
(5) *ym*

OK
Forster advised at
6:50 pm that [redacted]
[redacted] did NOT
testify.

[redacted] Unavailable.
I to said he
would call Washington
and advise him of
above.
OK

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Testimony Nearing End In Long Goldmark Trial

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1 THE WENATCHEE DAILY
WORLD
WENATCHEE, WASH.

Date: 1/14/64

Edition:

Author:

Editor:

Title: MRS. JOHN GOLDMARK

Character: SM-C

or

Classification: 100-21585-354

Submitting Office: SEATTLE

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By DICK LARSEN

OKANOGAN — The court room was quiet here today, as the Goldmark libel trial recessed for a day, poised to go into its windup Wednesday and Thursday.

Judge Theodore Turner Monday denied a series of defense motions for dismissal of some charges.

Thus, the lawsuit will go to the jury — probably Thursday — in virtually its original form.

Claims of damage still total \$225,000.

Ashley Holden and his Tonasket Tribune, Don Caron and Lois Gillespie of Okanogan, and Albert Canwell of Spokane all remain as defendants. The charge that they conspired to libel is still in the lawsuit brought by Mr. and Mrs. John Goldmark.

Judge Turner declared the interlude today, so that some work could be done in preparation for the final two days of court action.

Attorneys were using today's recess to prepare the closing arguments — the lengthy "summing-up" speeches they will deliver to the jury.

Judge Turner was at work preparing the long list of in-

structions to the jury. That will be, in effect, the jury's "guide book" in deciding the issues of the case.

This is how the proceedings will probably go now:

Wednesday will bring some brief testimony from the defense side, probably two witnesses. One, said attorney E. Glenn Harmon, will require only a few minutes, "and the other shouldn't exceed a half hour."

Then the judge will deliver instructions to the jury. That will require much time.

Late Wednesday it is expected the Goldmark side will give the first part of its closing argument.

On Thursday the defense will give its closing argument.

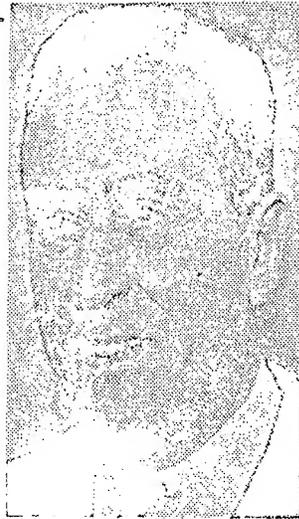
Immediately afterward the Goldmark side will give the second part of its closing argument.

Then the case goes to the jury.

The judge Monday said that preparation of instructions and the attorneys' preparation of arguments "is quite a large order."

"It's a very difficult matter to summarize this great volume of testimony," he observed in a talk to jurors.

The judge urged jurors to



WILLIAM TOMPKINS

keep their minds open for attorneys' closing arguments.

"Try not to decide anything now," he said. He said jurors should listen fairly and impartially and follow the attorneys' arguments to determine "where the truth and the merits of the matter are."

Judge Turner told the jury: "I'll see you Wednesday morning and I'll see you with your bags Thursday morning."

Thus, he indicated, they

should be prepared to spend at least that night in deliberations.

No one can estimate how long deliberations might take. Guesses range from hours to days.

Earlier Monday the Goldmark side finished its rebuttal case. Most observers felt it had been a strong block of testimony.

William F. Tompkins, former assistant attorney general for the United States and first chief of the Internal Security Division of the Justice Department, was the last rebuttal witness for the Goldmark side.

He said that he considered that Mrs. Goldmark had been fully cooperative in her testimony before the House Committee on Un-American activ-

ities.

Tompkins, now an attorney practicing in New Jersey, said that Goldmark couldn't have received security clearance as a Navy Reserve Officer unless federal security agencies were satisfied that both he and his wife were loyal.

On cross-examination, Harmon asked Tompkins if it weren't true that "despite all the precautions taken in the field of National Security, people have been cleared for classified information who were later found to have been wrongly cleared . . .?"

"I know of no specific instance," said Tompkins.

At one point Harmon asked questions aimed at Tompkins' view that Mrs. Goldmark had cooperated with the House Committee on Un-American activities.

Harmon wondered if Tompkins would doubt the cooperativeness of a witness whose testimony had conflicts. Harmon referred to some inconsistencies in recalling names by Mrs. Goldmark in her testimony before that committee and in other testimony.

Said Tompkins: "I would examine it in the light of the entirety of both transcripts and out of that I would make judgment, sir."

Later he added: "I would say that the fact that the committee did not recall her seems to me an indication that the committee felt she cooperated."

Goldmark attorney William D. Dwyer's last question was: "Mr. Tompkins, are you receiving a fee?"

"No, neither directly or indirectly, sir."

That's where the Goldmark side ended its rebuttal testimony.

The defense called back Loris Gillespie for surrebuttal testi-

mony.

Harmon asked him if any of the defense expert witnesses on communism "asked for any fee for coming here?"

Gillespie said no, not that he knew of.

On cross-examination Dwyer asked Gillespie if ex-Communist John Lautner made a speech in Spokane after testifying here. "Yes, he gave a speech in a church," said Gillespie. Asked if Lautner got a fee for that, Gillespie replied: "I do not know."

Gillespie also testified he understood that Herbert Philbrick gave a speech in Wenatchee after testifying in the case here.

Dwyer told the court the purpose of the questions was to indicate — "indirect" fees through speaking engagements.

Seattle attorney Ford Elvidge — one-time governor of Guam — was a defense witness Monday. He had been legal counsel for Al Canwell, a defendant, during the days when Canwell was chairman of the joint legislative fact-finding committee on subversive activities — the so-called "Canwell Committee," set up by the 1947 legislature.

Elvidge was asked if Canwell conducted that committee "fairly and with due respect for the rights of the witnesses."

"I would say that he conducted it . . . according to legal procedures, fairly, ably and intelligently, in accordance with the law . . ."

Ex-Communist Barbara Hartle returned to the witness stand for the defense.

Harmon asked: "Have you ever made a living from testifying on communism?"

"No," she said.

She said she makes her living by clerking in a store and raising poultry at Evans, Wash.

That testimony was to refute a rebuttal witness for the Goldmarks who doubted the reliability of "professional ex-Communist witnesses."

Mrs. Hartle also testified that during her experience in the Communist party in the state in the 1930s and 40s "there were many branches of the Communist party in the smaller towns, in the rural areas."

She named Wenatchee among many towns which, she said had branches of the party. She also named Grand Coulee, Yakima, Kent, Auburn, Shelton, Anacortes, Aberdeen and others.

Okanogan Must Pay Court Cost

OKANOGAN — Judge Theodore S. Turner Monday issued an order that Okanogan County is to pay the costs of the court reporter who is transcribing the Goldmark libel case.

The ruling clears the way for the county to legally pay \$50 per day to Oren Casey, the reporter.

The issue was whether or not the pro tem reporter, Casey, could receive a salary greater than that of Mrs. Rosa Wilson, the regular reporter, whose annual salary is \$5,400.

Judge Turner ruled that while the regular reporter's daily sal-

ary might be less than \$50, it was necessary for the court to pay \$50 a day in order to get a reporter for the trial.

He indicated that it was the duty of the court to take whatever action was necessary to carry out its functions.

The county had asked for an attorney general's opinion on the issue and a hearing on the matter was set for last Friday. But the attorney general's ruling was delayed so the hearing was held yesterday.

That opinion indicated that there was no statute which clearly covered the dilemma.

(Mount Clipping in Space Below)

Jury Gets Instruction

By DICK LARSEN

OKANOGAN — The final word of testimony was spoken in the lengthy Goldmark libel trial this morning and the case then moved into the final stages: instructions to the jury and closing arguments.

Testimony ended at 9:37 a.m. after the brief appearance on the witness stand of a Kettle Falls man.

He was Sidney G. Swain, former Spokane area chief, U.S. Probation and Parole Officer.

He was asked about the reputation for truth of defendant Al Canwell.

"Very good," said Swain.

Then Judge Theodore Turner began reading 57 pages of instructions to the jury. He recounted the charges made by Mr. and Mrs. John Goldmark against the defendants, Ashley Holden, his Tonasket Tribune, Al Canwell of Spokane, Don Caron and Loris Gillespie of Okanogan.

The judge's instruction contained detailed discussion about the laws of libel.

Judge Turner decided not to rule that any of the publications involved is a libel by itself. He said he would leave it to the jury to decide "the meaning and character of all the publications."

At one time there had been speculation that the judge might rule that one or more of the publications was a libel, but leaving it to the jury to determine if it was defensible.

Judge Turner defined libel this way: "A libel is false publication which tends to expose a living person to hatred, contempt, ridicule or obloquy or to deprive him of the benefit of public confidence or social intercourse or to injure him in his business or occupation. To publish a libel against another is a wrong for which the law allows compensation in damages

unless the publication is privileged."

Instructions said that plaintiffs had the burden of proving, with respect to each statement sued on:

1. The defamatory or meaning of the statement.
2. That it was made of or concerning the plaintiff, and
3. That damage proximately resulted to the plaintiff.

The instructions also said: "To charge in express language that another person is a Communist or that he is guilty of a crime is defamatory as a matter of law and, if false, is libelous. However, where the statement does not contain such an express charge, but contains language from which the reader might or might not infer that such a charge was intended, then the actual meaning of the language is a question of fact for the jury."

Judge Turner said that it is up to the jury to "decide how it would be understood by the average reader or listener."

The instructions added "the defendants have the burden of proving the defenses of substantial truth of the facts stated and that the opinions expressed were privileged as fair comment."

Truth is a complete defense and the burden of truth rests with the defendant, the instructions said.

Judge Turner commented on

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FOIPA # 1035878-01

(Indicate page, name of newspaper, city and state.)

1 THE WENATCHEE DAILY
WORLD
WENATCHEE, WASH.

Date: 1/15/64
Edition:
Author:
Editor:
Title: MRS. JOHN GOLDMARK

Character: SM-C
or
Classification: 100-21585-365
Submitting Office: SEATTLE

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SERIALIZED.....	FILED.....
JAN 20 1964	
FBI - SEATTLE	
McNULTY: JM	

"fair comment" this way: "The comment-or criticism need not express an opinion with which any person of reasonable intelligence and judgment could possibly agree. It is immaterial that it might be reasonable warranted by the facts. If the public is to be aided in forming its judgment upon matters of public interest by a free interchange of opinion, it is essential that honest criticism and comment, no matter how foolish or prejudiced, be privileged. The fact that the criticism is fantastic is immaterial, and an extravagant form of expression is unimportant. It is necessary, however, that the comment have some relation to the facts upon which it is made."

Those were some of the many complex instructions to the jury to guide it in judging the alleged libels.

Thus, the jury, with such instructions, will, for example, be appraising an editorial in the Tonasket Tribune, which said this of Goldmark: "Never has he reflected the views of a majority of the voters. As his legislative record reveals, he has voted invariably with the extreme leftists and has sponsored measures designed to socialize our economy and convert us into a welfare state."

The editorial also referred to him as "a tool of a monstrous conspiracy to remake America into a totalitarian state which would throttle freedom and crush individual initiative."

It is expected that after the judge's instructions there would be the start of the Goldmark side's closing arguments today, followed by the defense's closing argument and the second part of the Goldmark side's closing argument.

Then on Thursday, according to schedule, the case should go to the jury of eight men and four women.

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Goldmarks' Attorney Raps Opening Defense Statement

(Indicate page, name of newspaper, city and state.)

1 THE WENATCHEE DAILY
WORLD
WENATCHEE, WASH.

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'Communist Discipline' Charges Draw Attack

By DICK LARSEN

OKANOGAN — An opening statement by the defense in the Goldmark libel case was rapped by attorney William Dwyer in court here Wednesday as he began his final arguments in the long trial.

Dwyer, at times emotional in his speech, told jurors that Mr. and Mrs. John Goldmark were in this lawsuit in a fight for their honor, against charges of communism made against them.

Those charges, said Dwyer, were "made all the worse by what was done in this courtroom."

He referred to a militant opening statement of the defense that the defense would prove in this case the Goldmarks are "under Communist party discipline."

Defense attorney E. Glenn Harmon, Spokane, objected. (Attorneys may object to statements in closing arguments when those statements go beyond testimony or evidence in the case.)

"He is attempting to use the defense of the defendants against them and I think that it's improper," said Harmon.

But Judge Theodore S. Turner allowed Dwyer to continue.

Dwyer reminded jurors that the defendants said at the outset "John and Sally Goldmark are Communist, that they are under Communist party discipline and that they (the defendants) are going to prove it."

Dwyer hit the speaker's stand with his fist as he uttered the last words of that.

Dwyer said the defendants, in their statement, also charged that Mrs. Goldmark hadn't fully cooperated with the FBI and the House Committee on Un-American activities.

"These wild statements by the defendants have been absolutely untrue," said Dwyer.

He said nothing was proven.

"The proof has been abundantly clear to the opposite," that Mrs. Goldmark fully quit the party, cooperated with the

FBI and the committee, said the Goldmark attorney.

"They (the defendants) constructed a web of lies and conjecture and miserable, unhappy speculation . . . about people whom they don't even know, but about whom they don't even care."

The courtroom was filled as this dramatic phase of the trial — closing arguments — started. Some spectators stood along one wall.

Attorneys' tables and chairs were rearranged so there would be space in front of the jurors. A speakers' stand was in front of the jury for the speaking attorney.

The nine men and three women of the jury are obviously weary after the long trial. But they have done a good job of being attentive, even though they at times look away from the principals in the case.

Jurors continued to listen as Dwyer spoke.

Why are we here? That was the opening question of Dwyer's statement.

"For the simple reason that a man's good name has been attacked, destroyed, villified, dragged through the mud not once, not twice, but practically every day . . . for two years."

John Goldmark brought the libel action because of the damage to his reputation, said Dwyer, "knowing perfectly well that every day they (the Goldmarks) came here they would be subject to a new attack."

Dwyer said that the Goldmarks knew that charges of communism from defense witnesses, carried by the press, would hurt.

But he said, "There is ab-

solutely nothing you can do, but get out, leave the community and go hide. But, that's the coward's way out."

Dwyer said Goldmark is in court because "he has to fight for his honor, for his good name."

At one point Dwyer strode to a point near the Goldmarks and gestured toward them "they (the defendants) said that these two people are Communists. They've pleaded that their statements were true and . . . all they have produced in this lengthy trial is one long tortured attack against Mrs. Goldmark. They've said every conceivable dirty word about that woman they could say without being held in contempt by his honor."

One by one, Dwyer talked about the defendants and the role which he said they played in the conspiracy to paint the Goldmarks as pro-Communist. He said they printed and spoke deliberate lies.

At one point Dwyer referred to Ashley Holden. He recalled that Holden had once sued Pic Magazine for \$250,000 because the magazine during World War II had called Holden "A friend of the Japs."

Dwyer said Holden won that case, collected \$15,000. Dwyer noted that while Holden had once had friendly relations with the Japanese, it was prior to Pearl Harbor. It was another matter to be friendly with the Japanese when America was at war.

Dwyer likened that situation to Mrs. Goldmark's membership in the Communist party back in the days before the Soviet Union became identified as America's enemy.

"He (Holden) knew better than anyone else that being a

member of the Communist party in 1942 is an entirely different thing than being a member of the Communist party in 1962."

"Yet he took it upon himself to call Mr. and Mrs. Goldmark anything that came into his head."

Dwyer also hit the ex-Communist witnesses who testified for the defense.

"These witnesses have never met her in their life . . . yet they're willing to come here and say whatever the occasion calls for . . . without caring whose life or reputation they're dealing with."

Those were the witnesses who testified that Mrs. Goldmark couldn't have left the Communist party by just stopping payment of dues and not going to meetings.

Dwyer said none gave any direct testimony about Mrs. Goldmark. He challenged their reliability.

"None of them has ever had a responsible job with government."

Meanwhile, said Dwyer, the plaintiffs have produced reliable witnesses with government experience, particularly in the field of subversive activities, who corroborated Mrs. Goldmark's testimony. Those witnesses said Dwyer, included a former assistant U.S. Attorney General.

Dwyer was speaking again this morning, completing the first part of the plaintiff's closing argument.

That was followed by the defense closing argument, given in two parts. It is expected that Harmon would give one part and former Superior Court Judge Joseph Wicks, the other part.

Then Dwyer will give the last phase of the closing argument for the Goldmark side and the case will go to the jury.



JURY BAILIFFS — These two bailiffs will watch over the jurors during their deliberations in the John Goldmark libel suit. They are Charles Hanson and Mrs. Marie Gillings. One of their jobs is to keep the jury isolated from distractions during the long trial.—Daily World Photo.

DELIBERATION SPOT

Lengthy Libel Suit Heads For Little Room

OKANOGAN — Up on the fourth floor of the Okanogan County courthouse is a room in which the state's most famous lawsuit in recent years will be decided.

It is a small room, about eight feet by 20 feet, in which the Goldmark libel trial jury will study the evidence and court instructions and — sometime — reach a decision.

Ever since Nov. 4 the jury of nine men and three women have been hearing the case of Mr. and Mrs. John Goldmark versus Ashley Holden, the Tonasket Tribune, Don Caron, Loris Gillespie, and Albert Canwell.

It is expected the case will go to the jury this afternoon.

No one is making any bets on how long the deliberations might take.

Watching over the jury are two bailiffs, Charles Hanson of Okanogan and Mrs. Marie Gillings, Omak. (see their photo on page 11.)

Hanson has been the regular bailiff for the past five years.

Mrs. Gillings is called in whenever there is a jury. She's been serving in that role for several years. "I think I started in 1958."

Mrs. Gillings, a widow, is the mother of Robert Gillings, an Omak orchardist. Another son is

Dr. Richard Gillings of Snohomish, a physician.

Both bailiffs have sat through all of the testimony, as have all the jurors whom they now watch over.

"I kind of enjoyed it, parts of it," says Hanson. Mrs. Gillings has agreed. "It's been interesting . . . I always enjoy the difference in attorneys and how they do things."

This jury may come in at any time of the night or day, any day of the week, whenever the decision is reached. The judge, attorneys and other principals, will stand by, awaiting the telephone call from the bailiffs that will summon them to the courtroom for the decision.

Mrs. Gillings explained that the jury will usually go to bed

for the night around 11 p.m., unless the jury members think they're making progress on a decision.

On each side of the deliberation room is a small dormitory room. There are eight beds in one room for the men jurors. There are five beds in the other room, for the four women jurors and Mrs. Gillings. Hanson's bed is in an ante room outside.

The rooms are fairly pleasant.

The bailiffs make sure there is no contact with the jurors during deliberation. They all have a chance to go outside three times a day, when the bailiffs take the jury out to meals somewhere in downtown Okanogan.



JURY ROOM — Here's where an Okanogan County Superior Court jury will deliberate in the \$225,000 libel suit brought by Mr. and Mrs. John Goldmark against five defendants.—Daily World Photo.

'MISTRIAL' MENTIONED IN CASE: JUROR IS ILL

OKANOGAN — Mention of the word "mistrial" and a sick juror added more drama to the Goldmark trial today as it appeared on the brink of going to the jury.

Judge Theodore Turner asked jurors to forget some statements made yesterday by Goldmark attorney William Dwyer lest there be a mistrial declared.

Jurors indicated that they could.

Meanwhile, Lloyd E. McFee of Pateros, alternate juror, went on to the jury, taking the place of Mrs. Elva Gladden.

County Clerk Jane Profit reported that she was informed that Mrs. Gladden was hospitalized last night, suffering from a nervous condition.

McFee and another alternate, Burt Swallow of Okanogan, have heard all the testimony in the case.

The "mistrial" comment referred to statements made in a closing argument started yesterday by Dwyer. He said that the defendants in the law suit have made frequent allegations of communism against the Goldmarks during the law suit.

Judge Turner indicated that it was improper to suggest an aggravation of damages, alleged in the libels, by statements made during the law suit.

The judge said that if the jury cannot ignore the statements he would have to declare a mistrial. However, it appeared there was no serious threat of such an action.

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Weeping Mrs. Goldmark Flees From The Courtroom

(Indicate page, name of newspaper, city and state.)

1 THE WENATCHEE DAILY
WORLD
WENATCHEE, WASH.

Date: 1/17/64
Edition:
Author:
Editor:
Title: MRS. JOHN GOLDMARK

Character: SM-C
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Drama During Final Defense Arguments

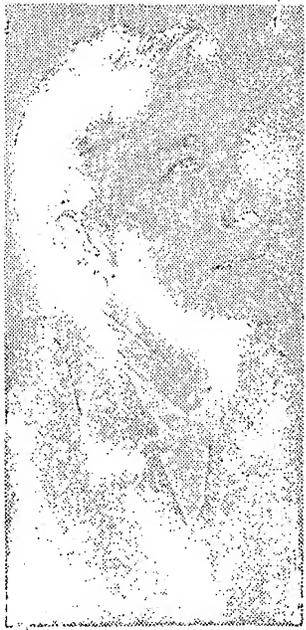
By DICK LARSEN

OKANOGAN — Weeping openly, Mrs. John Goldmark fled from the court room here this morning at the height of an emotion-charged closing argument by defense attorney Joseph Wicks.

It was almost an unbelievably dramatic event, coming just before the case was to go to the jury.

It caught everybody by surprise.

It came as Wicks, in flowing



MRS. JOHN GOLDMARK

oratory, began to cite the commandment of the Bible:

"Thou shalt have no other God before me."

"Would the Communists accept that . . . what is God to an atheistic communism?"

"Take a look at the first commandment and see how it applies to this case."

Wicks, white-haired former Superior Court judge, delivered that statement dramatically.

The crowded courtroom was stunned as Mrs. Goldmark suddenly arose from her chair sobbing and hurried from the courtroom.

Mrs. William Dwyer, wife of one of the Goldmark attorneys, hurried out behind her. A friend of Mrs. Goldmark got up from a spectators' bench and left, too.

A moment later the grim-faced Dwyer also left the courtroom.

But Wicks continued his closing argument without interruption. He was referring to the fact that Goldmark during the 1962 campaign had not made any public defense of his wife's former Communist party membership.

Wicks continued: "Chivalry in this country is not dead. Men still protect their wives . . . Did John Goldmark do it? Did John Goldmark call to task anybody making disparaging remarks about his wife? Why? Why didn't he call them to task? . . . Any man worthy of the name of being called man will fight for his mate but John Goldmark didn't."

Wicks, his voice raised so that it could be heard far down the hallway from the courtroom, warned about the dangers of communism. He told the jury that a basic fact in the case is that "there does exist and has existed for two or three generations a monstrous conspiracy of communism that would destroy all that we free-born American citizens hold dear . . ."

He said communism "is like a dog infected with rabies.

"It has bitten and infected some of our own people.

"This, ladies and gentlemen of the jury, is the internal menace.

"Fifty billion dollars a year is spent by the American people . . . to protect your home and mine against the threat of this enemy that would destroy us."

"And then somebody had the audacity to say that there is no internal menace of communism."

Throughout the extraordinary event, Goldmark sat stoically.

Soon afterward there was a recess and he went to his wife.

Wicks was delivering the final part of the defense's closing argument.

It set the scene for what could be an extraordinary final argument by the Goldmark attorney William Dwyer. After that the jury of nine men and three women will begin deliberations.

Mrs. Goldmark later regained her composure and, waiting in the hallway, said she would return to the courtroom after Wicks arguments.

Attorney Glenn Harmon of Spokane gave a ringing closing argument Thursday, telling jurors that the defense has shown how John and Sally Goldmark "are under Communist party discipline."

He recited a long series of positions that the Goldmarks have taken over the years, the same positions advocated by the Communist party.

Then Harmon referred to the plaintiffs' claim that, in fact, the Goldmarks were merely taking the position of the Democratic party.

"Maybe the Democratic party should take a look at what the Communist party is doing," said Harmon.

He added: "But people who take the same position as the Communist party on two or three issues are not suspect. There's a lot of difference between two or three and 20, 30, or 40."

The issue of the Goldmarks being under "Communist party discipline" was first mentioned by Harmon in his opening statement when the long lawsuit started last November.

He cited the list of positions which one or both of the Goldmarks have taken.

They included opposition to the House Committee on Un-American Activities, opposition to the film "Operation Abolition" and to the anti-Communist study programs, plus many others.

"There is a complete lack of evidence that John or Sally Goldmark at any time ever warned anyone of any danger that communism would pose to the United States."

Harmon said that is all the more critical a fact because of Mrs. Goldmark's one-time membership in the Communist party. She said she joined in 1935 in New York, out of concern about economic ills of the depression, then left the party

in 1943 after marrying Goldmark.

Harmon also told jurors that the burden of proof that she left the party rests on the plaintiffs. "That she left the Communist party . . . The burden is on her to prove that fact by a fair preponderance of evidence. The burden is on her, as it should be.

"But if you've learned anything at all from this lawsuit," Harmon told jurors, "It should be that communism poses a far greater danger than the average American citizen cares to believe."

Harmon addressed the jury in much more emotional terms than had Goldmark attorney William Dwyer on Wednesday. Often Harmon's voice rose.

He touched numerous points of law in the suit.

He hammered at the allegation of conspiracy. Harmon told the jury that the defendants — Ashley Holden, Al Canwell, and Loris Gillespie — may have worked in a common effort to defeat John Goldmark politically in 1962. But, he added, it was a conspiracy to defeat, not to defame.

A key issue, said Harmon, was: "Did Mr. or Mrs. Goldmark have a right to continue to hide Mrs. Goldmark's membership over years standing (in the Communist party), to hide that fact from the voters?"

Harmon pointed to acts during the campaign taken by one

or more of the defendants, but unknown to the others.

He said Loris Gillespie has been a "whipping boy" of the plaintiffs through the case.

Yet, added Harmon, "Loris Gillespie didn't find out what was going on until he was in this lawsuit. There is not a shred of evidence that Loris Gillespie knew anything at all about any one of the publications sued on before it was published."

Harmon indicated that a finding for plaintiffs in this lawsuit could cloud any joint political effort with the suggestion of a conspiracy.

"I say to you the alleged conspiracy is a figment of the plaintiffs mind (a vehicle) . . . to sue, in only one lawsuit, all the people they want to sue."

Harmon covered each charge in the lawsuit.

One example was the fifth claim. That is brought against Don Caron for a story titled "Pillaging Parliament." It came out just before election day in 1962 in the Okanogan Independent. It talked about Communists taking over government by infiltration. It did not mention Goldmark's name.

"Who testified that he or she read this article . . . and believed that it referred to John and Sally Goldmark?" asked Harmon.

"No one testified to that. No one but John Goldmark."

"We ask you not to spend too much time with the fifth claim," Harmon said to the jury.

Goldmark Case Expected To Go To Jury Today

By DICK LARSEN

OKANOGAN — After an anticlimatic failure to go to the jury Thursday, the Goldmark libel case appeared to be certain to go to the jury sometime today.

It would have gone into deliberation last night, except for the fact that attorneys closing arguments ran long.

Defense attorney E. Glenn Harmon finished his closing argument for the defense shortly after 4 p.m. Thursday.

That was the target day for the case to go to the jury.

But, still unfinished was another segment of the defense's closing argument, that to be delivered by former Superior Court Judge Joseph Wicks, Omak, a defense attorney. Also unfinished was the final phase of the plaintiff's closing argument, to be delivered by William Dwyer.

Rather than extend the session into the night, with the jury already obviously fatigued, Judge Theodore S. Turner de-

ecided to recess and resume the arguments today, so that the case could go to jurors today.

Jury members had arrived Thursday with overnight bags ready. Three of the men decided to spend the night in their jury sleeping rooms on the top floor of the courthouse, rather than return.

There is much speculation on how long the jury might be deliberating.

It is expected that because the lawsuit is so complex and the list of instructions from the judge is so long (56 pages) deliberations will be lengthy.

Shortly after 4 p.m. Thursday Judge Turner asked the jury if it wanted to continue on into the evening, after a dinner recess. Jurors retired to a small room just off the courtroom to talk it over. They returned and indicated they hadn't agreed.

The judge then called the recess until this morning.

Seattle Post-Intelligencer writer Emmet Watson, here briefly as a spectator, cracked: "This is not encouraging, when the jury can't agree on going out to dinner."

1-22-64

PLAIN TEXT

SIRTEL

AIRMAIL

TO : DIRECTOR, FBI (100-38604)

FROM : SAC, SEATTLE (100-21585)

**SUBJECT: SALLY GOLDMARK
SM - C**

OO: SEATTLE

Enclosed is a clipping from the Seattle Post
Intelligencer, datelined 1/22/64 at Okanogan, Washington
in which it is stated the jury, in the libel suit, voted
JOHN GOLDMARK, on five of nine counts, and awarded him
\$40,000.00.

The Bureau will be advised of any appeal in this
matter.

~~3-Bureau (AM)~~
~~1-Seattle~~

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(4)

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Serialized DMW
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Filed DMW

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SEATTLE, Jan. 10.—(A.P.)—A Wisconsin congressman and the president of the King County Bar Association testified today they knew former State Representative John Goldmark as an opponent of Communism.

Representative Henry Reuss, Democrat, and the bar-association head, Richard Riddell of Mercer Island, appeared as rebuttal witnesses in the Goldmark libel suit.

Reuss testified they had known Goldmark for many years.

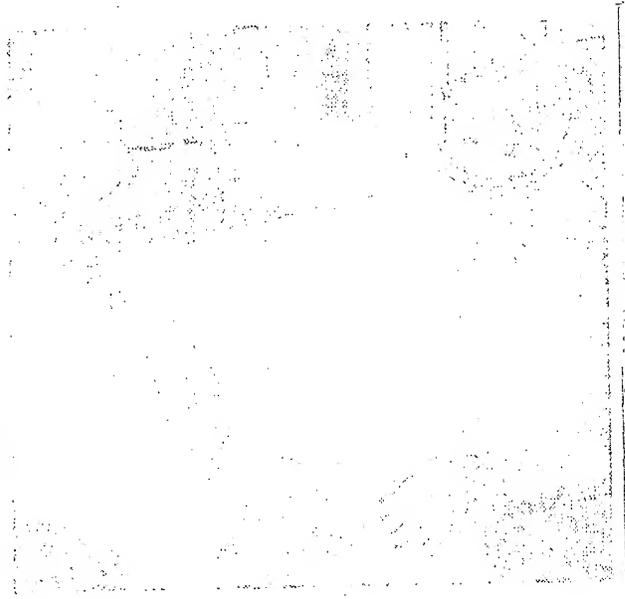
Reuss said Goldmark's views, when Reuss knew him in Washington, D. C. in 1941, were "that Communism is an evil thing, but it (endangered) the basic rights of freedom of speech, of freedom of religion."

A University of Washington philosophy professor, Melvin Rader, denied Thursday he ever had been a member of the Communist party.

Rader was called as a rebuttal witness in the trial of the \$225,000 libel suit filed by former State Representative John Goldmark and his wife, Sally, against four men and a weekly newspaper. They contend they were libeled by statements during the 1962 primary election campaign linking them to the Communist Party.

Mrs. Barbara Martle, a former member of the Communist party, testified last month Rader was known to be a member of the party, and she had met him at a meeting in Seattle in 1957.

"I HAVE NEVER been under the discipline or control of the Communist Party," Rader said. He added that he had



—A. P. wirephoto.

STERLING HAYDEN, left, CHATTED WITH JOHN GOLDMARK YESTERDAY

he knew, he never had met Mrs. Martle.

Rader testified that the university had investigated and cleared him, and that Communists had attacked him for statements in books he has written.

Under questioning by E. Glenn Hansen, counsel at the trial, Rader said he had been a member of the Communist party in 1941, but he thought he had been investigated as such and had quit membership.

Rader, a writer and an adviser to the Peace Corps in Communist China, and its relations to labor unions, said Mrs. Martle had contradicted herself in testimony before the House Committee on Un-American Activities.

FACED SAID former State Representative Al Canwell, one of the defendants who now operates a nongovernment intelligence agency and describes himself as a fighter against Communism, had no such contact with Goldmark on Communism.

Canwell said he had been a member of the Communist party in 1941, but he thought he had been investigated as such and had quit membership.

Almond said that from 1935-1938 in the United States, the majority of Communist members were not heavy Communists or dedicated Communists. He said that one of his close friends had been a Communist in 1935.

Sterling Hayden, a vice and television producer, testified that he was a Communist briefly, but quit with no strings attached.

(Indicate page, name of newspaper, city and state.)

SEATTLE TIMES

JAN 10 1964

PAGE 6 COL 4

Date:
Edition:
Author:
Editor:
Title:

MRS. SALLY GOLDMARK

Character:
or SM-C

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ACTOR DENIES REDS TRIED TO RUN HIS LIFE

OKANOGAN, Jan. 9.—(AP)—Two professors, a Hollywood actor and a writer were in the spotlight today as the plaintiffs continued presenting rebuttal witnesses in the \$225,000 Goldmark libel suit. The actor was Sterling Hayden of movie and television fame who said he had once been a member of the Communist Party but denied the idea the communists had tried to run his life by testifying: "Not in the least, I was the only person to buy a yacht and join the Communist Party in the same week."



STERLING HAYDEN

HAYDEN TESTIFIED he joined the party in 1946 and left it about six months later simply by not attending any more meetings or paying dues. Mrs. Sally Goldmark, an admitted party member from 1935 to 1943, has said she left the party in the same way. The defense has contended no one can leave the party after being in it for any length of time without remaining under communist domination.

The final witness of the day was Melvin Rader, professor of philosophy at the University of Washington. He was called after Mrs. Barbara Hartle, a former member of the Communist Party, testified in mid-December that Rader "was known to be a member of the Communist Party." Mrs. Hartle testified she had met Rader at a party meeting in Seattle in 1937.

ASKED BY SEATTLE attorney William Dwyer, counsel for the Goldmarks, if he was now or ever had been a member of the party, Rader said he had not.

"I have never been under the discipline or control of the Communist Party," Rader said, adding in so far as he knew he had never met Mrs. Hartle.

"I haven't any idea of what she looks like."

Rader said he had been accused of membership in the party ever since the state legislative committee hearings into Communism in 1948.

The hearings were conducted by then State Rep. Al Canwell, one of the four men named in the suit by the Goldmarks.

RADER TESTIFIED he was exonerated by a subsequent investigation conducted by the university.

He also said he had been attacked by communists for statements made in books he has written.

Under cross-examination by defense attorney E. Glenn Harmon of Spokane, Rader said he had belonged to some organizations listed by the U.S. attorney general as communist fronts.

"So far as I know the listing was after I was a member of these organizations," Rader testified.

ASKED TO LIST "what organizations in the Seattle area were you active in the period of the 1940s through 1943,"

Rader listed The American League Against War and Fascism, The Friends of Spanish Democracy, The Medical Bureau to Aid Spanish Democracy and the Fascist Refugee Committee.

Harmon indicated he would continue cross-examination of Rader when court resumed Friday.

Paul Jacobs, author and member of the staff of the Institute of Industrial Relations at the University of California and an adviser to the Peace Corps, followed Hayden to the stand.

JACOBS, WHOSE FIELD was described as communism and its relations to trade unions, expressed doubts about the testimony of many ex-communist witnesses, including some who testified for the defense in this trial.

He said Mrs. Hartle's testimony before the House Un-American Activities Committee "was a terribly confusing bit of testimony . . . she often contradicted herself."

The other professor who testified was Gabriel Almond, director of the Institute of Political Studies at Stanford University who testified concerning a report on the appeals of communism in the United States and four other countries.

(Indicate page, name of newspaper, city and state.)

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INTELLIGENCER

JAN 10 1964

PAGE 6 COL 1

Date:

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Author:

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MRS. SALLY
GOLDMARK

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or

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Goldmark Trial Near End, Says Judge Turner

OKANOGAN, Jan. 10. — (AP) — Judge Theodore S. Turner told the jury today it should be ready to begin deliberations in the \$225,000 Goldmark libel trial by the middle of next week.

The judge said it appeared testimony in the lengthy trial should be completed by Tuesday with closing arguments by both sides to follow.

WILLIAM DWYER, Seattle attorney for former Rep. and Mrs. John Goldmark, continued presenting rebuttal witnesses today.

Edwin Guthman, former Seattle Times reporter and now a special assistant to Attorney General Robert Kennedy, and ex-Communist Barbara Hartle gave contradictory testimony.

The issue was whether Mrs. Hartle once told Guthman that Melvin Rader, University of Washington philosophy professor, never was a Communist Party member. In earlier testimony Mrs. Hartle had said Rader was known to be a party member. Rader testified Thursday that this was not true.

GUTHMAN testified that at the time of hearings in Seattle by the State House Committee on Un-American Activities Mrs. Hartle told him that Rader never had been a communist; that she knew Rader had been sought by the Communist Party as a member but had refused to join.

Mrs. Hartle, recalled to the stand, denied making such a statement to Guthman. She said she would have had no such opportunity to do so since she was in the custody of a federal marshal during the hearing.

GUTMAN TESTIFIED Mrs. Hartle had told him that Rader never had been a communist; that she knew the Communist Party had sought him as a member but that he had refused to join.

Mrs. Hartle was recalled to the stand and denied making the statement to Guthman.

Guthman also testified concerning the state House Un-American Activities Committee hearings, which were conducted by Al Canwell, a co-defendant in the trial, in Seattle in 1948.

(Indicate page, name of newspaper, city and state.)

SEATTLE POST
INTELLIGENCER

JAN 11 1964

PAGE 12 COL 5

Date:

Edition:

Author:

Editor:

Title:

MRS. SALLY GOLD-
MARK

Character:

or

SM-C

Classification:

Submitting Office:

100-21585-361

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WW Prof. Denies He Was Red At Goldmark Trial

By DICK LARSEN

SEANOGAN— Professor Melvin Rader of the University of Washington went to the witness stand in the Goldmark libel trial Thursday and emphatically denied he was once in the Communist party.

In an obviously emotional voice, he declared "I have never been a member of the Communist party."

He told, then, soft-voiced professor thus denied a statement made earlier in the trial by defense witness.

Mrs. Barbara Hartle said that Prof. Rader "was known to be a Communist."

This morning, in a surprise move, the Goldmark side called Mrs. Hartle to the stand. Her questioning was postponed because of a legal question which was to be argued later in the day by attorneys.

The question was what kind of questioning the Goldmark side could attempt.

They sought to re-open her previous cross-examination which would allow them freer questioning.

Prof. Rader went to the wit-

ness chair soon after Paul Jacobs, San Francisco author and specialist in unions and communism, questioned the reliability of such ex-Communist witnesses as Mrs. Hartle.

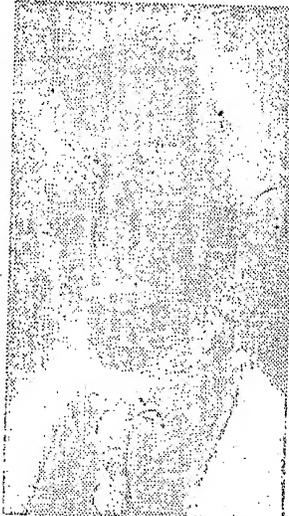
Mrs. Hartle's testimony had come in mid-December. She

was testifying about the nature of the Communist party and her work in it.

She was then asked about Prof. Rader and she replied then: "I knew him to be under Communist party discipline. He was known to be a member of



MELVIN RADER



PAUL JACOBS

(Indicate page, name of newspaper, city and state.)

Date: 1-10-64

Edition:

Author:

Editor:

Title: Mrs. John Goldmark

Character: SM-C

or

Classification: 100-21585-

Submitting Office: 362

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the Communist party." At that time William Dwyer, attorney for the Goldmarks, reacted angrily. He said then it would be necessary to bring Prof. Rader into the trial to repudiate the statement.

When Prof. Rader went to the stand late Thursday, Dwyer opened questioning by asking him if he is a member of the Communist party.

"I am not," said Prof. Rader. Dwyer asked if he has ever been and Prof. Rader replied, "I have never been a member of the Communist party."

Dwyer: "Have you ever been at a closed meeting of the Communist party?"

"No, I have never been at a closed meeting of the Communist party."

Dwyer asked if the professor has ever been under Communist party discipline.

"No, I have never been under the discipline or control of the Communist party."

Dwyer asked if he knew Barbara Hartle.

"So far as I know, I have never met her. I haven't any idea what she looks like."

"Have you ever been accused of being a Communist at any time?"

"During the Canwell hearings in the summer of 1948."

"Who was it (that) accused you there?"

"There was an important witness from New York City named . . ."

At that point defense attorney Glenn Harmon objected on the grounds that such testimony would open another issue in the case. The objection was upheld.

Dwyer noted there was a later investigation of the charge made against Prof. Rader. The investigation was conducted by the University of Washington where the professor teaches philosophy. Dwyer asked what was the finding of that investigation.

"It was for me. I was cleared, exonerated," said Prof. Rader.

He said he had written some books and Dwyer asked: "Do you know whether or not the Communist party attacked you for the things you said in (one) book?"

"Yes they have."

On cross-examination, Harmon asked Prof. Rader if he had ever belonged to any organizations listed by the Attorney General as Communist fronts.

Prof. Rader mentioned such groups as the American League Against War and Fascism, the Friends of Spanish Democracy, the Medical Bureau to Aid Spanish Democracy.

The period of time was set as the 1930's up to 1948.

Prof. Rader said: "So far as I know, the listing (of the organizations) was after I was a member of these organizations."

Thursday court time ran out in the midst of cross-examination.

Mrs. Hartle's allegation in mid-December came as she talked about her Communist party activities in Seattle in 1930.

She recalled being driven to a home in the Interbay or Ballard district of Seattle where she gave a speech to a small group of people. She said she understood it was a closed Communist meeting and she recalled Prof. Rader being there.

She said she had not met any of the people before.

"So you did not know they were Communists?" she was asked then by attorney Dwyer.

"Well, I was told that this was a Communist party (meeting)" she replied.

In his questioning of Mrs. Hartle, Dwyer noted that in 1954 she gave testimony, naming scores of Communists she knew. But she did not then name Prof. Rader, even though his name had been in the news and should have been a reminder to her, contended Dwyer then.

Earlier Jacobs had questioned the accuracy of ex-Communist witnesses, including Mrs. Hartle, Herbert Philbrick and Carl Prussica, all of whom have testified for the defense in this case.

Of Mrs. Hartle's testimony before the House Committee on Un-American Activities, Jacobs said: "Her testimony . . . was a terribly confusing bit of testimony . . . She often contradicted herself."

Of all the ex-Communist witnesses, Jacobs said: "I think that their reliability varies . . . I have grave misgivings about (their reliability). I have less misgivings about the testimony of Mr. Lautner."

John Lautner was also a defense witness.

"Mr. Philbrick's role as a triple agent seems to me to be extremely romanticized," Jacobs testified.

Of ex-Communist witnesses, "Jacobs" said: "The more such a person testifies as a professional witness, the more his story, which is the product he is selling, gets tailored to fit the needs of the customers."

Jacobs also testified about private investigators of communism, notably defendant Al Canwell.

"I agree completely with J. Edgar Hoover," said Jacobs, "that such private activity is dangerous and detrimental to the best interests of the country."

Asked about Canwell's standing as an investigator of communism, Jacobs said, "I would say he has no standing."

"In the transcript of the hearing (the Canwell Committee hearing of 1948) Mr. Canwell allowed to be introduced as evidence (allegations) that people were Communists or Communist sympathizers who clearly and manifestly were not and whose lives were dedicated to anti-Communist activities."

Jacobs was a Trotskyite -- a form of Communist -- for many years, then later, he said, became an anti-Communist worker in labor unions.

He testified he has done much work and writing on unionism, particularly communism in unions. He is on the staff of the Institute of Industrial Relations at the University of California, is a Peace Corps consultant and writes for several national publications.

Jacobs testified he prepared the case aimed at expelling the Longshoremen's Union of Harry Bridges from the CIO on grounds that it was Communist controlled.

The parade of rebuttal witnesses continued today with a Wisconsin congressman and the president of the King County Bar Assn.

The congressman is U.S. Rep. Henry Reuss, Milwaukee Democrat, now in his fifth term in Congress. The attorney is Richard Riddell of Mercer Island.

Both testified they have known Goldmark for many years. Both testified that he has been an opponent of communism.

Reuss testified that Goldmark's views when he knew him in Washington, D.C., in 1941-42 "were that communism is an evil thing, that it (endangered) the basic human rights of freedom of speech, of freedom of religion."

He also testified that Goldmark believed that the Communist party of the United States was the same as Soviet communism, "a dangerous form of world imperialism."

Another witness expected to go on today was Ed Gullman, former Seattle Times reporter, Pulitzer Prize winner and now an assistant to the U.S. Attorney General.

Two words which sounded somewhat the same over the telephone were responsible for an error in Thursday's story on the Goldmark case.

As the story was being dictated from Okanogan, the word "quote" sounded like the word "no."

When Goldmark attorney William Dwyer asked Paul Jacobs, a San Francisco writer, whether it was possible for a person to belong to a cell and still not be committed to communism, the reply was: "Quote. Yes. Unquote."

