



# *V***IOLENCE IN PEEKSKILL**

A REPORT OF THE VIOLATIONS OF CIVIL LIBERTIES  
AT TWO PAUL ROBESON CONCERTS NEAR PEEKSKILL, N. Y.  
AUGUST 27th AND SEPTEMBER 4th, 1949

**AMERICAN CIVIL LIBERTIES UNION**  
170 FIFTH AVENUE • NEW YORK 10, N. Y.

# T A B L E O F C O N T E N T S

<b>FOREWORD</b> . . . . .	<b>1</b>
<b>STATEMENT BY THE INVESTIGATING STAFF</b> . . . . .	<b>4</b>
<b>CHARACTER OF THE AREA</b> . . . . .	<b>5</b>
Economic . . . . .	<b>5</b>
Political . . . . .	<b>6</b>
Cultural Differences . . . . .	<b>7</b>
Aggravation of Tensions . . . . .	<b>8</b>
<b>THE RIOT OF AUGUST 27</b> . . . . .	<b>10</b>
Provocation by the Press . . . . .	<b>10</b>
The Threat Takes Shape . . . . .	<b>14</b>
The Terror Began—Before the Concert . . . . .	<b>15</b>
The Threat Is Recognized . . . . .	<b>16</b>
The Terror Continued—After the Concert . . . . .	<b>16</b>
Details of the First Riot . . . . .	<b>17</b>
A Second Eye-Witness Account . . . . .	<b>20</b>
The <i>Peekskill Star's</i> Account of the First Riot . . . . .	<b>22</b>
Other Press Accounts . . . . .	<b>24</b>
Where Were the Police? . . . . .	<b>25</b>
Plea for Police Protection . . . . .	<b>26</b>
The Terror Heightens . . . . .	<b>27</b>
<b>THE SECOND RIOT</b> . . . . .	<b>30</b>
The Announced Plans to Prevent Violence . . . . .	<b>31</b>
No Communist Provocation . . . . .	<b>32</b>
Provocation Location of Veterans' Parade . . . . .	<b>33</b>
Details of the Second Riot . . . . .	<b>34</b>
The <i>Peekskill Star's</i> Account of the Second Riot . . . . .	<b>36</b>
Role of the Police . . . . .	<b>38</b>
A Legionnaire's Report . . . . .	<b>40</b>
Was the Stoning Planned? . . . . .	<b>41</b>
The Fostering of Juvenile Delinquency . . . . .	<b>42</b>
Terrorism After the Second Riot . . . . .	<b>43</b>
Anti-Semitism . . . . .	<b>44</b>
<b>AFTERMATH</b> . . . . .	<b>46</b>
National Revulsion . . . . .	<b>46</b>
Investigators' Conclusion . . . . .	<b>49</b>

*The price of this pamphlet is 25¢ postpaid*

# F O R E W O R D

THE UNDERSIGNED present this report on the extraordinary outbreak of violence which marked two Paul Robeson concerts in Westchester County, New York, in late August and early September, 1949, for the purpose of showing the underlying causes which induced it, the responsibilities for it, and the steps which should be taken to prevent a repetition—there or elsewhere.

The incidents are not only of local concern, because they involved political, racial and religious conflicts of national, even international, significance. The press of the nation and of the world threw the spotlight on "Peekskill" as a shocking and dramatic release of tensions which mark the cold war with Communism. But, as this report shows, it was more than that, for behind the anti-Communist sentiment marshalled by organized veterans in a misguided expression of patriotism, lay prejudice against Negroes and Jews. Both Negroes and Jews were identified by the local community as the major participants in the concerts—the Negroes personified by Paul Robeson, whose Communist sympathies were outspoken, and the Jews, who as summer visitors in large numbers in the area, were resented by local residents as alien intruders.

The outbreak thus embodies the combined expressions of the most explosive prejudices in American life—against Communists, Negroes and Jews. But it is clear from this report that the explosion would not have occurred except for the provocation of the local press, the excited response of the organized veterans, and the aroused mob spirit of youthful hoodlums. The authorities, too, share responsibility for the outbreak. They did not respond with any but token police protection at the first concert on Aug. 27th, which was broken up by violence. At the second, on Sept. 4th, which its sponsors said was held to vindicate their right of assembly on private property, the authorities, though present with large police forces, permitted a provocative parade of veterans at the time and place of the concert, thus massing opponents of all sorts, numbering an estimated 10,000, which resulted in an assault on the concert goers, numbering an estimated 15,000, as they left in small groups.

This report describes the events and attempts to deal fairly with the responsibilities of the various participants.

*Under the law, the Grand Jury and the prosecuting officials have the power to indict those suspected of criminal conduct. We regret that Gov. Dewey did not see fit in view of the involvement of District Attorney Fanelli in the events to appoint an assistant attorney general to conduct the proceedings before the Grand Jury. The Grand Jury, of course, would still have been composed of citizens of Westchester County and the judge presiding over the investigation would still have been the regularly scheduled judge. The only difference, but it is an important difference, is that the prosecuting attorney, who, after all, the Grand Jury must largely rely on for gathering and presenting of evidence, both with respect to commission of crimes and failure of law enforcement, would have been a person in whom the public would have had more confidence as a disinterested official.*

*Nevertheless our chief concern is necessarily limited to the reaction which followed in the county, indicating that a majority of its citizens either justified or condoned the violence in the name of patriotism, despite the nation-wide condemnation of the press. No action whatever has followed to guarantee the right of assembly for unpopular minorities. Indeed, those who dared champion it, have been attacked. The town of Cortlandt, where the concerts took place, has passed restrictive ordinances making such meetings in the future subject to permits—which presumably would not be granted.*

*The undersigned are concerned that the right of assembly be assured and protected for unpopular minorities as well as for the rest of us. We have no sympathy or connections whatever with Communist or Communist-front agencies; indeed, we are wholly opposed to their political purposes. But when Americans condone violence in denying them their right to hold a peaceful concert on private property, they aid Communist propaganda all over the world, which delights in claiming our boasted democracy a sham. Further, we lower our standards to the level of the Communist police-state which denies all civil liberties to opponents.*

*In light of the Westchester County incidents, we urge that*

*(1) No restrictive laws or regulations be adopted curtailing the right of peaceful assembly. In private places, and in public places, where meetings are permitted, no permit system should ever be established. Places for meetings may be designated in the public interest, but in such cases no distinctions whatever should be made because of political views.*

*(2) Where a meeting is likely to arouse a mass demonstration of*

*protest, and where there is reasonable ground to anticipate disturbances of the peace, the opposing forces should be prevented from demonstrating at the same time and place.*

*(3) Adequate police protection should be given any meeting threatened with disturbance and, if necessary, extended to those on the way to or from such a meeting.*

*(4) Where acts of violence or disturbances take place, the offenders should be promptly arrested. Such incidents should not justify closing the meeting or arresting speakers on the ground that they incited the disturbance—unless a speaker directly counsels someone to commit an unlawful act.*

*We who sign this foreword do so as representatives of organizations interested solely in the protection of civil rights for all persons equally. We do not necessarily endorse all that is contained in this report. It was made by a responsible national organization, the American Civil Liberties Union, and we believe it to be a fair presentation of documented fact. We urge its careful study.*

Dr. Henry Atkinson  
Co-Chairman, COUNCIL AGAINST INTOLERANCE

Roger N. Baldwin  
Director, AMERICAN CIVIL LIBERTIES UNION

Jonathan Bingham  
State Chairman, N. Y. AMERICANS FOR DEMOCRATIC  
ACTION

Rabbi Irving Miller  
President, AMERICAN JEWISH CONGRESS

Michael Straight  
Chairman, AMERICAN VETERANS COMMITTEE

Roy Wilkins  
Acting Secretary, NATIONAL ASSOCIATION FOR THE  
ADVANCEMENT OF COLORED PEOPLE

## STATEMENT BY THE INVESTIGATING STAFF

THE PURPOSES of the investigation were:

1. To seek understanding of whatever regional tensions and conflicts might have contributed to causing the riots.
2. To establish and analyze the nature and sequence of events.
3. To determine the extent, if any, to which the Robeson supporters provoked the riots.
4. To seek to identify the groups and persons, if any, who, premeditatedly and with malice aforethought, precipitated the violence.
5. To gain understanding of the role of the law enforcement agencies in the rioting and of their apparent failure to preserve the peace.
6. To analyze the effects which these riots have had upon the communities involved.

The investigation, conducted by staff representatives and special investigators of the American Civil Liberties Union, in cooperation with responsible residents of the Peekskill area, covered the period September 8th through October 15th, 1949. The chief investigator, who volunteered his services, was familiar with the area through long residence.

Ninety-one people were interviewed in Peekskill and vicinity and five in New York who had been present at one or the other concert. People of all sorts were interviewed. They included local business men, police officials, self-confessed rioters, cab drivers, doctors, teachers, local journalists, real estate owners and operators, housewives, waitresses, filling station operators, members of veterans' organizations, civic organizations, eye-witnesses at the concerts, victims of the stonings, reporters for the New York press present at the second riot, local Negro and Jewish residents, and political leaders. The effort was made to gather the evidence from a representative cross-section of the whole community.

Press reports in the New York City and Westchester County newspapers were examined and compared to check the facts and to eliminate any apparently unsubstantiated material.

It is believed that the facts as gathered are true in substance and detail and that the conclusions drawn in this report form a fair, impartial judgment as to what occurred and as to where responsibility lies for this extraordinary outbreak of mob violence. Only minor changes in the interest of precise statement, and a few slight additions, distinguish this printed report from the limited multigraphed original issued in December, 1949.

# CHARACTER OF THE AREA

## ECONOMIC

SITUATED ON the Hudson River 40 miles from New York City, Peekskill is favorably located with respect to major markets and transportation facilities, including deep river, rail and road, and enjoys ease of access to raw materials and skilled labor. It possesses numerous undeveloped industrial sites well served by secondary roads and paralleled by railroad trackage. Water for industrial uses is abundant.

Despite these favorable factors, Peekskill's economic progress during the past three generations has been negligible. No attempt has been made to exploit its natural advantages. Proposals to that end, it is reported, have met effective opposition from native families intent upon preserving the mainly rural character of the community. The result is, that although Peekskill is the home site of the yeast plant of Standard Brands and of the main plant of the Standard Coated Products Co., industrialization is not sufficient to maintain the area in prosperity or to provide adequate employment opportunities. Consequently, Peekskill has not shared in the growth of Yonkers, for example, situated between Peekskill and New York. Nor has its population grown consonantly with the national average. -

This failure to grow along with the country as a whole or with nearby industrialized communities is illustrated by the fact that Peekskill's population grew, between 1910 and 1948, by only 18.11%, compared with almost 60% for the continental United States and over 65% for nearby New York City.

Peekskill's rate of population increase is below the natural rate of generation. This leads to the conclusion that, over the years, young people have tended to leave the area, leaving behind a citizenry standing outside the mainstream of American progress.

At one time, Peekskill was the manufacturing center of America's stove industry, the raw materials deriving from local iron mines which have since worked out or are now uneconomic by contrast with the Mesabi ores. Farming in the area is no longer soundly

profitable at normal prices for farm products and under normal demand conditions. Combined with failure of land values to rise— itself the direct product of deterrence to industrialization—this has resulted in the sale of large tracts of farm land for resort development to summer “colonists” who now exceed the indigenous population in number.

The end result of a deliberate effort to cling to an archaic pattern of life has been to retard industrialization—which was intended—but also—what was unintended—to open Peekskill wide to an annual invasion by people uninterested in local customs and unawed by local names.

