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FREE THE 18

LEADERS OF MINNEAPOLIS TRUCKDRIVERS
LOCAL 544-CIO AND OF THE
SOCIALIST WORKERS PARTY

NOW BEHIND PRISON BARS

SENTENCED UNDER THE ANTI-LABOR

SMITH "GAG" ACT

FREE SPEECH AND LABOR'S RIGHTS

A RADIO ADDRESS
OVER STATION WEVD

by James J. Farrell

NOTED NOVELIST and AUTHOR of
Studs Lonigan, My Days Of Anger, etc.

CIVIL RIGHTS DEFENSE COMMITTEE • 160 Fifth Ave. • New York

JAMES T. FARRELL, CHAIRMAN • JOHN DOS PASSOS, VICE-CHAIRMAN • GEORGE NOVACK, SECRETARY



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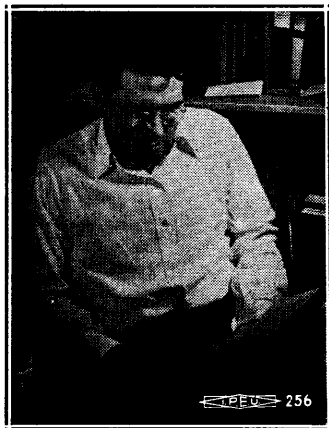


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FREE SPEECH AND LABOR'S RIGHTS

by JAMES T. FARRELL



Practically all sections of the labor and liberal movement in this country have expressed alarm over the mounting tide of reaction. Today, the threat of reaction is immediate, not distant. And inevitably, the major purpose of reaction is that of destroying the independence of the labor movement, so that it may be able to forge new chains for the workers. But before this can happen, civil liberties must be

abrogated, especially the precious right of freedom of speech, must be destroyed.

Freedom of speech and the freedom of labor are integral. This is why the fascist dictatorships of Europe, when they gained power, immediately crushed the labor unions, and imposed rigid censorships. And in America during the last few years, there have been a whole series of attacks both on the labor movement and on the Bill of Rights.

● VIOLATION OF FREEDOM OF SPEECH

Congress, largely under the inspiration of poll-tax legislators, has passed the vicious Connally Anti-Strike Bill and the equally notorious Smith "Gag" Act. The latter was enacted in time of peace. It is in flagrant contradiction with that provision of the Bill of Rights which states unconditionally that Congress may pass no law abridging freedom of speech. According to this law, freedom of speech has not merely been temporarily suspended in the name of an emergency; it has, in essence, been abrogated. Thus it is now possible for American citizens to be convicted and jailed, merely for the expression of opinion. In fact, precisely this has happened, as we will see in a few moments.

At the time of the passage of this Act, both the AFL and CIO opposed it. Representative Geyer of California declared: "This bill is an attempt to put an end to real democracy. It is an attempt to break the labor movement." Representative Martin of Colorado said: "It is enough to make Thomas Jefferson turn in his grave. It is without precedent in the history of labor legislation. It is an invention of intolerance contrary to every principle of democracy." After its passage, the American Civil Liberties Union pleaded with President Roosevelt

to veto it, charging that it violated the Bill of Rights, and that it "would become an instrument of oppression against unpopular minorities and organized labor."

● SMITH "GAG" ACT AS AN INSTRUMENT OF OPPRESSION

Unfortunately for the cause of free speech, the prediction of the American Civil Liberties Union was fulfilled. As a result of a trade union conflict between Minneapolis trade unionists, who were also members of the Socialist Workers Party, on the one hand, and of Daniel J. Tobin, President of the International Brotherhood of Teamsters on the other hand, the Minneapolis Labor Case has become a major item in the history of free speech and of the American trade union movement.

The Minneapolis union leaders opposed Daniel J. Tobin's attempts to impose his authority over their local. After a democratic and almost unanimous vote of nearly 4,000 members of their local, the union disaffiliated from the AFL and joined the CIO. Daniel J. Tobin made representations to President Roosevelt by wire. He was not ignored, for the *New York Times* of June 14, 1941 informs us that Stephen Early, Secretary of President Roosevelt told the press: "When I advised the President of Tobin's representations this morning, he asked me immediately to have the Government departments and agencies interested in this matter notified."

