

*Excessive bail shall not be required,  
nor excessive fines imposed, nor cruel  
and unusual punishments inflicted.*

—From the Bill of Rights.  
(The VIII Amendment to the  
Constitution of the United  
States.)

**M**ILLIONS OF AMERICANS deeply concerned for the welfare of their country and the spirit emanating from the Bill of Rights which guarantees to *all* no "cruel and unusual punishments" are asking, why the continued imprisonment of Earl Browder, anti-fascist. The spectacle of an American receiving a four year sentence and a \$2,000 fine on a charge of a minor infraction of a passport regulation, has caused even such conservatives as Mr. Wendell Willkie to question, in the name of civil liberties, whether Browder's sentence was imposed because of a passport irregularity or because he was a member of the Communist Party. From its very inception the American Republic was nurtured in the struggle against oppression, injustice and in the defense of human rights. It was therefore very appropriate that two million American citizens should appeal to President Roosevelt for the release of Earl Browder. In addition, more than twelve hundred trade union officials, whose combined membership totals another two million, personally have appealed to the Chief Executive of the nation for justice and fair play in the Browder case. Conservatives and radicals, workers and business men, educators, scientists, leading legal authorities, bishops, writers and artists, engineers, chemists, leaders of political parties have requested the President to free Browder. The overwhelming majority of these patriotic Americans asked for clemency, not because they agreed with Mr. Browder politically, but because the excessive sentence is not in accord with American justice and should not be permitted to mar our national record.

*Partial listing of outstanding Americans who have appealed to President Roosevelt for justice in the Browder case:*

- Comfort A. Adams, Consulting Engineer, Budd Manufacturing Company and former Dean, Graduate School of Engineering, Harvard University.
- Roland H. Bainton, Professor, Yale University Divinity School and Editor, *Journal of Religious Education*.
- Roger Baldwin, Director, American Civil Liberties Union.
- Howard Bay, Scenic Designer.
- Max Bedacht, General Secretary, International Workers Order.
- The Reverend William Y. Bell, Bishop, C.M.E. Church, Atlanta, Ga.
- Mrs. Meta Berger, Milwaukee, Wis.
- Dr. Henry L. Bibby, Physician, Kingston, N. Y.
- George Biddle, Artist and former President, National Society of Mural Painters.
- Alice Stone Blackwell, Honorary Chairman, Massachusetts League of Women Voters.
- Professor Franz Boaz, Columbia University.
- Millen Brand, Author, *The Outward Room*, etc., etc.
- The Reverend James A. Bray, Bishop, Sixth Episcopal District, C.M.E. Church, Chicago, Ill.
- Edgar S. Brightman, Professor of Theology, Boston University, and former President, American Theological Association.
- Dr. A. A. Brill, Psychiatrist and Author.
- J. McKeen Cattell, Scientist and Editor, *Science Press*.
- George C. Claassen, Attorney, Cedar Rapids, Iowa.
- Joseph Curran, President, National Maritime Union, and Vice-President, Congress of Industrial Organizations.
- Hugh LeLacy, President, Washington Commonwealth Federation.
- Pietro di Donato, Author, *Christ in Concrete*.
- Dr. Albert C. Dieffenbach, former Religious Editor, *Boston Evening Transcript*.
- Dr. W. E. B. DuBois, Atlanta University.
- Zara DuPont, Boston, Mass.
- Professor Randolph Edmond, Dillard University.
- Leonard Ehrlich, Author, *God's Angry Man*, etc.
- Dr. Henry Pratt Fairchild, Professor of Sociology, New York University.
- Sara Bard Field, Author, *Barabbas*, etc., etc.
- Abram Flaxer, International President, State, County and Municipal Workers of America.
- Joseph G. Fletcher, Dean of Graduate School of Applied Religion, Cincinnati, O.
- Abraham Flexner, Director Emeritus, Institute of Advanced Study, Princeton University.
- Elizabeth Gurley Flynn, Labor Defense worker and Executive Secretary, Citizens' Committee to Free Earl Browder.

Osmond K. Fraenkel, Attorney, New York City.  
 Professor E. Franklin Frazier, Howard University.  
 Stephen H. Fritchman, National Youth Director, American Unitarian Association.  
 William Gilroy, Editor, *Congregational Advance*.  
 Arturo Giovannitti, Author, *Arrows in the Gale*, and Educational Director, Italian Section, International Ladies' Garment Workers Union.  
 Ben Gold, International President, International Fur and Leather Workers Union.  
 Professor Albert Guerard, Stanford University.  
 Alice Hamilton, Professor Emeritus, Public Health, Harvard Medical School, and Former Consultant, Industrial Hygiene, United States Department of Labor.  
 Dashiell Hammett, Author, *The Thin Man*, *The Maltese Falcon*, etc. etc.  
 Professor Harrison E. Harley, Simmons College.  
 Lucius Harper, Managing Editor, *Chicago Defender*.  
 Arthur Garfield Hays, Attorney, New York City.  
 Dr. George Hedger, Professor of History, University of Cincinnati.  
 Donald Henderson, General President, United Cannery, Agricultural, Packing and Allied Workers of America.  
 Dr. John Haynes Holmes, Community Church, New York City.  
 B. W. Huebsch, Editor, *Viking Press*.  
 Professor Ellsworth Huntington, Yale University, former President, Association of American Geographers.  
 Joseph F. Jurich, President, International Union of Fishermen and Allied Workers of America.  
 Francis Fisher Kane, former United States Attorney, Eastern District of Pennsylvania, and recipient of 1936 Bok Award.  
 Rockwell Kent, Artist and Author.  
 Alfred Kreyborg, Author, *The Four Apes and Other Fables of Our Day*, etc.  
 Ernest W. Kuebler, Director, Division of Education, American Unitarian Association.  
 Professor Max Lerner, Williams College.  
 Kenneth Leslie, Editor, *Protestant Digest*.  
 Arthur Le Sueur, Attorney, Minneapolis, Minn.  
 Rabbi Leo J. Levinger, Ohio State University, Columbus, Ohio.  
 Professor Norman Levinson, Massachusetts Institute of Technology.  
 William Draper Lewis, former Dean, University of Pennsylvania Law School.  
 Dr. Donald G. Lothrop, Director, Boston Community Church.  
 Judge Jeremiah T. Lynch, Butte, Mont.  
 Albert Maltz, Author, *The Underground Stream*, etc., etc.  
 Honorable Vito Marcantonio, Congressman, New York City.  
 Lewis Merrill, International President, United Office and Professional Workers of America.