## **POLITICAL**

The politics of the general area are monolithic. There is no effective local opposition to the Republican Party. The fact that the dominant party is Republican is of no consequence. What is important is that the political machine in the county has been so long dominant that a vigorous political life is foreign to the habits of the community. In politics, as in manner of life, unquestioning conformity is the badge of good citizenship.

The community is served by only one local daily paper, *The Evening Star*. This newspaper largely influences local thinking and publicly reflects the opinions of the dominant local interests.

The area has a tradition of political violence. For many years the Ku Klux Klan maintained an active organization in Peekskill and in the surrounding settlements of Cortlandt, Van Cortlandtville, Croton, Mohegan, Lake Peekskill, Shrub Oak, Yorktown Heights and Putnam Valley. This violent organization bred counter-violence.

Verplanck, a small community at the river's brim, was the scene some years ago of a bloody encounter between the Ku Klux Klan and the largely Irish-Catholic population of Verplanck. To the Klan, this encounter was disastrous. To quote one Catholic participant in the fight: “We tore 'em apart.”

Throughout the area, this “battle” has become an important legend. The thought has been firmly implanted that physical violence is the only effective way to contend with the politically unwanted.

Although the Klan has been relatively inactive in recent years, it still exists in the area. The Klan does not bear responsibility for the violence and rioting. On the contrary, at least one demonstrator in the march which preceded the August 27th riot is reported to have carried a sign reading: “20 YEARS AGO WE CLEANED



OUT THE KLAN, NOW WE'LL CLEAN OUT THE COMMIES."

### CULTURAL DIFFERENCES

Peekskill is a satellite town, not a little dependent upon summer residents from New York, whose patronage, however, is veering away from the Peekskill trading center. The native population is approximately 18,000; the summer influx from New York, 30,000 or thereabouts. These 30,000 are for the most part Jewish traders, lawyers and doctors who send their families to the Peekskill area for the summer; or professionals in the arts—painters, dancers, musicians and writers—who possess smaller cash resources and, visiting for briefer periods, live more humbly, often in literal shacks. In addition, many of the "colonists" derive from New York's garment industry, either as small manufacturers or skilled workers within the better paid crafts.

These groups differ from each other in interests and social habits. To most Peekskill residents, such differences are not apparent. What is evident to them is that the "colonists" are mainly New York Jews differing in customs and thought patterns from the majority of the native families.

The summer colonists tend to fall into distinct political patterns. Almost 30 years ago a colony of Philosophic Anarchists was founded at Mohegan. Following the Russian Revolution, and the organization of a Communist Party in the United States, a Communist summer colony was established near Beacon, about ten miles distant from Peekskill. An agglomeration of Communist and pro-Communist families settled nearby and has since attracted a substantial influx of Communist summer colonists. A Socialist summer colony was established in the Shrub Oak section in the mid-thirties.

As between these Anarchist, Communist, and Socialist colonies, political differences are extreme. This fact is unperceived in Peekskill to most of whose residents all branches of "advanced" thinking are equally subversive, equally malicious and equally "Communist."

Little attempt has been made by the colonists to influence the politics of Peekskill and vicinity. Organized into definite communities, they live their summers wholly outside urban Peekskill. Nevertheless, the distinction in political outlook between the Peekskill residents and the summer visitors is quite apparent.

This is aggravated by cultural differences. Many of the summer colonists are cosmopolitans interested in the arts, literature, music.

and the theatre, and demarked from the average Peekskill resident by that fact. Illustrative of this cultural difference are the following news items clipped from the *Peekskill Evening Star*:

August 19: "The annual concert of the Pioneer Women of Crompond, the local club of The Women's Labor Zionist Organization of America, Inc., will take place on the Mohegan Colony grounds tomorrow at 8:30 p.m. . . . The noted Negro singer, Bill Johnson, will render a program of spirituals and folk songs in Hebrew, Yiddish, Russian and English, accompanied by the equally well-known accordionist, 'Sonia.' The evening will end with folk dancing, led by the Habonin (Labor Zionist Youth Group)."

August 19: "George A. Casey Post, American Legion, of Cold Spring will hold block dancing tonight and Saturday evenings on Main Street. . . . Tonight a parade, consisting of gaily decorated floats representing almost every organization in the locality, boys and girls in costumes and on fancy decorated bicycles, units and bands will compete for prizes and trophies."

August 19: "The Verplanck Fire Department, winner of five first prizes in six competitive parades thus far will go to Hastings tomorrow to parade as guests of the Hastings Fire Department."

August 19: "The newly-organized Veterans of Foreign Wars Drum Corps of Peekskill won a 'best-appearing corps' trophy in a firemen's parade in Hopewell Junction. . . . Mr. Callahan twirled his baton which was illuminated with fire on both ends."

August 20: "The Art Exhibit of the Putnam Valley Art Association will open tonight at 8:30 in the Putnam Valley Central School. Herman Getter is chairman. . . . Mrs. Augusta Scheiber of Putnam Valley . . . will give several piano recitals."

## **AGGRAVATION OF TENSIONS**

Because of this influx, the natives suffer dislocation of their communal habits and, on occasion, genuine hardship. Commuting becomes intolerable. Homeward-bound Peekskill residents—like the summer residents themselves—are frequently compelled during the summer months to arrive at the Grand Central station platform 20 minutes ahead of train time, to fight their way towards a seat, and to travel in extreme discomfort, on occasion being jammed, standing, in the baggage cars.

The influx of visitors leads to over-crowding in the Peekskill stores and to a scramble for items actually or expected to be in short supply. Such unseemly scrambles in which all engage or at times go short

often find their vent in anti-Semitic utterances. Parking in the business districts today presents the same difficulties, creating a mood of "Now we're even being pushed out of our streets."

These mainly Jewish summer residents are not generally welcomed in and around Peekskill except by those whose business advantage depends upon them. Of these, the number is dwindling. A recent report made by Mr. Youtz, consulting engineer, intended to serve as the base for a Peekskill Master Plan, states:

"The residents of Mohegan used to come to Peekskill to shop but according to my report, they became disgusted because of the traffic jams and lack of parking. Enterprising merchants decided to open local stores although this was a risky enterprise because the community is a summer colony and stores must hibernate through the winter. But little by little they got started until now you can buy almost anything in Mohegan.

"Next year they hope to do \$3,000,000 worth of business. . . . And this decentralization movement has just began. . . . The taxpayers of Peekskill are all in the same boat with the business men. If you lose trade and cannot carry the tax load, the tax rate is going up . . . then if a depression comes along, Peekskill will find herself flat on her back." Discussing the reaction of the Chamber of Commerce to this statement, the local paper commented on August 20: "Commuters and others will still continue to congest our streets and the taxpayers will receive nothing for the roads and services they supply."

Whatever welcome the colonists received in past years appears to be wearing thin as the profit to be made from them diminishes. That fact is crucial to an understanding of the Peekskill riots.



# THE RIOT OF AUGUST 27

## PROVOCATION BY THE PRESS

ON TUESDAY, August 23, 1949, *The Peekskill Evening Star* reported:

"Paul Robeson, noted Negro singer and in recent months an avowed disciple of Soviet Russia, will make his third appearance in three years. . . . Sponsoring the concert is 'People's Artists, Inc.,' an organization listed as subversive and branded a Communist front by the California Committee on Un-American Activities in 1948. Funds collected by sale of tickets will be used 'for the benefit of the Harlem

Chapter of Civil Rights Congress,' according to posters nailed to trees, bulletin boards and telephone poles in the Crompond Colony. The 'Civil Rights Congress' has been cited as subversive by former U.S. Attorney General Tom Clark."

No cards advertising the Robeson appearance were reported in Peekskill itself. This would seem to indicate that the pro-Communist sponsors of the Robeson concert did not attempt to induce the residents of Peekskill to attend the concert. As at most of the cultural activities of the colonists, little effort was made to involve local residents. The concert was planned mainly for Communists and their followers and was not intended as a propaganda medium through which to influence the political thinking of the indigenous population.

Nevertheless, the impression has grown throughout the United States that Paul Robeson and his Communist sympathizers intruded into the community of Peekskill. That impression is false.

No plans were made to hold a concert in Peekskill itself. It was planned to be held five miles from Peekskill, in the township of Cortlandt. The pretended outrage at a purported breach of the community's hospitality is therefore a deception. Nor was the Robeson concert a public assembly in the normal meaning of the term. It was open to the public only upon payment of an admission fee (\$1.50; \$1.80; and \$2.40) and upon presentation of a valid ticket. Right of admission was reserved. Therefore, the hysteria whipped up against the "public appearance" of Paul Robeson was signalized from the outset by a wilfully deceptive misuse of terms. Furthermore, the concert was not staged on public property, nor even within earshot of a built-up area. Lakeland Acres, the intended concert site, is private land rented out to private uses, sufficiently removed from the highway to require a private road for ingress and egress.

Because of these facts, the subsequent events must be adjudged a deliberate and premeditated invasion of Cortlandt, mainly by Peekskill men, for the purpose of committing a crime; an unprovoked trespass upon private property with intent to commit malicious mischief; and a wilful violation of the most elementary rights of peaceable and private assembly guaranteed under the Constitutions of the United States and the State of New York.

On August 23, the following editorial appeared in the *Peekskill Star*:

"It appears that Peekskill is to be 'treated' to another concert visit by Paul Robeson, renowned Negro baritone.

"Time was when the honor would have been ours—all ours. As things stand today, like most folks who put America first, we're a

little doubtful of that 'honor' finding the luster in the once illustrious name of Paul Robeson now almost hidden by political tarnish.

"Paul Robeson rose to preeminence as an American artist on stage and radio, and was applauded by an America that was oblivious to his color. In spite of modest background, he rose with highest academic honors through our college system and was chosen an all-American football star.

"His magnificent voice, which thrilled millions, opened up a brilliant career for him that easily could have led to a place in the halls of American fame. His influence with his people, properly directed, could have won a place for him beside Booker T. Washington and George Washington Carver, as truly great Negro Americans.

"Any possibility of such attainment is now, in the opinion of most Americans, lost to him forever.

"The local concert will be held this coming Saturday at the Lakeland Acres Picnic Grounds. The singer is being presented by the People's Artists 'for the benefit of the Harlem Chapter Civil Rights Congress,' according to posters appearing in the neighborhood. . . . It becomes evident that every ticket purchased for the Peekskill concert will drop nickels and dimes into the till basket of an Un-American political organization.

"If the Robeson 'concert' this Saturday follows the pattern of its predecessors, it will consist of an unsavory mixture of song and political talk by one who has described Russia as his 'second motherland,' and who has avowed 'the greatest contempt for the democratic press.'

***"The time for tolerant silence that signifies approval is running out."***<sup>1</sup> Peekskill wants no rallies that support iron curtains, concentration camps, blockades and NKVD's, no matter how masterful the decor, nor how sweet the music."

In the same edition, the following letter appeared:

"August 18, 1949

Editor,  
*The Evening Star*,  
Peekskill, N. Y.

Dear Sir:

"The present days seem to be crucial ones for the residents of this area with the present epidemic of polio. Now we are being plagued with another, namely, the appearance of Paul Robeson and his Com-

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<sup>1</sup> Investigators' italics throughout.

munistic followers due to appear here August 27th. It is an epidemic because they are coming here to induce others to join their . . . ranks and it is unfortunate that some of the weaker minded are susceptible to their fallacious teachings unless something is done by the loyal Americans of this area.

