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[Oct. 1976?]

A ~~46~~ 6 Republican Candidates (1963)
 " Congressional Committee
 Ionia County
 Kent County
 Finances

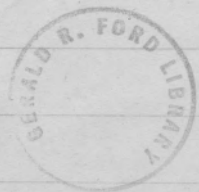
A 7 Republican Michigan
 " National

A 15 Republican Campaign (1964)
 " Cause
 " Congressional Committee

A 16 " 5th District 1964
 " Ionia County
 " Kent County
 Finances

A 30 " Cause 1965
 " Congressional Committee
 " Fifth District
 " Ionia County
 " Kent County

A 31 " Michigan
 ✓ A 32 Shapiro [A 32-25]
 ✓ Shapiro - Shaw [A 32-26]



A 45 Republican Boosters 1966
 A 46 Republican Campaign
 " Cause
 August Primary

A47 Republican Cause

A48 Republican Fifth District
Ionia County
Kent County
- Finances

A67 Republican Boosters

A68 Republican Boosters file 6
Cause

A69 Republican - 5th District

- Kent County ✓ 33+38
Finances
Ionia County 24

A87 Republican Campaign

" Boosters

" Candidates

A89 " Cause

A90 " 5th District

Ionia

Kent

- Finances 50

✓ A98 General (1969)

Misc.

Carlip. - Carter 33



A 110 Republican Boosters
✓ " Candidates
" Cause
" Congressional Committee
✓ " 5th District 56
" Ionia
" Kent

A111 Republican - Michigan
✓ Servaes - Shapiro (A111-28)

A125 ✓ Hall [A125-6]

A131 Republican - Boosters
" - Candidates
Cause

A132 " Cause
Congressional Comm.
5th District
Ionia
Kent
Michigan

A140 ✓ Cahoon - Callis [A140-58]
- check for error

A151 Republican - Boosters
Candidates
Cause
Congressional Comm.
✓ 5th District 30
Ionia
Kent



A169 Republican - Boosters
" Campaign
" Candidates
" Cause
" Congressional Comm.
✓ " 5th District 46

A170 " 5th District
" Ionia
" Kent
" Mich.

A184 ~~5~~ " Cause
" Congressional Comm.
✓ " 5th District 21
" Ionia
" Kent
" Mich.



Monday 10/4/76

4:45 Earlier I had called Robert Warner and read the list of requests for materials you wanted him to send.

He will get them together and send them by air.

They will be leaving from Detroit at 6:20 p.m. on United Flight 752, which will arrive at National airport at 7:32 p.m. We have asked the messengers to pick the package up at the airport -- from the baggage claims desk.

He said to tell you that finances are unimportant, but just to make sure everything is in order, they will bill us for the copies -- same as they bill anyone. There will be a package cost and they will charge mileage to the airport. Will probably cost about \$15-\$25.

It was addressed to Gerald R. Ford -- Attention Philip Buchen.



Call from Warner on 10/4/74
at 12 noon

A 32-20 Nothing

Request A 32-25 A.S to GRF attn. F

April 2, 1965 enclosing draft of speech

Request A 32-26 Ford to S 6/28/65
S to Ford 6/25/65

A 48-30 ^{mixed} 39 page budget of Fifth Dist 66-67

A 48-32 Kent Finance receipts for '66

~~11~~ 31 pages

33 pp 32-59

34 pp. 60-75

35 76-100

36 101-120

A 69-33 1967 budget & tentative for 68

A 69-34 Kent finance receipts '67

35

36

37

38



A 68-6 nothing

A 90-50 receipts 1968

Request { A 98-55 Ford to Corlip 11/25/68
Undated note Corlip to Ford
-ships & enclose N.Y. Times
article of 10/4/69

A 117-28 Nothing

A 125-6 Nothing

A 140-50 Nothing

Request 123-5 Hall to GPF 12/27/68
GPF to Hall 12/30/68

Request 170-52 A Shapiro to GPF 1/30/70

Request 170-53 Toby Hall to GPF 3/31/70
GPF to Hall 4/9/70

Request 170-54 Mass Tel Hall to Ford undated



MEMORANDUM

THE WHITE HOUSE
WASHINGTON

July 18, 1966 - Al Shapiro 11:00 a.m.
Sept. 22, 1966 Al Shapiro 4:30 p.m.
Dec. 20, 1966 10:00 - 12:00 Spoke at Maritime Trades lunch - Statler Hilton


March 7, 1967 - 10:30 a.m. Phil Carlip
April 5, 1967 9:50 a.m. Phil Carlip
April 18, 1967 - 1:30 p.m. Phil Carlip
June 21, 1967 - 11:00 a.m. Spoke at Seafarers Int. - Statler Hilton (Phil Carlip)

Feb. 28, 1968 - 10:30 a.m. Apt. With Al Shapiro but may not have seen him as it
was made tentatively because of Mr. Ford's absence
fm. Wash. until late morning

March 25, 1968 2:00 p.m. Phil Carlip (telephone call)
June 6, 1968 9:30 a.m. Phil Carlip
June 19, 1968 - 10:00 a.m. Phil Carlip

Feb. 27, 1969 - 2:55 p.m. Al Shapiro
Mar. 6, 1969 10:15 a.m. - Phil Carlip
Mar. 31, 1969 - 11:30 a.m. Phil Carlip
July 29, 1969 - 11:00 a.m. Spoke to Seafarers Int. - Statler Hilton
Mar. 24, 1970 - 11:30 a.m. Leon Shapiro
July 1, 1970 11:00 a.m. Spoke to Maritime Trades U. 2000 L St., N. W.

May 6, 1971 9:45 a.m. Phil Carlip
June 21, 1971 11:00 Spoke to Seafarers - Statler Hilton
Dec. 8, 1971 12:30 p.m. Spoke to Seafarers - 2000 L St., N. W.



MEMORANDUM

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Jan. 19, 1972 9:30 a.m. Phil Carlip

July 26, 1972 10:15 a.m. Phil Carlip

Mar. 28, 1973 11:30 a.m. Avery(?) Shapiro and Mr. Von Conrad

Nov. 27, 1973 - Spoke to Seafarers Conv. - Statler Hilton



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THE WHITE HOUSE

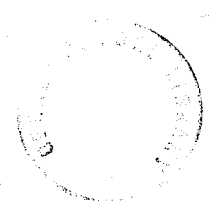
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1/26

PWB-

This is the matter
we discussed

Bain

1. Between 1968 and 1973 the AFL Maritime Trade sponsored Wednesday afternoon cocktail luncheons at which various congressmen spoke. Was Gerald Ford one of them? How many times did he speak? How much money did he receive for each speech? Did he list these fees on his IRS report? Did he write his own speeches on each occasion or were they written by the Union?
2. Did the President receive contributions from an illegal fund set up by Seafarers International Union in 1962? According to a Justice Department indictment against the Union and its officials which was delivered in 1970 certain congressmen received a total of \$750,000 from that fund between 1964 and 1968. Was Gerald Ford one of them?
3. In 1970 President Ford was named as one of those who received illegal contributions from American President Lines and Pacific Far East Lines. Can you confirm that the President did in fact receive such contributions? Did the President have those contributions delivered to him in the form of checks in person? Was he aware that the contributions were illegal?

The News 10:00 p. m.
Metromedia
WNEW-TV - New York
WTTG-TV - Washington

Stanley Pinsley
Mark Monsky

212-535-1197 or 212-535-1000 x426

A. Never knowingly accepted illegal
campaign contributions

B. Honoraria ^{always} reported on ^{tax} returns

C. Available records on campaigns were

D. provided at confirmation process
^{would make inquiries on this matter}

~~D. Will check tax returns to see if
honoraria which may be included~~

1:10 p. m.



Carl Feldbaum

18. USC 371

602 et seq.

701

703

~~1510~~

1503

LIBRARY

Senate Armed Services

CIA

Senate Appropriations
Intelligence Operations

House AJO

Defense Subcommittee * (Mohr)

House Armed Services

CIA Subcommittee

[4] Insofar as we can analogize the facts and considerations operative in this case to those of *Drown*, we are satisfied that its precedent supports the position of the Bicentennial Corp. that no administrative hearing was constitutionally required. While Leslie received no formal hearing, on at least two occasions she received informal hearings with McLean and on one occasion with Supplee, at which time she was informed of the reasons for her demotion and dismissal. Moreover, she obtained a prompt judicial hearing, at which her claimed constitutional deprivations have been fully aired and determined. An administrative hearing would have been no less time-consuming and inconvenient to both Leslie and the Board and would have delayed the (inevitable) lawsuit.

However, even if *Drown* was incorrectly decided, we do not believe that Leslie was entitled to a formal administrative hearing. It is, in fact, difficult to conceive of just what type of independent administrative hearing could have been afforded to Leslie within the framework of the Bicentennial Corp. The Bicentennial Corp., as we have noted, exists for a single purpose and will dissolve when that purpose is completed. The Bicentennial Corp. staff is small, and there is no structure within its organizational setup which appears suitable for the hearing procedure. In our view, the appropriate means of resolving her dispute was in the fashion that it has been resolved—in this proceeding.⁷

IV. CONCLUSION

Having balanced the interests of the parties, and having considered Leslie's penultimate and ultimate meetings with McLean and Supplee, we have been lead to the conclusion that a formal administrative hearing was not required in these circumstances. Having considered the

We note, too, that Leslie never requested a hearing. Her attorney did, by letter to Bicentennial Corp. counsel, but only

nature of Leslie's job and the circumstances under which she was dismissed, we have concluded that her discharge was justified under the applicable constitutional principles.



UNITED STATES of America
 v.
 SEAFARERS INTERNATIONAL UNION
 OF NORTH AMERICA et al.,
 Defendants.
 No. 70-CR-428.

United States District Court,
 E. D. New York.
 May 25, 1972.

Prosecution of union and union officials for violation of Federal Corrupt Practices Law. On motion to dismiss indictment, the District Court, Costantino, J., held that government responses to pretrial disclosure orders failed to comply with orders, in that composition of special political action fund was not disclosed, circumstances of contributions to fund were not disclosed, and alleged overt acts were not disclosed, warranting dismissal of indictment; and that where there was 23-month delay between indictment and trial, delay was attributable to government's refusal to properly respond to discovery requests by defendants, delay was designed by government to achieve tactical advantage, death of principal defendant during period of delay prejudiced defendants in preparation for trial, and there was no waiver of right to speedy trial, defendants were denied constitutional right to speedy trial.

Indictment dismissed.

as he was in the course of filing the instant lawsuit.



1. Indictment and Information ¶144

Government responses in prosecution of union and union officials for alleged violations of Federal Corrupt Practices Act to pretrial disclosure orders failed to comply with orders, in that composition of special political action fund was not disclosed, circumstances of contributions to fund were not disclosed, and alleged overt acts were not disclosed, warranting dismissal of indictment. 18 U.S.C.A. § 610; Fed.Rules Crim.Proc. rules 7(f), 16, 17, 18 U.S.C.A.

2. Indictment and Information ¶121(5)

Conglomeration into one bill of particulars of earlier unsatisfactory responses to disclosure orders could not save indictment from dismissal.

3. Constitutional Law ¶268(4)**Criminal Law** ¶573

In passing on motion to dismiss indictment because of denial of speedy trial or due process, court must examine length of delay, reason for delay, prejudice to defendant, and waiver of speedy trial; however, as alternative to determining whether there has been prejudice to defendant, court may determine whether there has been purposeful and oppressive government conduct. U.S.C.A. Const. Amends. 5, 6.

4. Constitutional Law ¶268(4)

Delay violating speedy trial provisions of Sixth Amendment can be so prejudicial that it also violates due process clause of Fifth Amendment. U.S.C.A. Const. Amends. 5, 6.

5. Criminal Law ¶573

Where there was 23-month delay between indictment and trial, delay was attributable to government's refusal to properly respond to discovery requests by defendants, delay was designed by government to achieve tactical advantage, death of principal defendant during period of delay prejudiced defendants in preparation for trial, and there was no waiver of right to speedy trial, defendants were denied constitutional right to speedy trial. U.S.C.A. Const. Amend. 6.

6. Criminal Law ¶576(8)

In view of government's failure to file adequate bill of particulars as ordered by court, failure of defendants to move for speedy trial did not waive right to complain of want of speedy trial.

7. Criminal Law ¶573

Prosecution had burden of moving case forward.

8. Criminal Law ¶576(1)

Defendants who established denial of speedy trial were entitled to invoke rule relating to dismissal of indictment for unnecessary delay. Fed.Rules Crim.Proc. rule 48(b), 18 U.S.C.A.

9. Criminal Law ¶576(1)

Motion under rule relating to dismissal of indictment for unnecessary delay is addressed to sound discretion of court. Fed.Rules Crim.Proc. rule 48(b), 18 U.S.C.A.

