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- Mr. Quinn Tamm _____
- Mr. Nease _____
- Miss Gandy _____

**Joan Berry's Lawyer
Quits; Court Refuses
To Dismiss Suit *B-1***

Dir

By the Associated Press.
 LOS ANGELES, Feb. 18.—Joan Berry's counsel withdrew from her paternity suit against Charles Chaplin yesterday and a few hours earlier an attempt by the actor's lawyer to have it dismissed was refused by a Superior Court judge.

Declaring Miss Berry's attorney should be given written notice of intention to move for dismissal, Judge William S. Baird denied a motion by Loyd Wright based on a stipulation that the case would be dropped if a blood test failed to indicate Chaplin's parentage of the girl's 4-month-old child.

In a letter to Mrs. Gertrude Berry, Joan's mother and the guardian ad litem of the baby, Carol Ann, Attorney John J. Irwin said that as one of the signers of the stipulation, he had to agree to dismissal of the action, since the blood test had indicated Chaplin was not the child's father.

Mr. Irwin said the result of the blood test "in no way disturbs my confidence in Joan's sincerity."

Miss Berry and her mother said they had accepted his resignation.

Police Judge Charles J. Griffin of Beverly Hills, one of six persons indicted with Chaplin last week on a Federal charge of conspiracy to deprive Miss Berry of her constitutional rights, surrendered yesterday and was fingerprinted.

Chaplin and all but one of the other defendants had surrendered earlier.

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Chaplin won a major victory in the case Tuesday when the medical experts decided, on the basis of known blood tests, that Carol Ann's blood in no way matched that of the English-born mimic.

There was brewing, however, a storm of legal—and medical—opinion relating to the reliability of such tests. There are some who hold such tests are not conclusive.

In asking to be relieved as legal counsel in the paternity suit, Irwin wrote Mrs. Berry, saying:

"I feel that I should and do urge you to obtain further and independent advice and ask you to relieve me from any further responsibility in the matter."

Questions Legality

This was preceded by a statement in which he discussed the question as to "whether or not you (Mrs. Berry,) as guardian ad litem, had the power to stipulate away any of the rights of little Carol Ann."

While this statement was not fully explained in the letter, it was learned it was based on legal questions as to whether anyone has the right to make a financial agreement or settlement for an unborn child.

After Miss Berry's paternity suit was filed by her mother in behalf of her granddaughter-to-be, Chaplin entered into a temporary financial settlement with Mrs. Berry whereby Joan received more than \$15,000 as attorney's fees and for medical and support expenses.

Accepting Irwin's withdrawal request, both Miss Berry and her mother signed a letter stating:

"We have the utmost confidence in your ability and integrity and wish that you could see your way clear to continue to advise us further, but under the circumstances you have outlined to us in your letter, we understand the awkward position you are placed in and respect and grant your request to be relieved from further responsibility."

Griffin Surrenders

Not long after this exchange, Judge Griffin appeared at the marshal's office to surrender.

The jurist, who for six years has been Beverly Hills' police judge, was calm and composed as he was fingerprinted and his history taken by Deputy Marshal George Rossini.

"At this time I repeat that I am entirely innocent of any wrongdoing, and I am certain that I will be completely vindicated," he stated.

Judge Griffin was accompanied by his attorneys, Julian L. Hazard and Joseph L. Reina.

Face Court Monday

With Chaplin, Griffin and his codefendants are to be arraigned on the civil rights conspiracy charge Monday at 9:30 a.m. before United States Judge J. F. T. O'Conner.

Others similarly accused are Police Captain W. W. White, Lt. Claude Marple and Matron Jessie Reno; Thomas Well (Tim) Durant, social and sport figure, and Robert Arden, close friend of Chaplin and until recently a radio commentator. All are at liberty on their own recognizance.



OUT—John J. Irwin, attorney for Joan Berry, who asked to be dismissed as her counsel in paternity case.



SURRENDERS—Police Judge Charles J. Griffin of Beverly Hills surrendered under indictment in Chaplin case yesterday. He is being fingerprinted by Deputy United States Marshal George Rossini.

Joan Berry's Attorney Quits in Chaplin Paternity Case

Court Denies Plea of Actor's Counsel to Dismiss Suit

Joan Berry, 24-year-old actress aspirant, who sued Charlie Chaplin as the father of her baby daughter, yesterday agreed to the withdrawal of her attorney in the case.

The red-haired young mother, along with her own mother who sued Chaplin for support of Miss Berry's child, accepted the resignation of their counsel, John J. Irwin. No immediate statement was forthcoming as to whether another attorney will be obtained to represent them in any further actions.

Legal Tangle

This action was only one of many in a tangle of legal and other developments in the series of celebrated lawsuits that have accused Chaplin as a defendant in a Mann Act "white slave" case and of conspiring to violate the civil rights of Miss Berry, his onetime actress-protege.

Other developments in the case follow:

- 1—Superior Judge William Baird refused a motion of Loyd Wright, Chaplin's attorney, to dismiss Miss Berry's paternity suit.
- 2—John J. Irwin, attorney for Miss Berry, asked to be relieved from the case.
- 3—Wright said that a second blood test of Chaplin is "out of the question."
- 4—U.S. Atty. Charles Carr reiterated that prosecution of Chaplin on the Mann Act charge and the conspiracy accusation will go ahead despite the blood test disclosure.

Police Judge Charles Grimm of Beverly Hills, one of six others indicted with Chaplin on charges of "railroading" Miss Berry out of town after the comedian quarreled with her, surrendered at the U.S. Marshal's office and was fingerprinted.

Classified 1-A

Not long after withdrawing from the Berry-Chaplin case, Irwin was notified by his draft board that he had been classified 1-A. Irwin, 36, is married and has four children. He said the notice set no time for him to appear for a physical examination or otherwise advised him as to his military status.

Court activities in the case got off to an early start when Wright appeared alone before Judge Baird asking dismissal of the paternity-support suit against Chaplin.

"I request the dismissal of the case of John Doe Chaplin," he simply remarked to the court.

Judge Baird pondered a moment.

"I'd rather you would have this case put on calendar in regular manner," the jurist remarked.

"But we (Wright and Irwin) agreed last night that I would appear this morning," the attorney insisted.

"Just the same, I'd rather you'd get a date set for the motion," the jurist declared.

As a result, Wright later took advantage of the five-day legal provision for filing a written notice, setting the hearing for Feb. 23 before Judge Baird.

He was outspoken, however, in declaring that Chaplin, who on Tuesday after a blood test was held by doctors making the test as not being the father of the child, would not consent to another test.

No More Tests

"There is no necessity to submit to more tests," Wright stated emphatically. "Three of the outstanding experts in the United States participated in the final analysis, vindicating Mr. Chaplin."

"I, for one, am beginning to wonder a bit about the concern of some people in this case. We have tried to be co-operative and decent and all we get is criticism."

Wright said he is leaving for the East today but will return next week in time to request again formal dismissal of the paternity action brought by Miss Berry's mother, Gertrude Berry, in the name of her granddaughter, Carol Ann, now four months old.

Carr, meanwhile, announced that his office is not at all concerned by recent developments.

Paternity Not Involved

"The paternity of the child is not involved in the Mann Act case vote in which Mr. Chaplin was indicted by the Federal grand jury," he remarked.

"All the government is charging is that Mr. Chaplin in October of 1942, transported, or caused to be transported, Miss Berry over State lines for immoral purposes."

The alleged intimacy on which Miss Berry originally based her paternity suit, now facing dismissal, is asserted to have occurred in December, 1942.

Cite Intimacies

Evidence taken thus far in the case hinges on testimony that Chaplin in New York City in October, 1942, sent Miss Berry \$200 to join him there, then bringing her back to Hollywood. During this sojourn, the government charges, they were intimate on at least two occasions.

- Mr. Tolson
- Mr. E. A. Tamm
- Mr. Clegg
- Mr. Coffey
- Mr. Glavin
- Mr. Ladd
- Mr. Nichols
- Mr. Rosen
- Mr. Tracy
- Mr. Carson
- Mr. Egan
- Mr. Gurnea
- Mr. Hendon
- Mr. Pennington
- Mr. Quinn Tamm
- Mr. Nease
- Miss Gandy

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- Mr. Tolson
- Mr. E. A. Tamm
- Mr. Clegg
- Mr. Coffey
- Mr. Glavin
- Mr. Ladd
- Mr. Nichols
- Mr. Rosen
- Mr. Tracy
- Mr. Acers
- Mr. Carson
- Mr. Harbo
- Mr. Hendon
- Mr. Mumford
- Mr. Starke
- Mr. Quinn Tamm
- Mr. Nease
- Miss Gandy

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Seven Face Court Monday in Chaplin-Barry Case

United Press
 HOLLYWOOD, Feb. 18—Regardless of Charlie Chaplin's innocence of paternity, he and six other defendants will be arraigned Monday on charges of interfering with the civil rights of red-haired Joan Barry, who charged Chaplin with being the father of her daughter, until a blood test proved her wrong.

Miss Barry and her mother, meantime, denied a report that they would drop their paternity charges, despite an agreement among attorneys for both sides that they would abide by the blood test.

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- Mr. Tolson ✓
- Mr. E. A. Tamm ✓
- Mr. Clegg ✓
- Mr. Coffey
- Mr. Glavin
- Mr. Ladd
- Mr. Nichols ✓
- Mr. Rosen ✓
- Mr. Tracy ✓
- Mr. Acers
- Mr. Carson
- Mr. Harbo
- Mr. Hendon ✓
- Mr. Mumford ✓
- Mr. Starke ✓
- Mr. Quinn Tamm
- Mr. Nease
- Miss Gandy ✓

See

Fair Enough



CHARLIE CHAPLIN'S current troubles with the Department of Justice are a messy come-uppance to a little ingrate who found opportunity, appreciation and wealth in a cordial country to which nevertheless he never gave allegiance. He is not nice, he is stingy and he has had the impudence to associate himself with the Communist enemies of the country in which he took refuge from two wars while his native England sat tight under the guns of the Germans.

Nevertheless, his indictment on charges of violation of the Mann Act and an obscure law to punish those who deprive others of rights guaranteed by the Constitution is bad business. For years, by common consent and confirmed practice, the Mann Act was held to apply only to cases in which females were taken across state lines for prostitution. The first Mann Act case of importance, also a California case, concerned two young men and two girls who went off to play house without benefit of clergy. It raised a great fuss and several similar cases ensued in which ladies of mature years were induced to give testimony against woebegone gents with whom they had willingly run away on mischievous business. Jack Johnson, the Negro fighter, was one of them. In time, however, there came a change of sentiment. The law had been passed to put down the interstate commercial traffic in women, many of them poor, ignorant farm and mill town girls who were being recruited by professional hunters from Chicago for service in the dumps which then thrived under popular sanction and political license. The debates showed this to be the intent of Congress but, as often happens, the text made no distinction between one thing and another and some district attorneys had made serious crime of a proceeding which Mr. Dickens described as an amiable indiscretion.

By Westbrook Pegler

THE Chaplin case under the Mann Act, even if the allegations can be proved, obviously comes under the latter heading and the Federal Government, especially in these times, could better use its manpower and money than to flog a man, however mean, for taking a guest on a trip. California probably has state laws and New York certainly has, under which, if it were worth the bother, the offense of seduction, impairing the morals of a minor or unlawful cohabitation could be punished. The charge of depriving the young woman of a constitutional right is equally pallid and insincere. If Chaplin and his agents and certain public officials of a smug and corrupt little California suburb railroaded a pregnant girl out of town that should be a local affair.

These are just further manifestations of a hysteria which has pervaded the Department of Justice in recent years. Al Capone was a monstrous criminal, but Chicago was rotten and he finally got 12 years for failure to declare his income and pay his tax. The sentence was excessive and the whole country well understood that he was punished under one law for violations of many others, mostly state laws.

SIMILARLY, in Kansas City, the Federal Government used the old law against the denial of constitutional rights to clean up corrupt election methods of the Pendergast machine, a purely local responsibility, and in Louisiana, when the state failed, the Department of Justice distorted a law against fraud by mail to punish men for the actual crimes of grand larceny and conspiracy. In several union prosecutions, Federal laws were invoked to punish violations of state laws, altho, in most of them, the Supreme Court held that unions had a special right to commit Federal crimes and reversed the convictions.

All this may tend to create fear of the law, but it does not instill respect. On the contrary, it gives people to believe that their Government is not above resort to those sly tricks which President Roosevelt, in another issue, described as clever little schemes having the color of legality.

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 WASHINGTON NEWS
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TIMES-HERALD
Washington's Independent
Newspaper

Federal Persecution of Chaplin

Hollywood, world movie center, contains a large number of young, good-looking women ambitious to get into the movies. Some of them don't care what they may pay to realize their ambitions.

Hollywood also contains a considerable number of men in the movie business who are wealthy, influential and lustful.

Middle-aged men frequently prefer young women to women of their own age, because young women are in full bloom. Mature

movie queens sometimes marry younger men, because young men have all their hair, eyesight, hearing, and so forth. These facts of life are by no means confined to the movie industry. They show up in all business and nonbusiness fields.

These facts of life have now got home to Charles Chaplin, famous, rich, influential and apparently lustful movie comedian. Chaplin has become mixed up in Mann Act and paternity suit difficulties because of a would-be movie star named Joan Barry. Chaplin is 54, Miss Barry is 24, and was 22 when the alleged Mann Act violation—Los Angeles-New York round trip with Chaplin “for immoral purposes”—occurred.



Joan Barry



Charles Chaplin

- Mr. Tolson
- Mr. E. A. Tamm
- Mr. Clegg
- Mr. Coffey
- Mr. Glavin
- Mr. Ladd
- Mr. Nichols
- Mr. Rosen
- Mr. Tracy
- Mr. Acers
- Mr. Carson
- Mr. Harbo
- Mr. Hendon
- Mr. Mumford
- Mr. Starnes
- Mr. Quinn Tamm
- Mr. Nease
- Miss Gandy

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The Mann Act, prohibiting transportation of women across State lines for immoral purposes, was passed by Congress in 1910. It was the result of a national uproar about white slave rings and the evils of prostitution.

This writer predicted at the time that the law would be perverted for purposes of blackmail and shakedowns. That prediction has frequently come true. It is a defective and badly conceived law, because prostitutes can be exploited without crossing State lines and because the Federal Government cannot hope to regulate the private lives of 132,000,000 people.

Chaplin and Miss Barry's four-month-old baby, whom the young lady blames on Chaplin, have now been subjected to blood tests. The result has hit the paternity suit in the face like a wet towel, since the test indicates that Chaplin could not have sired the child.

These blood tests will only prove (1) that a certain man could have been the father of a certain child, or (2) that he could not have been. They cannot prove conclusively that he was. According to such medical authorities as Drs. Morris Fishbein and Alexander S. Wiener, it is merely an old wives' tale that you can take some drugs shortly before a blood test and thereby temporarily change the type of your blood.

Miss Barry's attorney was so impressed by the blood test's outcome that he has resigned from the paternity suit.

But the Federal Government's Department of Justice intends to go ahead with the Mann Act prosecution. This act, incidentally, was a good deal of a dead letter until J. Edgar Hoover's FBI dug it up a few years ago and started chasing pimps and prostitutes up and down the East Coast. Mr. Hoover, for all the able work his FBI turns in, has long liked his publicity. It was the FBI that moved into the Chaplin case and dug up the story of that Los Angeles-New York trip.

In our opinion, this is persecution of Chaplin by the Federal Government.

(over)

We have little use for Chaplin, except that we respect his achievements as a master of comic pantomime in the silent-movie days—since which time he has lost a good deal of his grip on his public.

It is argued that he has been 32 years in this country without becoming an American citizen. Plenty of people have been here longer than that without taking American citizenship. It may be unpatriotic to act that way, but there is no law against it, and Chaplin never has been patriotic about the United States anyway. His spiritual homeland seems to be Russia, though his citizenship is British. If we want to make it a crime not to become naturalized after a given number of years in this country, let's pass a law to that effect. Let's not hound people under some other law because they aren't U. S. citizens.

It seems established, too, that Chaplin did railroad the girl out of Los Angeles—though she went only to Omaha and came right back. But that is nothing for the Federal Government to concern itself about.

The whole episode is another instance of the Federal Government horning in on the private lives of people and shouldering local government aside. We've got to reverse this trend somehow, or we'll all become the slaves of the Government at Washington.

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Mrs. Chaplin Expects Child in August; Actor in Court Today

By the Associated Press.
 LOS ANGELES, Feb. 21.—This is an eventful winter for Charlie Chaplin, the comedian.

As Chaplin moved through a legal maze involving his associations with his former protegee, 23-year-old Joan Berry, it was announced yesterday that the 54-year-old actor will become a father for the fourth time.

The expectant mother is his fourth bride, Oona Chaplin, 18, daughter of Playwright Eugene O'Neill and New York debutante of 1942.

Chaplin Has No Comment.

"Yes, I am expecting a baby," she told newsmen. "It will happen about the middle of August, my doctors tell me. Yes, I am very happy about it. Mr. Chaplin has no comment."

Chaplin's first child, daughter of his first wife, Mildred Harris, died a few days after birth. Years later his second wife, the former Lita Grey, bore him two sons, Charles, jr., now in the Army, and Sydney.

Oona and Chaplin eloped last June 16, just two weeks after Miss Berry had sued the actor on allegations that he was the father of her child, then unborn.

Speaking of her husband's legal troubles, Miss O'Neill said at that time:

"I love him, and my place is with him. I know he is innocent of these accusations."

Will Face Court Today.

Chaplin's denial of Miss Berry's paternity charge was supported last week by a board of three physicians.

The criminal allegations stand, however, and today Chaplin goes to Federal Court for arraignment on grand jury indictments charging Mann Act violations involving Miss Berry and conspiracy with six others to deprive her of her constitutional rights.

His co-defendants on the conspiracy counts were scheduled to be arraigned with him. They were expected to delay their pleas to permit defense counsel to demur against the indictments on grounds that the documents don't support the charges.

- Mr. Tolson
- Mr. E. A. Tamm
- Mr. Clegg
- Mr. Coffey
- Mr. Glavin
- Mr. Ladd
- Mr. Nichols
- Mr. Rosen
- Mr. Tracy
- Mr. Acers
- Mr. Carson
- Mr. Harbo
- Mr. Hendon
- Mr. Mumford
- Mr. Starke
- Mr. Quinn Tamm
- Mr. Nease
- Miss Gandy

Julia

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Stork to Visit Chaplins; Comic's Trial Begins

- Mr. Tolson
- Mr. E. A. Tamm
- Mr. Clegg
- Mr. Coffey
- Mr. Glavin
- Mr. Ladd
- Mr. Nichols
- Mr. Rosen
- Mr. Tracy
- Mr. Acers
- Mr. Carson
- Mr. Harbo
- Mr. Hendon
- Mr. Mumford
- Mr. Starke
- Mr. Quinn Tamm
- Mr. Nease
- Miss Gandy



CHARLIE AND OONA
Those were better days

By **FREDERICK C. OTHMAN**
United Press Hollywood Correspondent

HOLLYWOOD, Feb. 21— Charlie Chaplin, about to become the father of a child he admits is his, was scheduled to appear in Federal Court today for arraignment on white slavery and conspiracy charges instigated by a red-haired girl who still claims he also is the father of her infant daughter.

Chaplin's bride, Oona O'Neill, 18, announced she would become a mother in August, as Chaplin's attorneys rehearsed their requests that Federal Judge J. F. T. O'Connor quash the case on the ground that a Federal grand jury had not substantiated its charges against the multi-millionaire British comic and six other co-defendants.

Chaplin has undergone a blood test which indicated he could not possibly be the father of Joan Barry's 4-month-old daughter. Miss Barry has made a move to drop her paternity charges.

OONA VERY HAPPY
"I am terribly, terribly happy," said Miss O'Neill, in telling about the com-

ing birth. "I hope this news will stop a lot of those silly rumors that are going around."

She did not specify what rumors. She said if her child is a boy, she would name it "Lee."

"If a girl," she added, "I don't know what we'll call it, except that it won't be Oona."

Miss O'Neill eloped with Chaplin last June at about the time Miss Barry was telling how Chaplin had called her "Hunchy," told her he loved her, and promised to marry her.

GOT 'BUM'S RUSH'
The grand jury charged Chaplin with two counts of violating the Mann Act, accusing him of taking Miss Barry to New York for immoral purposes in 1942, and returning her to Hollywood three weeks later.

The jury also voted two more counts against Chaplin, two of his pals, and an assortment of Beverly Hills officials, charging conspiracy to take from Miss Barry her civil rights. The latter counts grew out of Miss Barry's arrest as a vagrant and the subsequent "bum's rush" out of town which she said she received from a judge and several police.

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- Mr. Coffey _____
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- Mr. Carson _____
- Mr. Hendon _____
- Mr. Mumford _____
- Mr. Starke _____
- Mr. Quinn Tamm _____
- Mr. Nease _____
- Miss Gandy _____

**Chaplin to Plead Friday
T Mann Act Charges**

But Wins Delay on Other Counts in Indictment

LOS ANGELES, Feb. 21 (AP).—Charles Chaplin received today a continuance until Friday to plead to a charge of violating the Mann act. He and six co-defendants, charged in another indictment with conspiring to deprive his protegee, Joan Berry, of her constitutional rights, were permitted by Federal Judge J. F. T. O'Connor to delay until March 9 in entering pleas.

Chaplin's counsel, Jerry Giesler, informed the court that there were complications in connection with the Federal Grand Jury's true bill alleging conspiracy, and that additional time would be necessary to study them before pleas could be entered.

While agreeing on this point, the court said that no such problem existed on the Mann act indictment. Mr. Giesler had asked for two weeks delay, but Judge O'Connor said he believed the plea should be entered on Friday.

Chaplin's counsel will move Wednesday for dismissal of Miss Berry's paternity suit because of the stipulation, when it was filed, that if blood tests established that Chaplin was not the father the action would be stopped and support payments for the mother and child would cease. Blood tests last week established, the three physicians said, that Chaplin is not the baby's father.

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56 MAR 9 1944

SATURDAY.

Chaplin Didn't Get 'Fair Shake,' Counsel Asserts

HOLLYWOOD, Feb. 25 (U.P.).
Charles Chaplin's lawyers told a
Federal Judge late today that their
multimillionaire client did not get
a fair shake in white slavery
charges against him because the
grand jury that indicted him in-
cluded no women.

The lawyers demanded that the
charges be quashed. Judge J. F.
T. O'Connor said he would make
his decision tomorrow at 10 a.m.

Says Indictment Is Vague

Attorneys Jerry Giesler also en-
tered a demurrer in which he
charged the grand jury with being
vague in its two Mann Act indict-
ments, which claim that Chaplin
took Joan Berry to New York for
"immoral purposes" in 1942 and
returned her to Hollywood three
weeks later. One indictment has
to do with the going; the other
with the returning.

Giesler said the Mann Act had
to do only with commercialized
vice and added that there was no
evidence before the court that the
British-born comic ever attempted
to use his red-haired accuser for
profit in immoral enterprises.

While Chaplin sat glumly, his
portly lawyer argued at length
about what he called the necessity
of women on grand juries investi-
gating cases of this kind.

May Have Charmed Jury

In language as legal as it was
high-flown, Giesler said in effect
that Miss Barry may have ex-
ercised sex appeal—unconsciously
of course—upon the masculine
jurors. He said that if a few women
also had heard the charges, the
result might have been different.

Giesler and U. S. Attorney
Charles Carr engaged in a lengthy
argument about whether women
ordinarily served on grand juries.
Carr said it was the custom here
never to have women hear crim-
inal charges in Federal cases.

Judge O'Connor ordered him to
explain, nevertheless, before night-
fall why no women had been called
to listen to the story of Miss Barry,
who claimed she became the
mother of Chaplin's child, only to
be arrested for vagrancy, and later
to be given what she called the
bum's-rush out of fashionable
Beverly Hills.

THE WASHINGTON HERALD

Wash., D.C.

Feb. 26, 1944

- Mr. Tolson _____
- Mr. E. A. Tamm _____
- Mr. Clegg _____
- Mr. Coffey _____
- Mr. Glavin _____
- Mr. Ladd _____
- Mr. Nichols _____
- Mr. Rosen _____
- Mr. Tracy _____
- Mr. Acers _____
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- Mr. Starke _____
- Mr. Quinn Tamm _____
- Mr. Nease _____
- Miss Gandy _____

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THE WASHINGTON HERALD

Wash., D.C.

Feb. 26, 1944

Mr. Tolson _____
Mr. E. A. Tamm _____
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Mr. Mumford _____
Mr. Starke _____
Mr. Quinn Tamm _____
Mr. Nease _____
Miss Gandy _____

Thinks We're Warped

I have just finished reading your editorial on Charlie Chaplin. For a number of years you have had my admiration for the manner in which you have stood up for America and Americanism. How in the world you arrive at your conclusions in regard to Charlie Chaplin, however, is beyond me.

It only goes to show that the great weakness of our democracy is the tendency for us to go to extremes in trying to correct our abuses.

Your apparent hatred for Roosevelt and the Administration has so warped your intellect it appears that you are unable to see clearly something that has nothing to do with the Administration.

JAMES J. O'BRIEN.

J. J. O'Brien

Mr. Tolson _____
 Mr. E. A. Tamm ✓
 Mr. Clegg _____
 Mr. Coffey _____
 Mr. Glavin _____
 Mr. Ladd _____
 Mr. Nichols _____
 Mr. Rosen ✓
 Mr. Tracy _____
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 Mr. Hendon _____
 Mr. Mumford _____
 Mr. Starke _____
 Mr. Quinn Tamm _____
 Mr. Nease _____
 Miss Gandy _____

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Chaplin Due to Enter Plea To Federal Charges Today

By the Associated Press.

LOS ANGELES, Feb. 25.—Charlie Chaplin was summoned to enter his plea in Federal Court today on two counts charging that he violated the Mann Act by transporting 23-year-old Joan Berry to New York and then back to Hollywood.

However, Chaplin's attorney, Jerry Giesler, said he would seek further postponement pending argument for dismissal of the case.

Chaplin and six others are due to appear March 9 on charges of conspiring to deprive Miss Berry of her constitutional rights by assertedly endeavoring to force her to leave California following her arrest last year on a vagrancy charge. The vagrancy complaint subsequently was dismissed.

All charges against Chaplin and his co-defendants were contained in indictments returned by the Federal grand jury. In addition, Miss Berry has pending a suit seeking to have Chaplin declared the father of her 4-month-old daughter, Carol Ann.

although recent blood tests failed to establish his parenthood.

FEB 25 1944

WASHINGTON STAR

Page 1-7

Get straight

- Mr. Hoover
- Mr. E. A. Tamm
- Mr. Clegg
- Mr. Coffey
- Mr. Glavin
- Mr. Ladd
- Mr. Nichols
- Mr. Rosen
- Mr. Tracy
- Mr. Carson
- Mr. Hendon
- Mr. Mumford
- Mr. Burke
- Mr. Quinn Tamm
- Mr. Nease

Welch

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although recent blood tests failed to establish his parenthood.

This is a clipping from page B-9 of the Washington Star for

2-25-44
Clipped at the Seat of Government,

- Mr. Tolson.....
- Mr. E. A. Tamm.....
- Mr. Clegg.....
- Mr. Coffey.....
- Mr. Glavin.....
- Mr. Ladd.....
- Mr. Nichols.....
- Mr. Rosen.....
- Mr. Tracy.....
- Mr. Acers.....
- Mr. Carson.....
- Mr. Eendon.....
- Mr. Mumford.....
- Mr. Starke.....
- Mr. Quinn Tamm.....
- Mr. Nease.....
- Miss Gandy.....

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Washington Star
 2-25-44

M. J. [Signature]

Busy Man These Days



—NEA Photo
Charlie Chaplin, pictured in a Los Angeles court room with his attorney, Jerry Gelsler, right, hears a postponement granted on a Mann Act hearing filed against him. Attorneys for Charlie Chaplin were scheduled to go to court today to seek dismissal of a paternity suit filed by Joan Barry, probably on the basis that blood tests disproved that Chaplin is the father of her four-months-old daughter. Atty. Joseph Scott, second attorney to represent Miss Barry, said he would resist the petition.

Carte
me

Washington News
2-23-44

'Shell Game' With Joan Barry Baby Denounced by Her New Lawyer

HOLLYWOOD, Feb. 22—Joan Barry retained a new attorney yesterday to press her parentage charges against Charlie Chaplin, despite blood tests which indicated her infant daughter could not possibly be his.

Atty. Joseph Scott, in announcing that he had replaced John J. Irwin as Miss Barry's counsel, characterized the blood test as being something like a legal shell game.

BABY'S DAY COMING

"This unfortunate baby has not yet had her day in court," he said. "A careful perusal of the documents and the so-called stipulations show great mechanical skill on the part of trained lawyers, but it has to some extent, if you will pardon the expression, some aspects of a shell game.

"There are laws in every game, but when played by fair-minded people we shouldn't put a baby in a baseball game with two strikes on her. After all, the mother is not the real party at interest in this litigation.

PLEADS FOR INNOCENT CHILD

"It is the innocent child. We are going to do our best, therefore, to see that she gets her day in court." Chaplin, meantime, appeared before Federal Judge J. F. T. O'Connor, who gave him until Friday at 2 p. m. to appear for arraignment on charges of violating the Mann Act.

Mr. Tolson.....
Mr. E. A. Tamm.....
Mr. Clegg.....
Mr. Coffey.....
Mr. Glavin.....
Mr. Ladd.....
Mr. Nichols.....
Mr. Rosen.....
Mr. Tracy.....
Mr. Egan.....
Mr. Carson.....
Mr. Hendon.....
Mr. Mumford.....
Mr. S. A. Ladd.....
Mr. Quinn Tamm.....
Mr. Nease.....

McCartney

Washington Daily News-2-22-44

Block Chaplin's Move to Quash Paternity Suit

LOS ANGELES, Feb. 17 (INS).—Judge Baird today temporarily blocked an attempt by Charlie Chaplin's attorneys to dismiss Joan Barry's paternity suit.