“Quite a few years ago a similar organization, the Ku’Klux Klan, appeared in Verplanck and received their just reward. Needless to say they have never returned. I am not intimating violence in this case, but I believe that we should give this matter serious consideration and strive to find a remedy that will cope with the situation the same way as Verplanck and with the same result that they will never reappear in this area.

“The irony of this meeting is that they intend to appear at Lakeland Acres Picnic Area. If you are familiar with this location you will find that it is located directly across the street from the Hillside and Assumption Cemeteries. Yes, directly across the street from the resting place of those men who paid the supreme sacrifice in order to insure our democratic form of government.

“Are we, as loyal Americans, going to forget these men and the principles they died for or are we going to follow their beliefs and rid ourselves of the subversive organization? America, in general, seems to have forgotten the past war and its sacrifices but if we tolerate organizations such as this we are apt to face a repetition of the past and in the near future.

“If we, of this area, have not forgotten the war, then let us cooperate with the American Legion and similar veteran organizations and vehemently oppose their appearances or reappearances. Let us leave no doubt in their minds that they are unwelcome around here either now or in the future.

“So far no action has been taken by organizations or individuals in opposition to this rally but I trust that it will be acted upon by the proper organization or authorities.

Sincerely yours,

(Signed) Vincent Boyle”

(Vincent Boyle is Commander of the Verplanck Post  
of the American Legion.)

The sudden and simultaneous appearance of these three treatments of the one news item, one must conclude, was a calculated act.

Peekskill residents interpreted these utterances as incitement to violence against the Robeson supporters. Non-Communist readers of the paper at once forwarded copies of the *Peekskill Evening Star* of August 23rd to leading radio news commentators and analysts to

forewarn them of probable violence to come. The issue of August 23rd was sold out and is now unobtainable at the publisher's.

## THE THREAT TAKES SHAPE

On the day following appearance of this editorial, the *Evening Star* reported the issuing by the concert's sponsors of ". . . an appeal to the New York State Attorney General for suppression of any attempted violence at the Paul Robeson concert here Saturday night, followed the disclosure yesterday by the *Evening Star* that Communist-front organizations are sponsoring the Negro baritone's appearance."

In reply thereto, the *Evening Star* stated:

"In the article and editorial, the *Star* merely revealed the nature of the organization sponsoring the concert and pointed out that funds collected from ticket sales would be used by those organizations. As such, it was called unwelcome editorially."

This is contrary to fact. On the previous day, the *Evening Star* had stated: *The time for tolerant silence that signifies approval is running out.* In the plain meaning of the English language, this suggested that tolerant silence signified approval of the purposes of the concert or, as it was interpreted by resident readers of the *Evening Star*, that failure to display intolerance of this private concert was presumptive evidence of Communist proclivities.

On the 25th of August, two days after Vincent Boyle's letter and the first *Evening Star* editorial dealing with the Robeson concert, it was announced in the *Evening Star* that:

"Angry veterans' spokesmen indicated today that they plan to parade on Hillside Avenue outside the concert grounds and another group said that it was trying to enlist ex-servicemen to picket the musicale. A group of unattached veterans are organizing a parade to start on Hillside at 7:45 p.m. Saturday evening, according to Herman Sweeter of Red Mill Road. Early this afternoon, he said, he was awaiting a Town of Cortlandt permit to stage the parade."

The same issue of the *Star* reported:

"It still is undetermined whether the New York Attorney General will heed an appeal sent to him yesterday by a Crompond member of the American Labor Party for suppression of what he contended was a danger of possible violence at the concert. Kent Crown, Assistant Attorney General, acknowledged from Albany today that he had received the telegram sent by Victor Sharrow of Paulding Lane in Crompond, as published in yesterday's *Star*. But, he said, until



copies of *The Star* articles exposing the nature of the sponsoring organizations are received, the Attorney General will take no action. In his telegram, Mr. Sharrow said that a letter would follow containing *The Star's* article and also copies of an editorial and letter to the editor published the same day."

This statement is susceptible of two interpretations. It meant either that the Attorney General had refused to take action until he had verified, from reading the *Star*, that violence threatened, or that the Attorney General of the State of New York would take no action against threatened violence if, as the *Star* asserted, the sponsoring organizations of the Robeson concert were Communist-controlled bodies.

The investigators have drawn the conclusion that the Attorney General of the State of New York did not suggest that he would not provide protection against violence if the sponsoring organizations were Communist but that the phrasing of the *Peekskill Star's* news item did convey that impression to the people of Peekskill.

As events transpired, that impression was correct in substance.

## THE TERROR BEGAN — BEFORE THE CONCERT

On August 26, the *Peekskill Star* published a letter by Mr. Chester Rick, a non-Communist citizen of Peekskill, which read in part:

" . . . The principal danger that appears on the horizon is that those who think of themselves as good Americans should become panicky and forget (if they ever fully understood and truly appreciated) the great value of democratic principles, the greatest of which is tolerance for the expression of minority and unpopular ideas, freedom of speech, press and orderly assembly. . . ."

In the same edition, Mrs. Mary Mobile, resident of Shrub Oak, and wife of a local business man, addressed a similar letter, saying:

" . . . if the assembly is peaceful and no overt act against our government is committed, he and the people who come to hear him have the right to be protected. . . . These rights, I might remind you, are granted to all our people under the Constitution of the United States. . . ."

Both Mrs. Mobile and Mr. Rick denied, in their public letters, adherence to the Communist Party and insisted that they were writing as free citizens concerned with preserving American liberties.

On the evening of the 26th, Mrs. Mobile's telephone rang. A man's voice said:

"You dirty red bitch. . . . Get out of Peekskill. . . .!"

Upon her protest that she was concerned with preserving the Constitutional rights of all citizens, the anonymous caller continued "To hell with the goddamned Constitution. . . ."

During the following two days Mrs. Mobile's telephone rang intermittently. More often than not there was silence at the other end of the wire (this later became a typical Peekskill "cold war" technique to harass and induce fear in nervous people). On occasion, unidentified men's voices would tell her:

"The boys are out to get you . . .!" or "The men in the Legion are out to get you . . ." or "The boys in the firehouse are out to get you."

These threats, it should be noted, were uttered before, and not after, the attempt to hold the concert.

Mr. Rick also was subjected to threats. His experiences were largely similar to those of Mrs. Mobile. On August 26th, after publication of his letter, his telephone rang. A man's voice asked,

"Did you see the *Star* tonight?"

"Not yet," Mr. Rick answered.

"Well, take a good look at it. You'll see what we're going to do to guys who write letters like yours."

### **THE THREAT IS RECOGNIZED**

By August 26th, so widespread had grown the threat of violence, that the *Peekskill Evening Star*, whose provocative editorial and ill-advised publication of the Vincent Boyle letter on August 23 had contributed so much to creating this mood, itself had to disavow incitement in a front-page editorial: "At no time, either in its news columns, or editorially, has the *Evening Star* ever advocated 'violence' as a means of disrupting this or any other kind of program. We did state, however, and do here re-affirm, our conviction that the time for tolerant silence that signifies approval has run out, and it is high time to speak forth."

Despite this disavowal, the fact remains that the area, incited in part by the first editorial, continued in that mood.

The excitement mounted, unchecked.

### **THE TERROR CONTINUED — AFTER THE CONCERT**

Following the first riot on August 27th, there was an increase in the volume of anonymous threats to those who had protested attempts to suppress or prevent the Robeson concert. One of the signatories to a telegram sent to Governor Dewey, protesting the attempt of the

*Peekskill Star* to arouse a "lynch" spirit, was likewise threatened by phone. Men's voices threatened to burn his house, to injure him personally, and used towards him such epithets as "You lousy Jew-lover. . . ."

Following the first riot, Mr. Rick was informed, from a responsible local source, that rumors were circulating among the more violent elements of the town that certain houses, including that of the president of one of the colonies, were to be burned down.

Mr. Rick telephoned the President of the ——— Colony, reported this threat, and urged that a watch be kept since it was possible hoodlums might attempt arson, although, he said, "It is probably just talk. I don't think they're going to do it."

A man's voice broke into the telephone conversation:

"You're goddamned right we're going to do it. We're going to come around and kick the ——— out of you. We're going to get rid of you and guys of your kind."

Numerous such cases have been reported, not merely to the investigators of the American Civil Liberties Union, but to the local, County and State Police authorities. Complaints were made to the New York Telephone Company that private telephone wires were being tapped in order that such threats could be transmitted and conversations overheard between those opposed to disruption of peaceful assemblies. It was demanded that attempts be made to trace these threatening calls.

In the opinion of the investigators, there can be no doubt that the atmosphere of violence built up between August 23rd and August 27th had, by the 26th, already taken the form of open intimidation not only of known Communists but of all who voiced adherence to democratic principles. The subsequent violence was premeditated, was fed by a campaign of intimidation and was carried out according to plan.

## **DETAILS OF THE FIRST RIOT**

The following reports of the actual sequence of events at the first Robeson riot have been obtained from reliable witnesses and can, if necessary, be substantiated by sworn affidavits.

Mrs. ——— (An avowed non-Communist resident):

"The first Robeson Concert was supposed to start at 8:30. From 7:30 on, it was impossible for us to enter the concert grounds. The road had been blocked in both directions. As we waited in line, a man wearing a Legionnaire's cap came over and opened the door

of our car, said to my husband: 'Park your car over here,' pointing to the roadside. 'We're going to get these goddamned Jews.' He walked down the line of cars, opened some car doors and repeated the same words he had used to us. Then he would skip two or three cars, after scrutinizing the people inside, and go on to the next one. This man wore a khaki shirt and a Legion cap. This was between 8 o'clock and ten minutes after 8. I did not see any cars pull out of the line as he suggested.

"We got near the entrance at about 8:20. When we got there we saw one man being mauled and punched by two other men wearing Legion caps and in the concert ground, we saw groups of people struggling. Bands of men were coming down the road to the picnic area. Legionnaires had barricaded the road leading to the picnic area, like the highways, with rocks, planks, overturned cars and trees.

"Fires broke out in the concert area. Suddenly the lights went out and the only illumination was from burning chairs, platform, song books and programs.

"All this time, from 7:30 to 8:20, the prospective audience was out in the road and never got near the concert grounds. The buses never even got to the gate. They were stopped at Locust Avenue. All in all, there were no more than 150 people inside the concert grounds of those who had intended to go to listen to Robeson.

"There was no real violence anywhere except in the concert grounds itself, which shows that there was no attempt made by the concertgoers to attack the "Veterans" but that just the reverse took place. The veterans rushed the concert area after barricading the roads and began to beat up the concertgoers.

"The fighting had started while it was still light and it didn't get dark that night until 8:05. The veterans' organizations claim that no violence was committed by any veterans until after William Secor had been stabbed. But William Secor was stabbed after it went dark which means that William Secor was stabbed after the rioting started, down in the concert grounds where he was not supposed to be, because he didn't have a ticket of admission, and where he had gone with the raiding party of "veterans" who started out to break up the concert.

"At least half the concertgoers who got into the picnic grounds were women and children. When the attack started, the children were pressed together on the inside and the women in a close ring around them. The men formed a circle with their arms linked, like a buffalo circle, to protect the women and children. I saw the veterans throwing sticks and stones and rocks and anything they could

lay their hands on inside this circle and I saw them charge repeatedly to try and break the line of men defending the women and children.

"The attackers numbered about 450 or 500 inside the grounds and of course there were hundreds more out on the highway.

"I heard cries like these all about us:

"'After this the Jews are going to get out of here and stay out!'

"'The Jews are all Reds and they started this, and now they're getting what's coming to them.'