Robert A. Morse, Esq., U. S. Atty., E. D. N. Y., Brooklyn, N. Y., by Edgar N. Brown, Gregory Jones, John E. Clark, Special Attys., Dept. of Justice, Criminal Div., Washington, D. C., and Gavin Scotti, Brooklyn, N. Y., for United States

Schulman, Abarbanel, Perkel & McEvoy, by Howard Schulman, and Andrew T. McEvoy, New York City, for defendant Seafarers International Union.

Rosner & Rosner, by Jonathan L. Rosner, New York City, for defendants Paul and Frank Drozak.

Goldstein, Shames & Hyde, by Edward Brodsky, New York City, for defendant Al Kerr.

Davis, Polk & Wardwell, by Lawrence E. Walsh, Michael W. Leisure, Richard J. Hoskins, and Richard L. Grimwade, New York City, for defendants Paul Hall and Earl Shepard.

Abraham Brodsky, New York City, for defendants Philip Carlip and Joseph DiGiorgio.

MEMORANDUM OPINION

*Failure to Comply with Pretrial
Disclosure Orders*

COSTANTINO, District Judge.

By way of an indictment filed in this court on June 30, 1970, the Government charges that the Executive Board of the Seafarers International Union met on August 27, 1962 to create a special political action fund—Seafarers Political Activity Donation (SPAD). The Government further charges that SPAD was nothing more than a device used by the union to conceal unlawful political contributions.¹ In furtherance of the conspiracy, the Government alleges that the defendants, through SPAD, received contributions from seamen scattered throughout the world and made unlawful political contributions totaling more than \$750,000 in connection with federal elections in the years 1964 through 1968.²

Now, ten years after the alleged beginning of the conspiracy and four years after the last wrongful act charged in the indictment, the defendants move for dismissal. Basically, the defendants set forth two grounds for dismissal—failure of the Government to comply with the pretrial orders of this court and for want of a speedy trial. In order to conserve judicial time and energy, the court will rule on both branches of this motion in bar.

The substantive wrongs charged by the Government in this 17-count indictment involve violations of the Federal Corrupt Practices Act, 18 U.S.C. § 610 (1970), which provides in pertinent part: It is unlawful for any . . . labor organization to make a contribution or expenditure in connection with any election at which Presidential and Vice Presidential electors or a Senator or Representative in, or a Delegate or Resident Commissioner to Congress are to be voted for, or in connection with any primary election or political convention or caucus held to select candidates for any of the foregoing offices, or for any candidate, political committee, or other person to accept or receive any contribution prohibited by this section.

² The substantive counts of the indictment deal specifically with SPAD con-

[1] As the court and parties know all too well, this criminal prosecution has been the subject of lengthy pretrial proceedings before two judges of this court.³ These proceedings have resulted in orders granting most of the defendants' requests under rules 7(f), 16 and 17 and providing them with information that they, as well as the court believed to be essential to informing them of the crime with which they are being charged in addition to providing information necessary to defense preparation. In moving dismissal, the defendants argue that the Government has disregarded the orders of this court by supplying answers that are partially incomplete and at times at variance with each other.⁴ The Government, on the other hand, contends that even though some of the court's orders went beyond what the Government believed case law required, it, nevertheless, has complied in good faith and to the best of its ability. Further, the Government suggests the defendants' objections are little more than challenges to the quantum and quality of the evidence the Government will educe at trial rather than being valid objections to the Government's compliance with the court's orders. After listening to the oral argu-

tributions to the Republican Congressional Campaign Committee and the Humphrey-Muskie Campaign Committee in 1968.

3. Since the second branch of the defendants' motion—dismissal on grounds of oppressive and prejudicial delay—requires a discussion of the pretrial stage of this litigation, rather than duplicating that effort here, the discussion has been included in a later and more appropriate place in the opinion.
4. The defendants do not complain that all the answers to their discovery and bill of particulars motions were unsatisfactory. They do argue, however, that the nonresponsive answers of which they complain involved areas critical to the defense.



ments of very able counsel and upon re-reading the voluminous record, the court must grant this branch of the defendants' motion.

At the December 15, 1971 hearing on the defendants' pretrial motion and in a written order filed by the court on January 25, 1972, the Government was directed and redirected on March 23, 1972 to provide answers to bill of particulars requests designated as I-A, I-B, I-C, III-B, III-C, III-G(ii), III-I(ii)-(v) and III-M. These requests were designed to inform the defendants of: (1) the composition of the SPAD fund; (2) the circumstances surrounding contributions to SPAD, and (3) overt acts not listed in the indictment upon which the Government intended to offer proof on trial. After examining the Government's responses in each of these three topic headings, noncompliance is manifest.

*Composition of the Fund*⁵

At the outset, the Government theorized that SPAD was merely the alter ego of the union itself. See Indictment Count 17. Consequently, from the Government's viewpoint, it served no purpose to categorize the type of monies collected in the fund since any act of SPAD would in itself be deemed an act of the union, and, therefore, be proscribed by the statute. See note 1 *supra*. Later, during an informal hearing before Judge Bartels, the Government stated it was not certain who had contributed to the fund but refused, in any case, to categorize the type of monies in the fund. On December 15, 1971 this court directed the Government to furnish in a bill of particulars information concerning the fund's composition. A response came on February 10, 1972 and consisted of two representations by the Government: first, it had no information other than that which it learned from the union's cash receipts and, second, that it did not allege "other monies collected from members of the Union" or "other monies collected from

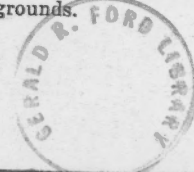
persons required to pay or tender Union membership obligations" to be sources of SPAD fund monies. Then, after being redirected by the court to respond, on April 24, 1972, the Government answered that some of the money in the fund came from dues, union assessments, fines, penalties, "other monies collected from members" and "other monies collected from persons required to tender or pay union membership obligations," with the bulk of the fund coming from involuntary contributions. Moreover, the Government claimed it had no data on what portion of the fund was attributable to each of the categories nor did it explain its inclusion 22 months after the filing of the indictment of two categories of sources that were specifically excluded 20 months after filing the indictment.

Again responding, though still offering no explanation for expanding its list of alleged sources, the Government reaffirmed its inability to provide information concerning the amount of monies collected annually on a category basis. The Government, instead, continued to rely on a chart it furnished showing for the years 1966-1968 the source and amount of SPAD receipts for each union membership classification. The Government also noted the prior disclosure of its position on the voluntariness or involuntariness of SPAD contributions as keyed to the various union membership classes.

In light of these arguments, the court has no choice but to find inexplicable inconsistencies in the Government's responses. Further, the court finds the Government's failure to state the amount of monies attributable to each alleged category is in itself noncompliance with the court's order. Obviously, for the Government to state in good faith that some of the monies in the fund were attributable to each category directly implies that, at bare minimum, the Government must have information to show at least one contribution for each category in at least one of the years covered by the

5. Information concerning the fund's composition was required by the defendants not only to enable them to prepare for a

trial but also to enable them, if the facts warranted, to move for dismissal on constitutional grounds.



indictment. Yet, the Government professes it has no data that will provide this information. Clearly, contradictory responses cannot even be raised to the level of colorable compliance. Thus, on the issue of fund composition, the Government has failed to comply with the court's pretrial orders.

Contributions to SPAD ⁶

With respect to contributions deposited in the SPAD account chargeable to other monies collected from members of the union as well as from persons required to pay or tender union membership obligations, the court directed the Government to particularize the circumstances under which these monies were collected. In its original February 1972 response, the Government did not furnish these particulars because it represented that it did not allege either of these categories to be sources of SPAD funds. Changing its position two months later, the Government referred the defendants to a computer printout from the union's electronic data tapes.

The Government argues that the computer printouts provide the defendants with a complete and informative record of each transaction resulting in a contribution to the SPAD account—name of the seaman, his book number and membership classification, the port of pay-

Especially since the Government's case must succeed or fail with its ability to show the involuntariness of contributions to SPAD and considering the *minimum* lapse of four years between the time of contribution to SPAD and the time of trial, the defendants' need for specifically, of circumstances is almost self-evident. The fact that none of the individual defendants were present at the time contributions were made only serves to reinforce the argument supporting the Court's order to disclose such information to each of

in this regard, the Government furnished printouts covering almost 400 transactions purporting to represent SPAD collections in various American and Far Eastern seaports. Yet, these printouts do not specify for the defendants which

ment together with the amount of payment and the identity of the port agent, in addition to the receipt number of the payment. Further, the Government notes, it attached explanations of the port and port agent codes utilized in the printouts. Arguing on a different plane, the Government also contends the defendants' reliance here on language used by this court in its memorandum and order of March 30, 1972 is misplaced. The Government points out that the language used by the court related to request III-M concerning overt acts rather than relating to requests dealing with the circumstances surrounding contributions to SPAD.

The Government's response fails to comply with the orders of this court. Its response particularized neither the conversations nor the circumstances surrounding contributions made to the SPAD account. Though the Government is correct in stating that the language quoted from the court's memorandum and order dealt specifically with request III-M, it is also unquestionable that the court on that point was dealing with the very nature of the computer printout data. Surely information the court expressly found not in compliance with a direction to give the circumstances involved in one type of transaction cannot be held to be compliance with a similar order respecting other transactions.⁷

individuals were coerced into contributing, to whom, when and where they gave the contributions nor does it specify the conversations and circumstances at the time the contributions were made. See *Memorandum and Order* of March 30, 1972, at 13. The printouts, for example, do not distinguish among Far Eastern ports nor do they inform the defendants of what the port agents said or did to obtain a contribution from a seaman nor does it reveal the seaman's response, nor the absence or presence of other people at the time of the contribution. Moreover, it must be called to mind again that nowhere is it alleged that any of the individual defendants collected or even witnessed any of the transactions listed by the Government. Furthermore, even the union, acting through these individual defendants, is without knowledge concern-



*Overt Acts*⁸

The history of the Government's responses on this order are similar to its responses on the two previous orders. After the Government was directed to furnish the overt acts upon which it intended to rely, it turned over to the defendants a carton of computer printouts containing approximately 24,000 names and recording approximately 76,000 transactions resulting in contributions to SPAD. Additionally, the Government set forth eight alleged transactions with paraphrases of the conversations at the time of the transactions. When the court specifically held these responses not to be in compliance with the court's prior order, the Government pared its list to 14 pages of computer data involving 120 different seamen. The Government also increased from eight to 22 the number of transactions covered in nonprintout form.⁹ These changes, however, do not affect the basic nature of the original response; a response held not to be in compliance with the court's orders. But, more importantly, this court warned in its March 30, 1972 memorandum and order that it would not be sufficient merely to reduce the number of transactions alleged to be overt acts. The court suggested to the Government then that it select a smaller number of transactions from the 76,000 and give the required information as to each of them. The Government cannot now expect the court to find anything less than that to be in compliance. Accordingly, the court must also find noncompliance as to this bill of particulars request.

[2] Because of the Government's repeated failure to furnish the essential particulars that would comply adequately with the orders of this court, the court

ing the circumstances surrounding these transactions. This information is essential to defense preparation. As this court noted in its last memorandum and order, *id.* at 14, if at this late date the Government has no information about specific transactions upon which it presently intends to offer evidence at trial, clearly, the defendants' right of confrontation cannot be secured.

must grant the relief that it indicated it would grant pursuant to the terms of the March 30, 1972 memorandum and order. The mere conglomeration into one bill of particulars of earlier unsatisfactory responses—responses that failed to provide the defendants with information so vital to defense preparation—cannot now suffice to save the prosecution. *United States v. Armco Steel Corp.*, 255 F.Supp. 841 (S.D. Cal. 1966). Consequently, this branch of the defendants' motion to dismiss must be granted. See 1 C. Wright, *Federal Rules of Criminal Procedure* § 130, at 295 (1969); cf. *United States v. Nardolillo*, 252 F.2d 755, 757 (1st Cir. 1958) (Government's refusal to turn over information).

Purposeful and Prejudicial Delay

On this branch of their motion the defendants seek dismissal of the indictment on the grounds that the conduct of the prosecution has resulted in delay depriving the defendants of rights secured to them by the fifth and sixth amendments to the Constitution, rule 48 of the rules of criminal procedure and by the rules promulgated by the Second Circuit to insure the prompt disposition of criminal cases. Thus, since this branch of the motion calls into question the Government's conduct during pretrial proceedings in this case, the court must first set forth the history of those proceedings.