In denying a motion by Loyd Wright, Judge Baird said John J. Irwin, attorney for Miss Barry, should be given written notice of intention to ask a dismissal.

Chaplin contends he was cleared of responsibility for the child when blood tests were taken

HOLLYWOOD, Feb. 17 (UP)—John J. Irwin withdrew today as attorney for Joan Barry, who charged Charlie Chaplin with being the father of her child—only to have a blood test show otherwise.

Irwin wrote Miss Barry and her mother, Gertrude, that he had stipulated that paternity charges against the actor be withdrawn should the blood tests prove negative. Since they were so proved, he said, he could not press the case and suggested that Miss Barry retain another lawyer.

on Tuesday and showed, according to Wright, "that Mr. Chaplin could not be the father."

The conclusiveness of blood tests was questioned by U.S. Attorney Carr, who said the Government will go ahead with prosecution of Chaplin on "white slave" and conspiracy charges.

Carr cited a 1937 California Supreme Court decision which stated:

"The blood test as legal evidence of paternity is only 'expert opinion' and may not be accepted as conclusive evidence."

CHICAGO, Feb. 17 (UP).—Dr. Morris Fishbein, editor of the Journal of the American Medical Association, said today that blood tests to determine paternity are "conclusive" and there is no drug which will change the type of a person's blood.

"Nothing can be done to doctor or change the type of one's blood," Fishbein said. "Such tests as Chaplin underwent are accepted now as conclusive evidence in the courts of many States and countries."

THOSE FAMOUS RAGS



Charles Chaplin
Wearing the baggy suit, derby,
oversize shoes and wistful gaze
that made him millions.

Mr. Tolson ✓
Mr. E. A. Tamm ✓
Mr. Clegg ✓
Mr. Coffey _____
Mr. Glavin _____
Mr. Ladd _____
Mr. [Signature] ✓
Mr. Rosen [Signature] ✓
Mr. Tracy _____
Mr. Acers _____
Mr. Carson _____
Mr. Harbo _____
Mr. Hendon _____
Mr. Mumford _____
Mr. Starke _____
Mr. Quinn Tamm _____
Mr. Nease _____
Miss Gandy _____
CARTWRIGHT

FEB 18 1944

New York Daily Mirror

PP-4

HOPE OF KNIGHTHOOD KEPT CHAPLIN FROM BECOMING U. S. CITIZEN



(International Photo)
Oona O'Neill Chaplin
Charley Chaplin
To be "Sir Charles" probably a lost hope.

(International Photo)
Jack Irwin
Joan Barry
She wrecked Chaplin's great ambition.

- Mr. Tolson ✓
 - Mr. E. A. Tamm ✓
 - Mr. Clegg ✓
 - Mr. Coffey ✓
 - Mr. Glavin ✓
 - Mr. Ladd ✓
 - Mr. Nichols ✓
 - Mr. Rosen ✓
 - Mr. Tracy ✓
 - Mr. Acers _____
 - Mr. Carson _____
 - Mr. Harbo _____
 - Mr. Hendon _____
 - Mr. Mumford _____
 - Mr. Starke _____
 - Mr. Quinn Tamm _____
 - Mr. Nease _____
 - Miss Gandy _____
- ARTWICK*

Chaplin's Effort to Quash Paternity Suit Is Blocked

By FLORABEL MUIR

LOS ANGELES, Feb. 17 (N.Y. News).—A move by Charles Spencer Chaplin's attorney to get a quick dismissal of the Joan Barry baby paternity suit was blocked today by Superior Judge William S. Baird.

Lloyd Wright, representing the white-haired comedian, stepped up when court opened at 9 o'clock and said he wanted to make a motion to dismiss the case.

Stipulation Quoted

He quoted a stipulation entered into by himself and John J. Irwin, attorney for Mrs. Gertrude Berry, Joan's mother, that the case would be dropped if a blood test proved Chaplin could not have been the father.

The blood test, taken Tuesday, ostensibly exonerated Chaplin, but then it was announced that the California Supreme Court had ruled that such tests are not conclusive evidence.

Mrs. Berry, who filed the suit on behalf of the unborn child last summer, was not represented in court this morning, so Judge Baird ruled that Wright would have to file notice of a motion to dismiss and go through the regular procedure when the case comes up on the calendar next week.

Irwin, who is slated to go into the Army soon, withdrew from the case today, saying that as far as he was concerned the stipulation he signed ends the matter, and that if Mrs. Berry wants to continue the suit she will have to employ another attorney.

He said that the result of the blood test "in no way disturbs my confidence in Joan's sincerity."

Tries to Block Other Suits

Wright, it was learned, is attempting to get the suit dismissed without prejudice, which would preclude further suits. Mrs. Berry, however, contends that as the blood test is not recognized in law, the rights of her 4-month-old, red-haired granddaughter should not be signed away on a stipulation.

Irwin, 38, and the father of three, was reclassified by his draft board into I-A last week without a hearing, further complicating the case. Coincidentally, the adviser to the Draft Appeal Board which might exempt Irwin is Justice of the Peace Cecil Holland, who preceded Irwin as Mrs. Berry's attorney in the paternity suit.

Chaplin, indicted for violation of the Mann Act in transporting Joan, now 24, to New York and back for immoral purposes in 1942.

If found guilty on all counts of the indictment, the wispy actor, now husband of Oona O'Neill, Playwright Eugene O'Neill's 18-year-old daughter, faces a maximum of 23 years in prison and a

Drugs Won't Change Blood, Expert Says

NEW YORK, Feb. 17 (N.Y. News).—It is impossible for a secret drug to affect a blood test as is rumored in the Charlie Chaplin

paternity suit, according to Dr. Alexander S. Wiener, the foremost serologist in the world today.

The doctor has aided materially in developing the four major blood groups, A, B, C, and AB, into 72 distinguishable blood types. Recently he predicted that human blood may become as distinctive as social security numbers, provided that research is able to identify the innumerable varieties that appear to exist.

His knowledge of blood testing was utilized notably a few months ago when he was called upon to examine bloodstained raiment brought here from the Bahamas in connection with the Sir Harry Oakes murder.

FEB 18 1944

J. A. Cimperman

CHAPLIN SCOWLS AT CAMERAS

FROM OUR OWN
CORRESPONDENT

New York, Monday.
CHARLIE CHAPLIN, who has laughed his way out of many predicaments on the screen, scowled today when he was finger-printed in connection with a charge that he transported his former protegee, red haired Joan Barry, from Los Angeles, California, to New York for immoral purposes.

The charge is laid under a Federal law against the transport of women from one State to another for immoral purposes.

When he appeared at the U.S. Marshal's office in Los Angeles he growled at photographers: "I don't want my photograph taken while I'm being finger-printed."

U.S. Attorney Charles Carr, who will prosecute the London-born comedian, snapped: "He's no different from anyone else."

As the photographers fired their flash lights Chaplin's fingerprints were pressed on the police document.

He wore a cream-coloured sports coat, tan slacks, yellow jersey, and sports shirt buttoned at the collar.

He needed a hair-cut.

Mr. Tolson	.....
Mr. E. A. Tamm	.....
Mr. Clegg	.....
Mr. Coffey	.....
Mr. Glavin	.....
Mr. Ladd	.....
Mr. Nichols	.....
Mr. Rosen	.....
Mr. Tracy	.....
Mr. Carson	.....
Mr. Egan	.....
Mr. Hendon	.....
Mr. Mumford	.....
Mr. Quinn Tamm	.....
Mr. Nease	.....
Miss Gandy	.....

for Cartwright

"DAILY MIRROR"

LONDON

February 15, 1944

SUBMITTED BY J. A. CIMPERMAN
AMERICAN EMBASSY
LONDON, ENGLAND

W.K.

Captain Seeks To End Charges In Chaplin Case

HOLLYWOOD, Feb. 29 (U.P.). Beverly Hills Police Capt. W. W. White, accused with Charles Chaplin and five others of depriving Joan Barry of her civil rights, today filed a motion to quash the charge.

White based his plea upon the fact that no women were on the Federal grand jury which indicted him for "floating" Miss Barry out of Beverly Hills in January 1943 while she was a protegee of Chaplin.

A similar plea was entered last week by Chaplin in his fight against Mann Act indictments, but Federal Judge J. F. T. O'Connor dismissed it.

White, Chaplin, and other defendants are scheduled to appear in Federal court March 9 for arraignment on the conspiracy charges. On March 21, the English-born comedian goes to trial on the Mann Act charges.

Chaplin's paternity suit comes before Superior Court tomorrow when an effort will be made to dismiss allegations by Miss Barry that Chaplin is the father of her 4-month-old daughter. Counsel for Chaplin will argue that as a result of blood tests taken three weeks ago it is impossible for Chaplin to have been the father of the child.

- Mr. Tolson
 - Mr. E. A. Tamm
 - Mr. Clegg
 - Mr. Coffey
 - Mr. Glavin
 - Mr. Ladd
 - Mr. Nichols
 - Mr. Rosen
 - Mr. Tracy
 - Mr. Mohr
 - Mr. Carson
 - Mr. Hendon
 - Mr. Mumford
 - Mr. Quinn Tamm
 - Mr. Nease
 - Mr. Gurnea
 - Mr. Harbo
 - Mr. Egan
 - Mr. Gurnea
 - Mr. Harbo
 - Mr. Egan
- W.K.*
- W.K. Carls*

W.K.

131-68476-A
 NOT RECORDED
 87 MAR 4 1944

5 MAR 9 1944

WASHINGTON TIMES-HERALD
 BULLDOG EDITION 3-1-44

Joan Berry's Counsel Attacks Blood Tests As 'Inconclusive'

By the Associated Press.
LOS ANGELES, March 1.—Joan Berry's counsel, arguing today against a motion to dismiss her paternity suit against Charles Chaplin, told Superior Court Judge Stanley Mosk that blood tests were inconclusive on a child less than a year old.

"I have an affidavit from the University of Minnesota medical school, stating a child must be 18 months old before blood tests can possibly mean anything," Joseph Scott, Miss Berry's lawyer, declared.

Referring to the tests as a "cock-eyed theory," Mr. Scott pointed out that under the stipulation between Chaplin and Miss Berry after she brought her suit, the movie comedian could have fought the action, regardless of what the tests disclosed, whereas the young woman's constitutional rights never had been before the court.

"We want to get Chaplin in court before a judge and a jury of American citizens with no alien sympathies," Mr. Scott argued. He said that indirectly, it was Chaplin's money that paid the fees of all three doctors who made the blood tests of Joan, her 4-month-old daughter and Chaplin.

Mr. Scott said the affidavit from the University of Minnesota was signed by Drs. W. P. Larson, head of the department of bacteriology, and W. A. O'Brien, a member of the medical school faculty. Dr. Lawson, he said, stated that he refused to perform blood tests until a child was a year old, and Dr. O'Brien declared he regarded such tests as inconclusive.

Chaplin's lawyer, Charles E. Millikan, told the court that it should not be necessary to argue for dismissal of the paternity suit, since under the stipulation it was automatically ended when the blood tests of three doctors "showed Chaplin was not the father of Miss Berry's child."

Evening Star
 3/1/44

Mr. Tolson	
Mr. E. A. Tamm	
Mr. Clegg	
Mr. Glavin	
Mr. Ladd	
Mr. Nichols	
Mr. Rosen	
Mr. Tracy	
Mr. Carson	
Mr. Egan	
Mr. Gurnea	
Mr. Hendon	
Mr. Jones	
Mr. Quinn Tamm	
Mr. Nease	
Miss Gandy	

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Contract

BEST COPY AVAILABLE

Chaplin Scored As Miss Barry Defends Her Suit

HOLLYWOOD, March 1 (U.P.). Charlie Chaplin was denounced by Joan Barry's attorney in a court hearing today as a man without scruples attempting to evade his responsibilities to an innocent baby.

"This Chaplin is capable of anything," cried the white-haired lawyer, Joseph Scott, in censuring a blood test in which three doctors agreed the screen comedian could not have been the father of Miss Barry's infant daughter

Fight Paternity Suit

Scott and Pat Milliken, attorney representing Chaplin, appeared before Superior Court Judge Stanley Mosk to argue about dropping Miss Barry's paternity suit against the multimillionaire Chaplin, under the agreement made months ago.

The lawyers at that time agreed that if the blood test were negative Miss Barry would drop her suit. Instead she dropped her first attorney and retained veteran lawyer Scott to press her case, blood test or no blood test.

"This test," Scott said, "was a

clever, ingenious contraption on the part of legal men to put over the Chaplin case. I don't put anything past Chaplin. It is quite possible he saw another doctor before the test and said: 'Here is the baby's blood; what is mine?'"

"It All Looks Phony"

Milliken objected and Judge Mosk shushed lawyer Scott.

"Well, I will say that the whole background of this case looks phony," he continued.

Scott assured the judge that he need take no doctor's word; that indeed the medical profession would not agree about the validity of blood tests, and added:

"We want to see Chaplin's blue Mediterranean eyes and compare them with the brown eyes of this baby before a good American jury not composed of aliens."

*TIMES-Herald
3/1/44*

*Carters
J.S.*

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Judge Defers His Decision on Plea by Chaplin

LOS ANGELES, March 2 (N. Y. News)—Admitting he could be no snap judgment Solomon, Superior Court Judge Stanley Mosk yesterday took under advisement film comedian Charlie Chaplin's plea that Joan Barry's paternity suit against him be thrown out of court. He said he would rule on the question within a week or 10 days.

Blood Test Denounced

Joseph Scott, who took over Miss Barry's case when her first lawyer resigned, became livid of face as he castigated Chaplin as a man without scruples who is attempting to evade responsibilities to Miss Barry's little Carol Ann.

Scott denounced the blood test made earlier to determine paternity and said Chaplin is capable of anything.

"The blood test is a cock-eyed theory," he shouted. "It is not an infallible means of determining paternity."

"This test," Scott said, "was a clever, ingenious contraption on the part of legal men to put over the Chaplin case. I don't put anything past Chaplin. It is quite probable he saw another doctor before the test and said 'Here is

the baby's blood; what is mine?'"

There was no telling what happened in the laboratory where blood was drawn from the veins of the baby and the British-born movie star, Scott charged.

"The bottles could have been switched," he cried. "Chemicals could have been injected into Chaplin's veins. Or even someone else's blood could have been used." Chaplin's attorney, Charles E. "Pat" Millikan, jumped to his feet, objecting.

"Well, the whole background of this case looks phony," Scott added. Millikan demanded the court dismiss the case "with prejudice," meaning legally that it then might not be resurrected again to plague the white-haired actor-producer. He asserted Chaplin had complied with all the terms of the legal agreement made prior to the blood tests under which the comedian paid stipulated sums for the early case of the baby and the mother.

Scott, claiming that doctors, like lawyers, often disagree, referred to medical authorities reporting that blood tests were worthless in determining paternity. He warned that if Judge Mosk signed the dismissal, "it will be the kid's death warrant."

An affidavit by John J. Irwin and Barry Woodmansee, attorneys who arranged for the stipulation but no longer are associated with Miss Barry in the case, was filed with the court. Affidavits from Miss Barry and her mother, Mrs. Gertrude Berry, concerning her condition at the time she signed, also were offered in evidence. Joan said she thought the blood tests would be conclusive.

- Mr. Tolson
- Mr. E. A. Tamm
- Mr. Clegg
- Mr. Coffey
- Mr. Glavin
- Mr. Ladd
- Mr. Nichols
- Mr. Rosen
- Mr. Tracy
- Mr. Carson
- Mr. Hendon
- Mr. Mumford
- Mr. Jones
- Mr. Quinn Tamm
- Mr. Nease

[Handwritten signatures and initials over the routing list]

77K 131-68496-A
NOT RECORDED
87 MAR 7 1944

Clipped from Washington Times Herald
Edition No. 8
Date 3-2-44

77 MAR 8 1944

- Mr. Tolson _____
 - Mr. E. A. Tamm ✓
 - Mr. Clegg _____
 - Mr. Coffey _____
 - Mr. Glavin _____
 - Mr. Ladd _____
 - Mr. Nichols _____
 - Mr. Rosen _____
 - Mr. Tracy _____
 - Mr. Acers _____
 - Mr. Carson _____
 - Mr. Harbo _____
 - Mr. Hendon _____
 - Mr. Mumford _____
 - Mr. Starke _____
 - Mr. Quinn Tamm _____
 - Mr. Nease _____
 - Miss Gandy _____
- Handwritten signature: C. White*

Studies Chaplin Dismissal Plea

HOLLYWOOD, March 1 (UP). —Superior Court Judge Mosk late today took under advisement Charlie Chaplin's plea for dismissal of Joan Barry's suit charging him with being the father of her infant daughter.

All day long the Judge had heard opposing counsel battle about the color of the multi-millionaire comic's eyes, his character, and his blood test, which indicated he could not have been the father of Carol Ann.

Chaplin was away from court, presumably conferring with attorneys about another set of charges against him in Federal Court, as Joseph Scott, Miss Barry's new lawyer, announced that as far as he was concerned, blood tests were phoney, Chaplin was unprincipled, and no telling what happened in the laboratory where blood was drawn from the veins of the baby and the British movie star.

"The bottles could have been switched," Scott cried. "Chemicals could have been injected into Chaplin's veins. Or even some one else's blood could have been used."

Chaplin's lawyer, P. J. "Pat" Milliken, quoted 26 court decisions, indicating that the blood test stipulations were legal.

Judge Mosk said he'd have to study all 26, as well as look into Scott's statements that blood tests meant nothing.

Chaplin Must Stand Trial, Court Rules

Blood Test Ignored By Coast Jurist

By FLORABEL MUIR

LOS ANGELES, March 8 (N.Y. News)—Joan Berry and the five-month-old daughter she claims is the child of Charlie Chaplin will have their day in court despite a blood test which ostensibly cleared the film comedian of the paternity charge.

Superior Judge Stanley Mosk today overruled Chaplin's motion to dismiss the suit, brought last June by the baby's grandmother, Mrs. Margaret Berry.

Joan "Sure" of Justice

"I am sure that this is what you call justice," Joan said. "I am glad we are going to have an opportunity to tell the whole story in open court."

Judge Mosk, in dismissing Chaplin's motion, said the judgment of the doctors in the blood test could not be considered evidence in California.

"I am convinced that the ends of justice will best be served by a full and fair trial of the issues," he said, ordering Chaplin to reply to the paternity suit within ten days.

Before the paternity trial, however, Chaplin will go on trial in Federal Court on an indictment charging violation of the Mann Act in that he transported Joan, his former drama protege, to and from New York for immoral purposes. That trial is set for March 21.

THE WASHINGTON HERALD

Washington, D.C.

March 9, 1944

RECORDED
18

Pat. Charge Up Today

Tomorrow Chaplin, with two of his pals and four Beverly Hills officials, will appear for arraignment on another Federal indictment charging them with depriving the 23-year-old Joan of her constitutional rights by railroad-ing her out of Beverly Hills when Chaplin's interest in her cooled. Joseph Scott, counsel for the baby, argued that such tests were unreliable and that no one could stipulate away the rights of an unborn baby.

Judge Mosk pointed out that seven States have laws requiring blood tests in paternity suits, but that such tests are not recognized in California, added.

Chaplin, who is 54 and is an Englishman, and who amassed a fortune of some \$8,000,000 in the United States but never became a citizen, is now married to Oona O'Neill, 18, daughter of Playwright Eugene O'Neill. She recently announced that she would make him a daddy again this summer.

Mr. Tolson _____
Mr. E. A. Tamm _____
Mr. Clegg _____
Mr. Coffey _____
Mr. Glavin _____
Mr. Ladd _____
Mr. Nichols _____
Mr. Rosen ✓ _____
Mr. Tracy _____
Mr. Acers _____
Mr. Carson _____
Mr. Hendon _____
Mr. Mumford _____
Mr. Starke _____
Mr. Quinn Tamm _____
Mr. Nease _____
Miss Gandy _____

*Chaplin Anne
Suit*

mk

THE WASHINGTON POST
Thursday, March 2, 1944

Dismissal Motion Weighed In Chaplin Paternity Suit

Los Angeles, March 1 (AP).—A motion for dismissal of Joan Berry's paternity suit against Charles Chaplin was taken under advisement by Superior Judge Stanley Mosk today after several hours argument.

In his arguments against the defense motion for dismissal of the action on the basis of a stipulation entered by Miss Berry's former counsel involving the results of a blood test, Joseph Scott, the young woman's attorney, suggested the possibility that bottles containing blood might have been switched.

"I'm not saying it was done, but it has been suggested to me that Chaplin might have had a big can possibly mean anything."

shot of somebody else's blood put in his veins," Scott declared. "I am not saying those things happened but they could have happened and the whole case should be heard in court."

After Charles E. Millikan, Chaplin's attorney, had taken exception to statements he contended reflected on his client, Scott referred to the actor as "the spotless and stainless anchorite of Beverly Hills."

Scott also declared that he had "an affidavit quoting scientists of the University of Minnesota Medical School stating a child must be 18 months old before blood tests

- Mr. Tolson
- Mr. E. A. Tamm.....
- Mr. Clegg.....
- Mr. Coffey.....
- Mr. Glavin.....
- Mr. Ladd.....
- Mr. Nichols.....
- Mr. Rosen ✓
- Mr. Tracy ✓
- Mr. Mohr.....
- Mr. Carson.....
- Mr. Egan.....
- Mr. Hendon.....
- Mr. Mumford.....
- Mr. Quinn.....
- Mr. Nease.....
- Miss Gandy.....

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NOT RECORDED

37 MAR 4 1944

53 MAR 9 1944

Both Sides Have 'Em:

Chaplin Lawyer, Prosecutor In Row Over Their Blue Eyes

Court Takes Under Advisement Plea Of Actor to Dismiss Paternity Suit

HOLLYWOOD, March 1 (U. P.).—Superior Court Judge Stanley Mosk took under advisement today Charlie Chaplin's plea to have Joan Barry's paternity suit dismissed. Mosk did not indicate when he would hand down his decision.

LOS ANGELES, March 1.—Opposing counsel argued bitterly for 90 minutes in Superior Court today on whether Joan Barry's paternity suit against Charlie Chaplin should be dismissed because of blood test. Then they went out to get a good lunch before continuing their argument further.

Blue Eyes—Two Pairs

Speaking for Chaplin, who was not present, Attorney Charles E. Pat Millikan introduced the stipulation made last June in which Miss Barry and her former attorneys agreed that if the blood test proved negative the suit would be automatically dropped.

Joseph Scott, Miss Barry's new attorney, demanded the case go to trial before a jury of good

Americans" on the ground that blood tests are inconclusive.

Scott cited the fact that Carol Ann Barry, now five months old, has blue eyes "and so has Chaplin."

Millikan interrupted: "My eyes are blue and I don't know what yours are Mr. Scott."

Scott retorted: "My eyes are blue too, but I have made no child illegitimate—that's where I differ from Chaplin."

Chaplin Denounced

Chaplin was denounced by attorney as a man without scruples attempting to evade his responsibilities to an innocent baby. "This Chaplin is capable of anything," cried the lawyer, in censuring a blood test in which three doctors agreed the screen comedian could not have been the father of Miss Barry's infant daughter.

"This test," Scott said, "was a clever, ingenious contraption on the part of legal men to put over the Chaplin case. I don't put anything past Chaplin. It is quite possible he saw another doctor before the test and said: 'Here is the baby's blood; what is mine?'"

*TIMES-HERALD
3/2/44*

Mr. Tolson	.....
Mr. E. A. Tamm	.....
Mr. Clegg	.....
Mr. Coffey	.....
Mr. Glavin	.....
Mr. Ladd	.....
Mr. Nichols	.....
Mr. Rosen	.....
Mr. Tracy	.....
Mr. Carson	.....
Mr. Egan	.....
Mr. Gurnea	.....
Mr. Hendon	.....
Mr. Mumford	.....
Mr. Quinn	.....
Mr. Nease	.....
Miss Gandy	.....

Control

56 MAR 9 1944

131-68114
NOT RECORDED
87 MAR 4 1944

Film Front

By DAVID PLATT

Charlie Chaplin Is Still The People's Favorite

CHARLES CHAPLIN has been a warm friend of the Soviet Union since 1917. He was the first Hollywood star to come out for American-Soviet friendship. The red-baiting press has never forgiven him for this. They have been hounding him for more than twenty-five years. In 1922 when Chaplin announced that he was taking a trip to Europe he was besieged by reporters of the unkempt press:

"Mr. Chaplin, why are you going to Europe?"



"Just for a vacation."

"Are you going to make pictures while you are there?" "No."

"What do you do with your old mustaches?" "Throw them away."

"What do you do with your old canes?" "Throw them away."

"Mr. Chaplin, do you ever expect to get married?" "Yes." "To whom?" "I don't know."

Finally, the reporters came to the point. "Mr. Chaplin, are you a Bolshevik?" Charlie took them all by surprise by answering: "I am an artist. I am interested in life. Bolshevism is a new and challenging phase of life. Therefore, I must be interested in it." The news-men rushed to the telephone. The next day's headlines smeared Chaplin as a "Bolshevist" by his own admission. They said he was going to the Soviet Union to make films. They published lies galore about him.

Chaplin returned from post-war Europe greatly saddened by the poverty he had seen. He made "The Idle Class," "Pay Day" and "The Pilgrim," all directed against the pot-bellies of the social order. He made many enemies among the satisfied classes.

The "pink-petticoated" tabloids in scandal went after Charlie in real earnest a few years later when Lita Grey sued him for divorce. Yellow journalism never had such a holiday. Bernard Macfadden's tabloid, the porno-"Graphic," printed the divorce complaint in full. This was something new in character assassination. Chaplin was stripped down to his last undershirt. The reputation he had built up through hard work was ripped apart overnight by the scandal sheets. Charlie was accused of letting his children go hungry for lack of milk. He

beat his wife. He was a sex-maniac. Chaplin was pronounced guilty of every crime in the book before he was tried. He was hooted at, jeered at and stoned before he had a chance to make himself heard. His films were banned in many communities. One or two editorial writers came to his defense. Livingston Larned of the White Plains (N. Y.) Reporter lashed out at Chaplin's "self-righteous critics" who at one blow sought to wipe out his "vast and immeasurable record of high achievement," which has inspired laughter and light-hearted gaiety all around the world. H. L. Mencken came to his defense in the Baltimore Evening Sun. Chaplin's own statement at the time holds good for today. "All I ask is that the public suspend judgment until the case is decided. I can fight an unjust charge even though all the lawyers of California are behind it. But I do not think it fair to ask me to fight all gossip and all charges and all rumors that are spread against me by people whose only interest is to make money out of me."

Of course all the sensational charges and rumors against Chaplin were eventually proven false. It was all a brutal tabloid plot engineered by filthy minds geared to reactionary political standards. It took Chaplin several months to recover from the strain of those hectic weeks during which the gutter press had him down as a "hardened criminal," but it was not long before his new film "The Circus" was being acclaimed everywhere as a masterpiece. In 1928, a year after Chaplin was pilloried by Macfadden and Hearst, he received an Oscar from the Academy of Motion Picture Arts and Sciences "for his versatility in writing, acting and producing 'The Circus.'" It was an act of simple justice in recognition of the work of one of the greatest artists of all time. But the cheap rags that crucified Charlie in 1922 and 1927 never let up. When "The Great Dictator" came out, they again opened up with everything they had because Chaplin had refused to lump Stalin with Hitler. When Charlie came out for a second front they decided to get him for good. They think they have him now but they're wrong. The people are on the side of the little man with the oversized shoes, torn coat, cane and moustache. The people whom he has served faithfully for a quarter of a century or more will stand by him. Of that I am sure.

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This is a clipping from page 7 sec. 1 of

THE WORKER

Date 3-5-44

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THE WASHINGTON POST

Washington, D.C.

March 9, 1944

- Mr. Tolson _____
- Mr. E. A. Tamm _____
- Mr. Clegg _____
- Mr. Coffey _____
- Mr. Glavin _____
- Mr. Ladd _____
- Mr. Nichols _____
- Mr. Rosen _____
- Mr. Tracy _____
- Mr. Acers _____
- Mr. Carson _____
- Mr. Hendon _____
- Mr. Mumford _____
- Mr. Starke _____
- Mr. Quinn Tamm _____
- Mr. Nease _____
- Miss Gandy _____

**Judge Refuses
To Drop Chaplin
Paternity Suit**

Los Angeles, March 8 (AP).—Carol Ann Berry, 5 months old, today was allowed her "day in court" when a superior judge overruled Charlie Chaplin's motion to dismiss the paternity suit brought against the film comic by Joan Berry, the baby's mother.

Judge Stanley Mosk said: "I am convinced that the ends of justice will best be served by a full and fair trial of the issues."

Chaplin tried to have the suit dismissed on the ground that tests of his, the mother's and the baby's blood, in accordance with a stipulation entered into last June, proved he was not Carol Ann's father.

Attorneys for Miss Berry have contended that not only were such blood tests unreliable for determining parentage, but that no one could stipulate away the rights of an unborn baby.

Chaplin has pleaded innocent to Federal Mann Act charges involving Miss Berry.

Chaplin's paternity suit.

See case

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Times Herald
3-9-44

Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Coffey
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Carson
Mr. Hendon
Mr. Mumford
Mr. Quinn Tamm
Mr. Nease
Miss Gandy

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Blood Test Ignored:

Court Overrules Chaplin Plea To Dismiss Paternity Suit

Joan Hails It as 'Justice' and Promises To Tell the Whole Story in Open Court

By FLOABEL MUIR

LOS ANGELES, March 8 (N. Y. News).—Joan Barry and the five-month-old daughter she claims is the child of Charlie Chaplin will have their day in court despite a blood test which ostensibly cleared the film comedian of the paternity charge.

Superior Judge Stanley Mosk today overruled Chaplin's motion to dismiss the suit, brought last June by the baby's grandmother, Mrs. Margaret Berry.

