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Schomburg Center for Research in Black Culture,  
Manuscripts, Archives and Rare Books Division

Guide to the

**Benjamin J. Davis papers**

1949-1964

Sc Micro R-6129

Processed by Andre Elizee.

## Summary

**Creator:** Davis, Benjamin J. (Benjamin Jefferson), 1903-1964

**Title:** Benjamin J. Davis papers

**Date:** 1949-1964

**Source:** Gift of Nina D. Goodman, 1989. SCM 89-38

**Abstract:** Divided into four series, Correspondence, the Smith Act Trial, Writings and Printed matter, the Benjamin J. Davis, Jr. Papers document Davis's life and political career from 1949 to the time of his death. The Correspondence series is grouped into general correspondence and condolence letters. Correspondents include William Z. Foster, fellow Smith Act defendants Eugene Dennis and Claudia Jones, Harvard Law School Dean Erwin N. Griswold, Paul Robeson, Martin Luther King, Jr., Roy Wilkins, William Patterson, Congressman Adam Clayton Powell, Jr., author Walter Lowenfels, Herbert Aptheker, Cyril Briggs, Eslanda Robeson, Communist Party members Sid Resnick and Esther Jackson, and several supporters and friends.

### Conditions Governing Access:

Researchers are restricted to microfilm copy.

**Alternative Form Available:** Collection available on microfilm; New York Public Library; call number Sc Micro R-6129

**Preferred citation:** Benjamin J. Davis papers, Schomburg Center for Research in Black Culture, The New York Public Library

**Language of the Material:** English

**Processing note:** Processed by Andre Elizee; Machine-readable finding aid created by Apex Data Services; revised by Terry Catapano.

## Creator History

Born in Dawson, Ga. in 1903, Benjamin Jefferson Davis, Jr. was a civil rights lawyer, a former New York City councilman, an author and editor, a Marxist theoretician and a leader of the Communist Party U.S.A. His father was a National Republican Committeeman and a prominent newspaper publisher in the South. Davis graduated from Amherst College in 1929 and the Harvard Law School in 1932. He joined the Communist Party in 1933 during his court defense of Angelo Herndon, a young African American Communist organizer who faced the death penalty in Georgia for leading a protest march of white and black unemployed workers.

Davis moved to New York in 1935, and became the editor of *The Negro Liberator* as well as a regular contributor to various Communist Party publications. He later served as the editor and publisher of the *Daily Worker* and its successor, the weekly *The Worker*, and as a member of the editorial board of *Political Affairs*, the theoretical journal of the Communist Party. He is also the author of an extensive autobiography and of several pamphlets on Communism and blacks.

Elected to the New York City Council as a Harlem representative in 1943, Davis was one of two Communist Party candidates to have ever been elected to office in the United States. He was reelected in 1945 but was defeated in 1949 by a coalition candidate of the Democratic, Republican and Liberal parties. He was expelled from his seat in the City Council, however, before the end of his second term, after his indictment and arrest under the Smith Act for alleged subversive activities. As an elected official, Davis organized several mass campaigns against police brutality and against segregation in education, housing and sports.

In 1949, Davis was one of eleven communist leaders convicted of conspiring to overthrow the United States government. He went to jail in 1951 and spent three years and four months at the Federal Prison at Terre-Haute, Indiana. He continued to fight against racial discrimination during his incarceration, and filed two suits in the U.S. District Court to stop the segregation of African American inmates in federal penitentiaries. At the end of his sentence, he served an additional two months at the Allegheny County Jail in Pittsburgh, Pa. for having refused, in 1953, to reveal the names of people belonging to the Communist Party's Commission on Negro Work. Two weeks after his release, Davis married Nina Stamler, his fiancée before he went to jail and the daughter of a Bronx dentist. A daughter, Emily, was born of this union. At the time of his death, Davis was again under indictment, under the McCarran Act, for his refusal to register as an agent of the Soviet Union.

Davis was a prominent Communist Party leader and an internationally known theoretician on the status and struggles of blacks in the United States. He led the Party's New York State district and was the chairman of its Commission on Negro Work.