● JUSTICE DEPT. RAIDS ... WITHOUT JUSTICE

Significantly enough, the Governmental department which seemed to be most interested in this matter was the one which is described by the word—justice. Shortly after Mr. Early's statement to the press, agents of the Department of Justice raided the headquarters of the Socialist Workers Party, and also of the newly formed Motor Transport and Allied Workers Industrial Union, Local 544-CIO. There followed indictments against 29 members of this party and union local under charges of a conspiracy to commit acts to overthrow the government and the expression of opinion for the same purposes.

The first of these charges was based on an antiquated Civil War law directed against supporters of the slave owners' rebellion. The second was based on the Smith "Gag" Act. Concerning the political motivation of this prosecution, the American Civil Liberties Union has stated: "It seems reasonable to conclude that the government interjected itself into an inter-union controversy in order to promote the interests of the one side which

supported the administration's foreign and domestic policies."

● 100 YEAR OLD LITERATURE USED AS EVIDENCE

When the government prosecution of this case opened, its attorney, Victor A. Anderson, argued that in order to gain a conviction it was not necessary to prove that the defendants had committed overt acts; mere expression of opinion was enough. This contention, made by a man under the authority of the allegedly liberal Attorney-General Francis Biddle, is to say the least, astonishing. And, in passing, one of the proofs presented by the prosecution was *The Communist Manifesto* written in 1848 by Karl Marx.

The jury threw the first count out of court, and convicted 18 of the defendants on the second count. This conviction was sustained in the Circuit Court and then carried to the U. S. Supreme Court. The Supreme Court three times refused even to hear the appeal on this case, even though it was the first one which tested the constitutionality of the Smith Act. With such action on the part of the highest court of the land, the case is just about closed as far as the government is concerned.

● LABOR AND LIBERALS MUST FIGHT

However, for the labor and liberal movement, this case cannot be closed. For in effect, it has established the Japanese doctrine of dangerous thoughts as the law of the land; the Holmes and Brandeis doctrine of "clear and present danger" has been totally ignored. The U. S. Supreme Court has implicitly upheld a law which abridges the right of freedom of speech. And the government has already cited this case as a precedent in its latest effort to deport Harry Bridges, the west coast labor leader. Despite the fact that Harry Bridges is one of the leading labor supporters of the present administration, despite the fact that he is an unqualified adversary of the Minneapolis defendants, he is not immune to the consequences of this conviction. No more evidence is needed to document the dangerous precedent established here.

The constitutional question of free speech has now been thrown into total confusion and it is even possible for an American citizen to be jailed if he reads in public either *The Declaration of Independence* or *The Second Inaugural Address* of Abraham Lincoln.

● FASCISM ATTACKS LABOR FIRST

The history of fascism teaches us that the first attacks made by reaction are against the labor movement, and usually against its extreme left wing. This has happened

in the Minneapolis Labor Case. Further, the force of law and the police power has now been substituted for the use of reason, persuasion, argument in the case of those who defend the historic ideas of Marxian socialism. It should be clear that this kind of an attack against socialist ideas—that this jailing of socialist leaders can only help pave the way that makes it so much easier for fascism.

This kind of governmental action has the further effect of making men fearful and of aiding in the spread of that paralysis of will, of morale and of intellect which is already all too apparent in the present period of history. When the penalty of honest thinking is a cell in a jail, fewer men will dare to think. Under such conditions, political argument is made more and more the province of those who are unprincipled, dishonest and unscrupulous. For they have no need to try and tell the truth; they have no need to state what is their real conviction. They can, thereby, evade all such laws as these. But those whose political actions are principled cannot take this course. They must either be silent or risk punishment. This is one of the most significant ways in which laws such as the Smith Act and prosecutions such as the Minneapolis Case, destroy the very moral fibre of men.

The eighteen defendants in this case refused to sacrifice their views and convictions, even at the price of freedom. If those of us who are outside of prisons do not continue our work in their defense, it is not at all impossible that they will have company in their confinement.

● "THE FIGHT MUST GO ON"

During the Lincoln Douglas debates, Abraham Lincoln declared: "The fight must go on. The cause of civil liberty must not be surrendered at the end of one or even one hundred defeats." Tonight, I wish to reaffirm this sentiment. The Minneapolis Case has become the major focus in the fight for civil liberties in war time America.