Joan "Sure" of Justice

"I am sure that this is what you call justice," Joan said. "I am glad we are going to have an opportunity to tell the whole story in open court."

Judge Mosk, in dismissing Chaplin's motion, said the judgment of the doctors in the blood test could not be considered evidence in California.

"I am convinced that the ends of justice will best be served by a full and fair trial of the issues,"

he said, ordering Chaplin to reply to the paternity suit within ten days.

Before the paternity trial, however, Chaplin will go on trial in Federal Court on an indictment charging violation of the Mann Act in that he transported Joan, his former drama protegee, to and from New York for immoral purposes. That trial is set for March 21.

Plot Charge Up Today

Tomorrow Chaplin, with two of his pals and four Beverly Hills officials, will appear for arraignment on another Federal indictment charging them with depriving the 23-year-old Joan of her constitutional rights by railroad-ing her out of Beverly Hills when Chaplin's interest in her ~~ended~~.

Chaplin Appeals Ruling That He Must Stand Trial

By FREDERICK C. OTHMAN
 HOLLYWOOD, March 9 (U.P.). Charles Chaplin today appealed to the District Court of Appeals to set aside a lower court's decision which refused to dismiss charges by Joan Barry, his red-haired former drama protege, that he is the father of her 5-month-old daughter, Carol Ann.

Chaplin's appeal was from a ruling by Superior Judge Stanley Mosk, who yesterday refused to dismiss the case even though three doctors said blood tests indicated Chaplin could not have been the father.

\$15,000 "Deposit" Cited

Chaplin contended that Judge Mosk "exceeded his jurisdiction and erred in his interpretation of the law."

He declared that, although Attorney Joseph Scott and Miss Barry no longer wish to carry out a stipulation to dismiss the suit if the blood tests failed to indicate possibility that Chaplin was the father, they have made no offer to return \$15,000 the comedian had paid for Carol Ann's support.

Miss Barry and Mrs. Gertrude Berry, her mother, accepted the money with the understanding that the suit would be dismissed immediately if the blood tests were negative, he told the appeals court.

Change of Lawyers

Instead, he charged, Miss Barry dismissed Attorney John Irwin—who had signed the stipulation—hired Scott and proceeded to press her suit.

Chaplin meanwhile faced a new date—on March 31—with the Federal courts after Federal Judge J. F. T. O'Connor today surveyed thousands of words prepared by attorneys for the comedian and six others indicted on charges of conspiracy to spirit Miss Barry out of Beverly Hills last spring.

O'Connor said he needed until then to prepare to hear arguments on demurrers to dismiss the charges.

THE WASHINGTON HERALD

Washington, D. C.

March 10, 1944

2,000 Pages Testimony

Lawyers for the somberly clad Chaplin and the alleged co-conspirators tried to have Judge O'Connor throw the case out of court because there were no women on the grand jury that returned the indictments. The attorneys stood in a line and made their pleas, one after another, with the judge snapping "denied" seven times.

Then the attorneys hauled in their briefs supporting their demurrers and the judge did some rapid calculating. He said he figured they'd handed him 84 separate documents, running into more than 2,000 pages closely typed.

He said the prosecution undoubtedly would hand him a few hundred pages more—thereby giving him almost as much reading matter as in the Old and New Testaments combined—and that he needed time to digest it.

Mr. Tolson _____
 Mr. E. A. Tamm _____
 Mr. Clegg _____
 Mr. Coffey _____
 Mr. Glavin _____
 Mr. Ladd _____
 Mr. Nichols _____
 Mr. Rosen _____
 Mr. Tracy _____
 Mr. Acers _____
 Mr. Carson _____
 Mr. Hendon _____
 Mr. Mumford _____
 Mr. Starke _____
 Mr. Quinn Tamm _____
 Mr. Nease _____
 Miss Gandy _____

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THE WASHINGTON POST

Washington, D.C.

March 10, 1944

Chaplin Suffers New Court Rebuff

Los Angeles, March 9 (AP).—Charles Chaplin suffered a new court rebuff today when Federal Judge J. F. T. O'Connor refused to quash indictments accusing him and six others of conspiracy to violate the civil rights of Miss Joan Berry, his former protege.

Mr. Tolson _____
Mr. E. A. Tamm _____
Mr. Clegg _____
Mr. Coffey _____
Mr. Glavin _____
Mr. Ladd _____
Mr. Nichols _____
Mr. Rosen _____
Mr. Tracy _____
Mr. Acers _____
Mr. Carson _____
Mr. Hendon _____
Mr. Mumford _____
Mr. Starke _____
Mr. Quinn Tamm _____
Mr. Nease _____
Miss Gandy _____

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- Mr. Tolson
- Mr. E. A. Tamm
- Mr. Clegg
- Mr. Coffey
- Mr. Glavin
- Mr. Ladd
- Mr. Nichols
- Mr. Rosen
- Mr. Tracy
- Mr. Acers
- Mr. Carson
- Mr. Harbo
- Mr. Hendon
- Mr. Mumford
- Mr. Starke
- Mr. Quinn Tamm
- Mr. Nease
- Miss Gandy

Court Weighs Chaplin Plea

HOLLYWOOD, March 14 (U.P.)
 The State appellate court today started deliberating arguments of attorneys for Film Comic Charlie Chaplin supporting his petition for a writ to dismiss red-haired Joan Barry's paternity suit against him. The court was expected to reach a decision in a few days on the written arguments of Chaplin's attorneys, Lloyd Wright and Charles E. Millikan, seeking to force Superior Judge Stanley Moore to dismiss the suit. A statement of Miss Barry's position in the suit was filed with the court by her attorney, Joseph Sjott.

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Chaplin Loses Appeal

HOLLYWOOD, March 17—Only the California Supreme Court was left today to Charlie Chaplin following refusal of the District Court of Appeal to order dismissal of Joan Barry's paternity suit. Chaplain had sought enforcement of a stipulation signed by Miss Barry's former attorney agreeing to drop the case if a blood test indicated Chaplin was not the father. Her lawyer, however, contended that the dismissal would deny the baby "her day in court" and Judge Stanley Mosk agreed.

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Chaplin Takes Serious Role: His Own Trial

By MARCIA WINN

LOS ANGELES, March 19 (C.T.P.S.)—Charlie Chaplin, the little clown at whom all the world once laughed and signed as he futilely pursued beautiful ladies across a flickering screen, goes on trial in Federal Court here Tuesday.

By an ironic twist of circumstances, none of which the Federal Government believes was beyond Chaplin's control, the little comedian who styled himself an ironist, has at last met the shadow, of which, on the screen, he seemed always afraid—his own.

Mann Act Charge

The shadow is long and heavy. Because of it he faces trial on two Federal charges, violation of the Mann Act and conspiring to deprive an American citizen of her civil rights. The trial which opens Tuesday deals only with the Mann Act allegation.

Both charges revolve around Joan Barry, 23, auburn-haired, and moderately beautiful, whom Chaplin first pursued until she became his "resident" protege, then scorned, and purportedly tried to have her kicked out of the State of California.

The word for the latter is "floated" and Miss Barry did just that. She floated out, and she floated straight back. Had she not done so and had she not found a few articulate persons who took up cudgels in her behalf, there would have been no Federal indictments, no trials.

Tired of Her Charms

One of these persons was Hedda Hopper, Hollywood columnist to whom Miss Barry first confided her troubles when, she asserts, Chaplin tired of her charms.

When the Federal grand jury sought testimony in January, Miss Hopper was called. The next day she received a mysterious telephone call. "Lay off," a voice said, "or you'll be knocked off." Miss Hopper reasonably enough asked the identity of her gentle caller. "Murder, Inc.," came the voice.

Maybe it was just one of those dear practical jokes Hollywood has indulged in ever since the days when Chaplin himself splashed custard pies into faces while the cash customers howled. Maybe it was a true and earnest threat.

Chaplin Named Father

First, Miss Barry, as every American who reads the daily papers surely knows, announced she was going to have a baby. She named Chaplin as its father. A week later—June 16, 1943—Chaplin married Oona O'Neill, daughter of the playwright.

The baby, a girl, Carol Ann, was born on October 2, 1943. Physicians representing both the mother and Chaplin, the alleged father, were present. So were lawyers, photographers and reporters, for six months before Miss Barry had filed a paternity suit against Chaplin, which he had temporarily allayed with a \$15,000 cash settlement.

Blood Test Given

On February 15 of this year Chaplin, Miss Barry and the child were given blood tests as part of the agreement in the paternity suit. The results indicated that Chaplin was not the father of the child, but as blood group testings may not be used as conclusive evidence of paternity in a court of law, the case, a civil suit, has not been dropped.

Mr. Tolson ✓
 Mr. E. A. Tamm ✓
 Mr. Clegg ✓
 Mr. Coffey ✓
 Mr. Glavin ✓
 Mr. Ladd ✓
 Mr. Nichols ✓
 Mr. Rosen ✓
 Mr. Tracy ✓
 Mr. Acers _____
 Mr. Carson _____
 Mr. Harbo _____
 Mr. Hendon _____
 Mr. Mumford _____
 Mr. Starke _____
 Mr. Quinn Tamm _____
 Mr. Nease _____

Miss Gandy
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Chaplin to Bring Out Joan's High Life South of Border



Arrow points to the comedian, one of whose problems is how to get thru the corridor mobs into the courtroom.

- Mr. Tolson ✓
- Mr. E. A. Tamm ✓
- Mr. Clegg ✓
- Mr. Coffey _____
- Mr. Glavin _____
- Mr. Ladd _____
- Mr. Nichols ✓
- Mr. Rosen ✓
- Mr. Tracy ✓
- Mr. Acers _____
- Mr. Carson _____
- Mr. Harbo _____
- Mr. Hendon _____
- Mr. Mumford _____
- Mr. Starke _____
- Mr. Quinn Tamm _____
- Mr. Nease _____
- Miss Gandy ✓

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By United Press

HOLLYWOOD, March 22 — Charles Chaplin mapped a defense today of white slavery charges that promised plenty of revelations.

While Federal Judge J. F. T. O'Connor prepared for his second day of questioning prospective jurors and Joan Barry waited to be called as the chief prosecution witness, J. Paul Getty, the multi-millionaire Oklahoma oil operator, showed up as something more than an interested spectator.

He was expected to tell for the defense what he knew about Miss Barry before she ever met the comic. Such testimony would lead inevitably to an explanation of what Miss Barry was doing in Mexico city a couple of years ago during the inauguration of President Avila Camacho.

Chaplin's attorney, the suave Jerry Giesler, hoped to attack Miss Barry's credibility thru a recitation of high life south of the border at fiesta time and then to prove to the satisfaction of the jury that Chaplin took her to New York in October, 1942, for reasons of business alone.

Prosecutor Charles H. Carr sought to show exactly the opposite—that the comedian took her to New York for the sole purpose of indulging in sexual relations.



—News-Acme
These pictures are a study in expressions at the Chaplin trial. Comedian Charles Chaplin is persuasive, his lawyer, Jerry Giesler, stares at the ceiling, while Actress Joan Barry is shown as she appeared at a press conference held in the same building while the trial was in progress.

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- Mr. Tolson ✓
- Mr. E. A. Tamm ✓
- Mr. Clegg ✓
- Mr. Coffey _____
- Mr. Glavin _____
- Mr. Ladd _____
- Mr. Nichols ✓
- Mr. Rosen ✓
- Mr. Tracy ✓
- Mr. Acers _____
- Mr. Carson _____
- Mr. Harbo _____
- Mr. Hendon _____
- Mr. Mumford _____
- Mr. Starke _____
- Mr. Quinn Tamm ✓
- Mr. Nease ✓

Chaplin Nervous As Trial Starts

Twelve Tentatively
Chosen for Jury

By FLORABEL MUIR

LOS ANGELES, March 21 (N. Y. News) — Charlie Chaplin, grim and obviously nervous, had to fight his way into U. S. District Court today for the opening of his white-slave trial—a trial based on the stories told by his former protege, red-haired Joan Barry, 24.

Seven men and five women were seated tentatively in the jury box when the trial adjourned until tomorrow. One of the men was Louis J. Odets, father of playwright Clifford Odets.

Challenges Planned

Defense Attorney Jerry Giesler said he would use some of the 10 peremptory challenges allowed the defense tomorrow. The prosecutor declined to say whether he planned any challenges.

Swarms of movie fans, newspapermen and photographers blocked the portals of Los Angeles' new \$1,000,000 Federal Building. Giesler had to run interference for his client.

"Want a press card to get in?" one reporter asked Giesler.

"Maybe we'll need one to get

out," the ace criminal lawyer replied.

To others he repeated the formula: "Nothing to say, boys."

Once inside the building, Chaplin fidgeted nervously outside the courtroom of Federal Judge J. F. T. O'Connor until the proceedings began.

The loud sports attire in which he made his initial appearance in court was missing today. Instead, he wore a double-breasted suit of navy blue, a light-blue shirt and a polka-dot tie with the knot askew. He topped this off with a gray homburg.

Sightseers Lose Out

Few of the curiosity seekers milling about the Federal building found seats in the courtroom. Most of the benches were occupied by the 56 prospective jurors, half of them women, newspaper and press association reporters and magazine writers. So many reporters are here to cover the trial that an extra press room had to be set up.

Chaplin's well-manicured fingernails drummed on a table top as Judge O'Connor, in a soft voice, read two indictments charging the actor with violation of the Mann Act. One alleged that he took Joan to New York for immoral purposes in October 1942, and the other said that he brought her back to Hollywood for the same reason three weeks later.

Then Giesler and the prosecutor, Charles H. Carr, told the judge what they wanted him to ask the prospective jurors. They wanted to know whether the talksmen might be prejudiced because Chaplin is a British subject, whether they had relatives on the Federal pay roll and whether any had read

a movie column in which much has been written about the Chaplin case.

Two Excused

The two talesmen, Joseph W. Finn and Miss Helen Elliott, were excused after questioning. Finn said he worked in a movie studio and couldn't give Chaplin an unprejudiced hearing. Also, he said he was prejudiced because Chaplin was not an American citizen. Miss Elliott said she had ideas on the citizenship question, too.

Both Giesler and Carr expressed confidence that the trial would not last more than 10 days.

file
Cliff Odets

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Love Trysts Told Jury:

Joan Testifies to Intimacies With Chaplin in New York

Weathers Stormy Cross-Examination Which Seeks to Link Her With Others

By FLOREBEL MUIR

LOS ANGELES, March 23 (N. Y. News).—Red-haired Joan Barry drew aside the curtain in Federal Court today to give the film colony glimpses of her love life with Charlie Chaplin in Hollywood and New York.

Her voice at times faltering, the pretty screen aspirant admitted intimacies extending over several months here and continuing in New York, where the graying comedian had sent her in October 1942.

On Verge of Tears

She told of being with Chaplin as often as five or six times a week, part of the time that he was grooming her for a leading part in a picture; of a visit to his suite in the Waldorf-Astoria Towers in New York; of the night she spent with him some weeks later when she broke into his Beverly Hills home with a gun with which, she said, she intended to commit suicide.

Throughout she spoke in low,

tremulous voice, and at times seemed on the verge of tears of Chaplin, who is on trial on charge of violating the Mann Act in transporting her to and from New York for immoral purposes watched her closely.

Admits Intimacy

Chaplin's attorney, Jerry Giesler, admitted in his opening statement this morning that Chaplin had been intimate with Joan in Hollywood, but said he would prove Chaplin did not make arrangements for the New York trip "for the purpose of making her his mistress."

"We intend to prove," Giesler thundered, "that any time Mr. Chaplin desired this girl sexually she voluntarily, gratuitously and

willingly offered herself without the necessity of going to New York for one such act."

The defense will prove, Giesler went on, that although Joan's fare was paid by the Chaplin studios, it was not for Chaplin's benefit but for "a man she had been keeping company with and who took her to Mexico."

When Giesler added that Joan was not a virgin when Chaplin first met her, U. S. District Attorney Charles Carr leaped to his feet with an objection that her virginity was not an issue in the case, and was sustained by Judge J. F. T. O'Connor.

Joan was the second Government witness, taking the stand after Mrs. Lois Watt, bookkeeper at the Chaplin studio, had identified checks and records to show that the girl had severed business relations with Chaplin before the trip to New York. Up to September 1942 she had been on his payroll for \$75 and then \$100 a week.

Questioned by Carr, Joan said she had been introduced to Chaplin in May 1941, by Tim Durant, a friend of the British actor, and

that she began having sex relations with him the next month. His Love Cooled

But he didn't love her in February as he had in June, Joan testified as Carr's questions brought out the story of the love affair. During June and July of 1941 she saw Chaplin "Oh, very often, probably five or six times a week," she said. The same frequency of visits continued through the fall and early winter, but by February they had fallen off to "maybe only three times a week."

Q. During that period was a trip to New York city discussed?

A. Yes, in the latter part of September 1942, Mr. Chaplin asked me, 'Joan, would you like to go to New York?' And I said, 'Yes, very much.' He said 'I'm letting you go, Joan, because I'm going back myself. I'm going to make a speech and I'd like you to be near me. You can stay at your aunt's house or at the Waldorf-Astoria. That's where I'm going to go.'

Loves Into Pierre

She told of picking up her tickets at the Chaplin studio and for arriving in New York on October 6. She spent four days with an aunt, one day at the Waldorf-Astoria, and then moved into Hotel Pierre.

Q. When did you first see Mr. Chaplin in New York. A. It was on October 16 at the Stork Club. He asked me how I liked his speech (made at Carnegie Hall on a second front). I said it was very good.

She said she did not see Chaplin again for three days, when she met him and Tim Durant at Club 21 for dinner.

"Then we had some drinks in El Morocco and got into a taxi to go to Mr. Chaplin's apartment at the Waldorf-Astoria. He showed me all around the place, the dining room, kitchen and everything. Durant said he was tired and left."

Question Embarrassing

Q.—What happened then, A.—We talked a few minutes about the Russians. Mr. Chaplin said they were very artistic. Then he asked me to go into the bedroom. Exactly what did he say? A.—Oh, I couldn't repeat that! But we did go into the bedroom and we stayed there three hours.

- Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Coffey
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Acers
Mr. Carson
Mr. Harbo
Mr. Hendon
Mr. Mumford
Mr. Starke
Mr. Quinn Tamm
Mr. Nease
Miss Gandy

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Q.—Did you have sexual intercourse? A.—Yes.

Joan said Chaplin took her back to Hotel Pierre about 3 a.m. and that he told her he wanted her to go back to the West Coast, "as I'd be there when he returned in about 10 days." She said he gave her three \$100 bills the next day and she returned to Hollywood on November 3.

Q.—And you were not married to the defendant at that time. A.—No!

She said she next saw the actor at her hotel on November 5, and visited his home on December 13.

Q.—Did you have sexual intercourse then? A.—Yes.

The next time she visited Chaplin, she said, she brought a gun with her.

Didn't Threaten Him

"But I did not threaten to shoot him. I spent the night with him."

Q.—How did you get in? A.—Well (she smiled nervously) I broke a window. He was in his bedroom talking to somebody on the telephone. He was talking about Westbrook Pegler, the newspaperman. I heard him say "this Pegler is an absolute fool. He is persecuting me and he doesn't know what he is talking about."

Q.—Didn't you threaten to kill yourself? A.—No, but I was try-

ing. Mr. Chaplin was in his bed and he said, "Come here, you little fool." I did. So we sat on the bed. We must have stayed there until 3 a.m.

Q.—Regarding the gun, were you going to kill yourself? A.—No, but I was trembling. I sat down on the bed. He said, "Don't be a fool!" and tried to get the gun. I said, "No, Charles, I'm going to keep it." I told him I was going to kill myself.

Gun Stayed on Table

Q.—How long were you in the room? A.—Until about 3 a.m.

Q.—Did you have sexual intercourse? A.—We did.

Q.—Where was the gun during that relationship? A.—On a table at the head of the bed.

Q.—And then? A.—When he was through with me I went into another room. I did not see him until noon the next day. Then he told me he was going to rehabilitate me, that I was extravagant. He said if I'd move into the Studio Club he'd give me \$25 a week on condition he could have me when he wanted.

Carr then turned the girl over to Giesler for cross-examination. No mention had been made in direct examination of the fact that Joan has a paternity suit pending against Chaplin, charging that he is the father of her four-month-old daughter.

"The Other Man"

In his questions Giesler tried again and again to bring in "the other man" and to imply that Joan wanted to go to New York for some reason known only to herself and badgered Chaplin so often to let her go that he finally capitulated.

In his opening statement Giesler had stated that Joan had checked into Hotel Pierre in New York "through the auspices of one of the officials of that hotel" and that she went out on parties with "the gentleman who checked in with her."

Picking up her meeting with Chaplin, Giesler asked:

Q.—You had just returned from Mexico City and had a letter of introduction from A. C. Blumenthal, did you not? A.—Yes.

Q.—Weren't you keeping company with another man at the time you met Mr. Chaplin? A.—Yes.

Denies Other "Relations"

Q.—The same man you were keeping company with in Mexico City? A.—Yes.

Q.—Well, weren't you having relations with other men when you met Mr. Chaplin? A.—No.

"Well then," said Giesler, "let's change the subject. Did Mr. Chaplin ever tell you that he wanted you to be in New York for the purpose of having sexual intercourse? Did he ever use such words?"

"No, he didn't."

Court recessed for the night.

with Joan thwarting every attempt Giesler made to break down her story.



L.N.P. Soundphoto

Joan Tells All on the Witness Stand

Joan Barry is shown on the witness stand in Los Angeles Federal Court yesterday as she testified in the Mann Act trial of Charlie Chaplin, millionaire film comedian. Charles H. Carr, U. S. attorney, is asking the questions.



A Few Words in Private

Charlie Chaplin confers with his attorney, Jerry Giesler, who later cross-examined Joan Barry in Los Angeles Federal Court yesterday.

Joan Berry Recalled To Witness Stand In Chaplin Trial

By the Associated Press.
LOS ANGELES, Mar. 24.—Joan Berry, who has testified she kept Chaney an illicit tryst with Charlie Chaplin, was recalled today for further cross-examination at the comedian-producer's trial on Mann Act charges.

The 24-year-old former dramatic student, who in another case alleges that Chaplin is the father of her child, told a Federal court jury their intimacies took place in Beverly Hills and New York City.

Chaplin, 54, is charged with transporting her to New York and return for immoral purposes.

His attorney, Jerry Giesler, was headed off by Government objections whenever he attempted any reference yesterday to Joan's relations with other men, if any. As his final question of the day he asked Miss Berry if, on her return trip to Hollywood, she was accompanied to the train "by the same man who arranged for your rooms at the Pierre Hotel" in New York.

United States Attorney Charles H. Carr bounded from his chair. His objection was sustained by Federal Judge J. F. T. O'Connor, and the upshot was that Miss Berry responded only that Chaplin personally did not buy her tickets from New York to Hollywood.

Miss Berry sat erect in the witness chair, her hands tightly clasped in her lap. Once or twice she appeared on the verge of an emotional break, as when Prosecutor Carr asked her bluntly:

"Did you have sexual intercourse with the defendant during July and August?" (1941).

"Yes," she responded, looking down at her folded hands. Under questioning by Mr. Carr she said that during the summer of 1941 she saw Chaplin "oh, very often, probably five or six times a week," mostly at his Beverly Hills home.

Met Chaplin in 1941.

Mr. Giesler in cross-examination brought from Miss Berry the statement that she had met the film comedian in May, 1941, after she had returned from Mexico City with a letter of introduction from A. J. Blumenthal.

"At that time were you keeping company with another man, some one you had met in Mexico?" Giesler asked. A Government objection forestalled her answer.

She testified she was intimate with Chaplin about two weeks after she had met him.

"Did you consent voluntarily?" Mr. Giesler asked.

"Yes," Miss Berry responded, almost in a whisper.

"Had you had sex relations with any one before?" Mr. Giesler queried, and here Mr. Carr's objection again cut off her answer.

Objection Blocks Answer.

Mr. Giesler sought to make a point of Miss Berry's alleged request, while she was still under contract to his studio, that Chaplin permit her to go to New York. Mr. Giesler asked if she had said to Edward Chaney, Chaplin's butler:

"I hate him. I can't go to New York. I hate him. My boy friend is there, and I want to see him."

Mr. Carr's objection blocked her answer, after which he and Mr. Giesler gathered at Judge O'Connor's bench for a conference in

undertone that lasted a full 20 minutes.

Mr. Giesler then rephrased his question:

"Do you recall being at the house (presumably Chaplin's) about a week before you left for New York in October, 1942, and did you say to Edward (Chaney) 'I hate him; he won't release me.' (From the movie contract.)"

Joan answered yes.

She testified Chaplin did not pay her bills at the Hotel Pierre, where she said she stayed for several days, and testimony did not disclose who did.

- Mr. Tolson _____
- Mr. Clegg _____
- Mr. Coffey _____
- Mr. Glavin _____
- Mr. Ladd _____
- Mr. Nichols _____
- Mr. Rosen _____
- Mr. Tracy _____
- Mr. Acers _____
- Mr. Carson _____
- Mr. Harbo _____
- Mr. Hendon _____
- Mr. Mumford _____
- Mr. Starke _____
- Mr. Quinn Tamm _____
- Mr. Nease _____
- Miss Gandy _____

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MAR 24 1944

Chaplin Studies Defense Plans Over Week End

By **FREDERICK C. OTHMAN**

HOLLYWOOD, March 26 (U.P.).
Charlie Chaplin, the little man
with a busy week ahead, spent
part of today with his 18-year-old
bride and the rest with his lawyers
figuring ways of breaking down
the Mann Act accusations of Joan
Barry.

The white-haired Chaplin, who garnered \$8,000,000 and four beauties for wives during his 30 years as Hollywood's number one comic, returns Tuesday to Federal Court of Judge J. F. T. O'Connor to hear the windup of the Government's case, charging him with taking his protégé to New York two years ago with intent to indulge in sexual relations.

Intent Held Important

That word "intent" is important. Witnesses for the Government, including Miss Barry, have proven that Chaplin bought her ticket east, that he had dinner with her at the Club 21, that he bought her drinks at El Morocco, and that he had her in his apartment in the tower of the Waldorf-Astoria Hotel.

All that has been testified to and admitted by Chaplin, who admits further that he did have intimate relations with Miss Barry in his Beverly Hills mansion.

The Government still has not proven that he brought Miss Barry to New York with any "intent" to break the white slavery laws, according to Henry Giesler, Chaplin's private attorney.

Intention Questioned

If Prosecutor Charles H. Carr does not produce some more witnesses who can prove to the satisfaction of a jury of elderly men and women that his client's intentions were not of the best, Giesler said he would ask the judge to dismiss the case.

If Carr can produce witnesses who will testify that Chaplin took the 23-year-old Miss Barry east for the sole purpose of furthering an illicit romance, then Giesler said the trial might last for another week.

New Case Looms

First he would present as the chief defense witness, the silver-topped Chaplin, himself, who would testify that he did take Miss Barry to New York, but that he did so strictly for business reasons.

On Friday, whether this trial is complete or not, Chaplin and six others must appear before this same Judge O'Connor for arraignment on more Federal indictments instigated by Miss Barry. In the second case she accuses Chaplin, two of his intimate friends, and four officials of Beverly Hills with conspiring to take from her her civil liberties, when she was arrested as a vagrant and ordered out of town in lieu of serving her sentence in jail.

Mr. Tolson _____
 Mr. Clegg _____
 Mr. Coffey _____
 Mr. Glavin _____
 Mr. Ladd _____
 Mr. Nichols _____
 Mr. Rosen _____
 Mr. Tracy _____
 Mr. Acers _____
 Mr. Carson _____
 Mr. Harbo _____
 Mr. Hendon _____
 Mr. Mumford _____
 Mr. Starke _____
 Mr. Quinn Tamm _____
 Mr. Nease _____
 Miss Gandy _____

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- Mr. Tolson _____
- Mr. E. A. Tamm _____
- Mr. Clegg _____
- Mr. Coffey _____
- Mr. Glavin _____
- Mr. Ladd _____
- Mr. Nichols _____
- Mr. Rosen _____
- Mr. Tracy _____
- Mr. Acers _____
- Mr. Carson _____
- Mr. Hendon _____
- Mr. Mumford _____
- Mr. Starke _____
- Mr. Quinn Tamm _____
- Mr. Nease _____
- Miss Gandy _____

CARRITE

Giesler Makes New Try to Probe Joan's Past

By United Press

HOLLYWOOD, March 28—Hundreds of excited spectators overflowed the court room today to hear red-haired Joan Barry answer more questions about her transcontinental love affair with Charlie Chaplin.

More than 500 persons, the largest crowd yet, were turned away when Federal Judge J. F. T. O'Connor began the second week of the comedian's trial on white slavery charges.

Chaplin's attorney, Jerry Giesler, immediately announced to O'Connor that he wanted Miss Barry to return to the witness stand for additional "pertinent questions." These questions, Giesler said, would not violate O'Connor's ruling Friday which prevented the defense from delving into Miss Barry's past and her associations with other men.

CONCERNED WITH CHARACTER.

"We are entitled to go into the background, antecedents, associations and picture of life of the individual," Giesler argued.

He said he wanted to ask about episodes in her life from the first time she came to Hollywood in 1938, particularly in November and December, 1942, following her return from New York, and the evening she said she spent with Chaplin in the bedroom of his Waldorf-Astoria apartment.

"There is no attempt here to circumvent your ruling," Giesler insisted. "We feel that we are entitled to bring in testimony relating to the character of the witness."

The jury was excused as Giesler began a citation of cases to support his contention.

WOULD TRACE MONEY

"This is not the usual type of Mann Act case," Giesler continued. "The prosecution hinges upon the words 'other immoral purposes' in reference



Atty. Giesler plans to question Miss Barry further.

to the transportation of a woman across state lines.

"It is particularly important that we find out what Miss Barry did with Mr. Chaplin's money after she returned from New York. If we can show she had associations with men other than the defendant we believe it will be quite proper and just. We believe we are right in asking that the young lady's background be investigated."

