

Burch Places Self at Mercy Of Court

Propaganda Agent Of Germany Pleads Guilty to Evading Act

By Dillard Stokes

Post Staff Writer

Frank B. Burch, the Akron lawyer who became a secret propaganda agent of the German government, pleaded guilty yesterday to evading the Registration Act, in hopes that his age of 67, his feeble health and the evidence he gave a special grand jury here, would save him from going to jail.

Abandoning the "guilty, but . . ." plea he tried to enter on Monday, Burch admitted his complicity without reserve and threw himself upon the mercy of Justice James W. Morris.

Special Prosecutors William Power Maloney and Edward J. Hickey recommended that Burch be fined \$1000, the maximum, and that any jail sentence be suspended. Maloney added:

"Let the unhappy plight of this man serve as a warning to those who, singly or in groups, assume to speak for others, lest they, too, find that their 'patriotic, pro-American backers' turn out to be Dr. Goebbels and his gangster cohorts, who have substituted the poison pen for the sawed-off shotgun."

Justice Morris refused to hear the guilty plea Monday, when Burch said at the same time that he did not know that the \$10,000 given him by Dr. Karl Kapp, German consul in Cleveland, was German money. Yesterday the justice asked specifically whether Burch was then ready to admit that he was a German agent; that he failed to register as such, and that he was under the control of and was paid by Dr. Kapp.

Burch nodded as each question was asked.

Justice Morris interrupted the account of Burch's crime to ask about the latter's efforts to conceal the origin of the propaganda he mailed out.

The offense, Justice Morris said, was serious in its nature, at a "time in our national affairs when Congress has seen fit to adopt a policy" on the subject of foreign propaganda.

Without mitigating circumstances, Justice Morris added, he would not let Burch off with only a fine. The maximum sentence is two years.

Burch was once a State Senator in Ohio and has been a lawyer in Akron for more than 40 years. His specialty was bill collections and his income once grossed \$135,000 a year.

Caught in Book Trail

A month ago the Department of Justice propaganda squad launched a grand jury inquiry here, under the direction of Assistant Attorney General Wendell Berge, who was aided by Special Assistant George A. McNulty.

The immediate target of the investigation was Flanders Hall, Inc., Scotch Plains, N. J., publishing house alleged to have been established and financed by George Sylvester Viereck, a Nazi propagandist in America, who was indicted last week.

The investigators found that Flanders Hall shipped a large quantity of anti-British books to "Robert J. Evans," in New York, and that these were forwarded to Akron, where the trail led to Burch. His offices were raided and he was summoned to testify here.

Burch's activities for the Reich were found to include circulation of pamphlets condemning the foreign policy of President Roosevelt among a mailing list of 25,000. He also supplied the German propaganda machine with a list of 30,000 names for the official Nazi publication, "Facts in Review."