Somehow the answer was published "No" when Jacob's reply was actually "Yes."

The reply was a key one for the plaintiffs, since they are trying to show that Mrs. Goldmark could have belonged to a Communist cell without being a dedicated Communist and then left the party as she said she did.



ACTOR WITNESS — Hollywood actor Sterling Hayden, left, chats with former State Rep. John Goldmark, right, at Okanogan Thursday after Hayden testified for Goldmark in latter's \$25,000 libel suit.—AP Wirephoto.

OLDMARE WITNESS

Sun-Reddened Hayden Amiable In Courthouse

By DICK LARSEN

OKANOGAN — It was probably inevitable: amidst all the extraordinary people from all parts of the country who have come to testify in the Goldmark Ebel trial, there would be someone from the movies.

It went to the witness stand early Thursday: Sterling Hayden, a huge man (6-5), with a full beard and slightly sun-reddened skin.

Hayden's testimony was brief. He said he had once joined the Communist party. Then he quit simply by not going to any more meetings and not paying any more dues.

After testifying, Hayden returned to a seat in the front row among other spectators. He listened carefully to testimony, at times leaning forward to listen to the testimony of Paul Jacobs, San Francisco author and a specialist in labor unions and communism.

At recess, Hayden paused in the corridor outside the court room and chatted amiably with spectators. He had to bend over to hear.

A woman said "I saw you on the "Tonight" show on TV not long ago. I enjoyed it."

"Thank you," said Hayden.

Then he strode into the press room to have a cigarette, chat briefly with John Goldmark (whom he didn't know) and meet with news-men.

Hayden, who lives at San Francisco, said he didn't know much about the lawsuit, although he'd read about it in the New York Times.

"I was told about this and I was asked to come up here. I said I'd be glad to."

He flew to Seattle Wednesday, was met here by Wenatchee pilot Herin Gallaher who

flew him over to Okanogan that night.

"Great guy," said Hayden of Gallaher.

Hayden, a friendly, talkative man who seldom smiles, now has gray hair at the temples and some in his beard.

He first gained national attention in a movie "Bahama Passage" made in 1946. In it he was a bleached blonde, sunbronzed adventurer of the South Seas. While his acting wasn't quality, he wowed many women movie-goers.

That was almost a real life version of Hayden. He has wandered around the world in his yacht and has been a real life adventurer. The end of World War II found him working with the partisan fighters in Yugoslavia.

Hayden has done only one movie in the past five years. That is "Dr. Strangelove," a controversial British film soon to be released.

He is the author of a generally-praised new book, "The Wanderer," largely an autobiography.

Hayden was one of the Hollywood stars who testified in Washington, D. C. about his onetime membership in the Communist party in Hollywood.

"I was a cooperative witness."

Perhaps the best remembered news of him in recent years came in January, 1958, when he took his children aboard his yacht and put out to sea amidst a custody fight over the children with his wife.

He said he now has his children.

"Oh, yes, they're with me. Out of that I got about 3,000 letters—mostly from fathers."

Hayden left Okanogan right after lunch Thursday. Gallaher flew him back to Seattle where he caught an evening plane home to San Francisco.

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Mr. J. M. Cain Testifies As Goldmark Witness

(Indicate page, name of newspaper, city and state.)

1 THE WENATCHEE DAILY
WORLD
WENATCHEE, WASH.

Date: 1/7/64

Edition:

Author:

Editor:

Title: MRS. JOHN GOLDMARK

Character: SM-C

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By DICK LARSEN

OKANOGAN—The often-changing tide turned again here Monday in the lengthy Goldmark libel trial, as a former Republican U.S. Senator gave testimony.

Ex-Sen. Harry P. Cain, now a Miami, Fla., businessman, went on the stand as a rebuttal witness for the Goldmarks.

It seemed ironic: undoubtedly Goldmark, a Democrat, had been a critic of the Republican Cain when he was in the U.S. Senate.

Cain testified that:

1. A person in the Communist party from 1935 to 1943 could have quit without pressures from the party;

2. The American Civil Liberties Union can't be considered a Communist-front organization.

Cain's testimony was based mostly on his membership on the Federal Subversive Activities Control Board under former President Eisenhower.

In other Monday action, Judge Theodore Turner erased the issue of religion from the case.

The former senator's testimony was obviously aimed at refuting the testimony of some ex-Communist witnesses the defense has presented. They all testified that, because of strict Communist party discipline, it would have been impossible for anyone to have left the party as Mrs. Goldmark said she did, by just quitting going to meetings and experiencing no party pressure to stay in.

The defense is still presenting its case, although it may finish today or tomorrow.

But ex-Sen. Cain was allowed to go on the witness stand out of order. He was in this state for the holidays, visiting his daughter's family near Tacoma.

Goldmark attorney William Dwyer asked Cain a series of key questions.

One was: Would it be possible "for a person to belong to the Communist party from 1935 to 1943 . . . and to be not entirely dedicated

or sold on the Communist party" and to argue about party philosophy with other party members?

"In my judgment it would be quite an understandable and reasonable . . . conduct," said Cain.

(Mrs. Goldmark had testified that was her experience in the party.)

Then Dwyer asked if it would be possible for a person to be in the party at that time "and not receive work assignments," but instead to engage in discussions in group meetings?

"Communists in considerable numbers have so testified before the Subversive Activities Control Board during the period I was a member of it . . . it often happened."

Dwyer's questions were similar to those that defense attorney E. Glenn Harmon had asked former Communists Barbara Hartle and John Lautner, and Herbert Philbrick, former "Communist for the FBI." Each had said emphatically it would have been impossible for a person to have been in the party, been in just a discussion group and left without repercussions.

Dwyer asked: Would it have been possible for a member of the Communist party to "be in a group and marry somebody who was not a Communist at all and get married without repercussions (or) permission" from the party?

Harmon objected. But Cain was allowed to answer. "The answer is yes."

Dwyer asked if it would have been possible for a person to have left the Communist party group without any reprisals from the party at all?

"My opinion is that a Communist cell consists of many kinds of people and what you have (described) is quite easy for me to understand . . ."

Cain said such kinds of departures from the party occurred "particularly in the period of

... you're talking about — the early years of the war."

Dwyer asked: "Can you tell us . . . in your opinion, all ex-Communists who are truly patriotic, devote their life to talking about it and making speeches about it?"

Cain was an apparent reference to the former Communists who had testified for the defense. Harmon objected.

Dwyer asked Cain if it is possible for a one-time member of the Communist party to lead a normal life now.

As related particularly to the period of time to which you have made reference," Cain responded, "it would be my judgment . . . that a large number in the Communist party at that period left by one means or another to resume what we would call a perfectly normal, patriotic life . . . without ever mentioning a word publicly about the Communist party."

In cross-examination, Cain was asked by Harmon if he really thought a person involved in a Communist party cell in Washington, D.C., from 1935 to 1943 could marry and forsake the party without any party member expressing concern.

Such a person could marry while a member of the Communist party and leave that party and take off and build a completely normal life without any repercussions or acts of indignation . . . by the Communist party, I think."

Cain's examination also touched specifically on the former Communist witness, John Lautner, a one-time high-ranking member of the Communist party.

Harmon asked Cain if he considered Lautner an authority on communism.

Cain said: "Mr. Lautner was a witness in several matters which I and other members of the (Subversives Control) board heard. I could only judge Mr. Lautner on the basis of what he said . . . My memory is that some of what he said we thought to be true and other portions . . . we thought to be invalid."

"Don't you know that Mr. Lautner was the chief expert (on communism) for the Department of Justice for a period of years?" asked Harmon.

"Yes," said Cain. Harmon wondered if Cain wanted to stand on his testimony. He did.

Cain testified that the Subversive Activities Control Board, on which he served, was established under the Internal Security Acts of 1950. The board's job, he said is to adjudicate merits of cases where the attorney general of the United States lists an organization in America as dominated, controlled, or directed by either the world Communist movement or the Communist party in the U.S. — otherwise subversive.

Cain said the ACLU was never classed that way by the attorney general.

But Cain said he and other members of the board occasionally received letters from persons asserting that the ACLU was a Communist front.

He said he would contact the Justice Department, the House Committee on Un-American Activities and like organizations, "asking for files they had on the American Civil Liberties Union and what they might tell me about it."

"As a result of those studies and inquiries, it had to be my opinion that the ACLU by definition and practice could simply not be construed to be a Communist front."

Dwyer asked Cain what is the nature and purpose of the ACLU.

"The sole function of the American Civil Liberties Union . . . is to maintain throughout the United States . . . those guarantees within the Constitution which deal with liberty



—Daily World Photo.

FORMER SEN. HARRY P. CAIN
Rebuttal Witness for Goldmarks at Trial

for the individual and to advance those rights in every legitimate way."

On cross-examination, Harmon asked Cain if his Subversive Activities Control Board ever investigated the ACLU.

"It did not," said Cain. "It had nothing before it."

The extent of investigation, said Cain, were the inquiries made to the Justice Department and other organizations by board members.

Harmon also asked Cain if he thought that Harvey Matusow was an expert on communism. That was a name not previously mentioned in the trial.

Cain said the man had supposedly been that, but proved not to be reliable.

Harmon asked if it wasn't true that "in 1952 Mr. Matusow was employed on your staff as an expert on communism and used by you as an expert on communism during that time?"

Cain acknowledged that, but said that he later came to consider Matusow unreliable.

"You relied on a man who was thoroughly unreliable?" asked Harmon.

"If I relied on that, I was defeated."

Cain was beaten in the 1952 Senate race by Henry M. Jackson. Earlier Cain had been mayor of Tacoma, then had interrupted his term as mayor, to serve in World War II.

He was in military government and wound up as information officer in General Eisenhower's Europe Headquarters, he testified.

He was elected to the Senate in 1946 and lost in 1952. He was appointed by President Eisenhower to the Subversive Activities Control Board in 1952. He served on it for just over three years. Later, he said, he moved to Florida, where he still lives.

Earlier in the day there was argument about the issue of religion in the lawsuit.

Late last week Mrs. Goldmark had said that she is "a very deeply religious person."

With the jury out of the court room, Harmon contended that the defense should have the right to offer contradictory testimony.

Judge Turner ruled that such a course would produce another emotional issue in a case already laden with issues.

He decided to strike previous testimony about religion from the record and to allow further testimony.

He called back the jury and told them to disregard Mrs. Goldmark's statement about her religious views.

He told the jurors he realizes it is difficult to forget having heard such testimony. "It is said you can't unring a bell."

But he said he is confident the jurors can lay that aside and stick to the issues in this case. "I am sure you can."

Defendant Al Canwell, whose testimony has been interrupted by other witnesses since last week, returned to the stand this morning. He is still undergoing direct examination by Harmon.

Canwell identified a series of reports about the reported connection between communism and the American Civil Liberties Union. The testimony is designed to show that Canwell had familiarity with such reports at the time he made his tape recording and his speech in 1962, which are alleged to be libels.

At that time he referred to the ACLU as a Communist front. Harmon asked Canwell to compare some ACLU press releases with the Communist party press views.

An example was an ACLU press release about that organization's request for a hearing on a Supreme Court decision which upheld the constitutionality of the House Committee on Un-American Activities.

Canwell said that the ACLU position "is almost identical" to the Communist position.

"I know of no recent time when there has been any difference in the stand of the ACLU news release and the Communist press."

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Defense Rests in Goldmark Trial

By DICK LARSEN

KANGKANG — The defense rested its case in the lengthy Goldmark libel trial at 10:30 a. m. and plaintiffs then began their rebuttal testimony.

The trial had begun Nov. 17. Goldmark's side offered 11 witnesses, then rested its case on Dec. 9. Since then, the defense has been presenting its case.

Sixteen-year-old Peter Goldmark, son of Mr. and Mrs. Albert Goldmark, was the first libel witness to take the stand. He testified that his father had always favored the position of the United States in its wars about the cold war and never criticized American free enterprise system. When he went to the stand, his attorney William Canwell's side would present rebuttal witnesses and are going to try to deal with each witness separately.

The prosecution's case rests on the allegations that Goldmark's testimony may excite public opinion next week.

defense then may take time for a rebuttal.

Peter Goldmark is the second of the Goldmark's two sons to testify.

Dwyer asked him: "Have there been discussions in your home about the various issues and crisis of the cold war?"

He replied: "Yes I would say so."

"... can you tell us whose side your father has taken?"

"Definitely with our side, that is, the United States."

"How about your mother?"

"The same, definitely."

Examination of Albert Canwell, the last of the defense witnesses, ended just before young Goldmark was called.

He gave some "swearing up" testimony for the defense Tuesday.

Then he began undergoing a sometimes - impassioned cross-examination by plaintiff's attorney William Dwyer.

The defense, in final direct examination of Canwell, was apparently relating to its opening statement, in which it de-

clared that Mr. and Mrs. Goldmark are still "under Communist party discipline."

Canwell, always speaking in a matter - of - fact tone, said "John and Sally Goldmark were responding to Communist party discipline by following the line laid down by Khrushchev and Gus Hall (boss of the American Communist party)."

Canwell listed several activities which he said bore out that contention. Among them he noted:

—Mrs. Goldmark opposed the film "Operation Abolition," which is precisely the Communist party position on that film."

—Both opposed the film strip "Communism on the Map."

—Mrs. Goldmark complained about the anti - Communist writings of Don Caron, then a forest service employe, now John Birch Society coordinator and a defendant in the lawsuit.

—Goldmark opposed a grant resolution which called for a state law outlawing the Com-

(Indicate page, name of newspaper, city and state.)

1 THE WENATCHEE DAILY
WORLD
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Date: 1/8/64
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... party.
Goldmark advocated trade
recognition of Red China.
Canwell: "The record
of any instance where
Sally Goldmark warn-
ed the people of this district or
of the dangers of com-

Canwell also testified: "They
have been and are still
under Communist party
and that would in-
volve the starting of this law-

... examination, Dwyer
ought to show that the
or actions which Canwell
the Goldmarks with
"Communist party discipline"
views or actions shared
any other people.

"... you know, for ex-
the films ... were very
opposed?" asked Dwyer.
Canwell: "I don't know that
"Operation Abolition") was
by anyone who was not
Communist or under Com-
"party discipline."

... cited other opposition,
that of the U.S. De-
partment of Defense, which
showing of "Commun-
ism on the Map" to troops on
grounds it was prejudiced.

... to all those people who criti-
the film ... such as school
districts, and the Department
of Defense ... you say that they
were under Communist influ-

... think they were duped
it ..." said Canwell.

... referring to "Operation Ab-
olition," Dwyer said: "You
know that Mr. Goldmark never
took any position like that, don't
you?"

Canwell: "I do not know that,
to."

Dwyer: "You don't know it
one way or the other, do you?"

Canwell: "The area is a little
confused ... I do not know ...
I had reports from the legisla-
ture that the Goldmarks were
opposed to the showing of "Op-
eration Abolition ..."

An indication of the passions
of the trial came at one point
when there was a reference by
Canwell to Mrs. Goldmark. In
discussing her opposition to an
anti-communism radio series,
Canwell said she is "a pretty
intelligent and clever person."
... still haven't met her,
do you?" asked Dwyer.

"... we have met in the hall
and I speak to her and she
speaks to me."

"... surprised," retorted Dwy-
er.

Dwyer asked if Canwell
thought Goldmark favored trade
with a Communist country.

"That is my best recollec-
tion," said Canwell. He added
that Goldmark's view, he
thought, "involved trade, trade
recognition, recognition of Red
China."

Dwyer asked if the current
sheat sale by the United States
is part of the Communist party
line.

"I think it is certainly in
agreement with the Communist
party line ... they are grate-
fully receiving it and to that
extent it is the Communist
party position."

Dwyer: "Is your testimony,
then, that the members of Con-
gress who authorized that were
acting under Communist party
influence or discipline?"

Defense attorney Harmon ob-
jected and the question was not
allowed.

Later Dwyer quizzed Canwell
about allegations about the na-
ture of the Communist party

group to which Mrs. Goldmark
had belonged in Washington,
D.C. before she quit the party
in 1943.

There was reference to some
testimony of former Commun-
ists which Canwell has read.

"Whose testimony have you
ever read ... that mentioned her
(Mrs. Goldmark's) name?"
asked Dwyer.

Canwell mentioned Nathan
Witt and Nathaniel Wyle.

Of Witt, Dwyer said: "He
testified sometime after World
War II, in the 50's; it was after
Mrs. Goldmark had talked to
the FBI."

"Yes I believe it was after
1950," said Canwell. But he ad-
ded that really the FBI had come
to Mrs. Goldmark.

Dwyer said that Witt's testi-
mony was: "I never heard of
her."

Canwell: "That was his an-
swer."

Later Canwell added: "I
should qualify that. I have no
reason to believe Nathan Witt."

Dwyer noted that Wyle quit
the Communist party in 1934,
before Mrs. Goldmark became
a member of the party. "So
Mr. Wyle didn't know Mrs. Gold-
mark, did he?"

"No, he did not," said Can-
well.

Dwyer: "The only thing you
have to connect her with this
(particular Communist) group
is her own testimony?"

Canwell: "No, I wouldn't say
that is the only thing."

Dwyer: "What other sources
do you have?"

Canwell: "That is the major
source."

County Will Discuss Cost Of Goldmark Libel Suit

OKANOGAN — A hearing has been scheduled for 1 p.m. in the Superior Court here Friday to solve a financial problem arising out of the lengthy Goldmark libel suit.

The issue: Can the county legally pay the costs of the court reporter?

The county has been withholding an \$850 bill for the work during December by Court reporter Oren Casey, who is recording testimony in the law suit.

County Commissioner Board Chairman Jack Abrams said today "The county commissioners want a clarification to see if we can legally pay this."

Judge Theodore Turner, presiding over the law suit, has asked a representative of the State Attorney General's office to attend the hearing to give an opinion on the legal issue involved.

Abrams explained that state law holds that a judicial district may have no more court re-

porters than it has judges. This district has one judge, Judge Robert Murray. The district has one regular court reporter to serve Judge Murray, Mrs. Rosa Wilson. Thus far the county has been given no clear ruling on whether it can make a payment to the additional court reporter and do so legally.

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Sterling Hayden Backs Goldmarks' Testimony



— P. Wirephoto.

... Hollywo...
... Sterling Hayden...
... Goldmarks'...
... testimony...
... trial...
... 1964.

(Indicate page, name of newspaper, city and state.)

1 THE WENATCHEE DAILY
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By DICK LARSEN

—OKANGGAN — A Hollywood movie actor, Sterling Hayden, went to the witness stand to testify in the Goldmark libel case here this morning.

The tall, bearded actor testified briefly, saying he once joined the Communist party, then left by not going to any more meetings and not paying any more dues.

He was a rebuttal witness for the Goldmark side.

His testimony paralleled that of Mrs. Goldmark, who said that she quit the party in 1941 by not going to any more meetings and stopping her payment of dues.

Hayden, who has appeared in many films and TV shows, said he grew up in New England, went to high school for a year and then went to sea for nine years. He first went to Hollywood in 1940. He now lives in San Francisco.

Late in 1945 he testified he was a fighter with the partisan Yugoslavia nation. After the war he was back in Hollywood. He said he joined the Communist party in May or June of 1946. He said his cell consisted of "back-lot workers in the motion picture industry."

The actor said they met weekly and talked about world affairs.

Hayden was asked if his cell had any action assignments.

"After three or four months I was told to contact people in the acting field 'to enliven their interest in communism'"

Hayden was asked if the Communists tried to run his life.

His answer: "Not in the least. I was the only person to buy a yacht and join the Communist party in the same week."

He said he quit the Communist party after six months.

Another rebuttal witness this morning was Paul Jacobs of San Francisco, a writer specializing in labor and communism and a consultant to the Peace Corps.

Jacobs said he had been a Trotskyite for many years. That was a branch of communism, he said, which considered itself the true Communist group.

He said it was a bitter foe of the regular American Communist party. Jacobs testified he attended the same Communist Workers School in 1935 that Mrs. Goldmark said she attended.

Jacobs corroborated Mrs.

Goldmark's testimony, saying: "It was more of an adult education center in a way."

He said he took a course in the theatre. He added there was music and cultural activities taught there.

"It was quite open."

The defense has contended that the school was a training ground for Communist agents.

Jacobs testified: "It would be very unlikely that anyone being trained for espionage or any illegal acts would be in the Communist Workers School."

Jacobs said he left the Trotsky movement in 1939.

Later, he said, he did anti-Communist work in the labor movement.

Goldmark attorney William Dwyer asked Jacobs a series of questions similar to the series asked of some witnesses by the defense.

"During that period of time (1935-43) was it possible for a person to belong to a secret cell of the Communist party in Washington, D.C., and not be 100 percent committed to communism?"

Jacobs replied "Yes."

Dwyer also asked if such a person could leave the party

...not be subjected to re-

...ever asked if it were possible for someone to be in the same Communist cell as Victor Perlo and Charles Kramer and not know of their activities for communism (the defense has contended that those men, who were in the same cell as Mrs. Goldmark, became engaged in espionage).

Jacobs replied: "It's possible for anybody to be a member with Perlo and Kramer and not know what they were."

...witnesses went to the stand to open rebuttal testimony for the Goldmark side Wednesday, after the defense rested its case at mid-morning.

Most of the testimony was ordinary and routine, touching on occasional points raised during the defense testimony.

...strongest testimony came from Raymond E. Muse of Pullman, chairman of the history department of Washington State University. He testified about communism in America.

...he was asked by Goldmark attorney R. E. Mansfield about the strength of the Communist party in the United States.

"I think it is nil," said the professor. "As a party that fluctuates and takes positive action politically . . . it is a complete dud."

...he said: "The Communist party, U.S.A. is an instrumentality of Soviet Russia" with as objectives, "undermining the American political system and undermining the faith in the free enterprise system."

His testimony paralleled some of the statements of Goldmark. Goldmark said he thinks the Communist party is impotent in the United States.

...there has been a contention that such a view indicated a reaction "soft on communism."

"I can't think of a significant piece of domestic legislation that the Communist party has had anything to do with the introduction of or the carrying out of," said Prof. Muse.

On cross-examination he was asked by defense attorney E. Glenn Harmon about congressional investigating committees, another subject mentioned often in the lawsuit.

"It seems to me in some instances," said the witness, "The committees have been somewhat intemperate in their operations . . . I think there is some duty on the part of Congress . . . to keep faith with the American tradition . . . but I would not question the right of Congress to investigate, and I think, by and large, the investigations perhaps have done more good than bad."

Harmon noted that Prof. Muse took a loyalty oath in his job. Harmon asked if it "infringes on your civil liberties in any way."

Prof. Muse said no. "These oaths have also been an occasional matter of testimony in the lawsuit."

Another strange incident in the trial came when defendant Lewis Gillespie was recalled to the witness stand.

Mansfield asked him a startling question: "Did he recently write a check for \$3,000 to Carl Prussion. Prussion was a former Communist witness who appeared for the defense."

The defense side reacted angrily. Harmon objected, but said he wanted Gillespie to reply.

Gillespie said he had written a check, but the amount was only \$300.

There was testimony also from the following:

William E. Schneider of the Department of General Services, Olympia, said the tax policy followed by Goldmark in the 1961 legislature was that of "the Democratic platform at that time."

Paul Holmes, former state representative from Ellensburg, and Payton Smith, Seattle attorney and former counsel for Speaker of the House John O'Brien, both testified that there was no one in the 1959 or 1961 legislature who was opposed to free enterprise, despite "extreme left wing" name calling.

Mrs. Roberta Morical, East Wenatchee, testified she was on a platform committee of the 1962 state Democratic party. Planks of that have been mentioned in the trial. She was asked what work Goldmark did on the platform. "None at all," she replied.

Mrs. Anne Nelson and Mrs. Minnie Campbell, both of Carlton, testified they attended a meeting of the Methow Valley Grange at which Goldmark spoke, a speech referred to by the defense in the trial.

Both said Rep. Goldmark explained there was no need for a state law outlawing the Communist party because that was already accomplished under federal law.

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Witness Says He Quit Reds

SEATTLE, Wash. (AP) — A witness in the case of a Hollywood actor who was charged with espionage for the Communist Party said he quit the party and was no longer a member.

The witness, who was identified as a rebuttal witness for the defense, said he quit the party in 1953 after fighting with the Communists in Yugoslavia during World War II. He said he quit his membership after several months by not attending any more meetings or paying dues.

Membership Dropped

The witness, who was identified as a rebuttal witness for the defense, said he quit the party in 1953 after fighting with the Communists in Yugoslavia during World War II. He said he quit his membership after several months by not attending any more meetings or paying dues.

The testimony parallels that of Mrs. Goldmark, an admitted Communist who said she quit the party in 1943 after she learned the party was a matter of

She said she quit the party because she was a matter of

She said she quit the party because she was a matter of

He said, "At the least," he said, "I would not be a party member and I would not join the Communist Party in the same way."

He said the group met weekly and talked about world affairs.

Asked if he was given any "action assignments," he replied:

"After three or four months I was told to contact people in the acting field to enlist their interest in communism."

Hayes gave similar testimony about his Communist party membership before the House Un-American Activities Committee in 1951.

Another rebuttal witness was Paul Jacobs of San Francisco, a writer specializing in labor and communism, and a consultant to the Peace Corps.

Witness Identified

Jacobs, who identified himself as a former "Trotskyite," testified he attended the same Communist workers' school in 1935 that Mrs. Goldmark had told of joining in New York.

He corroborated Mrs. Goldmark's testimony, saying "it was more of an adult education center in a way." He said he took a course in the theater, and added music and cultural activity was taught there.

"It was quite open," he said.

The defense has contended the school was a training ground for Communist agents.

"It would be very unlikely that anyone being trained for espionage or any illegal acts would have been in the workers' school," Jacobs testified.

Dwyer then posed a series of questions similar to those asked of some witnesses by the defense.

Questions Similar

"During that period of time (1935-43) was it possible for a person to belong to a secret cell of the Communist party in Washington, D.C., where Mrs. Goldmark was a member and not be 100 per cent committed to communism?"

"Yes," Jacobs replied.

"Could such a person leave the party and not be subject to reprisals?"

"Yes."

"Could someone be in the same Communist cell with Vic-

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(or Perlo and Charles Kramer (prominent Communist agents) and not know of their activity for communism?"

"It's possible for anybody to be a member with Perlo and Kramers and not know what they were doing."

Mrs. Goldmark named Perlo and Kramer during her testimony among the members of the party in Washington.

James said he left the Trotskyist movement in 1939 and had done no Communist work since then in the labor movement.

The general testimony was aimed at depicting them as liberal, liberal to the United States.

Frank Smith, Seattle attorney and counsel for House Speaker Earl O'Brien in the 1961 and 1962 legislatures, and former Rep. Paul Holmes

of Washington testified there was no such thing as a legislature then was characterized as opposed to the free enterprise system and individual freedom.

Seattle's Margaret Hurley and Al O. Adams of Spokane testified earlier that during the 61 legislature, Goldmark's reputation for loyalty was not in doubt.

He said he considered having a continuing pattern to the

g Recalled

Mrs. Metson and Mrs. ... of Carlton, ... about a Methow ... meeting in ... which Goldmark

They understood him ... a state law, to ... Communist party ... because that was ... under federal

Doug Zahn, son of

State Highway Commissioner George Zahn, and others testified that in his Methow speech, Goldmark took the position there was no internal threat from communism, and that he played down the external threat.

Another rebuttal witness, Dr. Raymond D. Muse, chairman of the Washington State University History Department, minimized the political importance of the Communist party in the United States.

"As a party that formulates and takes positive action . . . it is a complete dud politically," he testified.

Accomplishments Unknown

"I can't think of a single piece of domestic legislation that the Communist party has had anything to do with . . . the institution of, or the carrying out of," Muse said.

R. E. Mansfield, an attorney for the Goldmarks, recalled one of the defendants, Loris Gillespie. He asked if Gillespie had issued a \$3,000 check payable to Carl Prussion, a former Communist who testified for the defense.

Gillespie said he had written a check for \$300 to cover Prussion's travel expenses and been reimbursed

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Never in Communist Party UW Professor Tells Court

By S-R STAFF WRITER

OKANOGAN, Wash. — Dr. Melvin Rader, professor of philosophy at the University of Washington, testified in Superior Court here Thursday that he is not and never has been a member of the Communist party.

Rader in the Goldmarks' \$35,000 libel and conspiracy trial. Rader was identified by Mrs. Barbara Hartle, former Communist now living a secluded life in Evans, Wash., as being known in Communist circles in Seattle as a Communist and being under Communist party discipline.

He took the stand today as a rebuttal witness for the plaintiffs.

"Dr. Rader, are you a Communist?" asked plaintiffs' attorney William Dwyer.

"I am not," Rader answered.

"Were you ever a member of

the Communist party?"

"I have never been a member."

"Did you ever attend a closed meeting of the Communist party?"

"No."

"Have you ever been under Communist discipline or control?"

"No."

Never Met Her

"Do you know Mrs. Barbara Hartle?"

"So far as I know I have never met her. I haven't any idea what she looks like."

"Have you ever been accused of being a member of the Communist party before?"

"Yes."

"When was that?"

"At the Canwell Committee hearings in 1948."

"Was there a subsequent in-

vestigation by the University of Washington?"

Cleared, Exonerated

"At no time was I charged by the University of Washington. There was an investigation and the result was for me. I was cleared, exonerated."

On cross-examination, defense attorney E. Glenn Harmon asked Rader, "In the period of 1940 to 1948 were you a member of or active in the Commonwealth Federation?"

"I'm not sure in those years. I had at one time a slight connection but never was an active member."

"Were you a member of or associated with any groups or organizations listed as Communist fronts?"

"At the time of my membership in any organization it had not been listed as a Communist front."

"I take it that either before or after your membership some were so listed?"

"Some were so listed later."

Organizations Named

Rader then named five organizations to which he at one time belonged which later were listed as Communist fronts by the attorney general.

"Was this listing made before or after you were a member?"

"So far as I know," Rader answered, "the listing was made after I was a member."

"Could you be mistaken?"

"I could be, yes. I'm not infallible."

"During the time you were in these organizations were you aware that other members, including officers, were Communists?"

"I suspect I knew there were some Communists. At that time there were Communists in most liberal organizations."

Rader still was on the stand when Judge Theodore S. Turner adjourned court for the day. Presumably he will be the first witness today.

(Indicate page, name of newspaper, city and state.)

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Writer Attacks Key Defense Witnesses

(Also see "Never In," page 7.)

By JACK E. FISCHER
Spokesman-Review Staff Writer

OKANOGAN, Wash.—Plaintiffs in the Goldmarks' \$225,000 libel and conspiracy trial produced a rebuttal witness Thursday who attacked the reliability of testimony by four key expert witnesses for the defense.

Paul Jacobs, San Francisco writer who specializes in communism and labor and also serves as a consultant to the Peace Corps, also had some harsh words to say about defendant Albert F. Canwell, who had been lauded by defense witnesses as an expert in the field of communism.

This was the first day in this lengthy trial that plaintiffs used expert witnesses and they started the day with a display of showmanship by calling Hollywood movie star Sterling Hayden to the stand.

Plays Role to Him

The rugged actor, complete with full beard, played his role to the hilt, just as though he were starring in a dramatic television production.

The four expert defense witnesses were former communists: John Lamm, Barbara Hartzel and Karl Pribram, and communist Herbert A. Brick. Jacobs told the court he had studied much of the testimony given by these four at trials and hearings and said he has "never" given interviews about their testimony.

Jacobs' testimony before the House Committee on Un-American Activities was published in the "Spokane Spokesman-Review." He said, "Mr. Canwell's name is being given a second chance to have been involved in the Communist movement."

He had been interviewed by the LaFollette committee in Seattle and had given testimony at the trial of President

"They (all four) obscure the real problem of the Communist menace with their notions of being surrounded on all sides by enemies who in most cases do not exist," he said.

The more such a person testifies as a professional witness, he continued, "the more his story, which is the product he is selling is tailored to fit the needs of the customer. The more they testify, the less trust I have in what they are saying."

Plaintiff's attorney William Dwyer asked Jacobs what kind of a standing Canwell had in the field of investigating Communist activities.

"No Standing"

"I would say he has no standing," the witness answered.

"At the hearings of his legislative committee in 1948 he allowed to be introduced as evidence statements that people were Communists or Communist sympathizers who clearly

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and manifestly were not.
"I would say that Mr. Can-
well did not know very much
about the subject."

Jacobs testified that he was a
Trotskyite from 1935 to 1940 and
testified to a series of questions
with answers which paralleled
those of Mrs. John Goldmark,
an acknowledge member of the
Communist Party from 1935 to
1943.

Mrs. Goldmark said she was
not under full Communist Party
discipline, merely attended phil-
osophical discussions, argued
varied points with her superiors
and left the party merely by not
attending meetings and not pay-
ing dues.

Jacobs said all these would be
entirely possible."

Mayden also answered the
question in the affirma-
tive although he testified he
was in the Communist party
only about six months in 1946.

The actor also was asked if
Communists tried to run his
show and he said, "Not in the
least. I was the only person I
knew to buy a yacht and join
the Communist party in the
last week."

Jacobs was critical of the so-
called far right movement and
testified that he felt the film
"Operation Abolition" was an
accurate portrait of riots at
San Francisco in 1960 before the
House Committee on Un-Ameri-
can Activities.

Jacobs said the Trotskyites con-
sidered themselves the true
Communist group and the
"true" of Lenin." He told how
Trotskyites opposed regular
Communists for not being revo-
lutionary in nature. He empha-
sized that since he left the
Communist organization he has a
sense of being anti-Commun-

Many Joined, Left

When appearing as a witness
for the plaintiffs Thursday was
Gabriel Almond, professor
of biological science at Stanford
University. Both he and Jacobs
testified that the vast majority
of people in the United States
at one time were members
of the Communist party joined
it within the period of 1935-

and conducted a study
from 1949 to 1955 on why peo-
ple joined the Communist party
in the United States, Great Brit-
ain, France, Italy and Malaya.
Part of his testimony involved
the study although he testified
no person could be a mem-
ber of a Communist group such
as that in which Mrs. Gold-
mark was a member and leave
without fear of reprisal.
He said that most of the people

**STERLING MAYDEN
Actor Testifies**

was left the Communist party
made no public mention of their
former membership. The fact
that Mrs. Goldmark had kept
her membership a secret has
been frequently mentioned in
this lawsuit.

A fourth witness was Miss
Suzey Fields of Portland, Ore.,
a Republican member of the
Oregon State Legislature. She
said she had known the Gold-
marks since 1945 and has found
their statements and actions
to be no different than those
of other Democrats I know."

The Goldmarks filed this law-
suit after the 1962 legislative
campaign here, claiming they
were damaged by actions link-
ing them to the Communist
party.

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Spokane, Wash.

... Mrs. Hartle testified that she had met him at a party meeting in Seattle in 1937.

Mrs. Hartle testified that she had met him at a party meeting in Seattle in 1937. She added that so far as she knew, he never had met Mrs. Hartle.

Confusion Claimed

When accusations of communism are applied to individuals or groups, it confuses the real issue of communism so the public cannot recognize a valid Communist danger, Jacobs said.

Gabriel Almond, director of the Institute of Political Studies at Stanford University, testified about a study made in the United States, France, Great Britain, Italy and Malaya of ex-Communists to determine why they were attracted to the movement and what their party activities were.

Mrs. Goldmark has testified she was a member of the Communist Party from 1935 to 1943, when she left it.

Almond said that from 1935-1946 in the United States, the majority of party members were not hard-core Communists or dedicated to communism. He said the ratio of hard-core Communists to the membership was from 1 in 10 to 1 in 20.

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... Under questioning by E. Glenn Harmon, a defense attorney, Rader said he had belonged to some organizations listed by the U.S. attorney general as Communist fronts, but that he thought they were not listed as such until after his membership.

Rader said he had been active in the American League Against War and Fascism, the Friends of Spanish Democracy, the Medical Bureau to Aid Spanish Democracy and the Fascist Refugee Committee in the 1940s through 1948.

Paul Jacobs, a writer and an adviser to the Peace Corps who specializes in communism and its relations to labor unions, testified Mrs. Hartle often had contradicted herself in testimony before the House Committee on Un-American Activities.

Jacobs said he would say that former State Rep. Albert F. Carwell, one of the defendants who now operates a non-government intelligence agency as a defense against communism, has no standing as an authority on communism.

Jacobs said he respected the sincerity of members of far right groups, but felt they were a great handicap in the fight against communism.

... Mrs. Hartle testified that she had met him at a party meeting in Seattle in 1937. She added that so far as she knew, he never had met Mrs. Hartle.

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Conflicting Testimonies Bring Spokesman and Table-Pounding

By L. FISCHER
Spokane Staff Writer

Spokane, Wash. — (The Spokesman-Review) — A court case involving a \$25,000 libel and damages suit Friday triggered a heated exchange between the attorney, E. Glenn Harmon, and former Seattle newspaperman Edwin Guthman. The exchange erupted shortly after the noon recess and continued through the afternoon. Guthman was shouting and pounding the table in protest.

In conflicting testimony, Guthman's lawyer Barbara Harle testified that Dr. Melvin Rader, a professor of philosophy at the University of Washington, was known as a Communist. Mrs. Harle, a long time former Communist, testified earlier in the trial.

Recalls 1954 Statement
Guthman, who now is special assistant to the U.S. Attorney General, testified that Mrs. Harle told him in 1949 during a recess in hearings of the House Committee on Un-American Activities at Spokane that Rader had never been a member of the Communist party.

Mrs. Harle was recalled Friday as a rebuttal witness for the plaintiffs and flatly denied making such a statement to Guthman who said that he asked Mrs. Harle if Rader had ever been a member of the Communist party.

She said he was not," Guthman testified. "She said the Communists had tried to get me on numerous occasions, but all their efforts had failed."

Best accusations linking Rader with the Communist party came in 1947 at hearings of the Senate Legislative Committee on Un-American Activities, of which defendant Albert F. Conroy was chairman.

Conroy denied the charges then and this week again denied them as a witness in the Goldmark trial.

Shortly after court convened following the noon recess, Harmon, on cross-examination, asked Guthman, "As a matter of fact, it was quite a news story, wasn't it?"

"What, Mr. Harmon?" Guthman queried.

"Oh, verification from the Communist who was in charge of the picketing of the Canwell hearings that Mr. Rader, a fact, was not a member of the Communist party at the time he was accused. Wasn't that quite a news story?"

"No, it wasn't."

"It wasn't?"

"We had written that in 1949."

"You are telling me, Mr. Guthman, that you never wrote a word about this story?"

"I didn't."

"Wasn't it a scoop of the first order?"

"I didn't call it so."

"Oh, private satisfaction? Is that all you were interested in?"

"I had asked many people who had come out of the Communist party as to whether Prof. Rader had been a member of the party and Mrs. Harle was the highest ranking former Communist that I had ever talked to on that subject. It confirmed what I heard from others, so I . . ."

At this point Harmon interrupted and shouted, "Mr. Guthman, I was a newspaperman for 13 years and isn't it a fact that this was a scoop of the first order?"

"The Communist who was in charge of picketing those hearings where Mr. Rader was named a Communist told you that it had been a lie. Wasn't that a scoop of the first order?"

Printed in 1949

"I can only tell you, Mr. Harmon, what I did."

"Yes, you didn't print it."

"We had printed it in 1949."

"Mr. Guthman, did she tell you what you say from this witness stand?"

"Certainly, she told me."

"Why didn't you print the story?"

"We had printed it in 1949."

"And it was not a news story?"

"Well, I didn't write it."

"Yeah, I know you didn't write it, but did it happen?"

"Certainly, it happened."

More Rebuttal Witnesses
Plaintiff's attorney called seven more rebuttal witnesses to the stand Friday and attorney William Dwyer said he would finish his case Monday. This means the case should go to the jury sometime next week.

One witness was U.S. Rep. Henry S. Reuss, D-Wis., who worked with plaintiff John Goldmark in the office of Price Administration in Washington, D.C., in 1941 and 1942. He was asked by Dwyer if the subject of communism was ever discussed and what views Goldmark expressed.

"Mr. Goldmark expressed the view that communism is an evil thing," he answered. "That it denies the basic human rights of freedom of speech and freedom of religion."

Classmate Testifies
Richard H. Riddell, president of the Seattle-King County Bar Association, who was a classmate of Goldmark's at the Harvard Law School, testified that Goldmark expressed opposition to communism while in school.

It was shortly after he received his law degree that Goldmark went to Washington, D.C., where he met his wife, the former Irma Ringe. Mrs. Goldmark has admitted membership in the Communist party from 1935 to 1943. She and Goldmark were married in December 1942.

Marvin Durning, Seattle attorney who spent considerable time with Naval intelligence, testified that if a person in the Navy Reserve has a wife whose loyalty is in doubt, he will not be granted clearance. Goldmark is a commander in the Naval Reserve.

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Goldmark Witness Contradicts Ex-Solon

OKANOGAN, Jan. 13.—(A.P.)—A former assistant United States attorney-general testified today that Mrs. John Goldmark cooperated fully when she testified before the House Committee on Un-American Activities in 1956.

William F. Tompkins of Maplewood, N. J., was called by attorneys for Mr. and Mrs. John Goldmark as a rebuttal witness in their \$225,000 libel suit.

Donald Jackson, former California congressman, had testified previously for the defense that he did not think Mrs. Goldmark had been fully cooperative with the House committee. She has testified she was a Communist Party member from 1935 to 1943.

THE GOLDMARKS are suing four men and a weekly newspaper, contending they were being linked to Communism during the 1962 political campaign when Goldmark was defeated for the Democratic renomination as a state representative.

Tompkins also was asked by

a Goldmark attorney, William Dwyer, how security clearance is granted to a Navy Reserve officer, such as Goldmark.

The witness said checks are made through the F. B. I., Civil Service and other agencies.

TOMPKINS SAID the man, "must be of unquestionable loyalty, integrity and trustworthiness."

Q: If there were any doubt about such a Navy officer being a Communist or Communist sympathizer, would such a clearance be granted? A: It certainly would not.

Q: If there were any doubt about the Navy man's wife and her loyalty, would such a clearance be granted? A: I would certainly say it would not.

The Goldmark side has indicated it would end rebuttal testimony soon in the trial which began November 4. The defense is expected to have some additional testimony and the lawsuit may reach the jury this week.

(Indicate page, name of newspaper, city and state.)

SEATTLE TIMES

JAN 13 1964

PAGE A COL 3

Date:

Edition:

Author:

Editor:

Title:

**MRS. SALLY GOLD-
MARK**

Character:

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Classification:

100-21585-

Submitting Office:

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Will Mary Be Near in Goldmark Suit

OKANOGAN, Wash. (AP) — The Goldmark libel trial which began Nov. 4 may be nearing an end.

Superior Court Judge Theodore S. Turner told the jury yesterday testimony should be completed by Tuesday, and that deliberations might begin by the middle of next week.

Former State Rep. John Goldmark and his wife, Sally, sued four men and the Tonasket Tribune for \$225,000, contending they were libeled by statements linking them to the Communist party.

Red Ties Admitted

Mrs. Goldmark admitted belonging to the party from 1935 to 1943, but said she left it then.

Edwin Guthman, former Seattle Times reporter and press secretary for Atty. Gen. Robert F. Kennedy, underwent sharp cross-examination after he testified as a rebuttal witness for the Goldmarks.

The issue was whether an earlier witness, Mrs. Barbara Hartle, an ex-Communist, had told Guthman that Melvin Rader, University of Washington philosophy professor, never was a Communist party member.

Guthman said she had, and that she knew the Communists had tried to enlist Rader, but he had refused to join. Mrs. Hartle went back to the stand, and denied making such a statement to Guthman.

Mrs. Hartle testified last month Rader was a member of the party; Rader testified Thursday he was not.

Story Questioned

A defense attorney, E. Glenn Harmon, asked Guthman if he had written a story about the statement he said Mrs. Hartle had given him — that Rader

never had been in the party. Guthman said he had not written a story about it. He said as far as he was concerned, the story had been written earlier with evidence clearing Rader.

Harmon said he had been a newspaperman for 10 years, and considered that a story on the Hartle statement would have been a scoop.

Marvin Durning, a Seattle attorney and a Naval Reserve officer, testified the Navy would not give security clearance to a man whose wife was suspected of disloyalty. Durning said such clearances were reviewed periodically, and that the Navy had access to files of other intelligence branches.

Goldmark testified earlier he had a security clearance when he was in the Navy.

A deposition from Rep. Julia Butler Hansen, who served in the Legislature with Goldmark, was read.

Reputation Upheld

Mrs. Hansen said Goldmark had a reputation for integrity, patriotism and loyalty.

Earlier, State Reps. Margaret Hurley and Alfred O. Adams testified they felt Goldmark's reputation was questionable.

(Indicate page, name of newspaper, city and state.)