Judge O'Connor then heard opposing arguments from U. S. Atty. Charles Carr.

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Court Thronged For Joan's Story Of Chaplin Trip

HOLLYWOOD, March 28 (U.P.) — Charlie Chaplin's attorney today failed in his second attempt to question red-haired Joan Barry about her background and associations with men other than the multimillionaire comic being tried on white slavery charges.

HOLLYWOOD, March 28 (U.P.). Hundreds of excited spectators thronged the Federal courtroom and overflowed into the corridor today, expecting to hear red-haired Joan Barry answer more questions about her transcontinental love affair with Charlie Chaplin.

More than 500 persons, the largest crowd yet, were turned away when Federal Judge J. F. T. O'Connor began the second week of the multimillionaire film comic's trial on white slavery charges.

"Good Luck, Charlie"

"Good luck, Charlie," called out one woman, and her greeting brought a slight smile to the comedian's lips.

"He's good-looking yet, isn't he?" commented another middle-aged woman.

Giesler immediately announced to Judge O'Connor that he wanted Miss Barry to return to the witness stand for some additional "pertinent questions."

These questions, Giesler said, would not violate Judge O'Connor's ruling last Friday which prevented the defense attorney from delving into Miss Barry's past and her associations with other men.

Seeks Background Data

"We are entitled to go into the background, antecedents, associations and picture of life of the individual," Giesler argued.

The lawyer said he wanted to ask about episodes in her life from the time she first came to Hollywood in 1938 and particularly the months of November and December 1942, following her return from New York, and the evening she said she spent with Chaplin in the bedroom of his Waldorf-Astoria apartment.

"There is no attempt here to circumvent your ruling," Giesler insisted. "We feel that we are entitled to bring in testimony relating to the character of the witness."

The jury was excused from the courtroom as Giesler began a citation of lengthy cases and judicial opinions to support his contention.

"This is not the usual type of Mann Act case," Giesler continued. "The prosecution here hinges upon the word 'other immoral purposes' in reference to the transportation of a woman across State lines."

Seeks Link With Other Men

"It is particularly important that we find out what Miss Barry did with Mr. Chaplin's money after she returned from New York."

"If we can show she had associations with men other than the defendant, we believe it will be quite proper and just. We believe we are right in asking that the young lady's background be investigated."

Judge O'Connor said he would consider a written list of proposed questions and then heard opposing arguments from U. S. Attorney Charles Carr.

The prosecutor likewise cited a long list of cases.

"Whether a woman be pure or

- Mr. Tolson _____
- Mr. E. A. Tamm _____
- Mr. Clegg _____
- Mr. Coffey _____
- Mr. Glavin _____
- Mr. Ladd _____
- Mr. Nichols _____
- Mr. Rosen _____
- Mr. Tracy _____
- Mr. Acers _____
- Mr. Carson _____
- Mr. Hendon _____
- Mr. Mumford _____
- Mr. Starke _____
- Mr. Quinn Tamm _____
- Mr. Nease _____
- Miss Gandy _____

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impure," Carr said, "if her interstate transportation be for sexual immorality, the statute is violated."

"Her testimony can be impeached only by contradictory statements. The purpose and intent of a woman are wholly immaterial. A woman who assents and acquiesces is not an accomplice."

Judge O'Connor suggested Carr proceed with questioning of other Government witnesses while he considered his ruling in the dispute, but Carr said the decision would affect his procedure.

Judge O'Connor immediately called a half hour recess to consider the 14 pages of questions Giesler had given him.

- Mr. [initials]
- Mr. [initials]
- Mr. [initials]
- Mr. Coffey
- Mr. Glavin
- Mr. Ladd
- Mr. Nichols
- Mr. Rosen
- Mr. Tracy
- Mr. Mohr
- Mr. Carson
- Mr. Harbo
- Mr. Hendon
- Mr. Mumford
- Mr. Jones
- Mr. Quinn Tamm
- Mr. Nease
- Miss Gandy

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NEW WRINKLE Charlie Chan ^{Charlie Chan} ~~Mr.~~
 tens carefully to his attorney, Jerry Giesler, as he discusses sensational testimony introduced in the millionaire comedian's Mann Act trial. The trial resumed yesterday after a week-end recess, and the prosecution closed its case against him, putting Joan Barry again on the witness stand.

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Chaplin to Contend N. Y. Trysts Were Platonic

By **FREDERICK C. OTHMAN**
United Press Hollywood Correspondent

HOLLYWOOD, March 29—Charlie Chaplin rallied his witnesses today in hope of proving to a jury of oldsters that the one rendezvous he kept in his New York skyscraper suite with Joan Barry amounted only to a friendly chat instead of a violation of the Mann Act.

First, there was the matter of the plea for an instructed verdict of not guilty. Chaplin's attorney, the portly Jerry Giesler, made that late yesterday, insisting that his client was the victim of a scheming woman, whom he had accused an hour earlier of attempting blackmail.

APPEAL POSSIBLE

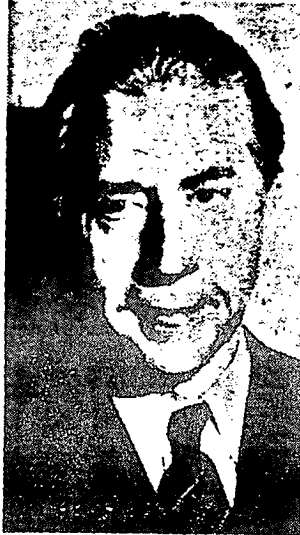
Miss Barry denied that she demanded \$150,000 of Chaplin on threat of putting his name in headlines across the nation, and Giesler spent an hour urging Judge J. F. T. O'Connor to dismiss the case. That was a formality to which nobody, Giesler included, expected the judge to agree. It did, however, pave the way for Chaplin to appeal, should the jury find him guilty.

Since Giesler did make the speech, however, the judge had to let Prosecutor Charles H. Carr answer him. Carr was scheduled to talk on the first order of business today.

Then come the first of the defense witnesses, a strange assortment, insofar as courtroom fans are concerned. Giesler refrained carefully from making public any idea of what they intended to say.

JOAN'S 'FRIEND' INCLUDED

They include Hans Reusch, young movie writer who befriended Miss Barry the night in December, 1942, when she was evicted from Chaplin's estate and attempted to commit suicide; Claude Rosenstein, attorney for



J. PAUL GETTY
Was he a friend of Joan's long before she met Chaplin?

the Tulsa, Okla., oil man, J. Paul Getty, and Getty, himself. Giesler has hinted broadly that Miss Barry was a friend of Getty long before she met the middle-aged Chaplin.

Other witnesses on Giesler's list are

- Mr. Tolson _____
- Mr. E. A. Tamm _____
- Mr. Clegg _____
- Mr. Coffey _____
- Mr. Glavin _____
- Mr. Ladd _____
- Mr. Nichols _____
- Mr. Rosen _____
- Mr. Tracy _____
- Mr. Acers _____
- Mr. Carson _____
- Mr. Harbo _____
- Mr. Hendon _____
- Mr. Mumford _____
- Mr. Starke _____
- Mr. Quinn Tamm _____
- Mr. Nease _____

Miss Gandy
if contact with
Miss Gandy

Sam Marx, a movie producer whom Miss Barry claims as a relative by marriage; Mack Warner, proprietor of local shoe store; Alfred Reeves, the general manager of Chaplin's movie studio; Roland Totheroh, Chaplin's cameraman for 20 years, and three men identified only by name. They are O. B. Gooding, Frank Antunev and Frank Testera.

Giesler said he still had not decided whether to call Chaplin as his own best witness, nor whether the testimony of Tim Durant, man-about-Hollywood, would be useful. Durant introduced Miss Barry to Chaplin in the first place and was in Chaplin's tower apartment at the Waldorf-Astoria hotel when Miss Barry called and, according to her, spent most of the night.

TWO MORE TRIALS

Judge O'Connor has barred any attempt to bring up Miss Barry's past, or even for Giesler to mention any of her masculine friends except Chaplin—who ceased being a friend a month

after the New York junket. The friendship ended when he met Miss Barry in a Hollywood hot spot and told her he never wanted to see her again.

As it turned out, he did not get his wish. When this trial is completed, he will face another jury in Federal Court on her accusations that he conspired with six others to deprive her of her civil liberties. Then he must go to civil court for a paternity suit filed by her, and apparently he is destined to be seeing more of Miss Barry (across a counsel table) than he ever saw before.

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Chaplin Continues Story of Relations With Joan Berry

By the Associated Press.

LOS ANGELES, Mar. 31.—Charlie Chaplin was recalled to the witness stand today to enact one of the most dramatic roles of his long, colorful career—a further denial of Government charges he transported Joan Berry to New York and back for immoral purposes.

Chaplin's first day on the stand was climaxed by one big moment that rivaled in tenseness that of Miss Berry's final day of testimony last Friday when she neared collapse as the defense introduced some of her letters to him.

Tears welled in Chaplin's eyes and he dabbed at them with a handkerchief as he related yesterday that Miss Berry, armed with a pistol, came to his Beverly Hills home one night and said: "I'm going to kill you."

Denies Miss Berry's Claims.

Earlier, he vigorously denied Miss Berry's previous claim that they had been intimate, both in the film actor's suite at the Waldorf-Astoria Hotel in New York in October, 1942, and following her return to California.

These claims are the basis of the Government's Mann-Act charges against Chaplin.

Chaplin gestured frequently as he testified in tones that frequently rang through the courtroom.

Alternately he turned to his attorney, Jerry Giesler, the jury and to Federal Judge J. F. T. O'Connor. Chaplin testified Miss Berry broke

into his home the night of December 23, 1942, threatened to kill him with a pistol, and later said she was going to kill herself.

The actor declared she refused to leave and finally he permitted her to spend the night in a room separated from his by a bathroom and a door he said he locked.

Chaplin said she departed the next morning, leaving the gun, after he gave her \$50 and promised her more.

Earlier Mr. Giesler referred to the night when Chaplin testified Miss Berry accompanied him to his Waldorf-Astoria Hotel suite and when she alleges he was intimate with her.

"Did you say to Miss Berry, 'Joan, will you come into my bedroom with me' and did she say 'yes'?" Mr. Giesler asked.

"I did not," Chaplin said, almost shouting.

"Did you go into the bedroom?" Mr. Giesler persisted.

"I did not," Chaplin replied.

"Did you undress and have an act of sexual intercourse in the

Waldorf-Astoria Hotel on the night on question?"

"I did not," Chaplin repeated.

Tells of Pistol Incident.
Chaplin denied Miss Berry's allegation that late in September, 1942, shortly before her New York trip, he had asked her if she would like to go to New York, and that he had said:

"I'm going there myself. I'd like you to be near me, and I'd like your mother to accompany you."

"Nothing of the kind took place," said Chaplin.

Chaplin's voice rose when he testified to Miss Berry's visit to his Beverly Hills home, armed with a pistol. Miss Berry had testified that on this occasion she and Chaplin had been intimate.

"That night, in your home, with Miss Berry's gun on the table, did you have intercourse with her?" Giesler asked.

"No," came the firm answer.

"Did you at any time that night?" Mr. Giesler pressed.

"No."

Chaplin also denied intimacies with Miss Berry on other occasions specified by her when she was in the stand last week.

- Mr. Tolson _____
- Mr. E. A. Tamm _____
- Mr. Clegg _____
- Mr. Coffey _____
- Mr. Glavin _____
- Mr. Ladd _____
- Mr. Nichols _____
- Mr. Rosen _____
- Mr. Tracy _____
- Mr. Acers _____
- Mr. Carson _____
- Mr. Harbo _____
- Mr. Hendon _____
- Mr. Mumford _____
- Mr. Starke _____
- Mr. Quinn Tamm _____
- Mr. Nease _____
- Miss Gandy _____

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Chaplin Court Bars Quiz on Other Man

Chaplin As Trials

Judge Voids Questioning of Miss Berry Concerning Different Romance

Los Angeles, March 24 (AP).—A court ruling this afternoon prevented Charlie Chaplin's lawyer questioning Joan Berry about a romance with another man and attorney Jerry Giesler told reporters: "This closes the door on our books."

Immediately after a brief recess Giesler announced he was through with the cross examination of the government's chief witness in its effort to convict the actor on a Mann Act indictment.

U. S. Attorney Charles H. Carr, with a few questions about Miss Berry's visit to Chaplin's Beverly Hills home with a loaded pistol, brought her testimony on behalf of the prosecution to a close.

The ruling followed a 58-minute huddle to Judge J. F. T. O'Connor's bench in which Giesler said later he had made various offers of proof in resisting the government's objection to his line of questioning.

The question which preceded the lengthy conference and to which Carr made quick objection, was:

"In November, 1942, before you left for Tulsa, did you have a conversation with Hans Reusch in which you said in effect that you were broke but that you knew where you could get some money in Oklahoma from a business man who had to give you some because you had made a trip from Mexico and there is a law against that in the United States and he can't do that?"

Reusch was not further identified.

The question was propounded by Giesler, defending the actor against Mann Act charges involving a trip to New York, where Chaplin met his 24-year-old protegee, and came at the start of the afternoon session of court.

The forenoon session was terminated abruptly after Miss Berry broke into sobs upon the introduction of a letter she wrote Chaplin in which she said: "I know what I've done is past forgiving," and "I'm going back to New York."

Red-haired Joan, clad in a violet coat, sat in the witness chair starting at the floor and Charlie shifted in his chair as Giesler read the letter.

There were arguments and a conference over another letter Joan wrote to Chaplin from Tulsa. Judge O'Connor ruled out the first page of that letter and six lines of the second page.

The second letter was written on stationery of the Mayo Hotel in Tulsa, and was dated November 18, 1942. It said:

"Charles:
"I am so sorry for the unbalanced and undisciplined way I have acted—sorry because it's caused you annoyance and embarrassment. I can't ask you to forgive me because I know what I've done is past forgiving.

"In this whole stupid mess there are only two things that remained perfect. I never doubted—for one second—that I was to be Bridget." (Apparently a reference to a motion picture role she was to have played for Chaplin.) "That knowledge compensated for the pain I felt when I knew that I was never really close to you.

"I thought loving you and knowing you that you never wanted or would never allow me to become a part of your life was torture, but now that I know that I am not to be Bridget, my cup is full."

"I must admit, though, that after the way I've acted, it's the only thing you could do.

"Thank you for buying the play; thank you for giving up your time

to teach me. It was wonderful to have almost been Bridget.

"And thank you, Charles, for letting me know you—you, the greatest genius and artist living.

"You never really (underscored) knew of the countless, sleepless nights and millions of unsent letters. You'd laugh at them but they were pretty real to me.

Tells of Wedding Plans

"I know you're not interested in my plans, but I'd like to tell you anyway. I'm going back to New York to get married. (There really is a boy who wants to marry me.)

"I'm going back to New York just as I left it. No clothes, no car, no money. Perhaps it's for the best.



Associated Press WIREPHOTO CHARLIE CHAPLIN

owned yesterday in a full moment of his trial, but was attention when Joan Berry resumed her testimony

- Mr. Tolson _____
- Mr. E. A. Tamm _____
- Mr. Clegg _____
- Mr. Coffey _____
- Mr. Glavin _____
- Mr. Ladd _____
- Mr. Nichols _____
- Mr. Rosen _____
- Mr. Tracy _____
- Mr. Acers _____
- Mr. Carson _____
- Mr. Harbo _____
- Mr. Hendon _____
- Mr. Mumford _____
- Mr. Starke _____
- Mr. Quinn Tamm _____
- Mr. Nease _____
- Miss Gandy _____

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"This way it seems as if these past three years have been a dream and I'm happy and content in that dream.

"I hope that 'Landreau' is a great success as all your other pictures and I hope you personally will find continued happiness.

"Forget all those mean things I've done if you can, and remember instead the stupid girl who ruined the greatest chance the motion pictures has ever offered.

"Always yours,

"Joan."

In the first of the letters, Miss Berry, singing herself, "Always yours, Joan," wrote of her plans to marry another man after spending Thanksgiving with her mother.

The "Fatal Plunge"

"Then the 'fatal plunge,'" she wrote. "He wants to get married Saturday."

"By the way, I've had a lot of explaining to do as to the reason I'm in Tulsa and not in New York," she added. "Luckily the 'best girl friend and I must see her' still works."

The letter was dated November 22, 1942, about a month after her trip to New York.

Previously Giesler had taken Miss Berry again over the incidents of her trip to New York upon which the Mann Act charge is based. He brought out that she was accompanied by her mother and that Chaplin was not on the same train.

She first encountered the actor in New York at a night club, Miss Berry said.

Several days later, she met Chaplin at a night club. In a taxi, she said, the actor suggested she go to his apartment to discuss some matters.

There, Miss Berry testified, she had sexual relations with Chaplin after he had disrobed completely. The actor, accompanied her to her own hotel afterward, she declared, and later she returned here alone and next saw Chaplin three or four days later when he took her to a night club.

Tells of Visits

The young woman related two visits to Chaplin's Beverly Hills home, the first about December 23, 1942, when she said she entered

with a loaded pistol after breaking a glass in a door.

Miss Berry said she pointed the weapon at Chaplin and later engaged in sexual intercourse with him," she said.

She said she had been at Chaplin's house for an hour and a half with the gun in her hand most of the time before the act took place. She refused Chaplin's repeated entreaties to release the weapon, she testified.

"Did you keep the gun until the act of intercourse started and when it was completed did you regain it?" Giesler asked.

Miss Berry said that was the case. She gave it up only after Chaplin gave her \$50 or \$60, she added.

The next visit, she related, was a week afterward, when she paid the actor a midnight visit "to get my \$25 I was receiving each week." After an obvious mental effort, she recalled that the pair indulged in intercourse upon that occasion. Before leaving for Tulsa, Miss Berry said, she lived here for a time with Elaine Barrymore, last wife of the late John Barrymore.

Joan Berry Tells Of Chaplin Affair

Joan Berry took the witness stand yesterday to tell of a series of intimacies with Charles Chaplin in the movie star's trial on charges of violating the Mann Act.

Joan Berry Tells of Trysts With Chaplin

Los Angeles, March 23 (AP).—Auburn-haired Joan Berry told a Federal jury today she had been sexually intimate with Film Actor-Producer Charles Chaplin on numerous occasions both in Beverly Hills and New York City.

The silvery-thatched comedian, on trial on two charges of Mann Act violation by allegedly transporting her to New York City for immoral purposes, slouched in a swivel chair at counsel table with hand to face and stared stonily at her with never a flicker of emotion.

Joan never glanced his way.

The attractive, Detroit-born film aspirant told of her hopes of film fame, of being placed under contract to the producer's studio, and of a night when she broke into his Beverly Hills home through a window carrying a gun, the subsequent meeting with Chaplin ending, she said, in another intimacy.

At another point she said that she stayed from October 8 to 10, 1942, in the Waldorf-Astoria Hotel in New York.

She said she then moved to the Pierre Hotel in New York City.

The 24-year-old unwed mother was tremulous and seemingly on the verge of tears as she sat down in the witness chair and in response to a blunt question from United States Attorney Charles H. Carr said she had had sexual intercourse with Chaplin during June of 1941.

"Did you also have sexual intercourse with the defendant during July and August?" Carr asked.

"Yes," Miss Berry said, almost inaudibly, as she looked down at her hands tightly clenched in her lap.

She said she met the gray-haired Chaplin in May, 1941, introduced by Thomas Wells Durant. It was only a few days afterward, she said, that by Carr's questioning, that she saw him again at Durant's home.

During June and July of 1941 she saw Chaplin "oh, very often, probably five or six times a week," Miss Berry testified. The same frequency of visits occurred during August and September and October of 1941, the witness asserted. Most of the time, she testified, she saw Chaplin at his home.

"Did you see Chaplin in January, February and March of 1942?" Carr asked her.

"Yes," she responded, "but not quite so often. Maybe only three times a week."

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Miss Berry said it was, at Chaplin's home, about October, 1942.

Miss Berry spoke in a low voice and frequently swallowed and gulped.

"In the latter part of September, 1942, Mr. Chaplin asked me, 'Joan, would you like to go to New York?' and I said, 'Very, very much.'"

"He said, 'I'm letting you go, Joan, because I'm going back myself. I'm going to make a speech about a second front and I'd like you to be near me. You can stay at your aunt's house or at the Waldorf-Astoria. That's where I'm going to go.'"

"I got the ticket at Mr. Chaplin's studio, October 2," Miss Berry went on.

"I arrived in New York about October 6 and stayed at my aunt's home about four days. Then I went to the Waldorf-Astoria for one night and then to the Pierre Hotel and stayed there perhaps three weeks."

"Did you see Chaplin in New York?" asked Carr.

"Yes. The first time was October 16 at a night club—the Storrs Club."

"Who was there with Mr. Chaplin?"

"A Mr. Durant and another gentleman."

Night Club Tour

After a night-club tour the three of them went to the Waldorf-Astoria.

"Mr. Chaplin said there were some things he wanted to talk over," Miss Berry said.

She, Chaplin and Durant then went to the actor's apartment, after which Durant went to another room, she asserted.

Questioned by Carr as to what happened then, Miss Berry appeared close to collapse.

"I can't say it! I can't say it!" she answered.

Finally she did say it, however, and Chaplin's words, she testified,

- Mr. Tolson
- Mr. E. A. Tamm
- Mr. Clegg
- Mr. Coffey
- Mr. Glavin
- Mr. Ladd
- Mr. Nichols
- Mr. Rosen
- Mr. Tracy
- Mr. Mohr
- Mr. Carson
- Mr. Hendon
- Mr. Mumford
- Mr. Jones
- Mr. Quinn Tamm
- Mr. Nease
- Miss Gandy

Chaplin

were: "Will you go into the bedroom with me?"

Under questioning, she said she went and that she and Chaplin had sexual intercourse. She left about 3 a. m., she asserted, going in a cab to her own quarters in the Pierre Hotel.

Later, she said Chaplin told her, "Joan, I'll give you \$300, enough for a ticket back to California."

She came back to California the latter part of 1942.

"By the way, were you married during this time to the defendant, Mr. Chaplin?"

"No, I wasn't," Miss Berry replied, looking at her lap.

She said she saw Chaplin on December 13 at his home.

Claims More Intercourse

"Did you have sexual intercourse with the defendant Chaplin at that time?"

"Yes."

"When did you next see him?"

"About December 19 or 21 at his home."

"State whether or not on that occasion you had sexual intercourse with the defendant Chaplin."

"I did."

"Do you recall a gun episode?"

"Yes, on December 19 or 21, 1942."

"Did you have the gun?"

"Yes. I purchased it, and took it to Mr. Chaplin's residence."

"Did you threaten to shoot the defendant?"

"No."

"How long were you in the house?"

"All night. The early part I was in Mr. Chaplin's room and later in another room."

"How did you get in?"

"I broke a window. I first saw Mr. Chaplin up in his room. I heard him talking affectionately to some one."

This last sentence was stricken from the record by Judge J. F. T. O'Connor.

Miss Berry continued: "Mr. Chaplin was talking on the telephone about Mr. Pegler (not identified) and said: 'He's an absolute'

This is a clipping from page 19 of the Washington Post for

Clipped at the Seat of Government.

Joan Takes Witness Stand



JOAN BERRY

Tells Story of Chaplin Affair

fool and doesn't know what he's talking about."

"Regarding the gun, were you going to kill yourself?"

"No, I was trembling. I sat down on the bed. He said: 'Don't be a fool and tried to get the gun.' I said: No Charles. I'm going to keep it. I told him I was going to kill myself."

"How long were you in the room?"

"Until about 3 a. m."

"Did you have sexual intercourse with Mr. Chaplin?"

"I did."

Put Gun on Table

"Where was the gun during that relationship?"

"On a table."

She said she slept until morning in another room and left the house about 12 or 1 o'clock.

Then, she said, Chaplin told her: "Joan, I'm going to try to rehabilitate you. If you are willing to live on \$25 a week and live at the studio club instead of the hotel, I will see that you receive \$25 a week on condition that you don't bother me."

Carr then turned Miss Berry over to the defense attorney, Jerry Giesler, for cross-examination.

"You met Chaplin in May, 1941, through Mr. Durant, you say?" Giesler asked.

She said she had.

"You had just returned from Mexico City and had a letter of introduction from A. C. Blumen-

thal, did you not?" Giesler asked. She said she had such a letter.

It developed during the cross-examination that Miss Berry had made two trips to Mexico, one from New York City, and this was a point that Giesler emphasized.

Giesler asked about her meeting with Chaplin and the alleged intimacies.

"Did you consent voluntarily?" Giesler asked.

"Yes," said Joan, in almost inaudible tone.

Giesler then asked her bluntly if she had had previous sex experiences, and the question brought Carr to his feet with a bound. His objection that the question had no bearing on the case was sustained.

This is a clipping from
page 9 of the
Washington Post for

MAR 24 1944
Clipped at the Seat of
Government.

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"Yes. The first time was October 16 at a night club—the Stork Club."

"Who was there with Mr. Chaplin?"

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She, Chaplin and Durant then went to the actor's apartment, after which Durant went to another room, she asserted.

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She said she had a letter.

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Gleaser asked about her meeting with Chaplin and the alleged intimacies.

"Did you consent voluntarily?" Gleaser asked.

"Yes," said Joan, in almost inaudible tone.

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Tells of Trysts With Chaplin

Los Angeles, March 23 (AP).—Auburn-haired Joan Berry told a Federal jury today she had been sexually intimate with Film Actor-Producer Charles Chaplin on numerous occasions both in Beverly Hills and New York City.

The silver-thatched comedian, on trial on two charges of Mann Act violation by allegedly transporting her to New York City for immoral purposes, slouched in a swivel chair at counsel table, with hand to face and stared stonily at her with never a flicker of emotion.

Joan never glanced his way. The attractive, Detroit-born film aspirant told of her hopes of film fame, of being placed under contract to the producer's studio, and of a night when she broke into his Beverly Hills home through a window carrying a gun, the subsequent meeting with Chaplin ending, she said, in another intimacy.

At another point she said that she stayed from October 8 to 10, 1942, in the Waldorf-Astoria Hotel in New York.

She said she then moved to the Pierre Hotel in New York City.

The 24-year-old unwed mother was tremulous and seemingly on the verge of tears as she sat down in the witness chair and in response to a blunt question from United States Attorney Charles H. Carr said she had had sexual intercourse with Chaplin during June of 1941.

"Did you also have sexual intercourse with the defendant during July and August?" Carr asked.

"Yes," Miss Berry said, almost audibly, as she looked down at her hands tightly clenched in her lap.

She said she met the gray-haired Chaplin in May, 1941, introduced by Thomas Wells Durant. It was only a few days afterward, she said, led by Carr's questioning, that she saw him again at Durant's home.

During June and July of 1941 she saw Chaplin "oh, very often, probably five or six times a week," Miss Berry testified. The same frequency of visits occurred during August and September and October of 1941, the witness asserted. Most of the time, she testified, she saw Chaplin at his home.

"Did you see Chaplin in January, February and March of 1942?" Carr asked her.

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Miss Berry, spoke in a low voice and frequently swallowed and gulped.

"In the latter part of September, 1942, Mr. Chaplin asked me, 'Joan, would you like to go to New York?' and I said, 'Very, very much.'"

"He said, 'I'm letting you go, Joan, because I'm going back myself. I'm going to make a speech about a second front"



Associated Press WIREPHOTO
TELLS OWN STORY—Joan Berry sips water on the witness stand from which she told the story of her relations with Charlie Chaplin

came back to California the latter part of 1942."

"By the way, were you married during this time to the defendant, Mr. Chaplin?"

"No, I wasn't," Miss Berry replied, looking at her lap.

She said she saw Chaplin on December 13 at his home.

Claims More Intercourse

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"Yes."

"When did you next see him?"

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"State whether or not on that occasion you had sexual intercourse with the defendant Chaplin."

"I did."

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Chaplin Nervous As Trial Starts

Twelve Tentatively
Chosen for Jury

By FLORABEL MUIR

LOS ANGELES, March 21 (N. Y. News).—Charlie Chaplin, grim and obviously nervous, had to fight his way into U. S. District Court today for the opening of his white-slave trial—a trial based on the stories told by his former protege, red-haired Joan Barry, 24.

Seven men and five women were seated tentatively in the jury box when the trial adjourned until tomorrow. One of the men was Louis J. Odets, father of playwright Clifford Odets.

Challenges Planned

Defense Attorney Jerry Giesler said he would use some of the 10 peremptory challenges allowed the defense tomorrow. The prosecutor declined to say whether he planned any challenges.

Swarms of movie fans, newspapermen and photographers blocked the portals of Los Angeles' new \$1,000,000 Federal Building. Giesler had to run interference for his client.

"Want a press card to get in?" one reporter asked Giesler.

"Maybe we'll need one to get in."

Turn to Page 3, Col. 3)

Chaplin Obviously Nervous As Jury Selection Starts

(Continued from First Page)
out," the ace criminal lawyer replied.

To others he repeated the formula: "Nothing to say, boys."

Once inside the building, Chaplin fidgeted nervously outside the courtroom of Federal Judge J. F. T. O'Connor until the proceedings began.

The loud sports attire in which he made his initial appearance in court was missing today. Instead, he wore a double-breasted suit of navy blue, a light-blue shirt and a polka-dot tie with the knot askew. He topped this off with a gray homberg.

Sightseers Lose Out

Few of the curiosity seekers milling about the Federal building found seats in the courtroom. Most of the benches were occupied by the 56 prospective jurors, half of them women, newspaper and press association reporters and magazine writers. So many reporters are here to cover the trial that an extra press room had to be set up.

Chaplin's well-manicured fingernails drummed on a table top as Judge O'Connor, in a soft voice, read two indictments charging the actor with violation of the Mann Act. One alleged that he took Joan to New York for immoral purposes in October 1942, and the other said that he brought her back to Hollywood for the same reason three weeks later.

Then Giesler and the prosecutor, Charles H. Carr, told the judge what they wanted him to ask the prospective jurors. They wanted to know whether the talesmen might be prejudiced because Chaplin is a British subject, whether they had relatives on the Federal pay roll and whether any had read

a movie column in which much has been written about the Chaplin case.

