

PRISONER DEFIES GERMAN COURT IN ARSON TRIAL

Red Denies He Had Part in Reichstag Fire.

LEIPZIG, Germany, Sept. 23.—(AP)—Fiery exchanges between the court and Georgi Dimitroff, Bulgarian refugee, during which he admitted he would have committed suicide during his imprisonment if given a chance, today marked the trial of five men charged with burning the reichstag building.

Both Dimitroff and Blagol Popoff, another Bulgarian defendant who was placed on the stand, denied any connection with the blaze.

The remarks of the defendant, once leader of the Bulgarian communists, brought a rebuke from Justice Wilhelm Buenger that "You're altogether too fresh" and a threat of special measures "unless you moderate yourself."

Ridicules Old Sentence.
Typical of Dimitroff's attitude was his rejoinder to a question as to what sentences were imposed on him in Bulgaria.

"Dimitroff, as well as the other Bulgarian defendants, Popoff and Wewes Taneff, have been accused of bombing a cathedral in which 200 people were killed."

"I have heard I have been condemned to death," said Dimitroff, "but that does not interest me. The sentences have no meaning."

This occasioned the first clash. Buenger, his hand on his voice raised, berated the prisoner after Dimitroff added:

"What difference does it make? I deny the verity of the matter presented by the Bulgarian legation."

"Herr Dimitroff," Buenger cried, "you must learn two things—be modest and conduct yourself quietly. You will not get anywhere with us with any other methods."

Defendant Renews Feud.

The defendant bowed his head at this rebuff, but the feud was renewed later when the presiding judge instructed him to "Cease once and for all using the expression 'self-evident.' It gives the impression that we are asking superfluous questions."

"I ask your pardon," said Dimitroff, "but you must understand that after six months of confinement, five of which were spent handcuffed and during which time I could not sleep, I naturally sound excited and possibly use expressions which are not permissible."

The suicide admission followed questioning concerning a report that a couple with whom he lived tried to end their lives.

"Believe me, I too would have committed suicide in prison if I had had a chance," replied the witness, "being handcuffed for five months is no laughing matter."

Claims Defense Is Hampered.

Another scene followed Dimitroff's repetition of the statement that 2,000 Bulgarian communists were "innocently murdered" and that he had been denied proper counsel in this hearing.

Buenger told him once was enough for the murder statement, adding in a loud voice: "You assert this without proof."

"If I had had a free choice of counsel," shot back Dimitroff, "I would have supplied proof. But you hampered me in my defense. I never before knew the attorney you assigned me. The eight lawyers I suggested were rejected."

Buenger explained that the lawyers were rejected for just cause. Dimitroff only shrugged his shoulders.

Dodge Questions of Court.

Some of the court's questions in examining both Dimitroff and Popoff appeared to be directed toward establishing a connection between the accused Bulgarian emigres and German communist activities, but both witnesses carefully dodged each leading question.

"I did not need the German communists, and hence had no reason for contacting them," Dimitroff insisted, while Popoff said, "I never communicated with any leading personality in German political parties and I knew none."

Both categorically denied implication in the reichstag fire, which they said was an individual act of revenge, opposed in principle by the communist party.

Asked why he first gave wrong information in the preliminary examination regarding himself, Popoff testified:

"It never seemed possible for a moment to me that I could be accused of the heinous crime of the reichstag fire. I feared truthful statements about myself might lead to my extradition and my handing over to Bulgarian authorities."

Says Judge Angered Him.

Justice Buenger at one point mentioned that the record of the preliminary hearings showed that Dimitroff behaved badly toward the examining judge.

"Because I was provoked by him," shouted the witness.

"I regret this," rejoined the justice, curtly. "Anyway we will hear the examining judge later."

At no time did Dimitroff deny connection with the communist party. Instead, he assumed responsibility for everything the organization had done in Bulgaria.

He declared, however, that he regretted "such idiotic, criminal and individual terrorist actions as the burning of the reichstag," simply because he was "a convicted communist." He

SALLY RAND SENTENCED TO YEAR IN JAIL FOR FAN DANCING



Here are two views of Sally Rand, one with her famous fans and the other taken during one of her recent court appearances. Sally was found guilty by a jury yesterday of performing an obscene and indecent dance in a public place and sentenced to serve a year in the county jail and pay a \$200 fine. It was the maximum penalty.

added the observation that "in Bulgaria communists are made responsible for everything, but that happens in Germany also."