Elected to the National Committee in 1959, he also served as the Party's National Secretary. Following Stalin's death in 1953, he sided with William Z. Foster, then National Chairman of the Communist Party, in defeating a revisionist tendency within the party, on the so-called "American road to socialism." Benjamin Davis was a well-known and honored figure in the Harlem community at the time of his death.

## **Scope and Content Note**

Divided into four series, CORRESPONDENCE, the SMITH ACT TRIAL, WRITINGS, and PRINTED MATTER, the Benjamin Davis Papers document Davis's life and political career from 1949 to the time of his death. Some personal items are filed at the beginning of the collection.

**Arrangement:** I. Correspondence; II. Smith Act Trial; III. Writings; IV. Printed matter

## **Key Terms**

### **Subjects**

African American communists  
African American communists -- Biography  
African American lawyers  
African Americans -- Legal status, laws, etc  
African Americans -- Politics and government  
African Americans -- Segregation  
Autobiography  
City council members -- New York (State) -- New York  
Civil rights and socialism  
Communism -- United States  
Communism -- United States -- History -- Sources  
Communist parties -- United States  
Communist trials  
Communists -- United States -- Biography  
Conspiracies -- United States  
Local elections -- New York (State) -- New York  
Municipal government -- New York (State) -- New York  
Police -- Complaints against  
Political crimes and offenses -- United States  
Political prisoners -- United States  
Prisoners' writings, American  
Prisons -- United States  
Race discrimination -- United States  
Radicals -- United States  
Trials (Political crimes and offenses) -- United States

### **Geographic Names**

New York (N.Y.) -- Politics and government -- 1898-1951  
United States -- Politics and government -- 1945-1953  
United States -- Politics and government -- 1953-1961

### **Titles**

Schomburg NEH Automated Access to Special Collections Project  
Smith Act (Alien Registration Act of 1940)

### **Names**

Davis, Benjamin J. (Benjamin Jefferson), 1903-1964  
Aptheker, Herbert, 1915-2003  
Briggs, Cyril V. (Cyril Valentine), 1888-1966  
Dennis, Eugene, 1905-1961  
Foster, William Z., 1881-1961  
Griswold, Erwin N. (Erwin Nathaniel), 1904-1994  
Jackson, Esther Cooper  
Jones, Claudia, 1915-1964  
King, Martin Luther, Jr., 1929-1968  
Lowenfels, Walter, 1897-1976  
Patterson, William L. (William Lorenzo), 1890-1980  
Resnick, Sidney I.  
Robeson, Eslanda Goode, 1896-1965

Robeson, Paul, 1898-1976  
Wilkins, Roy, 1901-  
Benjamin Davis Defense Committee  
Communist Party of the United States of America  
Communist Party of the United States of America. Harlem Section  
Communist Party of the United States of America. National Committee  
York (England). City Council  
United States

## Container List

b. 1 r. 1 Memorabilia

### CORRESPONDENCE

The CORRESPONDENCE series is grouped into *General Correspondence*, arranged chronologically, and *Condolence Letters*, arranged alphabetically. Letters received at the Allegheny Jail, are also arranged alphabetically by first or last names, when available. Many correspondents did not sign their full name for fear of government persecution. Unsigned letters are filed separately. Several letters bear brief notations and directives from Davis to his fiancée and future wife Nina Stamler. A two page letter signed "Steve" and dated March 30, 1955, carries on its verso a penciled statement by Davis, to be released through his attorney, in response to the decision by the District of Columbia Federal Court to his suit against segregation in the federal prison system. Correspondents include William Z. Foster, fellow Smith Act defendants Eugene Dennis and Claudia Jones, Harvard's Law School Dean Erwin N. Griswold, Martin Luther King, Jr., Paul Robeson, Roy Wilkins, William Patterson, Chairman of the Civil Rights Congress, author Walter Lowenfels, Adam Clayton Powell, Jr., Herbert Aptheker, Cyril Briggs, Eslanda Robeson, Communist Party members Sid Resnick and Esther Jackson, and several supporters and friends.