3 Spokane Chronicle
Spokane, Wash.

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Goldmark Trial May End This Week, Judge Turner Hints

OKANOGAN, Jan. 14. — (A. P.)—"I'll see you with your bags Thursday morning," the judge told the jury, giving official encouragement to speculation that this week, the 11th of the Goldmark libel trial, may be the last.

"Try not to decide anything now," Judge Theodore S. Turner told the eight men and four women hearing Okanogan County's longest court case as he recessed the trial yesterday until tomorrow morning.

JUDGE TURNER said the jurors should have open minds while they listen to attorneys' closing arguments, which were to be prepared during the today's court holiday.

John Goldmark and his wife, Sally, are asking damages amounting to \$225,000 on eight charges of libel and one of conspiracy. Each count involves one or more of five defendants: Albert F. Canwell, Ashley Holden, Sr., Loris Gillespie, Don Caron and Holden's weekly newspaper, The Tonasket Tribune.

The Goldmarks contend the defendants libeled them by linking them with Communism in 1962.

AMONG witnesses yesterday were Ford Q. Elvidge of Seattle and Mrs. Barbara Hartle of Evans.

Mrs. Hartle, a member of

the Communist party from 1933 to 1954, was asked about Communist activity in Washington State rural areas during those years. She testified that there was a great amount of such activity.

"This included branches of the party in a good number of small towns," Mrs. Hartle said. "Some of those that I can recall now are Kent, Auburn, Puyallup, Elma, Shelton, Anacortes, Raymond, Marysville, Sedro woolley. Those are some that I can think of. Enumclaw, Grand Coulee, Wenatchee, Yakima—those are some that I can think of now."

MRS. HARTLE, who testified earlier in the trial, was recalled primarily to testify regarding her income as a former Communist.

Elvidge, a lawyer, testified of his experience as legal counsel in 1947 for a legislative committee that investigated subversive activity in Washington State. Canwell, then a state representative, was chairman of the committee.

"I would say that he conducted it . . . according to legislative procedure fairly, ably and intelligently and in accordance with the law," Elvidge said.

(Indicate page, name of newspaper, city and state.)

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MRS. SALLY GOLDMARK
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GOLDMARK CASE TESTIMONY NOW NEARLY AT END

OKANOGAN, Jan. 13. — (UPI) — Testimony in the Goldmark libel suit trial was completed today except for two defense witnesses and possibly a deposition.

Judge Theodore S. Turner recessed court until Wednesday and said he and attorneys would spend tomorrow working on instructions to the jury and final arguments.

TODAY'S recess marked the 40th day of the trial, which opened November 4 and ran into delays after President Kennedy's death and during the Thanksgiving, Christmas and New Year holidays.

The question before the jury will be whether former State Rep. John Goldmark and his wife Sally were libeled by statements made during the 1962 primary election campaign. The Goldmarks contend the statements linked them to communism.

THE DEFENSE admits the statements linked the couple to communist causes but contend they were not libelous because they were true.

The Goldmarks seek \$225,000 damages from four couples and the Tonasket Weekly Tribune.

The end of the court session today came after defense attorney E. Glenn Harmon said he might ask the court for a continuance so he could obtain a deposition from a rebuttal witness for the plain-

tiffs, Paul Jacobs. Jacobs, a free lance writer and Peace Corps consultant from San Francisco, has testified that he served as an organizer for the Workers Party of America. He described that party as a Trotskyite group bitterly opposed to the Communist Party.

Harmon said in arguing for the continuance, "This man's record is not that of an anti-communist." He said he obtained the information after Jacobs had finished testifying.

(Indicate page, name of newspaper, city and state.)

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Move to Dismiss Libel Suit Denied

OKANOGAN, Wash.—Superior Court Judge Theodore S. Turner Monday denied all defense motions for directed verdicts or dismissals of claims in the Goldmark \$225,000 libel and conspiracy trial.

The lawsuit, which started here Nov. 4, is expected to go to the jury sometime Thursday.

By his rulings, Judge Turner left the suit exactly as it was when the plaintiffs, Mr. and Mrs. John Goldmark, finished their case.

The motions were made prior to the end of the trial, but with less than an hour's testimony left, Judge Turner permitted them to be made at this time with the stipulation that the same ruling would apply when all testimony is completed.

The trial was adjourned until Wednesday and the case is expected to go the jury Thursday.

The lawsuit stemmed from a bitter legislative campaign here in 1962' with Mr. and Mrs. Goldmark claiming they were damaged by the various issues in point during that campaign.

Claims and Defendants

The nine issues in point and defendants in each are:

Claim 1—A news story in the Tonasket Tribune, published July 12, 1962; defendant, the Tonasket Tribune Publishing Co. and Ashley E. Holden, publisher.

Claim 2—An editorial in the Tonasket Tribune, published Aug. 30, 1962; defendants, the Tonasket Tribune Publishing Co. and Holden.

Claim 3—The written "An Interview with Al Canwell," a pamphlet distributed during the 1962 legislative campaign; defendants: Albert F. Canwell, Holden, the Tonasket Tribune Publishing Co. and Don Caron.

Claim 4—The tape recording

of "An Interview With Al Canwell;" defendant: Canwell.

Claim 5—An article entitled, "Pillaging Parliament," written by Caron and published in the Okanogan Independent; defendant—Caron.

Claim 6—An American Legion meeting on Aug. 23, 1962, at which Canwell spoke on "The Truth About the ACLU;" defendants: Canwell, Holden and Loris A. Gillespie.

Claim 7—The same as claim three as it applies to Mrs. John Goldmark only; defendants: Canwell, Holden, the Tonasket Tribune Publishing Co. and Caron.

Claim 8—The same as claim four as applied to Mrs. Goldmark only; defendant: Canwell.

Claim 9 — The conspiracy charge; defendants: Holden, Canwell, Gillespie and the Tonasket Tribune Publishing Co.

Earlier in the day, the last rebuttal witness for the plaintiff, former Asst. United States Atty. William F. Tompkins, testified that he felt Mrs. Goldmark cooperated fully with the House Committee on Un-American Activities.

Mrs. Goldmark, an acknowledged member of the Communist party from 1935 to 1943, claims she severed all connections with the party and cooperated with the house committee and Federal Bureau of Investigation.

Defendants claim that she is, in fact, under Communist discipline today and did not cooper-

ate with the House committee or the FBI.

Tompkins, now an attorney in Maplewood, N.J., said he had read the entire transcript of Mrs. Goldmark's testimony before the committee in 1956 and was of the opinion that she cooperated.

He was questioned at length about clearance granted by Naval Intelligence and said no persons whose loyalty or whose wife's loyalty was suspected would be granted such clearance.

One of the defense rebuttal witnesses was Ford Q. Elvidge, Seattle, governor of Guam from 1953-56. Elvidge was attorney for the so-called Canwell Committee in 1948 and said Canwell conducted hearings "according to legal procedure, fairly and in accordance to law."

(Indicate page, name of newspaper, city and state.)

3 Spokesman-Review
Spokane, Wash.

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MRS. SALLY GOLDMARK

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Interesting Goldmark Suit Nearly Ready For Jury

BY DICK LARSEN
THE WASHINGTON POST

OKANOGAN, Jan. 14. — One of the nation's most extraordinary recent law-suits will go to the jury here later this week after thousands of words of testimony about communism, forced marriages, civil liberties and the communist menace.

It is the \$225,000 libel case brought by a former Washington state representative, John Goldmark, against a weekly newspaper and four men.

BUT THE trial in the little rural courtroom has also developed into a classic debate between the political left and right and the issue of political extremism.

Goldmark is a handsome, young-looking 46-year-old Democrat, a Harvard Law School graduate, a nephew of the late United States Justice Louis Brandeis.

He and Mrs. Goldmark had moved west after World War II. They settled on a remote ranch in sparsely populated Okanogan County in 1947. He launched a brilliant political career which was shattered when he was beaten soundly in the 1962 Democratic primary campaign in his district.

HE BROUGHT the libel suit against the weekly Tonasket Tribune; its editor, Ashley Holden; Loris Gillespie, Okanogan businessman and Birch Society member; and Al Canwell, of Spokane.

The Goldmarks charge that during the campaign those men had conspired and libelously sought to paint him and his wife, Sally, as communists or communist sympathizers.

Mrs. Goldmark had been a member of the Communist Party from 1935 to 1943. She testified that she had joined in New York City out of concern over the economic ills of the depression, but then left the party a few months after she and Goldmark were married in Washington, D.C., in 1942.

THE ALLEGED libels were some newspaper stories, an editorial, a speech, a tape recording and a mailing piece. All dealt with one or both of the Goldmarks and all appeared during the 1962 campaign.

A jury of eight men and four women was chosen Nov. 4. The trial immediately began living up to its dramatic billing.

In its opening statement, the defense indicated it would do more than merely battle over the legal charges of libel. Defense Attorney E. Glenn Harmon of Spokane, charged that both the Goldmarks "are, in fact, under Communist Party discipline."

This opened the floodgates to testimony about communists, communism, communist discipline and the communist menace.

MRS. GOLDMARK testified she quit the party in 1943 by not going to any more meetings and not paying any more dues to the party. She testified that her Communist Party

group in Washington, D.C., where she worked for the WPA and other agencies, was a discussion group which talked about Marxism and other philosophical matters.

To counter that, the defense brought on a series of "name" former communists, including John Lautner of New York, longtime communist and frequent witness at communist trials; Carl Prusison of San Diego, another former communist; and Barbara Hattle, one-time communist leader in Washington State.

There was also Herbert Philbrick of "I Was A Communist For The FBI" fame and California's ex-congressman, Donald Jackson, one time member of the House committee on Un-American Activities, now an anti-communist radio-TV commentator in the Los Angeles area.

ALL TESTIFIED that one couldn't just quit the party, as Mrs. Goldmark said she had. All said that no Communist Party cell was ever involved just in philosophical discussions, particularly one that had such high level communists in it as Charles Kramer and Victor Perlo. Mrs. Goldmark had said they were members in her group.

Questions and answers went far afield in the testimony to such matters as the reliability of former communist witness Elizabeth Bentley and charges of espionage.

The Goldmark side challenged the reliability of ex-communists who become "professional witnesses" and lecturers.

GOLDMARK WITNESS Paul Jacobs, San Francisco, an ex-Trotskyite, now a writer, specialist in labor and communism and Peace Corps adviser, doubted the reliability of such witnesses.

To show the malice of the affair, one witness for the Goldmark side, an Okanogan man, testified that defendant Gillespie had once suggested that the Goldmarks was a "forced marriage."

He quoted Gillespie as saying "You know the communists have forced marriage, why would he (Goldmark) marry a gal as homely as Sally, if he wasn't forced into it?"

(Indicate page, name of newspaper, city and state.)

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The plaintiffs developed much testimony about the defendant Canwell, source of some of the alleged libels. He served one term in the Washington State legislature, 1946-48, headed the controversial legislative Committee on Un-American Activities. Beaten for re-election to the state legislature, he was also beaten in 1950, 1952 and 1954 bids for congressional seats.

HE TESTIFIED he has, since 1948, operated a "non-governmental intelligence service," specializing in subversive activities. Another

witness from Spokane called it "character assassination."

Because some of the alleged libels contained charges against the American Civil Liberties Union, of which Goldmark is a member, the ACLU became a major issue in the case.

Canwell testified the ACLU is a communist front. He also added that the National Council of Churches is communist-infiltrated.

John Pemberton, executive secretary of the ACLU, came from New York to testify that the organization's aim "is to protect and to advocate the kind of liberties and rights that are granted by the Bill of Rights under the U.S. Constitution," regardless of whether it finds itself on the political right or left.

AMONG THE more than one hundred witnesses were these:

Film actor Sterling Hayden, who said he was in the Communist Party for six months and, as Mrs. Goldmark said she did, quit the party by just not going to meetings or paying dues.

Peter Asper, New York attorney and wartime Navy colleague of Goldmark, who told of their action together in the Phillipines, as demolition experts, clearing Japanese mines for the advance on Manila.

The Goldmark sons, Peter, 17, and Chuck, 19, who testified their parents were pro-American anti-communists.

Harry P. Cain, former Republican U.S. senator from Washington now a Florida businessman, who said a person could have quit the Communist Party as Mrs. Goldmark said she did, and that the ACLU is not a communist front. (Cain was formerly on the Subversive Activities Control Board.)

WISCONSIN CONGRESSMAN Henry S. Reuss, a Democrat, who testified he has known Goldmark since they were OPA attorneys together in Washington in 1941 and that Goldmark has been a loyal American and anti-communist.

The defense contends there were no libels and a conspiracy only "to defeat, not to defame."

The plaintiffs contend that there was a clear effort to smear the Goldmarks as communists or communist sympathizers, a charge which is tantamount to treason.

Presiding over the epic case has been a soft-spoken, gray-haired Superior Court judge from Western Washington's King County, Theodore S. Turner.

He has told the jury it can expect to finally go into deliberation sometime late this week, to evaluate hundreds of hours of testimony and a library of documents which have poured in as evidence.

UNITED STATES GOVERNMENT

Memorandum

TO : SAC

DATE: 1-16-64

FROM : RAY E. LAMB SA

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b7c

SUBJECT: **AL CANWELL,
ASHLEY HOLDEN
DEFENDANTS IN GOLDMARK TRIAL OKANOGAN**
Information concernring [redacted]
AtWENATCHEE

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A¹ approx 715 Pm this date AL CANWELL telephonically advised that ASHLEY HOLDEN received a phoge call from a person purporting to be [redacted] at Wenatchee who said that he had benn a member of the C.P for 20 yrs. and had documentar evidence of SALLY GOLDMARKS Membership in the Party and that he had been instructed by the party to give the evidence to HOLDEN and wanted to meet with Holden tomorrow.

CANWELL thought "this might be a shakedown for a fast buck"

Canwell was advised that there was no jurisdiction of the FBI from the above . The information has been furnished to [redacted] as Canwell plans on calling him in the morning. There was norecord in indices concerning [redacted]

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Testimony Ends In Goldmark Trial

OKANOGAN, Jan. 15. -- (A. P.) — Testimony ended today in the lengthy \$225,000 Goldmark libel trial. The case moved into the final stages— instructions to the jury and closing arguments.

The final witness, called by the defense, was Sidney G. Swain of Kettle Falls, Stevens County, a former Spokane-area chief of the United States Parole Board.

Swain was asked about the reputation for truth of Al Canwell, one of the defendants. "Very good," he replied.

SWAIN WAS excused from the stand. Superior Judge Theodore S. Turner of Seattle began reading a long list of instructions to the jury of eight men and four women.

The judge recounted the charges made by former State Representative John Goldmark and his wife, Sally, against the defendants, Canwell, of Spokane; Ashley Holden, Sr., and his weekly Tonasket Tribune; Don Caron of Okanogan, state organizer for the John Birch Society, and Ioris Gillespie, Okanogan businessman.

The instructions contained a detailed discussion of the

laws of libel. The judge explained that a libel is a published statement injuring a person.

The Goldmarks say they they were libeled by articles and statements during the 1962 primary - election campaign that falsely linked them with Communism. Goldmark was defeated in the primary in a bid for a fourth term in the Legislature.

JUDGE TURNER decided not to rule that any of the publications involved were libelous per se (by themselves). He said he would leave it to the jury to decide "the meaning and character of all the publications."

There had been speculation that the judge might say one or more of the publications was libel but leave it to the jury to determine if it was defensible on the grounds of truth.

The Goldmark side was expected to begin closing arguments later today, followed by the defense and then the second part of the Goldmark summation.

The case, which began November 4, probably will go to the jury tomorrow.

(Indicate page, name of newspaper, city and state.)

SEATTLE TIMES

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PAGE 5 COL 5

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'WEB OF LIES' RUINED GOLDMARK REPUTATION, ATTORNEY TELLS JURY

OKANOGAN, Jan. 15.—(AP)—Defendants in the \$225,000 Goldmark libel suit were accused today of having ruined John Goldmark's reputation "with a web of lies" and dragged his good name through the mud.

William Dwyer, attorney for former State Rep. Goldmark and his wife Sally, made the charge in closing arguments to the jury of eight men and four women who began hearing the case last November 4.

Dwyer said the Goldmarks were subjected to the "worst kind of charges ... they were charged with being communists.

"The word communists is a fighting word ... it suggests everything that we dislike," he said.

DWYER BEGAN his impassioned summation after Superior Judge Theodore S. Turner finished 57 pages of instructions to the jury in which he said to call a person a communist is defamatory, "and if false is libelous."

The defense will give its closing arguments after Dwyer completes his first phase, then the plaintiffs will have

another round before the case goes to the jury, probably sometime tomorrow.

Dwyer charged the defendants with having "constructed a web of lies and conjecture and miserable unhappy speculation ... about people whom they don't even know and about whom they don't even care."

Then he asked rhetorically: "Why are we here?"

"For the simple reason," he said, "that a man's good name has been attacked, villified and dragged through the mud, not once, not twice, but practically every day ... for two years."

HE SAID reputation is a priceless possession and John Goldmark's reputation was destroyed by the four individuals and weekly newspaper Goldmark and his wife sued after the 1962 primary election campaign. They contended they were linked falsely with communism.

Dwyer said the charges were made even worse "by what was done in this courtroom." He then began to remind the jury what the defense said in its opening statement, E. Glenn Harmon,

defense attorney, quickly objected, but Judge Turner ruled Dwyer could continue.

Dwyer said the defense charged in court that John and Sally Goldmark were communists, that they are under Communist Party discipline, and they are going to prove it."

At that point Dwyer banged the speaker's stand with his fist.

HE SAID the charge was repeated in the trial but there was "a complete failure of any proof whatsoever."

Dwyer said the proof "has been abundantly clear the opposite that the Goldmarks are loyal Americans ... the wild statements by the defendants have been absolutely untrue."

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Judge Tells Jury to Ignore Goldmark Lawyer's Remark

OKANOGAN, Jan 16. — (A. P.) — Mention of a possible mistrial and the illness of a juror complicated the \$225,000 Goldmark libel trial as the case appeared nearly ready to go to the jury today.

Superior Judge Theodore Turner instructed jurors to ignore a remark made in closing arguments yesterday by William Dwyer of Seattle, attorney for John and Sally Goldmark.

THE JUDGE said Dwyer had remarked that the defendants in the lawsuit had made frequent accusations of Communism against the Goldmarks during the trial.

Judge Turner said it is improper to suggest "an aggravation of damages" by statements made during the trial.

He said that if the jury could not ignore the statement he would have to declare a mistrial. The jurors indicated they could forget the matter.

Lloyd E. McFee of Pateros, an alternate, replaced Mrs. Elva Gladden on the jury. County Clerk Jane Profit said Mrs. Gladden was hospitalized last night because of nervousness.

DWYER SAID the defendants have "constructed a web of lies and conjecture and miserable, unhappy speculation . . . about people whom they don't even know and about whom they don't even care.

"A man's good name has been attacked, vilified and



—A. P. wirephoto.
JOHN GOLDMARK

dragged through the mud—not once, not twice but practically every day . . . for two years.

"The charges that were brought to bear were perhaps the worst kind of charges . . . They (the Goldmarks) were charged with being Communists. The word 'Communists' is a fighting word . . . It suggests everything that we dislike," Dwyer said.

OF MRS. GOLDMARK he said:

"They have said every conceivable dirty word about that woman."

Mrs. Goldmark testified she joined the Communist Party in 1935 and left it in 1943, shortly after her marriage.

Witnesses have testified a defendant, Loris Gillespie, implied in 1962 that she was so "homely" the Communist Party must have "forced" her marriage.

The defense said at the beginning of the trial—as Dwyer put it—"John and Sally Goldmark were Communists, that they are under Communist party discipline and they (defense attorneys) are going to prove it."

Dwyer said the trial had produced "a complete failure of any proof whatsoever."

HE CHALLENGED the reliability of former Communists who testified for the defense. Almost without exception, he said, none left the party voluntarily as Mrs. Goldmark did.

One witness, Mrs. Barbara Hartle, became an anti-Communist only after she was tried and convicted under the Smith Act, Dwyer said.

Another, John Lautner, was expelled from the party, tried unsuccessfully to re-enter it and only then became a "professional anti-Communist," he said.

"None of them has ever had a responsible job with government."

(Indicate page, name of newspaper, city and state.)

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Jury To Get Goldmark Case Today

OKANOGAN, Jan. 16. — (AP) — Superior Court Judge Theodore Turner decided late today to wait until tomorrow before sending the John and Sally Goldmark libel trial to the jury.

The judge acted after the jury was unable to decide whether to take a dinner recess and finish hearing arguments in a night session.

Turner said attorneys for both sides had indicated it would take at least 2½ hours to complete their arguments. He recessed court until 9 a.m.

THE DEFENSE contended today that the defendants in the case only endeavored to defeat Goldmark politically, not to defame him.

If the jury finds for the Goldmarks in the \$225,000 suit, said defense attorney E. Glenn Harmon of Spokane, it would be "a suggestion that all political activity is a dangerous conspiracy."

The Goldmarks sued four men and a weekly newspaper, contending they were libeled by being linked to communism during the 1962 campaign in which Goldmark was defeated for the Democratic renomination as a state representative.

HARMON NOTED that Mrs. Goldmark's eight-year membership in the Communist Party did not become public knowledge until that campaign. She has said she joined in 1935 and quit in 1943.

"Did Mr. and Mrs. Goldmark have a right," Harmon asked, "to continue to hide Mrs. Goldmark's membership of years' standing in the Communist Party . . . to hide that fact from the voters?"

Harmon began his arguments after William Dwyer of Seattle, Goldmark attorney, ended the first part of his remarks to the jury.

DWYER SAID the defendants' "brand of anti-communism is the kind that finds communists everywhere" . . . in the churches, government, institutions and among political leaders. Dwyer said such allegations weaken America.

Harmon hit at the conspiracy claim, made against defendants Al Canwell of Spokane, Loris Gillespie of Okanogan and Ashley Holden Sr. of Tonasket. The fourth defendant, Don Caron, is not charged with conspiracy.

HARMON SAID a Catholic priest, Father Emmett Buckley, actually was a prime organizer of the campaign to defeat Goldmark and that defendants in the suit didn't learn about Father Buckley's activities until later. The attorney called the alleged conspiracy "a figment of the plaintiff's mind."

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Goldmark Case Near Conclusion

By JACK E. FISCHER

Spokesman-Review Staff Writer

OKANOGAN, Wash. — Seattle attorney William Dwyer denounced defendants in the Goldmarks' \$225,000 libel and conspiracy lawsuit Wednesday as he presented his final arguments to the jury.

Dwyer, attorney for John and Sally Goldmark, charged, "They constructed a web of lies and miserable, unhappy speculation about people they didn't know and about whom they didn't care."

Most of the plaintiffs' argument was given in a dispassionate manner, although at times the attorney showed a flair for dramatics.

Once Dwyer left the temporary rostrum placed in front of the jury, walked over directly in front of the Goldmarks sitting just in front of the spectators and pointed at them.

Chastises Defendants

"They (defendants) said that these two people are Communists," he said in an emotion-filled voice. "They've pleaded that their statements were true and they proved these things to be true. All they have produced in this lengthy trial is one long, tortured attack against Mrs. Goldmark. They've said every conceivable dirty thing about that woman they could say without being held in contempt of court."

It was exactly 9:37 a.m. on the 41st trial day when both sides rested their case. The last witness was Sidney G. Swain of Kettle Falls, Wash., who formerly lived in Spokane where he was chief U.S. Probation and Parole officer.

He was asked by defense attorney Ned Kimball what defendant Albert F. Canwell's reputation for truth and veracity was and answered, "Very good."

Court Instructed Jury

Then came instructions of the court, which consisted of 40 separate instructions written on 56 pages. It took Judge Theodore S. Turner more than two hours to read them to the jury in a voice which showed no inflection.

Under the instructions, all issues in the complex lawsuit must be decided by the jury of eight men and four women. He told the jury that none of the issues for which damages are claimed was plainly libelous (libelous per se). On the other hand, he did not make a single directed verdict on any of the nine claims.

Although Dwyer did not complete his closing argument Wednesday, the case is expected to go to the jury sometime this afternoon. Jurors will take with them a copy of the instructions,

some 250 exhibits, and the testimony of 115 witnesses. Court officials estimate that the full transcript of the trial will run at least 7,500 pages.

Dwyer opened his argument by telling the jury why everyone involved in this trial had been willing to stay here since Nov. 4.

"We think we are here for the simple reason that a man's good name has been attacked, destroyed and dragged through the mud," he said. "Life without a good name is a very poor life, indeed. Reputation is a precious possession."

Scars Etched Deeply

"The charges of communism made against John and Sally Goldmark were made all the worse by charges made in this courtroom by the defendants, witnesses and counsel. Charges and statements made during the trial have made the scars deeper on the plaintiff and the whole community."

"The defense has stated over and over again that John and Sally Goldmark are under Communist discipline today and that they can prove it."

"There was no proof given to substantiate any of these wild statements."

He then reviewed all the nine claims for which damages are asked, pointing out the portions which he termed "false and libelous."

Then, again referring to the defendants, he said, "They were stopping at nothing. They were prepared to say anything and do anything to destroy the name of this man — and they did."

Cites Inaccurate Stories

"Mr. (Ashley E.) Holden's articles are filled with inaccuracies, but Mr. Holden doesn't care about these things. Mr. Canwell made the most reckless accusations against John Goldmark without any regard at all as to what the truth might be. Mr. (Loris A.) Gillespie has been spreading remarks about the Goldmarks for years."

The lawsuit stems from a bitter political campaign in the first legislative district in 1962 in

which Goldmark was defeated in his bid for reelection to the state legislature. It was revealed during the campaign Mrs. Goldmark had been a member of the Communist party from 1935 to 1943.

Dwyer had this to say about the campaign:

"By the end of it, the Goldmarks' reputation was ruined. I don't think in this state there has ever been such an example of people going so far and acting so viciously to ruin a man's name."

Criticized Witnesses

He also was critical of defense witnesses, naming particularly the six who qualified as expert witnesses on communism. He claimed they were not reliable and were "professional anti-Communists" who made their living by testifying.

In his instructions, Judge Turner went into considerable explanation of libel, calling it, "a false publication which tends to expose a living person to hatred, contempt, ridicule or obloquy or to deprive him of the benefit of public confidence, or to injure him in his business or occupation."

"To publish a libel against another is a wrong for which the law allows compensation in damages, unless the publication is privileged."

He then said the defendants have the burden of proving the substantial truth of the facts stated and that the opinions expressed were privileged as fair comment. Regarding fair comment he said, "The comment or criticism need not express an opinion with which any person of reasonable intelligence and judgment could possibly agree."

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Instruction Detailed

"It is immaterial that it might not be reasonably warranted by the facts . . . the fact that the criticism is fantastic, is immaterial and an extravagant form of expression is unimportant. It is necessary however, that the comment have some relation to the facts upon which it is made."

The instructions also stated that plaintiffs have the burden of proving the defamatory character of meaning of a statement, that it was made about or concerning the plaintiff and that damages resulted.

There has been considerable speculation as to how long it will take the jury to reach a verdict. Judge Turner, however, obviously does not expect a quick decision.

His last words to the jury as court adjourned Wednesday were, "We will see you at 9:30 tomorrow morning and don't forget your baggage."

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U.S. Communist Party called 'dud' by Muse at libel trial

The American Communist Party "is a complete dud," Raymond Muse, chairman of the WSU History Dept., testified Wednesday at the Goldmark trial in Okanogan, according to reports in a Spokane newspaper.

Muse was asked by the plaintiffs, John and Sally Goldmark, to testify as an expert witness on American history in the 37th day of the trial.

The Goldmarks are suing four individuals and a publishing company for alleged libel which took place during a 1962 campaign for a state senator's seat. Goldmark, the incumbent, was defeated.

Muse spent over an hour on the witness stand and minimized the political importance of the Communist Party.

"I can't think of a single piece of domestic legislation that the Communist Party has had anything to do with . . . the institution of, or the carrying out of," Muse said.

Muse told the crowded courtroom that communism in the United States is a "nuisance, but I do not consider it a menace or a major problem . . . The Com-

munist Party since 1917 has been trying to make us an appendage to the Soviet Union, but we are

no closer to that today than we were then."

Muse, who met Goldmark when he was a state senator and a participant in the WSU citizenship clearing house, said that capital-

ism is stronger in the United States today than it ever was.

The internal threat of communism has been a key issue in the trial. The plaintiffs have maintained that the primary danger is from without and the defendants claim the internal danger is greatest.

When asked if he felt that signing loyalty oaths infringed his civil rights in anyway, Muse replied, "No."

Defense Attorney E. Glenn Harmon then asked, "In your opinion, which is the greater menace to America—communism on the left or the anti-communist movement on the right?"

Muse replied that it was a difficult question to answer but that in his opinion "they are both outside the American tradition."

Because of his appearance at Okanogan, Muse was unable to deliver the lecture at Popcorn Forum. He will speak at 5:15 p.m., Jan. 15 in the CUB Jr. Ballroom on "Lyndon Johnson Faces His Political Future."



Raymond Muse

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Wash. St. Univ.
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Mrs. Goldmark Flees Courtroom in Tears

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OKANOGAN, Jan. 17. — (A. P.)—Weeping, Mrs. Sally Goldmark fled from the courtroom here today at the height of an emotion-charged closing argument by a defense attorney, Joseph Wicks.

It came as Wicks, a retired Superior Court judge, began to cite the Biblical commandment: "Thou shalt have no other God before me."

"Would the Communists accept that? . . . What is God to an atheistic Communist?" Wicks asked.

"Take a look at the First Commandment and see how it applies to this case."

MRS. GOLDMARK suddenly arose from her chair, sobbing, and hurried from the room.

Mrs. William Dwyer, wife of one of the Goldmark attorneys, hurried out behind her. A friend of Mrs. Goldmark also left.

A moment later, Dwyer left the courtroom.

Wicks continued his closing argument.

John Goldmark, a rancher, and his wife, are suing four men and a Tonasket weekly newspaper, for \$225,000 contending they were libelously linked to Communism during the 1962 state primary campaign. Goldmark was defeated for state representative.

Wicks said that Goldmark, during the 1962 campaign, had not made any public defense of his wife's former Communist Party membership.

Wicks continue:
"Chivalry in this country is not dead. Men still protect their wives . . . Did Goldmark do that? Did Goldmark call to task anybody making disparaging remarks about his wife? Why? Why didn't he call them to task? . . . Any man worthy of the name of being called a man will fight for his mate, but Goldmark didn't."

Throughout the unusual developments, Goldmark sat stoically.

Soon afterward, there was a recess and Goldmark went to

his wife.
Mrs. Goldmark regained her composure and—waiting in the hall—said she would return to the courtroom after Wicks concluded.

ONLY A REBUTTAL argument by Dwyer remained.

The jury of nine men and three women will get the case late today.

Eager to get the \$225,000 libel case to the jury, Judge Theodore S. Turner had called the court into session a half hour early.

DEFENDANTS are Al Canwell of Spokane, Loris Gillespie of Okanogan, Ashley Holden, Sr., of Tonasket, Don Caron of Okanogan and The Tonasket Tribune. Canwell, Gillespie and Holden are accused of libel and conspiracy. Caron is accused of libel.

Mrs. Goldmark testified during the trial that she joined the Communist Party in 1935 and quit in 1943.

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Juror Sick In Goldmark Libel Trial

OKANOGAN, Jan. 18. — (AP) — A juror in Mr. and Mrs. John Goldmark's \$225,000 libel suit trial became ill tonight, but a doctor said he believed the juror would be able to continue deliberations.

Dr. James Bone of Omak said juror William Smith had intestinal flu. He said he prescribed a standard remedy.

LAWYERS WERE called into conference with Judge Theodore Turner at 8:40 p.m. because of the illness of Smith. The jury was still in the jury room at 10:30 p.m., but the lawyers had left, evidently anticipating that the jury would shortly retire without reaching a verdict.

Deliberations were expected to continue tomorrow.

One juror has already been replaced by an alternate. Mrs. Elva Gladden became ill Wednesday night and was replaced by Lloyd E. McFee.

THE OTHER alternate, Lawrence Swallow, has been sitting in the room listening to the jury's deliberations so as to be able to step in if needed.

Alternates are usually dismissed when a case goes to the jury, but Swallow was asked to stay on because two of the jurors were not feeling well.

The case went to the jury Friday afternoon.

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Jury Ponders Verdict In Goldmark Case

OKANOGAN, Jan. 18. — (A. P.)—A Superior Court jury of nine men and three women deliberated today whether John and Sally Goldmark were libeled in the 1962 primary campaign and are entitled to the \$225,000 which the Goldmarks asked.

The jurors received the case at 4:22 o'clock yesterday after hearing closing arguments.

A DEFENSE attorney, Joseph Wicks, told the jury a judgment in favor of the Goldmarks would be a decision "to turn this land into a welfare state, into a socialist state, and then into a state of Communism."

William Dwyer, an attorney for the Goldmarks, asserted that the purpose of Wicks' remarks had not been to clarify the issues "but to frighten people into confirming and reconfirming terrible injustices that were made in this county."

Goldmark, a former Democratic state representative, was defeated for renomination in the 1962 campaign, in which he was seeking a fourth term. He and his wife contend they were libeled by newspaper articles, an editorial, a speech, a tape recording and mailed material linking them with Communism.

The defendants are the Tonasket Tribune; its editor, Ashley Holden; Loris Gillespie, an Okanogan businessman; Al Canwell of Spokane, and Don Caron of Okanogan.

Wicks, in his summation, said a verdict for the defense would be "an announcement to the world that in this little valley of the Okanogan we still believe as free men, God-fearing American citizens,

criticize any public official without the risk of being hauled into court. . ."

SUCH A VERDICT, Wicks said, would "shake the dome of the Capitol in Olympia . . . it will reverberate in the halls of Congress, it will be heard halfway around the world, even in the Kremlin in Moscow, Russia."

"They will know that they cannot, that they must not, they shall not use the people to further the godless ideology of Communism in this land of ours," Wicks told the jury.

Dwyer and R. E. Mansfield argued for the plaintiff in calm, quiet voices.

Mansfield said criticism of public officials is proper, but the kind of criticism involved in this case could "drive from office every decent man who ever sought it."

"Who could believe that what has happened could have happened here — that a family could be brutally abused as the Goldmark family has?" he asked.

"John and Sally Goldmark and their boys happened to be the victims this time. They are not the only persons who will be the victims if this is allowed to continue."

Dwyer enumerated famous names from American history — Presidents Lincoln, Jefferson, Roosevelt, Eisenhower and Kennedy — and asked which of them ever spoke "with such venom" as did Wicks.

"Nobody whose memory we revere ever talked like that," he said. "In our country there is no need to talk like that because in our country we rise above that to trust each

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Goldmark Jurors Still Deliberating

OKANOGAN, Jan. 18.—(A.P.)—The jury in the trial of Mr. and Mrs. John Goldmark's \$225,000 libel suit continued deliberations today over the 200 hours of testimony and hundreds of pages of exhibits in the case.

After retiring just before 11 p. m. yesterday the nine men and three women of the jury resumed studying the case at 9 a. m. At meal times, they were escorted from the Courthouse and down two blocks of icy streets to the Cariboo Inn, where they dined in a secluded room.

The case went to the jury yesterday afternoon.

The jury members deliberated at a table in an 8-by-20-foot room on the fourth floor of the Courthouse, a gray building overlooking the town from a small rise about a block from its center.

WATCHING over the jury were two bailiffs, Charles Hanson of Okanogan and Mrs. Marie Gillings, Omak.

On each side of the deliberation room is a small dormitory. One dormitory holds nine beds for the men jurors. The women jurors and Mrs. Gillings slept in the other dormitory, and Hanson's bed was in an anteroom outside.

The Goldmarks have asked damages for publications by four men and a newspaper; they say libelously linked them to Communism in 1962.

GOLDMARK, a cattle rancher, served three terms as a Democrat in the State Legislature before being defeated in the 1962 party primary.

Mrs. Goldmark has testified she joined the Communist Party in 1935 but left it in 1943.

The defense sought to prove during the trial that the Goldmarks "are in fact under Communist Party discipline now."

Attorneys and witnesses for the Goldmarks pictured them as loyal Americans.

Defendants in the suit were The Tonasket Tribune, a weekly newspaper; Ashley Holden of Tonasket, its editor; Al Canwell of Spokane, a former state representative; and Boris Gillespie and Don Caron of Okanogan.

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Goldmark Case Goes To Jury After 11-Week Session

OKANOGAN, Jan. 17. — (AP) — A \$225,000 libel suit by former State Rep. John Goldmark and his wife, Sally, against four individuals and a weekly newspaper was submitted to a Superior Court jury at 4:22 p.m. today.

Goldmark and his wife contend they were libeled by statements linking them to communism during the 1962 primary election campaign. Goldmark was defeated for renomination on the Democratic ticket. He had served three terms.

THE TRIAL began November 4. Defendants are the Tonasket Tribune; its editor, Ashley Holden Sr. of nearby Tonasket; Loris Gillespie, an Okanogan businessman; Al Canwell of Spokane and Don Caron of Oknogan.

Mrs. Goldmark testified during the trial she was a member of the Communist Party from 1935 to 1943. She said she left the party a few months after she and Goldmark were married in Washington, D.C., in 1942.

Goldmark, 46, and his wife came West after World War II. Goldmark operates a cattle ranch. He is a graduate of Harvard Law School and a nephew of the late United States Justice Louis Brandeis.

THE ALLEGED libels were some newspaper stories, an editorial, a speech, a tape recording and a mailing piece.

The case was submitted to the jury of nine men and three women by Superior Court Judge Theodore S. Turner, a visiting jurist from Seattle.

An effort by Judge Turner to get the case to the jury earlier today by calling the court into session at 9 a.m. instead of the usual 9:30 went to no purpose when events of the morning led to a lengthening of arguments.

JOSEPH WICKS, defense attorney, early in his summation, cited the Biblical commandment "Thou shalt have no other gods before me."

"Would the Communists accept that? . . . What is God to an atheistic Communist?" Wicks asked dramatically.

"Take a look at the first commandment and see how it applies to this case," he said.

Mrs. Goldmark rose abruptly from her chair and, sobbing, hurried from the courtroom.

Mrs. William Dwyer, wife of the plaintiff's attorney, rushed out after her. A friend of Mrs. Goldmark left the spectators' area following them. A moment later, Dwyer, his face grim, left the courtroom.

THE SUDDEN outburst, in itself startling, was made more so by contrast with Mrs. Goldmark's previous demeanor throughout the 11-week trial. Daily she has sat at the front of the courtroom,

her body relaxed and almost motionless, watching each witness with an unchanging expression of intense concentration.

Wicks continued speaking without a break. He said Goldmark, during the 1962 primary campaign, made no public defense of his wife's former Communist Party membership.

"Chivalry in this country is not dead," he said. "Men still protect their wives . . . Did Goldmark do that? Did Goldmark call to task anybody making disparaging remarks about his wife? Why? Why didn't he call them to task? . . . Any man worthy of the name of being called a man with integrity

for his mate, but Goldmark didn't."

GOLDMARK, who had remained seated in the courtroom, watched, his stoic expression unchanged.

Raising his voice so it could be heard far down the hall outside the courtroom, the white-haired former Superior Court judge warned of dangers from communism.

"There does exist and has existed for two or three generations a monstrous conspiracy of communism that would destroy all that we free-born American citizens hold dear."

Wicks said communism "is like a dog infected with rabies." "It has bitten and

infected some of our own people," he said. "This, ladies and gentlemen of the jury, is the internal menace.

"Fifty billion dollars a year is spent by the American people . . . to protect your home and mine against the threat of this enemy that would destroy us.

"And then somebody had the audacity to say that there is no internal menace of communism."

SOON there was a recess, and Goldmark went to his wife.

Mrs. Goldmark returned to the courtroom during the afternoon session, after Wicks had concluded his summation.

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Goldmark Trial Jury Balloting

OKANOGAN, Jan. 19. — (AP)—The jury in the marathon \$225,000 Goldmark libel trial began balloting shortly after resuming deliberations today, but there was no indication of an early verdict.

Superior Judge Theodore S. Turner called the nine men and three women on the jury before him at 10:14 a.m. to inquire about their health and what progress they were making.

"We have started just now to ballot," said the jury foreman, Carl Boelckers of nearby Malott.

Former State Rep. John Goldmark and his wife Sally sued four men and a weekly newspaper on grounds they were libeled by statements and publications linking them to communism during the 1962 primary election campaign.

BOELCKERS indicated the jury had spent most of the time since it received the case at 4:42 p.m. Friday in studying the 57 pages of instructions given by the judge.

Several jurors have been plagued by bad colds or the flu, but they told Judge Turner they thought they "would be able to hold up."

A doctor was called last night for juror William Smith, who was treated for intestinal flu. Smith said he felt better this morning.

ONE JUROR, Mrs. Elva Gladden, was replaced Thursday by an alternate, Lloyd E. McFee of Pateros. The only other alternate, Bert Swallow of Okanogan, has remained at the courthouse to join the deliberations if needed.

The jury retired at 9:45 a.m. tonight, the earliest it has gone to bed since receiving the case.

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Goldmark Jury Still Deliberating

OKANOGAN, Jan. 20.—(U. P.I.)—The jury resumed deliberations here today in the Goldmark \$225,000 libel suit. It received the case Friday afternoon.

The jury foreman, Carl Voelckers, an Okanogan orchardist, said the jury did not finish reading Superior Court Judge Theodore Turner's 57-pages of instructions until yesterday forenoon.

THE JURY THEN began to discuss the testimony on which it is to decide whether former State Representative John Goldmark and his wife, Sally, were libeled by statements made during the 1962 primary-election campaign. Goldmark was defeated.

The jury must consider eight separate claims of libel.

One juror, William Tennessee Smith, said Saturday night he was feeling ill. A doctor gave Smith medicine for the flu. When the doctor was administering the medicine, a woman juror complained of feeling ill. The doctor gave her a cold shot.

The doctor said both would be able to continue on the jury.

THE DEFENDANTS are Ashley Holden and his weekly, (The Tonasket Tribune); Al Canwell of Spokane, a former state legislator; Don Caron of Okanogan, state organizer for the John Birch Society, and Loris Gillespie, an Okanogan businessman and member of the Birch Society.

Mrs. Goldmark testified she was a member of the Communist Party in 1935-43 but said she dropped out because her husband was opposed to Communism. They were married in 1942.

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Verdict Awaited in Goldmark Case

By JACK E. FISCHER
Spokesman-Review Staff Writer

OKANOGAN, Wash.—Carl Voelckers, Okanogan orchardist, who has been elected foreman of the jury considering the Goldmark \$225,000 libel and conspiracy lawsuit, reported to the court Sunday but released little information.

Voelckers told Judge Theodore S. Turner that the jury just finished reading the complicated instructions Sunday morning and was getting ready to start balloting.

Some Illnesses Reported

He said William Smith, who became ill Saturday and required treatment by a doctor, was feeling better as were other jurors who had been coming down with colds or flu. Voelckers added that the jury appeared to be in good spirits.

Judge Turner told the foreman he was anxious to return to his duties on the King County (Seattle) Superior Court bench, that he wanted to contact his presiding judge and asked Voelckers if he could give him some indication as to when a verdict could be expected.

After long thought, Voelckers answered "no."

The lack of a decision led to speculation of a possible hung jury.

The case was completed at 4:21 p.m. Friday, but jurors had heard testimony since last Nov. 4. The instructions were long and complex and jurors have not even had a chance to look at some of the items placed in evidence.

If a verdict is reached, it is expected to set two precedents. This is the first court test involving charges of communism or a Communist sympathizer in a political campaign and the decision should establish a legal line between a lawful and unlawful conspiracy in a political arena.

The suit was filed by Mr. and Mrs. John Goldmark following a bitter legislative campaign here in 1962 in which it was revealed that Mrs. Goldmark belonged to the Communist party in Washington, D.C., from 1935 to 1942.

Goldmark claimed he was libeled by being linked with communism.

The suit involves eight separate counts of libel plus a conspiracy charge. Defendants in each claim range from one to four.

Defendants are Albert F. Canwell of Spokane, former chairman of the Washington State Legislative Committee on Un-American Activities; Ashley E. Holden, publisher of the Tonasket Tribune; Don Caron, state coordinator for the John Birch Society; Loris A. Gillespie, Okanogan orchardist, and the Tonasket Publishing Co.

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Goldmark Jury Argues Into 4th Day

OKANOGAN, Jan. 20.—(A. P.)—The jury in the trial of former State Rep. and Mrs. John Goldmark's \$225,000 libel suit began its fourth day of deliberations this afternoon, showing no signs of nearing the end.

At suppertime today, the nine men and three women jurors had deliberated 30 hours over whether four men and a weekly newspaper libeled the Goldmarks in publications the Goldmarks say linked them with communism before a Democratic primary Goldmark lost in 1962.

The jury received the complex case Friday afternoon after nearly 200 hours of testimony that began in rural Okanogan county's courthouse November 4.