In September 1970, after the defendants had been arraigned, one of the defense counsel met with Government attorneys for the purpose of narrowing some of the issues presented by the indictment. At that conference, counsel attempted to arrive at an understanding of the Government's definition of "union

8. See *Memorandum and Order of January 25, 1972*.

9. These transactions were given in response to bill of particulars request III-I-(iv)-(v) which the Government incorporated by reference into its response to request III-M.



funds," a critical term used in the indictment. The Government took the position then that all funds collected by representatives of the union, regardless of the voluntariness or involuntariness of such contributions, were included in the Government's definition of "union funds." Yet, despite the critical nature of this definition and despite a defense request to reduce this information to writing, on the day following the conference the Government refused to state in writing what it had told defense counsel orally at the conference.

A month later, Judge Bartels placed this case on his calendar for an informal conference. Prior to the conference, defense counsel forwarded to Judge Bartels and the Government a memorandum that outlined matters on which the defense requested pretrial disclosure. After hearing counsel, Judge Bartels directed the defendants to mail to the Government within two weeks a questionnaire designed to simplify the issues in the case. Seeking the Government's position as to the nature of SPAD and of the political contributions made by seamen, on November 6, 1970, the defendants forwarded their questionnaire to the Government. On December 15, 1970, the Government responded by mailing to defense counsel copies of the opinions delivered by the judges of the Eighth Circuit in *United States v. Pipefitters Local Union No. 562*, 434 F.2d 1116 (8th Cir.), *aff'd en banc*, 434 F.2d 1127 (8th Cir. 1970), cert. granted, 402 U.S. 994, 91 S.Ct. 2168, 29 L.Ed.2d 160 (1971) (Renumbered No. 70-74, 1971 Term)—a case the Government contends is virtually identical to the instant prosecution. (Until May 25, 1971, the forwarding of copies of the Eighth Circuit opinions was to be the sole Government response to the questionnaire propounded at the court's direction.) In light of the Government's

unresponsive answer, in January 1971 the defendants sought an order compelling answers to the inquiries contained in their questionnaire. On February 1, 1971, in its next communication with Judge Bartels, the Government sought a trial date. The defendants immediately made Judge Bartels aware of the Government's continuing unwillingness to provide the defendants with necessary pretrial disclosure and renewed their request to settle an order directing the Government to answer the questionnaire. Judge Bartels decided, however, to make another attempt at obtaining pretrial disclosure, setting the case down for a second informal hearing on May 14, 1971.

It is clear from the minutes of the hearing that Judge Bartels had a twofold purpose in summoning the parties before the court: (1) obviate the need for filing motion papers and (2) furnish the defendants with the information they were entitled to receive. Minutes of Hearing, May 14, 1971, at 4. The minutes of the hearing also reveal that Judge Bartels placed the Government on notice it would have to inform the defendants of the nature and composition of the fund, *id.* at 9, as well as the status of contributions to SPAD and to define the term "involuntary contribution," *id.* at 11-16, & *passim*. As the hearing wore on, Judge Bartels directed the defendants to review the minutes of the hearing and make a "motion for the residue [of information] that you didn't receive." *Id.* at 62. In addition, Judge Bartels directed that if any motions were to be made that they be served by June 30, 1971 and be returnable on July 8, 1971. *Id.* at 71. Complying with the court's direction, on June 29, 1971, the defendants served the Government and filed with Judge Bartels a comprehensive set of motion papers returnable on July 8, 1971.¹⁰ Meanwhile, on May 25, 1971, the

is attributable to the continuing practice of the defendants to deliver papers directly to chambers rather than filing them in the clerk's office. In order to resolve any doubt on this point, the court finds as a matter of fact that the papers were filed and served on June 29, 1971.

10. The Government points out that a docket entry made by a deputy clerk of the court supports a finding that the defendants' motion papers were filed on July 9, 1971. The affidavit of service reveals, however, that the papers were served on June 29, 1971. The discrepancy in dates



Government furnished its response to the questionnaire propounded on November 6, 1970. Contrary to the intent of Judge Bartels as manifested at the informal hearing 11 days earlier, however, the Government refused to answer almost all the inquiries directed at the nature and composition of the SPAD fund. Unquestionably, the need of proceeding by way of formal motion had not been diminished because of the Government's response.

Disregarding Judge Bartels' order of May 14, 1971, the Government served and filed its answering papers on July 16, 1971. Judge Bartels, however, was no longer available to entertain the motion. Two weeks later, on July 30, 1971, with the consent of this court and Judge Bartels, the case was formally reassigned pursuant to Rule 4, Individual Assignment and Calendar Rules, E.D.N.Y. By its letter of August 25, 1971, the Government then advised this court of the status of the prosecution. After informing the court of their pending motion, the defendants filed, in September, a reply affidavit to the Government's answering papers. The next communication with the court by either side came by way of a letter to the court from the Government in November 1971 requesting a conference to fix a date for trial. The court fixed December 8, 1971 as the date for the conference. From the date the Government "responded" to the questionnaire sent it by the defendants until the date set for the first conference with this court, the Government had not furnished the defendants any additional information.

Because the December 8, 1971 conference was set down by the court at the Government's request to fix a date for trial, the court, of course, assumed that the Government at least would be ready to do all that was necessary to clear the way for trial. Nevertheless, at the very outset of the conference, the Government informed the court it was not prepared to talk about the single, greatest roadblock to trial—the motion filed by the defendants over five months earlier. See Minutes of Hearing, December 8, 1971,

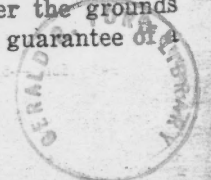
at 3. The Government then suggested the parties again try through informal meetings of counsel to voluntarily resolve their differences concerning the pending motion. When this procedure ended in failure, the motion was formally submitted to the court for decision.

At a second conference held on December 15, 1971, the court ruled on almost all of the requests contained in the defendants' omnibus discovery motion. The remaining request was disposed of in a memorandum and order filed by the court on January 25, 1972. As a result of the court's oral and written rulings most of the defendants' requests for particulars dealing with the nature of contributions to the SPAD fund and for other acts not contained in the indictment which the Government alleged violated the Federal Corrupt Practices Act were granted.

In response to the court's order to file a bill of particulars, the Government filed several pages of information expanding on the allegations of the indictment. On February 25, 1972 the Government filed another supplemental "bill of particulars"—a carton box containing an estimated 2000 pages of computer printout data covering *all* SPAD contributions, regardless of their voluntary or involuntary nature, from the 24,000 contributors to SPAD during the years 1966 through 1968. Accompanying the box of computer data was a representation by the Government that the data contained details of all the overt acts upon which the Government intended to rely. In the court's memorandum and order of March 30, 1972, the Government's responses were held not to be in compliance with the prior rulings of the court. Despite the court's redirection to furnish a proper bill of particulars, however, as the court has ruled today, the Government still has not complied and the delay in prosecution continues.

Argument on Constitutional Grounds

[3-5] In passing upon a motion seeking dismissal of an indictment for want of a speedy trial, whether the grounds be the sixth amendment's guarantee of a



speedy trial or whether it is asserted that the delay in prosecution assumes the proportions of a denial of due process under the fifth amendment, the court must examine four factors: (1) length of the delay; (2) reason for the delay; (3) prejudice to the defendant, and (4) waiver of a speedy trial. United States ex rel. Solomon v. Mancusi, 412 F.2d 88 (2d Cir.), cert. denied, 396 U.S. 936, 90 S.Ct. 269, 24 L.Ed.2d 236 (1969); United States v. Simmons, 338 F.2d 804 (2d Cir. 1964), cert. denied, 380 U.S. 983, 85 S.Ct. 1352, 14 L.Ed.2d 276 (1965); United States ex rel. Von Cseh v. Fay, 313 F.2d 620 (2d Cir. 1963).¹¹ Case law, however, also recognizes an alternative to the third part of this four-fold test. A claim of deprivation of the right to a speedy trial can be sustained if the defendant can make a showing of purposeful and oppressive Government conduct as an alternative to a showing of prejudice to the defendant. See, e. g., United States v. Dooling, 406 F.2d 192 (2d Cir.), cert. denied, 395 U.S. 911, 89 S.Ct. 1744, 23 L.Ed.2d 224 (1969); United States v. Pinero, 329 F.Supp. 992 (S.D.N.Y. 1971). Thus, the defendants argue that under either version of the test adopted by the Second Circuit their motion must be granted.

Length of Delay

The first link in the chain of illegal acts alleged by the Government in this indictment was forged in 1962 when the union's executive board created the SPAD fund. The chain of acts violating the Federal Corrupt Practices Act was completed, according to the indictment, when SPAD made contributions in 1968 to both Republican and Democratic campaign committees, with the knowledge that those funds would be used in federal election campaigns. Between 1962

and 1968 came the vast number of contributions by seamen that filled the coffers of the SPAD fund. The summer of 1968 marked the beginning of both a congressional and Justice Department investigation of SPAD operations. The congressional investigation produced no action; the Justice Department investigation, on the last day in the life of an 18-month grand jury and almost eight years after the creation of SPAD, produced this indictment. Under the test to be applied in deciding this branch of the motion, however, none of these pre-indictment events are includable in computing the length of delay. United States v. Marion, 404 U.S. 307, 92 S.Ct. 455, 30 L.Ed.2d 468 (1971). Given the stage of the proceedings at which the defendants made their motion, only post-indictment delay is attackable.

Today, 11 days before the date set for trial, the time lapse computed from the filing of the indictment stands at almost 23 months. Clearly, while the delay here is not as shocking to the conscience as delays in some of the other cases in which similar motions have been granted, see, e. g., United States v. Mann, 291 F.Supp. 268 (S.D.N.Y. 1968) (nine-year delay), neither is the delay so minimal that the defendants' motion must be denied without considering the remaining three factors of the Second Circuit test, cf. United States ex rel. Solomon v. Mancusi, 412 F.2d 88, 90 (2d Cir.), cert. denied, 396 U.S. 936, 90 S.Ct. 269, 24 L.Ed.2d 236 (1969). This type of motion does not merely test the passage of time. See United States v. Ewell, 383 U.S. 116, 86 S.Ct. 773, 15 L.Ed.2d 627 (1966); but see United States v. Lustman, 258 F.2d 475 (2d Cir.), cert. denied 358 U.S. 880, 79 S.Ct. 118, 3 L.Ed.2d 109 (1958) (leaving open the possibility that passage of time can be a *per se*

11. These Second Circuit cases indicate that due to the close interrelationship between the right to a speedy trial and the right to due process the court must review the same four factors in determining whether the delay has deprived a defendant of either of the two constitutional guarantees. Unquestionably, a delay violating

the speedy trial provisions of the sixth amendment can be so prejudicial that it also violates the due process clause of the fifth amendment. See United States v. Capaldo, 402 F.2d 821 (2d Cir. 1968), cert. denied 394 U.S. 989, 89 S.Ct. 1476, 22 L.Ed.2d 764 (1969).



violation of the due process clause). Accordingly, the court finds that the delay of 23 months in this prosecution is sufficiently long that, assuming the remaining factors preponderate in the defendants' favor, dismissal is warranted.

Reasons for Delay

The Government has adopted a two-pronged position on this issue: (1) delay has not occurred and (2) if the court finds delay, then it must also find that delay is directly attributable to the actions of the defendants. Reply to Defendants' Motion to Dismiss, filed March 23, 1972, at 4. The defendants argue, however, that the delay in this prosecution has been caused by the Government's refusal to properly respond to their discovery requests. The defendants contend further that this course of conduct embarked upon by the Government has been designed by the Government to achieve a tactical advantage. Consequently, if the defendants can sustain their argument, they will not only be successful on the second part of the Second Circuit test but the third part of the alternative version as well. The court finds the defendants have sustained their argument.

From the history of these proceedings it is evident that the Government has continuously sought what it termed an early but realistic trial date. On all occasions, both this court and Judge Bartels expressed a willingness to accede to the Government's request. In fact,

in December 1971 this court set a firm date for trial—June 5, 1972. Yet, concomitant to moving a criminal cause to trial, an obligation arises on the part of the Government to forward to the defendants appropriate pretrial disclosure information.¹² With this in mind, as the minutes of the December 15, 1971 hearing attest, the court established a timetable for pretrial disclosure leading up to the June 1972 trial date. Quite simply, however, the Government has not complied with this portion of their obligation. Because of the Government's non-compliance, the defendants find themselves caught in the squeeze between early trial and adequate preparation.