Darwin J. Meserole, Attorney, New York City.  
 Rev. George F. Miller, St. Augustine Protestant Episcopal Church, Brooklyn, N. Y.  
 Dr. Rudolph Moses, Dean, Dillard University.  
 Morris Muster, International President, United Furniture Workers of America.  
 Stanley Novak, Michigan State Senator.  
 Grant Oakes, National Chairman, United Farm Equipment Workers of America.  
 Harvey O'Connor, Author, *The Astors*, etc., etc.  
 Walter Pach, Author and Art Critic, *Queer Things—Paintings*, etc., etc.  
 Eliot Paul, Author, *Life and Death in a Spanish Town*, etc., etc.  
 George Wharton Pepper, former United States Senator, Pennsylvania, and President, American Law Institute.  
 John P. Peters, Professor of Internal Medicine, Yale Medical School, and Secretary, Committee of Physicians for the Improvement of Medical Care.  
 Arthur Upham Pope, Chairman, Committee for National Morale.  
 Rev. A. Clayton Powell, Jr., Abyssinian Baptist Church, and New York City Councilman.  
 Paul Robeson, Singer.  
 Reid Robinson, International President, International Union of Mine, Mill and Smelter Workers, and Vice-President, Congress of Industrial Organizations.  
 Professor Malcolm Sharp, University of Chicago School of Law.  
 Harlow Shapley, Director, Harvard Observatory, and President, American Academy of Arts and Sciences.  
 The Rev. B. G. Shaw, Bishop, Fourth Episcopal District, A.M.E. Zion Church, Birmingham, Ala.  
 James T. Shotwell, Professor of History, Columbia University.  
 Clarence R. Skinner, Dean, Tufts College School of Religion.  
 Rev. William B. Spofford, Editor, *The Witness*.  
 Vilhjalmur Stefansson, Explorer and Author.  
 Dr. Clinton J. Taft, Director, Los Angeles American Civil Liberties Union.  
 Abel Cary Thomas, Attorney, New York City.  
 Judge Edward Totten, Minneapolis, Minn.  
 Professor Eda Lou Walton, New York University.  
 Dr. Harry F. Ward, Professor Emeritus, Union Theological Seminary.  
 Dr. Goodwin A. Watson, Teachers College, Columbia University.  
 Max Weber, Artist.  
 Dr. William Carlos Williams, Author, *Collected Poems*.  
 James Waterman Wise, Author and Editor, *The Nazi Terror*, etc., etc.  
 Charles H. Wesley, Dean, Graduate School, Howard University.  
 Richard Wright, Author, *Native Son*, etc.  
 Dr. Max Yergan, Educator, and President, National Negro Congress.  
 Art Young, Artist.  
 Schools, churches, organizations, etc., mentioned here are for identification purposes only.

The Honorable Franklin Delano Roosevelt  
 President, United States of America  
 White House  
 Washington, D. C.

Dear Mr. President:

I beg to express my concurrence in the request that Earl Browder be immediately released from Atlanta penitentiary by an act of Executive clemency.

The sentence of four years and a \$2,000 fine imposed upon him on a charge of a minor infraction of a passport regulation, I am firmly convinced, is unduly harsh. An examination of all convictions for violations of the passport laws in the Southern District of New York, where he was tried, reveals that suspended sentences, or sentences of from thirty to ninety days are the usual penalty. Mr. Browder has already served more than the equivalent of a one year sentence and has paid the fine of \$2,000.

I believe that Mr. Browder's political philosophy should not be an issue in this case, but the unjust sentence of four years lends itself to that charge. Defects in justice are paralyzing to the common will. The denial of justice is depressing and demoralizing. In the present hour of our country's crisis, it is of the greatest importance that justice should receive and deserve the confidence of all. And more than two million American citizens have already appealed to you for the freedom of the imprisoned man.

Without identifying myself with the political views of Earl Browder, I join, Mr. President, with my fellow-Americans in appealing to you to correct this injustice by an act of Executive clemency, granting Earl Browder his freedom.

Name \_\_\_\_\_  
 Profession \_\_\_\_\_  
 Address \_\_\_\_\_  
 City and State \_\_\_\_\_

(detach here)  
 mail this blank to

Tom Mooney, Chairman  
 Citizens' Committee to Free Earl Browder  
 Room 1525, 1133 Broadway  
 New York, New York

Dear Mr. Mooney:

This is to advise you that I have today written to President Roosevelt requesting him to exercise his Executive power and grant Earl Browder his freedom.

Name \_\_\_\_\_ Profession \_\_\_\_\_  
 Address \_\_\_\_\_ City and State \_\_\_\_\_