"We left about 10:15 because the traffic started to move then. Just before we left, we saw a woman, a man and another woman carrying a baby—the baby was about six months old—come running up out of the concert ground. The circle, I think, had been broken by this time. And the men and many of the women had been beaten. There were young women as well as men in the mob. When they saw this woman with her baby, they started to yell at her:

"'Look at that goddamned Communist hiding behind a baby!'

"On the following day, two little girls who knew me and who had been told I had been injured, came to see how I was. When they found me all right, they were surprised and one of them said,

"'You were at that place with the niggers, weren't you?'

"I scolded them for using the word 'niggers' and told them that well-mannered little girls didn't use words like that. Then one of them said to me:

"'Mr. Secor says he knows who stabbed Billy but he can't tell because his father is a friend of Mr. Secor.'

"On August 30, my telephone started to ring. A rough voice said:

"'Scram out of town.'

"I think this was because I was telling around about how this little girl had told me that Bill Secor's father knew who stabbed him. Even at 2 o'clock in the morning of the 30th, the telephone rang and this same man said,

"'Scram out of town' and I said, 'Who are you?' and he said 'You want to keep your house, don't you?' I said 'Why?' and he said, 'We're going to burn it down.'

"I notified the State and the local police and the police patrolled all night keeping guard over our house. On Thursday, the first of September, I went out in the afternoon. I started home about 5 p.m. I stopped on the way to get a newspaper. When I stopped I noticed a new blue Ford car on James Avenue which struck me as acting strangely, as though it were following me. The driver was a man about 30, dark and good-looking. I drove away and he followed me. It became quite clear that he was trailing me. He followed me all

the way to my house which is near the end of a dead-end street. I got out and he then backed his car out quickly and drove away. I called up a friend and told him about this and my friend told me that the thugs were out picketing in Hollow Brook Lake. He kept watch at Hollow Brook Lake and he saw this same care drive and pick the pickets up to drive them home. The number on the license plate was 4D6780. During the following days I got anonymous letters and letters containing clippings from the *N. Y. World-Telegram*.

"My husband went to see a customer on September 1 in Shrub Oak. An officer of the corporation he visited asked him what he was doing at the protest meeting that had been held the day after the riot and said,

"By the way . . . you're in business. It's going to do you a lot of damage, taking a stand like this."

"My husband told him that if standing up for anybody having the right to meet and speak peacefully was going to cost him his custom, then he knew what he could do with it, and then this officer said,

"Well . . . I'm just warning you. You'd better watch your step from now on. They're gonna come down and get you."

## **A SECOND EYE-WITNESS ACCOUNT**

Mr. \_\_\_\_\_ holds a responsible post in one of America's leading industrial corporations. He claims to have no Communist sympathies. Aware that the sponsoring organization of the Robeson concert was a Communist front, he considered Robeson's appearance a sufficiently important cultural event for him to take his wife and a woman friend.

The witness states that he was near the entrance to the concert grounds at 7:45 p.m., and that at that time he heard the sheriff, or deputy sheriff, in charge of the few policemen who were present (4 deputies and 2 uniformed policemen) instruct one of the deputies to telephone for added protection because fighting had already broken out. The witness claims that the deputy was instructed to phone from a nearby house and that this was about the time when the rioting got under way. The sheriff, he claims, did succeed in turning back a truck containing Legionnaires which was trying to "bull" its way into the picnic area immediately before the fighting started. It is his opinion that the few police who were on hand did everything it was possible for 6 men to do to try to prevent the rioting and, after it started, to break it up.

He asks, however, how it was that although an official appeal for additional police was made at 7:45 p.m., no extra police arrived on the scene until after 10 p.m. Can it be that the Westchester police is so undermanned that an urgent appeal for aid cannot be responded to? Or is it, possibly, that the County authorities had no intention of sacrificing votes at the next local elections merely to protect unwelcome and unwanted political personages from possible threats to their lives?

The witness is identifiably Gentile.

At about 8:45, he attempted to leave the vicinity of the rioting. It was, as he expressed it, "getting too warm" for him. His car was on the private road leading to the picnic grounds. The road was blocked by a felled pine tree about 8 inches in diameter. He climbed out of his car to lift the tree out of the way. A man strode up, said "Let me help you," pushed the witness aside and replaced the tree across the road. A 1930 sedan, lower down this private road, behind the witness' car, then accelerated and "bulled" its way over the blockading tree. (The witness later saw this car overturned on the main highway at the head of the private road, its gasoline trickling down the private road, and constituting a serious fire hazard. Had fire broken out, many of the stalled cars could not have escaped the consequences of a gasoline explosion.)

A man in a blue denim shirt came to him as he tried to get his car over the blockade and said, "Where do you think you are going?"

"I tried to pacify him. I said, You've succeeded in what you set out to do. Now I want to get my wife away from here. This is no place for women."

The man helped him remove the tree and ran alongside the car, shouting to the members of the mob who were lined up on both sides of the road, many with rocks in their hands, "Let these people out. This fellow's all right."

Men with veteran's caps asked his guide, "Who is he? Is he press?" Then they ripped open the car door and said, "What's your name?"

"I answered, ————— What's yours?"

"Danny Squires."

"What's the chances of getting out of here? I've got ladies in the car and it's not a place to bring a lady."

The man Danny Squires then shouted to the mob. "Let him through. His name's ————— (a Gentile name)."

Behind him, at that moment, he reports, was a Willy's station wagon. Inside was a woman, hurt and bleeding. At the entrance to the highway a barrage of rocks hit his car. He shouted to the mob,

"Hey—Danny Squires said to let me out of here." But one man, apparently giving orders as to whom to stone, shouted, "Go ahead. Let him have it. If isn't a Commie, what the hell was he doing down there?"

Both these witnesses agree that attempts were made to distinguish between Jews and Gentiles and that Jews were beaten or insulted whether or not they were Robeson supporters.

Witnesses testify that the Jewish war veterans were booed, hissed and insulted even while they were participating in the anti-Robeson parade and that members of the crowd standing on the edge of the road shouted at these uniformed Jews, "Dirty Kikes," "Jew bastards," etc. This statement was substantiated by an official investigator of the Anti-Defamation League of the B'nai B'rith.

Some of these Jewish Veterans of Foreign Wars were threatened with attack when returning to Peekskill after the parade had disbanded. This ceased when they were recognized as Peekskill men. It has been explained to the investigators that ". . . It's a Commie trick to put on a uniform and say, 'I fought for my country.' Those New York Jews are all Commies."

## THE PEEKSKILL STAR'S ACCOUNT OF THE FIRST RIOT

The assertions made by these two witnesses are substantiated in detail by the *Peekskill Evening Star* of August 29, although, it should be observed, as the days went by and as the gravity of the crime became more apparent, the *Evening Star* and the veterans' organizations progressively changed their story and assumed a more defensive attitude.

On August 29, the *Peekskill Star*, commenting on the first riot, published an editorial which read in part:

"/. . . this undemocratic show of leaderless disorder, precipitated by a few unruly persons at a moment when insufficient police authority was on hand to prevent it, and unquestionably aggravated by the stabbing of a Shrub Oak veteran who now lies critically injured in the Peekskill Hospital. . . ."

The substance of the news report was as follows:

"The first spectator car parked on Hillside Avenue opposite the entrance to Lakeland Acres, Inc. Saturday night arrived at 5:45 p.m. Ma and Pa and the family were in the car and carried their supper with them. . . . About 5,000 jammed Hillside Avenue to watch the free-for-all, although only about 200 were actually engaged in the combat. Traffic was stalled on the thoroughfare for two hours. Cars



were lined up for at least two miles in both directions. . . . When a Negro tried to drive through the veterans, they began rocking his car until he finally roared away at a high speed to escape being turned over.

"Then about 50 veterans and others pushed slowly down the road toward the concert grounds and fist-swinging began. The Communist-sympathizers were knocked to the ground as the two groups pushed together in close scuffling. Several hundred yards down the dirt road, a truck was parked lengthwise across the road. Concert sponsors stopped with their backs to the truck.

"Demonstrators tore down a wooden railing along the road and tossed the planks into the closely grouped Robeson sympathizers, who joined arms, despite a barrage of boards and rocks, and chanted a Negro spiritual, "We Shall Not Be Moved." . . . Fighting began about 8 p.m. after a parade had marched by the entrance to Lakeland Acres twice. At that time, Grand Marshall John Zimmer climbed on a truck and ordered marchers to disperse.

"But there was no holding some of the young war veterans and others back. They drove Robeson sympathizers back down a dirt road leading to the concert grounds with their fists. When ordered back to Hillside Avenue by deputy sheriffs, they circled around through the hills and wreaked destruction on the concert equipment and chairs.

"The riot finally ended at about 10 o'clock with the arrival of State Police and sheriff's men."

The report continues:

"The parade started to move from Varian Mills at 7:55 p.m. . . . ten minutes late, due to the fact that leaders were awaiting the arrival of the Niedhart Memorial Fife and Drum Corps, which failed to appear."

On the same day, the *Star* also reported,

*"The first incident of the evening started at 8:10 p.m. when a group made a break into the private road leading to the picnic grounds. . . .*

*"Spectators were picking out Robeson followers in the crowd and were shouting 'Commies' at them.*

"An automobile, with the lettering 'Putnam County Sheriff,' moved along the highway very slowly. It was reported that Westchester County Sheriff Fred Ruscoe was at the scene, along with four Deputy Sheriffs. . . .

"An angry group formed at the entrance to the picnic grounds,

after having chased the Robeson followers further down into the driveway.

"A few people attempted to break through the demonstrators and get to the concert. They were spotted and women were escorted back, while the men were handled a little more roughly. . . .

*"During the first melee, some of the Robeson followers leaped into a pond off the road. It was at this point that William Secor, of Shrub Oak, was stabbed in the right abdomen, it is reported. . . .*

"At 8:50 p.m., after the roads became clogged, John Zimmer mounted a truck and said: "Members of organized veterans groups, veterans and sympathizers. Please disperse. We have accomplished our purpose. We are now leaving. If you stay, you stay on your own. All organizations will disperse. . . .

"Some of the demonstrators were now at fever heat . . . none of them was going away . . . and those who wanted to just couldn't move because of the traffic jam. . . .

"Men ripped boards off a wooden fence which had been erected Saturday on the highway overlooking the small lake . . . and carried them with them as weapons."

#### **OTHER PRESS ACCOUNTS**

The *New York Daily News* for August 28th reported,

*"In the melee, William Secor of Mohegan, N. Y. was seriously stabbed in the side. . . . A cross was burned on a hill above the picnic grove.*

"At the same time, roadblocks of stone, wood and wire were thrown up on the egress roads, blocking escape. Many cars were stopped and about 10 were overturned. One was thrown off an embankment into a stream. In other cases, police reported, sand was poured into gasoline tanks.

"An unidentified Negro was reported beaten and thrown over a fence into an adjoining cemetery. . . .

". . . A number of women fled into the adjoining woods. State troopers who found them cowering there said some planned to remain all night."

The *Herald Tribune* on August 29th reported:

"Shouts and catcalls, many of them from women among the demonstrators, were directed against Negroes and Jews. . . . *About 8:30 a small group of the demonstrators ran down the hill towards the side road barricade and during a brief battle, Mr. Secor was stabbed.* No one was arrested as a result of the riot and indications were tonight that no arrests would be made."