Red on Hunger Strike.

The court agreed to the request of the official defense counsel for Marinus Van der Lubbe, the reputed Dutch communist viewed as the principal defendant, for the appointment of a physician to watch him.

"I have learned from the warden that Van der Lubbe has not eaten or taken liquids since the beginning of the trial," the attorney said in explanation of his petition.

Alfons Sack, counsel for Ernst Torgler, another defendant, made public letters he wrote Sept. 16 to Arthur Garfield Hays, American attorney; Leo Gallagher of London, D. N. Pitt, also of London, and Moro Giaveri of Paris, urgently inviting them to come to Leipzig to convince themselves of the independence and objectivity of the Supreme court, before which the trial is being held.

"I give my personal pledge," Sack wrote, "that you can come here without the slightest apprehension regarding your personal safety, freedom of movement or the possibility of obtaining information."

Asks to Assist in Defense.

Hays' reply thanked Sack for the invitation and offered to discuss the proceedings of an unofficial "international legal commission" which investigated the fire at London as soon as the transcript of the session arrived. He continued:

"I do ask, in view of my knowledge of the case and the fact that I have heard evidence from witnesses who are not available to you, that in the interests of justice you give me an opportunity to confer and collaborate with you in connection with the defense."

The suggestion yesterday that Hays assist in the defense of Torgler was rejected by the defendant himself.

The Hays reply also said:

"This is particularly important to Torgler on account of the evidence in London exculpating him. Further I understand there are witnesses in Germany, who for political reasons are fearful of revealing themselves even to you as a lawyer. The reasons therefor do not apply to me, and I am certain that if I have your assurance that the witnesses whose names I suggest will be protected in the future, that I can get them to come forward."

STEAL 110 SUITS OF CLOTHES.

The Maxwell police yesterday were searching for three armed men who held up the John Bauhinian company at 1300 Blue Island avenue and escaped with 110 suits of clothing, valued at \$300.

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SHAW CRITICIZES 'MOB AGITATION' IN FOREIGN TRIALS

Says It Always Reacts on the Prisoners.

[Chicago Tribune Press Service.]

LONDON, Sept. 23.—What happens when "a mob of international agitators" takes up the case of prisoners in another country was explained by George Bernard Shaw today in an elaboration of his own reasons for declining to take part in the recent London "investigation" of the reichstag fire.

Shaw's "peppery" postcard in which he refused to associate himself with the self-appointed "court" was greeted with cries of "Shame!" and "Don't buy his books!" when it was read at last night's meeting of the "world committee for relief of victims of German Fascism."

Promoted Fire Probe.

This committee promoted the London investigation of the reichstag fire. Shaw's postcard was read by Helen Wilkinson, Labor party politician.

Shaw, as a communist and ardent defender of soviet Russia, is considered in certain circles to have let down socialists of all breeds when he eschewed the ready-made opportunity to attack Hitlerism, which he hates.

The British writer amplified his original rebuke with the following statement:

"The committee had no right to concern itself with the Leipzig trial because none of the prisoners is British. If we have anything to say, we should wait until they have had their trial."

Refers to Sacco and Vanzetti.

"People here get into a state of political agitation and take up the case of some prisoner or other accused by a foreign government, and without the slightest consideration of the fact that they are damaging the unfortunate prisoner. They never consider the effect of their proceedings on the prisoner in question."

"Take the case of Sacco and Vanzetti. Any chance they had of not being electrocuted was cut off by foreign agitation, got up by denouncing American justice and that kind of thing. A man named Mooney has been for many years imprisoned in America, and I dare say he would have been let out long ago had he

RUSSIA PROTESTS NAZI ARREST OF TWO REPORTERS

Not Been Used as a Stick to Beat the American Government With.

BERLIN, Sept. 23.—(AP)—The soviet embassy protested sharply today against the arrest in Leipzig of correspondents from a Moscow newspaper and a Russian news agency, who were reporting the reichstag arson trial. Both oral and written representations were made by the embassy.

Lilli Keith, Berlin correspondent of Izvestia, and Ivan Bespalov, representative of the Tass news agency, were routed from their beds early yesterday by police who said they were operating under an emergency decree.

The police president apologized to them and to Secretary Hirschfeld of the Russian embassy, all of whom came to Berlin in the afternoon. Hirschfeld told the police that "I cannot accept your apology" and that "this matter will have further consequences through the embassy."

STEAL AUTO AT LIGHT.