Following the refusal of the Supreme Court even to hear the appeal on this case, the Civil Rights Defense Committee is now conducting a pardon campaign to appeal to the President for executive pardon. It is asking the entire labor and liberal movement to support it in this campaign by signing its petitions for pardon, and by writing directly to the President, asking that pardon be granted.

The defense of the Minneapolis victims is, in itself, an attack on the Smith "Gag" Act. For this law remains hanging over the head of labor like the pendulum over the head of the victim in Edgar Allan Poe's story *The Pit and the Pendulum*. The defense of labor's rights, the defense of free speech, the defense against fascism requires that this pendulum be put into a museum.

Some of the Trade Unions and Councils Which, Recognizing the Vital Importance of the Minneapolis Labor Case to the Entire Labor Movement and to the Cause of Civil Liberties, Are Backing Our Campaign to Free the 18 and Repeal the Smith "Gag" Act.

UNITED AUTOMOBILE WORKERS OF AMERICA — CIO

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| Local #3, Detroit, Mich. | Local #490, Highland Park, Mich. |
| Local #15, Detroit, Mich. | Local #501, Buffalo, N. Y. |
| Local #45, Cleveland, Ohio | Local #511, Newark, N. J. |
| Local #50, Detroit, Mich. | Local #560, El Cerrito, Cal. |
| Local #51, Detroit, Mich. | Local #578, Oshkosh, Wisc. |
| Local #82, Racine, Wisc. | Local #594, Pontiac, Mich. |
| Local #88, Cleveland, Ohio | Local #647, Reading, Ohio |
| Local #102, Eau Claire, Wis. | Local #662, Anderson, Ind. |
| Local #203, Detroit, Mich. | Local #663, Anderson, Ind. |
| Local #212, Detroit, Mich. | Local #666, Jackson, Mich. |
| Local #260, Newark, N. J. | Local #672, Trenton, N. J. |
| Local #262, Detroit, Mich. | Local #764, Elkhart, Ind. |
| Local #263, Cleveland, Ohio | Local #805, Chicago, Ill. |
| Local #365, New York, N. Y. | Local #836, Saginaw, Mich. |
| Local #398, Torrington, Conn. | Local #837, Elkhart, Ind. |
| Local #407, Milwaukee, Wisc. | Local #854, Syracuse, N. Y. |
| Local #410, Detroit, Mich. | UAW District Council #11, Buffalo, N. Y. |
| Local #425, Buffalo, N. Y. | |
| Local #486, Cleveland, Ohio | |

UNITED STEEL WORKERS OF AMERICA — CIO

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| Local #1060, Buffalo, N. Y. | Local #1845, Huntington Park, Cal. |
| Local #1330, Youngstown, Ohio | Local #2017, Buffalo, N. Y. |
| Local #1339, Jersey City, N. J. | Local #2106, Roseland, N. J. |
| Local #1486, New Haven, Conn. | Local #2111, Trenton, N. J. |
| Local #1743, Buffalo, N. Y. | Local #2141, New Haven, Conn. |
| Local #1753, Buffalo, N. Y. | Local #2715, Reading, Pa. |
| Local #1823, Newark, N. J. | Local #2719, Reading, Pa. |

UNITED RUBBER WORKERS OF AMERICA — CIO

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|----------------------------|----------------------------|
| Local #5, Akron, Ohio | Local #182, Rahway, N. J. |
| Local #68, Trenton, N. J. | Local #187, Newark, N. J. |
| Local #107, Trenton, N. J. | Local #205, Trenton, N. J. |

INDUSTRIAL UNION OF MARINE & SHIPBUILDING WORKERS — CIO

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|---------------------------------|------------------------------|
| Local #9, Los Angeles, Cal. | Local #42, Philadelphia, Pa. |
| Local #13, Staten Island, N. Y. | Local #44, Bayonne, N. J. |
| Local #15, Hoboken, N. J. | Local #49, Bay City, Mich. |