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Speech 'Replayed' For Goldmark Jury

OKANOGAN, Jan. 21.—(A.P.)—The jury in the \$225,000 libel suit brought by former State Representative John Goldmark and his wife returned in privacy to the courtroom last night to listen again to the tape recording of a speech that the Goldmarks say linked them to Communism in 1962.

The jurors paused for lunch today without having reached a verdict.

The speech, made by a defendant, Al Canwell, of Spokane, is the subject of the sixth of nine accusations the jury is considering. The jury began balloting Sunday morning after receiving the case Friday.

IN THE SPEECH, Canwell attacked the American Civil Liberties Union as a Communist-front organization. Goldmark, who was present when the speech was delivered, was identified as a member of the A. C. L. U. Loris Gillespie of Okanogan, a defendant, presided over the meeting at Okanogan on August 23, 1962.

The Goldmarks filed the suit several months later following Goldmark's defeat in the Democratic primary in which Goldmark sought a fourth term as state representative. Op-

ponents brought out during the campaign that Mrs. Goldmark formerly was a member of the Communist Party.

Mrs. Goldmark has said she joined the Communist Party in 1935 and she left it in 1943.

DEFENDANTS besides Canwell and Gillespie are Don Caron, of Okanogan, Ashley Holden, of nearby Tonasket, and Holden's Tonasket Publishing Co. Caron is state organizer for the John Birch Society, and Gillespie is a Birch Society member.

The ninth charge in the suit charges that all the defendants except Caron conspired to defame the Goldmarks by destroying their reputations.

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Jury Gets Goldmark Libel Case

Sally Weeps, Leaves Room

By JACK E. FISCHER
Spokesman-Review Staff Writer

OKANOGAN, Wash. — After the most emotional courtroom drama of the lengthy Goldmark \$225,000 libel and conspiracy trial, the lawsuit finally was handed to jury of nine men and three women Friday at 4:21 p.m.

Thus, after 75 days, of which 43 were actual trial days, the moment of decision arrived.

That moment did not come, however, until emotion, which has been on the verge of breaking throughout the tension-filled trial, reached its climax with plaintiff Sally Goldmark rushing from the courtroom weeping.

The drama was touched off by retired Superior Court Judge Joseph Wicks, a graying, lanky man, who came out of retirement to join defense counsel on this case.

Seen as Guiding Hand

His passionate summation painted Mrs. John Goldmark as the master-mind behind her husband's rapid rise through the liberal ranks of Washington Democrats to become one of the most powerful men in the state legislature.

He labeled Mrs. Goldmark as the guiding hand in her husband's political life, noting that she was a Communist for many years and terming her a Communist leader.

Punctuating his closing argument with expressive gestures and piercing stares, Wicks told the jury that counsel for the plaintiff had referred to the commandment, "Thou shalt not bear false witness."

"There's another commandment," he said, "which says 'I am the Lord thy God and thou shalt have no other God before me.'"

And then, looking directly at the Goldmarks, he asserted, "Now, would a Communist accept that? Does a Communist say that there is no other God before me? What is God to an atheistic Communist?"

Rushes From Courtroom

At this point Mrs. Goldmark, lips trembling, sprang from her chair and rushed to the courtroom door, her face twisted and tears streaming down her cheeks.

Mrs. William Dwyer, wife of one of the Goldmark attorneys, hurried out behind her. A moment later, the grim-faced Dwyer also left the courtroom.

Goldmark Is Stoic

Throughout the surprising and amazing event, Goldmark sat stoically. Soon afterward, however, there was a recess and he went to his wife.

Mrs. Goldmark stayed out of the courtroom until Wicks completed his closing arguments after the noon recess. As soon as plaintiffs' counsel, R. E. Mansfield, took over the rostrum in front of the jury, she returned.

Mansfield, who relaxed the courtroom with his change of tempo in the way he spoke, did not mention the episode, but later Dwyer told the jury, "The defense has carried this so far that finally today they succeeded in doing something to Mrs. Goldmark that has not happened before. The use of such terms as Communist atheism is false. It does not apply to Mrs. Goldmark."

"Sense of Reality"

"It will be my hope," Mansfield said, "to restore in this courtroom a sense of reality. This is a court of law. Emotionalism does nothing to establish fact."

He then said the defense argument reminded him of the Shakespearean phrase "out damn spot."

"Despite this five and a half hours of verbal laundering," he said, "the spot will not out. The days of the witch hunt in old Salem are once again with us."

"Shall we reduce politics to the position where no one will

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run for political office because of fear of this type of abuse?"

But Dwyer was neither as soft-spoken nor as kind.

"The arguments made to you were arguments of hatred, not of fact," he declared. "John Goldmark did not sue anyone because he was defeated in an election. He sued because he was a victim of a vicious attack."

He not only lashed out at the defendants, but also at the defense attorneys, saying at one time in reference to E. Glenn Harmon, "That kind of thinking is sick."

"This has been a mean, vicious attack on Sally Goldmark," Dwyer said. "It also was an attack on both the Goldmarks because they would not fall into step with their (defendants) brand of anti-communism."

Reviews Issues

Wicks took up a considerable part of the day going through various issues on which the defense has claimed the Goldmarks' position was the same as that of the Communist party.

He said the defeat of Goldmark for re-election to the state legislature in 1962 was "not only a shock to John and Sally Goldmark, but to every left winger in the state."

"Is this a lawsuit to prove damages against the Goldmarks?" he asked, "Or is it a lawsuit to protect the American Civil Liberties Union?"

He then said a large number of witnesses called by the plaintiffs were in behalf of the ACLU and made references to the television production, "Suspect," which was produced by a person who testified he was a member of the ACLU.

"The ACLU must be saved!" Wicks thundered. "The lives of John and Sally Goldmark are of little consequence."

Dwyer later termed the reference to the ACLU as "ridiculous," and added, "The ACLU has absolutely nothing to do with the case."

Precedent-Making Decision

Whatever the verdict, it will be a precedent-making decision. This will be the first time that charges of communism or Communist sympathizing will be tested in a court of law. It also will be the first time that a legal line will be drawn between what is known as a lawful conspiracy and an unlawful conspiracy in a political campaign.

The importance was summed up by Wicks, who told the jury, "Your verdict will be flashed across the nation, across at least half the world, and will be heard even in the Kremlin in Moscow."

But Dwyer answered, "It is true that this verdict will go over all news wires, but the standard still is that you do what is right."

Trial Began Nov. 4.

The trial, which started last Nov. 4, stemmed from a legislative campaign in 1962 in which it was revealed that Mrs. Goldmark had been a member of the Communist party from 1935 to 1943.

Defendants assert that she never actually left the party. Goldmark, who was defeated decisively in the 1962 primary election, claims he and his wife were damaged by publications and statements during the campaign.

Jurors now have the task of deciding eight different claims of libel and a ninth claim charging conspiracy.

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Goldmark Libel Case Jury at Work

OKANOGAN, Wash. — Complete silence came from the jury room in Superior Court Monday where nine men and three women are trying to reach a verdict in the Goldmark \$225,000 libel and conspiracy lawsuit.

The only time any of the jurors left the room was to go to meals and there was no indication what progress is being made in reaching a verdict on the nine separate claims involved.

Last Report Sunday

Carl Voelekers, Malott orchardist who was named foreman of the jury, last left the jury room Sunday morning to tell Judge Theodore S. Turner that they had been reading the instructions, were feeling good physically and mentally and were ready to start balloting.

Since that time there has been nothing but silence.

The suit, which is expected to establish several legal precedents, was brought by former State Rep. John Goldmark and his wife following the 1962 legislative campaign in which Goldmark was defeated.

It was revealed during the campaign that Mrs. Goldmark previously had been a member of the Communist party and Goldmark claimed he was libeled by being linked with communism. There are eight separate claims of libel and the additional charge of conspiracy.

Defendants are Albert F. Cawell of Spokane, Ashley E. Holden, publisher of the Tonasket Tribune; Don Caron, state coordinator for the John Birch Society; and Loris A. Gillespie Okanogan orchardist.

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JURY PONDERERS GOLDMARK CASE

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FACES BIG DECISION — The Goldmark jury heads up the stairs in the old Okanogan County courthouse for more deliberations in an upstairs room.—Daily World Photo.

Oratory Highlights Closing Arguments

By DICK LARSEN

OKANOGAN — After a day of extraordinary courtroom drama, some blistering legal oratory, the Goldmark Libel Case finally went to the jury at 4:21 p.m. Friday.

The jury of nine men and three women deliberated Friday night and resumed their difficult job Saturday.

They had heard some amazing oratory from attorneys in closing arguments.

Now the jurors are pondering a mass of documents entered in evidence and a long list of instructions from Judge Theodore S. Turner.

With those documents, the list of charges, and their recollection of perhaps 1½ million words they've heard since Nov. 4, they're trying to decide: Were John and Sally Goldmark libeled in 1962?

Jurors are considering nine charges of libel. Involved as defendants are: Ashley Holden and his Tonasket Tribune, Albert Canwell of Spokane and Loris Gillespie and Don Caron of Okanogan.

Through most of Friday, gray-haired Joseph Wicks, who once presided as judge in the Superior Court room, delivered a sometimes-roaring, sometimes blistering argument. He raked the Goldmarks. It was an epic performance as he gestured, pointed, strode around the courtroom in spell-binding style.

He told the jurors: "The decision will be heard all over the land."

He asked them if it will be a decision "to turn this land into a welfare state, into a socialist state and then into a state of communism."

Or, he wondered with a soaring voice, will it be "an announcement to the world, that in this little valley of the Okanogan, we still believe as free men, God-fearing American citizens that all of us have a right to criticize any public official without the risk of being hauled into court . . . and say that you cannot speak against your political opponents . . . when this happens, ladies and gentlemen, political freedom is gone."

Wicks declared that a decision out of this case "will shake the dome of the Capitol . . . in Olympia . . . it will reverberate in the halls of Congress. It will be heard half way around the world, even in the Kremlin, in Moscow, Russia . . . then they will know that they cannot, that they must not, they shall not use the people to further the Godless ideology of communism in this land of ours."

Goldmark attorney R. E. Mansfield spoke briefly after Wicks, addressing the jurors shortly after 2 p.m.

His voice was extremely soft. But it was emotional.

He said: "This is a court of law. This is a trial to establish facts. Emotionalism does nothing toward establishment of facts."

Mansfield added: "There is in existence today a communist party and a communist ideology and . . . it is a repulsive one and that is a fact."

"This case is not about the loss of an election . . . this case is not about the Communist party, although that is what the defendants would have you believe . . . what this case is about is that people have been libeled."

Later Goldmark attorney William Dwyer told jurors: "I'm sure you could sit on this jury for 100 years and never again witness an attack of the viciousness that we have seen in this case."

Dwyer, too, spoke softly, without great demonstration.

Earlier, Wicks had referred to criticism of the anti-communist study groups from the plaintiff's side. He quoted Dwy-

er as saying: "You got two brands of anti-communism," and "the anti-communist campaign in 1960, these study groups, that's not the right kind of communism. That's hatred . . ."

"Hatred for what?" Wicks asked. "Hatred for the things that would destroy you and me . . . and isn't it a time that we had a little hatred for those who declare, 'We'll bury you?'"

Communism, said Wicks, "is like a dog infected with rabies. It has bitten and infected some of our people . . . there are still mad dogs in our midst."

Wicks referred once to Goldmark's Navy record in World War II. "If he served my country in war, I honor him."

But, he added, "there were men in the service who were infected with the disease of communism. Men who served under that old flag (Wicks here gestured toward the American flag above the judge) but men who still remained loyal to communism and Russia because they were fighting their war, too."

Wicks lashed Goldmark's political life. He said Goldmark had skeletons in the closet. "When they were dragged out he was licked and now, ladies and gentlemen of the jury, he comes before you and cries about it."

Wicks declared the Goldmarks opposed the films "Operation Abolition" and "Communism on the Map" and "the John Birch Society. They were opposed to that. A lot of people want to know why."

"Is this a lawsuit for damages against them or is this a lawsuit that protects the organization that is so frequently referred to in this trial, the ACLU?"

Wicks alluded to the assassination of President Kennedy at one point. "The man who committed the most horrible deed on the 22nd of November . . . the man who said 'I want an ACLU lawyer' . . . that's the organization we must protect."

In a very dramatic manner, he told the jury, "the verdict will live with each of you for the rest of your natural lives."

He declared that as the jurors grow old, "As your hair turns gray . . . your grandchildren will read the lines of your face and the lines of this verdict will be there for them to see."

Mansfield at one point cited Shakespeare, the assassin's cry, "Out, damn spot!"

"In spite of 5½ hours of verbal laundering that has gone on here (referring to the defense attorneys' arguments) the spot will not out."

"It isn't a Shakespearean dagger. It comes from the bullet that was fired from Al Canwell and his associates . . . and the blood comes also from such cruelties, such as the appellation of mad dogs you have heard here."

"The day of the witch hunts in Old Salem are still with us."

"Who could believe that what has happened here could have happened here?" asked Mansfield, a long-time Okanogan attorney, "that a family could be brutally abused as the Goldmark family has."

Mansfield agreed that there is a right to criticize public officials "for their public acts,

for their attention to duty. Criticisms. Slander? Libel? Verbal brutality? Is this legal criticism of public officials? Can this . . . drive from office every decent man who ever sought it? Think it over."

"John and Sally Goldmark and their boys happened to be the victims this time. They are not the only persons who will be the victims if this is allowed to continue."

Dwyer, too, alluded to the argument of Judge Wicks. He cited an attorney saying "When the facts are against you, you argue the law. When the law is against you, you argue the facts. When both are against you, you yell as loud as you can."

"You've heard about six hours of yelling," said Dwyer. He charged it was not intended to clear issues in the lawsuit "but to frighten people into confirming and reconfirming terrible injustices that were made in this country."

Dwyer gestured toward the flag, "It stands for brotherhood, love and justice. Who has talked with such venom? Lincoln? Jefferson? Roosevelt? Eisenhower? Kennedy? Nobody whose memory we revered ever talked like that. In our country there's no need to talk like that because in our country we rise above that . . . to trust each other."

He said of the defense case, "Most of the arguments were a smoke screen. . . we're here because we believe in this case and we believe in John Gold-

mark. . . the ACLU has absolutely nothing to do with this and counsel, I believe, knows this."

Dwyer answered a charge that Goldmark didn't defend his wife.

"You don't want to put her on the block . . . a wife isn't a thing to tow around behind you as a political asset . . . a wife is a person whom you respect. . . you don't get her into political campaigns."

He declared that John Goldmark, coming into court, is defending his wife.

Referring to defendants, Dwyer said, "They refuse to forgive Mrs. Goldmark. They refused even to treat her as a human being, even though they know what she did was a common mistake at that time."

He referred to her 1935-43 Communist party membership.

Dwyer cited Mrs. Goldmark's testimony in 1956 to the House Committee on Un-American activities. She said then her membership in the party was a "breach of faith with my own country. I very much regret it."

"This is not a political case. It's a case of character assassination which people of both political parties deplore," said Dwyer.

He concluded by telling the jurors, "The choice is whether or not we're going to have a community where people treat each other with decency, where a man who has been wronged can get justice."

"God bless you in your deliberations."

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Goldmark Jury Still 'Out'

OKANOGAN — The waiting game continued here Monday with no sign of a verdict in the Goldmark libel case at mid-morning.

Jurors, after receiving the case late Friday afternoon, deliberated throughout the weekend and continued today.

Two, suffering from colds and stress, were treated by a physician Saturday night under special arrangement by the court.

Early today there were no indications whether the length of deliberations is good for the plaintiffs or the defendants.

Jurors returned to the courtroom briefly Sunday morning at the request of Judge Theodore S. Turner.

The judge had called them in to determine if they were having problems. The two jurors who had not been feeling well, Mrs. Verona Naught, Omak, and William W. Smith, Okanogan, appeared to be feeling well.

Carl Voelkers, Malott orchardist, appears to be the foreman of the jury, although that choice by the jurors is not revealed.

Voelkers did the talking for the jury.

He told the judge that most of Saturday had been spent going over the 56 pages of instructions and that one vote had been held. He did not indicate on what issue or issues there had been a vote or what the count was.

Judge Turner told the jury he would be standing by if they need any assistance.

The judge appeared satisfied

they were making some progress.

"You can tell when a jury is at outs with itself," said the judge today. He added there is "not an indication of that at all" here.

However, the jurors were sober faced and appeared to be under strain as they walked between the courthouse and the Cariboo Inn for their Monday breakfast.

They smiled only when the hotel manager, Roy Mycon greeted them with: "Good morning, Limelighters."

The length of deliberations so far could mean anything.

One defense attorney indicated that a swift return of the jury could favor the defendants. That could mean the jurors had rapidly determined there was no basis for libel in any of the charges.

However, counsel for the Goldmarks' side showed concern over one question raised by the jury in its Sunday session with the judge.

Jurors appeared to be confused about the law of libel.

That is a complex legal issue about the rights of publications to comment on public officials.

Probably the time elapsed so far means only that the jury is going about its work conscientiously, said Judge Turner.

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GOLDMARK CASE

Jurors Hear Tape Recording

By DICK LARSEN

OKANOGAN—Apparently still making progress, jurors began their fourth full day of deliberation here today in the Goldmark libel case.

But at mid-morning there was no indication that a decision was imminent.

Once again the jury returned to the courtroom Monday night, this time to listen to a tape recording.

It was a recording of an Aug. 23, 1962, speech by Al Canwell, made in the Okanogan American Legion Hall. That speech is one of the alleged libels in the lawsuit.

No outsiders were allowed in the courtroom, except attorneys, and Clerk Rosa Wilson.

Judge Theodore S. Turner explained that the tape was admitted in evidence in the case, along with a written transcript of it.

The jury wanted to hear the tape to save reading time.

Judge Turner said he feared an accident if the jury were given a tape-playing machine in the deliberation room — the sounds on the tape could be accidentally erased by an inexperienced operator.

And no one familiar with such a machine could be allowed in the room.

So it was decided to use the court room. Mrs. Wilson operated the machine.

Jurors had a question about their voting, said Judge Turner. They were told that on the final ballot, the vote of each juror should be recorded on each

charge in the case, because the jury will be polled.

The nine men and three women continue to show they are a hard working jury. "I noticed they gave intense concentration," said Judge Turner.

All appeared to be in good spirits and good health as they left their breakfast room in

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Okanogan's Cariboo Inn and walked back to the court house.

Notes while jury-waiting:

Attorneys in the Goldmark libel case and Judge Turner frankly admit it has probably been a highlight in the career of everyone involved.

Attorney Ned Kimball of Waterville showed how significant it is when he passed up a rare opportunity for an attorney: the chance to appear before the U.S. Supreme Court.

Kimball was to have appeared at the high court on behalf the Greek counsel and the Greek heirs of Angel Yiatchos, in an appeal of a decision won in Douglas County Superior Court, later the State Supreme Court.

But, occupied as defense counsel in the Goldmark case, Kimball asked Attorney Charles Cone of Wenatchee who was already representing Mrs. Yiatchos in the case, to argue the suit of the Greek heirs also.

Last week was a doubly memorable one for Judge Turner. Testimony in the long trial, over which he presided, finally came to an end.

And Judge Turner became a grandfather again.

His son and daughter-in-law, Mr. and Mrs. Theodore Turner Jr. of Seattle became parents of a baby girl.

The judge's son is a Boeing physicist.

That makes five grandchildren for the judge.

While the task of the jury is a difficult one, Judge Turner

points out it could be worse. History proves it.

The judge got out a law book which discussed some ancient rules of the English law. He pointed out that the court's attitude in those days was that the jury members were, in effect, prisoners of the court.

Said the book: "By the law of England, a jury, after their evidence is given upon the issue, ought to be kept together in some convenient place, without meat or drink, fire or candle."

In effect they were locked up in those old days without food, drink, warmth or light. Apparently those circumstances served two purposes. 1. The jury was isolated from outside influence. 2. The jury had lots of incentive to arrive at a decision without delay.

Since those days the system has improved substantially, although every effort is made to protect the jury from any contact with the outside. But there is much attention given to their needs and comfort.

The Goldmark trial has had quite a bit of regional and national news coverage. Although there have been only a few reporters covering it day to day, start to finish, most have worked for more than one outlet.

John Andrist, works for the

Omak Chronicle. It has given wide coverage. Andrist has also served a wire service — UPI — and a radio and TV stations.

Chronicle Editor Bruce Wilson and his journalist wife have also been at the press table much of the time.

Jack Fischer of the Spokane Spokesman-Review covered testimony from start to finish. Fischer served the New York Times, too.

Besides the Daily World, Dick Larsen covered for Associated Press and the Washington Post.

Larry Rader, representing Radio KOMW in Omak, was in for much of the trial and he also served AP.

Often it was necessary for one of the reporters to leave the press table in the midst of testimony to phone a story to meet a deadline. While he was out, others would take notes and fill him in on his return.

It was a small convivial press corps.

Occasional "drop-in" reporters included Bill Flynn, San Francisco, representing Newsweek.

Conspicuously absent were the Seattle Dailies.

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\$40,000 Award in Goldmark Suit

Jury Finds for Plaintiff on 5 Counts

OKANOGAN, Wash. (AP)—
The jury in the \$225,000 Gold-
mark libel case voted for the
plaintiffs early today on five of
nine counts and awarded the
former state representative \$40,
000.

The jury of nine men and
three women found for John
Goldmark in his claim against
Ashley Holden Sr. and the
Tonasket Publishing Co. on
count one and awarded damages
of \$12,000. Goldmark had asked
\$25,000.

\$13,000 Awarded

Goldmark's claim for \$25,000
for an editorial written by Hold-
en and published by his com-
pany was granted and the jury
awarded \$13,000.

Goldmark had asked \$50,000
from Holden, the Publishing Co.,
former State Rep. Al Canwell of
Spokane and Don Caron of Okan-
ogon for a printed version of
an interview. The jury found for
the plaintiff and assessed dam-
ages of \$2,900 against Canwell,
Holden and the company, but
limited it to \$100 where Caron
was concerned.

The jury awarded \$5,000 of the
\$50,000 asked by Goldmark for a
taped version of an interview
with Canwell.

Found for Defendants

The defendants were removed
from Goldmark's claim of \$25,
000 damages sought for an arti-
cle written by Caron. The jury
also found for the defendants in
two suits in which Mrs. Gold-
mark sought a total of \$25,000
for alleged damages.

Goldmark sought \$25,000 from
Canwell, Loris Gillespie, Okan-
ogon businessman and Holden
for remarks made at a meeting
in Okanogan during the bitter
1962 Democratic primary which
Goldmark lost. The jury award-
ed \$7,000.

A conspiracy charge against
the defendants was thrown out
by the jury.

(Indicate page, name of
newspaper, city and state.)

Spokesman-Review
Spokane, Wash.

Date: 1/22/64

Edition:

Author:

Editor:

Title:

MRS. SALLY GOLDMARK

Character: SM - C

or

Classification: 100-21585

Submitting Office: Seattle

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SEATTLE POST
INTELLIGENCER

JAN 22 1964

PAGE 3 COL 8

Goldmark Jury Ponders Far In Night

OKANOGAN, Jan. 22.
(Wednesday).—The jury de-
liberating the Goldmark libel
suit worked past their bed-
time to an early hour today
while attorneys grew more
apprehensive over the possi-
bility of a hung jury.

A majority of 10-2 must
make a judgment on each of
the nine separate allegations
of the complicated case. If
the jury of nine men and
three women can't reach a
majority decision, the case
would have to be retried or
dropped.

THE JURY received the
case late last Friday after
hearing 200 hours of testi-
mony from almost 100 wit-
nesses.

Date:
Edition:
Author:
Editor:
Title:

MRS. SALLY GOLDMARK

Character: **SM - C**

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Classification: **100-21585**

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Goldmark Wins \$40,000 Libel Award, Hails 'Vindication'

OKANOGAN, Jan. 22 (A.P.)—A jury found today that five defendants libeled John Goldmark—cattleman and former state representative — in statements Goldmark said linked him with Communism during a Democratic primary campaign in 1962.

The nine men and three women jurors, awarded Goldmark \$40,000. He had asked \$200,000.

GOLDMARK CALLED the verdict "a great vindication" of himself and the American jury system, "particularly because this jury was subjected to so many pressures throughout such a long trial."

E. Glenn Harmon, a defense lawyer, said a motion for a new trial will be filed. The defense contends the judge erred in permitting some "improper argument" by William Dwyer of counsel for the Goldmarks.

Goldmark was compensated on five of nine claims. The verdict went to the defendants on the four others.

Mrs. Goldmark, an acknowledged member of the Communist Party from 1935 to 1943, had sought \$25,000 as co-plaintiff in two of the claims in which the verdict went to the defendants.

The Goldmarks and all defendants except Ashley Holden, Sr., were in court when the verdict was returned.

(THE UNITED PRESS International) noted that the verdict on each count was 10-2, the minimum needed for a civil-case decision. Ralph Lovinger, an Omak farmer, and William Smith, an Okanogan laborer, dissented from the verdict awarding damages to the Goldmarks. Wallace S. ... and

Mrs. Don Medonich, Okanogan social worker, dissented from the verdict favoring the defendants.)

The receipt of the verdicts by Superior Court Judge Theodore S. Turner of Seattle ended a trial that began November 4. The jury received the case Friday afternoon and worked through the week-end rehashing nearly 200 hours of testimony and studying more than 50 pages of instructions from Judge Turner.

In one of the instructions, Judge Turner said the plaintiffs had the burden of proving Mrs. Goldmark left the Communist Party.

Goldmark, nephew of the late United States Supreme court Justice Louis Brandeis and an honor graduate of Harvard Law School, bought a cattle ranch near here in 1947.

IN 1956, Goldmark won the district's Democratic nomination for state representative and was elected by a 3-2 margin. He was re-elected by the same margin in 1958 and 1960, becoming meanwhile a leader of liberal Democrats in the Legislature and chairman of the House Ways and Means Committee.

In 1962, during the primary campaign, Mrs. Goldmark's former Communist Party membership was brought out and Goldmark's Democratic opponent defeated him, 3 to 1. The Goldmarks filed the suit shortly afterward.

Witnesses in the trial included former Communist Party members and government officials from throughout the United States. Testimony related to Communism, religion, Communist "forced marriages" and the American Civil Liberties Union.

THE LARGEST award, \$10,000, was for an editorial written by Holden, of nearby Tonasket and published in his weekly newspaper, The Tonasket Tribune. The editorial labeled Goldmark "a tool of a monstrous conspiracy to remake America into a totalitarian state which would throttle freedom and crush individual initiative." Goldmark had asked \$25,000 on this Count No. 2 of his nine-count lawsuit.

An article by Holden pointing to Goldmark's membership in the A. C. L. U. and calling it "an organization closely affiliated with the Communist movement in the United States" was the basis of a \$12,000 award to Goldmark on Count No. 1. He had asked \$25,000.

Other awards were for \$7,000, \$5,000 and \$3,000.

Besides Holden, the defendants were Loris Gillespie, orchardist, American Legion official and John Birch Society member; Don Caron, former Forest Service employe who resigned to become state coordinator for the Birch Society, and Al Canwell, Spokane businessman and former state legislator, who testified he was running his own "American intelligence service."

CANWELL, HOLDEN

Caron were found liable for \$3,000 on the third count for the printed version of "An Interview with Al Canwell." Caron's liability was set at \$100.

A \$5,000 judgment was returned on Count 4 against Canwell for the taped version of the interview. Goldmark had sought \$50,000 on both counts.

(Indicate page, name of newspaper, city and state.)

SEATTLE TIMES

JAN 22 1964

PAGE A COL 4

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A verdict in favor of the defense was returned on the fifth count, which named Caron for an article in The Okanogan Independent September 6, 1962, titled "Pillaging Parliament." Goldmark had sought \$25,000, got nothing.

A judgment of \$7,000 was returned on Count 6 against Canwell, Gillespie and Holden for their remarks at a meeting

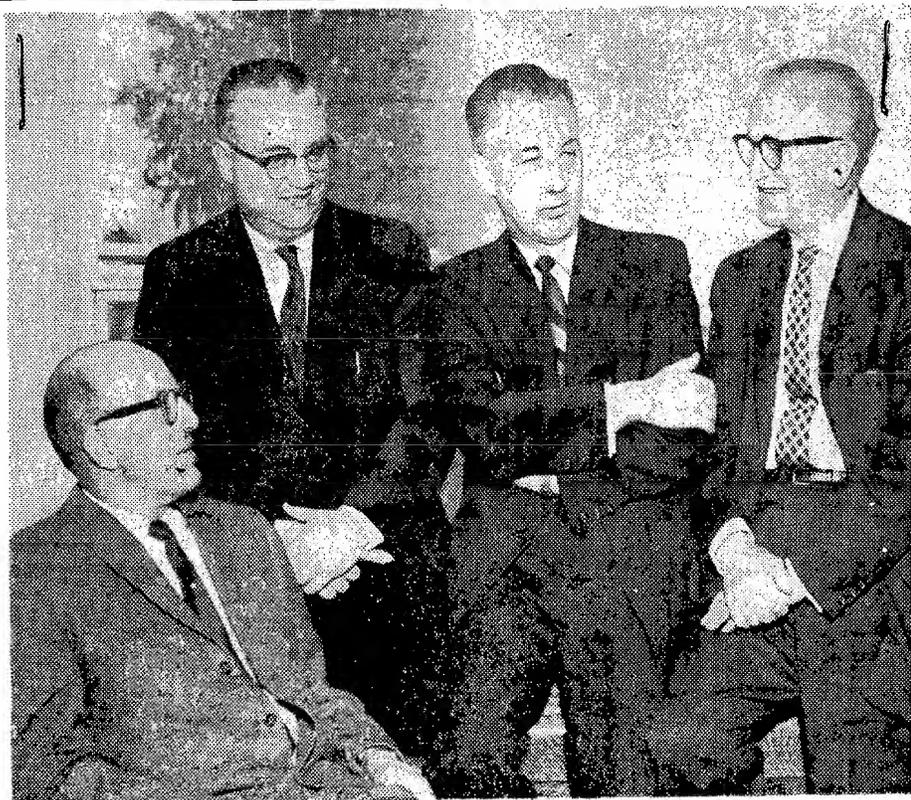
at Okanogan August 23, 1962, at which Canwell called the A. C. L. U. a Communist front operating in Washington and identified Goldmark as a member of the A. C. L. U. Goldmark had asked \$25,000.

COUNTS 7 AND 8 were requests for \$12,500 each by Mrs. Goldmark against Canwell, Holden and Caron for their part in Counts 3 and 4. They were denied.

Count No. 9 accused Canwell, Holden, Gillespie and the Tonasket Publishing Co. of conspiracy to defame and injure the Goldmarks. The jury found in favor of the defendants that there was no conspiracy.



—A. P. wirephoto.
LIBEL VERDICT PLEASED MR. and MRS. JOHN GOLDMARK



—A. P. wirephoto.

THE DEFENSE AWAITED LIBEL-TRIAL VERDICT

From left, Loris Gillespie, E. Glenn Harmon, an attorney; Al Canwell and Ashley Holden. (Don Caron, a defendant, was not present.)

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GOLDMARK WINS LIBEL SUIT, AWARDED TOTAL OF \$40,000

(Indicate page, name of newspaper, city and state.)

1 THE WENATCHEE DAILY
WORLD
WENATCHEE, WASH.

Date: 1/22/64
Edition:
Author:
Editor:
Title: MRS. JOHN GOLDMARK

Character: SM-C
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Classification: 100-21585
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VICTORY SMILE — Mr. and Mrs. John Goldmark showed their happiness as they met with newsmen around 2 a.m. today after hearing victory judgment at the end of their long libel trial.



CROWD. — Reporters, and TV camera men crowd around Mr. and Mrs. John Goldmark, interviewing them just outside courtroom. Here

the Goldmarks chat with Duayne Trecker, Seattle TV man, formerly a Wenatchee radio man.—Daily World Photos.



JOB ENDED—Superior Court Judge Theodore S. Turner of Seattle, left the Okanogan County court house amidst a light snowfall, shortly after 2 a.m. today, at the end of his long job of presiding over the Goldmark libel trial.

Defendants Plan To File Motion For New Trial

OKANOGAN — The defendants in the John Goldmark libel suit announced shortly before noon today they would file a motion for a new trial on grounds of judicial error, the Associated Press reported.

An Okanogan County Superior Court jury awarded Goldmark \$40,000 in his suit against the defendants on five charges of libel.

E. Glenn Harmon, defense attorney, said the motion would claim the trial judge erred "in allowing counsel for the plaintiffs to make an

improper argument to the jury, over the objection of the defense."

He said the motion also would cite "other occurrences during the trial."

The claim of judicial error will be based on closing arguments in which William Dwyer, an attorney for the Goldmarks, contended the defense had done further damage to the Goldmarks by its handling of the case. The judge overruled Harmon's objections and then conceded they should have been allowed.

By DICK LARSEN

OKANOGAN — Victory came quietly and dramatically in the middle of the night to John Goldmark.

A jury of nine men and three women ended more than four days of deliberation as they returned to the Okanogan County Superior Court room here shortly after 1 a.m. today with their verdict: Goldmark had been libeled.

Jurors awarded him \$40,000 after finding for him on five counts of libel.

Although much less than the \$225,000 sought in the action, the judgment is one of the biggest dollar awards ever made in a libel case in a Washington State court.

Mr. and Mrs. Goldmark had brought eight charges of libel and one charge of conspiracy against Ashley Holden, and his newspaper, the Tonasket Tribune, Al Canwell of Spokane, operator of what he calls a "non-governmental intelligence agency," and Loris Gillespie, Okanogan businessman and a John Birch Society member.

Also a defendant, although not involved in the conspiracy, was Don Caron of Okanogan, state coordinator for the John Birch Society.

In the courtroom to hear the verdict was a small crowd of people, most of whom had climbed out of bed when news of the impending verdict was telephoned around town.

Mr. and Mrs. Goldmark, and everyone else in the courtroom, showed tension, but no reaction as the verdicts were read.

But later the Goldmarks talked with newsmen, sometimes gaily, sometimes in sober tones. They called the decision "a great vindication."

Defendants in the courtroom appeared numb by the verdict.

Canwell, on whom some of the damage ver-

dicts fell, was visibly shaken. He indicated there would be an appeal.

Thus ended a long, often stormy, always-emotional trial, laden with issues.

Many issues were settled by the decision.

Perhaps the key one was this: John Goldmark is not pro-Communist or a Communist sympathizer. When the defendants suggested that in attacks on him during the 1962 campaign, they were guilty of libel and slander.

Mrs. Goldmark, who acknowledged membership in the Communist party from 1935 to 1943, was a plaintiff in two counts of libel. The jury found for the defendants on each of those.

Goldmark attorney William Dwyer said the decision was still a complete vindication of Mrs. Goldmark.

He said that her loyalty was an issue in all the decisions for Goldmark.

Asked what was her reaction at the moment, Mrs. Goldmark said: "First of all, I'm really delighted for my children. I'd want them to live in Okanogan County for a long time. This (decision) means a lot, I think, to their faith in our judicial system and in our democracy."

Her husband echoed that view: "The decision, I think, was a great vindication to us . . . also vindicating my faith in the American people as exemplified in a jury."

Goldmark added: "That applies particularly, I think, to this jury, subjected to so many pressures in such a long trial as this one has been."

The case which began last Nov. 4, had gone to the jury late last Friday afternoon. Ever since the anticipation and pressure had been mounting, as the jury deliberated.

A first sign that they were approaching a verdict came at dinner time. Jurors filed into their private dining room in the Cariboo Inn,

but spent only about 40 minutes there. Usually they take an hour or more.

They returned to their rooms in the top floor of the courthouse and resumed work. Bailiff Charles Hanson gave periodic reports as they continued working into the night.

At 11:50 p.m., they asked for coffee. He began making it. That was a sign they were going hard at it. Never before had they deliberated past 11 p.m.

At 12:22 a.m., foreman Carl Voelkers of Malott opened the door of the jury's room and told Hanson and woman bailiff, Mrs. Marie Gillings they had a verdict.

They immediately notified Judge Theodore S. Turner, who was in his room at the Cariboo Inn.

Then began a flurry of phone calls to attorneys, principals and newsmen.

About a half dozen persons in the lobby and bar of the hotel dashed out and hurried toward the courthouse.

The Goldmarks were roused out of bed by the phone call.

From the hotel and other parts of Okanogan and Omak, people hurried to the courthouse. It was snowing lightly.

Ashley Holden was in Tonasket, so he was the only defendant not able to get to the courtroom.

Defense attorneys Joseph Wicks, Omak, and Ned Kimball, Waterville, were not there. Attorney E. Glenn Harmon, accompanied by his wife, was there to represent defendants, along with James Thomas, an associate of Wicks.

Shortly before 1 a.m., newspaper and TV photographers were clustered around the foot of the stairs down which the jury would come.

Judge Turner asked them to disperse at that moment. He said the jurors have been under a long strain and he didn't want to have them greeted by a blast of lights on their way to the court. Pictures in the corridor, afterwards, OK, said the judge, but not before the verdict.

There were 35 men and women in the benches of the courtroom at about 1 a.m. Included were Sheriff Russell Will and two of his deputies.

Judge Turner said to the spectators: "After the verdict there will be no demonstration in the courtroom."

The jury filed in at 1:07. Voelkers told the

court the decision had been reached.

He handed a manila envelope to bailiff Hanson. He delivered it to Judge Turner. The judge opened it and examined all the documents.

Court reporter Mrs. Rosa Wilson was using a shorthand machine, taking down all the proceedings and, in addition, had a tape recorder going.

Then the judge gave the sheet of verdicts to County Clerk Jane Profit: "Mrs. Profit, will you kindly read the verdict?"

Mrs. Profit's voice was very soft. Everyone strained to hear. She read each claim and each verdict.

Surprisingly, there was no show of emotion at all on the faces of any of the principals.

Later Mrs. Profit asked each juror if the final vote of the jury was his or hers. When that juror's vote differed, he or she was asked for his or her vote on each of the counts.

Every decision was by a 10-2 count.

Finally Judge Turner asked the attorneys: "Counsel, is there any reason why this verdict should not be filed? Is there any defect? I'm frank to say it isn't apparent to me."

"We don't see any defect, your honor," said William Dwyer, Goldmark attorney.

Harmon, his voice weary, said softly: "We don't see any defect, your honor, not on the fact of the verdicts."

"The verdicts will be filed," said the judge.

Later he told the jury: "You have the thanks of the court for the . . . service that you have given in this case."

Then he told jurors they may, if they wish, talk to anyone about their deliberations. But he urged that they be careful and discreet, because there is always the possibility of appeal.

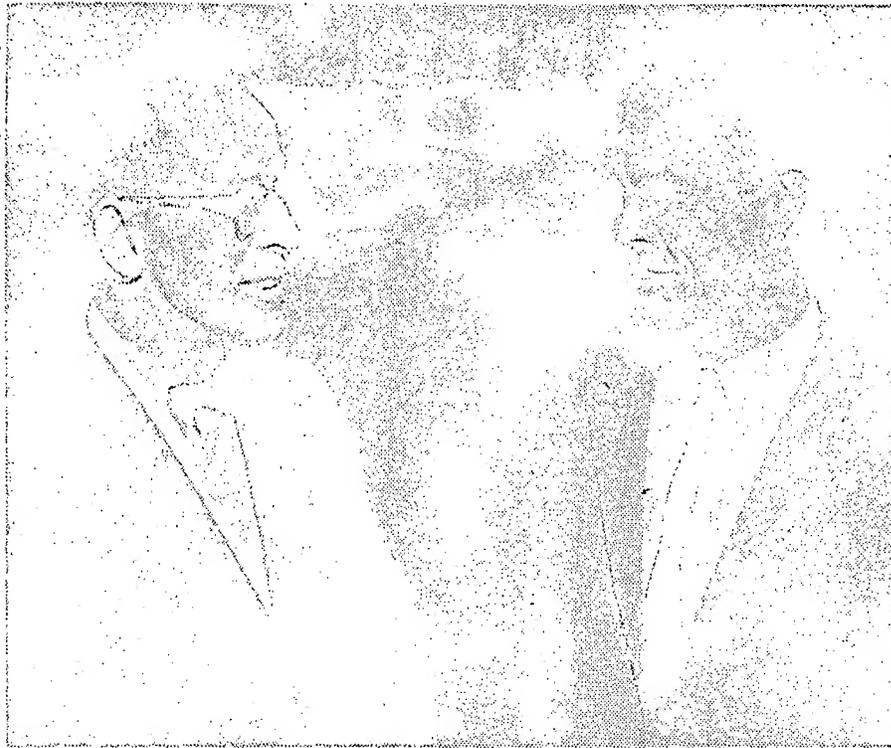
Court recessed at 1:38 a.m.

Everyone moved quietly out of the courtroom. The Goldmarks and their attorneys met with newsmen. Canwell, alone of all those on the defense side, stayed to talk with newsmen.

Mr. and Mrs. Harmon, Mr. and Mrs. Gillespie and Caron left at once. Jurors, too, left quickly, carrying their bags.

Canwell said he assumed he would appeal. "At the moment I'm as confused about the verdict as anyone else . . . Perhaps the case was too long, too confusing."

Asked if he thought the defense helped prolong the case, he said: "We would have made it longer. There are a lot of things we would like to have brought in."



LEGAL VICTORY — A veteran Okanogan attorney and a young Seattle attorney own the most dramatic legal victory in the state today. R. E. Mansfield, left, and William Dwyer, right, were counsel for Mr. and Mrs. John Goldmark, which ended in a verdict of five counts of libel and a \$40,000 judgment. Mansfield, a native of Pateros, grew up in Okanogan County, practiced first in Pateros, then, for the past 20 years has practiced in Okanogan. He and Dwyer, 34, began work on the Goldmark suit just before the September, 1962, election.—Daily World Photo.

Here Is Complete List Of Charges, Decisions

The charges and the decisions.

Claim 1

Plaintiff: John Goldmark.
Defendants: Ashley Holden and his Tonasket Tribune.

Basis of the libel charge: A July 12, 1962, news story about Goldmark's candidacy for reelection to which Holden added mention of Goldmark's membership in the American Civil Liberties Union and linking that group with communism. Holden also mentioned that Goldmark's son attended Reed College and added that was the only Northwest college where Gus Reed, secretary of the Communist party was invited to speak.

The amount claimed: in damage: \$25,000.

The verdict: For Goldmark, \$12,000.

Claim 2

Plaintiff: John Goldmark. Defendants: Ashley Holden and his Tonasket Tribune.

Basis of the libel charge: An Aug. 30, 1962, editorial attacking Goldmark, which declared among other things, that he was

"a tool of monstrous conspiracy to remake America into a totalitarian state . . ."

Amount claimed in damages: \$25,000.

The verdict: For Goldmark, \$13,000.

Claim 3

Plaintiff: John Goldmark. Defendants: Al Canwell, Ashley Holden, Don Caron.

Basis of the libel charge: A newsletter - type publication titled "An Interview With Al Canwell."

In it Canwell said: "The American Civil Liberties Union is, in my judgment one of the most effective Communist fronts in America." It singled out John Goldmark as a member. It also talked about Communist espionage and, in it, Canwell raised doubt about Mrs. Goldmark's having made a clean break with the Communist party.

Holden printed it. Caron distributed some copies.

Amount claimed in damages: \$50,000.

The verdict: For Goldmark,

\$2,900 from Canwell and Holden; \$100 from Caron.

Claim 4

Plaintiff: John Goldmark. Defendant: Al Canwell.

Basis of charge: A tape recording of the interview cited in Claim 3.

Amount claimed in damages: \$50,000.

The verdict: For Goldmark, \$5,000.

Claim 5

Plaintiff: John Goldmark. Defendant: Don Caron, John Birch Society coordinator.

Basis of the charge: a story written by Don Caron, titled "Pillaging Parliament." It appeared just before the 1962 primary election in the weekly Okanogan Independent. It discussed how Communists infiltrate the legislative branch of government. It also had other references which, it is claimed, referred to Goldmark, although his name was not mentioned.

Amount claimed in damages:

\$25,000.

The verdict: For the defendant.

Claim 6

Plaintiff: John Goldmark. Defendants: Canwell, Holden, Gillespie.

Basis of the charge: a meeting on Aug. 23, 1962, at the American Legion Hall at Okanogan where Canwell was the speaker. He charged that the ACLU is a Communist front organization. Goldmark was identified as a member. Gillespie was master of ceremonies. Holden printed a handbill and was a participant.

Amount claimed in damages: \$25,000.

The verdict: For Goldmark, \$7,000.

Claim 7

Plaintiff: Mrs. Goldmark. Defendants: Canwell, Holden and Caron.

Basis of the charge: The same printed "Interview With Al Canwell" as cited in Claim 3.

Amount sought in damages: \$12,500.

The verdict: For defendants.

Claim 8

Plaintiff: Mrs. Goldmark. Defendant: Canwell.