The *New York Times* of August 28th reported:

*"During the melee, William Secor, a 25-year-old veteran living in Shrub Oak, was stabbed in the side."*

There is absolute unanimity in these press reports that William Secor was stabbed after the violence had started and not, as was later asserted, before the fighting. Secor's wound was therefore not the precipitating cause of the riot but was received while he was assisting in the commission of a crime against a peaceable assembly.

However, according to the *New York World-Telegram* of August 29th, "Donald F. Ikeler, General Manager of the *Peekskill Star*, charged, 'The riot would not have started if it hadn't been for the stabbing of one of the veterans.' Mr. Ikeler, basing his opinion upon reports submitted by *Star* reporters, said:

'The Veterans' demonstration was on the point of breaking up when the stabbing of veteran William Secor, 24, of Shrub Oak, took place.'

Mr. Ikeler's statement does not agree with the facts as reported in his own or any other newspaper immediately following the riot.

Milton Flynt, Commander of Peekskill Post No. 274, American Legion, made the following comment after Saturday's counter demonstration: (*The Peekskill Star*)

"Our objective was to prevent the Paul Robeson concert and I think our objective was reached."

The objective of which Milton Flynt boasted was in violation of the law—and was known to be in violation of the law.

## **WHERE WERE THE POLICE?**

Observers of the first riot, including all newspapermen present, agree that no more than six police officers were on the scene until after 10 p.m. Because of this, the organizers of the concert have accused the state and county authorities of wilful failure to provide police protection for an assembly known to be threatened with mob violence. It is of paramount importance to decide whether that accusation be true.

The *New York News* of August 29th reported:

"The state troopers denied charges that they had not arrived in time to head off the three hour riot in which cars were overturned, women frightened into the woods, and veterans and Robeson fans alike beaten with clubs, stones and fence-posts. . . .

"In the first place, Sergeant Johnson (the first sergeant of Troop K at Hawthorne) pointed out the vets had a legal right to parade and

had obtained a permit. Besides, he said, no one had officially requested that troopers be on hand before the trouble started.

“‘There was no need to be there in advance,’ he asserted. ‘We don’t play into the hands of the Commies. We went in when we found that a crime had been committed.’”

The investigators are satisfied that Sergeant Johnson is telling the truth when he says that no one had officially requested that troopers be on hand. They are equally satisfied that this is intended to convey the impression that no request had been made for police protection.

## **PLEA FOR POLICE PROTECTION**

The facts are:

At least three separate requests for police protection were made by the sponsors of the Robeson concert. On August 25th, a telegram under the signature of Mrs. Pauline Brody of Crompond, New York, and others, was dispatched to Herbert C. Gerlach, County Executive, pleading for police protection in view of the threats of violence widely circulating in the Peekskill area. An appeal for protection was sent to N. Y. State Attorney General Nathaniel Goldstein. Westchester County District Attorney George Fanelli was also asked to guarantee protection.

In reply to Mrs. Brody’s telegram, Mr. Gerlach answered by telegram on August 26th:

“The right of free speech and free assemblage is not limited to any particular group or person. The rights of others, of course, must be protected. I have referred your telegram to the District Attorney’s office and have every confidence that the matter will receive all necessary and proper attention from our law enforcement departments. I am advised that an identical telegram had already been received in the office of the District Attorney.”

The competent law enforcement agencies in the area, and the supreme law enforcement agencies of the State, were appealed to. Yet no police protection was accorded the concertgoers.

That violence was generally expected, and that the withholding of adequate police protection therefore bordered on the criminally negligent, was shown in the *Peekskill Star’s* account on August 27th, which stated that more than 7,000 persons—including 5,000 marching veterans and 2,000 concertgoers—were expected at the concert. Significantly, the *Peekskill Star* reported on August 29:

"Frank Niedhart, manager of the Niedhart Fife and Drum Corps, today said that his organization did not participate in Saturday night's anti-Robeson parade because many of the members are minors. *He said he did not want to bear the responsibility of possible injury to the youngsters if trouble should develop.*"

On August 30th, the *Evening Star* reported that District Attorney George M. Fanelli had opened an investigation of the riot and had stated:

"The facts that I now have would indicate that the demonstration by the veterans associations was peaceful and orderly, and that after they disbanded the pro-Robesonites provoked the violence when Secor was stabbed by one of their number."

In light of all newspaper and eye-witness reports to the contrary, and of the assertion of Mr. Flynt that the veterans he led had planned to prevent the concert, Mr. Fanelli's accusation is patently false.

Thereafter, two parallel moods prevailed in the area. The first was defensive. Denying responsibility, it attempted to thrust it on the victims. The second mood was of jubilation. Peekskill was sufficiently proud of what it had done for many automobile drivers to stick placards on their windshields reading, "WAKE UP, AMERICA, PEEKSKILL DID!"

## THE TERROR HEIGHTENS

A composite statement by three independent witnesses tells:

"All that Sunday (August 28), roving bands visited the colonies and places where Jews were known to reside, shouting:

"Kill the Jew nigger-lovers.

"You Jew nigger-lovers ought to be run out of the country."

"As early as 8 o'clock in the morning, hoodlums drove up in a car to the grocery store in Mohegan Highland Colony. They drove from there to the Club House and then to the Beckley Hotel. At all three places they made the same threats and they looked as though they were spoiling for a scrap but we avoided trouble."

Other witnesses tell of how bands of men drove up to Jewish houses, made anti-Semitic remarks and uttered threats. So overwhelming became the sense of danger that certain of the colonies found it necessary to post a night watch to guard against nightraiders. Members of these night patrols testify that groups of men approached the colonies in the dark hours of the night but withdrew when they encountered the patrols. One night guard testifies that he stopped a

man trying to sneak into the grounds of \_\_\_\_\_ Colony and that, when questioned, the intruder shouted:

"We'll be back, don't worry. We'll get you yet."

The colonists recognized the dangers in the situation but deemed themselves strong enough to contend with anything but gunfire.

The terrorism took on other forms. An organized boycott of business establishments owned or operated by persons known to be opposed to the violence soon made itself felt. One single example will suffice for the purpose of this report:

Peekskill is served by one daily paper, the *Peekskill Star*. Of recent months a weekly, the *Peekskill Shopper*, had begun to be published. Its ex-serviceman owner-editor, a Mr. Levinson, took an editorial stand against the violence.

On September 1st, he editorialized:

"When the 'peaceful' protest marchers attempted to force themselves onto the concert grounds and were stopped at the gate for tickets and admission, they 'peacefully' proceeded to stone those who stopped them. . . . Our strength in American democracy should be complete and sincere. Let's allow all who so desire to speak and meet."

The rioters replied by organizing a boycott against the *Peekskill Shopper*. Groups of "veterans" visited businesses which advertised in that publication and threatened, that unless they withdrew their advertising, they in turn would be boycotted. As a result, a number of advertisers did withdraw their patronage, some regretfully, while others frankly announced their agreement with the rioters and their opinion that Mr. Levinson's protest against such violence was unseemly. The manager of the local Sears Roebuck & Company store informed the publisher of the *Peekskill Shopper* that the *Shopper* would get no advertising whatever from Sears Roebuck. The editorial, he said, was "filthy." The by now usual story went the rounds that "the boys" were "out gunning" for Mr. Levinson. The *Peekskill Shopper* has ceased publication. Those opposed to the violence themselves attempted a boycott of the *Peekskill Star*. In reply the Associated Veterans Group in a full page advertisement denounced the boycott as "Un-American" and boasted "PEEKSKILL WOKE UP, LET'S STAY AWAKE."

The *Peekskill Star* itself practiced an unusual form of censorship. It refused to publish an advertisement submitted by a private citizen which read "Peekskill Riot Reviewed by C.B.S.," unless the wording were changed to "Robeson Demonstration Reviewed by C.B.S."

Such pressures were intended to deny—and succeeded in denying—freedom of the press in exactly the same way that freedom of speech and freedom of assembly had been denied.

On August 30th, the *Peekskill Star* published letters protesting the violence and the denial of civil liberties. On the following day, boxed in the upper right hand corner of the front page, it also published the significant comment:

“It is interesting to note the devious ways the pinks in the area are revealing themselves.”



## THE SECOND RIOT

ON SEPTEMBER 2nd, the *Peekskill Star* reported:

"An announcement by the People's Artists, Inc., that the Negro baritone intends 'to fulfill his avowal to return to Peekskill' interrupted a meeting of the ex-servicemen groups last night in Verplanck where they were framing a resolution asking for retraction of the right of assemblage for Communist-line organizations.

"An immediate clamor was set up for a new protest parade by the veterans. . . . The veterans applied for a permit to hold a parade, which was granted by the Town of Cortlandt, where the concert will be held. . . .

"Robeson, in accepting the invitation to sing at Peekskill again, said, 'If none of the State Troopers show up, we'll have our own protection.'"



The concert promoters then sought a federal court ruling to obtain an order to show cause why the parade permit should not be rescinded.

As regards this latter point, the Associated Press reported on Sept. 3rd.

"Federal Judge John W. Clancy denied a move today to prevent a mass Veterans' parade to protest the Paul Robeson concert tomorrow near Peekskill.

"Judge Clancy said his Federal District Court had no jurisdiction in the matter" . . . and he added: "I assume that everybody obeys the law and I don't know why you think the veterans are going to disobey it. You want your rights preserved, but no one else's. I think this is a cheeky application. . . ."

Having ruled he had no authority to consider the application for an injunction, Judge Clancy had no occasion either to venture a prediction as to the probable conduct of the veterans or to castigate those who sought Federal protection. The prophecy of good behavior was soon shown to be ill-founded. The criticism of those seeking an injunction could only serve to add to the inflamed situation and, besides, it proceeded upon the unsound premise that whether a group is to be given legal protection is to be decided upon the repugnant basis of whether they would afford the same rights to others.

The Associated Press reported Gov. Dewey as saying:

"The Sheriff has the power to appoint all the additional deputies that may be necessary and I have also directed the Superintendent of State Police to provide, for the assistance of the Sheriff, all members of the State Police who can be made available to help in preserving public order."

Therefore, the accusation that Governor Dewey failed to provide protection for the concert of September 3rd, or the accusation that the Federal authorities were delinquent in not bringing Federal troops into the area is unwarranted.

## **THE ANNOUNCED PLANS TO PREVENT VIOLENCE**

The publicly announced plans to protect the concert scheduled for September 4th, show no laxity on the part of the Chief Executive of the State of New York or the Federal authorities. Protective measures as reported in the *Peekskill Star* of September 2nd, included: ". . . use by the county's law and order forces of a radio-equipped helicopter from Westchester County Airport to aid ground officers in the event of trouble Sunday afternoon. . . . State Police to have all Troop K men who could be spared on hand for Sunday. Parkway

Police also were being mobilized as deputy sheriffs," and . . . "Thirty-one police chiefs of Westchester's cities, towns and villages who met with the District Attorney and Sheriff, all expressed willingness to cooperate in maintaining order at the concert scene."

In other words, there was no obvious reason to believe that the number of police who would be on hand—and who actually numbered approximately 1,000—would not be fully capable of maintaining order. Governor Dewey and the Federal authorities had no reason to believe that these 1,000 law enforcement officers would fail to perform their duty. The national press reported during this period that the Robeson supporters, because of the lack of protection given them the week before, would provide the concert on Sept. 4th with a guard of 3,000 men, for the most part fur workers, longshoremen, seamen, etc., out of New York. One must recall Robeson's statement: "If the State Troopers do not protect us, we shall have forces enough to protect ourselves."