AMALGAMATED CLOTHING WORKERS OF AMERICA — CIO

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|---|-----------------------------|
| Laundry Workers Joint Board, ACWA, NYC | Local #24, Newark, N. J. |
| Local #1, New York, N. Y. | Local #169, New York, N. Y. |
| Local #3, Denver, Colo. | Local #195, Newark, N. J. |
| National Executive Council, Textile Workers Union, N. Y. C. | Local #198, Passaic, N. J. |
| Textile Workers Local #26, Freehold, N. J. | |
| Textile Workers Local #87, Paterson, N. J. | |
| Textile Workers Local #277, Newark, N. J. | |
| Textile Workers Local #356, Newark, N. J. | |
| Hosiery Workers #49, Irvington, N. J. | |
| Dyers & Finishers #1932, Passaic, N. J. | |

OTHER CIO UNIONS

- St. Louis Joint Advisory Council, St. Louis, Mo.
 Bridgeport Industrial Union Council, Bridgeport, Conn.
 San Francisco Industrial Union Council, San Francisco, Cal.
 United Transport Service Employees of America, Chicago, Ill.
 CIO Council No. 2, Bucks County, Quakertown, Pa.
 Worcester Industrial Union Council, Worcester, Mass.
 Oregon State Industrial Union Council, Portland, Ore.
 N. J. State Industrial Union Council, Newark, N. J.
 UE Radio & Machine Workers #203, Bridgeport, Conn.
 UE Radio & Machine Workers #301, Schenectady, N. Y.
 UE Radio & Machine Workers #402, Newark, N. J.
 UE Radio & Machine Workers #426, Newark, N. J.
 Int. Longshore. & Warehousemen's #1-10, San Francisco, Cal.
 Int. Longshore. & Warehousemen's #1-13, San Pedro, Cal.
 Int. Longshore. & Warehousemen's #1-29, San Diego, Cal.
 Packinghouse Workers Org. Comm., South St. Paul, Minn.
 Packinghouse Workers Org. Comm., Chicago, Ill.
 United Packinghouse Workers of Am., #15, Kansas City, Kans.
 Int. Union Mine Mill & Smelter Workers, #366, Irvington, N. J.
 Int. Union Mine Mill & Smelter Workers, #462, Irvington, N. J.
 Oil Workers Union #337, Linden, N. J.
 Oil Workers Union #397, Cartaret, N. J.
 Int. Woodworkers of America, #2-9, Tacoma, Wash.
 Int. Woodworkers of America, #28, Portola, Calif.
 Int. Woodworkers of America, #9-213, Willamina, Ore.
 Plaything & Novelty Workers of America, #433, Bridgeport, Conn.
 Doll & Toyworkers Industrial Union, #226, Trenton, N. J.
 United Retail, Wholesale & Dept. Store Empl., N. Y. C.
 United Retail, Wholesale & Dept. Store Empl. #108, Newark, N. J.
 United Shoe Workers Joint Council #13, N. Y.
 United Shoe Workers of America, #56-A, St. Louis, Mo.
 Aluminum Workers of America, #4, Chicago, Ill.
 Fur Workers Union, #30, Boston, Mass.
 Fed. of G. C. S. & S., Newton Tile, #75, Newark, N. J.
 State, County & Municipal Workers of Am., #277, Newark, N. J.
 United Transport Service Empl. of Am., #706, Boston, Mass.
 Wood, Wire & Metal Lathers Union #190, Minneapolis, Minn.
 United Furniture Workers #262, San Francisco, Cal.

AFL UNIONS

- Joint Board of Dress & Waistmakers Union of Greater New York, Locals #10, #22, #60, #89.
 Baltimore Joint Board of the ILGWU, Baltimore, Md.
 ILGWU #13, Boonton, N. J. ILGWU Local #76, Chicago, Ill.
 ILGWU #25, New York, N. Y. ILGWU #155, Brooklyn, N. Y.
 ILGWU #66, New York, N. Y. ILGWU #160, Bayonne, N. J.
 Millinery Workers Union #24, N. Y. C.
 Millinery Workers Union Local #40, San Francisco, Cal.
 Boilermakers Local #104, Seattle, Wash.
 Amalgamated Lithographers of America, Women's Aux., N.Y.C.
 Amalgamated Lithographers of America #1, New York City
 Waiters & Waitresses Union #1, New York City
 Int. Assn. of Machinists, Lodge #68, San Francisco, Cal.
 Broth. of Painters, Decorators & Paperhangers #1309, Reading, Pa.
 Broth. of Painters, Decorators & Paperhangers #442, New York City
 Broth. of Painters, Decorators & Paperhangers #261, New York City
 Brotherhood of Railway Carmen of Amer., #652, Reading, Pa.
 Suit Case, Bag & Portfolio Makers, #60, New York City
 Gas By-Products Coke Workers #12065, Edgewater, N. J.