Frank W. Taylor, 1058 South Mayfield avenue, and his wife, were robbed of their automobile by two armed men when they stopped the car at a traffic light at Laramie avenue and Jackson boulevard early yesterday.

JUDGE ORDERS A YEAR IN JAIL FOR SALLY RAND

Jurors Find Fan Dancer Guilty of Indecency.

[Continued from first page.]

sure enjoy seeing my name in the papers."

In his argument to the jury Defense Attorney Berke pointed out that although four policemen had testified their "passions were aroused" by Sally's dance, several musicians in the theater orchestra had testified that their passions were not aroused, although they had seen the dancer at closer range.

"It's asking for the law to permit us to view the life-size statue of a nude man in the Art Institute—and experts agree that a man is more ugly in the nude than a woman—and yet bring a criminal charge against a woman for dancing with her body covered with thick white cream," Berke said.

Jarecki's Plea to Jury.

Assistant State's Attorney Jarecki also made a brief address before the jury. His long, lean figure swaying, he begged the jury in a voice that shook with emotion to consider the effect of their verdict on countless mothers.

"Are you gentlemen, whether married or single, to permit the stamp of approval to be put on such a nude and indecent performance?" he cried. "I warn you that if you do you will revive the animalism of Greece, approve the lust of Rome, set the stamp of approval on the free love of the middle ages and condone the loves of the Borgias. You will return us to paganism."

He urged the jurors, who sat forward with solemn faces as he spoke, not "to crucify decency on a cross of gold—the commercialism of a woman who would show her body in the nude to crowds in a theater."

"On the other hand, gentlemen," he said, "future generations of mothers will rise up and call you blessed if you return a verdict of guilty."

After the trial, Jarecki turned to Miss Rand, a small figure beside him. "I hope you'll shake hands with me," he said.

"No, I don't believe I will," she replied with a smile.

"Well, now, I feel bad about that," he said.

Sally Gives Demonstration.

The jurors' demeanor when they filed solemnly into the courtroom and stood while the clerk read their verdict contrasted with their facial expressions a short time earlier when Sally did her dance for their benefit.

She had testified that she is coated with white theatrical cream and ties a piece of net around her hips before her dance begins. As she waves her fans around, however, she said, the net slips down, and she "steps out of it" before the last phase of her dance, when she climbs a flight of steps on the stage and stands with one knee raised and her fans over her head for the final bars of music.

At the conclusion of this testimony Attorney Berke handed Sally her two

HARVARD PRESIDENT URGES FRESHMEN TO DEVELOP TOLERANCE

Cambridge, Mass., Sept. 23.—(AP)—No one need worry lest he have too few prejudices, James Bryant Conant, new president of Harvard university, told freshmen entering Harvard college today.

"May I suggest," he said, "that your college career is an excellent time to cultivate a tolerant, skeptical spirit?"

As to their choice of studies in the latter three college years, he said, "It is of relatively little importance which one of our fields of concentration you decide upon, provided you choose a subject which you may thoroughly enjoy."

"For many of you who will go out into the world of affairs, the last three years of your college life may be the only time when you will have the privilege of indulging a wholehearted interest in some purely intellectual activity."

"If you are fortunate enough to have the experience of a real intellectual passion, you will, in my mind, have gained what is best in a university."

The Jury Gets a Look.

At the finale she raised one knee, showing a tiny line of bare leg above a rolled stocking. The jury sat forward, grinning and grinning. A small gray haired juror with a melancholy face smiled a thin lipped smile, while his eyes behind thick lenses grew moist.

A young juror giggled and punched his neighbor, a ponderous man who sat with open mouth.

In the front row of the jury box an elderly man with a red face clutched his knees and leaned forward, grinning with apparent approval. A youngish juror with disarrayed hair unloosed his collar and tie and rested his hands on the rail.

Only one member of the jury, a neatly dressed young man who later was pointed out by his fellow jurors as the one who was hard to convince that Sally was guilty of indecency, appeared unconcerned and sat back with a bored expression during her dance.

The last defense witness was Dr. Samuel Goldberg, a staff surgeon at Michael Reese hospital. He had been preceded by a procession of state witnesses, policemen of the morals squad, who had testified as to what they saw during the last phase of Sally's dance. Dr. Goldberg testified that it would

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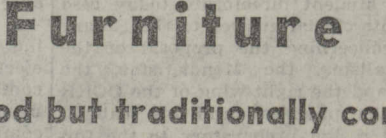
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