The Government's failure to meet its pretrial disclosure obligations, see note 12 *supra*, has been a continuing one—failure to respond to the October 1970 questionnaire; failure to file a timely response to the defendants' discovery motions; failure to comply with this court's rulings on those motions. The May 1, 1972 hearing on the defendants' motion to dismiss is typical of the Government's failure to meet their pretrial obligations, e. g., in the early stages of this litigation, at the direction of the court and, at least once by request of the Government, counsel attempted through informal means to secure information the Government was obligated to give, yet, the Government, in explaining its failure to disclose any essential information until January 1972, relied on the absence of an order directing disclosure.¹³

12. Especially in this type of multi-defendant case alleging a continuing conspiracy that commenced almost 10 years ago, and presenting a myriad of complex legal questions and raising the spectre of vastly protracted litigation, the Government must accept its burden—narrow the triable issues and provide the defendants with essential pretrial disclosure. As Judge Marovitz noted in *United States v. Tanner*, 279 F.Supp. 457, 478 (N.D. Ill. 1967) (arson and bomb conspiracy):

[I]t is obvious that the Court has expended much needless time in providing particulars to the defense Even in a situation where 82 separate requests are included in a motion for a

bill of particulars, the Government has the duty to proffer those which are proper and appropriate, rather than being content to argue that the bill seeks a mass of evidentiary material, and shifting the burden to the court to sift the wheat from the chaff.

13. Mr. Brown—

I would like to point out, though, that the first time that we had an order requiring the Government to produce anything was a year and a half after the indictment Minutes of Hearing, May 1, 1972, at 42 (emphasis added).



Cite as 343 F.Supp. 779 (1972)

Regardless whether the Government's all-out resistance to pretrial disclosure has exemplified good faith or bad faith, the Government has made "a deliberate choice for a supposed advantage" and the consequent delay has caused as much "damage to the defendant[s] as it would have caused if it had been made in bad faith." *In re Provoo*, 17 F.R.D. 183, 202 (D.Md.), *aff'd per curiam*, 350 U.S. 857, 76 S.Ct. 101, 100 L.Ed. 761 (1955).

Accordingly, the court finds that the Government has chosen to embark on a course of purposeful conduct designed to secure a tactical advantage, resisting both suggestions and orders of two judges of the court to furnish the defendants with requisite pretrial disclosure while, simultaneously, demanding an early trial date. This choice of the Government seeking unfair advantage over the defendants has resulted in the current and continuing delay in the prosecution. Assuming the absence of waiver of the right to a speedy trial, then, under the alternative version of the Second Circuit test, dismissal is warranted. See *United States v. Dooling*, 406 F.2d 192 (2d Cir.), *cert. denied*, 395 U.S. 911, 89 S.Ct. 1744, 23 L.Ed.2d 224 (1969); *United States v. Pinero*, 329 F.Supp. 992, 994 (S.D.N.Y. 1971); *cf. United States v. Blaustein*, 325 F.Supp. 233, 238 (S.D.N.Y. 1971); *United States v. Blanca Perez*, 310 F.Supp. 550, 551 (S.D.N.Y. 1970) (*prima facie* prejudice).

Prejudice

Though this court has already ruled that the Government's refusal to particularize its charges is in itself a violation of the right to a speedy trial, the court also finds the Government's failure to comply with the order to disclose information essential to the defense has seriously prejudiced the defendants' ability

to prepare to meet the charges lodged against them. Because of the Government's failure to disclose this essential information, the defendants will be unable to investigate adequately the transactions concerning which the Government has indicated its intent to offer evidence on trial. Absent such investigation, the defendants will be prevented from effectively cross-examining the Government's witnesses, nor will they be able to locate, interview and procure the attendance at trial of any rebuttal witnesses who might have a recollection of these events.¹⁴ Similarly, despite an order by this court to do so, the refusal of the Government to particularize fully its position with respect to the organization and composition of the SPAD fund has rendered impossible any statistical defense to the charges lodged against these defendants.

Further, the defendants set forth the sudden and unexpected death on January 26, 1972 of defendant Al Kerr as a specific example of prejudice resulting from the delay in prosecution. Defendant Kerr, the sole individual named in the substantive counts of the indictment and termed in the Government's bill of particulars as the "general administrator for the Union in all matters concerning SPAD," was the custodian of all SPAD records and reports. Assuming defendant Kerr took the stand, and there is no reason to believe at this time that he would not have taken the stand, he would have been in a position to testify as to the facts concerning SPAD's creation; the existence of SPAD as an entity distinct from the union; the efforts of the defendants beginning in 1962 and continuing to the present to comply with the requirements of the Federal Corrupt Practices Act, as well as to rebut the Government's allegations to the

14. The prejudice flowing from the Government's failure to provide this information is magnified in this type of case where the issues to be resolved require an inquiry into the state of a person's mind—both of the contributing seaman and the collecting union official. See Minutes

of Hearing, May 14, 1971, at 10. Moreover, the problem is greatly exacerbated by the absence of the defendants from any transaction upon which the Government intends to rely that resulted in a contribution to the SPAD fund.



contrary. Clearly, defendant Kerr was the one individual most qualified to testify as to SPAD's organizational structure and daily operation, and to distinguish the interrelationships among the individual defendants, the union, SPAD and the alleged co-conspirators. More importantly, the defendants aver that defendant Kerr personally made refunds to all SPAD contributors who requested them. Such testimony as to SPAD's custom and practice of giving refunds, in addition to specific evidence as to the time, place and manner in which these refunds were made is vital to the defense. By the death of this specific favorable witness, Al Kerr, however, not only have the defendants lost all of his vital testimony at trial, but they also have lost his invaluable aid in preparation before trial.

Moreover, the defendants alleged prejudice in an area not directly related to trial preparation or the loss of evidence. In addition to alleging the presence of anxiety that accompanies the prospect of criminal trial and which becomes "manifestly oppressive" when post-indictment delay increases "from months to years," see *United States v. Blanca Perez*, 310 F.Supp. 550, 551 (S.D.N.Y. 1970); see also *United States v. Marion*, 404 U.S. 307, 320, 92 S.Ct. 455, 30 L.Ed.2d 468 (1971), the defendants allege further that they "have been substantially disabled from properly fulfilling their functions as a labor organization and as officials of that organization." Supplemental Affidavit in Support of Motion to Dismiss, filed April 28, 1972, at 17-18.¹⁵ Furthermore, the defendants point out, bail limitations have reduced the ability of the individual defendants to perform

15. The defendants argue that the pendency of these charges has adversely affected the union's organizational activities and have effectively barred the union from functioning in the political arena. Of course any arrest and indictment leaves the defendant open to "public obloquy," to a drain on his financial resources and a curtailment of his associations, *United States v. Marion*, 404 U.S. 307, 320, 92 S.Ct. 455, 30 L.Ed.2d 468 (1971); here,

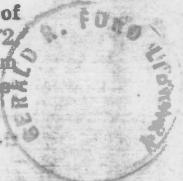
various services in behalf of the union and its membership.

From this recital of facts prejudice is readily apparent. A key witness, Al Kerr, critical to the defense has become unavailable through death. *Dickey v. Florida*, 398 U.S. 30, 36, 90 S.Ct. 1564, 26 L.Ed.2d 26 (1969). Defendant Kerr's death, coming almost on the heels of the Government's initial pretrial disclosure, coupled with the Government's continuing failure to disclose other essential information, has hampered the preparation of a defense in this case. *United States v. DeMasi*, 445 F.2d 251, 255 (2d Cir.), cert. denied, 404 U.S. 882, 92 S.Ct. 211, 30 L.Ed.2d 164 (1971). Moreover, there is a suggestion in the record that potential witnesses are unable to recall some of the events that have occurred in the last ten years, eight of which are covered in this indictment. *Id.* Thus, especially in light of the death of Al Kerr, it can be fairly said on this record that "the search for truth has been severely hampered" and, rather than being a case where possible prejudice is "unsubstantial, speculative and premature," this is a case where prejudice is actual and has been particularized. *United States v. Mann*, 291 F.Supp. 268, 271 (S.D.N.Y. 1968).

Waiver

[6] Ordinarily, a defendant waives his right to complain of the want of a speedy trial if he fails to move for a speedy trial. See, e. g., *United States v. Lustman*, 258 F.2d 475 (2d Cir.), cert. denied, 358 U.S. 880, 79 S.Ct. 118, 3 L.Ed.2d 109 (1958). Nonetheless, as this court indicated in its Memorandum and Order, filed March 30, 1972, at 5,

however, the problem has been exacerbated by delay. Defendant Paul Hall, particularly, who has been named in the press as a probable successor to George Meany as President of the AFL-CIO, see Supplemental Affidavit in Support of Motion to Dismiss, filed April 28, 1972, Exhibit "C," has suffered greatly from the public notoriety surrounding this prosecution.



The defendants proffer this rule as an additional ground for dismissal.

[9] The rule has been held to implement the sixth amendment's guarantee of a right to a speedy trial. *Pollard v. United States*, 352 U.S. 354, 361 n. 7, 77 S.Ct. 481, 1 L.Ed.2d 393 (1957). Before the rule can be invoked, however, the defendants must make a successful showing of delay and either that it prejudiced the defendant's ability to rebut the Government's case or that it was caused by oppressive governmental action. *United States v. Dooling*, 406 F.2d 192, 196 (2d Cir.), cert. denied, 395 U.S. 911, 89 S.Ct. 1742, 3 L.Ed.2d 224 (1969). But, in any case, a motion under this rule is addressed to the sound discretion of the court. See, e. g., *United States v. Research Foundation, Inc.*, 155 F.Supp. 650, 654 (S.D.N.Y. 1957). Here, the court has found delay resulting from purposeful conduct of the Government that has prejudiced the defendants' ability to rebut the case the Government seeks to prove against them. Hence, the court, in its discretion under rule 48(b), must again find in the defendants' favor.¹⁶

Individual Defendants

Counsel for the defendants Paul Hall and Earl Shepard urge dismissal on an additional ground—union officials should not be vicariously liable for any unlawful acts of the union committed by other union officials or union employees that were unauthorized by or unknown to them. Even assuming this to be the law, it would not of itself entitle these defendants to a dismissal at this time. At best, in light of the conspiracy count in the indictment, the defendants could

icient administration of justice and in light of this court's finding of a violation of the substantive rights secured to the defendants under both the Constitution and the Federal Rules of Criminal Procedure, it becomes unnecessary to rule upon that part of the defendants' motion grounded on the Second Circuit rules. The court, therefore, refrains from rendering such an opinion.

an exception to the waiver rule exists when because of the Government's conduct, a defendant's demand for a speedy trial cannot be an effective remedy. See *In re Provo*, 17 F.R.D. 183 (D.Md.), aff'd per curiam, 350 U.S. 857, 76 S.Ct. 36, 90 S.Ct. 156; 101, 100 L.Ed. 761 (1955). As the court has found, *supra*, the Government has failed to file an adequate bill of particulars as ordered by the court. In fact, this failure continues even today.

[7] Since the burden is with the prosecution to move this case forward, see *Dickey v. Florida*, 398 U.S. 30, 37-38, 90 S.Ct. 1564, 26 L.Ed.2d 26, the failure of the defendants to demand a speedy trial cannot be deemed a waiver of their rights when the Government, at the same time, has failed to comply adequately with an order to file a bill of particulars and has, thus, failed to move the case to trial. *United States v. Blaustein*, 325 F.Supp. 233, 237-240 (S.D. N.Y. 1970); *United States v. Chin*, 306 F.Supp. 397, 400 (S.D.N.Y. 1969). Therefore, the court finds that the defendants have not waived their rights to complain of the lack of a speedy trial.

Consequently, since the court has found in favor of the defendants on each of the four factors involved in the Second Circuit test, the defendants' motion to dismiss on constitutional grounds must be granted.

Rule 48(b)

[8] Rule 48(b), Fed.R.Crim.P., provides in pertinent part:

If there is unnecessary delay . . . in bringing a defendant to trial, the court may dismiss the indictment, information or complaint.

16. The defendants also seek dismissal under rights secured to them by the Second Circuit Rules Regarding Prompt Disposition of Criminal Cases (January 5, 1971, as amended, May 24, 1971). These rules were promulgated by the Circuit Council in the exercise of its supervisory power over the administration of justice in the federal courts of the Second Circuit. But, since the rules were designed as a house-keeping tool to insure the swift and effi-



have raised this argument at the close of the Government's case. Now, however, a motion on this ground must be denied.¹⁷

As to another individual defendant, Al Kerr, quite obviously, an additional ground for dismissal exists—his sudden and unexpected death. For all the reasons stated previously and on this ground as well, the indictment against defendant Al Kerr must be dismissed.

Conclusion

The defendants' motion to dismiss is granted. The indictment is dismissed as to all defendants and all defendants are discharged.

So ordered.



Earlie WRIGHT, Jr., Petitioner,

v.

M. C. EDWARDS, Sheriff of Lowndes County, Mississippi, Respondent.

No. EC 71-72-K.

United States District Court,
N. D. Mississippi, E. D.

June 5, 1972.