Two Excused

The two talesmen, Joseph W. Finn and Miss Helen Elliott, were excused after questioning. Finn said he worked in a movie studio and couldn't give Chaplin an unprejudiced hearing. Also, he said he was prejudiced because Chaplin was not an American citizen. Miss Elliott said she had ideas on the citizenship question, too.

Both Giesler and Carr expressed confidence that the trial would not last more than 10 days.

- Mr. Tolson _____
- Mr. E. A. Tamm _____
- Mr. Clegg _____
- Mr. Glavin _____
- Mr. Ladd 4/24
- Mr. Nichols _____
- Mr. Rosen 1/4
- Mr. Tracy _____
- Mr. Carson _____
- Mr. Coffey _____
- Mr. Hendon _____
- Mr. Kramer _____
- Mr. McGuire _____
- Mr. Quinn Tamm _____
- Mr. Nease _____
- Miss Gandy _____

Handwritten signatures:
Kittling
J. C. [unclear]

- Mr. Tolson _____
- Mr. E. A. Tamm _____
- Mr. Clegg _____
- Mr. Glavin _____
- Mr. Ladd _____
- Mr. Nichols _____
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- Mr. Kramer _____
- Mr. McGuire _____
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- Mr. Nease _____
- Miss Gandy _____



Acme Telephoto and I.N.P. Soundphoto

Principals in Court as Trial Begins

Joan Barry sits quietly in Los Angeles Federal Court as Charlie Chaplin, millionaire comedian, wrings his hands nervously during the selection of the jury. Chaplin faces trial on a Mann Act charge involving Miss Barry.

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THE WASHINGTON HERALD

Washington, D.C.

March 25, 1944

Mr. Tolson _____
Mr. E. A. Tamm _____
Mr. Clegg _____
Mr. Coffey _____
Mr. Glavin _____
Mr. Ladd _____
Mr. Nichols _____
Mr. Rosen _____
Mr. Tracy _____
Mr. Acers _____
Mr. Carson _____
Mr. Hendon _____
Mr. Mumford _____
Mr. Starks _____
Mr. Quinn Tamm _____
Mr. Nease _____
Miss Gandy _____

Broadway

By DANTON WALKER

Broadway Roundup

THIS Wacky World: Charlie Chaplin's reason for never becoming an American citizen, according to Hollywood scuttlebutt, is because he expected eventually to be made a knight of the British Empire . . . The setting of Ernest Hemingway's "To Have and Have Not," laid in Cuba, was changed by the moviemakers from



Cuba to Martinique and from there to the English Channel, to avoid conflict with another picture, "Early to Bed" . . . Australia wants 50,000 tennis balls from the U. S. on a lend-lease arrangement . . . The N. Y. Daily Worker has come out strongly against Vice President Wallace for his championship of small business . . . An Army officer back from the Aleutians says Yanks on their time off do placer mining, gathering in around \$35 or \$40 per week end . . . Among New Guinea natives the most popular American importation is peroxide. Unmarried men, accustomed to powdering their hair with red dust to identify themselves as bachelors, find peroxide more efficient.

U.S. MAR 25 1944

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FBI
MAR 29 1944

FILE



CHARLES CHAPLIN

Artists Hail Chaplin Acquittal

The entire country hailed the acquittal of Charles Chaplin by a Federal court jury. The only ones who did not like the verdict were Hitler's powerful friends in this country. It is common knowledge that the Chaplin case was built up to its present mountainous proportions by the Hearst-McCormick-Patterson press. Chaplin himself told newspapermen the other day that the N. Y. Daily News was the ring-leader of the savage assault against him because he had advocated opening a second front in 1942.

ROBESON PLEASSED

Paul Robeson expressed the feelings of the majority of the people in a statement to the Daily Worker in which he said: "I am very glad that Chaplin has been acquitted. This whole drive seemed to me to have overtones of persecution other than the stated facts in the case. I am very glad that an American jury acquitted him. I hope he will be freed of the other charges as well. Knowing the West as I do, it seems to me he has been put on the spot for reasons familiar to liberal citizens. I think that members of the profession and liberal citizens throughout the country should be solidly behind Chaplin."

SCREEN STAR JOKY

Victor Jory, well known stage and screen star said:

"I think all artists in the theatre and in motion pictures must be very happy today that Charles Chaplin was acquitted. He is undoubtedly the greatest pantomimist of our time and has probably done more for motion pictures than any single individual."

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This is a clipping from page 3 Sec. 1 of the WORKER

Date Apr. 9, 1944
Clipped at the Seat of Government.

COMM 10 1944

Joan Repeats Torrid Account Of Chaplin Love

HOLLYWOOD, April 10.—Joan Barry insisted today that Charlie Chaplin boasted he looked "like Peter Pan" after one of their torrid love sessions in December, 1942, that, she says made her a mother instead of a movie star.

Testifying in retrial of the Chaplin paternity case, Miss Barry repeated the story of love trysts she had told twice before. The first time it was told to a jury that acquitted the comedian of a Mann act violation. The second time it was heard by a jury that couldn't agree whether Chaplin was the father of Carol Ann Barry, now 18 months old.

Describes Hectic Events

Miss Barry was particular about describing the hectic events of the night of December 23 and morning of December 24. Her physicians said that was about the time Carol Ann was conceived.

Miss Barry, sometimes stammering, told how she went to Chaplin's mansion that night with a gun, determined to kill herself because another woman had succeeded her in the 55-year-old actor's affections.

After talking with Chaplin in his twin-bedded bedroom, Miss Barry said she calmed down and promised not to do any shooting.

"Then he kissed me," she recalled. "Oh, I was so crazy about him. Then he touched me, and . . ."

Joseph Scott, the baby's attorney, interrupted.

"And then you had sexual relations there in his bedroom?" Scott asked.

"Yes, we did," she replied.

After the act, she remained in the bedroom, although Chaplin's "snoring disturbed me," but she didn't surrender the gun until the next morning, when Chaplin made love to her again.

After the second love session, the silvery-haired comedian stood before a mirror, she insisted.

He Flexed Muscles

"He flexed his muscles and said: 'Joan, don't you think I look like Peter Pan?'"

Earlier, Miss Barry told the jury that she and her white-haired mentor had a "spat" over Oona O'Neill, daughter of the famed playwright, Eugene O'Neill.

Miss Barry told of meeting Chaplin in a restaurant on the night of December 10, 1942, a meeting which led to fireside intimacies, she said.



I.N.P.

The Pose Before the Mirror

This is how Charlie Chaplin admired himself while he posed nude before a mirror—according to the testimony of Joan Barry, shown as she demonstrated for a Los Angeles jury yesterday in her paternity suit against the comedian.

Miss Barry testified she went to the cafe with Hans Ruesch, Hollywood writer, and found Chaplin at another table with Miss O'Neill and Mr. and Mrs. King Vidor.

Later she went to Chaplin's home "because I knew he wanted to see me," she told the jury of 11 women and one man, adding:

"I asked him, 'Have you forgotten me so soon?'"

"He said, 'It's you who have been forgetting me. Who was that young man I saw you with?'"

After further sparring, she related, she asked him:

"Are you going with this young girl (Miss O'Neill)? Do you love her? He replied: 'Don't be silly. I just feel sorry for her. I know her mother very well. She has been living in an auto court for 18 months and I just feel sorry for her.'" EX-37-28496-A

A kiss by firelight followed, she continued, and they had intimate relations after he assured her:

"No one else matters."

Mr. Tolson _____
Mr. E. A. Tamm _____
Mr. Clegg _____
Mr. Coffey _____
Mr. Glavin _____
Mr. Ladd _____
Mr. Nichols _____
Mr. Rosen _____
Mr. Tracy _____
Mr. Carson _____
Mr. Egan _____
Mr. Hendon _____
Mr. Pennington _____
Mr. Quinn Tamm _____
Mr. Nease _____
Miss Gandy _____

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Mr. Tolson.....
Mr. E. A. Tamm.....
Mr. Clegg.....
Mr. Coffey.....
Mr. Glavin.....
Mr. Ladd.....
Mr. Nichols.....
Mr. Rosen.....
Mr. Tracy.....
Mr. Acers.....
Mr. [unclear].....
Mr. [unclear].....
Mr. [unclear].....
Mr. [unclear].....
Mr. [unclear].....
Mr. [unclear].....
Miss Gandy.....

*File
F. W. W.*

Hearings in Chaplin Case Delayed

HOLLYWOOD, April 11 (U.P.).—Federal Judge J. F. O'Connor today postponed until April 26 hearings on demurrers filed by Charlie Chaplin and five others accused of conspiring to deprive Joan Barry of her civil rights.

*Bureau Case
JOK*

*Washington Times-Herald
4/11/44*

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56 APR 15 1944

- Mr. Tolson ✓
- Mr. E. A. Tamm ✓
- Mr. Clegg _____
- Mr. Coffey _____
- Mr. Glavin _____
- Mr. Ladd _____
- Mr. Nichols ✓
- Mr. Rosen ✓
- Mr. Tracy ✓
- Mr. Acers _____
- Mr. Carson _____
- Mr. Harbo _____
- Mr. Hendon _____
- Mr. Mumford _____
- Mr. Starke _____
- Mr. Quinn Tamm _____
- Mr. Nease _____
- Miss Gandy _____

mix

**Chaplin Conspiracy Case
Postponed to April 26**

By the Associated Press.
LOS ANGELES, April 12. Arguments on demurrers to indictments accusing Charles Chaplin and six others of conspiring to deprive 24-year-old Joan Berry of her civil rights were postponed yesterday until April 26.

The comedian was not in court, and his attorney, Jerry Giesler, said he is seriously ill with influenza.

The conspiracy indictments are based on Miss Berry's arrest on a vagrancy charge in Beverly Hills in January, 1943, and the suspended sentence she received on condition that she leave the city. The charge later was dismissed.

Chaplin was acquitted recently of a Mann Act indictment charging that he transported her to and from New York City in October, 1942, for immoral purpose.

*File
F. H. J.*

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87 APR 17 1944

- Mr. E. A. Tamm _____
- Mr. Clegg _____
- Mr. Coffey _____
- Mr. Glavin _____
- Mr. Ladd _____
- Mr. Nichols _____
- Mr. Rosen _____
- Mr. Tracy _____
- Mr. Acers _____
- Mr. Carson _____
- Mr. Harbo _____
- Mr. Hendon _____
- Mr. Mumford _____
- Mr. Starke _____
- Mr. Quinn Tamm _____
- Mr. Nease _____
- Miss Gandy _____

mk

Clear Judge Of Chaplin Charges

HOLLYWOOD, April 14 (UP).
Federal Judge O'Connor, in a ruling that shook the government's case against Charlie Chaplin, today eliminated one of the comedian's co-defendants charged with conspiring to railroad Joan Berry out of town.

O'Connor held that Police Judge Charles J. Griffin acted legally within his official capacity when he suspended Miss Berry's vagrancy sentence on condition she leave town immediately.

The setback to the prosecution was the greatest since a Federal jury on April 4 acquitted Chaplin of charges he violated the Mann Act in purchasing a train ticket to New York for Miss Berry, his red-haired former protege.

Griffin's attorney announced he will file similar pleas for three other Beverly Hills police officials—Capt. W. W. White, Lt. Claude Marple and matron Jessie Reno.

*File
F. X. W.*

mk

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APR 15 1944

New York Daily Mirror

Chaplin Freed In Federal Case; Civil Suit Stands

By FLORABEL MUIR

LOS ANGELES, May 15 (N. Y. News). — Charlie Chaplin was cleared today of the last criminal charge resulting from his association with red-haired Joan Barry, but lost his fight to escape trial on her allegation that he is the father of her child.

The 54-year-old comedian's victory came in U. S. District Court. His defeat was in the State Supreme Court.

Written-Orders From Biddle

In a surprise move, U. S. Attorney Charles H. Carr went before Federal Judge J. F. T. O'Connor and said he had received written instructions from Attorney General Biddle to ask for the dismissal of criminal conspiracy charges against Chaplin and two of his pals, Robert Arden, radio commentator, and Thomas Wells "Tim" Durant.

They had been indicted on a charge of conspiring to deprive red-haired Joan, 24, of her civil rights by having her "railroaded" out of California after her arrest on a vagrancy charge in January 1943.

Judge O'Connor dismissed the charges against all three in a proceeding that took only two minutes. It was he who presided at Chaplin's Mann Act trial last month, when the white-haired actor was acquitted on a charge that he transported Joan, his former film protege, to and from New York for immoral purposes. And Carr was the prosecutor at that trial.

Civil Trial in 10 Days

The Supreme Court decision—that Chaplin must go to trial in Joan's paternity suit in 10 days—upheld the rulings of two lower courts.

The first decision was made by Superior Judge Stanley T. Musk, when Chaplin asked for a dismissal on the ground that Joan and her mother had signed an agreement to dismiss the suit if blood tests indicated he was not the father of the baby, Carol Ann, now 6 months old.

Judge Musk ruled that the baby had not had her day in court and that the blood test was not conclusive evidence. The case then went to the Appellate Court, which upheld Judge Musk, and then to the Supreme Court.

"About Time"

Joan was informed that her paternity case would go to trial, she remarked:

"It's about time I was getting a break! I've been getting a lot of unfavorable publicity all because I helped the Federal authorities in what they thought was a case against Mr. Chaplin. I did not ask them to take this action. I never told anybody that I wanted to send Chaplin to jail. They came to me and I told them the truth. It has been a terrible ordeal for me."

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- Mr. Tolson _____
- Mr. E. A. Tamm _____
- Mr. Clegg _____
- Mr. Coffey _____
- Mr. Glavin _____
- Mr. Ladd _____
- Mr. Nichols _____
- Mr. Rosen _____
- Mr. Tracy _____
- Mr. Mohr _____
- Mr. Carson _____
- Mr. Harbo _____
- Mr. Hendon _____
- Mr. Mumford _____
- Mr. Jones _____
- Mr. Quinn Tamm _____
- Mr. Nease _____
- Miss Gandy _____

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- Mr. E. A. Tamm _____
- Mr. Clegg _____
- Mr. Coffey _____
- Mr. Glavin _____
- Mr. Ladd _____
- Mr. Nichols _____
- Mr. Rosen _____
- Mr. Tracy _____
- Mr. Acers _____
- Mr. Carson _____
- Mr. Harbo _____
- Mr. Hendon _____
- Mr. Mumford _____
- Mr. Starke _____
- Mr. Quinn Tamm _____
- Mr. Nease _____
- Miss Gandy _____

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**Chaplin Freed
Of All Except
Paternity Charge**

Los Angeles, May 15 (AP).—Cleared of the final criminal charge involving his association with 24-year-old Joan Berry, actor-producer Charles Chaplin still faces her allegations that he is the father of her 7-month-old daughter, Carol Ann.

Conspiracy indictments against the actor and three codefendants were dismissed by Federal Judge J. F. T. O'Connor today, and almost simultaneously the State Supreme Court in San Francisco denied his petition for dismissal of Miss Berry's civil action.

Chaplin last month was acquitted in Judge O'Connor's court on a Mann Act indictment contending he transported Miss Berry, his former protege, to New York and return for immoral purposes.

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FILE

Chaplin Vindication Is Appeaser Defeat

Charlie Chaplin has won his case against the appeasers who tried to get him for coming out for a second front. He has been freed of charges of violating the Mann Act and of depriving Joan Barry of her civil rights.

The Worker was one of the only newspapers in the country that said plainly that Chaplin was being persecuted by the Hoover-Hearst crowd because of his long-standing friendship for labor and the Soviet Union.

A day or two after the trial started, David Platt's Film Front column accused the press axis of deliberately building up the Chaplin case to its present proportions "in order to stifle his powerful voice in behalf of victory and democracy." Chaplin, he said, "was the first victim of the small minority of red-baiters who would like to turn back the clock of history." In a later article Platt pointed out that the tabloids in scandal and appeasement have been hounding Chaplin ever since 1917 when he first came out for American-Soviet friendship.

"The pink-petticoated tabloids in scandal," he said, "went after Charlie in real earnest a few years later when Lita Grey sued him for divorce. Yellow journalism never had such a holiday. Charlie was accused of letting his children go hungry for lack of milk. He was pronounced guilty of every crime in the book before he was tried.

"His films were banned in many



Charles Chaplin and Paulette Goddard in a scene from Modern Times

communities. Chaplin's own statement at the time holds good for today. "All I ask is that the public suspend judgment until the case is decided. I can fight an unjust charge even though all the lawyers of California are behind it. But I do not think it fair to ask me to fight all gossip and all charges and all rumors that are spread against me by people whose only interest is to make money out of me."

CHARGES PROVEN FALSE

"All the sensational charges and rumors against Chaplin were eventually proven false. It was all a brutal tabloid plot engineered by filthy minds geared to reactionary political standards. In 1928, "a

after Chaplin was pilloried by MacFadden and Hearst, he received an Oscar from the Academy of Motion Picture Arts and Sciences "for his versatility in writing, acting and producing The Circus." The cheap rags that "crucified Charlie in 1922 and 1927 never let up. When The Great Dictator came out, they again opened up with everything they had because Chaplin had not lumped Stalin with Hitler. When Charlie came out for a second front they decided to get him for good."

They failed. They failed because the people are on the side of the great artist. The people whom he has served faithfully for a quarter of a century or more stood by him.

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This is a clipping from page 15 Sec. 1 of the WORKER
Date May 21, 1944
Clipped at the Seat of Government.

McCartee
Kittel
Cartwright

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RT

- Mr. Tolson.....
- Mr. E. A. Tamm.....
- Mr. Clegg.....
- Mr. Coffey.....
- Mr. Glavin.....
- Mr. Ladd.....
- Mr. Nichols.....
- Mr. Rosen.....
- Mr. Tracy.....
- Mr. Carson.....
- Mr. Egan.....
- Mr. Hendon.....
- Mr. Pennington.....
- Mr. Quinn Tamm.....
- Mr. Nease.....
- Miss Gandy.....

Court Refuses Chaplin Plea to Void Joan's Case

By MARCIA WINN

LOS ANGELES, Dec. 14 (C.T. P.S.).—Charlie Chaplin made a one-minute appearance in Superior Court today in an unsuccessful attempt to have Joan Barry's paternity suit against him thrown out of court and, failing that, to have it tried by Judge Harry M. Willis rather than by a jury.

Both motions by Chaplin's counsel, Charles E. Millikan, were denied by Judge Willis, who ordered that selection of the jury be started.

Carol Ann Absent

When court adjourned for the day, five men and seven women were in the jury box but neither side had exercised any challenges. If the trial proper gets started before next week, it will be by sheer accident.

The plaintiff in the case, Carol Ann, the 14-month-old daughter of Miss Barry, was not in court. Neither was her mother.

Chaplin, debonair but looking older than upon his last legal appearance, was in the witness chair only long enough to give his name and address. But the judge seemed to think that was enough.

Chaplin appeared as a surprise witness to support the contention of Millikan that the case should never reach a jury because blood tests 10 months ago already had freed him of responsibility for fathering the child.

Discloses Payments by Chaplin

Millikan disclosed in his arguments that Chaplin had paid Miss Barry \$16,200, including \$5,000 for attorney's fees, when the child was four months old—before the blood tests were taken. After a court refused to dismiss the action several months ago, Chaplin paid Joan an additional \$1,100 in \$75 a week installments, his attorney disclosed.

Chaplin's counsel argued that the court could dismiss the suit on the ground that the blood test agreement could be considered "a contract for the payment of money." When Miss Barry failed to live up to the provision to cancel the paternity suit after the blood tests proved negative, the "contract was voided," Millikan contended.

Joseph Scott, attorney for Carol Ann, whom he described as "a pure little child who wants a father," argued that no law book contains any such contract as that agreement presented.

"Case a Simple One"

In denying the defense motion to dismiss the suit, Judge Willis frankly said he believes no guardian has the right to compromise the claims of a minor.

"This case is a simple one," said Judge Willis. "All we are concerned with here is the single issue of parentage: Is the defendant (Chaplin) the father?"

"The parties to the agreement attempted to withdraw the case from the court and give it to three doctors, and thereby present a bar to the court. I am satisfied the guardian had no right to enter into that stipulation."

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Mr. Tolson
 Mr. E. A. Tamm
 Mr. Clegg
 Mr. Coffey
 Mr. Glavin
 Mr. Ladd
 Mr. Nichols
 Mr. Rosen
 Mr. Tracy
 Mr. Carson
 Mr. Egan
 Mr. Gurnea
 Mr. Hendon
 Mr. Pennington
 Mr. Quinn Tamm
 Mr. Nease
 Miss Gandy
Shaw



Central Figure of Barry-Chaplin Drama

Fourteen-month-old Carol Ann, daughter of Joan Barry, as she was brought into a Los Angeles court yesterday by Attorney Joe Scott and her grandmother, Mrs. Gertrude Herry. She is the "star" of the paternity suit brought by Miss Barry against Comedian Charles Chaplin. I.N.P. Soundphoto

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WASHINGTON TIMES-HERALD
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Joan Intimate With Other Men, Chaplin to Say

By FLORABEL MUIR

LOS ANGELES, Dec. 13 (N. Y. News).—Charges that Joan Barry had sexual relations with "another man or men" at the time her 14-month-old daughter, Carol Ann, was conceived, will form the basis of Charlie Chaplin's defense in the paternity suit brought against him by Miss Barry, it was indicated today.

The defense plans were outlined in a motion by Attorney Charles E. Millikan for a continuance of the trial for 45 to 60 days. The motion was quickly denied by Superior Judge Ruben Schmidt.

Screen Writer Summoned

Millikan said he had subpoenaed Screen Writer Hans Reusch, "an important and vital witness," but that Reusch, in New York, had ignored the summons. Millikan followed up this motion with an offer of proof in an affidavit that quoted several "love" notes Miss Barry allegedly wrote to Reusch.

One, written on the back of a notice from his draft board, was said to read:

"Forgive me, I can't get him out of my system. I did care for you. If only Charles had provided means for me to live, I would have wanted to know you better."

"Charles Is Right"

Another, written later that month, according to the affidavit, read: "You were sweet, but I'm crazy. Charles is right."

Still another was quoted: "It doesn't—sense—make—this—passion—love—I bear for you."

The affidavit asserted that Joan spent several nights in Reusch's apartment at the time she asserted she became pregnant following love scenes with Chaplin.

At another time, the affidavit declared, Joan was supposed to have been seen by Reusch in the apartment of Lionel Vasco Bonina, now in the armed forces and somewhere in the Pacific.

The defense argued that blood tests made by three physicians showed that Chaplin could not be the father of Carol Ann, and that "the evidence tends to show that at or near the time when, according to the natural laws, Miss Barry's child was begotten, Joan had sexual intercourse with a man or men other than the defendant."

Miss Barry's lawyer, Joseph Scott, refused to accede to the motion for a continuance, and the case will go to trial immediately. Judge Schmidt late today assigned Superior Judge Henry W. Willis to hear the suit.

- Mr. Tolson
- Mr. E. A. Tamm
- Mr. Clegg
- Mr. Coffey
- Mr. Glavin
- Mr. Ladd
- Mr. Nichols
- Mr. Rosen
- Mr. Tracy
- Mr. Mohr
- Mr. Carson
- Mr. Hendon
- Mr. Mumford
- Mr. Jones
- Mr. Quinn Tamm
- Tele. Room
- Mr. Nease
- Miss Beahm
- Miss Gandy

Mr. [Signature]

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Chaplin Move Fails to Void Paternity Case

Los Angeles, Dec. 14 (AP).—Charlie Chaplin's counsel failed today in efforts to terminate without formal trial the suit which seeks to establish the comedian as father of Joan Berry's child.

Superior Judge Henry M. Willis refused to dismiss the action on a motion based upon a stipulation that no further legal proceeding would follow blood tests made last February, which indicated Chaplin was not the father of Carol Ann Berry, now 14 months old.

Willis also denied a defense motion for trial without jury. Joseph Scott, counsel for 24-year-old Miss Berry, had demanded a jury, selection of which became the next step in the trial.

Chaplin took the witness stand to testify in support of his attorney's motion. He remained long enough to give his name, but was then displaced upon Scott's objection to proceedings without a daily transcript.

Neither Miss Berry, Chaplin's protege, nor her child was in court.

Before the tests were made, Miss Berry agreed not to continue with the paternity action should the tests fail to indicate Chaplin's parenthood. Chaplin says he paid \$16,200 for the child's care prior to the blood tests and \$1,100 thereafter under the stipulation.

The Superior Court later held the blood tests were not conclusive.

Barry-Chaplin Parental Suit Hits Slow Pace

By VIRGINIA MacPHERSON
HOLLYWOOD, Dec. 15 (U.P.).
Joan Barry's speedy paternity suit
against Charlie Chaplin bogged
down in selection of a jury today
with two-thirds of the courtroom
snoozing peacefully. The multi-
millionaire comedian's lawyer
droned on until it looked as
though the case might drag out
past Christmas.

By the time court had recessed
for the week end, Pat Millikan,
Chaplin's attorney, and Joseph
Scott, 77-year-old lawyer for Miss
Barry, had tentatively seated
eight women and four men in the
jury box, after questioning them
for two days on how they felt
about unmarried love and women
who give birth to illegitimate
babies.

Trial Reopens Monday

When the trial reopens on Mon-
day both attorneys will have six
peremptory challenges before a
final panel is chosen to decide
whether the last name of Miss
Barry's auburn-haired daughter
should be Chaplin or Barry.

Millikan spent more than four
hours sounding out prospective
jurors.

"Would you be prejudiced
against Mr. Chaplin," Millikan
asked them, "if I am forced to
question Miss Barry in detail on
her love affair with Chaplin?"

The jury—obviously eager to
get a first-hand account of the
comedian's short-lived romance
with his ex-protege—shook its col-
lective head.

The lawyer, Pat Millikan, ques-
tioned jurors on how they felt
about mother love, blood tests, and
Miss Barry's alleged friendship
with other men besides the white-
haired Chaplin.

"Charming Infant, Indeed"

Millikan asked Mrs. Julia Sil-
vestri if she would return a ver-
dict of guilty should evidence
show Miss Barry had relations
with other men during the month
of December 1942, when the baby
was conceived.

In that case, smiled Mrs. Sil-
vestri, a lady just couldn't be
sure.

- Mr. Tolson
- Mr. E. A. Tamm
- Mr. Clegg
- Mr. Coffey
- Mr. Glavin
- Mr. Ladd
- Mr. Nichols
- Mr. Rosen
- Mr. Tracy
- Mr. Mohr
- Mr. Carson
- Mr. Harbo
- Mr. Hendon
- Mr. Mumford
- Mr. Jones
- Mr. Quinn Tamm
- Mr. Nease
- Miss Gandy

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P. J. Shink*

She guessed she'd favor a ver-
dict of innocent.
"Have you seen Miss Barry's
child, Carol Ann?" asked Mill-
ikan.
Mrs. Silvestri nodded.

Wants Yule Furlough

"Is she not a beautiful, lovely,
sweet child?"

She agreed that she was a
"charming infant, indeed."

Mrs. Margaret C. Stephenson
brought a chuckle from the court-
room when she admitted she was
anxious to serve on the jury be-
cause she had been on the panel
for several weeks and hoped to
earn a furlough for Christmas
by working on a case.

"Would you be disappointed,"
drawled Millikan, "if I told you
there is little chance you would
be out of this jury box by
Christmas?"

Mrs. Stephenson said she
guessed not.

"You'd just as soon spend the
Christmas holidays with with us
as with your family?" he con-
tinued.

"Might just as well," she
giggled.

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- Mr. Tolson ✓
- Mr. E. A. Tamm ✓
- Mr. Clegg
- Mr. Coffey
- Mr. Glavin
- Mr. Ladd
- Mr. Nichols
- Mr. Rosen
- Mr. Tracy
- Mr. Mohr
- Mr. Carson
- Mr. Harbo
- Mr. Hendon
- Mr. Mumford
- Mr. Jones
- Mr. Quinn Tamm
- Mr. Nease
- Miss Gandy

Chaplin Butler Will Testify Against Him

By United Press
HOLLYWOOD, Dec. 18 — Edward Chaney, Charlie Chaplin's former "gentleman's gentleman," will be called as a surprise witness to prove Joan Barry was intimate with the comedian in December, 1942, the month her baby was conceived, Miss Barry's attorney said today during a week-end lull in her paternity suit.

Joseph Scott, lawyer for Miss Barry, said Chaney would tell how the comic's former drama protege charged into the multi-millionaire's home on the night of Dec. 23, waving a loaded pistol.

Furthermore, continued Scott, Chaney will describe what he saw when Miss Barry threatened to kill him and herself and then changed her mind and spent the night.

During the Mann Act trial, in which he was acquitted on charges he took Miss Barry to New York for immoral purposes, Chaplin denied he did more that night than take the gun away

from her. She slept, he said, in a guest room—alone.
 Selection of a jury to settle the question of who fathered Miss Barry's 14-month-old daughter, Carol Ann, was expected to near completion Monday.

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 Page 10

the comedian down by his big fancy swimming pool where they looked at the edge.

"She told him she was pregnant," Scott said. "For five or six hours she poured her heart out to him. And Chaplin admitted it was his baby and promised to take care of it."

But when Miss Barry pleaded he marry her to make the child legitimate, Chaplin blew up, Scott said, and said he didn't believe in marriage.

"I have probably lots of babies around here I've begotten," the lawyer quoted him. "I don't expect to marry anyone, so don't propose to me."

"He told her a baby was a biological mistake, that he had a

great gift as an artist and would have peace even if it meant spending 20 years in jail to get it," Scott further charged.

They went into the house. "As she entered his bedroom," Scott said, "there was naked young woman there, lying on the bed. This upset Miss Barry considerably."

"Chaplin shushed her up and told her to come back the next day. But she didn't go back be-

cause she had a tip she would be arrested."

She did however, go back on May 10, Scott said, "and that's when she was arrested."