INDEPENDENT UNIONS

- Mechanics Educational Society of America, Detroit, Mich.
 Rochester Railroad Council, Rochester, N. Y.
 Toledo Area Railroad Council, Toledo, O.
 United Mine Workers of America #12160, West Haven, Conn.
 United Construction Workers #73, Gary, Ind.
 United Construction Workers #1244, Portland, Ore.
 Newark Typographical Union, #103, Newark, N. J.
 Railroad Br. of Locomotive Firemen & Eng., #143, Oakland, Cal.
 Marine, Firemen, Oilers, Watertenders & Wipers, San Pedro, Cal.
 Brewers Union #2, Newark, N. J.
 Brewers Union #4, Buffalo, N. Y.
 Brewers #7, San Francisco, Cal.
 Brewers Union #18, Chicago, Ill.
 Brewers #148, Newark, N. J.
 Brewers #205, Minneapolis, Minn.

I'LL HELP IN THE FIGHT!

JAMES T. FARRELL, Chairman
 Civil Rights Defense Committee
 160 Fifth Ave., N. Y. 10, N. Y.

Here is my contribution of \$..... for the
MINNEAPOLIS PRISONERS PARDON & RELIEF FUND.

Name

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I am writing to the President asking for a full pardon.

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Local #1743, Buffalo, N. Y.
Local #1753, Buffalo, N. Y.
Local #1933, Newark, N. J.

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Local #1330, Youngstown, Ohio	Local #2017, Buffalo, N. Y.
Local #1339, Jersey City, N. J.	Local #2106, Roseland, N. J.
Local #1486, New Haven, Conn.	Local #2111, Trenton, N. J.
Local #1743, Buffalo, N. Y.	Local #2141, New Haven, Conn.
Local #1753, Buffalo, N. Y.	Local #2715, Reading, Pa.
Local #1833, Newark, N. J.	Local #2719, Reading, Pa.

UNITED RUBBER WORKERS OF AMERICA — CIO

Local #5, Akron, Ohio	Local #182, Rehway, N. J.
Local #68, Trenton, N. J.	Local #187, Newark, N. J.
Local #107, Trenton, N. J.	Local #205, Trenton, N. J.

INDUSTRIAL UNION OF MARINE & SHIPBUILDING WORKERS — CIO

Local #9, Los Angeles, Cal.	Local #42, Philadelphia, Pa.
Local #13, Staten Island, N. Y.	Local #44, Bayonne, N. J.
Local #15, Hoboken, N. J.	Local #49, Bay City, Mich.

AMALGAMATED CLOTHING WORKERS OF AMERICA — CIO

Laundry Workers Joint Board, ACWA, NYC	Local #24, Newark, N. J.
Local #1, New York, N. Y.	Local #169, New York, N. Y.
Local #3, Denver, Colo.	Local #195, Newark, N. J.
National Executive Council, Textile Workers Union, N. Y. C.	Local #198, Passaic, N. J.
Textile Workers Local #26, Freehold, N. J.	
Textile Workers Local #87, Paterson, N. J.	
Textile Workers Local #277, Newark, N. J.	
Textile Workers Local #356, Newark, N. J.	
Hosiery Workers #49, Irvington, N. J.	
Dyers & Finishers #1932, Passaic, N. J.	