Habeas corpus proceeding. The District Court, Keady, Chief Judge, held that fact that marijuana cigarettes were seized on mere suspicion and at time when police officers had no probable cause to suspect they were contraband did not render seizure invalid; and that Mississippi statute prohibiting possession of marijuana did not violate due process clause because it eliminated criminal intent as element of offense.

Petition dismissed.

17. Insofar as the defendants Hall and Shepard object that the charges against them have not been sufficiently particularized, they are situated similarly to the other individual defendants. As to all the individual defendants, however, the court

1. Searches and Seizures §7(1)

Search and/or seizure conducted without warrant is per se unreasonable, subject only to exceptions grounded upon exigencies out of which such exceptions arise.

2. Searches and Seizures §7(29)

Burden is on party seeking to justify warrantless search to produce facts bringing search or seizure within exception to rule that warrantless search is unreasonable per se.

3. Arrest §71.1(6)

Warrantless search may be conducted of person of arrestee incident to lawful arrest.

4. Arrest §71.1(8)

Search of person incident to arrest may be undertaken or completed at different time or place, but warrantless search and seizure is not lawful if conducted after long delay and not contemporaneous with arrest.

5. Arrest §71.1(4)

Warrantless searches and seizures incident to arrest are strictly limited in purpose and scope; as to purpose, arresting officer may reasonably search for and seize weapons that arrestee may use to resist arrest or effect escape, evidence of crime which may be concealed or destroyed, and contraband; as to scope, arresting officer may reasonably search for and seize objects on arrestee's person and area within his immediate control.

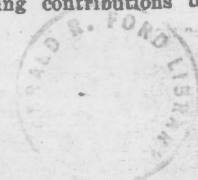
6. Searches and Seizures §7(1)

Whether search or seizure is reasonable within context of given case must depend on facts and circumstances presented by each case.

7. Arrest §71.1(6, 8)

Arrest of petitioner for misdemeanors committed in presence of police officers furnished valid basis for search

has already noted their trial preparation problems have been greatly exacerbated by their lack of knowledge concerning the daily operations of SPAD and of the transactions underlying contributions to the SPAD fund.



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Making Waves

Seafarers Union Uses
Its Muscle on Congress,
Own Members as Well

It Presses for the Enactment
Of an Oil-Cargo Measure;
Collecting Political Funds

Watching the Dues Mount

By JERRY LANDAUER

Staff Reporter of THE WALL STREET JOURNAL

WASHINGTON—Among its other rich resources, Alaska enjoys large deposits of natural gas, many of them ideally located for liquefaction and ocean shipment. In the lower 48 states, natural gas is in tight supply, to the point of threatening industrial layoffs. So why don't gas suppliers and eager customers make a deal?

Because the federal government

The Senate yesterday passed, 44-40, and sent to President Ford another in a line of union-promoted legislative moves to protect the U.S. Merchant Marine against competition. (See story on page 14.) This hotly controversial bill would confer on high-cost U.S.-flag tankers exclusive rights to carry at least 20% (growing to 30% by 1977) of all oil imports, no matter the source. Currently, the U.S.-flag share hovers at less than 5%, mostly because multinational oil companies generally register their ships in Honduras, Liberia and other low-tax countries and employ lower-cost foreign crews.

Leaders of the U.S. maritime unions argue that dependence on oil tankers flying foreign flags constitutes a danger to national safety. Reliance on crews "having no allegiance to the United States . . . severely threatens our security," declares Paul Hall, president of the Seafarers International Union. But besides legislating jobs for Americans (and immediately adding \$315 million a year to consumer costs, according to the Commerce Department), the oil-cargo bill will enhance the political influence of labor leaders such as Mr. Hall.

Mounting Obligations

In the Seafarers Union, for one, a member's dues obligations keep mounting, whether he's working or not. So, when work-hungry seamen apply for the tanker jobs reserved to them, they will owe the union many thousands of dollars in unpaid dues and fines. And if recent experience is a guide, at least some of this money will be paid in the form of "voluntary" political donations.

"The union really muscles you," asserts

Oct 13, 1970

Colson to Mitchell
re Ford's prosecution of
Paul Hall





Oct 28, 1970

Receipt by deposit of into Fifth District
Republican
Committee
account
at Union
Bank
from Dist. #1, Pacific
Coast District, MEBA
Retirees Group \$2500

Oct 28, 1970

Checked out #1875
#3805 to Insight Adv. Co.
for Gerald R. Ford

Rest to Kent County Republican Finance Com.

Oct 28, 1970
~~Nov~~

Kingspoint, N.Y. - Merchant Marine Academy
at 6:00 p.m.
(thru booking agency)

Jesse Calhoun, Pres

Marine Engineers Beneficial Association (a union)
MEBA ~~Political~~ Action has political action group
MEBA Retirees Group is a political action group.

1960's



THE WHITE HOUSE
WASHINGTON

10/8/68 letter of GRF to Mr. Leon Shapiro
Dist. No. 1 Sec-Treas Nat. MEBA, AFL-CIO
17 Bottery Place, N.Y.

10/7/68 receipt of RCC to
Dist. No. 1, Pacific Coast District
M.E.B.A Retirees' Group
17 Bottery Place, N.Y.

Corrupt Practices Act, 1925

§ 307(a)

§ 309

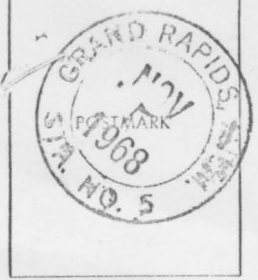


Candidates state

Receipts	7,000 + 3,498
Expenditures	4,996.80 + 5,503.20
	= 10,500

Detailed Statement

RECEIPT FOR REGISTERED ARTICLE NO. 5011 Date 11/5/68



Value \$ _____ Special delivery fee _____
 Fee \$ 75 _____ Return receipt fee _____
 Handling charge \$ _____ Restricted delivery fee _____
 Postage \$ 18 _____ Airmail
 From Gerald R Ford
 Wash. D.C.
 Addressed to Clerk, Kent County
 41 Pearl St G. Rapids, Mich.
 (Address) (Address)

In accordance with the provisions of the Michigan Campaign Finance Act, I, GERALD R. FORD, and party of candidate) FOR

Postmaster: By [Signature]
 ☆ GPO:1966-O-219-121

hereby submit the following detailed statement of receipts, disbursements and unpaid debts or obligations incurred at the GENERAL ELECTION, held on the fifth day

(Primary Election, Caucus, Convention or General Election) of NOVEMBER 68, in the FIFTH CONGRESSIONAL DISTRICT (State, County, City Municipality, Township or District)

State of Michigan. DISBURSEMENTS

DATE	TO WHOM PAID	PURPOSE	AMOUNT	
			Dollars	Cents
8/13/68	Grand Rapids Press	advertisement	67	20
8/14	5th District Republican Committee	reimburse freight charges	12	48
8/15	Grand Rapids Press	advertisements	100	80
8/19	LaClaire	glossies-brochure	30	00
8/21	Rooks Transfer Lines, Inc.	freight charges	7	72
8/21	Al Haemstra Associates	lettering	25	00
8/23	Row Motor Sales	car rental	150	00
8/23	L. Coykendall	trailer haul service	150	00
8/23	D. Carlson	mobile office rental	150	00
8/23	Pantlind Hotel	room	105	40
8/23	Petty Cash	postage; distribution services	51	00
8/29	W. Kendrick Co.	freight charges	10	19
8/29	Western Union	telegrams	44	24
9/6	Petty Cash	postage	1	00
9/12	C. Daughn	services, personal	30	00
10/1	Cities Service Oil Co.	gas	6	50
10/4	Cedar Springs Clipper	ads	79	52
10/5	Lowell Ledger & Suburban Life	ads	70	56
10/5	Sun & News	ads	33	60
10/5	Southkent News & Wyoming Advocate	ads	78	40
10/5	Western Michigan Catholic Weekly	Ads	116	48
10/5	Sentinel Leader/West Mich. Farm Bur.	Ads	88	48
10/5	Grand Rapids News	ads	84	00
10/5	Grand Rapids Times	ads	140	00
10/5	The Almanac	ads	175	28
10/5	Ionia County News	ads	47	04
10/5	Ionia Sentinel-Standard	ads	62	72
10/5	Belding Banner News	ads	49	96
10/5	Saranac Advertiser	ads	43	12
10/5	Portland Review & Observer	ads	39	20
10/5	Lake Odessa Wave	ads	47	04
10/5	Greenville Daily News	ads	78	40
10/5	Sparta Reminder	ads	176	40
10/8	Rockford Register	ads	123	20
10/8	Almanac Publishing Co.	ads	48	72
10/8	The Interpreter	ads	196	00
10/8	Capital City Postcards	ads	4	54

UNPAID DEBTS OR OBLIGATIONS—none

DATE	OBLIGEE To Whom Owed	PURPOSE	AMOUNT	
			Dollars	Cents
10/10	S. Barbour	paper	110	00
10/10	Modern Litho Plate Service	plates	125	00
10/10	Spartan Lithograph Corporation	layout, etc.	588	06
10/11	WOOD-AM/FM/TV	studio use	50	00
10/11	T. Lankford	mailing & printing services	227	39
10/15	Western Michigan Catholic Weekly	ads	338	84
10/15	Cedar Springs Clipper	ads	187	04
10/15	Ionia Daily Sentinel Standard	ads	337	12
10/15	Lake Odessa Wave	ads	144	48
10/15	Portland Review & Observer	ads	120	40
10/15	Rockford Register	ads	164	30
10/15	Saranac Advertiser & Ionia Shop Guide	ads	337	64
10/15	Sentinel Leader	ads	116	96
10/15	Sun & News	ads	103	20
10/18	Michigan Bell Telephone	Eastbrook service	44	94

*Strike one not applicable.

10/18	House Recording Studios	services		
10/18	Gerald R. Ford	airline ticket	100	80
10/18	Internat'l Business Machines	typewriter rental	30	00
10/18	C. Smith	glossy photos	5	00
10/18	Marty Gilman, Inc.	freight charges	5	24
10/18	G. Ford	airline tickets	342	30
10/21	Postmaster	postage	40	00
10/22	Capitol Airlines Ticket Office	air passage	97	65
10/22	Time-Life Broadcast	prepare film, art work, etc.	619	00
10/22	B. Suchowolec	art work	10	00
10/23	H. Ackerman	services	165	00
10/24	G. Ford	travel expense	15	75
10/24	United Airlines	travel expense	67	15
10/25	Petty Cash	postage	1	00
11/1	United Airlines	travel expenses	147	00
11/2	K. Boyer	services	50	00
11/4	Petty Cash	postage	3	96
11/4	G. Ford	out-of-pocket expenses	100	00