Basis of the charge: The tape recorded "Interview With Al Canwell" as cited in Claim 4.

Amount sought in damages: \$12,500.

The verdict: For defendants.

Claim 9

Claim 9 alleged that all defendants, except Caron, engaged in a conspiracy to commit the various libels charged. It would have had the effect of applying to all defendants, except Caron, any dollar damages awarded.

The verdict: For defendants (no conspiracy).

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GOLDMARK WINS \$40,000

Defense Seeks New Trial

By JACK E. FISCHER
Spokesman-Review Staff Writer
OKANOGAN, Wash. — Defendants in the Goldmark libel lawsuit said Wednesday they would move for a new trial in each of the five claims for which the jury held for plaintiff John Goldmark.

Defense Atty. E. Glenn Harmon said the motions would be based on the conceded error of Judge Theodore S. Turner in allowing counsel for the plaintiffs to make an improper argument to the jury over objections of the defendants and "on other occurrences during the trial."

Goldmark was awarded \$40,000 earlier in the day by a Superior Court jury for statements in the 1962 primary campaign linking him with communism.

A Harvard law school graduate turned rancher and a liberal leader in the Washington State Legislature before his defeat in 1962, Goldmark had

asked for \$200,000 and his wife, Sally, asked for \$25,000 in their libel suit against five defendants. The jury of nine men and three women found for the defendants in the claims involving Mrs. Goldmark. Jurors also threw out a conspiracy charge, which was one point to which defendants pointed with gratification.

Region's Longest Trial

The 2½-month trial, longest in the region's history, had many dramatic and emotional moments. The case was expected to establish legal precedents.

Defendants in the case were Ashley E. Holden, publisher of the Tonasket Tribune; Albert F. Canwell of Spokane, former chairman of the State Legislative Committee on Un-American Activities; Don Caron, state coordinator for the John Birch Society, and Loris Gillespie, Okanogan orchardist and a Birch Society member.

The jury received the case last Friday afternoon and deliberated 4½ days before finding for Goldmark on five claims and for the defendants on four.

Both John and Sally Goldmark were jubilant, terming the verdict a "complete vindication."

Tension was high throughout the lengthy trial and it remained dramatic to the end. It was past midnight and this town of 2,000 was quiet and nearly deserted. But lights burned on the fourth floor of the courthouse.

Then, at 12:22 a.m. Wednesday, a door opened and Carl Voelckers, foreman of the jury, poked out his head and told Bailiff Charles Hanson, "We've got a finding."

Pictures Ruled Out

Hanson called Judge Turner who began notifying attorneys, deciding to convene court at 1 a.m.

Within a matter of minutes word spread around town and

a surprisingly large crowd was present before all parties to the suit arrived.

A line of photographers was waiting at the base of the stairs adjacent to the courtroom door, anticipating action pictures of the jury. Judge Turner, however, asked them not to take pictures, that the jury had been under enough tension and pressure.

The jurors appeared tired and tense. Voelckers arose and announced they had reached a decision.

Judge Turner silently read the decision and handed it to County Clerk Jane Profit. A hush settled over the courtroom as Mrs. Profit read the verdict aloud.

None of the parties or attorneys showed any sign of emotion, although after the jury had left the courtroom the Gold-

(Indicate page, name of newspaper, city and state.)

1 Spokesman-Review
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marks appeared obviously pleased.

To Stay in Okanogan

"I think this is a complete vindication of both myself and my wife," Goldmark said.

His chief counsel, William Dwyer of Seattle, agreed, saying, "We won the case because we were telling the truth."

And an elated Mrs. Goldmark added, "I'm very pleased with the verdict. This is our home, our community and we plan to continue living here."

A rancher, who asked that his name not be used but who had been a frequent spectator throughout the trial, appeared stunned.

"I feel the damages were pretty high," was all he could say.

But a partisan of the plaintiffs was more vocal.

Mrs. Bain Crofoot of Riverside, whose husband is a rancher, master of the Mt. Olive Grange and a staunch Democrat, said, "I'm very happy. It has restored my faith in people. I think it was a fair verdict."

Jurors apparently agreed not to talk, but Voelckers did explain that the deliberations were lengthy because there was so much material.

"We tried to be as careful as we could be," he said. "We took it step by step, following the judge's instructions."

The political aspect of the trial also remained, as Goldmark said, "I am definitely not through in politics. This has given me hope."

He added that he felt his name has been cleared and he can re-establish himself politically.

Each vote on all nine claims was 10 to 2, with two jurors voting in favor of the plaintiffs on all claims and two voting constantly with the defendants.

Those favoring the plaintiffs constantly were Mrs. Ella D. McDonich of Okanogan and Wallace A. Sailing of Carlton. Favoring the defendants on all nine claims were Ralph R. Lovinger of Omak and William W. Smith of Okanogan.

Defendants Displeased

Defense attorney E. Glenn Harmon said he was authorized by his clients to say that the defendants were displeased with the jury charge he came in with a split decision of five claims for the plaintiff and four for the defendants.

"It was gratifying," he said, "to have the jury decide that the defendants had not been guilty of any act of conspiracy to defame the plaintiff."

"The defendants believed, and still do, that if their conduct in engaging with others in political action to defeat John Goldmark in a political contest was held to be a conspiracy, the impact of such a verdict could persuade a great many people that they should not take part in political campaigns.

"By its decision on this claim, the jury has emphasized the right of the voters to engage in concerted political activity without being labeled as members of a conspiracy."

Harmon said that at this point

the defendants cannot accurately predict the future action of the lawsuit because of the financial burden. He added that if they are financially able to do so, the defendants will continue their defense of the suit.

(Mount Clipping in Space Below)

Goldmark Case Defendants To Seek Retrial

OKANOGAN, Jan. 22.—Defendants said today they will seek a new trial on grounds of judicial error in the libel suit which won \$40,000 in damages for former State Rep. John Goldmark. Mrs. Sally Goldmark, his wife, was denied damages.

The verdict—reached 104 hours after the jury took the case—found for Goldmark on five counts of the nine-count complaint that his name had been linked with communism in the 1962 primary campaign.

THE NEW trial motion will claim Superior Judge Theodore Turner erred in a ruling made when William Dwyer, an attorney for the Goldmarks, was giving his closing argument to the jury of nine men and three women.

Defense counsel E. Glenn Harmon objected to Dwyer's statement that the Goldmarks had been further damaged during the trial by defense conduct casting new doubts on their loyalty. Harmon's objection was overruled.

LATER, Judge Turner conceded a suggestion of aggravation of damages could be basis for a mistrial, but allowed the case to go to the jury when the jurors assured him they could disregard the questionable statement by Dwyer.

Heaviest damages, \$25,000, were awarded Goldmark on two counts against Ashley Holden Sr. and his Tonasket Publishing Co.

The jury awarded \$12,000 for an article in Holden's Tonasket Tribune of July 12, 1962, announcing Goldmark's candidacy for a fourth term in the state legislature.

It awarded \$13,000 for an August 20, 1962, editorial in his weekly newspaper. Goldmark had sought \$25,000 on each count.

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Costs of Goldmark Case Estimated

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OKANOGAN, Jan. 23. — (A. P.) — Attorneys say both sides in the Goldmark libel suit have spent less than \$25,000 each.

William Dwyer, attorney for Mr. and Mrs. John Goldmark, said the plaintiffs' expenses have run to "several thousands of dollars." E. Glenn Harmon, defense attorney, said about the same for the expenditures of the five defendants.

EACH LAWYER said his side made no direct payment to witnesses other than reimbursement for travel expenses. Court costs — the statutory witness fees, filing fees and attorney fees — have not been assessed.

The Goldmarks sued for \$225,000, asserting the defendants libeled them by linking them with Communism in the Democratic primary of 1962. A jury found for Goldmark, but not his wife, on five of nine claims and awarded him \$40,000. The defense will move for a new trial.

DWYER SAID plaintiffs' attorneys took the case on a contingency basis and will receive 50 per cent of the amount recovered after all expenses are paid. Harmon said defense attorneys will receive set fees, which he did not specify.

Dwyer said he understands that much of the defendants' expense has been defrayed by a nation-wide fund-raising campaign that included mail solicitation. He said he had received a letter, postmarked in Bellingham, requesting a contribution to a "Freedom Fund."

Harmon acknowledged that his clients have solicited funds but said he believes receipts have been "much less than the defendants had hoped. I think they're short of what they need to pay the expenses."

The defendants are Ashley Holden, Sr., and his Tonasket Publishing Co., Albert F. Can-

well, Don Caron and Loris Gillespie.

DWYER SAID on any claim where more than one defendant was held responsible, those defendants are "jointly and severally" liable for the amount of the award except as otherwise specified by the jury. If one cannot or does not pay his share, the others must.

Under the jury's verdicts, Holden and his publishing company are liable for \$25,000 of the \$40,000 awarded. Canwell is responsible for \$5,000, Caron for \$100.

All except Caron are liable jointly for \$7,000, and Holden and his company and Canwell are responsible jointly for payment of the remaining \$2,900.

(Indicate page, name of newspaper, city and state.)

SEATTLE TIMES

JAN 23 1964

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Goldmark Libel Trial Cost Bared

OKANOGAN, Jan. 23. — (AP) — Attorneys for both sides in the Goldmark libel suit say they have spent less than \$25,000 in the 15-month case.

William Dwyer, attorney for Mr. and Mrs. John Goldmark, said today the plaintiffs' expenses have run to "several thousands of dollars," but less than the post-trial estimates of \$25,000.

E. Glenn Harmon, defense attorney, said about the same for the expenditures of the five defendants. Each lawyer said his side made no direct payment to witnesses other than reimbursement for travel expenses.

Court costs — small statutory witness fees, filing fees, attorney fees — have not been assessed.

THE GOLDMARKS sued the five defendants for \$225,000, claiming the defendants libeled them by linking them with communism in the Democratic primary of 1962. A jury found for Goldmark, but not his wife, on five of nine claims early yesterday and awarded him \$40,000.

Dwyer said plaintiffs' attorneys took the case on a contingency basis and will receive 50 per cent of the amount recovered after all expenses are paid. Harmon said defense attorneys will receive set fees, which he did not specify.

THE DEFENDANTS are Ashley Holden Sr. and his Tenasket Publishing Co., Albert F. Canwell, Don Caron and Louis Giespie.

Dwyer said on any claim where more than one defendant was held responsible, those defendants are "jointly and severally" liable for the amount of the award except as otherwise specified by the jury. If one cannot or does not pay his share, the others must.

UNDER the jury's verdicts, Holden and his publishing company alone are liable for \$25,000 of the \$40,000 awarded. Holden alone is responsible for \$5,000, and Caron alone \$100.

All except Caron are liable jointly for \$7,000, and Holden and his company and Canwell are responsible jointly for payment of the remaining \$2,900.

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Beware Of Oversimplifying Goldmark Trial Verdict

What will you read now that the Goldmark trial is over?

The story of that trial has been the longest continuing local story the Daily World has ever published. Yet it has apparently been the best read.

Many people who knew neither the defendants nor plaintiffs have confessed that they read every word of the trial story. One lady said the story changed the evening task of going out to the mailbox to get the paper from a chore to a privilege; whoever brought the paper got to read the Goldmark story first.

Dick Larsen did a masterful job of objectively reporting a delicate, involved subject.

Part of the reason for the tremendous interest in the trial is that the issues involved here seemed to symbolize the conflict between what has become known as the "Far Right" or "Ultra Conservative" point of view and the ultra liberal philosophy.

This may lead to a tendency to oversimplify the verdict as a victory of liberalism over conservatism. This must be avoided. It was not that, any more than a verdict in favor of the defendants could have been considered a triumph of conservatism.

What the verdict did show was a repudiation of certain tactics — the circulation of unsubstantiated charges, and attempts to infer guilt by association.

Those methods can be used by any ideology. Many people who consider themselves politically conservative abhor the use of such methods, as do others who lean toward a liberal philosophy.

The trial and the full report of it, with so much testimony spelled out at length, gave people a rare insight into the operation of our judicial system.

It should have been a comforting experience.

A jury from this rural area of North Central Washington has been able to listen to, understand, and properly evaluate some of the most complex issues that could come up in a courtroom.

Although the verdict must be considered a victory for the Goldmarks, the jury decided against them on one point. The jury ruled this was not a conspiracy. That, too, should be construed as a victory for individual liberty. It establishes the principle that a group of people activated by a similar interest can not be held liable for inflammatory actions made separately by one of them.

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4 THE WENATCHEE
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GOLDMARK AFTERMATH

Each Side Adds Up Trial Costs

By DICK LARSEN

OKANOGAN — Motions for a new trial of the Goldmark libel case were to be filed with the county clerk here today, according to attorney E. Glenn Harmon of Spokane.

Such motions are routine after a trial. There is no speculation what success they may have.

Harmon is one of the attorneys who represent defendants Ashley Holden, the Tonasket Tribune, Al Canwell, Loris Gillespie and Don Caron.

A jury of nine men and three women early Wednesday morning brought in a verdict favoring John Goldmark on five counts of libel, awarding him a \$40,000 judgment.

Under the verdicts, Holden and the Tribune alone are liable for \$25,000. Canwell alone is responsible for \$5,000.

All the defendants except Caron are liable jointly for \$7,000. Holden and the Tribune and Canwell are responsible jointly for \$2,000.

Caron's only liability is \$100. The jury turned down a libel claim against just him. The \$100 judgment against Caron was based on the fact that he distributed some copies of the libelous "An Interview With Al Canwell."

Harmon's new trial motions were to be on several causes.

Perhaps the key one is an occurrence during the closing argument by Goldmark attorney William Dwyer. Addressing the jury, Dwyer said that the damages inflicted upon the Goldmarks by the defendants had been worsened by the way the defendants conducted the trial.

Harmon objected. He claimed the argument was improper; that the method of the defense can't be used against defendants in suggesting that damages have been aggravated.

But Judge Theodore Turner ruled that Dwyer could make the argument.

Later, however, the judge told the jury the ruling had been in error. He told the jury to disregard that statement of Dwyer.

NOTES ON THE AFTERMATH:

Aggressive Defense Was A Surprise

As the verdict came in, in the Goldmark trial, the thoughts of many followers of the trial may have glided back to Nov. 5, 1963.

The trial was just opening then. And, in his opening argument, defense attorney E. Glenn Harmon made the startling declaration that the defense would show that "John and Sally Goldmark are, in fact, under Communist party discipline," and that Mrs. Goldmark never really left the party.

That aggressive defense was a surprise. Many observers waited for the defense to prove that in the following weeks.

The "proof," as the defendants saw it, apparently came through the testimony of several ex-Communists and the final testimony of defendant Al Canwell early this month. He cited a list of positions that the Goldmarks had taken which, he said, were identical with the Communist party line.

They included opposition to the films "Communism on the Map" and "Operation Abolition," opposition to the anti-Communist study clubs, criticism on the House Committee on Un-American Activities, plus others.

Meanwhile the Goldmark side was producing testimony that those views were shared by thousands of other Americans; that they are the honest views of loyal people.

On Nov. 6, reporting on the "Communist party discipline" argument by the defendants, we remember writing: "If the defense fails to prove the charges conclusively, it could have a reverse effect on the jury."

That may have been the case.

What Was Cost? \$10,000 A Side?

What has been the cost of the lawsuit to each side?

No one has a good total at the moment, or at least neither side is announcing it.

Perhaps the Goldmark side has just over \$10,000 in it. Perhaps the defendants have spent about that much, or more.

Much of that cost on each side was run up

in pre-trial depositions. That involved transportation to and from the place of deposition, hiring a reporter and buying transcripts from the reporter.

Phone bills have been huge on each side. Lawyers for both sides say no direct payment was made to witnesses other than reimbursement for travel expenses.

"Costs" follow the verdict. Thus when one side loses on a charge, it must assume "costs." But those are technical "costs," established by the court. They include a token legal fee and filing costs, some witness fees and other costs. Altogether, according to one attorney's estimate, they will total less than \$100,000 in this case.

Appeal May Be Too Expensive

Harmon says the next moves of the defendants depend on finances.

"The only thing that would stop them from making an appeal is financial inability," said Harmon.

An appeal would be tremendously costly. It would involve making a full transcript of the entire trial: thousands and thousands of pages (no estimate of the total now available), at more than \$1 per page.

Defendants are looking for contributions to help carry on the case.

Contributions have been made to both sides from all over the state. A mail fund-raising campaign has been reported on the defendants' side, in the name of the "Freedom Fund."

There was also a report of a fund-raising party in Seattle to raise funds for the Goldmark side. We're told its tongue-in-cheek name was: "How Do You Stand, Sir?" In name, it referred to conservative Sen. Barry Goldwater's column. Its reported implication: How do you stand on the kind of campaign directed against Goldmark in 1962?

Both sides got a break by the volunteering of witnesses.

For example: Ex-Sen. Harry P. Cain, came to the Northwest from Florida to visit his daughter near Tacoma. He'd heard about the case and was willing to testify for the Goldmark side, so he got in touch with the Goldmarks' attorney.

A former member of the Subversive Activities Control Board, he turned out to be a valuable witness for the Goldmark side.

His testimony produced a strange moment in the courtroom: Watching from the defense table was Al Canwell. At one time Canwell and Cain were extremely close political allies.

Was It All Worth It?

One wonders if Mrs. Goldmark, who had many difficult hours through the testimony, thinks it was all worth it.

She does.

She said: "I feel that the deepest personal feelings of people should never be subjected to public attack. Their race, their religion, their feelings for fellow man. We have to recognize the difference between their personal and public feelings.

"I was hurt. But I feel that you have to get people to see this difference and I guess I'm perfectly willing as a person to be hurt — although I don't have real personal courage — if some people have come to see this."

The verdict was an extraordinary victory for the American Civil Liberties Union.

The ACLU, because, as it says, it stands for free speech and other freedoms, as a matter of policy doesn't bring libel suits.

However, it was brought into the Goldmark trial when Judge Turner ruled that Goldmark's membership in it and charges against it as a Communist front made the ACLU an issue.

Goldmark attorney Dwyer noted the verdict was a victory for the ACLU, even though the ACLU as an organization didn't participate in the suit.

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Goldmark Case Defendants File For New Trial

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OKANOGAN (AP) — The defense has filed motions for a new trial or a directed verdict in the Goldmark libel case. The motions were filed Thursday with the Okanogan County Clerk on behalf of the five defendants: Ashley Holden, Don Caron, Loris Gillespie, Al Canwell and Holden's Tonasket Publishing Co.

John Goldmark was awarded \$40,000 Wednesday by a jury which compensated him on five of nine counts in his \$225,000 libel suit growing out of the 1962 Democratic primary campaign.

In their motions for a new

trial, defense attorneys contend that one or more jurors were induced to accept a verdict other than the one they reached. They also claim newly-discovered evidence which was not available at the time of the lengthy trial.

The defense contends that the damages were so excessive they indicate the verdict "must have been the result of passion or prejudice."

Also included in the motion are claims of legal errors and irregular proceedings which prevented the defendants from getting a fair trial.

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No Hearing Date Set For Goldmark Libel Motions

OKANOGAN — There is no indication when there will be a hearing of motions for a new trial of the Goldmark libel case. Okanogan County Clerk Jane Profit said today that the hearing will be called by Judge Theodore S. Turner, who will preside.

But she said the judge has given no indication where or when the hearing will be. It is not expected soon.

Judge Turner could hear arguments on it either in Okanogan County Superior Court, where the trial was held, or in King County, where Judge Turner usually presides.

Judge Turner presided over the lengthy case in the Okanogan court room which last week ended in a \$40,000 judgment for plaintiffs Mr. and Mrs. John Goldmark.

They had sued the Tonasket Tribune, Ashley Holden, Al Canwell, Don Caron and Loris Gillespie for publications and statements made against the Goldmarks in the 1962 election.

Immediately afterward the defendants filed motions for new trial.

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But Whom Should We Believe?

I have some steam to release concerning some of the highly controversial issues involved in the court room battle in Okanogan. Any response from fellow readers will be appreciated.

First, however, my thanks to Daily World reporter Dick Larsen, for his commendable job of keeping us up to date on the Goldmark trial. I refer to it as the "Goldmark Trial" because John and Sally Goldmark were being tried as much as, if not more than, the defendants.

I have a tendency to be quite pleased with the outcome of the jury's deliberations. But, even though the verdict itself is of importance to both the plaintiffs and the defendants, will any light actually be shed on the real issues? Will it change anyone's opinion?

Is the American Civil Liberties Union a Communist front organization? Having once been a member of the Communist party, is it impossible (even back in 1943) to completely sever relationships with the party and become a patriotic citizen of the United States? Are the Communists infiltrating our churches, our schools, our government? Is our way of life being seriously threatened by the "internal" menace of communism?

Yes! said defense witnesses. No! said plaintiff witnesses.

How strange and even frightening that the witnesses for each side could testify so oppositely! Yet, they are all supposedly reputable, patriotic men and women who have studied communism and who should be in the position of knowing the correct answers. If they can't agree as to what the facts are, then what are we non-experts supposed to believe?

Maybe this is all just a matter of politics, far right against the far left. If we don't like what one side says we can listen to the other side. Or we can compromise and take the middle of the road.

Can we? On some issues, yes. But how about this one? Is communism a real internal threat? What is the middle-of-the-road answer to that question?

"Well, maybe?"

Come, now. If communism is a disease to be feared and fought let's come to some agreement on whether we are afflicted with it, how to recognize it, and how to fight it.

Maybe it's something more subtle than this. Maybe it's not just a matter of pointing at cer-

tain individuals and groups and suspecting they are Communists or Communist-inspired. Instead, perhaps it is something gradual that is changing the population as a whole as the decades go by. Maybe our struggles for equal rights, free education, social security, and wages for the unemployed, along with much trivial legislation designed to make things equal, are indicative that in spite of our well-meant intentions of making everyone happy, we are losing our individual freedoms. Now days the law says we must have a social security number; we must pay taxes to support some things we don't believe in; we must go to school but we can't pray there; and if we know what's good for us we'd better join the labor union. Are these self-protective changes which we bring about ourselves constituting the much mentioned "internal threat"? Are these changes really symptomatic of communism?

I wasn't taught much about communism in school. But, according to what I've heard and read elsewhere, communism is unbelievably worse than anything I've seen or even heard advocated in this country. Yet, in the snug security in which I have been raised, I have, until recently, been reluctant to fear communism. How, with a democratic system such as ours, we could lead ourselves into a paralyzing Communist trap or even be forced into it by the Communists themselves, is difficult for me to comprehend. I'm not saying that it can't happen or that it is not part of the so-called senseless Communist plot. I would merely like some good, substantial proof, not just more emotionally - inspired opinions, that our country is or is not being threatened internally by communism.

How do we find out? By hurling accusations at suspicious left wingers? By studying history or the Communist doctrine? By reading the Bible? By listening to the news?

Whom do we believe? Lyndon Johnson? Barry Goldwater? Winston Churchill? J. Edgar Hoover? Herbert Philbrick? Harry P. Cain? Abigail Van Buren? Historians? Philosophers? Politicians? Religious leaders?

At the risk of starting a community war, I welcome your suggestions and comments.

Respectfully,

WILLIAM R. FISCHER

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Goldmark Libel Case Nearing Jury Decision

By DICK LARSEN

OKANOGAN — "D Day" — Decision Day — is at last in sight in the Goldmark libel trial.

Judge Theodore S. Turner Friday told the jury it should be prepared to begin deliberations next week, perhaps around mid-week.

William Dwyer, attorney for Mr. and Mrs. John Goldmark, said rebuttal testimony will probably end Monday.

E. Glenn Harmon and other defense attorneys may have about a day of surrebuttal testimony.

Then will come closing arguments by attorneys of both sides.

Then the jury of eight men and four women, which has been hearing testimony since Nov. 4, will go into its closed session to render a verdict. They must arrive at a 10-2 vote on any decision.

Providing the judge doesn't first remove any, the jury will have nine charges to consider. There were that many points in the lawsuit brought by Mr. and Mrs. John Goldmark against defendants Ashley Holden of Tonasket, his Tonasket Tribune, Al Canwell of Spokane, Don Caron, John Birch Society coordinator, and Loris Gillespie of Okanogan.

Almost a full week of rebut-



ED GUTHMAN

tal testimony from the Goldmark side ended Friday.

Amidst it came the first shouting and table-thumping of the lawsuit.

It came from defense attorney E. Glenn Harmon in a heated questioning of witness Ed Guthman.

It was over another of the dramatic side issues in the case.

The prelude began in mid-

December when ex-Communist Barbara Hartle testified that Prof. Melvin Rader of the University of Washington was known to be a Communist.

She referred to a 1937 encounter she said she had with Prof. Rader at a Communist party meeting.

Prof. Rader testified this week. He declared emphatically that he had never been in the Communist party.

Mrs. Hartle was recalled to the witness stand Friday by the Goldmark side.

She was asked: Did you, at a 1954 hearing of the House Committee on American Activities in Seattle, tell news reporter Ed Guthman that Prof. Rader had never been a Communist or a member of the Communist party, and that, although the party had tried to recruit him, Prof. Rader refused to join?

She told the questioner, attorney William Dwyer: "I did not."

Then Guthman followed her to the stand. Now living at Bethesda, Md., Guthman is special assistant to the U.S. Attorney General in charge of public information for the Department of Justice.

He testified that he covered the 1954 hearing, and another hearing in 1956, as a reporter for the Seattle Times.

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He testified that he had talked with Mrs. Hartle at that time and that she had told him that Melvin Rader had not been in the Communist party and had not joined even though "they (the Communists,) had tried on numerous occasions to recruit him into the Communist party."

"How clear are you on this conversation with Mrs. Hartle?" he was asked.

"Very clear," said Guthman. The passion by Harmon came on cross-examination. He questioned Guthman about why Guthman at that time didn't write a story about what Mrs. Hartle had told him then. (Guthman had done a series of articles to disprove a 1948 charge against Prof. Rader. Subsequently the president of the University of Washington, after an investigation, concluded that Prof. Rader was cleared.)

Harmon and Guthman had this exchange:

"As a matter of fact, it was quite a news story wasn't it?"

"What, Mr. Harmon?"

"Oh, verification . . . that Mr. Rader in fact was not a member of the Communist party at the time he was accused. Wasn't that quite a news story?"

"No it wasn't."

"It wasn't?"
"We had written that in 1949, and I never wrote a word of it (in 1954)"

"You are telling me Mr. Guthman, that you never wrote a word about this story?"

"I didn't."
"That Mrs. Hartle gave you when you had solicited the interview through the marshal's office?"

"That is right."
Harmon: "Wasn't it a scoop of the first order?"

Guthman: "I didn't call it so."

"Oh, private satisfaction, is that all you were interested in?"

"I had asked many people who had come out of the Communist party following the incident with Prof. Rader as to whether he had been a member of the Communist party and Mrs. Hartle was the highest ranking former Communist that I had ever talked to on that subject and so had confirmed what I had heard from others, so I . . ."

"Mr. Guthman, I was a newspaper man for 10 years and isn't it a fact that that was a scoop of the first water . . .?"

"I can only tell you, Mr. Harmon, what I did."

"Yes, you didn't print it."
"We had printed it in 1949."

At times, during that exchange, Harmon's voice rose. He pounded the table in front of him with his fist.

Guthman was placid.
Harmon concluded: "Yes, I know you didn't write it, but did it happen?"

"Certainly it happened."
The reference to the marshal arose out of the statement by Mrs. Hartle that, during the 1954 and 1956 hearings, she was in custody of a marshal and talked to no reporters. Guthman said he arranged through a marshal to talk to Mrs. Hartle.

Guthman also testified that defendant Al Canwell became

high handed during 1948 Canwell committee hearings in Seattle, which Guthman covered as a reporter. He said he does not consider Canwell an authority on Communism.

Guthman said he considers Communism a serious threat.

He also testified: "The business of investigating the Communist party . . . is a serious business and it's a job for experts. It's not a job for . . . vigilante guesswork. It's a job for hard, investigative work by people who know what they're doing."

Guthman's present job involves public information work for divisions of the Department of Justice, including the FBI, he said.

Another witness on the stand for the Goldmark side was U.S. Rep. Henry S. Reuss, a Democratic Congressman from Wisconsin. He said he knew Goldmark in Washington, D.C., in 1941 and 1942. He testified that Goldmark was an opponent of communism.

Richard H. Riddell, president of the Seattle-King County Bar Assn., testified similarly.

He said he had known Goldmark for a long time and that Goldmark was strongly anti-Communist in his views. He told of Goldmark's support in efforts to expel Communist sympathizers from the King County Young Democrats' organization in the late 1940's.

Marvin Durning, Seattle attorney and Naval intelligence officer, testified that Navy intelligence would not grant security clearance to anyone whose wife's loyalty was doubted.

He said that, in checking for such clearance, Navy intelligence uses the FBI and other sources of security information.

Goldmark, a Naval reserve officer, has security clearance.

Read into the record was a deposition from U.S. Rep. Julia Butler Hansen, who said that Goldmark had a reputation for integrity, patriotism and loyalty.

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Goldmark Case Due To Go To Jury This Week

By DICK LARSEN

OKANOGAN—A former assistant attorney general of the United States testified this morning as a rebuttal witness for the Goldmark side in the Goldmarks' \$225,000 libel suit. William F. Tompkins of Applewood, N. J., was asked if Mrs. Goldmark had cooperated with the House Committee on Un-American Activities when she testified before that committee in 1956.

"I would say that she had," replied Tompkins.

His testimony was in rebuttal of a former California congressman, Donald Jackson. A recent defense witness, he testified that he didn't think that Mrs. Goldmark had been fully cooperative.

Tompkins testified he served as assistant attorney general in the Eisenhower administration from 1954 to 1958. He was the man who set up the internal security division of the Department of Justice.

Tompkins told about espionage cases he prosecuted while on that job.

He mentioned the names of Rick and Myra Sobole and Carl Adolph Ivanovich Abel. The Soboles plead guilty and Abel was convicted of being a Russian spy. Abel was sentenced to 20 years, but then was trad-

ed to Russia in return for Gary Francis Powers, the American U-2 pilot who had been held in Russia after his plane crashed there.

"Those are cases I personally prosecuted myself," said Tompkins.

Tompkins was asked by Goldmark attorney William Dwyer how security clearance is granted to a Navy reserve officer, such as Goldmark.

As a reserve officer Goldmark has "secret" clearance in security matters. Tompkins testified that checks are made through the FBI, Civil Service, and other agencies and that the man "must be of unquestionable loyalty, integrity and trustworthiness."

Dwyer asked if there were any doubt about such a Navy man being a Communist or Communist sympathizer would such a clearance be granted?

Tompkins replied: "It certainly would not."

Dwyer asked if there were any doubt about the Navy man's wife and her loyalty would such a clearance be granted.

"I would certainly say it would not," replied Tompkins.

Later he added: "You can't give a husband a clearance where you had any doubts as to the wife's loyalty to the United States."

Tompkins was the last rebuttal witness for the Goldmark side.

Defense attorneys indicated that they had only two or three surrebuttal witnesses and that they would finish questioning those witnesses Tuesday.

Thus, it seems certain that the case will go to the jury this week.

Tompkins' testimony ended shortly before noon.

Then defendant Loris Gillespie was recalled, as the first surrebuttal witness of the defense.

He was asked if a fee was paid to ex-Communist witnesses Karl Prussion and John Lautner. Gillespie said that a \$300 check to Prussion was merely for transportation expenses. He said Lautner received no fee for testifying in the lawsuit.

On cross-examination Dwyer asked if Lautner received a fee for a speech he gave in Spokane immediately after testifying in Okanogan.

"I do not know," Gillespie testified.

The Goldmarks are suing Ashley Holden and his weekly Tonasket Tribune; Loris Gillespie, Okanogan orchardist; Albert F. Canwell of Spokane; and Don Caron, former forester in Okanogan County and now state coordinator for the John Birch Society.

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Author:

Editor:

Title: MRS. JOHN GOLDMARK

Character: SM-C

or

Classification: 100-21585-411

Submitting Office: SEATTLE

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SERIALIZED	FILED
JAN 15 1964	
FBI - SEATTLE	

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(Mount Clipping in Space Below)

○ Editorial Comment

The Goldmark Case: Its Place In Law History

THIS COLUMN, which on Monday is normally given over to a potpourri of editorial opinion from the Columbia Basin's weekly press, this time is devoted to an editorial in the weekly Omak Chronicle. Its editor and publisher, Bruce A. Wilson, writes:

The \$225,000 Goldmark libel and conspiracy trial has been underway for 2½ months. At last, the end is in sight.

However one might feel about the issues, it is interesting to step back and look at this lengthy case in terms of its significance and historical perspective.

Here in the Okanogan valley, where many of us know both the plaintiffs and defendants, there is some inclination to view the suit purely as a climax in a running political dual between former Rep. John Goldmark and his conservative opponents. But the way the trial has developed, with the nature of both the American Civil Liberties union and the U. S. communist party becoming issues, a far greater significance has been attained.

"This is the first time," said Newsweek West Coast bureau chief Bill Flynn in Okanogan, "that charges of communism rising from a political campaign have gone into court."

Thus when attorneys and judges anywhere in the U.S. are confronted with even a roughly comparable situation, they will thumb through their indexes to the subject matter and find listed there but a single case—Goldmark vs. Cahwell, et. al.

In so far as parallels can be drawn, the Goldmark case will be used as precedent until contrary or modifying court decisions are reached in the future. For this reason the outcome of the Goldmark case will command intense interest in many areas, particularly where left and right have come to grips.

Paul Jacobs of San Francisco, a writer on labor and communism and a plaintiffs' rebuttal witness, sees an added significance. He said, "This is the first time we have had some kind of intelligent assessment of the nature of the communist movement within (the controlled conditions of) a U.S. court of law."

Historically, the Goldmark case also is important. We began wondering the other day when a trial in a town as small as Okanogan has attracted so many well-known witnesses from all over the United States. We asked several local attorneys. None could think of any since the Scopes evolution case of 1923. Until this question is researched more thoroughly, we feel the Goldmark trial should assume what may well be its rightful place in the history of U.S. law.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-18-2006 BY 60324 AUC RAW/CB/CAK

(Indicate page, name of newspaper, city and state.)

6 THE WENATCHEE DAILY
WORLD
WENATCHEE, WASH.

Date: 1/20/64

Edition:

Author:

Editor:

Title: MRS. JOHN GOLDMARK

Character: SM-C

or

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Dayton, Tenn., where the Scopes trial was held, was a town of 2000, precisely the size of Okanogan. The two cases had one other common denominator. The ACLU, an issue in the Goldmark case, had offered to help defend Scopes and was represented at the defendant's table by John Randolph Neal, Tennessee's leading constitutional lawyer.

There, resemblances cease. The Scopes trial was a criminal action, not a civil case. The names of the primary figures, William Jennings Bryan and Clarence Darrow, were household words across the nation. And Dayton behaved much differently from Okanogan, welcoming its hour in the sun with a carnival atmosphere timed at developing a permanent tourist trade.

But most Americans probably would have heard of former U. S. attorney general Francis Biddle, who testified here by deposition, and of movie actor Sterling Hayden, and many would recognize the name of FBI counterspy Herbert ("I Led Three Lives") Philbrick, whose story gave birth to a network television series. Less well known, but each a figure in his own field, were such Goldmark case witnesses as former U. S. Senator Harry P. Cain, ex-California Congressman Donald Jackson, ex-communist John Lautner, writer and Peace corps advisor Paul Jacobs, and ACLU national executive secretary John Pemberton.

"The Goldmark case far overshadows its local aspects," said Jacobs. He is right. Its decision will command great attention throughout the nation. Its place in the history of U. S. jurisprudence is secure.

(Mount Clipping in Space Below)

Goldmark Urges Tolerance Group

Formation of a Council for Tolerance in Spokane to combat extremism in political activity was advocated here Monday by former State Rep. John Goldmark, D-Okanogan.

Goldmark, who recently was awarded \$40,000 in a libel action in which he claimed he was damaged by being linked with communism, spoke to an overflow crowd of more than 100 at luncheon meeting of the Men's Democratic Club in the Coeur d'Alene Hotel and at a dinner meeting of the American Civil Liberties Union at the same hotel.

"Our American political processes should not be interfered with by those who practice intolerance," he said.

Big Problem Here

Noting that Spokane has "as big a problem in this as any community in the country," he suggested that a Council for Tolerance be composed of representatives of political, civic and religious groups.

At the ACLU meeting he said the so-called far right has as its objective the rooting out of Communists in government and elsewhere "and they don't care how they do it."

"This is why the ACLU was a target and will continue to be a target," he asserted.

"The ACLU is the first line of defense of anybody's freedom. The idea behind the ACLU was tested in this lawsuit and you can be proud to belong to this organization."

Legislators Absent

At the partisan luncheon meeting, Spokane County legislators were conspicuous by their absence, the only one in attendance being Rep. Keith H. Campbell, D-Fifth.

A report was scheduled on whether House Speaker William S. Day, D-Spokane, should be expelled from the club, but President Joseph J. Stangle said that because of the large number of nonmembers in attendance, all club business would be postponed until the next meeting Feb. 17.

Goldmark talked at considerable length on his recent trial, but did not go into great detail because of pending motions before the court. He expressed appreciation to all who helped him and his wife Sally and also to the press coverage of the trial.

"We felt the press handled the trial with restraint and tact, fairness and accuracy," he said.

Attacks Extremists

He then unleashed an attack against "those groups who call themselves anti-Communist," but later emphasized that his criticism applied equally to extremists on the left as well as those on the right.

The lawyer-turned-rancher made a historical review of problems confronting the Unit-

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(Indicate page, name of newspaper, city and state.)

7 Spokesman-Review
Spokane, Wash.

Date: 2/4/64

Edition:

Author:

Editor:

Title: MRS. SALLY
GOLDMARK

Character: SM-C

or

Classification: 100-21585-414

Submitting Office: SEATTLE

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APR 1964
FBI - SEATTLE
CAK



JOHN GOLDMARK
Urges More Tolerance

ed States, noting that none of these were solved by "launching a witch hunt."

The anti-Communist groups, he said, offer a magical, simple solution which is not realistic and which has a serious effect on national leaders in forging a foreign policy.

Can Destroy Tradition

"They advocate throwing out Communists by all means possible," he said.

"This can destroy our American traditions—freedom, tolerance toward those who have points of view other than ours and supremacy of law."

At one point he noted that Republicans as well as Democrats "were some of our most effective witnesses" in the highly publicized trial in Okanogan.

Mentioned specifically were former U.S. Sen. Harry P. Cain, John Pemerton, executive secretary of the ACLU, and William Tompkins, former assistant U.S. attorney general.

"This cause was their cause," Goldmark said. ~~"This~~ went further than partisan politics."

On the Civil-Liberties Front

FOIPA # 1035878-01

Goldmarks Win Suit; Pacifica Gets License

There were several important developments on the civil-liberties front this past week.

1) There was a victory in the Goldmark case.

John Goldmark, a Washington state legislator, had been defeated for re-election in 1962 by a witch-hunt. Leading the red-baiting pack were Albert F. Canfield, former chairman of the state Legislative Committee on Un-American Activities, Ashley E. Holden, publisher of the Tonasket (Wash.) *Tribune*, Don Caron, state co-ordinator for the John Birch Society, and Loris A. Gillespie, a Birchite businessman.

All four were found guilty of having libeled Goldmark on five of nine counts by a jury in Okanogan, Wash., Jan. 22 after a long trial. Goldmark and his wife had been linked with "Communism" by these persons, Mrs. Goldmark on the grounds that she had been a Communist Party member from 1935 to 1943, and Goldmark for belonging to the American Civil Liberties Union, which the reactionary *Tribune* publisher described as "closely affiliated with the Communist movement." The Goldmarks were awarded \$40,000 in damages.

2) The Pacifica non-profit, listener-supported, FM radio stations won operating licenses. The Federal Communications Commission

had for years refused to grant these stations more than temporary licenses. Recently the FCC held their request for license renewal in waiting and, in an unprecedented move last November, demanded the directors of the Pacifica Foundation sign questionnaires on possible "Communist" affiliation.

Refused to Sign

The Pacifica directors refused. Protests against this Mc-Carthy-like harassment were made by the ACLU, the American Jewish Congress, the *New York Times*, and others. In a sudden reversal of policy the FCC granted the operating licenses Jan. 22 and issued a very liberal statement supporting "provocative" programming on radio and TV and criticizing "blandness."

3) The Justice Department asked a federal Court of Appeals Jan. 21 to reconsider its Dec. 17 ruling that the Communist Party did not have to register as an "agent" of the Soviet Union. The Department complained that the Dec. 17 ruling seriously "impairs the enforceability" of the thought-control McCarran Act. Thus the justice Department made clear its determination to reverse the partial victory for civil liberties registered by the Dec. 17 ruling.

That ruling permitted the Communist Party to resume the normal

activities of any political party, although still subject to the restrictions and threats in many of the other "anti-Communist" laws. A reversal of the appeals court ruling would once again subject that party to virtual outlawing under the liberty-destroying McCarran Act.

"THE MILITANT"
2-3-64, Page 8,
Col. 3

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FOIPA # 1035878-01

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Radical Right Has 'Own Law,' Students Told



JOHN GOLDMARK

Followers of the radical right in America have become "a law unto themselves," John Goldmark, Okanogan cattleman, told University of Washington students yesterday.

Goldmark said the radical right is breaking down one of the nation's most cherished possessions "the growing tradition of political freedom."

The former state representative, who spoke in the Student Union Building under sponsorship of the university's Young Democrats, urged a youthful audience of about 425 to work against such "extremism of any kind."

The radical righters "don't believe in government," said the speaker "—they continually attack it."

"And I doubt if they believe in the judgment of the courts," Goldmark continued. "They have become a law unto themselves."

Goldmark and his wife, Sally, last month won a \$40,000 judgment when a jury ruled they had been libelously linked with Communism during a Democratic primary campaign in 1962.

(Indicate page, name of newspaper, city and state.)

SEATTLE TIMES

FEB 22 1964

PAGE 18 C L 7

Date:
Edition:
Author:
Editor:
Title:
JONATHAN GOLDMARK

Character: SM + C

or

Classification: 100-21585 -

Submitting Office: 416

Being Investigated

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Goldmark Washington Daily

By KATHY HUTCHINS

John Goldmark, in his Seattle speech since winning a libel suit against several Communist crusaders last month, lashed out at political extremists on both sides today, calling them threats to American democracy.

Goldmark, Okanogan County rancher and former state representative, was awarded \$100,000 in the suit for statements made during the last election campaign which sought to link him with the Communist Party.

In his talk here Friday, Goldmark called on Americans to "participate in groups to fight extremism of any kind."

Ruth Pumpfrey, Editor
Barbara Hiscock, Executive Editor
Bob White, Executive Editor
Gary McDonald, Business Manager
Phil Kipper, Night Editor
Thomas Beell, Copy Editor

LET US IN!

The Board of Control last week devoted its time to discussion of a closed meeting—that of the Finance and Budget Committee. After carefully weighing arguments pro and con opening the meetings, the board decided it was better off closed.

The reasoning behind this move was that the committee often deals with salaries and personal matters which should not be aired before the public, so it should have the right to hold executive or closed meetings. In addition, it was said to be "not feasible" to allow



A crucial photo
(Stephen Joy's father (Thomas Beell))

University of
Washington "Daily"
2-25-64
p. 1. Col. 1-5

100-21585-417

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FEB 26 1964	
FBI - SEATTLE	

W. J. McDonald

UNITED STATES GOVERNMENT

OFFICE MEMORANDUM

TO : SAC, SEATTLE (100-2372)

DATE: 2/27/64

FROM : SA ROBERT H. WICK

APPROVED: Jmw

SUBJECT: CP, SOUTHWEST WASHINGTON
INTERNAL SECURITY - C

SOURCE	DESCRIPTION	REC'D	AGENT	LOCATION
[REDACTED]	Notes of SW Wash., CP Section Member- ship meeting, Olympia, & outline of meeting, 2/2/64.	2/14/64	ROBERT H. WICK	[REDACTED]

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Informant furnished the following:

1 - 100-2372 (CP, SOUTHWEST WASHINGTON)

cc:

[REDACTED]

100-18975 (FACTIONALISM)

100-19812 (PW)
100-18449 (MEMBERSHIP)
100-26674 (COMINFIL
RACIAL MATTERS)
100-17605 (FUNDS)
100-21585 (SALLY

GOLDMARK)

100-24049 (COPE)
100-18336 (PAMPHLETS
& PUBLICATIONS)

100- (KEN)

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100-21585-418

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FEB 27 1964	
FBI - SEATTLE	

100-2303 (NWDGP)
100-17755 (POLITICAL ACTIVITIES)
100-24103 (MASS ORGS.)
100-23650 (CI PROG.)

RHW/jm
(35)

SE 100-2372

"February 11 - 1964

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"On February 2-1964 a Section Conference for South West Washington members of the Communist Party was held at the home of [redacted] who lives near Olympia, Washington.