- Mr. E. A. Tamm
- Mr. Clegg
- Mr. Coffey
- Mr. Glavin
- Mr. Ladd
- Mr. Nichols
- Mr. Rosen
- Mr. Tracy
- Mr. Mohr
- Mr. Carson
- Mr. Harbo
- Mr. Hendon
- Mr. Mumford
- Mr. Jones
- Mr. Quinn Tamm
- Mr. Nease
- Miss Gandy

Breaks Down With Emotion:

Chaplin, on Stand, Denies He's Father of Joan's Baby

Broke Off Romance With Her 10 Months Before Night in Question, He Testifies

By FLORABEL MUIR

LOS ANGELES, Dec. 19 (N. Y. News).—Charlie Chaplin, the aging comic, was portrayed in court today as a man whose snores forced his light-o'-love to seek a quieter bed, as a man who believed a child to be "a biological mistake," and as a man who, believing not in marriage, boasted: "I have probably got lots of babies around here. I don't expect to marry anyone."

Thus excoriated by Joseph Scott, attorney for his 24-year-old protegee, Joan Barry, and her 14-months-old daughter, Carol Ann, the multimillionaire actor took the stand and denied vehemently that he was the father of the child, and exclaimed that he had broken off his romance with the red-haired girl 10 months before the child was conceived.

Chaplin Loses Control

Pounding his fist on the arm of the witness stand, the white-haired comedian lost control of himself and turning to Superior Court Judge Harry M. Willis appealed passionately: "I've committed no crime, Your

Honor," he shouted. "I'm human, I can't help it."

"This man (Scott)," Chaplin shouted, "is trying to make me out like a monster."

Perspiration stood out on Chaplin's forehead, pasting down his silvery locks. Never in his long movie career had he shown such emotions as in this real life drama.

Warned by Judge

Judge Willis sternly warned him to tone down his dramatics and motioned the attorneys to get on with the civil court suit in which Miss Barry seeks to have Chaplin established as the father of her child.

Scott ripped into the comedian immediately. He wanted to know about his intimacies with freckle-faced Joan in December 1942, when she says her child was conceived.

"Miss Barry came to my home

(Turn to Page 8, Col. 2)

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WASHINGTON TIMES-HERALD
Page 1

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Chaplin, on Stand, Denies He's Father of Joan's Baby

Says He Slept Alone On Night in Question

(Continued from First Page)

the night of December 23, 1942," Chaplin testified. "She said she had no place to sleep. I gave her some night clothes and didn't see her again until the next morning."

Q. Isn't it a fact that you had a relationship with her that night?

A. No, it is not!

Q. Didn't you sleep with her?

A. No!

Chaplin said he last had relations with Joan "way off in February 1942."

Q.—As I understand you she slept in the guest room and you never saw her that night. A.—That is true.

Asks About Snoring

Q.—Isn't it true you slept with her? Isn't it a fact that you snored and disturbed her and she went into the Paulette Goddard room? A.—No, I had no relations of any kind that night.

Q.—In the morning what happened? A.—I got up at 8, went downstairs and conversed with my butler.

Q.—When did you see Miss Barry? A.—After breakfast. I saw her in the guest room where she was sleeping.

Q.—How was she dressed? A.—I don't know.

Q.—Was she wearing anything? A.—I'm sure she had on something.

Q.—Isn't it true her dishabille excited you, and didn't you have a loving session? A.—That's a lie!

Q.—Well, what happened? A.—The door was locked. She answered. I handed her my bathrobe. She'd been sleeping with the gun. I said: "Put down the gun. What are you going to do, you can't stay here all day."

Entered Through Bathroom

Q.—What did she do? A.—She acted practically the same as the night before. She said she had no place to go, was destitute, and would kill herself. I told her she was responsible for her condition.

Q.—Weren't you with her for two hours with her unclothed? A.—I was trying to get the gun.

Q.—Weren't the doors closed? A.—Yes, I entered the room through the bathroom next to mine.

Q.—You were quiet and stoical? A.—I was not stoical; I was quite emotional.

Q.—Didn't you show her any affection? A.—What would you do under the circumstances?

Scott said he didn't know, "I'm not Charles Chaplin."

The next time Charlie saw her,



JOAN BARRY

he testified, was on December 30, when she rang his bell, he peered out a living room window and saw her lying on the doorstep.

"I tried to arouse my servants but was unable to," Chaplin said.

Q.—You left the girl lying there all that time. A.—Yes. Finally I went and opened the door and I told her she couldn't stay on my doorstep.

Chaplin said he was persuaded to drive her home, but as they were passing the Beverly Hills police station Joan said "I think I'll sleep there" and "she got out near there, at her own insistence."

Chaplin was still under cross-examination when court adjourned for the day.

Little Carol Ann, herself, was on the stand, when Dr. Russell Wood Starr, the first witness, took the chubby child in his arms and identified her as the baby he delivered when he attended Joan's maternity.

Posed Together

Scott attempted to have Carol Ann seated in a high chair alongside of Chaplin, but the judge denied the request. Instead he ordered Chaplin to pose with the baby in front of the jury and permit the jurors to examine the pictures for physical comparison.

During a recess the baby was placed on the end of the counsel table and Chaplin stole a glance at the youngster, just as camera bulbs flashed. The little girl's mother wasn't in court; it's her day tomorrow.

"I'm talking about sexual relations," snapped the 77-year-old Scott.

"That's what I'm talking about, but that's very harsh," Chaplin protested.

"Yes," said Scott. "It is very harsh."

Chaplin's declarations that romance had withered before little Carol Ann was conceived differed sharply from the story related by Scott to the middle-aged and elderly jurors.

Scott began his narrative with the night of December 23, 1942, when, he charged, Carol Ann was

conceived. "On that night," Scott said, "Miss Barry went to the Chaplin home with a gun—and met Chaplin when he was telephoning."

"What are you going to do, shoot me and have a dramatic finish to our romance?" Scott quoted Chaplin.

"No, I am here to shoot myself," he said Joan told him.

"With that," said Scott with considerable gesticulating, "Chaplin took hold of her and petted her a little. Then they went into the bedroom where he petted her some more and put her in bed."

Then Joan and Chaplin had a few moments of intimacy.

"They stayed in bed afterwards," he declared, "but the girl became restless because Chaplin was snoring and he took her into another room, a room known as the Paulette Goddard room—for some reason unknown to me."

In the morning, Scott said, Chaplin had breakfast in his own room, then came downstairs. He went on: "When Miss Barry came down her garments were not very complete because she was unprepared to spend the night."

"Chaplin loved her up," Scott

explained, "and they engaged in another intimacy."

The jury of seven women, all but one elderly, and five business men, were peep-eyed at Scott's detailing of Chaplin's intimacies.

A week later, Scott asserted Joan visited Chaplin's home and they again had intercourse. As Charlie was driving her home that night, Joan complained she couldn't live on \$25 a week.

"They were passing the Beverly Hills jail at the time and Chaplin remarked 'There's a good place to live.'

"And that's where Miss Barry went," Scott asserted.

Then Scott came to the night of May 8, 1943, when Joan went to Chaplin's house and found

Chaplin Shouts Angry Denial Baby Is His

Hollywood, Dec. 19 (U.P.)—Charlie Chaplin took the witness stand in his paternity trial late today to deny emphatically that he was the father of Joan Barry's baby daughter, asserting he had broken off his romance with his red-haired protege 10 months before the night in December, 1942, when she claims the child was conceived.

Pounding eloquently on the arm of the witness stand, the white-haired movie comedian shouted that he had committed no crime. Superior Judge Henry M. Willis warned him to tone down his dramatics and said that applied to attorneys as well.

Asked Place To Sleep

"Miss Barry came to my home the night of December 23, 1942, and said she had no place to sleep," Chaplin said under cross examination by Joseph Scott, 77-year-old attorney for the freckle-faced Miss Barry.

"She insisted on staying and I told her she could sleep in the guest room," he continued. "I gave her some nightclothes and didn't see her again until the next morning."

"Isn't it a fact you had relationship with her that night?" Scott demanded.

"No, it is not!" the comedian shouted, red-faced.

"Didn't you sleep with her?"

"No!"

Chaplin calmed down momentarily and said his last relationship was "way off in February, 1942." He added he ceased intimate relationships with Miss Barry.

"You mean sexual relations?" Scott asked.

"Yes, I mean that, but that's a harsh word."

Attorney Expresses Regret

"Yes, it is," drawled Scott. "That's a harsh word. I'm sorry I hurt your feelings."

Scott asked him what his answer was when Miss Barry told him she was pregnant with his child.

"I told her that whatever her condition was she had brought it on herself," Chaplin replied.

"It as not your fault?"

"No!"

At this point Chaplin lost control and appealed to the judge.

"I've committed no crime. Your honor," he shouted. "I'm human, I can't help it. But this man is trying to make me look like a monster!"

He pounded the table. He shouted.

Chaplin Denies Ever



Associated Press WIREPHOTO
ACTOR ANGERED—Leaning forward and beating his fist on the witness stand, Charlie Chaplin yesterday shouted, "I have committed no crime!" in answering questions of Joan Barry's attorney in the Los Angeles suit seeking to have Chaplin declared the father of Miss Barry's child

- Mr. Tolson _____
 - Mr. E. A. Tamm _____
 - Mr. Clegg _____
 - Mr. Coffey _____
 - Mr. Glavin _____
 - Mr. Ladd _____
 - Mr. Nichols _____
 - Mr. Rosen _____
 - Mr. Tracy _____
 - Mr. Mohr _____
 - Mr. Carson _____
 - Mr. Harbo _____
 - Mr. Hendon _____
 - Mr. Mumford _____
 - Mr. Jones _____
 - Mr. Quinn Tamm _____
 - Mr. Nease _____
 - Miss Gandy _____
- Shene*

*Sub
VW*

Judge Willis calmed him down and told him the jury would appreciate less dramatics from the witness stand.

Threatened Suicide

The irate comedian denied sharing a bed with Miss Barry in his home on December 23 and said it was not true that his snoring disturbed her so he sent her into another bedroom—a room which Scott earlier had termed the "Paulette Goddard room."

In his opening statement to the newly-chosen jury, the 77-year-old Scott, himself the father of 13 children, said Miss Barry came to the Chaplin home that night in December, threatening to take her own life but that the white-haired movie star soothed her, made love to her that night and again in the morning.

Let Her Out at Jail

During Scott's address to the jury Miss Barry's mother, Mrs. Gertrude Barry, brought the curly-haired plaintiff, Carol Ann, into court and sat down in the press box.

About a week after December 23, Scott said, Chaplin invited Miss Barry back again and they had another brief interval of romantic

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passion. Then he offered to drive her home.

"They got into his old Ford," Scott continued, "and as they were driving along Miss Barry asked him how she could live on \$25 a week. They happened to be passing the Beverly Hills jail and he said: 'Well, here's a good place for you to live,' and let her out."

Later, Scott told the wide-eyed jury of elderly housewives, businessmen and one young matron, Miss Barry was arrested as a vagrant and ordered not to return to Beverly Hills.

"She became aware of her condition and on May 8 she went to tell Chaplin about it," the attorney said. "As she entered his bedroom she saw a naked young girl there."

That, he said, upset Miss Barry. "Chaplin shushed her up and told her to come back the next day," he went on. "But she didn't go because she had a tip she would be arrested. She did go to see him on May 10 to get him to acknowledge that her baby was his."

On that occasion, he said, she was arrested.

Late in May or early in June, Scott related, Miss Barry visited Chaplin again at his home.

"Have Lots of Babies"

"She just poured her heart out to him," Scott said. "And Chaplin admitted it was his baby and promised to take care of it."

But when Miss Barry asked him to marry her, he went on, Chaplin blew up and said he didn't believe in marriage.

"I may have lots of babies around here," Scott quoted Chaplin as snapping.

"And all the while beside the swimming pool he was kissing her and loving her up."

Then they went in the house where Joan found pieces of feminine clothing in one of the bedroom closets, Scott concluded.

Then she lost control. That's when she went to see her lawyers. After a brief conference with at-

torneys in his chambers, Superior Judge Henry M. Wilson ordered Chaplin to pose in front of the jury with the baby for visual comparison and to allow pictures of himself and Carol Ann to be taken for use by the jury in making comparisons.

FAIR ENOUGH *By* WESTBROOK PEGLER

NEW YORK, Oct. 30.

CHARLIE CHAPLIN reappeared a few days ago in Hollywood, on the sidelines, watching the mob which blockaded the Paramount Studio at the climax of a series of vicissitudes arising from a jurisdictional dispute, ably exploited by the Communists who infest the principal source of our popular entertainment and boldly proclaim that propaganda is their chief mission. Chaplin was not in the mob, as noted, but on the sidelines.



Westbrook Pegler

I believe it is doubtful that this man ever will be seen in a new movie in the United States, although, if we should deport him for cause after more than 30 years, he might be used by the Communists in some other land for missionary films to be shown in the Balkans and Latin America. Considering his personal record, I have been unable to understand why one of his old films, cheaply touched up with sound, was booked in American communities during this war. All matters considered, I do not understand why he has not been deported to his native England even though England might regard this as a deliberately unfriendly act.

IN HOLLYWOOD there is some doubt whether Chaplin is a Communist in the sense that he has ever joined the party. My guess would be that he is not because party members as rich as Chaplin are subject to demands for money and Chaplin is notoriously cheap, so stingy, in fact, that an unfortunate 23-year-old girl whom he had seduced and who was pregnant was run out of town like a victim of the Gestapo, with only a few dollars and a one-way ticket out of Beverly Hills.

Moreover, real party members must take personal part in the fighting in such mob scenes as Chaplin surveyed from the sidelines with evident pleasure.

The evidence in Chaplin's trial subsequent to the terroristic deportation of the young American girl through the connivance of local officials was sufficient to justify proceedings to deport him, although with his money and influence, he might win a hairline decision on some technicality. And, should he ever undertake to become a citizen for some reason of expediency, loyalty being out of the question, that record should be sufficient to thwart him on the protest of any citizen with a decent regard for the privilege of citizenship.

HOW does he manage to stay in our country? I ask the question not to answer it but because I do not know the answer.

Through two wars involving his native country, Chaplin has hidden in Hollywood and, throughout this one, when hundreds of other movie actors, too old for fighting, travelled overseas with camp shows, Chaplin still stayed in Hollywood.

His most noteworthy public activity during that time was his merciless persecution of a girl less than half his age, who was betrayed by her

hopes of a career and his subsequent appearance as defendant in a trial which revealed him as a vicious old man, still as nasty at 56 as he had been throughout his earlier years.

Between times he had the effrontery to join in the clamor of the Communists in New York for the opening of a second front to save Russian lives by the sacrifice of American lives. In common with Joseph Curran, the dockside salt who commands the National Maritime Union, Chaplin was willing that American soldiers should die opening a second front for Russia's sake though he had been too selfish to entertain them even at their training camps at home.

AS EARLY as October 1942 Chaplin did lend his name, at least, for one public occasion, but that was a Communist rally in New York, of which he was "honorary chairman."

The purpose was to send American young men storming into the fortified beaches of France before Gen. Eisenhower was ready. I believe that even then he couldn't quite summon the courage to come to New York, 3,000 miles closer to the war, but still 3,000 miles away, to preside over the second-front rally, but loyally condescended to attend, in spirit, a gathering which, by one chance in a million, might have been disturbed by a string of firecrackers from a German plane launched from a submarine.

However, he and his comrades did not hesitate to call on Miss Jeannette MacDonald, a colleague in the arts, to become a co-sponsor, nor was he embarrassed when Miss MacDonald replied that her husband, Capt. Gene Raymond, who had recently bombed Dieppe, Bouen and Lille, would prefer that she not lend her name to a propaganda which might conflict with the plans of the generals.

"I honestly believe it is our duty to give our services and talents in whatever capacity we are most qualified for," Miss MacDonald wrote, and Chaplin's talent ran to seduction, betrayal and the ruthless deportation of a friendless pregnant girl. Miss MacDonald's scornful reference to his aloofness from the war, even as camp show comedian, bruised him not, for he had long ago become notorious and there was no pretending any more that he was other than he was.

CHAPLIN has made, rather a point of his decision not to try to become an American but to remain a citizen of the world. Indeed, he went so far as to explain that he owed the United States nothing, even for his safety in two wars, because he had paid large income taxes here, neglecting to add, however, that on one occasion the Treasury caught him short and took \$1,000,000 from him, and to mention the fact that in Great Britain his taxes would have been vastly greater.

I have an old letter from Chaplin written to flaunt his devotion to the Communist cause, enclosing the script of a salute to the Red army, "which I shall record on a disc to be sent to Russia."

This seems to have been his only contribution to soldier morale. It closed with the words, "Russia, the future is yours." The question here should not be whether Chaplin wants to remain in the United States but, with his record, why he is allowed to.

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Freeze

he ever meant anything me."

"Did you yield to him?"

"Yes," Miss Berry glanced at the floor.

She broke into Chaplin's house on the night of the 23rd, about 11 o'clock, she said, carrying a revolver.

Denies Threat

"I walked in with the gun," she said, "and he asked me if I was going to kill myself. I said no. Then he said: 'Are you going to kill me?' and I said no."

Then, Miss Berry added, Chaplin said "I know what you're going to do. You're going to be very dramatic about it and kill yourself and cause a great scandal."

"Did you," asked Scott, "say you were going to kill him?"

"No," cried Miss Berry, "never, never! I asked him who had been on the phone and he said it was an old friend. I said, 'was that my predecessor?' and sat down on the bed."

"I walked over to him," Miss Berry said, "but I told him I had to keep the gun as I was almost out of my mind because he hadn't called me. Then we talked and he kept playing with my leg."

She said she asked him if she could stay all night.

Sons Arrived

"Then we heard a noise and he went out into the hall. I heard him talking to Edward and he said, 'Get them the hell out of here.' Then he said, 'well, then, put them in the guest room and lock the door.'"

He came back, she said, and told her to get undressed. He left and she got into bed.

"When he came back about 45 minutes later he said his two sons had come in after their car had broken down and he had put them in the guest room."

Then, she said, they had intimate relations, and he went to sleep in his own room. The next morning, she added, he came back into her room and undressed.

"Then he walked back and forth in front of a mirror, flexing his muscles and said: 'You know, Joan, I look something like Peter Pan.'"

Scott asked her what she had done with the gun during her intimacies with Chaplin.

"I refused to give it to Charles," she said, "because I wanted to sleep with it by my heart. He laughed because he thought I was really amusing."

She gave him the gun the next morning, she said, then he promised to give her \$25 a week.

Scott wanted to know what

happened after Chaplin's reference to his likeness to Peter Pan.

"Were you both fully dressed when he came in?" he asked.

"Yes."

"Then what happened?"

Very Embarrassing

Miss Berry flushed.

"Mr. Scott, this is very embarrassing for me," she murmured, "telling the story like this."

"Well, Charles came over and sat on the edge of the bed," she said. "I was kneeling in front of him. He said he was glad I had given him the gun and asked if I had any more. Then he picked up my purse and found a bullet in it and laughed about the whole incident."

"Then did you disrobe?"

"Yes, sir."

"At his request?"

"Yes, sir."

"Then?"

"Well," Miss Berry's voice

choked, "Charles said, 'Joan, you know we spent the night together, but I still want you.' Then he got undressed and that's when he said he thought he looked like Peter Pan."

"He said, 'Let's be together again.' So we went to bed."

"We lay there together and talked over my career and my bills and he told me he wanted me to move to a hotel apartment. I told him as long as I was sure he loved me I would do anything."

"Before I left he told me he was willing to help me because he wanted to rehabilitate me. He told me I was never, never to break into his house again, that he would phone me when he wanted to see me again."

She saw him next, she said, on Dec. 30, when some friends drove her to Chaplin's house.

"Charles was waiting for me in the patio," she said, "and I told him I'd come for my money. He said, 'Is that all you want?' I said, 'Yes, that's all I want from now on.'"

Miss Berry said she told him he had caused her too much heartache, that she was going to try to rehabilitate herself.

"Oh, Mr. Scott," she sobbed, "he had a way..."

Drove Her Home

"He talked about his play, Russia, and what a great country it was. Then he said, 'Oh, Joan, can you really stop like that?' I said 'yes.' Then he said, 'can you stop if I touch your hand?' I said yes. Then he said, 'Can you stop if I touch your leg?' And I answered yes. All the time we were kissing each other."

"Did you yield to him?"

"Yes."

"Did he persuade you?"

"Partially."

She said Chaplin drove her home.

"I told him I couldn't live on \$25 a week and he accused me of having Fascist ideas. Then I told him I had no place to live, and he said, 'There's a jail over there. They'll let you stay there.' He stopped the car and I got out and walked toward the jail. He called me back but I didn't go."

She didn't see him again until May 8, she said, when she found him in the guest room of his home with an unclad young girl.

"They were lying on the bed and he was tickling her with his foot," she said. "I said, 'Charles, I'd like to speak to you.' He came downstairs, but he wouldn't talk to me."

She went home, she said, and came back the next night.

"Edward, Tim Durant and Charles all tried to get me to leave, but I wouldn't. I didn't care what happened. I told Charles 'I've got to see you.' Then they called the police and they took me away."

Earlier, Chaplin was on the witness stand, emphatically denying that he could possibly be the father of the little girl.

Under cross-examination by Scott, he admitted he had warned Miss Berry he would use his \$8,000,000 fortune to blacken her name if she took to court her contention that he was the father of her baby.

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N.Y. Daily Mirror
12/21/44

Must Pay
Carol Chaplin
Child, Civil
Jury Rules



CHARLES CHAPLIN

Los Angeles, April 17 (AP).—
 Charles Chaplin was declared by a
 civil court jury today to be the
 father of Joan Berry's 18-month-
 old daughter, Carol Ann.

The court set a hearing for to-
 morrow to determine the amount
 of support he must pay for the
 chubby, red-haired toddler.

The four-time married Chaplin
 turned 56 yesterday. His present
 wife, the former Ona O'Neill,
 daughter of Playwright Eugene
 O'Neill, gave birth to a daughter
 last August 1.

A son born to his first wife, the
 late Mildred Harris Chaplin, died
 in infancy. Two sons, Charles, 19,
 and Sidney, 18, were born to his
 second wife, Lita Grey Chaplin.
 His third marriage, to Paulette
 Goddard, was childless. All his
 previous marriages ended in di-
 vorce.

Miss Berry's suit demands \$2500
 monthly.

At her home, Miss Berry said,
 "Justice has been done."

A year ago a Federal jury ac-
 quitted Chaplin before a throng
 of cheering spectators, of a Mann
 Act indictment. It alleged that he
 had transported Joan to and from
 New York City for immoral pur-
 poses.

The vote today was 11 to 1, re-
 versing the 7-5 verdict in Chaplin's
 favor in the first trial last January.
 A vote of 9 to 3 would have been
 sufficient to decide the civil case.

The lone dissenting juror in to-
 day's vote was Mrs. Mary H. James,
 a housewife, who said:

"I came into court thinking I was
 going to uphold American woman-
 hood, but while sitting here I
 changed my mind. I didn't think
 he (Chaplin) was the father of the
 child."

Asked if evidence about other
 men in Joan's life influenced her,
 she said, "Well, yes."

- Mr. Tolson ✓
- Mr. E. A. Tamm ✓
- Mr. Clegg ✓
- Mr. Coffey _____
- Mr. Glavin _____
- Mr. Ladd ✓
- Mr. Nichols ✓
- Mr. Rosen _____
- Mr. Tracy _____
- Mr. Carson _____
- Mr. Egan _____
- Mr. Hendon _____
- Mr. Pennington _____
- Mr. Quinn Tamm _____
- Mr. Nease _____

Miss Gandy _____
Handwritten signature
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Charles Chaplin

Handwritten initials

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Joan's Version Of Chaplin Romance

By VIRGINIA MACPHERSON

HOLLYWOOD, Dec. 20 (UP).—Red-haired Joan Berry, dressed in a snug chartreuse sweater and a coat to match, told in a clear voice today her story of how Charlie Chaplin promised to make her a movie star and made her a mother instead.

Taking the witness stand in her paternity suit Miss Berry named Chaplin as the father of her baby daughter, Carol Ann, and asserted that she had been intimate with no other man since she first met Chaplin.

"Who do you claim is the father of your baby," Joseph Scott, her 77-year-old attorney, asked:

"Charles Chaplin."

'Only Chaplin'

"Did you have intimate relations with any other man between Dec. 13, 1942, and the day the baby was born?"

"Mr. Scott," answered Miss Berry, "I have never had any relations with any other man since I met Charles Chaplin."

Charles E. (Pat) Millikan, attorney for Chaplin, bounced to his feet with an objection. It was not, he argued, a direct answer.

Miss Berry changed her answer to:

"I have had no relations with any other man since Dec. 13, 1942."

Her statements climaxed two hours of details about her amours with the white-haired comedian.

It was on Dec. 10, 1942, that she encountered Chaplin in the exclusive players' restaurant in Hollywood after she had been away from him for several months during a trip to New York.

"Who was with you?" asked her 77-year-old attorney, Joseph Scott.

"A young man by the name of Hans Huesch, Director King Vidor and some other young girl."

'Special Signals'

Chaplin introduced members of his party, she continued, and told her he was glad to see her back.

THE CAUSE OF IT ALL



(International Photo)
Carol Ann Berry, blissfully unaware of the legal turmoil her birth has caused.

- Mr. Tolson _____
- Mr. E. A. Tamm ✓
- Mr. Clegg _____
- Mr. Coffey _____
- Mr. Glavin _____
- Mr. Ladd _____
- Mr. Nichols ✓
- Mr. Rosen ✓
- Mr. Tracy _____
- Mr. Mohr _____
- Mr. Carson _____
- Mr. Harbo _____
- Mr. Hendon _____
- Mr. Mumford _____
- Mr. Jones _____
- Mr. Quinn Tamm _____
- Mr. Nease _____
- Miss Gandy _____

"Then I said goodbye, that I would see him later," Miss Berry said. "He said 'yes, I'll see you later.'"

"Did you and Mr. Chaplin have any special code or set of signals?" Scott asked.

"Yes," nodded Miss Berry, "that meant he wanted to see me that night."

Miss Berry said she drove to Chaplin's luxurious hill-top home and went into the patio, where he was waiting.

"We exchanged pleasantries and commented on the fact that we hadn't seen each other for a long time," she continued. "Then we went into the sitting room."

'We Made Up'

"We talked about this and about the second front, and pretty soon we had made up."

"Did you have an act of intercourse?"

Miss Berry mumbled "yes."

This was the night, Chaplin's butler earlier had testified, Chaplin had his present wife—Oona O'Neil—and a couple of other friends up for champagne.

Joan said she was intimate with Chaplin again on Dec. 23.

"I had undressed at his suggestion and was in bed wearing the tops of his pajamas," she said. "He made a little bit of love to me and said 'Nobody

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New York Daily Mirror

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Rosen

Chaplin--Face to Face

Paternity Actor, Baby in Resemblance Test

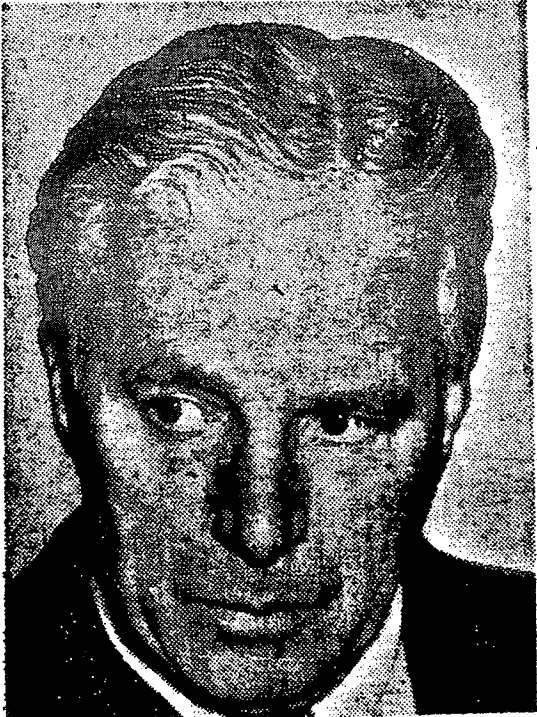
other members as well as the headquarters. If we get a call," said an or, "we tell the man that wants that drink bad enough I buy it, if he'll just come it. When he arrives I talk—not about liquor about baseball or something and then he's all right. You see, with us, it's no notion of staying dry until you learn to drink like a gen



America
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COURT DRAMA.

In photo above, Joan Barry, holding her 14-month-old daughter, Carol Ann, faces Charlie Chaplin in the most dramatic moment of the paternity trial. For a full minute, Chaplin, his face flushing, stood near Miss Barry as the jury observed physical similarities between the baby and the millionaire actor. Carol Ann has flaming red curls. Chaplin testified that his hair, when he was a baby, was black and "rather curly." Yesterday was the first time all three principals were in the courtroom at the same time.



BEST COPY AVAILABLE

Los Angeles, Dec. 20 (AP).—Joan Berry today testified under oath that Charlie Chaplin is the father of her 14-month-old daughter, Carol Ann, and that she has not had sexual relations with any other man since the time she met the 55-year-old comedian.

Previously she testified she and Chaplin had a falling out the night of December 10, 1942, because each was out with someone else but that late that night they made up and had an act of sexual intercourse in front of his fireplace. The 24-year-old unwed mother, who wants the jury to adjudge the comedian the father, related that she encountered Chaplin that evening at a restaurant.

Saw Him That Night
"I was with Hans Ruesch," she testified, "and Mr. Chaplin was with King Vidor and Betty Vidor and a young girl. I said, 'Hello Charles, how are you?' and he said, 'Fine,' and I introduced Mr. Ruesch. Mr. Chaplin said, 'Good by, I'll see you later.'"

"Did that mean anything to you?" asked her attorney, Joseph Scott. "Did you and he have any messages or code?"
"Not a code—but I knew he wanted to see me that night. I saw him at his home about 10:30 or 11. He was waiting for me. I hadn't seen him since November—I guess I was a little angry."