TOTAL \$ 7,499.41

RECEIPTS

DATE	FROM WHOM RECEIVED	STREET ADDRESS AND P. O.	AMOUNT	
			Dollars	Cents
	Credit Balance - Primary Campaign		1301	41
8/12/68	P. Henderson	Fairfield, Connecticut	100	00
8/7	F. Christensen	Kent City, Michigan	25	00
8/20	M. Cartier	Ludington, Michigan	100	00
8/14	B. Walker	Grand Rapids, Michigan	40	00
8/15	D. Shine	Wyoming, Michigan	10	00
8/16	S. Moxom	Grand Rapids, Michigan	1	00
8/9	R. Champion	Santa Monica, Calif.	200	00
8/9	R. Purcell	Los Angeles, Calif.	200	00
8/9	J. Brooks	Santa Monica, Calif.	200	00
8/12	J. Bitner	Grand Rapids, Michigan	200	00
8/14	E. DeWinter	Grand Rapids, Michigan	25	00
8/1	E. Clarke	Grand Rapids, Michigan	10	00
8/14	E. Griswold	Cedar Springs, Michigan	5	00
8/16	H. Ford II	Detroit, Michigan	200	00
8/14	E. Lightfoot	Washington, D.C.	200	00
8/23	D. Byers	Grand Rapids, Michigan	25	00
8/7	R. Goolhardt	Grand Rapids, Michigan	200	00
8/8	D. Weisenstein	Pittsburgh, Pa.	200	00
8/12	Carpenters Legislative Improvement	Committee; Washington, D.C.	1000	00
8/21	C. Gardner	Rocky River, Ohio	50	00
8/21	J. McBride	St. Louis, Missouri	50	00
8/21	L. Wright	Cleveland, Ohio	50	00
8/21	W. Merkel	Youngstown, Ohio	50	00
8/21	H. Eisengrein	Chagrin Falls, Ohio	50	00
8/21	J. Higginbotham	Buffalo, New York	50	00
8/21	A. Broholm	Evanston, Illinois	50	00
8/21	H. Terrell	Massillon, Ohio	50	00
8/21	G. Stults	Buffalo, New York	100	00
8/26	N. Felt, Jr.	Baltimore, Maryland	100	00
8/21	K. Geng	Rockton, Illinois	100	00
8/21	J. Gingerich	Cleveland, Ohio	100	00
8/21	H. Grossman	Orlando, Florida	100	00
8/21	F. Hinds	Cleveland, Ohio	100	00
8/21	J. Luck	Rockton, Illinois	100.00	
8/21	R. Newman	New York, N.Y.	100.00	
8/21	J. Stevenson	Orlando, Florida	100.00	
8/21	R. Swope	Denver, Colorado	100.00	
8/21	E. Uhlig	Baltimore, Maryland	100.00	
8/10	K. Boekaloo	Birmingham, Michigan	85.00	
8/10	K. Thompson	Lansing, Michigan	75.00	
8/10	G. Harrington	Birmingham, Michigan	85.00	
8/10	N. Slack	Birmingham, Michigan	85.00	
8/10	J. North	Grosse Pointe, Michigan	85.00	
8/10	K. Moore	Birmingham, Michigan	85.00	
8/23	P. Hampers	Grand Rapids, Michigan	50.00	
9/6	D. Gebensleben	Grand Rapids, Michigan	20.00	
9/6	D. Jelsema	Grand Rapids, Michigan	1.00	
9/16	G. Pardee	Spring Lake, Michigan	25.00	
9/25	J. Campbell	Jackson, Michigan	100.00	
9/27	J. Foshee	Ada, Michigan	50.00	
9/30	S. Albert	Grand Rapids	200.00	
9/30	Republican State Central Committee	Lansing, Michigan	500.00	
10/4	R. Stevens	Grand Rapids, Michigan	25.00	
10/9	G. Stone	Grand Rapids, Michigan	10.00	
10/11	R. Smith	Grand Rapids, Michigan	100.00	
10/14	R. Cheney	Belton, South Carolina	10.00	
10/18	H. Homan	Grand Rapids, Michigan	25.00	
10/18	E. Quigley	Grand Rapids, Michigan	10.00	
10/18	C. Miller	Cleveland, Ohio	25.00	
10/18	O. Meyer	Grand Rapids, Michigan	5.00	
10/18	C. Caldwell	Grand Rapids, Michigan	4.40	
10/18	W. Sundheimer	Grand Rapids, Michigan	4.40	
10/18	G. Essenburgh	Grand Rapids, Michigan	4.40	
10/18	R. Nimphie	Grand Rapids, Michigan	4.40	
10/18	D. Pickering	Grand Rapids, Michigan	4.40	
10/18	F. Bauhof	Grand Rapids, Michigan	4.40	
10/18	D. Harper	Grand Rapids, Michigan	4.40	
10/18	L. Storer	Grand Rapids, Michigan	4.40	
10/18	J. Betchkal	Cleveland Heights, Ohio	4.40	
10/18	W. Machamer	Grand Rapids, Michigan	4.40	
10/18	J. Gallagher	East Lansing, Michigan	4.40	
10/18	C. Pitzen	Grand Rapids, Michigan	4.40	
10/18	M. Classic	Woodland, Michigan	4.40	
10/18	B. Hartough	Grand Rapids, Michigan	4.40	
10/18	R. Winner	West Dearborn, Michigan	4.40	
10/18	H. Handorf	Detroit, Michigan	4.40	
10/18	H. Humphrey	Oak Park, Michigan	4.40	
10/18	H. Mellem	Birmingham, Michigan	4.40	
10/18	C. Elledge	Birmingham, Michigan	4.40	
10/18	E. Turner	Grosse Pointe Woods, Michigan	4.40	
10/22	D. Hart	Grand Rapids, Michigan	10.00	
		Sub - Total	\$7496.41	
10/23	H. Hazlewood	Grand Rapids, Michigan	1.00	
10/24	A. Hendrickson	Grand Rapids, Michigan	2.00	
		TOTAL	\$7499.41	



Detailed Statement of Nomination and Election Expenses

To the County Clerk of the County of KENT

In accordance with the provisions of the Michigan Election Law,

*I, GERALD R. FORD, who was a REPUBLICAN candidate for ADMINISTRATOR
(Political Party) (Nomination or Election)
 to the office of ADMINISTRATOR IN CHARGE, CITY DISTRICT

*I, Gerald R. Ford, treasurer of the Ford for Congress Committee
(State, County, City, Municipal, Etc.)
 committee for the Republican party,

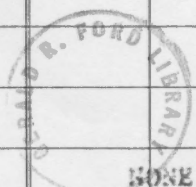
hereby submit the following detailed statement of receipts, disbursements and unpaid debts or obligations incurred at the
PRIMARY ELECTION held on the SIXTH day of AUGUST
(Primary Election, Caucus, Convention or General Election)
 1968, in the FIFTH CONGRESSIONAL DISTRICT, State of Michigan.
(State, County, City, Municipality, Township or District)

DISBURSEMENTS

DATE	TO WHOM PAID	PURPOSE	AMOUNT	
			Dollars	Cents
6/10	Pantlind Hotel	press breakfasts	68	97
6/10	V. Bullen	advertising	60	00
7/3	VanderSys & Co.	carpeting	243	88
6/25	Al Heemstra Associates	overhead sign	100	00
7/18	Lowell Showboat Inc.	advertising	175	00
7/24	T. Lankford	bumper stickers	145	00
7/24	W. Kendrick	emery boards	222	30
7/24	Koster Film Facilities	TV spot film	10	00
7/24	Fontana Lithographers	cook book	777	25
7/24	W. Kendrick Co.	rain bouquets	403	75
7/24	G.R. Calendar Co.	book matches	129	84
7/24	Marty Gilman, Inc.	potholders	587	50
7/24	W. Kendrick Co.	shopping bags	685	50
7/24	Capital City Postcards	postcards	197	00
7/29	Petty Cash	postage, mailings	20	00
7/30	Ford Paint & Varnish	suburban directory	70	20
8/1	Capitol Airlines Ticket Office	transportation	197	40
8/5	Dennis Kane	campaign services	800	00
8/6	Gerald Ford	out-of-pocket expenses	100	00
8/6	Gerald R. Ford, Stationery Account	key chains and bands	520	00
TOTAL			5513	59

UNPAID DEBTS OR OBLIGATIONS

DATE	OBLIGEE To Whom Owing	PURPOSE	AMOUNT	
			Dollars	Cents
	NONE			
TOTAL				NONE



*Strike one not applicable.

RECEIPTS

DATE	FROM WHOM RECEIVED	STREET ADDRESS AND P. O.	AMOUNT	
			Dollars	Cents
5/27	J. Burr	Grand Rapids, Michigan	50	00
6/4	F. Brace	Grand Rapids, Michigan	50	00
6/6	E. Tonkel	Grand Rapids, Michigan	25	00
6/7	Kent Co. Republican Finance Comm.	Grand Rapids, Michigan	2500	00
6/17	M. McGrail	Washington, D.C.	250	00
6/25	Republican Legislative Fund	Lansing, Michigan	1500	00
6/26	R. Metzger	Roseville, Michigan	35	00
6/27	Hughes Active Citizenship Comm.	Culver City, Calif.	100	00
7/1	J. Glidden	Grand Rapids, Michigan	100	00
7/1	T. Kelly	Washington, D.C.	5	00
7/3	W. Kabacker	Los Angeles, Calif.	25	00
7/8	T. Marmon	Grand Rapids, Michigan	25	00
7/8	P. Olson	Grand Rapids, Michigan	25	00
7/8	H. Heppa	Orleans, Michigan	5	00
7/1	A. Heemstra	Ada, Michigan	100	00
7/11	P. Brooks	Holland, Michigan	100	00
7/15	J. Haddock	Scottsdale, Arizona	100	00
7/21	Republican State Finance Comm.	Lansing, Michigan	300	00
7/29	G. Iches	Grand Rapids, Michigan	20	00
7/30	Republican Party Legislative Fund	Lansing, Michigan	1500	00
TOTAL	- - - - -	- - - - -	6815	00

STATE OF MICHIGAN
 County of KENT

I, **GERALD R. FORD**

being duly sworn, deposes and says that the foregoing is a full, true and detailed account and statement of the disbursements, receipts, and unpaid debts or obligations, made, received and incurred in connection with the campaign for the nomination aforesaid.
 (Nomination or Election)

(Signature of Candidate or Treasurer)

Subscribed and sworn to before me this 68 day of August, 1968
 Signature of Notary Public

Name of Notary
 County
 Comm. Expires
 (Type, print or stamp)

DETAILED STATEMENT
 OF
(Nomination or Election)
Expenses

GERALD R. FORD
 Name of Candidate or Treasurer
 AS A ~~CANDIDATE~~ **TREASURER** FOR

Ford for Congress Committee

Received and filed this.....day
 of....., 19.....

County Clerk.

*Strike one not applicable.

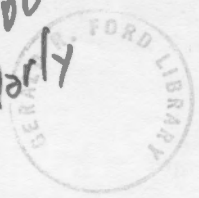


THE WHITE HOUSE
WASHINGTON

2:30 Jesse Colhoon
(Walt Moat)

Meeting
with Dick
Cheney

National Marine Engineers Benefit
1970 (Moat Co.) & Seafarers
\$2000 - then cashed & given to Ford
Union
Clerk of House - reported to
regularly



[Legislative]

"Highways"

(SHAPIRO, Alvin)

Transportation Dept.

August 9, 1966

296-4450

Mr. Alvin Shapiro
Executive Vice President
American Merchant Marine Institute, Inc.
919 18th Street, N. W.
Washington, D. C. 20006

Dear Al,

Just a note to thank you for your letter of August 8th relative to the proposed Department of Transportation.

I was especially pleased to have your recommendation that the maritime industry not be included in the new Department. The House Republican Policy Committee will be taking up this matter shortly. A meeting of the House Republican Policy Committee to discuss the new Department was scheduled for today but has been postponed.

Warmest personal regards.

Sincerely,

Gerald R. Ford, M.C.

GRF:mr

P.S. It was agreed this afternoon to hold the Policy Committee meeting at 3:00 p.m. tomorrow.



[General]

"Ford appearances"

(SHAPIRO, Alvin)

Meet the Press 1/16

January 22, 1966

Mr. Alvin Shapiro
Executive Vice President
American Merchant Marine Institute, Inc.
919 18th Street, N. W.
Washington, D. C. 20006

Dear Al,

Just a note to thank you for your kind comments and thoughtful suggestion of January 17th.

Betty has mentioned also my tendency to have the portion of my arm from the elbow down rest against the table with a resulting effect in appearance.

I don't think that we are being boxed in by stating that the President has information which we do not have for determining policy. Frankly, we expect to put the onus on him for the failure of our policy in Vietnam. We hope to do this by stressing the fact that he has the knowledge, he is making the decisions, and if things go wrong it is his fault.

Sincerely,

Gerald R. Ford, M.C.

GRF:mr



[Campaign]

"Other"

(HALL, Paul)

#14+15

(over)

September 26, 1966

Personal

Mr. Paul Hall
675 Fourth Avenue
Brooklyn, New York 11232

Dear Mr. Hall,

Thank you so much for your continued support. I am most grateful.

You will also be hearing from the committee in Grand Rapids regarding your fine assistance.

Kindest personal regards.

Sincerely,

Gerald R. Ford, M.C.

GRF:r



To Walt
Russel



Paul Hall, President
SEAFARERS INTERNATIONAL UNION OF NORTH AMERICA • AFL-CIO

675 Fourth Avenue • Brooklyn • New York 11232 • HYacinth 9-6800



[Campaign]

"Other"

(RUSSELL, Walt)

#13, 14, 15, 16

September 26, 1966

Dear Walt,

Enclosed are four contributions which I would like to have earmarked for my account.

The addresses to which you may direct "thank yous" are:

Reg R. Kearton ¹⁵
P.O. Box 504
Sunnyvale, California 94088

James D. McClary ¹⁶
Boise
Idaho

¹⁴⁻¹⁵
Paul Hall, President
Seafarers Int'l Union of No. America
Seafarers Committee on Political Education
675 4th Avenue
Brooklyn, New York 11232

Warmest regards.



December 7, 1966

personal

Mr. Walter J. Russell
850 Old Kent Bank Building
Grand Rapids, Michigan

Dear Walt,

According to our records there remains with the Committee \$3410.78 of the funds which were to be earmarked for our use.

In line with our conversation I would like to have \$2200.00 of that amount deposited to my Fifth District Account in the Union Bank and Trust Company. Enclosed is a deposit slip and duplicate for that purpose. I would appreciate it if the duplicate were mailed to me here in Washington.

