

## AND NOW PITTSBURGH

**DROPPING OF** the Smith Act indictment of Steve Nelson and five other Communist leaders in Pittsburgh Friday—on the motion of the government—is further proof that the days of judicial thought-control terror are numbered.

It has not been without struggle—constant struggle by an ever-widening body of Americans, including the Communists (who were the first targets of the terror) in defense of the Bill of Rights.

But that struggle has had its impact. It is clearly visible not only in changing public opinion but in the courts. The Supreme Court decision of last October sending back the Pittsburgh case for a new trial was followed by its June 17 decision acquitting five California defendants and ordering re-trial for nine others.

Then came last Wednesday's significant U.S. Court of Appeals decision in the Second Circuit reversing the Connecticut Smith Act convictions and acquitting the defendants.

And now in Pittsburgh the U.S. Attorney in a precedent-making move himself asks for dismissal of the indictment (clearly, by agreement with the higher powers—that be in the Department of Justice) with this statement:

**"A careful re-examination of this case in the light of recent Supreme Court decisions has led us to conclude that we cannot successfully retry these defendants on the basis of evidence presently available to the Government."**

The Government, of course, never had any true evidence that Steve Nelson and his associates conspired to teach and advocate the forceful overthrow of our Government. All they had was books and a few degenerate FBI-paid stoolpigeons to "interpret" the books and concoct fictions about these courageous defendants. That is all, as a matter of fact, that the Government has ever had—starting with the Dennis case in 1949.

Supreme Court Justice Hugo Black's prophetic confidence in 1951 that in "calmer times" there would be a new look at the Smith Act has been amply justified. With some relaxation of cold war tensions and a deeper popular understanding of the poisonous character of McCarthyism, that new look is under way.

Much damage has already been done our Bill of Rights—and to millions of Americans and not only to communists—by the repressive legislation of the past decade.

It is high time to be done with the whole structure of cold-war repressive legislation. All Smith Act prosecutions should be ended immediately. Smith Act prisoners Gilbert Green, Henry Winston and Irving Potash should be freed immediately, and the civil rights of all Smith Act prisoners restored.