"He let me in through the patio and into the living room, where the fireplace is. I said, 'Have you forgotten me so soon?' He said, 'No, but doesn't that go for you? You were out with somebody else, and he was tall and good looking. Do you like him?'"
"I said, 'Probably.'"

Appears on Verge of Tears
"I said he had been at the restaurant with a young girl and he said, 'Don't be silly. You're the only girl I care about.' Miss Berry grimaced, bowed her head and appeared on the verge of tears, but went on:

"We sat on the sofa and talked a little while and finally we made up."
"Did you have an act of sexual intercourse later?" asked Scott.

"Yes."

She said she left about 2:30 a. m. and next saw Chaplin December

was the occasion when she took a pistol to the Chaplin residence, but her story and his as to what she said have differed widely. She entered the house, she testified today, and went on up to Chaplin's bedroom.

"Oh, hello Joan," she quoted him. "Are you going to kill yourself?"
"No, I am not," Miss Berry said she replied.
"Well, are you going to kill me?"
"No."
She sat down on a bed, Joan continued, and told Chaplin: "I am almost out of my mind. I have waited and waited. You haven't called me. I don't know what to do."

Meanwhile, Joan said, she had put on the top half of a pair of pajamas and got into one of the twin beds in Chaplin's room placing the pistol on a table beside the bed.

"Mr. Chaplin sat down on the bed by me and made love to me," she added.
"You had sexual relations?"
"That's right."

She remained in that bed for about 35 minutes, she said, and then Chaplin's snoring so disturbed her that he put her to bed in another room.

He Gave Pistol to Butler
Next morning, she said, she turned the pistol over to Chaplin, who gave it to the butler. Joan was asked by Scott what happened next.

"Mr. Chaplin closed the door of the bedroom," she went on. He said, 'Joan, you're very interesting. I've never had a relation with anyone in such a situation.'"

"Did you disrobe?"
"Yes."
"Did he request you to?"
"Yes. He said, 'Joan'—(She paused and looked long at her lap)—'Joan, we spent last night together. I still want you. Let's go to bed.'"
"He undressed and walked around in front of the mirror, flexing his muscles and said, 'Do I look like Peter Pan?' I said, 'a little.' He said, 'let's be together.' I did."

"Did you have an act of sexual intercourse?"
"Yes. And then he said, 'Joan, you had better take a complete bath.'"

"He rubbed my back, and we went back to the bed and talked a little. He said, 'Joan, if only you weren't so dramatic, I'm going to rehabilitate you. You mean that much to me.'"

He Drove Her Home
Miss Berry related another occasion on which she said she had relations with Chaplin, the night of December 30.

Afterward, she said, he drove her home.
"Any conversation in the car?"
Scott asked.
"Yes," said 'Charles. I know this is a terrible thing to do, but I

really can't get along with \$25 a week. What if I told you that I had no place to live?"

"We were passing the Beverly Hills jail, and he said, 'well, there's the jail,' and he stopped the car. I got out."

"When did you see Chaplin again?" asked Scott.

"On May 8, at his home I saw Charles in the guest room with a young girl."

"How was she dressed?"

"She didn't have anything on. She was lying in bed. Mr. Chaplin was at the other end of the bed, fiddling with her foot. I said, 'Charles, I would like to speak with you, please come down stairs.' And he said, 'yes.' He appeared nervous."

She said he arranged a meeting for the next afternoon, so she left. "When did you see him again?" Scott asked.

Ordered Away, She Says
"That evening, about 7. I went up there."

"What happened?"
"Well, I rang the bell. "Finally Charles came to the door and said, 'get out of here. If you don't I'll call the police.' I said, 'Charles, Please talk to me, but he wouldn't. In a minute the police came back and took me away. "They put me in jail."

Joan said she was taken to the Beverly Hills jail, where she spent the night; then she spent three or four days in the county jail. (A charge of vagrancy had been placed against her. The charge eventually was dismissed.)

Asked why she then returned to Chaplin's home, she said:
"To tell Charles I was going to have a baby."

She quoted him as saying: "I'll do the right thing," she added.
"I said, 'Will you marry me?' and he said, 'Don't talk like that. I'd rather spend 20 years in jail to give my peace; no woman is

- Mr. Coffey
- Mr. Glavin
- Mr. Ladd
- Mr. Nichols
- Mr. Rosen
- Mr. Tracy
- Mr. Mohr
- Mr. Carson
- Mr. Harbo
- Mr. Hendon
- Mr. Mumford
- Mr. Jones
- Mr. Quinn Tamm
- Mr. Nease
- Miss Gandy

going to force me into marrying." "He said, 'You know my view on marriage. I don't believe in it. It handicaps a person, and I have a great gift.'"

While he was on the stand, earlier Chaplin testified that he was capable of begetting a child but that when Joan told him that she was pregnant and that he was responsible, he exclaimed: "Impossible!"

The name of Chaplin's present wife, Oona O'Neill—by whom he had a daughter 4½ months ago—came into the case during testimony by Edward Chaney, Chaplin's former butler. Chaney said she was a guest at the comedian's home on the night police were called to arrest Miss Berry.

Of the swimming pool episode Chaplin said:
"I told her it was impossible that I was responsible; that I had seen her for almost a year."

Chaney, 54 and soft spoken testified that the morning after the gun incident, that the bed in the Paulette Goddard room (Miss Goddard was Chaplin's third wife) had been slept in, and that Chaplin and Miss Berry remained in that room for two or three hours before Chaney took Miss Berry away.

Later, he said that he "found four or five towels on the bed and one hand towel over the telephone."

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Court's Holiday Over:

Chaplin, Joan and Carol Ann Face Jury for Comparisons

Comic on Witness Stand Denies Pose Before a Mirror as Nude 'Peter Pan'

Pictures on Page 3
By FLORABEL MUIR

LOS ANGELES, Dec. 26 (N. Y. News).—Charlie Chaplin and Joan Barry shared the witness stand today in a drama-packed session in which both the actor and Joan's 14-month-old baby, Carol Ann, were lined up before the jury for a comparison of physical characteristics.

Red-haired Joan, 24, attempted to convince the jury in her paternity suit against the 55-year-old actor that when she spent a night in a film writer's apartment, wearing his pajamas, it was purely platonic, but that when she stayed with Chaplin on four occasions in December 1942, it wasn't.

She contends that her child was conceived that month.

Series of Denials Offered

White-haired Chaplin, taking the stand in his own defense at the afternoon session, denied vehemently that he had been intimate with his former movie

protege that month or for any time for a year previous.

He also denied that he had paraded nude before a mirror in his Beverly Hills home and asked Joan if he looked like Peter Pan. And he denied that he had offered to "arrange things" if she would go away after she told him she was pregnant, or that he had threatened to use his fortune to blacken her name if she brought suit against him.

Joan Cross-Examined

When the trial resumed this morning after the Christmas holiday, Joan took the stand while her attorney, 77-year-old Joseph Scott, continued his examination. She said she remembered the

(Turn to Page 9, Col. 2)

Jury Eyes Chaplin and Baby To Compare Characteristics

(Continued from First Page)

dates of her sexual relations with Chaplin in December 1942, and that the intimacies took place the nights of December 10, December 23, and morning of December 24 and the night of December 30.

Scott then questioned her about Film Writer Hans Ruesch.

Q.—Did you ever have intimate relations or anything else improper with Ruesch on the night of December 30 (1942) or early in the morning of December, 31?
A.—No.

Q.—Did you at any other time?
A.—No, sir.

Charles E. Millikan, Chaplin's attorney, sought to draw from her an admission that she had slept "many times" in Ruesch's Beverly Hills apartment. She denied this and insisted that he was never more than a friend, even though she stayed at his place one night and wore his pajamas.

Millikan also drew a blank when he tried to get her to admit that she had occupied hotel rooms with J. Paul Getty, millionaire Tulsa oil man. She stood pat on her previous story that Getty was just a good friend who once arranged payment of bills totaling \$800.

Chaplain Again on Stand

When Chaplin returned to the stand, Millikan referred to the morning of December 24—the date on which Joan testified that she had sexual relations with Chaplin after giving him the gun she had carried when she forced her way into his house the night before to plead with him to marry her.

"Did you say, 'Joan, do you

know it was very, very interesting I never had relations with any one in such a situation?" Millikan asked the actor.

"No, I did not."

Q.—Did you say, "I still want you, even though we were together last night. Let's go to bed?"
A.—No, I did not.

Q.—Did you undress, pose in front of the mirror and say, "Do I look like Peter Pan?"
A.—No.

"Never Such a Girl"

Chaplin's voice grew stronger as he denied a story told by Joan previously that on one of her visits she found him lying at the foot of his bed playing with the feet of a young girl who was nude. He insisted there never was such a girl.

His direct examination ended with his statement that he had not had relations with Joan since October 1942.

There was a brief cross-examination by Joan's attorney, Scott, in which he asked Chaplin:

"Did you have sexual relations with Miss Barry during the months of November or December 1942?"

"No, I did not," the actor replied. He was excused and the trial was adjourned until tomorrow.

Chaplin Faces Carol Ann

The dramatic moment when Chaplin and little Carol Ann faced the jury of seven women and five men brought a hush to the crowded courtroom.

There stood the world-famous comedian, dour-visaged now, while the baby, held in her mother's

Mr. Tolson	.....
Mr. E. A. Tamm	.....
Mr. Clegg	.....
Mr. Coffey	.....
Mr. Glavin	.....
Mr. Ladd	.....
Mr. Nichols	.....
Mr. Rosen	.....
Mr. Tracy	.....
Mr. Carson	.....
Mr. Egan	.....
Mr. Gurnea	.....
Mr. Hendon	.....
Mr. Pennington	.....
Mr. Quinn	.....
Mr. Nease	.....
Miss Gandy	.....

Chaplin Trial Jury Studies Faces of 'Cast'

Los Angeles, Dec. 26 (AP).—Charles Chaplin's paternity trial achieved a new pinnacle of dramatic tension today when Joan Berry's counsel, in theatrical fashion, exhibited the cast of principals to the jurors and then rested.

For 45 hushed seconds the seven women and five men in the jury box examined facial characteristics of red-haired Miss Berry, 24; the 55-year-old comedian, and Miss Berry's baby, 14 months' old Carol Ann, who, she contends, was conceived the night of December 23, 1942.

A subsequent witness for Chaplin affirmed a conversation in Tulsa, Okla., with Miss Berry in which he said she admitted she stayed with a man—not Chaplin—in the Mayo Hotel there. Miss Berry denied from the witness stand last Thursday that any such conversation took place.

Scrutinized in Silence

Judge Henry M. Willis approved the presentation of Chaplin, Miss Berry and the baby to the jury on lawyers' stipulations that no comment would be made on either side.

Chaplin and his former drama student stood about 8 feet apart, both gazing steadily at the jurors. Miss Berry held her auburn-haired child in her arms. Carol Ann, in a lavender and white pinafore, had been gurgling and squealing most of the morning, but throughout this period she uttered no sound.

Chaplin flicked one glance at the mother and child, then looked steadily ahead. His face was expressionless. Joan's eyes reflected the anxious, hurt look which has characterized most of her courtroom appearances.

Quetied on Tulsa Episode

Then Charles E. Millikan, Chaplin's attorney, called Riley Stuart, a Tulsa detective, and repeated his involved question of last week:

Did Stuart tell Miss Berry in Tulsa on January 23, 1943, that she was going to get into serious trouble if some checks were not taken care of; did she tell him her visit to Tulsa was a personal one; that a friend had disappointed her; that she had stayed a day and a night with J. Paul Getty (identified in newspaper records as a millionaire oil man) at the Mayo Hotel; that she thought he would fix up the checks if she could get in touch with him in New York?

Stuart said such a conversation took place. Last Thursday, in cross-examination, Miss Berry declared that the conversation "wasn't that way at all."

Millikan then called O. C. Lassiter, Tulsa lawyer who in January, 1943, was assistant county counsel. Lassiter testified he talked with Miss Berry January 28 of that year. He said he was dismissing a charge against her at that time, but did not explain its nature.

Lassiter said Miss Berry had told him she had "gone overboard" for an oil man; that she had come to Tulsa to be with him; that she did not wish to disclose his name, but that he was in love with her; that she had met him in California and gone to Florida with him in November, 1942; that he wanted to marry her if he could get rid of his wife; that she had spent two days and two nights with her in the Mayo Hotel but that he had left and she could not locate him.

This was the purported conversation which Miss Berry testified

last Thursday did not take place.

(According to the United Press, the comedian mounted the stand again himself to deny Miss Berry's previous testimony that he was intimate with her four times during December, 1942, or that he paraded nude before a mirror in his bedroom and asked her if he looked like Peter Pan.)

- Mr. Tolson _____
- Mr. E. A. Tamm _____
- Mr. Clegg _____
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- Mr. Nease _____
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Page 7

arms, stole the scene by gurgling and waving her dimpled hands.

Chaplin folded his hands in front of his slightly bulging tummy and stared into space, looking neither to right nor left. Joan and the baby which she claims is all she has left of her famous love affair, were about eight feet from the actor.

The jurors took it all dead pan. They stared and stared until Chaplin squirmed and the baby waved at them delightedly.

For two minutes the principals stood there and then Judge Willis ordered them to be seated. He warned that they were to remain quiet and that their attorneys could not comment.

Chaplin glanced briefly at Joan and the baby as he walked stiffly back to his seat, puckering his lips as if he had been sucking a lemon.

Case for Plaintiff Rests

Today was the first time that Chaplin, Joan and Carol Ann have been in the courtroom at the same time. The plaintiff's

case rests after the jurors had had their close-up view.

Earlier, Joan's attorney tried unsuccessfully to introduce a photograph of Chaplin's two sons, Charles Jr., and Sidney, when they were children. Millikan objected and Judge Willis remarked:

"As far as possible in this case, I want the jury to indulge in no imaginative speculations. When you get to comparing photographs you are treading on dangerous ground in getting satisfactory evidence."

Scott, however, succeeded in asking this question of Chaplin:

"When you were younger was your hair straight or curly?"

"It was more or less curly," the actor replied.

The baby's red hair is a mass of riotous ringlets.

Tulsa Detective Heard

The first defense witness called by Millikan was Riley Stewart, a police detective from Tulsa. He testified that Joan once confided to him that she had spent a day and night with J. Paul Getty, mil-

lionaire oil man, at Tulsa's Mayo Hotel.

The conversation took place in the city's detective bureau on January 23, 1943, he said, when there was trouble about some checks Joan had written. She told him, Stewart said, that if she could reach Getty he would "take care of those checks" because he or his attorney "took care of some checks I wrote in

November."

O. C. Lassiter, former assistant county attorney at Tulsa, was the next witness. He talked with Joan on January 28, 1943, he said, and she told him she had "gone overboard" for a Tulsa oil man. That she had made an amorous trip to Florida with him in November 1942, and had gone to Tulsa to be with him again. They spent two days and two nights

Use Blood Tests In Chaplin Trial

Actor Not Carol Ann's Father, Experts Say

By FLORABEL MUIR

LOS ANGELES, Dec. 27 (N. Y. News).—Testimony on blood tests by doctors intended to show that Charlie Chaplin is not the father of Joan Barry's 14-month-old daughter Carol Ann was ordered admitted as evidence today in the Chaplin paternity trial, after Miss Barry's 77-year-old attorney, Joseph Scott, harangued and argued for hours in an effort to block the move.

Ruling that three doctors who made the blood groupings tests when Carol Ann was four months old could testify, Superior Court

Blood Test Used In Chaplin Trial

(Continued from First Page)

Judge Henry M. Willis said testimony on such tests is only an opinion.

Not Binding on Jury

"This evidence is not binding on the jury," he ruled, "but shall be weighed by the jury. Blood tests are not binding in determining the paternity of an infant.

"But by bringing this action into court, the baby has no right to keep out any truth," he concluded. Baby Carol Ann is legally the plaintiff in the present suit.

The 12 middle-aged jurors were excused from court while Scott and Charles E. Millikan, counsel for the multi-millionaire comedian, argued over the blood tests.

Paternity Denied by Doctors

After Judge Willis' ruling, two pathologists who had made the blood tests on Chaplin, Joan, and little Carol Ann then took the stand and said that on the basis of those blood groupings the movie comedian could not possibly have been the father of Joan's baby.

Dr. Newton K. Evans and Dr. Roy W. Hammack said that red cells of Joan's blood were type A, those of Carol Ann type B, and those of Chaplin type O. On the basis of scientific experiment, they explained, type A and

type O blood cannot produce a child of type B blood.

Both admitted that a supplementary test, based on other blood factors, did not exclude Chaplin from being the father, but they said they had completely

accepted the first blood grouping test.

The third doctor who participated in the original blood tests, Dr. V. L. Andrews, was unable to appear until Friday, so court was recessed until then.

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- Mr. Tolson.....
- Mr. E. A. Tamm.....
- Mr. Clegg.....
- Mr. Coffey.....
- Mr. Glavin.....
- Mr. Ladd.....
- Mr. Nichols.....
- Mr. Rosen.....
- Mr. Tracy.....
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- Mr. Egan.....
- Mr. Hendon.....
- Mr. Pennington.....
- Mr. Quinn Tamm.....
- Mr. Nease.....
- Miss Gandy.....

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- Miss Gandy _____

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Joan Barry Signs Movie Contract

HOLLYWOOD, Feb. 12 (U.P.). Freckled-faced Joan Barry, who came to Hollywood to be a movie star and became a mother instead, announced today she had signed a contract to make a movie for Monogram studios.



Joan Barry

The picture, her attorney, Joseph Scott, said, will have nothing at all to do with Miss Barry's starring appearances in court as the mother of chubby

Carol Ann who, she charged, was fathered by Comedian Charlie Chaplin while he was supposed to be teaching her Shakespeare.

The auburn-haired Miss Barry will star in an original untitled murder mystery drama, agents Richard Monroe and George Van Mafter said.

Her paternity suit against the multi-millionaire Chaplin resulted in a hung jury and a second trial is set for May 2.

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New Job for Biddle:

**Chaplin Deportation Quiz
Asked for in Langer Bill**

Senator Langer (R.) of North Dakota introduced a bill yesterday calling upon the United States Attorney General to make an investigation to determine whether or not Charlie Chaplin should be deported.

If the investigation discloses that the movie actor is subject to deportation, the bill directs the

Attorney General to institute deportation proceedings.

"Chaplin's a British subject who has lived in the United States 25 years without becoming a citizen," Langer said.

"He's made 10 million dollars but he hasn't taken out citizenship papers. If he's debauching American girls, he ought to be sent back."

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Langer Suggests Charlie Chaplin's Deportation

Senator Langer (R.) of North Dakota today introduced a bill in the Senate asking Attorney General Biddle to conduct an investigation to determine whether Charles Chaplin should be deported. The famous motion picture comedian, who has been involved in several Hollywood trials, came to the United States from England.

- Mr. Coffey _____
- Mr. Glavin _____
- Mr. Ladd _____
- Mr. Nichols _____
- Mr. Rosen _____
- Mr. Tracy _____
- Mr. Carson _____
- Mr. Egan _____
- Mr. Hendon _____
- Mr. Pennington _____
- Mr. Quinn Tamm _____
- Mr. Nease _____
- Miss Gandy _____

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 Mr. Coffey _____
 Mr. Glavin _____
 Mr. Ladd _____
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Langer Requests Investigation of Chaplin's Record

By the Associated Press

Senator Langer (R., N. Dak.) introduced yesterday legislation directing the attorney general to investigate Charles Chaplin to determine whether the movie actor should be deported as an undesirable alien.

The bill was assigned to the Senate Immigration Committee. Lloyd Wright, Chaplin's attorney, said in Hollywood that his client would have no comment but added: "I think Senator Langer must have very little to do."

Off of the Senate floor, Langer told reporters that he had asked the Immigration Bureau several months ago to inquire into the record of Chaplin, and was told there was not sufficient evidence of immorality to warrant his deportation.

Langer contended Chaplin, who was born in England, should be deported on the basis of his own evidence in court actions brought by Joan Berry, who charged Chaplin was the father of her child. The jury failed to agree.

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Mr. Tolson _____
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 Mr. Clegg _____
 Mr. Glavin _____
 Mr. Ladd _____
 Mr. Nichols _____
 Mr. Rosen _____
 Mr. Tracy _____
 Mr. Carson _____
 Mr. Coffey _____
 Mr. Hendon _____
 Mr. Kramer _____
 Mr. McGuire _____
 Mr. Quinn Tamm _____
 Mr. Nease _____
 Miss Gandy _____

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New Job for Biddle:

**Chaplin Deportation Quiz
Asked for in Langer Bill**

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If the investigation discloses that the movie actor is subject to deportation, the bill directs the

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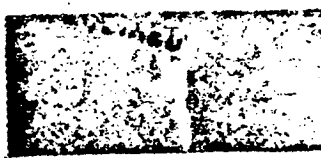
"He's made 10 million dollars but he hasn't taken out citizenship papers. If he's debauching American girls, he ought to be sent back."

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WASHINGTON TIMES-HERALD
 BULLDOG EDITION 3-16-45

Deportation Drive a 'Smear'--Chaplin



Sen. Langer . . . Mr. Chaplin

By United Press
HOLLYWOOD, Feb. 21 — Charlie Chaplin said today suggestions that he be deported were part of a political smear campaign.

Chaplin replied to a proposal by Sen. Langer (R., N. D.), that he be shipped back to England. He said that Joan Barry was encouraged in filing her paternity suit against him by the same forces who inspired the deportation proposals.

"It's all part of a political persecution," Chaplin said. "It's been going on for four years—ever since I made an anti-Nazi film, 'The Great Dictator'."

Chaplin asserted that the picture caused him to be called to Washington for questioning as a "war monger."

"That investigation fell thru after Pearl Harbor," he said. "But the pro-Nazi and reactionary elements continued their attack. They trumped up charges inspired by vicious lies of sob sisters using Miss Barry as their tool."

"After I was acquitted of Mann Act charges," he said, "medical science proved I am not the father of Miss Barry's child. Still the persecution continues. This case is being used to attack my character and banish me from the country for which my two sons are fighting overseas."

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- Mr. Tolson _____
- Mr. E. A. Tamm _____
- Mr. Clegg _____
- Mr. Coffey _____
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- Mr. Rosen _____
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- Mr. Hendon _____
- Mr. Pennington _____
- Mr. Quinn Tamm _____
- Mr. Nease _____
- Miss Gandy _____

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Chaplin Bares Smear Drive by Reactionaries

HOLLYWOOD, Feb. 21.—
Charlie Chaplin said today that suggestions that he be deported were part of a political smear campaign.

Chaplin, replying to a deportation proposal by Sen. William H. Langer, (R-ND), added that Joan Barry, his former drama protege, was encouraged in filing her paternity suit against him by the same forces who inspired the deportation proposals.

Chaplin's statement follows, in full:

"In response to queries from the press as to my stand on the recent move by Sen. Langer in the U. S. Senate to have me deported, I wish to state that this action is part of a political persecution.

"It has been going on for four years, ever since I made an anti-Nazi picture, The Great Dictator, in which I expressed liberal ideas. On account of this picture I was called to Washington for questioning as a warmonger by Senators Clark and Nye. This investigation fell through after Pearl Harbor.

"The persecution, however, increased after I dared to speak on behalf of Russia urging the Allies to open a second front. For this I was bitterly attacked by reactionary columnists using every device to discredit me with the public. I was called a Communist, an ingrate.

"I was accused of making money in this country without becoming a citizen. Never was it explained to the public that 65 percent of my revenue comes from abroad and that the United States government enjoys the full taxes on that 65 percent, as well as the 35 percent

"I believe that in a democracy I have the right to state that I am an internationalist which ideals I expressed in The Great Dictator.

"But the pro-Nazi and reactionary elements continued their attack. Trumped up charges were the result of all this, inspired by vicious lies written by certain sob-sisters using as their tool, Joan Barry, who was played up as an innocent girl lured into immoral relations. This point was particularly stressed in the Mann Act trial. Although my lawyers tried to introduce the fact that long before I met Joan Barry she had been the mistress of several men and long before I met her (unknown to me) she had a police record for shoplifting in Los Angeles.

"These facts and many others of which my lawyer has proof were

not allowed under the rules of evidence. Yet on the word of this same woman and on her accusations my liberty was jeopardized. I was indicted and compelled to stand trial. Later she accused me of being the father of her child. But the fact remains I was acquitted of the Mann Act charge and medical science has proved I am not the father of Joan Barry's child.

"However, the persecution continues. The Barry case is being used to attack my character, discredit me with the public and banish me from the country for which my two sons are fighting overseas."

W. Garter

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This is a clipping from page 4 of the DAILY WORKER

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W. Garter

Charlie Chaplin

Paternity Suit

In Court Again

HOLLYWOOD, April 4 (U.P.). The retrial of Joan Barry's paternity suit against millionaire film comedian Charlie Chaplin opened today in superior court. The first move was the assignment of the case to Judge Clarence L. Kincaid. Next, the defense introduced a motion asking that the court recognize as an "affirmative defense" blood tests which show Chaplin was not the father of Miss Barry's child.

One Lone Spectator

Judge Kincaid denied the motion and ordered selection of a jury. Joseph Scott, attorney for Miss Barry, charged that under the blood test "Chaplin could not lose and the baby could not win."

None of the principals were in court and the only spectator was an old man.

Miss Barry's current attempt to prove that the 56-year-old comedian fathered her 18-month-old daughter marks the third time that intimate details of their love affair have been broadcast to the public at large.

Acquitted Once

Chaplin was acquitted a year ago on charges he violated the Mann Act by taking red-haired Miss Barry to New York, and last January her paternity suit against the multimillionaire comedian ended in a mistrial. Retrial was ordered when the jurors, failed to agree.

The trial is expected to follow much the same pattern as the previous one when Miss Barry testified that she was intimate with Chaplin four times during December 1942, the month the child was conceived.

Chaplin, in turn, will deny it, and will quote doctors' testimony that he could not be the father.

Joseph Scott, attorney for the baby, technical plaintiff in the case, hinted he may spring a few surprises in round two of his fight to prove that Chaplin should support little Carol Ann "as befitting the daughter of a multimillionaire."

Chaplin's attorney, stern-faced Charles E. "Pat" Millikan, said he was saving his statements until he had a jury to hear them.

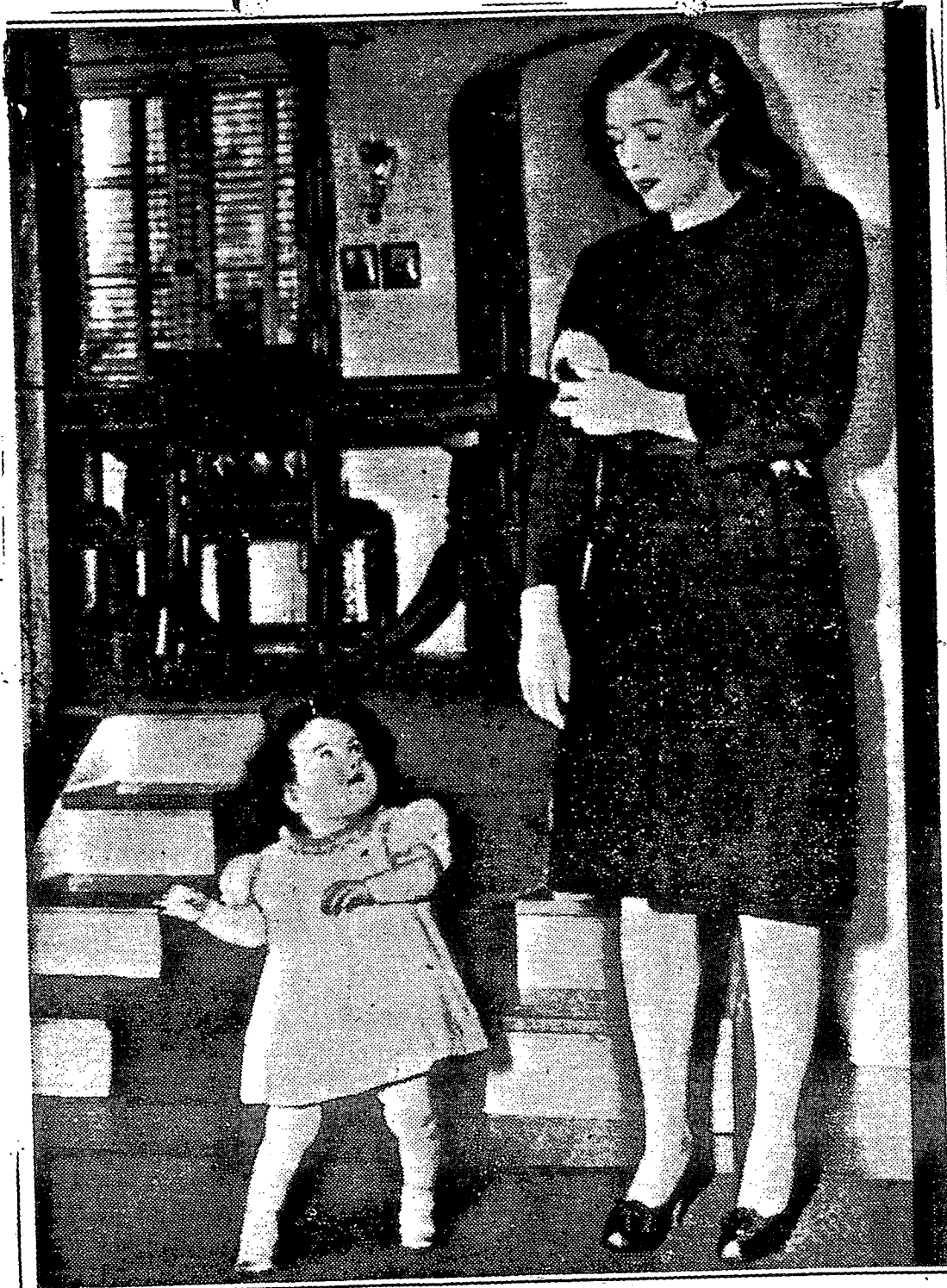
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Pat Millikan

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I.N.P. Soundphoto

Joan Goes to Court Again

Joan Barry and her daughter, chubby Carol Ann, are pictured shortly before Miss Barry appeared in Los Angeles court yesterday for a second time in an effort to convince a jury that Charles Chaplin is the child's father. The first trial ended in a disagreement.

