

Winchell Facing Suit for Million On Libel Charge

Gerald L. K. Smith

Cites Article in
Liberty Magazine

DETROIT, Mich., Aug. 12 (C.T. P.S.)—Gerald L. K. Smith, candidate for the Republican nomination for the United States Senate from Michigan, charged today that he had been libeled in an article by Walter Winchell, appearing in the current issue of Liberty Magazine, dated August 22.

In a letter to the magazine, mailed at noon today, Smith called attention to the alleged libel, and asserted that unless a settlement is received, he will bring suit against the magazine and Winchell for at least \$1,000,000.

Made Disunity Charge

The Winchell article, part of a series under the title "More Americans We Can Do Without," asserts in part that "Gerald L. K. Smith, now indicted, sabotaged the war effort by spreading disunity."

In Smith's letter to Liberty, he says:

"In your issue dated August 22 you carry an article by Walter Winchell. In this article he libels me frequently, but in line 30, page 54, he libels me so obviously that even you will immediately recognize it. He uses these words: 'Gerald L. K. Smith now indicted.'

"The records of the United States Government and all political subdivisions of the Government will reveal that this is a cold-blooded, vicious lie. I am not indicted, and I never have been indicted.

"In a critical hour like this, libel of this sort becomes doubly damaging.

Threatens Suit

"Unless I receive a settlement from you for this deliberate lie, which you have circulated all over the United States, I shall bring suit against you and Walter Winchell for at least a million dollars.

"It is obvious that the Winchell article has been written and timed so as to injure me in my campaign for the United States Senate on the Republican ticket.

"I expect an immediate reply."

Smith said he had employed an attorney to act for him if the case results in a suit.

"This is part of an organized smear campaign by the same gang that smeared Senator Walsh, of Massachusetts, and Representative Hamilton Fish, of New York. It goes back to a speech made last March before the Overseas Writers Association in Washington, in which a New Deal bureaucrat said:

"The important thing is to put:

an end to criticism of the Roosevelt administration by whatever means may be necessary . . . Be ruthless as the enemy . . . Get him on his income tax or the Mann Act . . . Hang him . . . Shoot him . . . or lock him up in a concentration camp."

Smith, only anti-Willkie candidate for Senator seeking the Republican nomination, has been campaigning in central Michigan this week. His opponents for the nomination, Judge Homer Ferguson, of Detroit, and Elton Eaton, of Plymouth, have not yet begun their speaking tours.