Just as the allegation cannot be sustained that the Governor and the Federal authorities were delinquent in their duty in failing to supersede the local authorities, so the accusation that these 3,000 guards had been brought for the purpose of engaging in rioting cannot be sustained. There is no evidence that this private guard was intended to be anything other than a protection in case of trouble. The weight of evidence tends to prove that this guard was brought as a genuinely defensive measure, because of the fear that the veterans' organizations intended again to invade the concert grounds, to beat and maltreat concertgoers, to destroy property, to prevent the concert from being held, and to deny the concertgoers their right of peaceful and lawful assemblage.

It is true that a number of baseball bats were discovered in the possession of certain of the concertgoers. There is no evidence, however, that these baseball bats were intended to be used as weapons unless rioters should again invade the concert grounds and threaten the lives and safety of the concertgoers.

## **NO COMMUNIST PROVOCATION**

The authors of this report have investigated the extent of Communist provocation. It must be asserted categorically that the Communists did not provoke the disorders. The determination to hold a peaceful assembly on private property, even by a hated minority, does not constitute provocation. Provocation requires threats of violence and incitement to unlawful acts.

What Peekskill means by "provocation" is the insistence by Robeson and his followers of their right to hold a private concert on private grounds in order to raise money for their unpopular political purposes. By "provocation," the apologists for the Peekskill riots actually mean the exercise of the constitutional right of free speech and free assembly.

A second form of this "provocation" goes beyond even legally guaranteed constitutional rights. This provocation, according to many Peekskill residents, consisted of colored men and white women riding in the same cars into the concert grounds. Person after person in the Peekskill area stated to the investigators that this was an act of provocation and defiance intended to arouse the anger of the crowd.

It should be added, that among the epithets hurled at the concert-goers on September 4th, were "Niggers and Jews!" and, significantly, "Niggers and Jews. They belong together! . . ."

From the evidence, one must conclude that the precipitating factors of the violence of September 4th lay within Peekskill itself; that the Communists did not provoke it; that they did not come to Westchester County intent on provoking disorder; and that the 1,000 policemen assembled to maintain order had the clear duty of defending the Communists, peaceably assembled, against the open and publicly announced plan to deny them their constitutional right to assemble.

## **PROVOCATIVE LOCATION OF THE VETERANS' PARADE**

On September 2nd, the chastened *Evening Star* editorialized:

"Let's Use Reason! . . . the announced intention of veterans from fourteen organizations in this area to again organize a protest parade raises a problem of serious nature.

"As we have seen what such a demonstration can lead to, despite the best intentions of its organizers to conduct it in an orderly and peaceful fashion, **WE NOW STRONGLY URGE:**

"That the Mayor of the City of Peekskill call upon all veterans' groups . . . to hold any such demonstration **NOT** in front of the site of the proposed concert on Hillside Avenue, which could precipitate serious trouble . . . but instead to

**"HOLD THE DEMONSTRATION IN PEEKSKILL."**

The *Star* reported in its news columns that ". . . upon announcement that Paul Robeson was being brought for a rally and concert Sunday at 2 p.m. . . . *veterans were planning a parade to stop it.*"

District Attorney Fanelli knew this. Nevertheless, he did not de-

mand that the veterans follow the suggestion of the *Evening Star* and hold their demonstration elsewhere. He merely "suggested" it. This, despite the fact that Vincent Boyle, leader of the veterans' groups, stated on September 3rd:

"We will highly respect the request of our law-enforcing agencies and will cooperate completely. If they demand that we relocate our parade, then we will do so; otherwise, we will respect only the decision of the organized veterans' groups and their fraternal superiors."

In the light of the facts, the decision of the veterans' organizations to hold their parade directly opposite the concert grounds and to disperse *at that point* instead of marching back to Peekskill, places responsibility for the subsequent events upon the organized veterans' groups and upon District Attorney Fanelli for failing to demand that they parade elsewhere.

### DETAILS OF THE SECOND RIOT

The following eye-witness accounts have been obtained from sources considered reliable and have been compared in detail with similar accounts obtained independently from others present at the scene of action.

"By 2 o'clock there were thousands upon thousands of people inside the concert grounds. The police were in force way up Red Mill Road. As cars approached the area, the police would ask them: "Concert or parade?" Those who said concert were routed towards the concert grounds. Those who said parade were routed in other directions. It seemed to me that the police at this point were doing a pretty good job. They were trying to separate the concertgoers from the spectators. That made me feel that perhaps there wasn't going to be trouble after all, at which I was very much relieved.

"When we got near the concert grounds, a lot of women who were being held back by state troopers, started hooting and jeering at us, shouting:

"'Reds,' 'Jew bastards,' 'Go back to Russia,' 'Go back to Jew City,' and one woman shouted at me:

"'You can smile now, but you won't smile tomorrow morning!'

"Most of these women were young women and they had been pushed to the front of the line by the men who were with them and who seemed to be egging them on.

"At 2 o'clock the concert opened with the National Anthem. Then there was an invocation by a Methodist minister from New York. After that came a piano recital. Two pieces were played, one a

Prokofieff piece and the other either Ravel or Aaron Copeland. Then a soprano sang. After that Paul Robeson sang. He sang a chanson, then 'Go Down, Moses,' then some Negro work songs. It was then that Howard Fast appealed for funds and people came around with collection boxes. Then Robeson gave his last group of songs—I forget what they were, but he finished, if I remember, with 'Ol, Man River.' The concert ended about 3:25 or 3:30 p.m.

"Announcement was made over the loudspeaker that no one would be permitted to leave the concert ground until the way was cleared.

"The first contingent of cars began to leave. There were thirty or so cars in this contingent. That contingent got out of the concert ground all right and the police directed it up Red Mill Road, where it was ambushed. The first contingent of cars was ambushed in successive traps—you can probably get the details of this from people who were either standing on Red Mill Road, and saw what happened, or from those people around here who were in the first contingent. They had to run the gauntlet.

"I'll say this, though, when the police saw what had happened to this first group of cars, they decided that Red Mill road was unsafe and they closed it off.

"The cars were called out scientifically in small groups. There were many hundreds of cars and if they had been allowed just to drive out any way they wanted, there would have been an awful mess. Our rank was called shortly, and as we drove up the road and got near the highway, concert guards called out to it, "Close your windows." They believed—and we believed too—that our windows were shatter proof, as most car windows are these days. We found out later that not all of them were.

"When we got on the highway, the police routed us, as they were routing other cars, up Locust Avenue. When we got on to Locust Avenue there were no more bluecoats but there were a couple of state troopers. A stalled bus stopped in front of us. As we came up close to the bus, I saw a man with a stone in his hand haul his arm back to throw the stone at our car. A state trooper saw him and clipped him in the back of the neck and knocked him right across the road. There were lots more men standing about. All of them had stones and they threw them at our car. I shouted, 'Duck' and these stones vollied in. A half brick came through the front side window and landed in the car. The two door windows in the back were broken with smaller stones. Because I had ducked, I didn't get hurt at all, but two of my guests were badly cut with flying glass. I then shot up the hill, opening the windows, afraid of more stones

knocking glass splinters among us, and I wasn't molested further because I was hitting about 60. I then drove home. It was my impression that the state troopers stopped the stone throwing so far as they could.

"The first cars were not sent over Oregon Road. It might not sound very important to you but Oregon Road is a broad highway where traffic could have moved quickly and where there could have been no ambushes but Red Mill Road and Locust Avenue are both narrow, winding, secondary roads that pass over hills and between trees. On each side are trees and fieldstone walls and it was easy to ambush from there. I am not suggesting that the police led us and the others into ambush but I do know that had we gone by Oregon Road it would have been harder, and perhaps impossible, to ambush us."

The substance of this testimony is confirmed by news reports from the *Peekskill Evening Star*, the *New York Times*, the *New York Herald-Tribune*, the *New York Post*, the *New York Mirror*, the *New York Daily Compass*, the *New York Daily News*, the *Scripps-Howard Press*, the *New York Journal-American* and the *Christian Science Monitor*. There is complete unanimity on all the essential points as reported.

## THE PEEKSKILL STAR'S ACCOUNT OF THE SECOND RIOT

The *Evening Star* reported on Tuesday, September 6th:

"Nearly 150 persons were injured Sunday afternoon, at least six seriously, when hundreds of automobiles and scores of buses carrying jeering Paul Robeson supporters, ran a gauntlet of stone-throwing demonstrators along Hillside Avenue after the Negro baritone had given a concert at the old Hollow Brook Country Club.

"More than 15,000 persons, largely from New York City and Long Island jammed the concert grounds to munch sandwiches and hear the leftist Negro sing, as another 5,000 booing anti-Communists assembled at the entrance at Red Mill Road. The concert was given without interruptions.

"Demonstrators strung themselves along Hillside Avenue toward Peekskill for nearly two miles and peppered the cars and buses as they sped away from the scene. . . .

"Incensed demonstrators assembled at points along Hillside Avenue, out of sight of the police. In the ensuing rioting, hundreds of cars had windshields and windows shattered. Eight cars were reported overturned and destroyed, four of them in Putnam County.

"Peekskill Hospital was jammed as the injured began pouring in

late Sunday afternoon . . . estimated that 30 or 40 had sought first aid there. . . . New York hospitals reported that nearly 50 injured concertgoers drove all the way into the City before seeking medical care. About 20 were treated at Mohegan and Ossining."

So far as the actual sequence of events are concerned, the *Star* reports:

". . . While the concert was going on, about 3,500 veterans and sympathizers marched and countermarched past the entrance, and demonstrators hurled gibes at the persons entering the concert. . . .

"Several times the restless throngs tried to surge through police lines but were pushed back by the husky troopers. They shoved back the demonstrators with nightsticks, held chin high. . . .

"They tried to attack the late arrivals, who fought back. Police were unable to hold the crushing mob and a free-for-all ensued for a few moments. Police reinforcements rushed into the fray on Red Mill Road and the Robeson supporters were allowed to enter the grounds.

"During the fighting, a few bottles and rocks sailed into the air. One trooper Michael Murray of Troop G., Troy, was struck in the head and knocked unconscious. He was treated and later returned to duty. . . .

"The police originally planned to send the cars away from the scene via Red Mill Road. A dozen autos were attacked a few hundred feet away from the grounds, however, and the plan was changed.

"At about 4:30 p.m. a steady stream of automobiles began south on Hillside Avenue. It was then that the stoning began.

"At the entrance, police charged into the demonstrators to drag out what they believed were trouble makers. Several were arrested. A justice of the peace court was set up in the temporary State Police command post last night, and several were fined on charges ranging from abusive language to littering the highway. . . .

"Two Negro soldiers were booed loudly when they walked into the concert with the late arrivals. One was struck in the face, and both hustled into the grounds to escape the angry demonstrators. . . . At one point a spokesman for the Robeson followers promised that the singer would never again return to Peekskill if the demonstrators would allow the concertgoers to leave in safety.

"Along Hillside Avenue, anti-Communists engaged in sporadic fighting with motorists leaving the concert. *In several instances, demonstrators attempted to drag drivers from their autos.* Troopers and policemen from every municipality in the county stopped these scuffles wherever they saw them.

"Whenever a driver stopped to protest the stoning, however, he was ordered back to his car by police officers who feared an outbreak of violence if the long lines of autos were halted.

"The buses which had been chartered to bring supporters from New York City were attacked fiercely. Several of the drivers, who were under the impression that they were bringing people to Peekskill for a "picnic" abandoned their buses, refusing to drive them through the hail of stones.

"Ambulances, including a vehicle from the Yonkers Department of Public Safety, shuttled between the scene of the rioting and the hospital, evacuating the injured. . . .

