

# Judge Issues Warrant For Silver Shirt Chief

Roy, Zachary, fascist Silver Shirt field marshal, was ordered arrested on a capias warrant issued yesterday by Judge Joseph A. Graber in Boys Court.

His arrest was ordered when he did not appear in court to answer charges of inciting to riot and disorderly conduct, as the result of the anti-fascist demonstration protesting a Silver Shirt meeting Monday night at 5835 W. Irving Park Blvd., where Zachary was the main speaker.

Zachary is the Silver Shirt chieftain who has threatened to assassinate President Roosevelt.

Attorney George G. Both, representing Silver Shirts Zachary, Richard Starr and Frank Starr at a hearing before Judge Graber, claimed that Zachary was "in the hospital with a fractured skull."

"That's why he's not in court. I am here to represent him," he said.

"That's a lie," said attorney Michael Brodtkin who defended seven of the nine remaining defendants. "Zachary does not have a fractured skull, and he's not in the hospital."

"What hospital is he in?" asked Judge Graber.

Fascist defender Both conferred with the Starrs.

"I made a mistake, your honor," he declared. "I find now that Zachary was removed from the hospital last night and is now resting at the home of Mr. Starr."

The Starrs live at 5714 Byron Street.

## ISSUES WARRANT

Judge Graber accused Both of misrepresentation, forfeited Zachary's \$125.00 bond for not appearing in court without sufficient cause, and ordered that the pro-Nazi chief be brought in on a capias warrant.

Milton Marks, Aaron Ragins, Irving Botnek, Max Kamm, David Foreman, and Herman Lieb.

All are charged with disorderly conduct and inciting to riot, with the exception of Aaron Ragins.

His charge is being withheld pending the outcome of Clarence Sutherland's condition, Silver Shirt, who is in Swedish Covenant hospital with a fractured skull.

Silver Shirt Richard Starr has accused Ragins of being the man who "hit Sutherland with a baseball bat." Starr is the one who has done all the accusing for his side.

He then accepted Both's plea of not guilty and demand of a jury trial for the Starrs, who are father and son, and set their trial for Dec. 7 at the Criminal Court building.

Attorney Brodtkin then pleaded not guilty for the seven anti-Nazi defendants he represented and waived a jury trial. Judge Graber, on a motion by Brodtkin, set the trial for Dec. 8 in the same court.

## JURY TRIAL

Attorney Ira Silbar, representing the two Daily Record Staff members, Julius Rosenthal and William Rice, who were arrested on the charge of Richard Starr that "they're from the Record," also pleaded not guilty and waived a jury trial. The date set was the same as the other, Dec. 8.