That will leave a balance in the fund of \$1210.78. I would like to have \$1000 of this credited to the account of the Kent County Republican Committee and the remainder (\$210.78) credited to the Ionia County Republican Committee.

I would appreciate it if you would properly notify the officials of the Ionia County Republican Committee of this action.

May I express to you and all those who handled the account my sincere appreciation for your assistance in this particular matter.

Warmest personal regards.

Sincerely,

Gerald R. Ford, M.C.

GRF:mr

Encl.



Fifth Repl.

Recd Acknowl. Forward

				Invoices	Cr.	Balance
	10/1					6950.00
	10/?	Copy Center re: 9/24	(meta) news conf.	4.48		6945.52
	10/	WZZM-TV		1686.00 x		5260.52
	10?	(15) newspapers page ads		3315.44 x		1945.08
				5004.92		
	10/26	GRF travel expenses		200.00 x		1745.08
	10/27	SPARTA REMINDER		63.75 x		1681.33
				5268.67		
	10/31	G.R. PRESS		134.40 x		1546.93
				5403.07		
#17	11/2	deposit	Nat'l Republican Congressional Comm. D.C. made out to 5th District of Michigan		1250.00	2796.93
	11/2	IONIA-SENTINEL STANDARD page ad		176.40		2620.53
				5579.47		
	11/2	Tom Lankford	Lankford	616.60		2003.93
				6196.07		
	11/?	1/Repl. committee ?				
			mailing of brochures in Ionia	143.15		1860.78
10/?	#18	11/3	11/2 Bates, C. F.	67 Leeuwarden Darien, Conn.	100.00	1960.78
				6339.22		
10/?	#19	11/3	11/2 Fred J. Borch	570 Lexington Ave; N.Y.C.	100.00	2060.78
10/?	#20	11/3	11/2 Virgil B. Day	45 Cowdin Lane Chappaqua, N.Y.	100.00	2160.78
10/?	#21	11/3	11/2 James R. Donnalley	1 Cove Lane Fayetteville, N.Y.	100.00	2260.78
10/?	#22	11/3	11/2 James H. Goss	325 Highland Rd; Rye, N.Y.	100.00	2360.78
10/?	#23	11/3	11/2 John D. Lockton	Pecksland Road Greenwich, Conn.	100.00	2460.78
10/?	#24	11/3	11/2 Francis K. McCune	25 Sutton Place So.; N.Y.C.	100.00	2560.78
10/?	#25	11/3	11/2 Halbert B. Miller	6 Watchtowe Rd. Darien, Conn.	100.00	2660.78
10/?	#26	11/3	11/2 Robert J. Wilson	Zantop Air Transport Detroit-Metropolitan Airport; Inkster, Mich.	200.00	2860.78
11/1	#27	11/3	11/4 Samuel N. Lebold	7 S. Dearborn; Chicago, Ill.	100.00	2960.78
				made out to Ford Campaign Committee - endorsed by 5th hdqtrs		
11/4	#28	11/7	11/7 H.D. Billmeyer, Jr.	100 Penobscot Bldg. Detroit	250.00	3210.78
				made out to Gerald R. Ford for Congress & so endorsed		
11/7	#29	11/7	11/7 Junius F. Allen	H.J. Heinz Co. Pittsburgh, PA	100.00	3310.78
				Progress St. No. Side	100.00	3410.78
11/7	#30	11/7	11/7 Norman E. Daniels	ditto (both made out Gerald R. Ford Campaign Fund) by 5th		

9750
450
9300 = *reputable*



Pay to the order of
Fifth District Republican Committee

Copy: 1/1/66

Rec'd	Acknowl.	Forward	Name	Address	Amount	Fwd.
8/12	#1 8/16	8/16	Walter J. Cesarz	601 Stocking Aven, NW Grand Rapids	\$ 25.00	\$ 25.00
<p>"Ford for Congress Committee By _____ Treasurer "</p>						
8/?	#2 8/19	8/19	?	?	500.00	525.00
8/30	#3a 8/30	8/31	Charles M. Boyer, G. W. Butler, L. Finlay, W. Greeven, D. Jones, T. W. Moore Of Connecticut, N.J. & N.Y.	(6) @ \$100.00	1125.00	
9/2	#4 9/2	9/2	John G. Brooks	3171 S. Bundy Dr. Lear Siegler Inc. Santa Monica, Calif	200.00	1325.00
9/2	#5 9/2	9/2	Robert L. Purcell	357 Chadbourne Ave Los Angeles, Calif 90049	200.00	1525.00
9/2	#6 9/2	9/2	K. Robert Hahn	2 Meadowlark Lane Rolling Hills, Calif	200.00	1725.00
<p>("endorsed for deposit w/Kent Co. Republican Finance Committee - Ford for Congress Comm")</p>						
9/2	#7 9/2	9/2	Lewis M. Keller	43-70 Kissena Blvd Flushing, N. Y. 11355	25.00	1750.00
<p>("endorsed for deposit w/Kent Co. Republican Finance Committee")</p>						
9/7	#8 9/9	9/9	J. T. Lykes, Jr. P.O. 53068	Commerce Building New Orleans, Louisiana	100.00	1850.00
9/7	#9 9/9	9/9	Frank Nemec	P.O. 50998 New Orleans 70150	100.00	1950.00
<p>(#8 & #9 endorsed - "Pay to the order of 5th District Republican Committee")</p>						
9/19	#10 fd 9/20	9/20	J.N. Pew estate	1608 Walnut St Philadelphia, Pa. 19103	1,000.00	3450.00
<p>(endorsed - Pay.order. 5th D. Rep. Comm. F. for Congress Comm)</p>						
9/20	#12 - 9/21	9/21	Thomas K. Taylor	5800 Bent Branch Rd Tulip Hill, Maryland	300.00	3750.00
<p>(endorsed: Pay order 5th D.Repl. Comm. F.f Cong. Comm)</p>						
9/20	#13 fd 9/21	9/21	Reg R Kearton	P.O. Box 504 Sunnyvale, Calif. 94088	200.00	3950.00
<p>(made to "Gerald Ford Campaign Comm. endorsed; Pay order 5th D. Rep. Comm, signed Gerald R. Ford)</p>						
9/20	#14 fd 9/21	9/21	Seafarers Comm. on Political Education Individual Contribution Account	Paul Hall, Pres. 675 4th Ave; Brooklyn NY 11232	1000.00	4950.00
<p>(Seafarers Int'l Union of No. America - (made out: "Ford for Congress" endorsed Pay order 5th D. Repl. Comm")</p>						
9/20	#15 fd 9/21	9/21	ditto		1000.00	5950.00
9/20	#16 fd 9/21	9/21	Mr. James D. McClary	Boise, Idaho	1000.00	6950.00



GR #10 not used balance reported as 2250 as of 9/6/66

2250	500.00	2450.00
1750		
500		

"Labor"

(HALL, Paul)

legislative

re: HR 100 -Siutu

April 4, 1967

Mr. Paul Hall
President
Maritime Trades Department
815 Sixteenth Street, N.W.
Washington, D. C. 20006

Dear Mr. Hall:

Thank you for sending me a copy of your April 4 letter addressed to Chairman Frank Thompson in support of H.R. 100, the Situs Picketing Bill.

As you know, this bill has been referred to the House Committee on Education and Labor. The Committee has scheduled hearings on H.R. 100 this week.

I was, therefore, pleased to have the benefit of your views and the recommendations of the Maritime Trades Department on this measure. You may be sure that I will have them well in mind should this legislation come to the Floor of the House of Representatives later on for consideration.

Kindest personal regards.

Sincerely,

Gerald R. Ford, M. C.

GRF:pc

cc: Mr. Peter M. McGavin



[Mildred]

"NOV. 7

(HALL, Paul)

re: tickets

October 11, 1967

Mr. Paul Hall
Seafarers International Union of North America
675 Fourth Avenue
Brooklyn, New York 11232

Dear Paul,

Many thanks for the help and assistance which you have rendered to us both in Washington and in Grand Rapids.

Phil Carlip was in to see me Monday and I want you to know that we are grateful.

Warmest personal regards.

Sincerely,

Gerald R. Ford, M.C.

GRF:mr



[General]

Positions - Summer

(SHAPIRO, Alvin)

re: daughter Susan

Page Two
April 8, 1968

April 8, 1968

Warmest personal regards.

Sincerely,

Gerald R. Ford, M.C.

Mr. Alvin Shapiro
47 Beverly Road
West Orange, New Jersey 07052

Dear Al,

I really wish I were in a position to be encouraging as far as Susan is concerned. We would like nothing better than to have her with us this summer.

But, as you can well imagine, we have been inundated with such requests and have already made arrangements to have eight or more people in the office this summer.

One or two are people outside my district who are here on a fellowship with no cost to me or the government and the others are all from my own congressional district. We have had to make this restriction in view of the large number of applications.

I know that Susan is a freshman so that she may be wanting to do something like this next summer. I am wondering if she is familiar with the student intern program sponsored by the executive branch of the government. This gives many more opportunities than are available in congressional offices.

Enclosed is a pamphlet which describes the program for this summer. I realize that the examination dates have passed and it is too late to make application for this year. If, however, she is interested in this sort of thing she may want to apply for the summer of 1969. I am sure that a similar pamphlet will be issued early in the fall, and she may want to get them from the local post office or by writing the Civil Service Commission.

I am extremely sorry that I am not in a position to accommodate Susan, but I am sure you will understand.



Mr. Shapiro
Page Two
April 8, 1968

Warmest personal regards.

Sincerely,

Gerald R. Ford, M.C.

GRF:mr

Encl.

April 8, 1968

Mr. Alvin Shapiro
47 Beverly Road
West Orange, New Jersey 07052

Dear Al,

P. S. Al, the House Republican Committee on Planning and Research expects to make use of a number of interns this summer. If this appears to be something which would interest Susan, may I suggest that she write to Dr. Patrick Boorman, Staff Director of the Committee, at 1618 Longworth Building, House of Representatives, outlining her background and indicating her interest in working with the committee this summer. She may also want to suggest that I mentioned this approach.

One or two are people outside my district who are here on a fellowship with no cost to me or the government and the others are all from my own congressional district. We have had to make this restriction in view of the large number of applications.

I know that Susan is a freshman so that she may be wanting to do something like this next summer. I am wondering if she is familiar with the student intern program sponsored by the executive branch of the government. This gives many more opportunities than are available in congressional offices.

Enclosed is a pamphlet which describes the program for this summer. I realize that the examination dates have passed and it is too late to make application for this year. If, however, she is interested in this sort of thing she may want to apply for the summer of 1969. I am sure that a similar pamphlet will be issued early in the fall, and she may want to get them from the local post office or by writing the Civil Service Commission.

I am extremely sorry that I am not in a position to accommodate Susan but I am sure you will understand.



September 26, 1968

Dear Curt,

I would appreciate your depositing
this check to my special "F" fund account.

Thank you.

Jerry Ford

Mr. Curtis R. Fulton
Director
Finance Division
National Republican Congressional Committee
Box 199 C.H.O.B.
INSIDE MAIL



National
Republican Congressional Committee
WASHINGTON 3, D. C.

70428

This will acknowledge with thanks the receipt of a contribution
September 28, 1968 in the amount of \$ 5,000.00

from Seafarers Political Activity Donation
S. P. A. D.
675 Fourth Avenue
Brooklyn, New York 11232

Bob Wilson

CHAIRMAN



Cliff Gandy

TREASURER





1968-1988

*National
Republican Congressional Committee*

CONGRESSIONAL HOTEL
WASHINGTON, D. C. 20003
LINCOLN 4-3010

104

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TREASURER
GEORGE OLNSTED, VA.

October 5, 1968

The Honorable Gerald R. Ford
H230 Capitol Building
Washington, D.C.

Dear Congressman:

Enclosed please find the receipt for the check which was sent to this Committee for your special account here.

As is the practice with such donations, we return the receipts to the office which forwarded the checks.

Sincerely,

Curt
Curtis R. Fulton
Director, Finance Division

CRF/sjk



TEL. NO.
425-7280



Leon Shapiro

DISTRICT No. 1 SECRETARY-TREASURER

NATIONAL MARINE ENGINEERS'
BENEFICIAL ASSOCIATION - AFL-CIO
17 BATTERY PLACE, NEW YORK, N. Y. 10004

100 JMCALH00 NY-PA25

October 8, 1968

Mr. Leon Shapiro
District No. 1 Secretary-Treasurer
National Marine Engineers' Beneficial
Association AFL-CIO
17 Battery Place
New York, N. Y. 10004

Dear Leon,

Many thanks for the very generous contribution to ~~our campaign fund.~~ *the Republican cause.*

You may be assured it will be used to the best possible advantage;
we must elect a Republican President and gain control of the House
of Representatives.