"Early Sunday morning, Peekskill police cut down two effigies of Robeson found hanging on lamp posts. American flags were seen throughout the city.

"A banner, bearing the slogan, 'Wake Up America—Peekskill Did,' was stretched across Hillside Avenue two or three miles south of the scene of violence."

It is unnecessary to quote further testimony by other eye-witnesses, except to add detail.

One witness testifies that she saw a car drive up, that in the car was a woman with a baby in her arms; that the woman was dragged from the car, the baby was taken from her, and the woman herself was flung over a hedge.

One witness had been attending a rodeo some miles away and had taken a number of children with him. His route home carried him along Hillside Avenue. When he drove along the highway he found himself in the line of cars streaming from the concert ground. His car windows were down. Cars in front and behind were stoned but his was not. It took him some moments to realize that only cars with closed windows were stoned. Apparently, word had passed through the crowd that closed windows indicated that the occupants of the cars were concertgoers who had obeyed injunctions to close their windows.

## **ROLE OF THE POLICE**

The official investigators for the American Civil Liberties Union have formed their own independent opinions as to the action of the police.

In one sentence, it is that the Westchester County police permitted the assault upon the Robeson supporters.

This accusation is not made lightly. It is made after careful



appraisal of the evidence of people of mature judgment who are non-Communists, and after consultation with responsible representatives of the Westchester and New York City press, discussion with housewives whose homes overlook the scene of action, conversations with participants in the rioting and victims of the assault, and with men who paraded in the "protest demonstration."

There can be no excuse of police inability to control a mob. The plain facts, as reported in the *Peekskill Star*, are that after the rioting was over:

"Late Sunday night, nearly a thousand guards were still on the grounds under police protection, awaiting transportation to the city. . . . State Police had trouble with the guards when they made a search of automobiles at the scene. Fighting between the pro-Reds and troopers broke out several times. Nightsticks, wielded by the gray-uniformed troopers, quelled the disturbances quickly."

The investigators are unable to conclude whether this incident was to any extent provoked by the "guards" or simply represented a last-minute assault by police who had for hours already manifested their deep hostility. In any event, it demonstrates that there is no reason to suppose that by wielding their nightsticks the police could not long before have broken up the disorderly, undisciplined mob which they had allowed to roam unchecked for hours.

If nightsticks alone were not enough, other weapons were at the disposal of the police, including tear gas shells. Yet, despite the appalling violence and the hours-long criminality of those who committed this unprovoked assault, not a single tear gas shell was set off.

From the most reliable reports it appears that the State Troopers, 200 in number out of a total of 950 police officers, performed their duty well by contrast with the County officers. While the concert was in progress, fighting broke out between the mob and late arrivals to the concert. Whenever such incidents occurred, the State Troopers swept into action, quelled the fighting, separated the combatants and, on some occasions, arrested rioters.

Three New York newspapermen, interviewed individually by ACLU representatives, two newspaper editors from different Westchester County newspapers, and two radio network news reporters, all present at the scene of action, report separately that the Westchester County police fraternized with the crowd throughout the concert despite the rising and visible mood of violence. They also assert that when the concert ended and the stoning started the Westchester police and the crowd continued their fraternization.

The investigators are led to conclude that the vast preparations by

the Westchester police to prevent the outbreak of violence were a sham and that the public, the Federal authorities and the Governor of the State of New York were hoodwinked into believing that the Westchester police would restrain violence.

In regard to the stoning which occurred in Red Mill Road, Mr. Fanelli said: "The police at once converged upon the scene, moved the crowd back. . . ."

It will be noted that Mr. Fanelli, by implication, concedes that no attempt was made to disperse the crowd. The explanation for this lies in the insistence of the Westchester officials that the crowd, like the concertgoers, was exercising its constitutional right to assemble.

But the officially permitted demonstration was at an end at 2:50 p.m., 70 minutes before the concertgoers began to leave, according to Mr. Fanelli's own statement. Why, then, was the crowd permitted to remain after the veterans' parade was over? What constitutional right was the crowd exercising when it continued to loiter—for over an hour—after its officially permitted function had come to an end?

The fact is that had Mr. Fanelli dispersed the crowd from the vicinity of the concert area after the veterans' parade was over, and after it had expressed its opposition to Robeson and Communism, there then would have been no need to concentrate 1,000 police in this immediate area. The whole county might then have been policed adequately. Rioting and stoning might not then have occurred and, if it had, would probably have been minor in proportions.

## **A LEGIONNAIRE'S REPORT**

The factual portion of this report might well close with a paraphrase of the testimony of a Legionnaire witness who participated in the second parade. His statements are deserving of some comment. He testifies:

"Before the parade the 'Major,' who runs a liquor store in Putnam Valley, gave a speech to us. He told us not to break ranks at any time. At the end of the parade we were ordered to disperse and to go home. The parade started at Oregon Corners and it also dispersed there. We were dispersed over a loudspeaker system. While we were marching it seemed like any other parade to me. I didn't see too much of what was going on because I left about 5:30 and I returned about 8. There was no stoning going on when I left and there was none when I returned. I heard no anti-Semitic remarks. As a matter

of fact, the people in this section are used to living with Jews. There were even a lot of Jews in the crowd. . . . I thought discipline in the veterans' ranks was excellent. I can say that none of the veterans took any part in the stoning and the rioting. That was done by teenagers. . . . There is no reason to believe that these teenagers were led by anybody or were organized. Even from these teenagers I heard no anti-Semitic remarks, or any other anti-race remarks. The most that I heard was shouts made to a busload of Negroes:

“‘Go back to Russia.’”

“I did see a policeman hit by a rock. This was about 4 o'clock. It was the only person I saw hit by a rock. It was opposite the private road to the picnic grounds. The stone came from above. You couldn't tell who had thrown it.”

The witness added a significant statement. He said:

“I thought the police did a wonderful job. They were absolutely impartial.”

The authors of this report feel this statement reveals the type of mind which regards tolerant silence as signifying approval, and considers the prime function of the police to stand impartially by while political minorities are persecuted, maltreated and deprived of their civil rights by rioting majorities.

## **WAS THE STONING PLANNED?**

There is no ground for believing that every man or woman who participated in the rioting had gone to the concert area with that intention. However, there is ample evidence that many of them had exactly that purpose in mind and, with the greatest of care, had planned to that end.

A woman witness holding paid office in one of Peekskill's churches testifies that three independent witnesses, each of whom is willing to testify before responsible federal authorities if called upon to do so, claim that on the morning of Sept. 4th, a car driven by veterans was loading rocks in the area of Shrub Oak Park Colony. The license plate number of this car, she asserts, is 4D267.

Another witness asserts that on the afternoon of Saturday, Sept. 3rd, a carload of young men drew up outside her property and began loading rocks into the luggage compartment.

Another claims that he was not present at the riot and, in fact, was forty miles or so north of the riot area on Sept. 4th. On the morning of the 4th, he stopped to talk with a State Trooper of whom he asked how it happened that he was not on duty, down State,

near Peekskill. The trooper answered that he had been assigned to duty elsewhere in the State and that he was not at all sorry over the fact. The two discussed the general purpose of the "demonstration." The witness was informed that the apparent purpose of the veterans was to take Hillside Avenue by sheer mass, to keep marching and counter-marching and to make it physically impossible for anyone to get to the concert grounds. Asked whether physical violence was publicly threatened, the State Trooper answered:

"I dunno. But somebody told me the whole road was lined with rocks."

When asked who picked the rocks, the trooper answered:

"I don't know—but I hope it's the veterans."

This exchange occurred at approximately noon of the day of the riot, some hours before the concert was scheduled to begin.

A second newspaper witness reports that a mile and a half from the concert ground he saw a station wagon loaded with baskets of rocks on its running board.

The wide extent of the stoning indicates careful planning on the part of some person or persons. It can hardly be coincidence that, as cars with broken windows streamed down the county towards New York, they were met with volleys of stones in community after community through which they passed.

## THE FOSTERING OF JUVENILE DELINQUENCY

An equally important question is whether the participation of teenagers in the rioting was spontaneous delinquency on their own part or was the result of an organized recruiting drive. There is no reason to believe that all, or even a majority, of the teen-agers involved were recruited. Yet not all the youths involved were spontaneously inspired to hoodlumism. Reports have been received of a truck circulating through Peekskill, picking up youths from street corners and bringing them to the riot area.

The *New York Post* of September 7th reported:

"It was David Miller, 16, of 1510 Maple Avenue, Peekskill, who told the story of the recruiting truck driver.

"I had no idea of going out to the concert grounds. As a matter of fact, I was just going in the door of a coffee shop on Park Street, when a truck pulled up in front. The truck was loaded with 20 or 30 other fellows, around my age and a little older. I didn't know any of them, or where they came from. Then the driver yelled at me, hey, get in. I climbed in, and we were driven to the concert grounds.

We all got out and scattered. I met other kids and joined up in a group.'”

There is overwhelming evidence that mature adults circulated among the youths, urging them to continue their stoning, advising them to move down the road, or up the road, or into the bushes, or to go to other spots in order that the ambushes might be kept perfect.

Therefore, one of the most serious aspects of this crime against the peace was that grown men led youngsters of unformed minds into juvenile delinquency bordering upon an attempt to commit murder.

## **TERRORISM AFTER THE SECOND RIOT**

Hollow Brook Country Club is owned by a Mr. Stephen D. Szego, a businessman not in sympathy with the Communist Party. People's Artists, Inc. were unable for a number of days to rent a property on which to stage their second attempt at an outdoor Robeson Concert. Finally, Mr. Szego, for a reported rental of \$700, agreed to rent his meadow.

On Friday night, Sept. 2nd, two days before the concert, at approximately 3 a.m., a car drove slowly past his home. A volley of .22 rifle bullets was fired into the front wall of his house. This shooting was not the first violence or threat of violence to which Mr. Szego had been subject. Upon it being announced that he had rented his land to People's Artists, Inc., he suffered the common telephone threats of arson, increasing in frequency and intensity as the days went by. In his case the threat was carried out. Four separate attempts to set fire to his home were made on two nights.

On Sunday night, Sept. 4th, kerosene-filled bottles were lobbed onto the roof of his house, through one of his windows and against the house side. ACLU investigators have examined the broken windowpane, the roof and the fragments of the bottles; the abortive attempt to start fires is unmistakable. Later that night, a kerosene-filled pan was placed against the house and set in flames. The clapboards did catch fire, the burned area extending from the lower board to the eaves, over an area about ten feet high and three feet in width.

Throughout the following week, Mr. Szego was barraged with threatening phone calls. On one day alone over a hundred such phone calls were received. Ten days later, the number had sunk to about three per day. Simultaneously, he received a number of anonymous threatening postcards which have been handed over to investigative

agents of the U.S. Post Office. One such postcard, examined by the authors of this report, read:

"We want to advice you to get out of hear as soon as possible if you know what is good for you, we don't want Communists around hear." (Sic)

## **ANTI-SEMITISM**

Anti-Semitism was less marked at the second riot than at the first. Negrophobia was also less marked. On the other hand, transcripts made by radio reporters at the second riot record a new and fearsome epithet, "White Niggers," shouted at Jews seen associating with colored people.

The *New York Daily Compass* on Sept. 15th reproduced a photograph of a sticker removed from one of the buses carrying concert-goers. The bus and one house in Peekskill were "plastered" with these stickers which read: "COMMUNISM IS TREASON. BEHIND COMMUNISM STANDS — THE JEW! THEREFORE, FOR MY COUNTRY—AGAINST THE JEWS."