"The people who attended the Conference were:

[redacted] and [redacted] -of Tacoma,
Washington.
[redacted] and [redacted] -of Pacific
Beach, Washington.
[redacted] and [redacted] -of Hoquiam,
Washington..
[redacted] -of Aberdeen, Washington.
[redacted] -of Hoquiam, Washington.
[redacted] -of Aberdeen, Washington.
[redacted] -of Olympia, Washington.
[redacted] and [redacted] -of Olympia,
Washington.
[redacted] -of Winlock, Washington.
[redacted] -of Toledo, Washington.
[redacted] of Tacoma, Washington.
[redacted] and [redacted] -of Tumwater,
Washington.
[redacted] -of Olympia, Washington.
[redacted] -of Olympia, Washington_

"The planned program, which was changed, somewhat, because of problems in the Olympia Club, was changed for the first half of the Conference in order to resolve some very important problems. The original program, however, is enclosed with the report on the Conference.

PART I--Conference started at 9:30 A.M.

I. [redacted] read a report on the District Committee meeting, and reviewed the work that the Section Committee meetings had laid out for the Southwest Section of the Communist Party in Washington State for the past four years and read the plans to be for the next four years, with emphasis on the first 4 months in reorganization of work to be done.

"He said that before any of the work can be accomplished along a political line, the Olympia Club problems around [] must first be resolved and some conclusions made 'here and now.' He opened the floor for discussion around []

[] chaired the meeting in the A.M.

I. [] was the first to take a part in the discussion, and he said he felt like [] hadn't been disciplined or even discussed in the Section Committee meetings. He also said that the Section met many times and never even discussed [] as to whether he was improving or carrying on as usual. He said, however, that [] had contributed immensely to the work in the Club with his many ideas. He felt that [] should be kept in leadership, but under strong discipline.

"II. [] reminded [] that there were certainly some meetings when [] had been discussed and some when he hadn't. She told [] that since he [] was on the Section Committee all he'd have had to do was bring the subject up any time that he thought it necessary. Therefore [] was also responsible when it came to checking on []. She did say, however, that many times discussion around [] had taken so much time that the other work began to lag. The Section resolved that small personal issues shouldn't be allowed to snow-ball to the degree where Party functioning became obliterated. 'As a matter of fact,' said she, 'I made the motion that there be periodic checks on problems within the Clubs so that Party work could go on.' The motion was made at a Section Committee meeting shortly after the District Committee meeting had taken place.

"III. [] said that [] biggest fault was his vulgarity.

"IV. [] --told [] he didn't like the word vulgarity. He suggested from now on that [] use the word profanity instead because vulgarity had too broad a meaning. He said that he used to be like [] so he understood [] probably, better than anyone in the room. He said he [] had a difficult time changing. He said [] was a wonderful guy and he has faith that []

will change if people are not too impatient.

"V. [] said that since [] had been severely disciplined a year ago that [] had shown a great improvement on the job with other workers, and he felt that [] had even improved within the Club.

"VI. [] said that she hadn't noticed the improvement within the Club. She said when a person is so aggressive and thoughtless of other people that he crucifies them, instead of bringing them nearer to him by constructive criticism, it tends to drive people away. [] has succeeded in driving [] out of the Club and now it's []

"VII. [] said that when a man goes to war to win a battle, which is practically what the American Communists are doing, a Captain needs his men as well as themen need a Captain. He says that the leader must work with his people, and no just be a dictator and criticizer.

"VIII. [] said (in tears), people like [] and [] just don't come any better. We need them. They have always contributed generously, financially as well as carrying out assignments of work. She said, 'We need [], but by heck he needs us too; and he must understand that.'

"IX. [] said, 'Let's stop fighting--there's work to be done.'

"X. [] said that [] cursing was absolutely unnecessary. He said he was around men in camp where he worked and nobody swore like [] does. He said it's not a common thing for men to swear around each other anymore.

"XI. [] said he thought it was wrong for [] to criticize people behind their backs. He said [] has criticized everyone, including the state board members. He said there's a proper way to criticize so as not to hurt people. Besides, [] uses very dictatorish methods to get the work in the club done, yet he doesn't do much himself. A good leader should participate.

"XII. [] said he'd noticed an improvement in [] just between him and []. They used to fight a lot and now they don't. [] is needed more than ever now, because he can devise ways to accomplish work that nobody else can.

"XIII. [] said that when a leader gives assignments, he must first learn how to approach people. Dictating is absolutely wrong and accomplishes only bad things in the long run. [] has to learn that people of all levels deserve his respect before he can take over leadership.

"XIV. [] said that [] has trod on people as if they were dirt under his feet. He's not irreplaceable, and he must understand this. He has down graded people, he's discouraged people, he has driven people farther away who at one time may have been recruited, he's is constantly belittling everyone regardless of stature in life, and it has to come to an end now. There will not be a next time. Either [] changes from this day on or else.

"I want to say one more thing," said he, [] has proven to me, that she stands head and shoulders above anybody in this room, for the remarkable way she carried on this struggle. She used true Political sense and discouraged factualism.' He said that [] must now prove himself worthy of leadership. He said that apologies are not enough. He asked that since the discussion was now over about [] he would like to get on with the 'work' in the Section.

"PART II--Meeting adjourned for dinner.

[] chaired the meeting in the P.M.

"There was a plenary discussion around the first part of the Conference. People who took part in this were [] and [] and [] and [] and []

"I. It was reported by [] that from now on, there will be periodic checks on [] behavior. By the State Board and the Section Organizer.

SE 100-2372

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"II. There were reports on peoples' work in the past 4 years and plans for the future.

[] gave the general report on work within the Section.

"People are working in all mass movements. There was a period of stagnation, but now people are beginning to go forward again.

"III. In the past year there was only a gain of one subscription to the P.W. Paper despite all the new subs. [] explained that ten old subscribers had quit taken the paper.

"IV. There's a possibility of three recruits into the Communist Party.

"One is a [] who works with []

"One is a young married fellow with three children who works with [] and [] on the logging job.

"One is [] who works at St. Paul Plywood in Olympia, Wash.

[] says every time he starts to talk politics to [] he shies away from the subject.

[] said that he expects 3 new recruits into the S.W. Section in the next 4 months. This is a must.

[] and [] are working in the Democratic Club.

"VI. [] and [] are working with the negroes on the 'open housing bill' in Tacoma, Washington. [] said the negroes are split on their ideas as to whether they should vote or boycott the issue.

"VII. [] has a new sub to the P.W. She's [] of Olympia, Washington.

"VIII. [] reported that Olympia Club is all paid up to date in R.F.F., Fund Pledges, and Dues. He announced that from now on--R.F.F. payments will be doubled in order to meet expenses.

"Some of the full time Party workers are not getting their quota of pay from some Clubs in the State, and it is causing severe hardship. [] needs another car. The one he now has is worn out. People must be more prompt with their payments.

[] suggested that Aberdeen Club start paying their Dues and R.F.F. like the Olympia Club does. He says Aberdeen people neglect their responsibilities.

"IX. The GOLDMARK case was declared a Victory for the Communist Party. [] said that it proves that every American is not quelled by Red Baiting.

"X. [] told of the new Social Security Club that is being formed in Olympia. [] and [] and [] went to the first meeting. The meeting was held at a HORSTFALL's on Route 10 in Olympia, Washington. Two families of [] were represented at the meeting.

"XI. There'll be a 'Cope' trade union meeting coming up soon in Seattle, Washington. All union members were asked to attend.

"XII. There will soon be some Communist Literature circulating in South West Washington. The Communist Party is planning some action around the Military (Right Wing) meeting that is going to be held in Aberdeen, Washington. There may be a picket line. Some Party members are going to try to get admitted to the meeting. They want to know what goes on in such a meeting.

"XIII. Elections were next.

[] nominated the following people in the order written:

SE 100-2372

"1.
2.
3.
4.
5.
6.

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"He called for open nominations from the floor for one more person to be on the Section Committee as work progresses. No body nominated, so nominated

and made out the ballots with the first six people named on them. Instructions were given to write in any name that anyone desired to be on there. People could scratch out a name and replace it with some other name if he or they so chose. They were instructed to write X's after each name voted for.

"The election returns were:"

<input type="text"/>	16 votes
<input type="text"/>	16 votes
<input type="text"/>	16 votes
<input type="text"/>	13 votes
<input type="text"/>	16 votes
<input type="text"/>	15 votes
<input type="text"/>	2 votes & 5 write-ins
<input type="text"/>	1 vote

"Meeting adjourned."

Informant also furnished an Outline for Southwest Washington Section Conference of the Communist Party.

ACTION: Route copy to Agent to further identify .

UNITED STATES GOVERNMENT

MEMORANDUM

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-18-2006 BY 60324 AUC BAW/CB/CAK

TO: SAC, SEATTLE (100-2372)

DATE: 2/28/64

FROM: SA ROBERT H. WICK

SUBJECT: CP, SOUTHWEST WASHINGTON
IS - C

APPROVED *mmw*

<u>SOURCE</u>	<u>EVENT</u>	<u>REC'D</u>	<u>AGENT</u>	<u>LOCATION</u>
[Redacted]	Notes of SW WASH. CP Section member- ship meeting Olympia, Washington 2/2/64	2/14/64	R. H. WICK	[Redacted]

b2
b7D

1 - 100-2372 (CP, SOUTHWEST WASHINGTON)
lcc

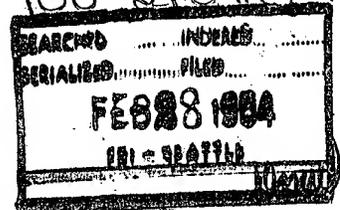
[Redacted]

- 100-23650 (CI PRG.)
- 100-18975 (FACTIONALISM)
- 100-2303 (CP, N.W. DISTRICT)
- 100-26674 (COMINFIL RACIAL MATTERS)
- 100-24103 (MASS ORGS)
- 100-18977 (IR)
- 100-11516 (COMINFIL LABOR UNIONS)
- 100-19248 (STRATEGY IN INDUSTRY)

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(Copies Con't next page.....)



RHW/cbf
(38)

SE 100-2372

1 - 100-19812 (PW)
loc 100-18449 (MEMBERSHIP)
100-2359 (PIERCE COUNTY CP)
100-17605 (FUNDS)
100-17755 (POLITICAL ACTIVITIES)
100-21585 (SALLY GOLDMARK)
100-24049 (COPE)
[REDACTED]
100- [REDACTED] (KEM [REDACTED])

b6
b7c

* * * * *

Informant furnished the following:

"On February 2, 1964 a Conference was held by the Southwest Section of the Communist Party of Washington. The Conference was held at the home of [REDACTED] who lives near Olympia, Washington. The Conference began at 9:30 A.M.

"The people who attended the Conference were:

[REDACTED] of Olympia, Washington.
[REDACTED] of Olympia, Washington.
[REDACTED] of Olympia, Washington
[REDACTED] and [REDACTED] of Olympia, Washington.
[REDACTED] AND [REDACTED] of Tumwater, Washington.
[REDACTED] of Winlock, Washington.
[REDACTED] of Toledo, Washington.
[REDACTED] and [REDACTED] of Tacoma, Washington.
[REDACTED] of Tacoma, Washington.
[REDACTED] and [REDACTED] of Pacific Beach, Washington
[REDACTED] and [REDACTED] of Hoquiam, Washington
[REDACTED] of Hoquiam, Washington.
[REDACTED] of Aberdeen, Washington.
[REDACTED] of Aberdeen, Washington.

"The planned program was changed in order to resolve some problems within the Olympia Club, and this took up the entire forenoon period. There was a round of discussion of [REDACTED]

SE 100-2372

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b7c

and his actions toward people within the Party and outside of the Party. He was criticized severely and [redacted] and [redacted] and [redacted] told him that his actions must stop or he will be taken completely out of leadership. His actions will be watched during the next year, and if he shows improvements then he can be given a go ahead to try for higher office.

"The meeting after dinner was about what is to be done in the coming four years, and a review of the past four years and its accomplishments. The Party's work in the past four years within the mass movements was part of the success for the Test Ban Treaty, Loas decision, and the Civil Rights March on Washington D. C. Also the work that Party people have done in the Unions in order to improve Labor conditions for the working man.

"There was a plenary meeting which included [redacted] and [redacted], and [redacted] and [redacted]. The meeting was around the discussion on [redacted] actions. Out of the meeting came the decision that [redacted] must improve or else. There will be no next time. [redacted] will be checked on periodically by the State Board and the Section Organizer of the Communist Party.

"1 - In the past year there were some new subscriptions to the P.W. and some of the old subscribers stopped taking the paper; as a result of this there was a gain of one sub.

"2 - [redacted] ordered a total of three recruits within the South West Section of the Communist Party in the next four months. He said that these recruits are possible if the members work on it. The possible recruits are: [redacted], a young man who works with [redacted]. A young man with a family of three children who works with [redacted] and [redacted] and [redacted] who works at the St. Paul veneer plant in Olympia, Washington.

"3 - Literature has sold well in the past two years, with a gain of over \$100.00 worth sold in the last year. [redacted] sold over one hundred dollars worth in the last year. She is also working within the Civil Rights movement in Tacoma, Washington with the negroes, and [redacted] is working with her.

SE 100-2372

b6
b7C

"4 - [redacted] and [redacted] and [redacted] and [redacted] are working within the Democratic Party. There are some plans for some real accomplishments in this area, and some of the instructions for the people involved will be coming up a little later.

"5 - A Social Security Club has just been formed, as a matter of fact, the first meeting was held on February first in Olympia, Washington at the home of a Horstfall who lives at route ten. [redacted] The [redacted] and [redacted] [redacted] were at the meeting.

"6 - [redacted] has a new sub to the P.W. The new Subscriber is [redacted] of Olympia.

"7 - The GOLDMARK trials results were hailed as a real victory for the Communist Party.

"8 - There'll be a COPE meeting in Seattle, Washington soon and all of the members who are trade union members are expected to attend the meeting.

"9 - [redacted] gave a report on the Fund Drive. The Olympia, Washington Club is over the top, but the Harbor Club will have to make up some back pledges in order to complete the drive. They are also behind in dues and R.F.F. They were told to reorganize their methods of collecting Dues and R.F.F. and they will meet the obligations as others are doing. The Harbor Club has agreed to do this.

"10 - There will be some action around the Military Plenary meeting that is going to take place in Aberdeen, Washington. The Communist Party is real concerned about it.

"11 - Nominations were held, and the votes were as follows:

[redacted]	16 votes.
	16 votes.
	16 votes.
	13 votes.
	16 votes.
	15 votes.
	2 votes.
1 votes.	

SE 100-2372

b6
b7c

[] got five write ins also for the preference for an extra person to be put on the section Committee later on in the year.

"11 - [] got up to thank everyone for having such confidence in him, and he began to apologize for his actions toward the people and he broke up in tears. He couldn't finish what he was going to say. [] told him that he must prove himself. [] also said that [] stood head and shoulders above anybody in the whole Section for the way that she handled the struggle around [] in the final days. He said that if she hadn't used her head and good Politics she could have had a factualist problem and the whole Section could have been broken up."

ACTION: Route copy to agent to attempt to further identify [] .

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Goldmark-Motion Hearing Delayed

OKANOGAN, Feb. 27. — (A. P.)—Arguments on motions for a new trial in the Goldmark libel trial have been rescheduled for March 13. Defense attorneys asked that the hearing, scheduled for tomorrow, be postponed.

An Okanogan County jury awarded former State Representative John Goldmark \$40,000 in January. He and his wife, Sally, had sued for \$225,000, contending they were libelled during the 1962 Democratic primary campaign by statements linking them to Communism.

The county's costs of the trial were listed yesterday at \$14,633, mostly for jury pay and travel expenses.

(Indicate page, name of newspaper, city and state.)

SEATTLE TIMES

FEB 27 1964

PAGE 18 COL 8

Date:

Edition:

Author:

Editor:

Title:

MRS. SALLY GOLDMARK

Character: **SM - C**

or

Classification: **100-21585-420**

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Goldmark Retrial Hearing Delayed

OKANOGAN, Wash. — The hearing on defense motions for a new trial in the Goldmark libel suit have been postponed from Friday until March 13 at the request of the defendants.

Judge Theodore H. Turner will preside over the hearing in Okanogan County Superior Court.

Defendants Ashley Holden Sr., of Tonasket, Albert F. Canwell of Spokane, L. Don Caron of Okanogan, Loris A. Gillespie of Okanogan, and the Tonasket Publishing Co. filed multiple motions for new trial and motions to set aside the verdict Jan. 23, the day after an Okanogan County jury returned a \$40,000 verdict in favor of John Goldmark.

(Indicate page, name of newspaper, city and state.)

22 Spokesman-Review
Spokane, Wash.

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MRS. SALLY GOLDMARK

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Goldmark Trial Defense Files New Claims

OKANOGAN, March 6. — (AP) — The defense in the John Goldmark libel suit has filed affidavits by five jurors outlining a jury procedure it believes was improper, an attorney said today.

Defense attorney E. Glenn Harmon, Spokane, filed the affidavits in Okanogan County Superior Court. At Seattle, Theodore S. Turner, presiding judge, confirmed he has received texts of the affidavits along with word from defense attorneys that briefs would follow.

A DEFENSE attorney said the affidavits by the three men and two women jurors say the jury first decided to award \$40,000 damages to Goldmark and then divided the amount among the five counts where they reached verdicts favoring Goldmark. He said the jury should have gone through the counts one at a time setting damages without reference to a total figure.

The five jurors are Ralph Lovinger of Omak and William Smith of Okanogan, who signed the same affidavit, Chester M. Clark of Nespelem, Mrs. Verona Naught of Omak and Mrs. Eulo Stout, Malott.

JUDGE TURNER has scheduled oral arguments for next Friday on the defense motion for a new trial. The trial began November 4 and ended January 22.

The Goldmarks contended they were falsely linked with communism during the 1962 primary campaign in which the Harvard-educated rancher was defeated in his bid for nomination for a fourth term as a state representative.

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— SEATTLE POST
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— MAR 7 - 1964
PAGE 14 COL 2

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Goldmark will speak in CUB

Former State Representative John E. Goldmark will address the public meeting of the Pullman chapter of the American Civil Liberties Union at 7:30 p. m., March 10 in the CUB.

Goldmark recently gained national news recognition concerning a libel trial in which he was accused of being a Communist. The verdict was in favor of Goldmark.

The former legislator is an Okanogan rancher who served three consecutive terms in the Washington State House of Representatives. He was known in the house for his strong support of schools and education.

Goldmark is a member of the Cattlemen's and Wheat Grower's Assn., the Grange, and the Okanogan Chamber of Commerce. He is also a member of the Washington State Bar, the American Civil Liberties Union, and has been active in the Democratic Party as president of the Young Democrats and delegate to the National Convention in 1952 and 1960, according to George A. Corser, ACLU publicity chairman.

(Indicate page, name of newspaper, city and state.)

Page 1
WSU Daily Evergreen
Pullman, Wn.

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Goldmark Case Back In Court; New Trial Sought

OKANOGAN — Principals in the lengthy Goldmark libel case return to the Okanogan County Superior Court room here Friday, this time for arguments for a new trial.

Defense attorneys claim there was procedural errors in the trial which ended last January in a \$40,000 judgement for Mr. and Mrs. John Goldmark.

Losers in that jury decision were Ashley Holden Sr. and his Tonasket Tribune, Albert F. Canwell of Spokane, Don Caron, John Birch Society coordinator, and Loris Gillespie, Okanogan businessman and Birch Society member.

Their attorneys claim there was an error made by the court in allowing one statement by Goldmark Attorney William Dwyer to be heard by the jury.

The defense also claims that the jury used an improper procedure in arriving at damages. It is offering affidavits from six jurors which, the defense claims, backs up that contention.

The "trial error" claim is an interesting one.

It unfolded this way:

Dwyer was giving his closing argument to the jury. He said that the defendants had libeled Mr. and Mrs. Goldmark by trying to link them with communism.

Dwyer then declared that the tactics used by the defense in the long trial had furthered that damage. The suggestions of communism had been "made all the worse by what was done in this courtroom," said Dwyer.

Defense Attorney E. Glenn Harmon objected at that point, saying: "He is attempting to use the defense of the defendants against them and I think that it's improper."

At that point Judge Theodore Turner overruled Harmon's objection.

But later in the day Judge Turner reversed that decision.

The grounds: Such a lawsuit is about damages which occur-

red before the lawsuit was brought. Arguments and tactics used by the defense, in defending itself in the trial, can't be used to suggest a furtherance of damages.

A Wenatchee Daily World clipping from a Jan. 16 edition was filed by Harmon. It included a quote of Dwyer's remarks. Harmon says it demonstrates "the futility of trying to eradicate from the minds of people who had either heard or read such an argument, the powerful message the argument carried, and was intended to, and did carry, to the jury."

This is apparently the point on which the defense will strike

hardest in its attempt for a new trial.

Harmon and co-counsel Ned Kimball of Waterville have also filed sworn affidavits from five jurors. The statements were from Eula E. Stout, Chester M. Clark, Verona Naught, Ralph R. Lovinger and William Smith.

Each says the verdict awarding Goldmark damages was arrived at in this manner:

1. The jury first considered each claim and determined whether a liability existed, then decided also that there was no conspiracy involved as had been charged.
2. The jury determined damages to be awarded Goldmark

(Indicate page, name of newspaper, city and state.)

13 WENATCHEE DAILY WORLD WENATCHEE, WASH.

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should total \$40,000.

3. The panel then considered individual claims upon which a liability had been found to exist and assigned an amount for each.

The five affidavits all include statements indicating the jury questioned the degree of liability of Loris Gillespie on the sixth claim. The affidavits indicate that those jurors felt the verdict forms given the jury allowed no variation in determining liability of the matter.

The five said if the jury had found it possible perhaps only a small judgment or none at all would have been lodged against Gillespie on the sixth claim, the only one resting against him.

As it now stands the Okanogan man shares liability for \$7,000 with two other defendants; Canwell and Holden.

That count concerned an American Legion meeting in Okano-

gan on Aug. 23, 1962, at which Canwell made allegations against the American Civil Liberties Union and, indirectly, Goldmark.

The plaintiffs held that Gillespie was one of the organizers of the meeting.

Two jurors, Smith and Lovinger, said they felt the testimony of Father Emmett Buckley, former Tonasket Parish Catholic priest, was disregarded in the jury room.

That was because, they said, of a court instruction to disregard Mrs. Goldmark's testimony describing herself as a deeply religious person.

Because of that, Lovinger and Smith stated, all religious factors of any kind were totally disregarded.

The motion requesting a new trial is scheduled for argument before Judge Turner at 9:30 a.m. Friday.

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Goldmark Award Called Improper In New-Trial Plea

OKANOGAN, March 13. — (A.P.) — Ned Kimball, defense attorney, arguing for a new trial, told Superior Judge Theodore S. Turner today the jury used an improper method of arriving at its decision on sums to be awarded in the Goldmark libel trial.

"This verdict was built by agreement . . . that the minimum amount allowable was \$40,000, and then they sat down to divide it up," the Waterville attorney said in an opening argument.

Kimball asserted this was akin to a "quotient verdict." He explained that any verdict arrived at by a "mathematical process" is not valid.

THE JURY found for Goldmark on five of nine counts in January and awarded him \$40,000. On the other counts, including two in which Mrs. Goldmark also sought relief on the same charges that she and her husband had been damaged by being falsely linked with Communism the jury found for the defense.

Kimball said a verdict properly results from the consideration of individual claims by the individual juror's "judgment and reflection, as to the matters of law in determining

the liability and award . . ."

Another defense attorney, E. Glenn Harmon, Spokane, contended that the ninth charge by the Goldmarks should not have gone to the jury. It was the complaint that all the defendants had engaged in a conspiracy to commit libel.

The defense moved for dismissal of the count before the case went to the jury, and the jury ultimately did dismiss it. But Harmon said the conspiracy charge influenced the jurors to find against all the defendants in some degree.

GOLDMARK and his wife, Sally, an acknowledged member of the Communist Party from 1935 to 1943, sought \$225,000 as compensation for statements they contended linked them falsely with Communism in 1962.

The defendants were former State Representative Al Canwell of Spokane, Loris Gillespie and Don Caron of Okanogan, and Ashley Holden and his Tonasket Publishing Co.

Holden said a direct-mail campaign soliciting funds to continue the case has been "eminently successful not only here but across the United States."

(Indicate page, name of newspaper, city and state.)

SEATTLE TIMES

MAR 13 1964

PAGE A COL 4

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MRS. SALLY GOLDMARK

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Goldmark Case New Trial Arguments Set for Today

OKANOGAN, Wash.—Defense attorneys will argue in Okanogan County Superior Court this morning that Judge Theodore S. Turner of Seattle should order a new trial in the Goldmark libel suit because of an error the judge made during the trial.

Defense attorney E. Glenn Harmon of Spokane has filed an affidavit here, declaring the effort by Judge Turner to correct that error was not sufficient and that a new trial should be granted.

Defense motions for a verdict notwithstanding the judgment and for a new trial will be heard at 9:30 a.m. today. Defendants seeking the motions are Loris A. Gillespie and L. Don Caron of Okanogan, Ashley Holden Sr. and Tonasket Publishing Co. and Albert F. Canwell of Spokane.

Goldmark Won \$40,000

They were assessed \$40,000 at the end of a 43-day trial Jan. 22. John and Sally Goldmark of Okanogan had brought a \$225,000 libel suit against them.

In his affidavit, Harmon said a closing argument by Goldmark attorney Bill Dwyer that the alleged libels were "made worse by what was done in this courtroom by the defendants, their witnesses and their lawyers" was improper.

At the time Dwyer made that statement Jan. 15, Harmon objected but was overruled. The next day Judge Turner reversed that decision and requested the jury to set aside that argument. The reversal came after Harmon had asked in chambers for a mistrial, according to the affidavit.

New Trial Seen Remedy

It was, Harmon said in the affidavit, an error that "could not be corrected by instructions to jurors." Harmon contended in his 17-page affidavit that "the remedy for an improper argument is the granting of a motion for a new trial."

Harmon argued further that the improper statements were allowed to continue even after the judge had ruled against them. This occurred, he said, in closing statements by both Dwyer and cocounsel R. E. Mansfield.

The defendants also are supporting their motions for a new trial with affidavits from jurors

which the defense feels show an improper conduct in assessment of damages against the defendant. The juror affidavits were signed by William Smith of Okanogan, Ralph Lovinger and Verona Naught of Omak, Eula Stout of Malott and Chester Clark of Nespelem.

They reported that the jury determined \$40,000 would be a just amount to return to John Goldmark and then proceeded to find that sum, among the five claims already found by jury balloting, to be libelous.

The jurors' affidavits further state they felt defendant Gillespie should have been either let off or assessed only a small amount on the sixth claim for relief but that, because of the judge's instructions, the jury

felt it could not do so.

Two jurors, Smith and Lovinger, said they felt an instruction from the judge requesting the jury to disregard testimony about Mrs. Goldmark's religious beliefs hurt the cause of the defendants.

(Indicate page, name of newspaper, city and state.)

11 Spokesman-Review
Spokane, Wash.

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IN COURT NOW

Defense Claims Errors In Goldmark Trial

OKANOGAN — Defense attorneys claimed there were several errors in the lengthy Goldmark libel case, as they moved for a new trial.

Attorney Ned Kimball said to Judge Theodore S. Turner: "Under the law of this state, your honor, I am sure the verdict arrived at is not a proper verdict . . . and a motion for a new trial should be granted."

Kimball's co-counsel Glenn Harmon, too, cited what he contended were grounds for a new trial.

Arguments were to come later in the day from the other side, from attorneys for Mr. and Mrs. John Goldmark.

Goldmark was awarded \$40,000 libel damages by an Okanogan County Superior Court in late January, following a lengthy, widely-publicized trial. The judgment fell upon the Tonasket weekly newspaper and four individuals who, the jury found, had libeled Goldmark by seeking to link him with pro-Communist views.

As expected, the defense attorneys today cited several grounds which they claim

should bring a new trial. But they also indicated they have some others.

Kimball said that the jury erred in the way in which it arrived at the \$40,000 judgment.

He said jurors first agreed on that sum. Then, he said, they decided how that amount should be divided up among the several claims of libel involved.

That method, said Kimball, is improper. He likened it to a "quotient verdict," which is invalid.

"This verdict was built by an agreement . . . that the minimum amount allowable was \$40,000 and then they sat down to divide it up," said the attorney.

Kimball added: "The verdict must be the result of exercise of individual juror's judgment and reflection as to the matters of law in determining the liability and award." In other words, each claim should have been considered and the judgment awarded on the basis of that consideration.

Later Harmon argued that the court erred in allowing the ninth claim of the complex libel suit to go to the jury.

(The first eight claims of the libel suit related to specific publications or speeches and linked them to various combinations of defendants. The ninth claim alleged there was a conspiracy among all defendants to commit libel.)

Harmon contended the court should have dismissed the conspiracy claim, as the defense had moved. There was "insufficient evidence to allow it to go to the jury," said Harmon.

But because it did go to the jury — although the jury ultimately dismissed it — it had the effect of suggesting that jurors spread damages among all defendants, he claimed.

"You have, in effect, five lawsuits tied into one, which the jurors chose to treat as one, after they found it was not," said Harmon.

At mid-morning, the defense continued to cite grounds to support its move for a new trial.

(Indicate page, name of newspaper, city and state.)

14 WENATCHEE DAILY
WORLD
WENATCHEE, WASH.

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Decision of Supreme Court May Affect Goldmark Case

OKANOGAN, Wash.—A week-old decision of the U.S. Supreme Court has cast a shadow across the \$40,000 Goldmark libel verdict.

Until the matter is threshed out, there will be no final ruling on defense motions for a new trial.

Judge Theodore S. Turner said during Friday's hearing in Okanogan County Superior Court that the Supreme Court decision in the New York Times vs. Sullivan case could overturn the entire Goldmark verdict and require a new trial.

The Supreme Court decision was one of a dozen arguments used Friday by defendants in their efforts to convince Judge Turner to rule in favor of motions for a new trial.

6 Arguments Turned Aside

Judge Turner turned aside six of those dozen arguments in an oral ruling which indicated he felt they didn't contain adequate reason to order a new trial.

He took another six of the defense arguments, including the Supreme Court decision, under advisement. He indicated it may be a month to six weeks before a final decision on the new trial motion can be announced.

The \$40,000 verdict in favor of John Goldmark was handed down by the jury Jan. 22. Defendants Loris Gillespie and L. Don Caron of Okanogan, Albert F. Canwell of Spokane and Ashley Holden Sr., and the Tonasket Publishing Co. of Tonasket filed motions seeking a new trial the next day.

Dozen Spectators

About a dozen spectators listened to the day-long arguments on those motions Friday. The New York Times decision was clearly the most weighty matter brought before the court.

"Had this case (N.Y. Times) been decided by the Supreme Court in September 1962," argued E. Glenn Harmon, defense attorney, "there would have been no lawsuit or if their had been, it would have gone to the jury on a far different basis."

Goldmark attorney William Dwyer of Seattle argued, "The New York Times case applies only to criticisms of public officials in the performance of their office. It holds that the publication of defamatory falsehoods about public officials' conduct in office when the publisher honestly felt they were true, is privileged and not libelous."

Dwyer then argued the plaintiffs did not claim in this case to have been damaged by criticism of Goldmark while he was in public office but by attacks which they contend libeled him by calling him a Communist.

Briefs Are Requested

After hearing the arguments by attorneys, Judge Turner said he would need briefs from both sides to help him decide issues involved with the Supreme Court decision.

Defense attorneys explained it would take them perhaps a month to prepare their briefs because of the press of other business.

Turner ruled he could not accept defense contention that the improper argument by plaintiffs attorneys to the jury had not been corrected. He said he felt that his instructions to the jury "had been sufficient to cure the error."

Judge Turner said he could not accept defense argument that the conspiracy claim should have been dismissed by the court. Nor would he accept the argument that the defendants were prejudiced by his ruling which excluded certain evidence as exhibits.

Defends His Rulings

Judge Turner also ruled he would not accept defense contentions that his rulings to admit certain evidence for the plaintiffs had been in error.

Judge Turner held that he would reserve judgment on the defense argument that the manner in which the jury arrived at the damages was improper. He also reserved judgment on the contention there was a misunderstanding by jurors of the court's instructions on the sixth claim concerning an American Legion meeting at which Canwell spoke and Gillespie was master of ceremonies.

After court ended Friday, Judge Turner reported that if a new trial were ordered as a result of the Supreme Court decision, it would affect only the five claims on which the jury found the defendants liable.

He said that if a ruling for a new trial should be made on some other part of defense arguments, it would probably be confined only to a specific part of the lawsuit.

(Indicate page, name of newspaper, city and state.)

5 Spokesman-Review
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New Trial Motion Arguments End In Goldmark Case At Okanogan

OKANOGAN, March 13. — (AP)—Attorneys wound up arguments today on a motion for a new trial in the John Goldmark libel case and Judge Theodore Turner took their arguments under advisement.

DEFENSE attorneys stressed the importance of the recent U.S. Supreme Court ruling overturning a libel judgment against the New York Times. They claimed that decision applied to the Goldmark case also.

THE MARCH 9 ruling by the Supreme Court threw out \$500,000 libel judgment

awarded L. B. Sullivan, police commissioner of Montgomery, Ala., who had sued the Times and four Negro ministers. The basis of his action was an advertisement in the Times, which had statements critical of the handling of racial demonstrations in Montgomery.

JUSTICES Arthur J. Goldberg and William O. Douglas said the court was announcing a constitutional standard that prohibits a public official from recovering damages for a defamatory falsehood relating to his official conduct, "unless he proves that the statement

was made with actual malice..."

GOLDMARK'S attorney, William Dwyer, denied the defense contention that the Supreme Court ruling was applicable. He said the attacks for which Goldmark sought redress were general and directed against him personally and were not necessarily comments about his performance in office.

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PAGE 16 COL 5

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Judge Studies Goldmark Case, Cites High Court's Ruling

OKANOGAN, March 14. — (A.P.)—Superior Judge Theodore S. Turner of Seattle has taken under advisement the arguments of attorneys on a defense motion for a new trial in the libel suit of former State Representative and Mrs. John Goldmark.

Defense attorneys cited a recent United States Supreme Court decision overturning a libel judgment against The New York Times and four Negro ministers, and contended the decision applies to the Goldmark case. A Goldmark attorney, William Dwyer, yesterday rejected the contention.

THE HIGH COURT on Monday overturned a \$500,000 judgment awarded L. B. Sullivan, police commissioner at Montgomery, Ala. Sullivan sued over an advertisement in The Times containing statements critical of the handling of Montgomery racial demonstrations.

The Supreme Court held that the Constitution prohibits a public official from recover-

ing damages for a defamatory falsehood relating to his official conduct unless he proves that the statement was made with actual 'malice' — that is, with knowledge that it was false or with reckless disregard of whether it was false or not."

Dwyer contended the statements the Goldmarks sued over were directed against them personally and were not necessarily comments about Goldmark's performance as a state legislator.

JUDGE TURNER said broad implications could be read from the Supreme Court decision.

"It makes me feel like a referee in a football game who makes the call according to the rules as he knows them and then finds out after the game that they have been changed," Judge Turner said.

As to the numerous errors the defense said were made in the November-to-January trial, the judge said he was not satisfied a crime occurred.

(Indicate page, name of newspaper, city and state.)

SEATTLE TIMES

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DATE 08-18-2006 BY 60324 AUC BAW/CB/CAK

(Mount Clipping in Space Below)

NEW RULING CITED:

Goldmark Case Retrial Motions Being Studied

OKANOGAN — After hearing lengthy, complex arguments Friday, Superior Court Judge Theodore S. Turner is considering motions for a new trial in the Goldmark libel case.

There is no indication when he might hand down a decision. It will probably not be for several days, perhaps weeks.

John Goldmark was awarded \$40,000 on five counts of libel by an Okanogan County Superior Court jury Jan. 22, ending a widely-publicized trial which began Nov. 4.

Defense attorneys cited numerous reasons why a new trial should be granted. Attorney E. Glenn Harmon filed a lengthy brief citing a just-issued U. S. Supreme Court decision, which

he said, applies to the Goldmark case. It gives more latitude to criticism of public officials.

Goldmark attorney William Dwyer contended that doesn't apply.

Judge Turner said he would carefully study the high court's new ruling to see if it alters the consideration of libel involved in the Goldmark case.

Said the judge: "It (the Supreme Court ruling) makes me feel like a referee in a football game who makes the calls according to the rules as he knows them and then finds out after the game that they have been changed."

Defense attorneys cited a recent U.S. Supreme Court deci-

sion overturning a libel judgment against the New York Times and four Negro ministers and contended the decision applies to the Goldmark case. Goldmark attorney William Dwyer, in his arguments Friday, rejected the contention.

The U.S. Supreme Court ruling Monday overturned a \$500,000 judgment awarded to L. B. Sullivan, police commissioner at Montgomery, Ala. Sullivan sued over an advertisement in the Times containing statements critical of the handling of Montgomery racial demonstrations.

The Supreme Court said the Constitution would prohibit a public official from recovering damages for a defamatory false-

(Indicate page, name of newspaper, city and state.)

**1 WENATCHEE DAILY
WORLD
WENATCHEE, WASH.**

Date: 3/15/64
Edition:
Author:
Editor:
Title: **MRS. JOHN GOLDMARK**
Character: **SM**
or
Classification: **100-21585-431**
Submitting Office: **SEATTLE**

Copy sent Bureau

SEARCHEDINDEXED
SERIALIZEDFILED
MAR 17 1964
FBI - SEATTLE

WJL

hood relating to his official conduct unless he proves that the statement was made with actual 'malice'—that is with knowledge that it was false or with reckless disregard of whether it was false or not."

Dwyer contended the statements the Goldmarks sued over were directed against them personally and were not necessarily comments about Goldmark's performance as a state legislator.

Judge Turner said broad implications could be read from the Supreme Court decision.

The defense cited many grounds in its move for a new trial.

Attorney Ned Kimball, Waterville, said the jury used an improper procedure in arriving at its judgement. He said jurors determined they would award Goldmark \$40,000, then divided that sum up among the libel counts case charges on which they found libel.

Kimball said it is improper for a jury to arrive at a verdict through mathematical calculation.

Dwyer, said there was nothing improper in the procedure. Of Goldmark, said Dwyer: "He only had one reputation to damage". Thus the total damage figure approach of the jurors was not improper, said Dwyer.

Another grounds cited by the defense was a statement made in the closing argument of the Goldmark side: that the damages suffered by the Goldmarks had been worsened through the conduct of the defense in the trial.

Dwyer contended that is not grounds for a new trial, because the judge at the time consulted with the juror and it was agreed they would disregard the statement in their considerations.

Mr. and Mrs. Goldmark brought the libel suit against Ashley Holden, his weekly Tonasket Tribune, Albert F. Canwell, Spokane, Loris Gillespie, Okanogan, and Don Caron. of the John Birch Society.

The jury found that the defendants, to varying degrees, had libelled Goldmark by seeking to link him with Communists or pro-Communist views.

UNITED STATES GOVERNMENT

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DATE 08-18-2006 BY 60324 AUC BAW/CB/CAK

MEMORANDUM

TO: SAC, SEATTLE (100-23163)

DATE: 3/16/64

FROM: SA [redacted]

SUBJECT: FREE PRESS DISCUSSION CLUB
IS - C

APPROVED _____

<u>SOURCE</u>	<u>EVENT</u>	<u>REC'D</u>	<u>AGENT</u>	<u>LOCATION</u>
[redacted]	Meeting on [redacted]	3/3/64	[redacted]	[redacted]

Informant furnished the following:

"Spokane, Washington
February 29, 1964

"Free Press Discussion Club
[redacted]

1 - 100-23163 (FREE PRESS DISCUSSION CLUB)

lcc [redacted]
[redacted]
100-4165 (ALBERT STROUT)
100-19812 (PW)

[redacted]
100-21585 (SALLY GOLDMARK)

DAM/cbf
(17)

4 - Butte (REG)

[redacted]
100-
100-7597 (FREE PRESS DISCUSSION CLUB)

100-21585-432
SEARCHED.....INDEXED.....
SERIALIZED.....FILED.....
MAR 16 1964
FBI - SEATTLE

b6
b7C

b2
b6
b7C
b7D

b6
b7C
b7D

b2
b7D

b6
b7C

"A letter was read from [] and [] sending congratulations to ALBERT STROUT on his 88th birthday. Enclosed was a \$5 contribution for the March 1st People's World birthday party.

"STROUT received a subscription to the PW from [] [] Olympia, Washington_

"There was a brief discussion on the Goldmark case. [] said that he was surprised at the decision. He expected a hung jury. But he said that CANWELL and HOLDEN were not through yet; they would file an appeal and it would be a long time before there would be another decision. [] said that it served HOLDEN right. He said that now HOLDEN will think twice before he says anything anywhere near libelous. [] said that the judgement against CANWELL and HOLDEN was very significant and was important to the progressive forces.

"Others at the meeting were [] and [] [] ALBERT STROUT, [] and []

ACTION: None. Source could furnish no further information and agent has taken all necessary action.

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HEREIN IS UNCLASSIFIED
DATE 08-18-2006 BY 60324 AUC BAW/CB/CAK

(Mount Clipping in Space Below)

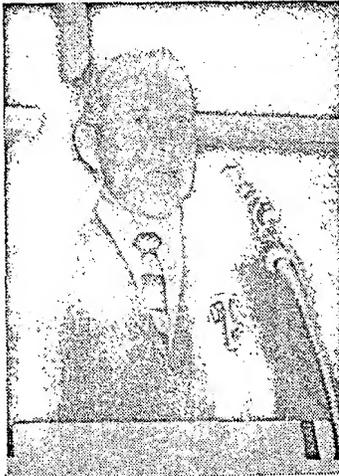
Goldmark speaks here

Birchers blasted by Okanogan 'cowboy'

By MIKE VLAHOVICH

John Goldmark, complete with cowboy hat and sideburns, spoke Tuesday evening in the CUB Ballroom. His comments were directed against all right wing study groups in general and the John Birch Society in particular.

The speech was given at an open meeting of the American Civil Liberties Union (ACLU) and attracted a large audience of students, faculty and townspeople.



JOHN GOLDMARK

Goldmark's topic was "Preserving Democracy in a Time of Trouble," which he called a "matter of deep concern" to us all. He gave a history of right wing movements, relating them back to the Depression which he termed the beginning of the Communist movement in America.

"The Communist movement began in order to combat the effects of the Depression, as well as the Nazi, Fascist, and Japanese rise to world power."

This introduction then gave way to his blasting of the Birch Society, and the study groups. He listed Okanogan County as an example, "where a film put out

by the Birch Society was circulating among groups in that area."

Goldmark expressed his opinion of such study groups when he called them "factories for creating fanatics" and said that "they don't believe what you and I believe." He said we should be concerned because they indoctrinate people like the Communists do and they are a danger to the freedom of the Country and the world.

Goldmark added that another danger these groups create is fear and hatred among Americans. He accused the far right of turning "friend against friend, neighbor against neighbor."

"In contrast to this hate preaching of the far right," Goldmark went on, "is the fact that our idea of Democracy is love in the broadest sense of the word. And this is where the ACLU comes into the picture."

"The ACLU," according to Goldmark, "is not interested so much in rooting out the Communists at all costs. Its purpose is to agree with someone else." This point was one of the issues in the libel lawsuit recently brought against him.

"But what can we do?" Goldmark asked this question and proceeded to answer it by advocating the formation of a group which will revolt against "hate preaching."

(Indicate page, name of newspaper, city and state.)

Page 1
Daily Evergreen
Wash. St. Univ.
Pullman, Wn.

Date: Mar. 12, 1964

Edition:

Author:

Editor:

Title:

JONATHAN GOLDMARK

Character: SM - C

or

Classification: 100-21585-433

Submitting Office: Seattle

Copy sent to Bureau

SEARCHED	INDEXED
SERIALIZED	FILED
MAR 24 1964	
FBI - SEATTLE	

[Signature]

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Evergreen corrected . . .

Editor:

The article in the March 12 issue of the Evergreen, covering John Goldmark's ACLU-sponsored public address on March 10, contained two serious mis-statements attributed to Mr. Goldmark which in fairness to him and to the American Civil Liberties Union deserve correction.

The paragraph in question is quoted herewith as it appeared in your editorial note in the Mar. 13 issue of the Evergreen. (The note was inserted to correct a printers's error in omitting part of the last sentence of the paragraph in the original article.)

"The ACLU," according to Goldmark, "is not interested so much in rooting out the Communists at all costs. Its purpose is to preach love to such an extent that people cannot be pushed aside merely because they disagree with someone else."

Mr. Goldmark did not make these statements. The claim can be verified readily by means of a tape recording made of his talk. What Goldmark did say was that the far right was rooted in hate, whereas what made democracy work was the opposite emotion of love in the broadest sense of the word — ". . . in the sense of respect, tolerance, and a feeling of helpfulness toward your fellow citizens."