OTHER CIO UNIONS

St. Louis Joint Advisory Council, St. Louis, Mo.
 Bridgeport Industrial Union Council, Bridgeport, Conn.
 San Francisco Industrial Union Council, San Francisco, Cal.
 United Transport Service Employees of America, Chicago, Ill.
 CIO Council No. 2, Bucks County, Quakertown, Pa.
 Worcester Industrial Union Council, Worcester, Mass.
 Oregon State Industrial Union Council, Portland, Ore.
 N. J. State Industrial Union Council, Newark, N. J.
 UE Radio & Machine Workers #203, Bridgeport, Conn.
 UE Radio & Machine Workers #301, Schenectady, N. Y.
 UE Radio & Machine Workers #402, Newark, N. J.
 UE Radio & Machine Workers #426, Newark, N. J.
 Int. Longshore. & Warehousemen's #1-10, San Francisco, Cal.
 Int. Longshore. & Warehousemen's #1-13, San Pedro, Cal.
 Int. Longshore. & Warehousemen's #1-29, San Diego, Cal.
 Packinghouse Workers Org. Comm., South St. Paul, Minn.
 Packinghouse Workers Org. Comm., Chicago, Ill.
 United Packinghouse Workers of Am., #15, Kansas City, Kans.
 Int. Union Mine Mill & Smelter Workers, #366, Irvington, N. J.
 Int. Union Mine Mill & Smelter Workers, #462, Irvington, N. J.
 Oil Workers Union #337, Linden, N. J.
 Oil Workers Union #397, Cartaret, N. J.
 Int. Woodworkers of America, #2-9, Tacoma, Wash.
 Int. Woodworkers of America, #28, Portola, Calif.
 Int. Woodworkers of America, #9-213, Willamina, Ore.
 Plaything & Novelty Workers of America, #433, Bridgeport, Conn.
 Doll & Toyworkers Industrial Union, #226, Trenton, N. J.
 United Retail, Wholesale & Dept. Store Empl., N. Y. C.
 United Retail, Wholesale & Dept. Store Empl. #108, Newark, N. J.
 United Shoe Workers Joint Council #13, N. Y.
 United Shoe Workers of America, #56-A, St. Louis, Mo.
 Aluminum Workers of America, #4, Chicago, Ill.
 Fur Workers Union, #30, Boston, Mass.
 Fed. of G. C. S. & S., Newton Tile, #75, Newark, N. J.
 State, County & Municipal Workers of Am., #277, Newark, N. J.
 United Transport Service Empl. of Am., #706, Boston, Mass.
 Wood, Wire & Metal Lathers Union #190, Minneapolis, Minn.
 United Furniture Workers #262, San Francisco, Cal.

AFL UNIONS

Joint Board of Dress & Waistmakers Union of Greater New York, Locals #10, #22, #60, #89.
 Baltimore Joint Board of the ILGWU, Baltimore, Md.
 ILGWU #13, Boonton, N. J. ILGWU Local #76, Chicago, Ill.
 ILGWU #25, New York, N. Y. ILGWU #155, Brooklyn, N. Y.
 ILGWU #66, New York, N. Y. ILGWU #160, Bayonne, N. J.
 Millinery Workers Union #24, N. Y. C.
 Millinery Workers Union Local #40, San Francisco, Cal.
 Boilermakers Local #104, Seattle, Wash.
 Amalgamated Lithographers of America, Women's Aux., N.Y.C.
 Amalgamated Lithographers of America #1, New York City
 Waiters & Waitresses Union #1, New York City
 Int. Assn. of Machinists, Lodge #68, San Francisco, Cal.
 Broth. of Painters, Decorators & Paperhangers #1309, Reading, Pa.
 Broth. of Painters, Decorators & Paperhangers #442, New York City
 Broth. of Painters, Decorators & Paperhangers #261, New York City
 Brotherhood of Railway Carmen of Amer., #652, Reading, Pa.
 Suit Case, Bag & Portfolio Makers, #60, New York City
 Gas By-Products Coke Workers #12065, Edgewater, N. J.

INDEPENDENT UNIONS

Mechanics Educational Society of America, Detroit, Mich.
 Rochester Railroad Council, Rochester, N. Y.
 Toledo Area Railroad Council, Toledo, O.
 United Mine Workers of America #12160, West Haven, Conn.
 United Construction Workers #73, Gary, Ind.
 United Construction Workers #1244, Portland, Ore.
 Newark Typographical Union, #103, Newark, N. J.
 Railroad Br. of Locomotive Firemen & Eng., #143, Oakland, Cal.
 Marine, Firemen, Oilers, Watertenders & Wipers, San Pedro, Cal.
 Brewers Union #2, Newark, N. J.
 Brewers Union #4, Buffalo, N. Y.
 Brewers #7, San Francisco, Cal.
 Brewers Union #18, Chicago, Ill.
 Brewers #148, Newark, N. J.
 Brewers #205, Minneapolis, Minn.