One such sticker is now in the possession of the ACLU. According to the Anti-Defamation League of B'nai B'rith this sticker is identical in color, type-face and border design to similar stickers mailed to this country by Einar Aberg, the Swedish anti-Semite. The investigators are informed that these stickers normally came from Sweden in small lots and are sent out to a haphazard mailing list. They are received along with other anti-Semitic literature, which includes extensive references to the forged Protocols of the Elders' of Zion. A serious question arises as to whether contact has been established by some one in the Peekskill area and Einar Aberg in Sweden or his colleagues, if any, in this country. Alternatively, it should be determined whether these stickers are now being reproduced by the photo-offset process in the U.S.A.

It is not suggested that the Peekskill riots were precipitated by an organized anti-Semitic group. However, the rudiments of organized anti-Semitism — as distinguished from latent anti-Semitism — seem now to have made their appearance in the Peekskill area.

The *Daily Compass* of Thursday, September 15th, reproduced a letter sent out after the first riot, over the signature of Edward James Smythe, Chairman of the "Protestant War Veterans of the United States."

"My dear \_\_\_\_\_

“That was just a picnic, and a forshadow of coming events that you seen in Peekskill, Saturday night.

“You Jews, and we mean you Communistic Jews, have made yourselves obnoxious and offensive to the American people, and you are only using the American Negro as a “Front” in your criminal un-American activities. . . .

“Dewey, under high pressure of the Communist Jews ‘Outlawed’ the Klan in Jew York State, but we are stronger than ever there, and at the moment, we are on a militant campaign for more and additional members, and I can assure you now, that hundreds are coming in every week right there in Westchester County . . . you would be surprised to know just who is joining us, in the fight on Judeo-Communism, some of your highest officials, and big business executives, they have at long last awakened to the dangerous Internal (sic) Jew and his traitorous activities.

“Your Race **KILLED CHRIST** on the Cross, we burn it, as a warning and a symbol to **BEWARE.**”

# A F T E R M A T H

THE NEIGHBORLY relations which once characterized Peekskill have given way to suspicion and distrust and to a new evaluating of persons on the basis of their stand over the implications of the Peekskill riots. Many friendships have become strained; some have turned into enmities. Some cases have come to the attention of the investigators of parents forbidding their children to play with other children of a different national origin. Retaliatory prohibitions have likewise been imposed.

The effects of this rioting have spread beyond Peekskill. It is reported that during the 1949 World Series school children in nearby Harmon, sent up the cry:

"Let's stone the rooters for the Brooklyn Dodgers!"

What the children of Westchester County have, in their homes, heard defended as proper conduct for responsible citizens is wholly at variance with ordinary conceptions of respect for the rights of others. The ordinary safeties have been brought into question. Children have seen that flagrant violation of the law is not necessarily followed by punishment or ostracism.

Yet this is not the sole effect upon Peekskill. The early mood of jubilation has now almost totally evaporated. The braggart placards "Wake Up America. Peekskill Did," have disappeared. A deep questioning has set in. This is mainly because the national press almost unanimously condemned Peekskill's actions.

## NATIONAL REVULSION

The Peekskill rioters apparently believed that no "true American" would disapprove their action. They were sadly mistaken.

The *New York Herald-Tribune* (9-6-49) stated:

"... true Americans must feel deep shame and concern for the quality of citizenship that believes it is defending its country by cat-calls and boos and rocks thrown at passing automobiles. . . ."

The *New York Times* (9-4-49):

"Civil rights are rarely threatened except when those who claim them hold views hateful to the majority."

*New York Sun* (8-29-49):

"The local and county police clearly let the demonstration against the concert degenerate into a riot."



*New York Post* (9-6-49):

"... A mob of hoodlums has run wild . . . proclaiming its contempt for democratic process, inflicting violence on real and alleged Communists and innocent bystanders with fine and frenzied impartiality. . . ."

*Christian Science Monitor* (9-6-49):

"This is the Fascist pattern of violent suppression. The Ku Klux Klan pattern of lynch law. . . ."

*Fort Wayne (Ind.) News Sentinel* (9-15-49):

"Whether or not Mr. Robeson follows the Kremlin manual is of less concern than that Americans shall not forget the First Amendment to the Constitution."

*Des Moines Register* (9-7-49):

"Those who gathered at Peekskill to hear Robeson were entirely within the law in doing so. Those who provoked the violence repudiated the Constitution, the Government and those things which Americans have long prided themselves on—fairness and freedom."

*Baltimore Sun* (9-6-49):

"It is bad enough to know that such scenes could take place in a land presumably enlightened and presumably dedicated to the principles of free assembly and free speech. . . ."

*Milwaukee Journal* (9-6-49):

"There can be no surrender to mob rule and intimidation by force, from any quarter."

*Indianapolis Times* (9-7-49):

"The shameful violence that occurred after the Robeson meeting does not make pretty reading in American newspapers nor in the foreign press."

*Akron (Ohio) Beacon-Journal* (9-12-49):

"... A strange kind of patriotism. . . ."

*Oregonian (Portland)* (8-30-49):

"Violence settles nothing . . . Robeson had a Constitutional right to sing and to express his ideas at a public meeting. . . ."

*St. Louis Post-Dispatch* (8-29-49):

"Veterans' organizations in Westchester County, New York, lowered themselves to the level of the Ku Klux Klan. . . ."

Mr. George M. Craig, National Commander of the American Legion, issued the following statement on Sept. 21, 1949:

"The American Legion believes in the preservation of law and order and does not countenance violence in any situation short of

war. The Legion will not give its official sanction to counter-demonstrations such as those at Peekskill. It prefers to leave pro-Communist demonstrations strictly alone."

The national headquarters of the Jewish War Veterans issued a directive to all units, prohibiting them from "initiating or participating in any public demonstration which poses potential consequence of riot or public disorder."

Yet even despite—or perhaps because—of the failure of this deliberate rioting to bestow leadership and national acclaim upon the anti-libertarians of Peekskill, the Associated Veterans' Council announced after the second riot that it planned a mass "patriotic" demonstration and parade on Sunday, Oct. 2nd. In response, to this obstinate claim to pride in what had occurred, Peekskill's first pronounced reaction against the rioting was expressed on Sept. 15th, through the words of thirteen Protestant and Jewish local clergymen:

"We, the undersigned clergy of Peekskill and surrounding communities, desire to express our attitude toward the recent disturbances at Hollow Brook and the aftermath in the community. . . . Acts of violence have been committed. Lies, malicious rumors about responsible citizens, vilification and inflammatory language about members of our minority races and faiths have been circulated. A vicious example of lawlessness has been held up to the world as our way of life. . . . There is no need to try to convince ourselves or the world that the ugliness is not real or that it is not here . . . we must admit our fault and mistake. Admitting them let us show shame and contrition for these violent and unlawful acts and attitudes. That outward and visible expression be given to this by a day of repentance and prayer in our places of worship on Sunday, Sept. 18th. . . ."

A separate statement was made by the Rev. Joseph Stuhr, Catholic pastor of the Church of Assumption, in which he condemned the use of violence. "Acts of violence are contrary to the teachings of our church and the lawful procedures required by our form of government. While offended sensibilities are understandable they offer no excuse for violence. The use of force solves nothing. Instead it accentuates grievances and promotes discord and disunity."

A not dissimilar statement was later signed by clergymen in Scarsdale, New Rochelle and Mount Vernon.

Under this growing pressure from religious groups, the Associated Veterans' Council found it ill-advised to hold a patriotic mass rally. Eventually, the face-saving device was adopted of merging the proposed "patriotic" demonstration with the traditional Armistice Day Parade which Peekskill holds each Nov. 11th.

The Town Council of Cortlandt, scene of the riots, early in October passed an ordinance requiring permits to be obtained before public meetings could be held. The unconstitutionality of such an ordinance was clearly settled, as the town members of Cortlandt knew, in the American Civil Liberties Union test of the Jersey City ordinance enacted by the then Mayor Frank Hague, in 1937. On the 18th of October, the town of Cortlandt enacted a second ordinance, making it a criminal offense to give a speech or to hold a meeting which is intended to break down law enforcement. The effect of this would be to penalize the sponsors of a meeting if it were attacked by an outside group. Thus, responsibility for the outbreak of violence at the concert would have been the sponsors, even though the attack was made by the inflamed veterans' group.

As Arthur Garfield Hays, general counsel of the ACLU, insisted to the Town Council, such an ordinance was clearly unconstitutional under the Supreme Court's recent decision in the Terminiello case, was simply a club to use against unpopular minorities, and would make such minorities criminal because of what their opponents might do to them. The ACLU immediately announced its intention to bring a test case of both ordinances.

### **INVESTIGATORS' CONCLUSIONS**

A comprehensive and patient investigation of these incidents brings to light one outstanding fact: that the rioters believed they were carrying out a patriotic duty in what they did. They believed that the nation would applaud them and the national press would lend them support. They believed that in denying freedom of speech to a political minority they were following the lead of the federal authorities. The question, then, is why they were led into these mistaken beliefs.

The answer lies in the plain consternation of the average rioter over the nation's reaction. One gains the impression that Peekskill felt the listing of the Communist Party and its front organizations as subversive, the application of loyalty oaths in federal and state employment, the trial of the Communist leaders accused of conspiring to advocate overthrow of the government by force or violence, and the enactment of such laws as the Smith Act in Congress and the Feinberg Law in the New York State Legislature, had placed this particular political minority outside the pale of the law. They felt confident that the nation would applaud them for treating with violence this feared political group. They were wrong. The national

mood was of revulsion. Despite the fear of Communists, leaders of American opinion made clear that under no circumstance would they approve such violence towards them.

In summary the investigators have reached the conclusion that:

1. *There is no evidence whatever of Communist provocation as defined on page 32 on either occasion.*

2. *While the demonstrations were organized to protest against and express hatred of Communism, the unprovoked rioting which resulted was fostered largely by anti-Semitism, growing out of local resentment against the increasing influx of Jewish summer residents from New York. It was heightened by the area's tradition of political violence evidenced in the attacks on the KKK which is now an important part of the local legend.*

3. *The local press bears the main responsibility for inflaming, possibly through sheer irresponsibility, Peekskill residents to a mood of violence.*

4. *Robeson's concerts were not an intrusion into Peekskill but were private gatherings held five miles outside of Peekskill which were disrupted deliberately by invading gangs from nearby localities.*

5. *Terrorism was general against all who advocated freedom of speech, freedom of assembly and preservation of constitutional rights.*

6. *The evidence proves beyond question that the veterans intended to prevent the concerts from being held.*

7. *Effective police protection at the first concert was deliberately withheld.*

8. *Preparations to police the second concert appeared adequate, therefore, there was reason to believe that the concertgoers would be protected.*

9. *These preparations were largely a sham insofar as the Westchester County police were concerned and left the concertgoers undefended.*

10. *The wounding of William Secor, rioting veteran, occurred while he was assisting in the commission of a crime.*

11. *The location of the veterans' parades was deliberately provocative. The county authorities did not insist that the parades be held elsewhere.*

12. *The evidence indicates that at least some of the state troopers honestly tried to preserve law and order while county police fraternized with the rioters.*

13. *There is strong indication that the initial violence was planned and was carried out according to plan.*

14. *Terrorism spread over the whole area and included threats against private individuals, against their safety, lives, property and business.*

15. *National condemnation has been the chief factor causing residents of the Peekskill area to question this action. The local clergy have joined in this denunciation.*

16. *Sentiment in the area is now sharply divided and there is evidence that the legal authorities are moving toward restriction of freedom of speech and assembly, presumably in violation of the Constitution.*





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