I am most grateful for your support of the Republican cause.

Kindest regards.

Sincerely,

Gerald R. Ford, M.C.

GRF:r

Encl.



National
Republican Congressional Committee
WASHINGTON, D. C.

B 72948

This will acknowledge with thanks the receipt of a contribution
October 8, 1968. in the amount of \$ 5,000.00
from District No. 1, Pacific Coast District, M.E.B.A.
Retiree's Group
17 Battery Place
New York, New York

Bob Wilson
CHAIRMAN



Charles [unclear]
TREASURER



TEL. NO.
325-7280



Jesse M. Calhoon

PRESIDENT

NATIONAL MARINE ENGINEERS'
BENEFICIAL ASSOCIATION - AFL-CIO
17 BATTERY PLACE, NEW YORK, N. Y. 10004



October 8, 1968

Mr. Jesse M. Calhoon, President
National Marine Engineers'
Beneficial Association -- AFL-CIO
17 Battery Place
New York, New York 10004

Dear Mr. Calhoon,

May I express to you my sincere gratitude for the most generous contribution to ~~our~~ campaign fund.

Your endorsement in this practical way of our efforts in behalf of sound government are deeply appreciated.

We must elect a Republican President and gain control of the House of Representatives. Again, thanks for all your help.

Kindest regards.

Sincerely,

Gerald R. Ford, M.C.

GRF:rm

cc: Mr. Leon Shapiro



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184

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EXECUTIVE DIRECTOR
I. LEE POTTER

December 20, 1968


The Honorable Gerald Ford
230 H Capitol Building
Washington, D.C.

Dear Congressman:

Enclosed please find a receipt for the check which was sent to this Committee for your special account here.

As is the practice with such donations, we return the receipt to the office which forwarded the check.

Sincerely,


Curtis R. Fulton
Director, Finance Division

CRF/sjk
enclosure



National
Republican Congressional Committee
WASHINGTON 3, D. C.

B 67260

This will acknowledge with thanks the receipt of a contribution
December 19, 1968 in the amount of \$ 2,500.00
from

S.P.A.D.
Brooklyn, New York

Bob Wilson
CHAIRMAN

Cliff Gering
TREASURER



Legislative

GENERAL

Maritime
Paul Hall

December 30, 1968

Mr. Paul Hall
President
The Seafarers International Union
Suite 403
2000 L Street, N. W.
Washington, D. C. 20036

Dear Paul:

Thank you for your letter of December 27th with the Transportation Institute "Research Reports." I greatly appreciate your sending on to me this very helpful information. I'm certain it will be very useful in the months ahead.

Thank you again and very best wishes for a happy, healthy, and successful New Year.

Sincerely,

Gerald R. Ford, M. C.

GRF:1



LEGISLATIVE

"Agriculture"

(Hall, Paul)

Re: Seafarers Int. Union
PL 480 cargoes

October 31, 1968

Mr. Paul Hall, President
Seafarers International Union
of North America, AFL-CIO
2000 L Street, N. W.
Washington, D. C.

Dear Mr. Hall:

I am enclosing a copy of a letter I have received from the Department of Agriculture in response to my inquiry regarding the requirements of the Cargo Preference Act.

If the explanation given in the letter from the Assistant Secretary of Agriculture is not satisfactory to you, please let me know and I will be glad to take the matter up again.

Warmest personal regards.

Sincerely,

Gerald R. Ford, M. C.

GRF:l

Enclosure



SUSPENSE

"Agriculture"

(Hall, Paul)

Re: Seafarers Intern. Union
PL 480 cargoes

October 9, 1968

Mr. Paul Hall, President
Seafarers International Union
of North America, AFL-CIO
2000 L Street, N.W.
Washington, D. C.

Dear Mr. Hall:

Many thanks for your telegram of October 7 concerning the shipment of PL 480 cargoes in American-flag merchant ships.

I am in complete agreement with you that the Congressional mandate must be followed by the Department of Agriculture. I have, therefore, today written Secretary Freeman urging that the Department adhere to the letter and the spirit of the law in this regard.

Kindest personal regards.

Sincerely,

Gerald R. Ford, M.C.

GRF:mh



[Suspense]

"Agriculture"

(HALL, Paul)

re: wire Hardin on
PL480 cargo bottoms

June 6, 1969

Mr. Paul Hall, President
Seafarers International Union
of North America, AFL-CIO
2000 L Street, N.W.
Washington, D.C.

Dear Mr. Hall,

Many thanks for sending me a copy of your telegram of June 4 addressed
to Secretary of Agriculture Clifford Hardin.

I have today written Mr. Hardin supporting your telegram and urging
the Secretary to take whatever action is necessary to be certain
that available American ships are used in transporting PL-480 wheat
and sorghums from U. S. ports to Indian ports.

Kindest regards.

Sincerely,

Gerald R. Ford, M.C.

GRF:mr



National
Republican Congressional Committee
WASHINGTON 3, D. C.

B 68173

This will acknowledge with thanks the receipt of a contribution
September 15, 1969 in the amount of \$ 500.00

from
S. P. A. D.
675 Fourth Avenue
Brooklyn, N. Y. 11232

Bob Wilson

CHAIRMAN

Clayton

TREASURER



P. 10/1

*National
Republican Congressional Committee*

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LINCOLN 4-3010

184

September 17, 1969

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EXECUTIVE DIRECTOR
I. LEE POTTER

Hon. Gerald Ford
230 H Capitol Building
Washington, D. C.

Dear Congressman:

Enclosed please find a receipt for the check which you sent to the Committee for your special account here.

As is the practice with such donations, we return the receipt to the office which forwarded it.

Sincerely,

Curtis R. Fulton

Curtis R. Fulton
Director, Finance Division

CRF/sv
enclosure



[Legislative]

"Maritime"

(SHAPIRO, Alvin)

re: passenger ship problem

October 9, 1969

Mr. Alvin Shapiro
47 Beverly Road
West Orange, New Jersey 07052

Dear Al,

In response to your telephone call I can say that I did discuss the problem with the White House and urged the inclusion of passenger ships.

As yet no final decision has been made.

Warmest personal regards.

Sincerely,

Gerald R. Ford, M.C.

GRF:mr



Susp.

HARM

Carlip, Phil

December 24, 1969

Mr. Phil Carlip
303 Beverly Road
Brooklyn, New York

Dear Phil:

Enclosed is the letter I received today from the Office of Personnel Operations on the possibility of assignment to Germany for 2nd Lt. Jeffrey Harm.

I expect the final word to reach me before long. However, we can't push it in any way, and we can't predict what action will be taken. Let's hope it will work out for Lt. Harm. As soon as I receive further word, Phil, I'll let you know.

Kindest regards.

Sincerely,

Gerald R. Ford, M.C.

GRF/ed
encl.



Susp

HARM

2nd Lt. Jeffrey

Carlip, Phil

Mr. Phil Carlip
303 Beverly Road
Brooklyn, New York

Dear Phil:

You recently mentioned the interest of 2nd Lt. Jeffrey Harm in either being retained at Fort Monmouth or assigned to Germany for a tour of duty.

In discussing the possibility of having his current assignment to Fort Riley changed, a spokesman for the Department of the Army indicated this would not be possible unless Lt. Harm had very strong compassionate reasons, and substantiating evidence, to keep him at Fort Monmouth. In such a case Lt. Harm himself would have been required to submit his application in writing, together with notarized statements concerning the compassionate reasons, to his Commanding Officer for evaluation and transmittal through channels to the Department of the Army.

Since you did not mention any such compassionate grounds, I assumed these were not present in Lt. Harm's case.

However, I am now asking the Director of Personnel Operations to provide me with information as to action that can be taken at this time to obtain consideration of a request for a tour of duty in Germany for Lt. Harm. As soon as this information is made available to me, I will be in touch with you again, Phil.

Warmest personal regards.

Sincerely,

Gerald R. Ford, M.C.

GRF/ed



GENERAL

C
Carlip, Phil

November 25, 1969

Dear Phil:

Mildred told me about your telephone call and needless to say, I was very surprised and sorry to learn of your leg infection. Certainly hope you are not having too much discomfort and that it will be completely healed soon.

By all means take it easy. We all miss you and hope you will be "nodding in" to the office again real soon.

Warmest personal regards.

Sincerely,

Gerald R. Ford, M. C.

Mr. Phil Carlip
303 Beverly Road
Brooklyn, New York



LEGISLATIVE

"Maritime"

(Hall, Paul)

Re: Military Sea Transportation
contract

April 9, 1970

Mr. Paul Hall, President
Maritime Trades Department
AFL-CIO
815 - 16th Street, N.W.
Suite 501
Washington, D. C. 20006

Dear Mr. Hall:

Thank you for your telegram of March 31 regarding your concern that the Military Sea Transportation Service will award a charter contract to an American steamship firm which will utilize vessels constructed in foreign yards.

I am enclosing a copy of a letter from Vice Admiral A. R. Gralla, Commander of the Military Sea Transportation Service, which was received in reply to our inquiry on your behalf.

If I can be of any further assistance, please let me know.

Kindest personal regards.

Sincerely,

Gerald R. Ford, M.C.

GRF: rgh

Encl.



General

Gerald R. Ford , M. C.

Congrats to
Carlip, Phil

9/18

70

Philip Carlip
Sea Farers Union
675 4th Street
Brooklyn, New York

Belated Birthday greetings! Hope your many returns will be happier. You know my feelings about yesterday's "celebration." Look forward to enjoying our fine friendship for many years. in Warmest personal regards.

Jerry Ford, M. C.
Minority Leader
House of Representatives



Cambridge

November 9, 1970

Mr. Jesse M. Calhoon
National Marine Engineers' Beneficial Association
17 Battery Place
New York, New York

Dear Mr. Calhoon:

This letter is to acknowledge with thanks the recent contribution of your Association to the Fifth District Republican Committee.

We would like to assure you that your contribution was well used for the re-election of our Congressman in last Tuesday's election. In case you have not heard, Congressman Ford was re-elected receiving 80,000 votes or 62% of the total votes cast.

Sincerely yours,

Gary W. Maurina
Executive Director

cc: Joseph I. Miller



General

Thanks to
Shapiro, Alvin

December 16, 1970

Mr. Alvin Shapiro
Executive Director
National Maritime Union
36 7th Avenue
New York, New York 10011

Dear Al:

Thank you so much for your thoughtfulness in sending the delicious fruit cake. The Fords are thoroughly enjoying the wonderful treat and we are deeply grateful for your kindness.

Thank you again and very best wishes for a Merry Christmas and a happy, healthy, and successful New Year.

Sincerely,

Gerald R. Ford, M. C.

GRF:1



April 2, 1971

Mr. Paul Hall, President
Seafarers International Union
of North America, AFL-CIO
Washington, D. C.

Dear Mr. Hall:

Many thanks for your telegram of March 30 concerning the reduction in sea time experience for able-bodied seamen.

This is an extremely important matter and I can well understand your position and appreciate your bringing this to my attention. I will be discussing this matter with my colleagues and with those in the Administration.

Warmest personal regards.

Sincerely,

Gerald R. Ford, M.C.

GRF:md



© CARLIP

August 14, 1972

Mr. Philip Carlip
Seafarers International Union
2000 L Street, N.W.
Washington, D.C. 20036

Dear Phil:

Under separate cover I am sending to you an elephant as a souvenir of our visit to the People's Republic of China. I hope you will enjoy having it.

In appreciation and with warmest personal regards,

Sincerely,

Gerald R. Ford, M.C.



August 16, 1972

District 2 MEBA-AMO, AFL-CIO
Voluntary Political Action Fund
650 4th Avenue
Brooklyn, New York 11232

Dear Friends,

It was so kind of you to send a contribution for my campaign fund.
I am most appreciative of your wonderful generosity on my behalf.

It is indeed encouraging to know that we have your support and
can only say that I hope I may continue to merit your confidence.

Kindest regards.

Sincerely,

Gerald R. Ford, M.C.

GRF:r

bcc: Mr. Phil Carlip
Sea Farers Union
675 4th Street
Brooklyn, N.Y.



STATEMENT OF RECEIPTS AND DISBURSES

October 11, 1972

Address	Amount	Date Recd
400 East 74th St Brooklyn, N.Y. 11212	200	October 11
1505 - 22nd Street, N.W. Washington, D. C. 20037	400	October 11

Mr. Leon Shapiro
 MEBA Political Action Fund
 17 Battery Place
 New York, New York 10004

Dear Leon:

Your helpfulness is immensely appreciated. May I thank the Committee most sincerely for its contribution which I have sent on to the Friends of Jerry Ford Committee.

I can only say that I hope to continue to merit your confidence.

Warmest personal regards.

Sincerely,

Gerald R. Ford, M.C.

GRF:d