Furthermore, the ACLU has not assigned itself to the task of rooting out Communists (though other organizations have assumed that mission). Nor is it the purpose of the ACLU to "preach love." Had your reporter been attentive he would have heard professor Sibley explain in his opening remarks that the sole purpose of the ACLU was to concern itself with the protection and preservation of the freedoms and privileges embodied in the Bill of Rights.

I would amplify that position by stating that the ACLU strives to accomplish its objective through litigation, legislative activity, administrative hearings, and in appeals to public opinion through all channels of communication.

Luther Chew
Film Librarian
Audio-Visual Center

(Indicate page, name of newspaper, city and state.)

Page 1
Daily Evergreen
Wash. St. Univ.
Pullman, Wash.

Date: March 20, 1964

Edition:

Author:

Editor:

Title:

JONATHAN GOLDMARK

Character: SM - C

or

Classification: 100-21585-434

Submitting Office: Seattle

Clipping about . . .

SEARCHED _____ INDEXED _____
SERIALIZED _____ FILED _____
MAR 24 1964
FBI - SEATTLE

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DATE 08-18-2006 BY 60324 AUC BAW/CB/CAK

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Goldmark Will Address Civil Liberties Dinner

John Goldmark, former Okanogan County state representative who won libel judgments in connection with the campaign in which he was defeated, will speak here April 4.

The meeting will open with committee sessions at 10 o'clock in the Viceroy. Tentative plans for Sunday call for a 10 o'clock workshop.

Goldmark will speak on "The Question of Libel and Its Relations to Freedom of Speech." Goldmark will address a dinner at the annual meeting of the American Civil Liberties Union of Washington at 8 o'clock in the Viceroy Restaurant.

(Indicate page, name of newspaper, city and state.)

SEATTLE TIMES

MAR 26 1964

PAGE 15 COL 6

Date:

Edition:

Author:

Editor:

Title:

JOHN GOLDMARK

Character: **SM - C**

or

Classification: **100-21585-435**

Submitting Office:

Being Investigated

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SERIALIZED	FILED
MAR 26 1964	
FBI - SEATTLE	

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Goldmark Flays Extreme Rightists

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DATE 08-18-2006 BY 60324 AUC BAW/CB/CAK

By BILL LEE

The problem of the extreme far right, not communist infiltration, is one of the major problems facing Americans today. John Goldmark, controversial former state representative, said in Yakima last night.

Envisioning the John Birch element as engaged in a "flight from reality," the slow talking, deliberate cattle rancher from Okanogan ripped into the extreme right wing, both on the national level and in his own Okanogan area.

Goldmark's appearance was sponsored by two Yakima Valley College campus organizations, the Model United Nations and the Center for Education in Politics. The Yakima chapter of the American Civil Liberties Union underwrote the program.

Libel Suit

Goldmark, a Harvard educated lawyer turned rancher and politician, gave little evidence that only two months ago he was engaged in a sensational libel trial in which he and his wife, Sally, sued five individuals, two weekly newspapers and the John Birch Society. The suit resulted from a bitterly waged campaign in which Goldmark was defeated in the 1962 primaries in his bid for a third term in the state legislature.

Goldmark had asserted that he had been libeled and defamed by statements that his wife was still a member of the Communist Party and that, because he was a member of the American Civil Liberties Union, he was also a Communist sympathizer.

The jury awarded the Goldmarks \$40,000; but the defen-

dants are currently seeking a new trial based on alleged trial errors.

Goldmark said last night that the American Civil Liberties Union is the most effective counter weight to communism.

Power Lacking

Commenting on communist infiltration, Goldmark said, "If we find a group on the left preaching hatred and distrust, they are as potentially dangerous as the extreme right."

"The communists might be such a threat. But they are a discredited group. They don't have the power."

Flight From Reality

"The far right is essentially a flight from reality," Goldmark asserted last night. "Since World War II we have come to realize that we can destroy the world. This has created a tremendous strain."

"As the strain begins to tell, a lot of people want to do something whether it helps or not. The far right is not interested in dealing with the real problem of the world, but is instead interested in raising a devil locally and saying that the problem results from communist infiltration. If they don't like someone, they call him a communist — it's a real menace."

Bitter Cleavages

Goldmark added, "They turn a lot of fanatics, at least that's the experience in our own area. People you knew before, probably friends, change completely."

"They create great divisions in the community. Okanogan was one of the friendliest communities in the state, but now
(Continued on Page 2, Column 5)

(Indicate page, name of newspaper, city and state.)

Page 1

Yakima Morning Herald

Yakima, Washington

Date: 4/1/64
Edition: Morning
Author: BILL LEE
Editor: CHARLES F. MASSEY
Title: AMERICAN CIVIL LIBERTIES UNION

Character:
or
Classification:
Submitting Office: Seattle

100-21585-436
SEARCHED INDEXED
SERIALIZED FILED
APR 7 1964
FBI - SEATTLE
HCN0279 IM

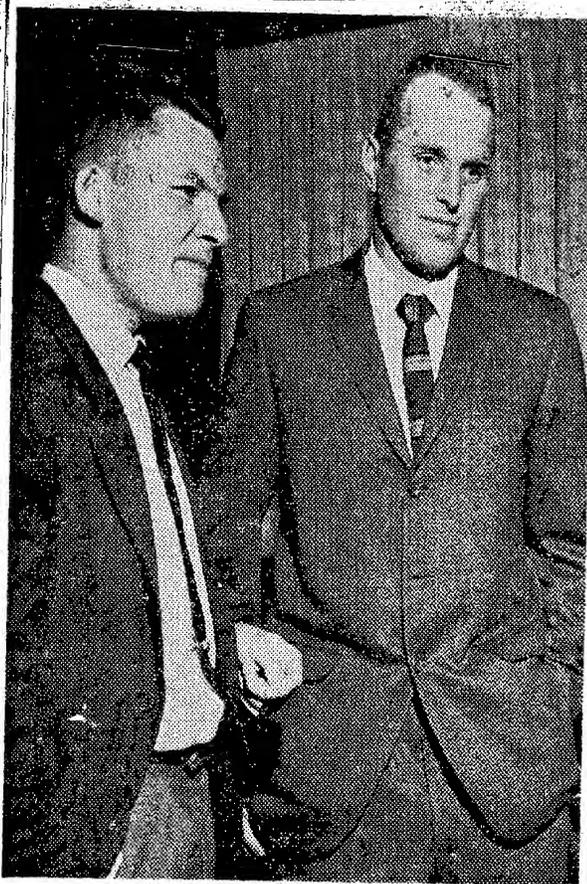
but point out that this kind of movement is not helping our country in any way, shape or form. If you can rally community interest, you can combat the far right," he added.

ACLU Defended

Speaking in defense of the Civil Liberties Union, Goldmark added that "The ACLU believes that freedom of the individual has to be considered indivisible, the concept of freedom of the individual is a right that no one has the right to take away because for anyone to have freedom, everyone has to have freedom.

"The ACLU was one of the targets in the smear campaign (before the 1962 primary election)," Goldmark said. "During the trial the defense attempted to prove that either my wife and I were Communists or that the ACLU was a Communist front organization because members might take positions that are not always popular."

During a brief question and answer period, Goldmark explained that he wasn't sure why he was singled out as a target by the far right.



GOLDMARK IN YAKIMA—Former State Rep. John Goldmark, right, stopped to chat with C. Edwin Garretson, Yakima Valley College history professor, before addressing a Yakima audience last night. Garretson is president of the Yakima Chapter of the American Civil Liberties Union which underwrote the controversial Okanogan rancher's appearance at the college.

there are bitter cleavages in the area.

"I think most Americans do not like the far right," Goldmark asserted. "But you can't handle the problem by sitting back and doing nothing.

"What can you do? Stand up and speak up about the things you believe in, especially when the far right makes statements you know are untrue. Don't be entirely on the defensive, saying that such and such isn't true,

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Ruling On New Trial In Goldmark Suit Delayed

No ruling is near yet on motions for a new trial of the John Goldmark libel suit, the presiding judge told the Daily World today.

"It will be quite a while yet," said Superior Court Judge Theodore S. Turner in Seattle.

The judge said he is still awaiting some written briefs from attorneys.

A key issue is the recent U.S. Supreme Court ruling, about libel. It took a liberal position on the right of comment about

and criticism of public officials. Questions arising out of that decision, said Judge Turner "are very very serious." He said no one has yet received any detailed information about that Supreme Court ruling, so no start has yet been made to analyze its effect on the Goldmark case decision.

The lengthy libel trial in Okanogan County began last Nov. 2 and continued into late January. It ended as a jury awarded \$40,000 in damages to former State Rep. John Goldmark. De-

fendants, Don Caron and Loris Gillespie of Okanogan, Ashley Holden and his Tonasket Tribune and Albert F. Canwell, Spokane, moved for a new trial. Oral arguments for a new trial were heard by Judge Turner last month. Defense attorney E. Glenn Harmon said then he wouldn't be able to submit his written briefs for at least a month.

Judge Turner said many issues are raised by defense arguments and each will involve extensive review.

(Indicate page, name of newspaper, city and state.)

2 THE WENATCHEE DAILY
WORLD
WENATCHEE, WASH.

Date: 4/7/64

Edition:

Author:

Editor:

Title: MRS. JOHN
GOLDMARK

Character: SM-C

or

Classification: 100-21585-437

Submitting Office: SEATTLE

Copy Sent To Bureau

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(Indicate page, name of newspaper, city and state.)

"FRONTIER" magazine
Los Angeles, California
Page 26, column 3

(monthly magazine)

Rational Climate

Sir: Ralph Friedman's article "The Ordeal of the Goldmarks" (March), was a very fine piece and covered many facts not stated elsewhere, thus revealing considerable work and research.

The defense motion on a new trial will be heard in court soon. The last word has therefore not been heard. Nevertheless, I think we can say with certainty that the factors which brought about this case will probably neither diminish nor disappear. We therefore hope that it may be of some help to all those who are working in some phase of public service and in addition assist in creating a rational freed climate of public discussion.

There were other articles in your magazine which were excellent.

JOHN GOLDMARK
Okanogan, Wash.

S+R

100-0-27804

Stalley
100-21585

Date: April 1964
Edition: Volume 15, Number 6
Author: JOHN GOLDMARK
Editor: PHIL KERBY
Title: JOHN GOLDMARK

Character:
or
Classification:
Submitting Office: Los Angeles

Being Investigated

100-21585-438

SEARCHED <i>✓</i>	INDEXED <i>✓</i>
SERIALIZED <i>✓</i>	FILED <i>✓</i>
APR 13 1964	
FBI - SEATTLE	

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Jmw

"FRONTIER" MAGAZINE

The Eighth Report of the Senate Fact-Finding Committee on Un-American Activities in California, published by the California State Senate in 1955, characterizes "Frontier" magazine on page 383, as follows:

"This publication, well financed and issued in slick format, modestly refers to itself as the State's only liberal publication. Members of its staff are seen at Communist front meetings from time to time...and its representatives frequently appear as speakers before various organizations, ranging through the political spectrum from deep red to pale pink."

John Goldmark to Appear At Normandy Cove April 26

John Goldmark, former state representative from Okanogan County, will speak on "Aspects of Extremism" at Normandy Cove on Sunday evening, April 26, at 7 o'clock, under sponsorship of the Puget Sound Democratic Women's Club.

Mrs. Jack Ballard is serving as general chairman for the event, with Mrs. Georgette Valle as ticket chairman. Tickets are on sale now at \$1.50 for adults, and \$1 for students.

"We want to remind the public of the non-partisan nature of this event, which provides an opportunity to hear an interesting speaker who is appearing here for the first time," Mrs. Ballard said.



John Goldmark

Mr. Goldmark recently won a \$40,000 libel judgment arising out of statements made by a newspaper and other groups during his unsuccessful campaign for a fourth term in the state legislature in the 1962 election.

*Highline Times
Apr. 15, 1964
Section 2 - page 7
Column 6*

100-21585-439

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SERIALIZED.....FILED.....
APR 16 1964
FBI - SEATTLE
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UNITED STATES GOVERNMENT
M E M O R A N D U M

TO : SAC, SEATTLE (100-19812)

DATE: 5/14/64

FROM : SA FRED G. COOK

APPROVED: FGC

SUBJECT: PEOPLE'S WORLD
IS - C

SOURCE	EVENT	REC'D	AGENT	LOCATION
[REDACTED]	Pre-Conference Mtg., [REDACTED]	4/20/64	FRED G. COOK	[REDACTED]

b2
b7D

Informant furnished the following:

"Seattle, Washington
April 17, 1964

"PRE-CONFERENCE MEETING

[REDACTED]

b7D

SPONSOR: KING CO. P.W. READERS COMMITTEE

"Chairman: [REDACTED]

b6
b7C

"The chairman opened the meeting by saying that the State Readers Committee had met two weeks ago and prepared the background for the coming Readers Conference which is to take place on April 11th in the IOGT Hall.

1 - 100-19812 (PW)
cc: [REDACTED]

b2
b7D

[REDACTED]
100-21585 (SALLY GOLDMARK)

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DMW

100-21585-440

SE 100-19812

"She said that the Committee had made an appraisal of the political situation in relation to the work of the paper in terms of strength and weakness and set up a sort of table:

b6
b7c

"Strength

1. The GOLDMARK Decision
The pending [] and [] cases
2. The local Speaker Ban victory
Large numbers involved in the Open Housing Issue
3. The importance of the election year.
4. The JOHNSON co-alition against War and Poverty
5. Success of the circulation Drive.
6. Quality of the work being done by S. W. Washington
7. Work being done by [] and []
8. The successful BEACH Memorial Meeting
9. Less fear on the readers part of being identified with the paper.

"Weaknesses

1. Uneven quality of work in different areas
2. Failure to link the paper with issues.
3. Failure to establish Fund Drive quotas (only two areas have done this to date.)

"It is necessary to:

establish drive leadership,
arrive at quotas before next weeks conference.

"With this establishing of the aims of the meeting [] suggested that another [] be elected and [] was elected by unanimous vote. In the same way [] was chosen as []

[] was the next speaker. He gave a short summary of the coastwide situation and then spoke of projected plans for editorials and articles in the paper for the coming year:

"He said that the paper staff plans to continue coastwide staff meetings to include the Northwest and Los Angeles instead of confining them to the San Francisco staff as has been the case in the past. So far only two of these enlarged meetings have been held; last fall and

this spring (no dates given)_

"Some of the issues that will be included in the years work will be: Peace, Negro Liberation, War on Poverty, Labor. Operation Dixie; the student aid in registering Negroes, Discrimination in Employment, Indians and local conditions Students trying to work their way through school (in the fall issues) Trade Union Affairs The Military Seminar in Aberdeen.

"The meeting was then thrown open to floor discussion. [redacted] reported that [redacted] and [redacted] have established a route in the Terrace with six steady readers so far.

[redacted] discussed subs and their relation to the Drive.

"[redacted] talked of getting subs from the Negro people.

"She also made the point that Drive quotas should be realistic.

"There were a few reports on read group plans for fund raising affairs.

"The Washington and Idaho quota is	\$ 7200.00
King County quota is	3600.00
Pledges so far from readers groups	2360.00

"The remainder of the time was taken up with proposals for ways and means in raising money and in discussion of proposed affairs.

"Present:



SE 100-19812



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Attached to the above report was ~~an~~ Bulletin
No. 1, received at the above meeting.

ACTION: None.

UNITED STATES GOVERNMENT

MEMORANDUM

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DATE 08-18-2006 BY 60324 AUC BAW/CB/CAK

FOIPA # 1035878-01

TO: SAC, SEATTLE (100-19812)

DATE: 5/14/64

FROM: SA ROBERT H. WICK

SUBJECT: "People's World"
IS - C

APPROVED Gmw

<u>SOURCE</u>	<u>EVENT</u>	<u>REC'D</u>	<u>AGENT</u>	<u>LOCATION</u>
[Redacted]	Notes of Annual PW Conference I.O.G.T. Hall Seattle, Wash.	4/24/64	ROBERT H. WICK	[Redacted]

b2
b7D

1 - 100-19812 (PW)
lcc

[Redacted]

[Redacted]

[Redacted]

b2
b7D

b6
b7C

Sally Holdmark

100-21585-441

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MAY 14 1964
FBI - SEATTLE
Gmw

RHW/cbf
(41)

pull

SE 100-19812

lcc



100-21585 (SALLY GOLDMARK)

b6
b7C

* * * * *

Informant furnished the following:

"April 17 - 1964

"On April 11 - 1964 the annual Peoples' World Conference was held at the I.O.G.T. H 11 on Virginia Avenue in Seattle, Washington. The Peoples' World paper is the Communist Press on the West Coast of the U.S.A.

were: "Some of the People who attended the Conference

- [redacted] of Seattle, Wash.
- [redacted] of Seattle, Wash.
- [redacted] of Aberdeen, Wash.
- [redacted] of Olympia, Wash.
- [redacted] of Olympia, Washington.
- [redacted] of Pacific Beach, Wash.
- [redacted] of Hoquiam, Wash.
- [redacted] of Hoquiam, Wash.
- [redacted] of Tacoma, Wash.
- [redacted] of Tacoma, Wash.
- [redacted] of Tacoma, Wash.
- [redacted] of Seattle, Wash.
- and [redacted] of Seattle, Wash.
- [redacted] of Seattle, Wash.
- and [redacted] of Tacoma, Wash.
- [redacted] of Seattle, Wash.
- [redacted] of Clallum County, Wash. (Sequim?)
- and [redacted] of Port Angeles, Wash.
- [redacted] of Seattle, Wash.
- [redacted] of Kenndale, Wash.

b6
b7C

[redacted], of Seattle, Wash. (Central King County.)
[redacted] of Seattle, Wash.
[redacted] of Seattle, Wash.

[redacted] came in briefly to report on the Federal Hearings that had taken place in Oregon, and then he left.

"Those who came in later for dinner were:

[redacted] of Kenndale, Wash.
[redacted] and children, of Aberdeen, Wash.
[redacted] husband, of Seattle, Wash.

"The Meeting:

[redacted]

Finance Committee - [redacted] and [redacted]

"The meeting was called to order by [redacted] and the agenda was read and Chairmen and Co-Chairmen were named for the panels. There's be brief reports, then panel reports after panel discussions.

"The two questions to be basic issues for panel discussions were:

- I - How have you been using the P.W. in other struggles?
- II - For what and how do you recommend using the P.W.?

"Panels were:

1. Peace - [redacted]
2. Labor - [redacted]
3. Civil Rights & Youth - [redacted];
4. Circulation & Fund Raising - [redacted]

"I - The [redacted] introduced the Northwest Editor of

SE 100-19812

the P.W. - [] who spoke about his recent trip to the Conference of the P.W. in San Francisco, California.

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b7c

"The Conference in San Francisco was held in order to:

- A. Explore new ways of approaching news stories,
- B. Explore more fully, in wider areas; such as all along the west coast.

[] asked for all the information and news he could get on the following subjects:

- "1 - Opporation Dixie.
- 2 - Discrimination in Empoyment.
- 3 - Students making their way through school.
- 4 - Teamsters - (Profil on Western Conference)
- 5 - Various fields of industry.
- 6 - Agricultural Workers and their desire to organize, especially in Eastern Washington.
- 7 - Indian Affairs
- 8 - Elections

"The trade union movement was studied very thoroughly in San Francisco.

On Circulation:

- "1 - Drive during winter should be changed to a year around drive.
- 2 - Drive should have more use of bundles, and trial offer cards.

"San Diego has the most systematic approach for use of cards. The papers are delivered, then people who have received the papers are interviewed, and names are gotten. Then these people are called by telephone and are offered the card for a 3 week trial sub. After the subs expire, if people take one, they are then asked to subscribe for a year. This is working very well in areas where colored people live. The circulation now is the highest since the P.W. became a weekly.

- 3 - Bundles recommended for circulation are those carrying articles on political issues, civil rights issues.

- 4 - Recommends regular sales at Union meetings.
- 5 - Sell papers at Industrial sites.
- 6 - Use telephone instead of personally canvassing for subs.
- 7 - All areas should have holders for papers.

"II - Chairman introduced [redacted]:

- 1 - The 1964 P.W. Fund Drive is to be an Ethel Beach Memorial Drive in honor of Ethel's devotion to the paper and the work she did to see that the paper got to more readers.
 - 2 - Strengths making improvement of sales possible:
 - A. Political Climate, & Civil Rights Fight.
 - B. Goldmark Case
 - C. [redacted] Case
 - D. Loyalty Oath Ban Decision in Democratic Party.
 - E. Military Seminar in Aberdeen, Wn, in May.
 - F. War on Poverty Pledge by President Johnson.
 - G. Circulation Drive - Coastwise
 - H. Ethel Beach Memorial Affair) A solidifying effect on people to get more subs.
 - I. People have been encouraged by all these things to get the P.W. to people who need it. The issues are becoming joined in forces such as the Civil Rights fight.
 - J. [redacted] added to the Ultra Right. People will have to face up to the Ultra Right.
- 3 - Negative Problems:
 - A. Circulation - too much unevenness in getting new subs, Statewide. Southwest Wash. has a very good systematic approach. They use bundles, and have a committee who interviews new possibilities.
 - B. Fund Quotas - too much gap between areas.
 - C. Fear of identification with the paper. Readers of paper must talk to people about the paper and articles it carries. Everyone must commit himself in finding ways to circulate the P.W.
 - D. Readers must have a profound conviction in what the paper stands for.

"III - Reports From Areas:

b6
b7c

- 1 - Clallum Cty. - [redacted] - reporting -
 - A. Took same quota as last year which was \$700.00.
 - B. Turn in was \$120.00 so far and their P.W. Drive is made a year around job.
 - C. Jefferson Y Clallum Cty's need wider circulation.
 - D. Ultra Right is strong in area.
 - E. Savage Case is of 'Deep Interest.'
 - F. Modest quota of new subs, and 5 taken so far.
 - G. Where Indians are concerned, she feels she can't approach people and there's a lack of someone to report, on what's happening.
 - H. Another person in the area is working closely with the Indians in their problems. This is [redacted]

- 2 - Eastern Washington - Reporting? [redacted] ?
 - A. No quota set and no intention of doing so.
 - B. About \$200.00 in so far.
 - C. Lacking enough pledges and not enough affairs to raise money. Most of the readers are on the Welfare and can't afford much of an offering.
 - D. No contacts.
 - E. The P.W. man is using the mail for subs. He makes contacts by answering letters that are written into the letter - boxes of local papers.
 - F. He suggests that people send subs to colleges and libraries.

- 3 - Pierce Cty. - Roger Rader reporting -
 - A. Quota for Drive is \$900.00 plus 15 new subs. Same as last year.
 - B. \$61.00 turned in and 4 new subs so far.
 - C. Intends using sample copies more strongly.
 - D. Uses Paper in Civil Rights Issues to get new subs
 - E. Mobilizing Readers Groups
 - F. Material getting out on the McCarran Act during the Daffadil Festival in Tacoma, Puyallup and Sumner areas.

- "4 - King Cty. - Down-town Area - [] reporting-----
- A. Year around quota is \$250.00.
 - B. \$25.00 turned in plus 5 subs coming in.
 - C. She's giving her father subs to give out in his small business in Oregon.
- 5 - Central King Cty. - [] reporting _____
- A. Quota for drive is \$950.00.
 - B. \$250.00 turned in so far.
 - C. Youth has increased its quota.
 - D. Subs who quit are being replaced by subscribers of a higher level.
 - E. Central area readers' group is working toward a readers' group in Yessler Terrace.
 - F. One month of visits established 6 regular readers.
- 6 - [] reporting for King Cry. as a whole _____
- A. Quota for entire King Cty. is \$3200.00.
 - B. Use paper carrying articles on major issues in the election campaign.
 - C. One major problem was the defeat of the open housing issue.
 - D. There'll be a May Day Festival to boost the P.W. drive on May 2 - 1964 at the Washington Hall in Seattle, Washington. Dinner served at 6:00 P.M.
- 7 - Skagit Cty.
- A. No quota so far.
 - B. R. Wallace of Bellingham died recently.
- 8 - Southwest Wash. - Thurston Cyy. - [] reporting _____
- A. Quota for drive is \$850.00 of which Thurston County's share is \$350.00
 - B. \$86.00 turn in from Thruston County, & 6 subs.
 - C. Three affairs planned to help raise funds. They are the 'April 24th - (Pictures on Cuba)' at [] in Olympia, Washington; The [] [] picnic in June; and the Pierce - Southwest picnic in August (first Sunday).

- "D. Problems were - many readers felt neglected and had visits by the Ultra - Right.
- E. Thurston Cty. readers are now protecting new subscribers from the F.B.I. by having a delivery route.
- F. Readers are discussing Issues with people.

"9 - Grays Harbor Cty. - [redacted] reporting -

- A. During the Military seminar in Aberdeen, Washington from May 4 - 17th, 1000 copies of the P.W. will be distributed.
- B. There'll be an article on the Seminar in the P.W.'s April 17th Issue. Distribution of the paper will start immediately, when they are received.

[redacted] - reporting

- A. Getting information on Seminar.
- B. Got many people stirred up in area.
- C. 'Expose' planned on Seminar.
- D. Many people are interested in it and what effects it may have on area.
- E. Naval Reserve is sponsoring the Seminar.
- F. Have plans of making contacts as a result of work done around the Seminar.
- G. Cope - has been asked to investigate through Washington D. C. on Seminars.

[redacted]

- A. Asked that every area make the P.W. Drive a year around job also that quotas be year around.
- B. Adjourn for lunch.
- C. Meeting called back to order at 1:50 P.M.
- D. Panels grouped for workshop discussion which was based on two questions about P.W.
- E. Called time on discussions and asked for panel reports.

"IV Panel Reports:

"1 - Peace - [redacted] reporting -
Question - How to introduce P.W. to Peace Groups?

- "A. Letters to editors column in local papers stating what was read in P.W.
 B. When lobbying for special interest block, use P.W. instead either by clippings or trial offer subs.
 C. Talk to people on issues such as converting Military Foreign Aid to Peace time Economic Aid.
 D. Conversion of Economy at home from war to peace.
 E. Use [] Column of P.W.
 F. Items of special interest setn to reporters on radio and T.V.
 G. Individuals use P.W. in own group to see who can find the most ways to use P.W.
- "2 - Labor - [] reporting -
 A. Have routes where special issues are put out such as the one reporting on Military Seminar in Aberdeen, Wash.
 B. Get union interested in what kind of government we have. Most Unions are interested in civilian government and not a military government. The Right Wing is hiding behind these Military Seminars.
 C. Readers in Aberdeen, Washington are planning a fight on this Seminar. Undesireable people are leading the Right Wing groups.
 D. Start new, asking to have State Labor Convention in Port Angeles, Washington. Ask P.W. to run an article on this and see it is destributed.
 E. Emphasize that the P.W. is the right paper to publish issues correctly as things happen.
 F. Medi Care issues can be a boon to new readers.
 G. Readers have outsiders distribute P.W. to Union workers. Interview the people who get papers.
 H. Union - except for 1 vote, was against the Military Seminar in Aberdeen, Wash.
- "3 - Civil Rights)
 Youth) [] reporting -
 Indian Affairs)
- A. On the spot reporters for P.W. on Civil Rights Fight and Indian Affairs.
 B. See that Indians and negroes get the P.W. issues that are reporting on their problems.

- "C. Get P.W. that carries items of special interest to all groups that are backing the 'Civil Rights Fight.'
- D. Get P.W. to people in negro and other colored areas and to the rank - and - file worker.
- E. Have discussions with people who get P.W.

"4 - Circulation & Fund Raising - [redacted] reporting -

- A. Sell P.W. on the street, Even though people don't buy the paper, they enter into a discussion, and eventually, some will be back and buy one.
- B. Use bundles of papers that carry especially good articles and have trial sub cards attached.
- C. Follow-up a couple or three weeks later for an interview and discussion.
- D. Don't forget to interview people who have once received the P.W. They may subscribe again on a route basis.
- E. Gift subs to Libraries, Colleges, Pensioners, and Young Workers.
- F. Help the P.W. to have more appear in a larger area coverage by sending clippings from local papers to the P.W. Editor.

[redacted] - reporting -

- A. Let people have the experience of being visited by the F.B.I. because they get the People's World paper in the mail; and people will soon realize how little freedom they really have.

"V - Resolutions:

1. P.W. Drive will be finalized on August 17, 1964.
2. Help from King, Pierce, and Clallum Counties for Southwest in getting P.W.s distributed in their own areas. The paper will be carrying an 'expose' on the Military Seminar in Aberdeen.

"VI - Financial Report By:

[redacted]

"VII - State Picnic: (July 4th State Picnic.)

1. Committees for publicity, dinner, finance, and program named.
2. Baby sitting service.
3. Children's Activities. More organization on plans will be needed.

'Special' : (Between Panel Reports 3 - 4.)

[redacted] said that the investigations in Portland were given up because so many people picketed the hearings, and because so many 'Political Dignitaries' were against the McCarran Act. The Papers in Oregon considered the hearings a Political Farce. He then left.

"VIII - Chairman adjourned the meeting, and everyone went upstairs to dinner. Cost of dinner was \$1.00 per person.

"Picnic Committees:

Publicity - [redacted]
[redacted]

Dinner - [redacted]
: Someone from Clallum County.

Finance - [redacted]

Program - [redacted] baseball"

ACTION: NONE.

UNITED STATES GOVERNMENT
MEMORANDUM

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-18-2006 BY 60324 AUC BAW/CB/CAK

TO: SAC, SEATTLE (100-25999)

DATE: 7/7/64

FROM: SA HARRY W. WILSON, JR.

APPROVED: *HW*

SUBJECT: SOUTH CENTRAL CP SECTION
IS - C

SOURCE	ACTIVITY	REC'D	AGENT	LOCATION
[REDACTED]	Des Moines CP Club meeting at [REDACTED]	6/23/64	HARRY W. WILSON, JR.	[REDACTED]
[REDACTED]	[REDACTED]			
[REDACTED]	[REDACTED]			

Informant furnished the following:

1 - 100-25999 (SOUTH CENTRAL CP)

cc: [REDACTED]

100-18979 (YOUTH MATTERS)
100-0-new (WOMENS FEDERATED CLUB)
100-24049 (CO PE)
100-24049 (WADS)
100-19812 (PW)

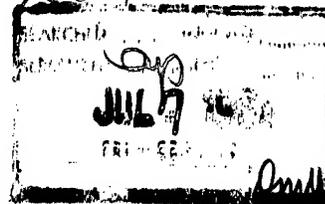
1 - Los Angeles (REG)
[REDACTED]

100- [REDACTED]

100-21585 (SALLY GOLDMARK)
[REDACTED]

100-17605 (FUNDS)
100-24766 (WCC)
100-19248 (STRAGETY IN INDUSTRY)
100-0-43159 (JOBS FOR YOUTH)

HWW/lal
(27)



b2
b7D

b6
b7C
b7D

b2
b7D

b6
b7C

SE 100-25999

"Seattle, Wash.
June 18, 1964

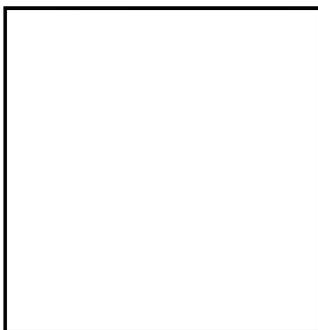
"Event: Des Moines Club Meeting

"Place: Home of [redacted] and [redacted]

"Time: [redacted]

"Attendance: 10

b6
b7C
b7D



b6
b7C

[redacted] collected dues. All paid except [redacted]

[redacted] said there was no section report.

[redacted] gave a brief report on the WCC panel discussion at the [redacted] on June 7th, on 'The Future of the Railroad'. Even though attorney [redacted] was not able to be present...

[redacted] said he thought that the discussion was interesting and 'profitable'.

[redacted] gave [redacted] \$5.00 to turn in to the WCC for the affair and another \$5.00 was raised by a conscience bowl.

"VI said she was pleased that the 30 hour week had been brought up in the panel discussion and also discussion for a youth program for jobs. [redacted] said she was interested in [redacted] suggestion of having the railroads use a rapid transit system.

"[redacted] was soliciting donations for the [redacted] fund to aid her in her fight on the travel ban and her recent trip to Cuba.

"There was a discussion on the danger of the Ultraright. [redacted] said that she was surprised that the U. of Wash. would allow a Nazi speaker on the Campus.

[redacted] said that showed the progressive thinking of the youth. [redacted] said that freedom of speech should be permitted to all...regardless of their thinking.

"VI announced that SALLY GOLDMARK will lead a workshop here for the Women's Federated Club. A state platform is to be written by this organization.

"VI said that COPE is getting active with the coming election. She said that the WADS have increased in number and much work is being planned for them.

"VI gave [redacted] \$15.00 to apply to their PW pledge. She asked the thinking of the Des Moines Club in announcing that we would try to have our 100% quota by July 4th. It was voted upon and accepted and [redacted] was instructed to contact [redacted] and give her this information.

"At this meeting [redacted] brought an electric combination cooker and deep fryer for which she had prepared chances at 40 cents each or 3 for one dollar. [redacted] said at this time this raffle would be her participation in the PW fund raising affair in lieu of a buffet dinner which had been previously decided upon. [redacted] said that since so many affairs are being scheduled and time is running short...she decided the raffle instead.

"As of June 7 the Des Moines Club has turned in \$247.95 on their \$310 pledge ...leaving a balance of \$62.05.

"The [redacted] still owe \$10 on their pledge; The [redacted] junk deal have \$15.00 balance on their pledge; The [redacted] have \$15.00 balance on their pledge; There is an estimated \$30.00 to be raised from the penny jar and an approx. \$15 or \$20 from the electric cooker.

"The Des Moines Club are determined to go over their quota.

SE 100-25999

"After refreshments...the meeting ended approx. 10:10.

"Next meeting June 22 at the [redacted]"

ACTION: Will recontact source to further
identify [redacted]

b6
b7c

UNITED STATES GOVERNMENT

MEMORANDUM

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-18-2006 BY 60324 AUC BAW/CE/CAK

TO: SAC, SEATTLE (100-19812)

DATE: 7/8/64

FROM: SA HARRY W. WILSON, JR.

SUBJECT: "PEOPLE'S WORLD
IS - C

APPROVED: *HW*

SOURCE	ACTIVITY	REC'D	AGENT	LOCATION
[REDACTED]	Central Area PW Readers Committee meeting at [REDACTED]	7/1/64	HARRY W. WILSON, JR.	[REDACTED]

b2
b7D
b6
b7C
b7D

Informant furnished the following:

b2
b7D

1 - 100-19812 (PW)
lcc [REDACTED]

- 100-21585 (SALLY GOLDMANN)
- 100-17755 (POLITICAL ACT)
- 100-24754 (JOHN BIRCH ORG)
- 100-36984 (NEW YOUTH ORG TO
BE FORMED 6/64)
- 100-17605 (FUNDS)
- 100-26674 (RACIAL MATTERS)
- 100-24103 (MASS ORGS)
- 100-19812 (PW)

b6
b7C

HWW/bjt
(33)

100-21585-443

SEARCHED [] INDEXED []
SERIALIZED [] FILED []
JUL 8 1964
FBI - SEATTLE
Small

SE 100-19812

"June 28, 1964
Seattle, Washington.

"The Central Area P.W. Readers' Committee Meeting,

[redacted]
[redacted]

Those present:

[redacted]

"The discussion:

"I. [redacted] in discussing her work as a delegate to the State Democratic convention recently, said to be careful of a [redacted] who could possible F.B.I. Informer. She said past experiences with [redacted] at many of the affairs give the impression he is some way goofy [redacted] [redacted] said he was at [redacted] party this month, claiming credit for the slogan, [redacted] She said at the State Democratic convention he was passing out leaflets 'Program to Create New Jobs in the State of Washington which is put out by a ultra right JOHN BIRCH organization in Bremerton, Wa., The Liberty Amendment Committee of Washington State, 131 North Callow Avenue. She said when got the folder from [redacted] that is [redacted] [redacted] to be exact, she thought she recognized the fellow, and asked [redacted] who was at the meeting didn't his face looked familiar, and they went back and surprised him by identifying themselves and recognizing him as being one that comes too lots of the progressive affairs. He didn't act goofy & silly like he was always doing at various affairs, so the thinking by [redacted] is that he could either be acting that he is not so bright because he is a possible F.B.I. Informer, or he just didn't know he was handing out BIRCHERS literature. He claims a woman told him to help him distribute the folders, and her and [redacted] could not find the woman he claimed gave him the material for distribution. Anyway [redacted]

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b7C
b7D

b6
b7C

SE 100-19812

wants everyone present to watch out for [redacted] and don't trust him.

b6
b7c

"II. [redacted] was one of those that went to San Francisco to the Young People Socialist League meeting [redacted] said that [redacted] and [redacted] & [redacted] went with her, she will give a report at the Picnic on it). The story is on the front page of the P.W., June 27th issue.

"III.. [redacted] wants to volunteer to do some campaign work for [redacted] for Congress. She also wants to move from her present address. A [redacted] or [redacted] a she or he, has moved from her to California, and she is alone in the place by herself. [redacted] said she would try to help her relocate to a cheaper place, that is [redacted] will help [redacted] relocate. [redacted] said she wants walking distance to town and to Edison Technical School. She will go to school to learn some vocational courses. Her phone number now is Ma. 4-1469.

"IV.. [redacted] and [redacted] is moving to California. They are auctioning off their art and other things.

"V... [redacted] sent [redacted] a letter from Mississippi where he is now, appealing for funds from anyones in Seattle. [redacted] is a Spokane Boy, and formerly active at the UW.

"VI. [redacted] sent a wire to a Civil Righter in Mississippi to send a report on conditions in Mississippi, to be read at the July 4th Picnic. [redacted] is hoping to have it in time.

"VII. [redacted] is possible gone on the Island in the state for a while. [redacted] went with her on a P.W. route once. What Island is the question. Possible Ocean City.

"VIII. The Northend E. Madison Readers group picnic brought in \$88.00

"IX.. [redacted] gave a report on the June 27th P.W. Picnic Committee meeting.

SE 100-19812

"X..Some other young progressiveis gone to Mississippi whose names wasn't mentioned.

"XI.. [redacted], was another one that went to San Francisco for the Y.P.P.L. Committee meeting.

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b7c

"XII.. [redacted] told [redacted] that she was being grabbed and held for the Central Area's P.W. Readers group. She might get an apartment where [redacted] now is living.

"XIII...Some Central Area Readers meeting will be held in some of the new readers homes if they give permission. [redacted] said that because of the two girls boy friends, she prefer_ for the meetings not to be held at her house unless its well known about ahead so they can go somewhere else. She wants the two girls at her house not to be interferred with too much when the boyfriends come around.

"XIV. [redacted] whisperd to [redacted] that his Negro girlfriend is still in jail_

"XV... [redacted] spoke respectfully of a SALLY GOLDMARK that served on a panel with her at the Democratic Convnetion, and stated that 'what others around the State was saying about her was true', and it was an opportunity to meet her while serving with her on the panel'. The way she said 'others' indicated those she knew personally.

"XVI. In answer to a question by [redacted] in regards to some other young people being in Mississippi, [redacted] was trying to piece together their whereabouts, when they left, etc, when [redacted] cut her off, and told [redacted] that the order of business must continue.

"XVII. [redacted] name was mentioned as one to give rides to the Greyhound Bus Station for the Bus to the Picnic.

"XVIII [redacted] and her family is gone down south. [redacted] said it could be Texas, or some other southern states.

SE 100-19812

"XIX..To restate about its
uncertain if she went to Ocean City or 'to the (a)
Island'.

ACTION: NONE. All necessary action has been
taken.

b6
b7c

(Mount Clipping in Space Below)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-18-2006 BY 60324 AUC BAW/CB/CAK

IN NEW TRIAL ARGUMENTS

Judge in Goldmark Case Chides Tardy Attorneys

OKANOGAN, Wash.—Judge Theodore S. Turner of Seattle has urged attorneys in the Goldmark case to complete their briefs and commentaries quickly so that a decision can be reached on the pending motions for new trial.

Judge Turner is considering several defendants' motions for new trials in the aftermath of the verdict returned last January by an Okanogan County jury, which awarded John Goldmark \$40,000 damages in his suit stemming from the 1962 primary election campaign in which Goldmark claimed he was libeled.

In a letter to attorneys and the Okanogan County clerk, Judge Turner noted he had asked for a time limit at the hearing on the motions April 15. He reported he had received the defense briefs on motions he had taken under consideration May 5 and a latter and further citation on June 1 on the motions he was considering.

He said the first of four installments of the plaintiff's motions hadn't been delivered until July 24. He subsequently received further installments on Sept. 4 and 11.

The third installment brought plaintiffs' briefs on the motions to 47 pages.

Judge Turner asked that the defense make any further com-

ments no later than 10 days after plaintiffs' final briefs in order that he may begin to formulate a decision.

(Indicate page, name of newspaper, city and state.)

7 Spokesman-Review
Spokane, Wash.

Date: 9/22/64

Edition:

Author:

Editor:

Title:

MRS. SALLY GOLDMARK

Character: SM - C

or

Classification: 100-21585

Submitting Office: Seattle

Being Investigated

*copy sent
Bellevue.*

100-21585-444

SEARCHED	INDEXED
SERIALIZED	FILED
SEP 1964	
FBI - SEATTLE	

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-18-2006 BY 60324 AUC BAW/CB/CAK

(Mount Clipping in Space Below)

JUDGE GRANTS

NEW TRIAL

IN GOLDMARK

LIBEL CASE

ge, name of
city and state.)

Date: 12/9/64
Edition:
Author:
Editor:
Title: 'Judge Grants New
Trial In Goldmark
Libel Case'
Character:
or
Classification: 100-
Submitting Office: Seattle

Bases Decision Upon
Supreme Court Ruling

100-21585-445

Bel *my*

McNULTY *DM*

OKANOGAN — A new trial has been granted in the John Goldmark libel suit.

The decision was made today in a 28-page memorandum decision on the motion for a new trial.

Judge Theodore Turner of Seattle, the presiding judge, said he was "satisfied that there has been a failure of substantial justice by reason of the fact that the case was submitted to the jury on a basis which the United States Supreme Court has declared is fundamentally wrong and which deprived the defendants of rights guaranteed to them by the Constitution of the United States."

He referred to the New York Times versus Sullivan case. That momentous case ruling was handed down early in the year by the U. S. Supreme Court as the long Goldmark trial ended.

Okanogan Superior Court jurors returned a verdict of \$40,000 in favor of Goldmark, a former state representative who was defeated in the 1962 campaign. Goldmark sought the damages for libel he said occurred during the campaign.

The suit was brought against Ashley Holden and his Tonasket Tribune, Al Canwell of Spokane, Loris Gillespie of Okanogan, and John Birch Society Coordinator Don Caron. Goldmark said the defendant conspired to libel him by connecting him with communism.

The jury found there was no conspiracy but brought in judgments for varying amounts against each of the defendants.

Goldmark had asked for \$225,000.

The judge has not ruled yet on a motion by the defendants for a judgement notwithstanding the verdict.

If granted, that could mean that Judge Turner could grant a decision favoring the defendants, even though the Superior Court jury found in favor of the Goldmark side.

The judge said he had earlier denied the request for that kind of summary decision from the bench. But in light of the law as it has since been declared he indicated he will reappraise the same evidence. He said he hopes a decision on that possibility could be announced shortly.

R. E. Mansfield, one of the plaintiffs' attorneys said he was not surprised by Judge Turner's ruling.

He said: "The Sullivan case was causing us a great deal of concern. On the basis of that ruling it was not known how far it would be extended to other rulings. Obviously Judge Turner felt it applied to our case."

Mansfield said he would discuss the next step with Goldmark.

The Goldmark side can appeal the ruling. It could also appeal a judgment given by Judge Turner notwithstanding the jury decision last February.

In making his ruling, Judge Turner said:

"The jury should have been instructed that statements made in good faith and without malice about candidates for public office were privileged, and the defendants would not be liable for any misstatement of fact therein even though defamatory unless the plaintiffs prove that it was made with actual malice. (That is with the knowledge that it was false or with reckless disregard of whether it was false or not).

"The trial judge (Turner) committed prejudicial error in instructing the jury that if they (defendants) had made a defamatory statement about plaintiffs which was false in fact, defendants would be liable, regardless of whether or not they believed it to be true."

One of the basic issues of law during the trial was whether a defamatory statement about a candidate for public office made in good faith by the publisher in the belief that it was true but was actually false was entitled to qualified privilege.

This issue was raised by the defendants.

"I conclude that the decision of the United States Supreme Court is applicable and binding upon this court; that the instructions given the jury were in violation of the defendants constitutional rights of free speech and press and that for this error the defendants are entitled to a new trial," Turner ruled.

The jury had been instructed that the privilege of fair comment and criticism on matters of public concern was available only if the facts stated were true, Judge Turner said.