#### General Correspondence

- b. 1 f. 1 r. 1 Letters sent
  - Letters received
  - b. 1 f. 2 r. 1 1948-1955
  - b. 1 f. 3 r. 1 1956-1960
  - b. 1 f. 4 r. 1 1961-1954, n.d., 1965, 1972
- #### Allegheny Prison Letters
- b. 1 f. 5 r. 1 A-K
  - b. 1 f. 6 r. 1 L-Z
  - b. 1 f. 7 r. 1 Unsigned Letters
- #### Condolence Letters
- b. 2 f. 1 r. 1 A-G
  - b. 2 f. 2 r. 1 H-P
  - b. 2 f. 3 r. 2 R-Z

### SMITH ACT TRIAL

The SMITH ACT TRIAL series documents Davis's trial for sedition, his imprisonment at Terre-Haute and Pittsburgh, and his challenge of racial segregation in federal prisons in the United States. It consists of legal correspondence between Davis, his lawyers and supporters on the one hand, and the Bureau of Prison, the Parole Board and the warden at the Terre-Haute penitentiary on the other, in addition to briefs, affidavits, petitions, court rulings and printed matter.

- b. 2 f. 4 r. 2 Legal Documents
- b. 2 f. 5 r. 2 Prison Desegregation, Amnesty Effort, Parole
- b. 2 f. 6 r. 2 Pittsburgh Sedition Trial
- b. 2 f. 7 r. 2 Desegregation of Prisons
- b. 2 f. 8 r. 2 Clippings

## WRITINGS

WRITINGS consist of a 1,038 page, handwritten autobiography written while in detention at the Terre-Haute penitentiary, and typescripts of articles and speeches by Davis, along with clippings of articles by and about the author. The autobiographical manuscript was confiscated by the Terre-Haute warden daily as it was being written by the author. Released to his family after 1965, it was published posthumously in a shortened edition under the title *Communist Councilman from Harlem* (New York: International Publishers, 1969). Writings by Davis also include the typescripts of several articles and drafts of speeches and inner party documents written after 1956. Published works in this series consist of clippings of Davis's column "Face to Face" and other articles published in *The Worker*. Writings about Davis include obituaries and articles by a variety of columnists, including J.A. Rogers, George Schuyler, Lester B. Granger, James L. Hicks, Chester Higgins. Several articles by Eslanda Robeson, Walter Lowenfels, Henry Winston and Paul Robeson are also part of this series.

- b. 3      **Autobiography**
- b. 3 f. 1 r. 2      pp. 1-137
- b. 3 f. 2 r. 2      pp. 138-251
- b. 3 f. 3 r. 2      pp. 252-431
- b. 3 f. 4 r. 2      pp. 432-569
- b. 3 f. 5 r. 3      pp. 570-690
- b. 3 f. 6 r. 3      pp. 691-791
- b. 3 f. 7 r. 3      pp. 792-897
- b. 4 f. 1 r. 3      pp. 898-1038
- b. 4 f. 2-3 r. 3      **Articles by Davis**
- b. 4 f. 4-5 r. 3      **Articles about Davis**
- b. 4 f. 6 r. 3      **Obituaries**
- b. 4 f. 7 r. 3      **Other Authors**
- b. 5 r. 4      **PRINTED MATTER**

Davis's 1949 reelection campaign is documented in the PRINTED MATTER series with campaign announcements, petitions, press releases, brochures, handbills and newspaper articles. Other articles detail his struggle for free speech and against discrimination by insurance companies. Also included are several pamphlets and single issues of *Political Affairs* with articles written by or about Davis.

- b. 5 f. 1 r. 4      **Davis's Electoral Campaigns**
- b. 5 f. 2-3 r. 4      **Davis in the City Council**
- b. 5 f. 3 r. 4      **Harlem Riots, Peekskill**
- b. 5 f. 4 r. 4      **Free Speech in Universities**
- b. 5 f. 5 r. 4      **Discrimination by Insurance Companies**
- b. 5 f. 6 r. 4      **Pamphlets and Articles by Davis**
- b. 5 f. 7 r. 4      **Pamphlets and Articles about Davis**
- b. 6 r. 4      **General Publications**
- b. 7 r. 4      **Oversized Materials (Clippings)**