If the facts were false and defamatory the defendants would be liable under the instructions, he said.

When the defense motions were heard orally there had not been time to appraise the effect of the New York Times decision. In the seven months since then Judge Turner has been studying the motions in light of that ruling.

He denied eight other points raised by the defendants in asking for a new trial. This included their objection to the manner in which the jury reached the amount of damages assessed.

Judge Turner said he found no error in the jury's method.

Defense arguments for a new trial opened in Okanogan County Superior Court before Judge Turner on March 13. Attorneys hammered away at several points they felt were procedural errors. That included allowing a remark by Goldmark attorney William Dwyer to be heard by the jury, and the method by which the jury arrived at its verdict.

Then they unloaded their bombshell: a new U.S. Supreme Court decision which gives more latitude to criticism of public officials.

Defense Attorney Harmon said the ruling changed the whole complexion of the case.

Said Judge Turner at the time: "It makes me feel like a referee in a football game who makes the calls according to the rules as he knows them and then finds out after the game that they have been changed."

The decision in question overturned a libel judgment against the New York Times and four Negro ministers. A \$500,000 judgment had been awarded L. B. Sullivan, a police commissioner in Montgomery, Ala. Sullivan sued over an advertisement in the Times containing statements critical of the handling of Montgomery racial demonstrations.

The Supreme Court said the Constitution would prohibit "a public official from recovering damages for a defamatory falsehood relating to his official conduct unless he proves that the statement was made with actual malice — that is, with knowledge that it was false or with reckless disregard of whether it was false or not."

The lengthy Goldmark trial began in November, 1963, and ended last February. After the jury's verdict the defense moved immediately for a new trial. The plaintiff's brief wasn't filed until July 24, accounting in part for the delay in the ruling.

But the complex nature of the case, as well as the fact that Judge Turner continues to preside on the King County bench, also helped hold up the ruling until today.



ASHLEY HOLDEN
Wins New Trial



LORIS GILLESPIE
Ruling Favors Him



AL CANWELL
He Was Sued, Too



DON CARON
1 Of 4 Defendants

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Retrial O.K'd In Goldmark Libel Case

OKANOGAN, Dec. 9.—(AP)—Superior Court Judge Theodore Turner granted a new trial today in the libel suit in which former State Representative John Goldmark was awarded a \$40,000 verdict against four individuals and a weekly newspaper.

Judge Turner, of Seattle, who tried the widely publicized case last fall and winter, said he based his decision on a United States Supreme Court decision handed down since the Goldmark verdict was returned.

(R. E. Mansfield, attorney for the Goldmarks, said he hoped to decide before January 1 what steps to take in light of the judge's new ruling, the United Press International reported. The plaintiffs could accept the judge's ruling as correct and allow a new trial date to be set. Or they could appeal the ruling to the State Supreme Court.)

In that case, involving The New York Times, the high court held that a public official could not collect damages for criticism of his official actions, in absence of proof of malice.

THE DEFENDANTS in the Goldmark case also asked for a judgment notwithstanding the verdict. Judge Turner said he would decide that later.

Defendants in the case were Ashley Holden, Tonasket newspaper publisher, and his weekly Tonasket Tribune; Al Canwell of Spokane, former state representative; Loris Gillespie, Okanogan businessman, and Don Caron, Okanogan, state organizer for the John Birch

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~~Goldmark and his wife contend they were libeled by being linked to Communism during the 1962 primary, in which Goldmark was defeated for the Democratic re-nomination.~~

The Goldmarks had sued for \$225,000. The jury denied damages to Mrs. Goldmark, who said in court that she was a former Communist Party member.

IN A 28-PAGE decision filed in Okanogan County Superior Court, Judge Turner said:

"I am not prepared to agree with counsel that justice miscarried because the several defendants and claims were joined together in one trial by means of a conspiracy charge which had no substantial evidence to support it.

"I am, however, satisfied that there has been a failure of substantial justice, by reason of the fact that the case was submitted to the jury on a basis which the United States Supreme Court has declared is fundamentally wrong and which deprives defendants of rights guaranteed to them by the Constitution of the United States."

For that reason, he said, he ~~granted a new trial.~~

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SEATTLE TIMES

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SUPREME COURT?

What's Next In Goldmark Case?

By GEORGE RICHARDSON
OKANOGAN — The John Goldmark libel suit, which captured the nation's interest during a 3½-month-long trial, will probably wind up in the United States Supreme Court.

But R. E. Mansfield, one of Goldmark's attorneys, told the Daily World today that the plaintiffs would wait for the second part of a memorandum decision affecting a \$40,000 libel award before deciding the next step.

Goldmark, a former state representative, sued the Tonasket Tribune, its publisher and three other persons because of statements made during his unsuccessful 1962 campaign. He said they linked him with communism.

A memorandum decision granting a new trial to the defendants was received by the county clerk here Wednesday.

In it, King County Superior Court Judge Theodore S. Turner said that the defendants had been deprived of their Constitutional rights in the previous trial. Judge Turner presided at the trial here.

The opinion does not have the force of law until the judge submits a formal order, probably at the same time he rules on the second motion, explained Mansfield.

The plaintiffs have several choices open to them under the ruling. They could accept a voluntary non-suit, meaning they would decline to go back into court. This is unlikely, Mansfield said.

They could proceed with the new trial. This would probably be held next spring.

Or they could appeal the judge's ruling to the State Supreme Court. At the moment, Mansfield said, this appears to

be the logical step. The Supreme Court could, of course, uphold Judge Turner and order a new trial anyway. Or it could rule in favor of Goldmark, in which case the \$40,000 verdict would stand.

Because this part of the appeal involved the Constitution the case could go to the United States Supreme Court.

Judge Turner based his ruling on a recent U.S. Supreme Court decision which overturned a \$500,000 libel award against the New York Times on the grounds the Constitution prohibits "a public official from recovering damages for a defamatory falsehood relating to his official conduct unless he proves that the statement was made with actual malice — that is, with knowledge that it was false or with reckless disregard to

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whether it was false or not."

Judge Turner said this applied to the Goldmark case since he was a candidate for the state legislature.

The New York Times decision, however, was handed down after the Goldmark trial ended. But, in effect, it spelled out what the law had always been and should have been applied during the trial.

The last point of the appeal still not ruled upon, the request for a judgment notwithstanding the verdict, does not involve a Constitutional question and would therefore end in the state's high court.

Mansfield said this latter defense motion asks the judge to reverse the jury's decision on the grounds that substantial justice had not been done. This includes the defendants' claims that the jury used an improper method of assessing the damages against the defendants.

If the judge denies this motion, and it's anticipated that he will, the verdict will stand subject to the ruling on the new trial. If he grants it, then Goldmark could appeal to the Supreme Court.

In any event, Mansfield said, the case will probably end up there and, because of the Constitutional question raised, could go all the way to the U. S. Supreme Court.

"If this was a usual personal injury case," Mansfield said, "then both sides would probably get together now to work out a compromise and get rid of it. But there is so much emotionalism involved here."

Goldmark sought \$225,000 from Ashley Holden, his Tonasket Tribune, Loris Gillespie of Okanogan, Al Canwell of Spokane, and John Birch, Society coordinator Don Caron.

Goldmark, in Seattle when the decision was issued, said he was disappointed with the ruling. But he added: "It was a difficult question in view of the Supreme Court ruling and I am sure the judge gave it very fair consideration."

He was to have returned to Okanogan Wednesday night. But Mansfield, who is now in law partnership with Goldmark, said Goldmark would probably stay over to confer with Seattle Attorney Bill Dwyer who also represented the plaintiffs.

From Spokane, E. Glenn Harmon, one of the defense attorneys, said he was pleased by the decision.

Harmon said the defense had felt that the Supreme Court decision would compel the court to grant a new trial in the Goldmark case.

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'Soft On Communism' Not A Libelous Charge, Court Rules

The decision ordering a new trial of John Goldmark's libel suit brings up two concepts of law that are difficult for laymen to understand.

One is the wide latitude that must be given for criticism of public officials.

The other is the retroactive effect of court decisions.

Libel law in the United States really started with the Sedition Act of 1798 which made it unlawful to criticize the government or any major officer. The law was obviously incompatible with democracy, and it was repealed.

Since then a law of libel has been developed that has allowed a person to say almost anything he wanted to about another, so long as what he said was the truth.

But since last March, in the case of a public official, at least, even the truth is no absolute requirement.

That was when the Supreme Court issued its decision ruling that the widest latitude must be given for criticism of public officials. And the statements don't have to be truthful, the court said, unless prompted by malice.

Malice was defined as "with knowledge that it (the statement) was false, or with reckless disregard of whether it was false or not."

The court explained its decision by citing the need of critical comment in a democracy. It said:

"The theory of our Constitution is that every citizen may speak his mind and every newspaper express its view on matters of public concern, and may not be barred from speaking or publishing because those in control of government think that what is said or written is unwise, unfair, false, or malicious.

"In a democratic society, one who assumes to act for the citizens in an executive, legislative, or judicial capacity must expect that his official acts will be commented upon and criticized. Such criticism cannot . . . be muzzled or deterred by the courts . . . under the label of libel."

The court said that if a person was held completely responsible for the truth of his charges, fear that he might be wrong would keep him quiet. This would silence much criticism of government and of government officials.

It held that the dangers of silencing criticism for fear of libel action are greater than the dangers of someone being falsely accused.

It is obvious in these references that the court is speaking of the conduct of public officials. Private citizens can expect that a little more care must be taken in regard to statements about them.

Even in criticizing public officials, some care must be taken.

The decision says that the Constitution does not protect "defamatory statements directed against the private conduct of public officials." This

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thought is repeated in several places. One place is said, "The conclusion that the Constitution affords the citizen and the press an absolute privilege for criticism of official conduct does not leave the public official without defense against unsubstantiated opinions or deliberate misstatements."

Judge Turner did not say John Goldmark had not been libeled. He ordered the new trial because his instructions to the jury were on the basis of the libel law as it was understood then — that if statements linking Goldmark with communism were false, those who made them would be liable.

Under the subsequent Supreme Court decision, the fact that defamatory statements were false would not make libel automatic.

Goldmark will now have to decide whether a jury will regard the statements made about him as having been made with "reckless disregard" of truth.

It may be worth noting that just last week the Pennsylvania Supreme Court ruled that candidates for office may be accused of being "pro-Communist" or "soft on communism" during the heat of a political campaign without being libelous.

It was a narrow three to two decision that dismissed an action brought by a U.S. Senator who had been accused of a voting record with "Communist tendencies." The court said, "It is an expression which has a different meaning for millions of Americans, but certainly is not the equivalent of being a Communist."

The retroactive effect of court decisions startles most laymen. They find it hard to understand how one decision can completely reverse court actions that long before were considered over and done with.

Judge Turner described his feeling most aptly: He was quoted as saying, "It makes me feel like a referee in a football game who makes the calls according to the rules as he knows them and then finds out after the game that they have been changed."

This retroactive effect calls to mind another Supreme Court decision. In that one the Supreme Court ruled that no confession obtained under questioning is admissible as evidence unless the accused has been warned of his right to keep silent. Under that decision many convicted criminals have been freed because there was no evidence that they had been given such a warning. There was no evidence that they hadn't, understand; there was just no evidence that they had . . . and that was enough for new trials.

Such things make the law seem much like the weather in Kansas: if you don't like it the way it is now, just wait awhile; it'll change. Or, at least, the courts' interpretation of what the law is, will change.

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'ERROR BUT NOT MALICE':

Libel Verdict in Goldmark

Case Voided

OKANOGAN, Dec. 18. — (AP) — The verdict in the lengthy Goldmark libel trial was overturned here today.

In an unexpected move, Superior Court Judge Theodore S. Turner of King County granted a defense request for "a judgment notwithstanding the verdict."

In effect, the ruling, reverses a jury decision that gave former Representative John Goldmark victory in his suit, and gives victory to the defendants.

Defendants in the protracted trial last winter were Ashley Holden and his weekly newspaper, The Tonasket Tribune; Al Canwell, Spokane; Loris Gillespie, Okanogan, and Don Caron of Okanogan, John Birch Society coordinator.

The Goldmarks charged that they were libeled by statements linking them to Communism.

The jury last February, after hearing 2½ months of

testimony, granted a \$50,000 libel verdict to Mr. and Mrs. Goldmark.

Earlier this month, Judge Turner, observing a recent United States Supreme Court ruling that gives more leeway in criticism of public officials, granted a new trial in the libel suit filed by the former Washington legislator.

Judge Turner's ruling Friday said:

"In summary, the evidence in this case shows

without substantial dispute that all the defamatory statements sued on were made by way of participation in a political campaign in which the plaintiff was candidate for re-election.

"These statements were all of the kind which the First Amendment of the United States Constitution protects as an exercise of the right of free discussion of public issues and a qualification of candidates for public office.

"The evidence does show that there were factual errors in these statements, but there is no clear and convincing evidence that any misstatements were made with actual malice.

"I conclude that, on all the evidence in this case, the state has no constitutional power to enter a judgment for damages or libel by reason of the defendant's exercise of their rights of free speech and press."

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Goldmark Libel Judgment Voided

King County Superior Court Judge Theodore S. Turner yesterday nullified an Okanogan jury's \$40,000 libel judgment awarded former State Rep. John Goldmark last January.

Judge Turner's unexpected memorandum decision, filed in Okanogan Superior Court, said that although there was substantial evidence that certain statements made against Goldmark were false there was no evidence that the defendants made them with actual malice.

THE JUDGE said that "no verdict for libel damages may stand unless the defamatory statement, although false, was made with actual malice."

The ruling was based on a U.S. Supreme Court decision this year involving the New York Times.

Judge Turner noted that the jury in the Goldmark case was not required to find whether or not actual malice existed.

DEFENDANTS in the libel action were Ashley Holden and his weekly newspaper, the Tonasket Tribune; Al Canwell, Spokane; Loris Gillespie, Okanogan, and Don Caron, Okanogan, a John Birch Society coordinator.

Goldmark and his wife, Sally, contended in the three-month trial that they were libeled by being linked to communism during the 1962 primary campaign in which Goldmark was defeated for the Democratic renomination to the House. The jury awarded Goldmark \$40,000 but denied damages to Mrs. Goldmark, who said she was a former Communist Party member.

On December 9 Judge Turner had granted a defense motion for a new trial on grounds that the U.S. Supreme Court decision gives wide latitude in criticism of public officials unless actual malice is proved.

IN YESTERDAY'S opinion, Judge Turner acknowledged that the Goldmark jury's verdicts "established that the plaintiff John Goldmark was not a Communist, nor a pro-Communist, Communist sympathizer, participant in a Communist conspiracy to turn this country into a totalitarian state, nor a dissembler who deliberately concealed his communist ideology from the voters; and that the American Civil Liberties Union, of which John Goldmark was admittedly a member, was not a Communist front organization."

The judge said that while there were "factual errors" in statements made about Goldmark by the defendants "these statements were all of the kind which the first amendment of the United States Constitution protects as an exercise of the right of free discussion of public issues and a qualification of candidates for public office." He added:

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'ERROR BUT NOT MALICE':

Libel Verdict in Goldmark Case Voided

OKANOGAN, Dec. 19.— (AP) — The verdict in the lengthy Goldmark libel trial was overturned here yesterday.

In an unexpected move, Superior Court Judge Theodore S. Turner of King County granted a defense request for "a judgment notwithstanding the verdict."

In effect, the ruling reverses a jury decision that gave former Representative John Goldmark victory in his suit, and gives victory to the defendants.

Defendants in the protracted trial last winter were Ashley Holden and his weekly newspaper, The Tonasket Tribune; Al Canwell, Spokane; Loris Gillespie, Okanogan,

and Don Caron of Okanogan, John Birch Society coordinator.

The Goldmarks charged that they were libeled by statements linking them to Communism.

The jury last February, after hearing 2½ months of testimony, granted a \$40,000 libel verdict to Mr. and Mrs. Goldmark.

Earlier this month, Judge Turner, observing a recent United States Supreme Court ruling that gives more leeway in criticism of public officials, granted a new trial in the libel suit filed by the former Washington legislator. Judge Turner's ruling said:

"In summary, the evidence in this case shows without substantial dispute that all the defamatory statements sued on were made by way of participation in a political campaign in which the plaintiff was candidate for re-election.

"These statements were all of the kind which the First Amendment of the United States Constitution protects as an exercise of the right of free discussion of public issues and a qualification of candidates for public office.

"The evidence does show that there were factual errors in these statements, but there is no clear and con-

vincing evidence that any misstatements were made with actual malice.

"I conclude that, on all the evidence in this case, the state has no constitutional power to enter a judgment for damages or libel by reason of the defendants' exercise of their rights of free speech and press."

Both of Judge Turner's rulings—granting a new trial and granting the motion for a judgment notwithstanding—may be appealed by the Goldmarks to the State Supreme Court.

Normally, motions for a new trial and a judgment notwithstanding are made and argued at the same

time, and the court rules on them in a single opinion.

Judge Turner explained that this case was too involved and important for the normal procedure.

Goldmark expressed surprise at today's ruling. He said the ruling will make it more difficult to appeal, since a full transcript of the trial will be required. He said he would confer with his attorneys on whether to appeal.

Speaking of Judge Turner's decision today, Goldmark commented: "If he couldn't find malice in this case, it will be almost impossible to find malice in any case involving a political campaign."

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Judge Overturns Goldmark Verdict

OKANOGAN — The verdict in the lengthy Goldmark libel trial was overturned today.

In an unexpected move, Superior Court Judge Theodore S. Turner of King County granted a defense request for "a judgment notwithstanding the verdict."

In effect, he thus took victory from the Goldmark side and gave victory to defendants. He granted the judgment to defendants, notwithstanding the verdict of the jury last February.

The judge's ruling was delivered to the Okanogan County clerk at mid-morning today.

The 16-page document had this conclusion:

"In summary, the evidence in this case shows without substantial dispute that all of the defamatory statements sued on were made by way of participation in a political campaign in which the plaintiff was candidate for reelection.

"These statements were all of the kind which the first amendment of the United States Constitution protects as an exercise of the right of free discussion of public issues and a qualification of candidates of public office."

"The evidence does show

that there were factual errors in these statements, but there is no clear and convincing evidence that any mistatements were made with actual malice.

"I conclude that, on all the evidence in this case, the state has no constitutional power to enter a judgment for damages or libel by reason of the defendants' exercise of their rights of free speech and press.

"For this reason the motions for judgment notwithstanding the verdict are granted."

Okanogan Superior Court jurors returned a verdict of \$40,000 in favor of Goldmark, a former state representative who was defeated in the 1962 campaign. Goldmark sought the damages for libel he said occurred during the campaign.

The suit was brought against

Ashley Holden and his Tonasket Tribune, Al Canwell of Spokane, Loris Gillespie of Okanogan, and John Birch Society Coordinator Don Caron. Goldmark said the defendants conspired to libel him by connecting him with communism.

The jury found there was no conspiracy but brought in judgments for varying amounts against each of the defendants. Goldmark had asked for \$225,000.

R. E. Mansfield, attorney for the Goldmark side, expressed surprise at the judge's move today.

He said it will be studied. He will probably consider an appeal to the State Supreme Court.

In a separate action last week, Judge Turner granted a defense motion for a new trial.

Today's ruling puts a double burden onto the Goldmark side if they choose to continue the legal action: 1. They must appeal today's ruling to the Supreme Court, and, if successful, would 2. have to appeal last week's ruling granting a new trial.

A key fact in today's ruling is that it would mean that costs of the case would be levied against the Goldmark side instead of defendants.

Two Pasco Judges Arrest Each Other

KENNEWICK, Wash. (AP) — Two judges have arrested each other in connection with a traffic accident last July.

Justice of the Peace Donald C. Isham, who was arrested by police judge Robert S. Day, said Thursday he issued a bench warrant for Day for interfering with his affairs in court.

Isham said Day's warrant cited him for contempt of court and was signed after he failed to appear in Day's chamber following a traffic accident July 21.

Isham stated he did not actually receive Day's warrant and only read about it in a newspaper. The justice added, "State law says a citation must be signed by the arresting officer. That I have never seen. So I issued a bench warrant for Robert S. Day for interfering in the affairs of my court."

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Judge Makes It Easier For Goldmark To Appeal

OKANOGAN — Attorneys for John Goldmark got a bit of encouragement this week as they pondered whether to appeal two Superior Court rulings which upset a \$40,000 libel verdict.

Judge Theodore Turner, of King County, who presided at the lengthy trial and then later reversed the jury's verdict and also granted the defendants a new trial, told the plaintiffs he felt it might be easier to appeal his ruling than was first thought.

R. E. Mansfield of Okanogan, one of Goldmark's defense attorneys, told the Daily World today that it was Judge Turner's opinion that Goldmark could appeal to the Supreme Court on a so-called short record. That means that the plaintiffs would have to provide only a record of those portions of the trial on which they base their appeal.

Attorneys had thought the law required a full transcript of the 2½-month-long trial to be submitted with their appeal. The cost of providing that, because of its length, was estimated at \$10,000.

Mansfield is still not convinced that a short record would be sufficient. "And if it is," he said, "providing even the short record will be an expensive process."

The financial burden of carrying an appeal to the Supreme Court has been one of the factors considered as Goldmark and his attorneys attempt to reach a decision.

They won't have to decide right away. Mansfield said they have not yet received the

judge's formal order which wiped out the jury's award. They will have 30 days from the time they receive it to file a notice of appeal.

After the jury granted the \$40,000 judgment, the defendants filed motions for a new trial and a judgment notwithstanding the verdict.

Earlier this month Judge Turner granted a new trial, citing a recent Supreme Court decision that prohibits public officials from collecting libel awards because of statements made about them unless malice is shown.

Goldmark, who was defeated in his bid for re-election as a state representative, claimed he was libeled during his campaign by statements linking him with communism.

He sought \$225,000 from the Tonasket Tribune and its publisher, Ashley Holden; Al Canwell of Spokane; Loris Gillespie of Okanogan, and Don Caron, coordinator for the John Birch Society.

Judge Turner also granted a judgment notwithstanding the verdict, in effect wiping out the jury's verdict. Judge Turner said then he felt the state had no right to allow Goldmark damages because of what was said by the defendants in exercising their right of free speech.

Mansfield said he has conferred with another of Goldmark's attorneys, Bill Dwyer of Seattle, and Goldmark is in Seattle this week to talk to him, too.

"Right now," said Mansfield, "we're not prepared to give any decision on whether or not we'll appeal."

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Defendants Seek To Have Goldmark Pay Trial Costs

OKANOGAN — Attorneys for defendants in the Goldmark libel suit have presented an order of dismissal to John Goldmark and his attorneys R. E. Mansfield and William Dwyer.

The proposed order will be argued by both sides before Judge Theodore S. Turner, Seattle, who presided at the 43-day lawsuit heard a year ago in Okanogan County Superior Court.

The instrument provides that costs of the trial would be assessed against the Goldmarks. The costs include legal service fees, attorney fees, and \$5 per day witness fees plus in-state car mileage of witnesses.

Original defendants, sued for \$225,000, were the Tonasket Tribune and its publisher, Ashley Holden; Al Canwell, Spokane; L. A. Gillespie, Okanogan; and Don Caron, coordinator for the John Birch Society.

Goldmark won a \$40,000 jury award on his contention that he had been falsely linked to communism during his unsuccessful campaign for re-election to the State House of Representatives.

Later, as a result of a U.S. Supreme Court decision, Judge Turner reversed the jury's verdict and granted the defendants a new trial. The high court has

ruled that public officials cannot receive libel judgments on statements made about them unless malice is proved.

If the defendants' proposed order is signed by Judge Turner the plaintiffs could appeal to the State Supreme Court. Goldmark and his attorneys decline to say whether this will be done.

The costs of an appeal would be heavy, more than \$15,000 for a transcript of the trial record, and further expense for printing a brief and providing copies of all papers filed in the action. Films, filmstrips, tape recordings, books and other printed matter, submitted as evidence would have to accompany the appeal.

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John Goldmark, Aides Mull Libel Case Dismissal Order

OKANOGAN, Wash. — An order dismissing the \$40,000 libel verdict which John Goldmark won in a 43-day lawsuit in Okanogan County court a year ago, has been presented by defendants in the case and will be brought before Judge Theodore S. Turner of Seattle at a date to be determined.

R. E. Mansfield, an attorney for John Goldmark, said the order has been written by defense attorneys and that a copy of it has been served on the plaintiffs. He said both sides will have a chance to argue on the order before Judge Turner.

The proposed order also provides for assessments of costs against the losing plaintiffs. Mansfield said the costs sought include a fee of \$5 a day for each witness, plus his mileage within the state. Costs also include "service fees" charged for service of subpoenas and a minimal attorney fee of \$15, said Mansfield.

Once the order is signed Goldmark and his attorneys have a short time to file notice of appeal.

Reaching a decision on an appeal involves several considerations, Mansfield and Goldmark, now law partners in Okanogan, said.

They include a substantial expense and the possible value of an appeal in adding to the law of libel affecting public officials.

Mansfield said court reporter Oren J. Casey of Spokane had estimated the cost of reproducing the daily testimony in the trial at \$15,000. An appeal brief then would have to be prepared and printed.

Appellants would have to reproduce all of the pleadings and all of the evidence admitted in the lawsuit, the attorney said. The pleadings with the original summons and complaint filed by John and Sally Goldmark in 1962 and conclude with the order which Judge Turner has yet to sign. This is a stack of legal documents almost five inches high.

Evidence admitted during the trial included a movie, a filmstrip, tape recordings, several books and many newspapers, newspaper clippings and other printed matter.

Victory Claimed

"It is an overwhelming and expensive burden to undertake without very strong cause and provocation," said Goldmark.

Goldmark's other attorney, William Dwyer of Seattle, said: "We set out to prove that the Goldmarks were not Communists and that John Goldmark was not now nor ever had been a Communist," said Dwyer. "We did that."

"I am not suggesting that we ought to be satisfied. I feel, however, that we still hold the substantial victory, although we may have lost the cash verdict."

(Indicate page, name of newspaper, city and state.)

17 SPOKESMAN-REVIEW
Spokane, Wash.

Date: 1/22/65

Edition:

Author:

Editor:

Title: JONATHAN
GOLDMARK

Character:

or

Classification: 100-21585-455

Submitting Office: SEATTLE

Being Investigated

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PS
[Signature]

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ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-18-2006 BY 60324 AUC BAW/CE/CAK

Order Filed In Goldmark Case

OKANOGAN, Feb. 24. — (AP)—A formal order overturning the jury verdict in the Goldmark libel case and granting a new trial as an alternative was filed today in Okanogan County Superior Court.

The order signed by the trial judge, Theodore Turner of Seattle, carried out opinions he filed previously.

Attorneys for the plaintiff, former State Representative John Goldmark of Okanogan, have 30 days to appeal to the State Supreme Court. Goldmark said no decision has been reached on whether to appeal.

A jury last year awarded Goldmark \$40,000 in his suit against four individuals and a weekly newspaper. He contended he was libeled by being linked falsely to Communism in the 1962 primary campaign, in which he was defeated for renomination.

Judge Turner first granted a new trial and later granted a motion for judgment for the defendants notwithstanding the verdict. He based the decisions on a recent United States Supreme Court decision that public officials cannot collect damages for criticism of their official actions in absence of malice.

The effect of the orders filed today is that if the plaintiff appeals and the State Supreme Court upholds the original libel verdict, a new trial would be granted.

(Indicate page, name of newspaper, city and state.)

SEATTLE TIMES

FEB 24 1965

PAGE 18 COL 3

Date:

Edition:

Author:

Editor:

Title:

**JONATHAN GOLDMARK,
et al**

Character:

or

Classification: **100-21585**

Submitting Office:

Being Investigated

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FEB 24 1965	
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HEREIN IS UNCLASSIFIED
DATE 08-18-2006 BY 60324 AUC BAW/CB/CAK

Formal Order Overturns Goldmark Libel

OKANOGAN, Feb. 24.—(A. P.) — A formal order overturning the jury verdict in the Goldmark libel case and granting a new trial as an alternative was filed today in Okanogan County Superior Court.

The order signed by the trial judge, Theodore Turner of Seattle, carried out provisions of opinions he filed previously.

Attorneys for the plaintiff, former State Rep. John Goldmark of Okanogan, now have 30 days to appeal to the State Supreme Court.

GOLDMARK SAID no decision has been reached on whether to appeal.

A jury last year awarded Goldmark \$40,000 in his suit against four individuals and a weekly newspaper. He contended he was libeled by being linked falsely to communism in the 1962 primary campaign in which he was defeated for renomination.

(Indicate page, name of newspaper, city and state.)

SEATTLE POST
INTELLIGENCER
FEB 25 1965
PAGE 10 COL 2

Date:
Edition:
Author:
Editor:
Title:
JONATHAN GOLDMARK

Character:
or
Classification: **100-21585**
Submitting Office:
 Being Investigated

SEARCHED INDEXED
SERIALIZED *kan* FILED
FEB 25 1965
FBI - SEATTLE

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Goldmarks Billed For Suit Costs

OKANOGAN, March 9. — (UPI) — Defendants in the Goldmark libel suit Monday filed a bill seeking \$1,324 from John Goldmark and his wife, Sally, for court costs.

Goldmark was awarded \$40,000 by a jury but that verdict was overturned by Judge Theodore S. Turner.

Turner's action made the plaintiffs liable for court costs. The case took 43 days to try in late 1963 and early 1964.

The five defendants ask \$1,008 in witness fees and \$15 each for attorneys' fees. The remainder is for miscellaneous court costs.

R. E. Mansfield, attorney for the Goldmarks, filed an answer in Superior Court seeking a slight reduction on grounds that travel expenses for witnesses were excessive.

In the suit, Goldmark, a former state representative, sought damages for statements made during the 1962 primary election campaign. He said the statements falsely linked him to communism.

(Indicate page, name of newspaper, city and state.)

SEATTLE TIMES

MAR 9 - 1965

PAGE A COL 5

Date:

Edition:

Author:

Editor:

Title:

JONATHAN GOLDMARK

Character:

or

Classification:

100-21585

Submitting Office:

458

Being Investigated

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FBI - SEATTLE	

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DATE 08-18-2006 BY 60324 AUC BAW/CB,CAK

Goldmark Case Defendants Sue For Trial Costs

OKANOGAN, March 8. — (UPI) — Defendants in the Goldmark libel suit today filed a bill seeking \$1,324.15 from John Goldmark and his wife Sally to help defray costs of defending the action.

Goldmark was awarded \$40,000 by a jury, but that verdict was overturned on constitutional grounds by Judge Theodore S. Turner.

With Turner's judgment in favor of the defendants, the plaintiffs became liable for court costs in the case, which required 43 days to try in late 1963 and early 1964.

THE FIVE defendants ask \$1,008 in witness fees and the statutory limits of \$15 each for attorneys' fees. The remainder is for miscellaneous court costs.

E. Mansfield, attorney of the Goldmarks, filed an answer in Superior Court seeking a slight reduction on grounds that some of the travel expenses for witnesses were excessive.

In the suit, Goldmark, a former state representative, sought damages for statements made during the 1962 primary election campaign. He said the statements false by linking him to communists.

(Indicate page, name of newspaper, city and state.)

SEATTLE POST
INTELLIGENCER

MAR 9 - 1965

PAGE 15 COL 5

Date:

Edition:

Author:

Editor:

Title:

JONATHAN GOLDMARK

Character:

or

Classification:

100-21585-

Submitting Office:

489

Being Investigated

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MAR 9 - 1965

FBI - SEATTLE

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HEREIN IS UNCLASSIFIED
DATE 08-18-2006 BY 60324 AUC BAW/CB/CAK

(Indicate page, name of newspaper, city and state.)

Goldmark Won't Appeal Reversed Libel Ruling

Former State Representative John Goldmark said yesterday he has decided not to appeal the libel case in which a trial judge overturned a jury verdict in his favor.

Goldmark, of Okanogan, announced his decision in a statement made public here. He said his name had been cleared by the jury verdict and he did not wish to incur expense of an appeal and a possible new trial.

A jury in Okanogan County awarded Goldmark \$40,000 in his suit against four individuals and a weekly newspaper. Goldmark contended he was libeled by being linked to Communism in the 1962 primary campaign, in which he was defeated for the Democratic renomination for state representative.

Superior Court Judge Theodore Turner of Seattle overturned the libel award on the basis of a United States Supreme Court decision rendered after the Goldmark trial. The high court held that public officials cannot collect damages for criticism of their official actions, in absence of proof of malice.

SEATTLE TIMES

MAR 26 1965

PAGE 17 COL 3

Date:

Edition:

Author:

Editor:

Title:

JONATHAN GOLDMARK

Character:

or

Classification:

100-21585-

Submitting Office:

460

Being Investigated

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FBI - SEATTLE	

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 DATE 08-18-2006 BY 60324 AUC BAW/CB/CAK

Goldmark-Suit Costs Fixed At \$1,131.65

OKANOGAN, April 27. — (AP)—An order fixing costs to be borne by John Goldmark at \$1,131.65 in his libel suit was filed in Okanogan County Superior Court today.

The order, drawn after attorneys for both sides had agreed on the amount, was signed by Superior Judge Theodore S. Turner of Seattle, who heard the long trial. It deleted \$192.50 in statutory attorney fees which had been included in the previous list of costs.

Goldmark sued four individuals and a weekly newspaper, contending he was libeled in the 1962 Democratic primary campaign in which he was defeated in a bid for a third term in the Legislature. A \$40,000 judgment in his favor later was thrown out by Judge Turner on constitutional grounds.

(Indicate page, name of newspaper, city and state.)

SEATTLE TIMES

APR 27 1965

PAGE 45 COL 8

Date:

Edition:

Author:

Editor:

Title:

JONATHAN GOLDMARK

Character:

or

Classification: **100-21585-**

Submitting Office: **461**

Being Investigated

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FBI - SEATTLE	

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DATE 08-18-2006 BY 60324 AUC BAW/CB/CAK

Reed Degrees Go to Four I.E. Students

Four Reed College seniors from the Inland Empire were among 146 Reed students who received bachelor of arts degrees in the college's commencement ceremonies in Portland recently.

They are: Paul R. Meilleur, son of Mr. and Mrs. Al Meilleur, W813 Carlisle, Spokane; Roy E. Ekland, son of Mr. and Mrs. Claud Ekland, Yakima; Carole Anne Smith, daughter of Mr. and Mrs. Donald K. Smith, Ellensburg; and Charles A. Goldmark, son of Mr. and Mrs. John Goldmark, Okanogan.

Ekland will do graduate work in history at the University of Illinois studying under a Woodrow Wilson Fellowship.

Miss Smith was one of 21 graduating seniors elected to membership in Phi Beta Kappa, national academic honor society.

(Indicate page, name of newspaper, city and state.)

10 Spokesman-Review
Spokane, Wash.

Date: 6/4/65
Edition:
Author:
Editor:
Title:

Character:
or
Classification:
Submitting Office:

Being Investigated

100-21585-462

SEARCHED INDEXED
SERIALIZED FILED

Index to serial

Done

UNITED STATES GOVERNMENT

Memorandum

TO : SAC

DATE: 4/8/67

b6
b7c

FROM : EUGENE P. CLARK, SA

SUBJECT: JOHN GOLDMARK,
SALLY GOLDMARK;
SECURITY MATTER - C

*see attached
file
copy*

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-18-2006 BY 60324 AUC BAW/CB/CAK

On 4/3/67 [redacted] the Yakima Eagle, advised that the above individuals now reside at 1118 - 37th, Seattle, Washington. He does not know the present occupation of Mr. GOLDMARK, but stated that SALLY is writing for ARGUS, which he described as a publication "as radical as the People's World". Their home telephone number is EA9-0674.

[redacted] stated that it is rumored that GOLDMARK may be trying to establish residence in some district in Seattle which is heavily racial in character or where some minority groups abound, in an effort to again win election to the Washington State Legislature, or in an area where there are problems of poverty and unemployment which he might seek to exploit to strengthen his campaign.

2 - Seattle

①-100-21585 (SALLY GOLDMARK)
1-100-0-27804 (JOHN GOLDMARK)

4/4

C

100-21585-463



SEARCHED	INDEXED
SERIALIZED	FILED
APR 4 1967	
FBI - SEATTLE	

Goldmark, Jonathan Nov. 1951 100-0-27804,

Alias of John Goldmark

Goldmark, John E. 4/65 100-571-441,p.2;

Add : Okanogan, Washington

Goldmark, John Nov. 1951 100-0-27804,

Was: 100-21585-4,
NSN#: 185981 65-3020-13,p.4;14,
Add: Star Route p.1;34,p.4;
Okanogan, Wash. Feb. 1954 100-21869-7,
July 1955 100-21585-43,
May 1961 100-21585-54,

ALL INFORMATION CONTAINED
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DATE 08-18-2006 BY 60324 AUC BAW/CB/CAK

Goldmark, Sally	Nov. 1951	100-21585*
Was:	Nov. 1951	65-3020-5,
Add: Okanogan, Wn.	Nov. 1951	65-3020-19,p.1;28,
Nee: Ringe		p.1;13,p.1;5;14,
		p.1;34,p.4;25,p.1
	April 1952	100-21877-1,
		65-3020-67,p.3;
	June 1952	65-3098-4,
	July 1952	128-429-1,
	Dec. 1952	105-374-1,
	Oct. 1953	66-1210-15,
	Jan. 1954	66-1210-18,p.9;
	Feb. 1954	100-21869-7,
		105-510-4,
		97-112-4,

Goldmark, Sally	(Card #2)	100-21585*
	March 1955	100-23173-1,
	April 1956	100-0-27804C,p.4;
	Dec. 1956	100-22360-293,
	Dec. 1958	65-3576-1,p.3;
	March 1961	100-571-148,

Goldmark, Jonathan (Mrs.)	Nov. 1951	100-21585*
Alias of Sally Goldmark		

Goldmark, John (Mrs.)	12/59	100-21585*
Aka: Sally Goldmark		

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DEPARTMENT OF THE ARMY
 HEADQUARTERS
 115TH INTELLIGENCE CORPS GROUP
 PRESIDIO OF SAN FRANCISCO, CALIFORNIA 94129

SPECIAL AGENT IN CHARGE
 FEDERAL BUREAU OF INVESTIGATION
 1015 2nd AVENUE

ALL FBI INFORMATION CONTAINED
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 DATE 08-18-2006 BY 60324 AUC BAW/CB/CAK

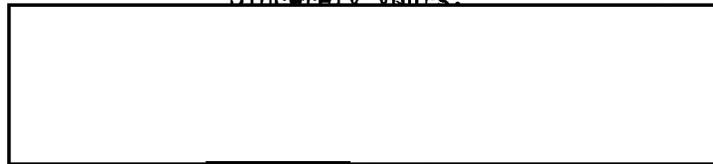
Dear Sir: SEATTLE, WASHINGTON

U. S. Army Intelligence respectfully requests that you note hereon any information your files may reflect on the person named below, or indicate "NO RECORD." (Use reverse side if necessary).

b6
 b7c

Inclosed for your reply is a postpaid pre-addressed envelope.

Sincerely yours,



Commanding AIS

SUBJECT:						
GOLDMARK, John						
PLACE OF BIRTH:			DATE OF BIRTH:		SOCIAL SECURITY NO:	
RACE:	SEX:	HEIGHT:	WEIGHT:	HAIR:	EYES:	MARITAL STATUS:
						Married

ADDITIONAL INFORMATION:

SUBJECT'S wife, name and identifying data unknown, is alleged to have been a member of the Communist Party during 1930. The GOLDMARKS operated the Double "J" Ranch in Okanagon, Washington, in 1964.

GOLDMARK was the employer of a present member of the US Army who is being investigated by this organization.

RESULTS OF CHECK:
 JUN 20 1967

(Date)

CHECKED BY:



(Signature)

SAC Seattle
 (Title)

100-21585-464
 J

Am 8/28/71
(Signature)

Mrs. JONATHAN GOLDMARK is an admitted member of the CP. She was active from 1936 until 1943 at which time she married her present husband who is a former member of the Wash. State Legislature. Mrs. GOLDMARK has been extremely cooperative with this Bureau on several occasions and has also testified before closed sessions of the HUAC in Seattle, Wash. The testimony she gave before the HUAC has not been divulged.

SALLY GOLDMARK and her husband JOHN were involved in a libel suit filed in Okanogan County Superior Court. He had sued four individuals and a weekly newspaper contending he was libeled in the 1962 Democratic primary campaign by being linked with the CP. A \$40,000 judgment in his favor later was thrown out on constitutional grounds.

TO: SAC, SEATTLE (100-30733)
FROM: SA [redacted]
SUBJECT: VIETNAM VETERANS AGAINST THE WAR, INC.
IS-NEW LEFT

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 08-18-2006 BY 60324 AUC BAW/CB/PAK

Date prepared

2/14/72

b6
b7C

Date received

2/10/72

Received from (name or symbol number)

[redacted]

Received by

ASA [redacted]

b2
b7D

Method of delivery (check appropriate blocks)

in person by telephone by mail orally recording device written by Informant

If orally furnished and reduced to writing by Agent:
Date

Dictated _____ to _____

Transcribed _____

Authenticated
by Informant _____

Date of Report

2/10/72

Date(s) of activity

2/11/72

Lit.

Brief description of activity or material

True copy of letter from above organization
received 2/4/72 by mail.

Mrs. John Goldswick
File where original is located if not attached

[redacted]

b2
b7D

* INDIVIDUALS DESIGNATED BY AN ASTERISK (*) ONLY ATTENDED A MEETING AND DID NOT ACTIVELY PARTICIPATE. VIOLENCE OR REVOLUTIONARY ACTIVITIES WERE NOT DISCUSSED.

Information recorded on a card index by _____ on date _____

Remarks:

Make Xerox copies for subject files.

ACTION: None

1- 100-30733 (VVAW)

[Large redacted area]

100-21585-465

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FEB 14 1972
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(48) SEE PAGE TWO FOR FURTHER DISC.

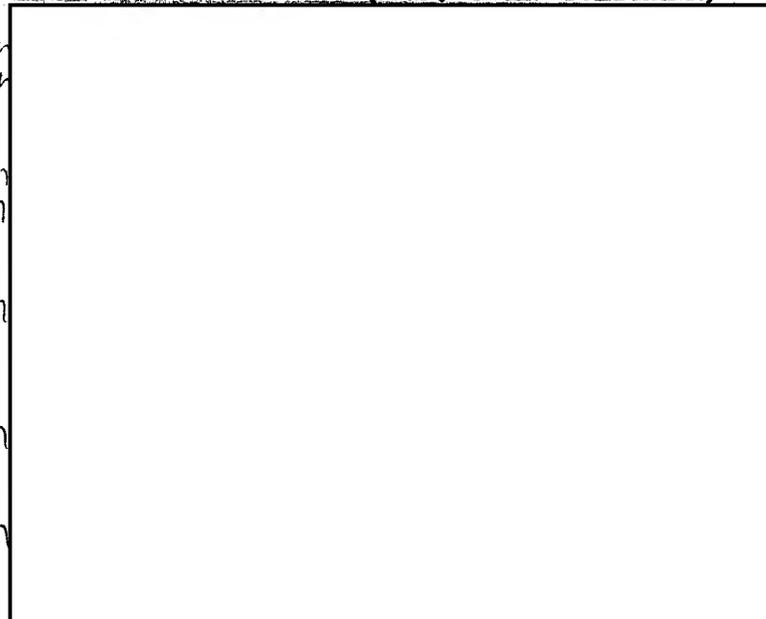
PAGE TWO
100-30733

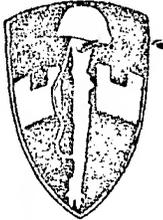
b6
b7C

1-



100-0-27804 (JOHN GOLDMARK)
100-21585 (MRS. JOHN GOLDMARK)





Phone: (206) EA4-7539

VIETNAM VETERANS AGAINST THE WAR, INC.

Regional Office
520 Malden Ave. E
Seattle, WA. 98102

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-18-2006 BY 60324 AUC BAW/CB/CAK

FOIPA # 1035878-01

February 1, 1972

b6
b7C

Dear friends of Peace

You are cordially invited to attend a benefit for the Vietnam Veterans Against the War, at the home of:



Friday, February 11th, at 7:30 p.m.

Our guest speaker for the evening will be 
E. B. del Rosario, Regional Coordinator of VVAW and Michael Dedrick, State Co-ordinator of VVAW will speak and answer questions regarding their pursuits for Peace and Justice.

During the 43rd legislative session, the VVAW initiated HB 176, sponsored by  and  which would prohibit any inhabitant of the State inducted or serving in the military forces of the U. S. from serving outside the country in an undeclared war.

A \$5.00 donation, per person, at the door would be appreciated.

If you cannot attend but wish to contribute to the VVAW's continued drive for Peace, send your check, payable to VVAW, to the address of  and 

SPONSORS:



Mr. & Mrs. John Goldmark