Mr. Tolson _____
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 Mr. Nease _____
 Miss Gandy _____

Feb 26

Nelson

**Chaplin Asks for Jury
 In Joan Berry Trial**

By the Associated Press.
 LOS ANGELES, April 5.—Charlie Chaplin announced through his counsel, Charles Millikan, in court today that he wants the paternity suit brought against him by Joan Berry tried by a jury.

Selection of a jury proceeded immediately. A panel of 10 women and 2 men was called to the jury box for examination by attorneys for both sides.

A jury in the first trial disagreed last January, and as the second hearing opened yesterday Chaplin's counsel moved for a dismissal on the contention that blood tests established he could not be the father of Miss Berry's daughter, Carol Ann, 18 months old. The motion was denied.

*Possible interest
 in connection
 with Bureau
 case against
 Chaplin*

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WASHINGTON STAR
 Date 4-5-45

- Mr. Coffey _____
- Mr. Glavin _____
- Mr. Ladd _____
- Mr. Nichols _____
- Mr. Rosen _____
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- Mr. Carson _____
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- Mr. Nease _____
- Miss Gandy _____

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Charge Chaplin Runs Like Bunny

LOS ANGELES, April 9 (N. Y. News).—The retrial of red-haired Joan Barry's paternity suit against Charles Chaplin got under way today, but the aging film comedian eluded a process server by running "like a scared rabbit" and stayed away so as not to "stultify" himself.

The 54-year-old actor's agility in dodging a summons as a witness was reported to Superior Court by Joseph Scott, attorney for Charlie's 24-year-old former protege. He said his process server found the white-haired comedian exercising on the tennis court at his Beverly Hills home, but that before he could serve the papers Charlie "ran like a scared jack-rabbit."

Scott said he first asked Chaplin's attorney, Charles E. Millikan, to have him in court.

"But I was informed he was not feeling well," he said. "In fact, Mr. Millikan said he did not want to come to court."

Millikan explained to Superior Court Judge Kincaid that Chaplin did not wish to appear because of the "great disrespect shown him at the first trial" that ended in a jury deadlock last January. He said the actor told him, "I do not intend to stultify myself by acceding to the request of Mr. Scott."

The court ruled that Chaplin was privileged to remain away "at his own risk."

The first witness was Dr. Russell Starr, who identified 18-month-old Carol Ann as the baby he delivered at Joan's confinement. She charges that Chaplin is the father.

The curly-headed child was placed on the witness stand so the jurors could see her better.

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 Mr. Coffey _____
 Mr. Glavin _____
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 Mr. Tracy _____
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 Mr. Quinn Tamm _____
 Mr. Nease _____
 Miss Gandy _____

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Bureau Case closed

*To file interest
 WSTA Supervisor
 RDJ*

**Chaplin Ordered
 to Pay \$75 Weekly;
 Joan Is 'Shocked' ..**

By United Press
HOLLYWOOD, April 19—Joan Barry today tried to figure how to raise her 18-month-old daughter as a multi-millionaire's child on the \$75 weekly check she'll be getting from Charlie Chaplin, the baby's legally-adjudged father.
 She said she didn't think it could be done.
 "I guess I'll have to start looking for a job," she sighed. "Carol Ann will grow up like any other little girl instead of a rich man's daughter."
 Miss Barry said she was bewildered and shocked at news that Superior Judge Clarence Kincaid had ordered Chaplin to pay her "only" \$75 a week for Carol Ann's support and \$5000 for attorney's fees and court costs.
 Meanwhile, Chaplin announced he would ask for a new trial.

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- Miss Gandy _____

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**Joan Berry Committed
To Mental Institution**

By the Associated Press

LOS ANGELES, Aug. 6.—Joan Berry, the former actress who won a paternity suit against Charlie Chaplin in 1946, has been committed to Patton State Hospital, a mental institution.

She was described by psychiatrists as a schizophrenic or person with dual personality.

"I realize I need treatment," Miss Berry said yesterday when Superior Judge William P. Haughton acted on a commitment application by her mother.

Police found the 33-year-old Miss Berry wandering about in her stocking feet last week. Mr. Chaplin has been paying her \$100 monthly for support of Carol Ann Berry, now 9. Miss Berry is estranged from her husband, Russell C. Seck, jr., Pittsburgh, Pa., by whom she had two children.

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*Charles Chaplin
W.S.T.A*

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- Wash. Post _____
- Wash. News _____
- Wash. Star *Final* _____
- N.Y. Herald Tribune _____
- N.Y. Mirror _____

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Mr. Tolson _____
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 Mr. Clegg _____
 Mr. Coffey _____
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 Mr. Ladd _____
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 Mr. Carson _____
 Mr. Harbo _____
 Mr. Hendon _____
 Mr. Mumford _____
 Mr. Starke _____
 Mr. Quinn Tamm _____
 Mr. Nease _____
 Miss Gandy _____

Chaplin Jury Has Pick of Contradictory Tales

By FREDERICK C. OTHMAN
 United Press Hollywood Correspondent

HOLLYWOOD, April 1—Joan Barry, who accused Charlie Chaplin of twice violating the Mann Act by transporting her to New York and back in 1942, and the British comedian took time out from Federal court today while their attorneys prepared final arguments for presentation to the jury Monday.

Both sides rested yesterday and the case will go to the jury Tuesday after Judge J. F. T. O'Connor instructs the seven women and five men.

Seldom has every point of evidence in such a case been described in such diametrically opposed fashion.

Miss Barry charged that Chaplin had sexual relations with her before she went to New York, while in New York and after she came back—the last time during a rendezvous in which she held an automatic in her hand most of the time.

THE ARMAMENT FACTOR

Chaplin replied that she had made a nuisance of herself, that he bought her a ticket to New York to

of her and that he did not touch her in New York or after he returned home. For one thing, he testified, he was afraid of that gun.

Miss Barry made a fine witness. So did Chaplin. Miss Barry broke down once and wept. Chaplin choked up twice, once while telling of finding his two sons at home while he was having a battle with her and once while relating that he felt sorry for her after she'd undergone an operation, the nature of which never was described.

Chaplin completed his testimony late yesterday afternoon, placing in the

record as his last words his denial that he ever urged Miss Barry to go to New York for the birth of her child. He said he did not know she was an expectant mother, that he'd never talked to her about the stork.

YES TO EVERYTHING

Then Prosecutor Charles Carr called the Auburn-haired Miss Barry as a rebuttal witness. He asked several questions: Had she talked to Chaplin beside his pool about her unborn child? Had he suggested that she go to New York for the accouchment? Had she begged him to marry her? Had he told her that he didn't intend to marry anybody?

Miss Barry's answer to every one was "yes." And that's only a sample of what confronts the jury. Of the thousands of words in Miss Barry's testimony, there are thousands of equally eloquent words from the multi-millionaire comic contradicting her.

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THE STARS AND STRIPES WEEKLY

Saturday, April 2, 1944

- Mr. Tolson
- Mr. E. A. Tamm
- Mr. Clegg
- Mr. Coffey
- Mr. Glavin
- Mr. Ladd
- Mr. Nichols
- Mr. Rosen
- Mr. Tracy
- Mr. Mohr
- Mr. Carson
- Mr. Hendon
- Mr. Mumford
- Mr. Jones
- Mr. Quinn Tamm
- Mr. Nease
- Miss Gandy

THE STARS AND STRIPES

Weekly newspaper of the U.S. Armed Forces published in the North African Theater of Operations

Myrna Kennedy, one-time flame of Charlie Chaplin and co-starred with him in "The Gold Rush," now works in the Los Angeles office of the FBI and is handling the Mann case against him.

(No record of MYRNA KENNEDY having been employed by the Bureau)

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Arguments Due In Chaplin Case

By FREDERICK C. OTHMAN
 HOLLYWOOD, April 2 (U.P.)
 Charlie Chaplin goes to court to-
 morrow to hear himself de-
 nounced by Prosecutor Charles H.
 Carr as a multimillionaire who
 took advantage of the 23-year-old
 Joan Barry, made her his mistress
 and eventually violated the Mann



JOAN BARRY

Act by taking her to New York for
 immoral purposes.

Carr has two and a half hours
 for denouncing purposes and in-
 tends, he said, to make the most
 of them in his efforts to persuade
 a jury to find the silent screen's
 greatest comic guilty and send
 him to prison for a maximum of
 10 years.

When the prosecutor finishes
 his oration, Chaplin's attorney,
 the veteran Jerry Giesler, will do
 some denouncing, himself. He also
 has two hours and a half to tell
 the jury in effect that his client
 was the victim of a scheming
 woman.

On Tuesday morning, Judge
 J. F. T. O'Connor will instruct
 the jury in points of law and the
 fate of the silver-haired come-
 dian will be in the hands of his
 peers.

Lawyer Giesler, who never has
 lost a major case and whose fees
 as a consequence are reported to
 be as astronomical as a movie
 star's salary, said he was confi-
 dent of Chaplin's vindication.

The flaming-haired prosecutor
 was equally as confident that
 Chaplin would be found guilty
 on two counts of violating the
 white slavery law, once for taking
 Miss Barry to New York and
 again for bringing her back to
 Hollywood.

- Mr. Clegg _____
- Mr. Coffey _____
- Mr. Glavin _____
- Mr. Ladd _____
- Mr. Nichols _____
- Mr. Rosen _____
- Mr. Tracy _____
- Mr. Mohr _____
- Mr. Carson _____
- Mr. Harbo _____
- Mr. Hendon _____
- Mr. Mumford _____
- Mr. Jones _____
- Mr. Quinn Tamm _____
- Mr. Nease _____
- Miss Gandy _____

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 WASHINGTON TIMES-HERALD
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Film Front

By DAVID PLATT

I SEE by Variety that the Chaplin trial has taken the war off the front page of Los Angeles newspapers. The two Hearst rags are of course far ahead of the pack. On the first day of the trial, the Examiner (Hearst) splashed the details across its entire front page. Six full columns blasting Chaplin on page one, plus five inside pages of testimony, sidelights and details of the trial. The more conservative Times saw fit to knife Charlie in a column and a photo on page one, plus a full inside page. The nation's scandal and negotiated-peace rags are well represented at the trial. The case is being written up by no less than 60 sob sisters, straight reporters, screen-writers, novelists and foreign correspondents. Marcia Winn is covering for the Chicago Tribune. Marcia is the female Pegler who wrote those smear articles on the movie industry in the Tribune last summer. Echoing radio Berlin in her malicious series, McCormick's gal charged that "Hollywood destroys 300 young, beautiful but dumb butterflies every month." These "butterflies," she shrieked are "picked up by white slavers in long, sleek automobiles, boozed up and drugged, after which their broken bodies are tossed to the Philippines." It was the fascist Colonel's crude way of getting even with Hollywood for "Mission to Moscow" and "Action in the North Atlantic." Now his star girl reporter is all set to do a stiletto job on Chaplin. It's easy to visualize the sort of filth Marcia will feed Tribune readers during the trial.



In a March 16 Film Front we said it was time to set up a committee representing all the arts to defend Chaplin against the purveyors of scandal and appeasement. We said the "red-baiters and character assassins have been after Charlie since he came out for American-Soviet friendship back in 1928." It is time for an offensive against these unscrupulous gossip-peddlers and mud-slingers. The

Hearst-McCormick-Patterson Rags Lead Wolf-Hunt Against Chaplin

following day we received this communication from Emily Cloud, Philadelphia, Pa.
 Any number of people will agree with you that something ought to be done about the fascist clique which is engaged in slandering our great, democratic people's artist, Charles Chaplin. Sympathy exists. But since sympathy has never been known to win a battle, what remains is the matter of organization and articulation. We are very quick to take action in the defense of individuals suffering the more obvious forms of political persecution. But in this case, although, we have felt a great deal, we have been all too slow in doing something about it. What can be done? I don't know specifically what we can do in this case, but I do know that it is just as important to defend our progressive artists from the attacks of bigoted fascists who have no understanding of art, as it is to take issue with reactionary legislators. Art is an expression of life and fascism and life are inherently incompatible. The defense of art, therefore, is part of the larger issue of the defense of our democratic way from fascist-minded people who would destroy it. They have organized an attack upon us, not only on the political front but on the artistic as well. I suggest that we counter-attack on the cultural front as well as on the political. Mr. Chaplin is now more than an individual. He has become a symbol of art in the service of progress upon which the reactionaries are heaping their wrath.

"Your idea of setting up a committee representing all the arts of America is an excellent one. But it is pretty exclusive. A committee representing the arts leaves out us who are not in that classification and we are many. Perhaps you can think of something concrete which can be done. And since you have taken the lead in suggesting action, why not follow it up? It would not be the first time our Daily would be the initiator of action for a progressive cause. I should like to see more columns on this question and I hope they will contain a guide to action."

It seems something concrete is being done. According to the March 29 issue of PM, "a group of leading New York show business folk are now enlisting a broad protest of stage, screen, radio and writing people against the victimization of Chaplin." Watch the column for further details.

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This is a clipping from page 5 of the DAILY WORKER
 Date April 5, 1944
 Clipped at the Seat of Government.

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An Aside in Court Drama:

**'I'm a Victim of War Hysteria'
Chaplin Blurts at Trial Recess**

**Lays Plight to Second Front Speech;
Case Will Go to the Jury Today**

By FLORABEL MUIR

LOS ANGELES, April 3 (N. Y. News).—Charlie Chaplin made a temperamental outburst today and charged that he was a "victim of war hysteria" who was being tried,

not for violating the Mann Act, but because he made a speech advocating a second front.

The British-born film star and producer who has been in this country 30 of his 54 years without becoming a citizen, hurled his charges during a court recess, while he was talking to reporters.

"I'm an Artist"

"I never was aware until recently that people considered me an Englishman," he blurts when someone suggested that his failure to become an American citizen had not increased his popularity.

"I never thought about it. I never wanted to vote. I'm an artist!"

"I have never been interested in politics, but I know now I put my foot in it when I gave that speech for the second front (in New York, 1942).

"I'm the victim of war hysteria. The public wants a victim! They are prosecuting me on the Mann Act for the same reason that the Government went after the gangsters on the income tax. Gangsters had become unpopular and the Government couldn't get them on anything but the income tax. I'm in the same boat. They're trying me for the second-front speech!"

Chaplin Has Rough Day

Chaplin had had a rough day in the courtroom while opposing counsel summed up their cases in the Mann Act trial in which the Government charges he transported his former protegee red-haired Joan Barry, 24, to New York and back for immoral purposes in October-November, 1942. He blushed violently when U. S.

- Mr. Tolson _____
- Mr. E. A. Tamm ✓
- Mr. Clegg _____
- Mr. Coffey _____
- Mr. Glavin _____
- Mr. Ladd _____
- Mr. Nichols ✓
- Mr. Rosen ✓
- Mr. Tracy ✓
- Mr. Mohr _____
- Mr. Carson _____
- Mr. Harbo _____
- Mr. Hendon _____
- Mr. Mumford _____
- Mr. Jones _____
- Mr. Quinn Tamm _____
- Mr. Nease _____
- Miss Gandy _____

Attorney Charles H. Carr, making sarcastic references to his sex life, used Chaplin's own testimony to suggest that he wasn't the man he used to be. And then, when his defense lawyer, Jerry Giesler, started his summation, Chaplin heard his own legal protector make a slip of the tongue and refer to him as "the defendant, Pantages."

Alexander Panvages, multimillionaire theater owner was defended by Giesler through two sensational trials for criminal assault on charges brought by Eunice Pringle, 17-year-old dancer, in 1929. He was acquitted on the criminal charge, and a damage suit brought by the girl was settled out of court.

The portly Giesler, unperturbed at his blunder, corrected himself immediately and remarked to Federal Judge J. F. T. O'Connor.

"My mind was going back to other times."

Giesler, a picture of sartorial elegance, draped himself over the rail of the jury box, and at times addressed the jurors individually as he described the kindness of his white-haired client.

Court adjourned until 10 a.m. tomorrow after Giesler summed up and Carr made a brief rebuttal argument. The court will charge the jury and the case will reach it sometime during the day.

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"Without Fear or Favor"

Giesler, in his summation, asserted that "there is no more evidence here of Mann Act violation than there is evidence of murder."

He pleaded with the jury to judge Chaplin "as you yourselves would want to be judged, without fear or favor, without bias or prejudice."

Giesler pictured Chaplin as a gallant gentleman who although "publicly pilloried, scorched and burned," did his best to guard Joan's reputation.

"He has not sullied Miss Barry's name," he said, "and if her name has been sullied, it was only through her own actions and associations of her own choosing."

His voice rose to a shout as he declared that Chaplin paid to have her teeth fixed for movie work, that he risked \$500,000 on a proposed film in which she was a star.

"He wouldn't have to spend all

that to have her sexually," he roared, pounding the table. "After he stopped having intercourse with her he was willing to keep her on because he believed she had the qualifications of an actress. If she had only kept up her work under his tutelage, who knows what a great star she might have become!"

Chaplin and Joan have paid dearly for their mistakes and any further payment can wait until "they meet their Maker at the proper time," he pleaded.

His voice at-times rising from a whisper to a shout, he declared that the Government had failed to show that Chaplin transported Joan to and from New York for any immoral intent, no matter what their relations had been in California.

"Evidence of sexual intercourse at the end of a journey is not of itself proof of a premeditated immoral intent on the part of a defendant before a trip," Giesler argued.

"If it occurs at the end of a trip as a casual or incidental occurrence, that doesn't show it was a premeditated act. The Federal Government has no police powers over the casual moral acts of its citizens."

Titters Provoked

Giesler caused titters in the courtroom that caused Judge O'Connor to admonish the spectators when he referred to Joan's pistol-packin' visit to Chaplin's home after her return from New York, and said:

"No man could be sexually dangerous under the conditions testified to by Miss Barry. A woman might be raped at the point of a gun, but not a man!

"When she tells you she held a gun on him, laid down the gun, to have an act of sexual intercourse and then picked up the gun again, well, folks, that's hard to believe."

Carr made a reply to this in his rebuttal argument.

"It isn't so unreasonable to believe that the gun was used that night as a stimulant," he said. "We all know husbands and wives who have fought and knocked each other out, but they still lived together and had children."

Giesler said he regretted that the prosecutor had referred to his client as an actor.

"What difference does it make whether he is a banker, a butcher, a doctor, a merchant or an actor?" he asked. "When he comes through this door he is a human being with the same emotion as any other human being."

"Will it help Miss Barry if you convict this defendant?" he asked

the jury. "Will it make her life any different?"

Both Joan and Chaplin "left their souls bare on the witness stand," he said, and "with the pitiless publicity that has attended this case, I think both have paid the full price for the mistakes they have made."

Mention of Joan's Mother

He made a point of Joan's testimony that Chaplin asked her whether she wanted to take her mother to New York with her.

"What kind of an understanding would exist between a girl and her mother, if she had wanted to take her mother on an illicit trip?" he asked.

He brought the name of J. Paul Getty, Oklahoma oil man, into his summation when he recalled that Getty had testified he knew Joan. Recalling that Joan admitted that Chaplin had not paid her bill at either the Waldorf-Astoria Towers or the Pierre Hotel in New York, he shouted:

"And I call your attention to the fact that J. Paul Getty testified that the Pierre Hotel is owned by the Getty Realty Corporation!"

He also told the jurors that they should not be swayed by the fact that Joan has a civil suit pending against Chaplin, accusing him of being the father of her daughter, now six months old.

"You are only concerned," he told them, "with whether, in the narrow, restricted limit of the Mann Act, as stated in this indictment, there was a violation of the law."

Earlier, Prosecutor Carr, in his

summation, which required only 90 minutes of the 2½ hours allotted him, told the jurors that mere transportation meant nothing—that the law made it clear that such transportation should be for an immoral purpose.

All the jury had to decide, he said, was whether Chaplin had immoral intent when the trip was arranged.

"It isn't necessary to show that he accompanied her on the trip," he declared.

"Fires of Yesterday"

Carr said that, although Joan testified only one act of sexual intercourse took place in New York, Chaplin none the less violated the Mann Act.

"Perhaps the fires of yesterday burned not so brightly, but the Government contends that they still burned," he shouted.

He became sarcastic when he told of Joan's visit to Chaplin's suite in the Waldorf-Astoria Towers.

"He (Chaplin) says she wanted to see the apartment," he said. "She says he told her he wanted to talk with her. Perhaps it was at this time that the metamorphosis set in where sex was so unimportant in his life!"

This was a reference to Chaplin's testimony under cross-examination last Friday when, in answer to Carr's question as to

WASH. STAR
3-29-44

Chaplin's Attorney Seeks More Evidence On Joan Berry's Life

By the Associated Press.

LOS ANGELES, Mar. 28.—Defense Attorney Jerry Giesler opened a new effort today to get into the record of Charlie Chaplin's Mann Act trial further testimony regarding the private life of Joan Berry, whom the actor is accused of having transported to New York for immoral purposes.

As court reconvened after a three-day recess, Mr. Giesler, with the jury absent, told Federal Judge J. F. T. O'Connor that he had asked United States Attorney Charles H. Carr to bring Miss Berry into court for further cross-examination.

"The defense feels it is entitled to go into the background and associations of this witness," Giesler said. "We specifically feel that we have the right to question her on her associations in November and December, 1942, after her return from New York."

Authorities Cited.

Mr. Giesler cited several authorities in support of his contention.

The largest crowd of the trial so far was on hand this morning more than an hour before court reconvened at 10 a.m.

"The defendant is so at the mercy of the woman that he should have the widest latitude in cross-examination," Giesler read from one authority.

In another case, he said, a court ruled that the matters at issue were well calculated to arouse feelings against the defendant and sympathy for the woman.

He contended the purpose and intent of the woman in any alleged Mann Act violation must be given equal weight with those of the man.

Can Submit Precedents.

The United States attorney submitted a list of precedents by the Ninth Circuit Court of Appeals, which he said governed in the absence of a ruling by the Supreme Court.

In one such case, he declared, the court ruled that "whether a woman be pure or impure, her transportation in interstate commerce for pur-

Mr. Tolson _____
Mr. E. A. Tamm _____
Mr. Clegg _____
Mr. Coffey _____
Mr. Glavin _____
Mr. Ladd _____
Mr. Nichols _____
Mr. Rosen _____
Mr. Tracy _____
Mr. Acers _____
Mr. Carson _____
Mr. Hendon _____
Mr. Mumford _____
Mr. Starke _____
Mr. Quinn Tamm _____
Mr. Nease _____
Miss Gandy _____

CARRITE

CARRITE HANDLING

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poses of sexual immorality is a violation of the statute."

In another case, he said, the court had ruled that a woman's testimony could not be impeached by an attack upon her chastity, and that a question of whether the witness had not broken up a home was wholly irrelevant.

Mr. Giesler announced that Hollywood celebrities would not be called as character witnesses in Chaplin's defense. He said he would have 10 or 15 important witnesses.

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- Mr. Tolson _____
- Mr. E. A. Tamm _____
- Mr. Clegg *Car*
- Mr. Glavin *Z*
- Mr. Ladd _____
- Mr. Nichols _____
- Mr. Rosen _____
- Mr. Tracy _____
- Mr. Carson _____
- Mr. Coffey _____
- Mr. Hendon _____
- Mr. Kramer _____
- Mr. McGuire _____
- Mr. Quinn Tamm _____
- Mr. Nease _____
- Miss Gandy _____

LITTLE OLD NEW YORK

By ED SULLIVAN

Coast-to-Coast.

HAD Chaplin lost his case, and had he been ordered deported, the Russian consul was authorized to turn over a Soviet plane to take the Chaplins to Moscow! . . . The offer was made by the Russian consul on the Coast when the Chaplin trial on Mann Act charges started. Cheered by the verdict in his favor, and grateful to American common sense, Chaplin now plans to rehabilitate himself in the good graces of the U. S. by entertaining troops, buying war bonds, supporting the American Red Cross, etc. He doesn't plan to visit Russia until after the war . . . He and Oona are studying Russian, as I reported some time ago . . . Most moved by the trial result was Oona, who collapsed when she learned that he had been acquitted, and needed medical care.



Spencer Tracy

HOLLYWOOD pals and gals who gave Chaplin and his friend, Tim Durant, the air when it looked bad for Charlie, are bothered and bewildered at the moment . . . One of those, I understand, who hastily took an exit after years of comradeship, was Spencer Tracy, who never has enjoyed a reputation for lingering near a shipwreck . . . The No. 1 friend in the entire mess proved to be Sam Goldwyn, who never relaxed his solicitude for the distressed comic, and next to him would be Joe Schenck, for whom Chaplin testified as a character witness in Schenck's trial . . . It is commonly believed that Goldwyn influenced the Coast trade papers to come, belatedly, to Chaplin's support.

Chaplin's trial

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of [unclear]
W. H. [unclear]

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WASHINGTON TIMES-HERALD
MORNING EDITION 4-6-44

Chaplin to Exile Self if Jury Acquits Him

By **FREDERICK C. OTHMAN**
United Press Hollywood Correspondent

HOLLYWOOD, April 4—Trial of Charlie Chaplin, accused of taking a red-haired woman across state lines for immoral purposes, reached its end today, with only the judge's instructions to be read before a jury begins pondering his fate.

Chaplin, who earned \$8,000,000 in 30 years in Hollywood, could be found guilty on two counts and imprisoned for 10 years, with deportation to England as an undesirable alien thereafter.

CALLS IT PERSECUTION

Should the jury find him innocent of charges brought by Joan Barry, he was expected to exile himself, anyway. Friends reported he believes he is being persecuted for his speechmaking in favor of a second front and said he probably would move to a rancho he purchased recently in Mexico.

Chaplin brought up the subject of his political views in a conversation with newspaper reporters.

"I know now that I put my foot in it when I gave that speech (in New York during the interlude two years ago with Miss Barry) for a second front," he said. "I am a victim of war hysteria. The public wants a victim."

His agents in Mexico were reported to have purchased a tract of about one and a half square miles near Cauja in the state of Morelos, site of a sulphur springs resort about 40 miles southwest of Mexico City. The newspaper Universal said it understood Chaplin not only intended to erect a home there, but also to build a motion picture studio.

TWO OTHER CHARGES

Another jury will hear charges by Miss Barry that Chaplin conspired to deprive her of her civil liberties. A second, unless blocked by the State Supreme Court, will consider her suit charging him with being the father of her infant daughter.

Chaplin assumed an attitude of prayer yesterday when his attorney, Jerry Giesler, and the Federal prosecutor, Charles H. Carr, were slugging it out with words in a five-hour oratorical marathon. Later he laughed nervously and denied that prayers were on his mind.

Giesler insisted that his white-haired client was a kindly man, doing Miss Barry a favor by purchasing her a ticket to New York two years ago so she could be with her beau.

Carr countered with the accusation that Miss Barry was Chaplin's mistress and that he wanted her on call at all times and at all places.



CHARLIE CHAPLIN

"I know now I put my foot in it"

- Mr. Tolson ✓
- Mr. E.A. Tamm ✓
- Mr. Clegg ✓
- Mr. Coffey _____
- Mr. Glavin _____
- Mr. Ladd _____
- Mr. Nichols ✓
- Mr. Rosen ✓
- Mr. Tracy ✓
- Mr. Acers _____
- Mr. Carson _____
- Mr. Harbo _____
- Mr. Hendon _____
- Mr. Mumford _____
- Mr. Starke _____
- Mr. Quinn Tamm _____
- Mr. Nease _____
- Miss Gandy _____

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J.W.W.*

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hand. "I thank you," the comedian said with his famous toothy, eye-wrinkling smile.

"I'd almost like to kiss him," said one woman juror.

Scores jammed about the actor in a surging turmoil of hand-pumping congratulations, the hectic scene illuminated occasionally by the lightning flashes of photographers' bulbs.

"I believe in the American people," Chaplin said, half smiling, obviously groping for words. "I believe in American justice. I've had a very fair trial. I've always had an abiding faith. . . . I always knew. . . . I was confident."

The words were drowned in the bedlam.

Reeder said four ballots were taken on the first count, which alleged that Chaplin transported Joan to New York with immoral intent, and two ballots on the second count, charging he returned her here for the same purpose.

Reeder said the jury couldn't de-

cide whether Miss Berry's presence in New York at the same time as Chaplin's was coincidental.

"The jury did believe that an act took place there," he said.

The red-haired Joan, who in a civil suit alleges that Chaplin is the father of her 8-month-old daughter, testified that she and Chaplin were intimate in a New York hotel bedroom.

Informed of the verdict, Miss Berry said she had no comment "one way or another."

"After all, I was just a Government witness and testified the best I could remember," she said. "If the jury believed him (Chaplin), that is their privilege."

Chaplin's attorney, Giesler, called it "the greatest triumph in history." U. S. Attorney Charles H. Carr said he was satisfied with the way the trial was handled, and Judge O'Connor said he thought everything was done fairly.

Air of Electric Tension

An air of electric tension swept through the courtroom as Bailiff Al Kottner came through the jury door at 5:55 p. m. and whispered to reporters that a verdict had been reached.

Chaplin and his lawyer came to the counsel table and sat down. Chaplin sat with clenched fist to chin, twisting and swinging in his chair, eyes darting about the filling room, whispering with Giesler.

Then the traditional courtroom drama was enacted.

The fateful sheet of paper was handed by the foreman to the bailiff, by the bailiff to the clerk, by the clerk to the judge.

"In the District Court of the United States—the United States versus Charles Spencer Chaplin —" Bald-headed clerk Francis E. Cross shouted.

Chaplin Grabs Necktie

Giesler's hands were over his eyes. Chaplin grabbed his necktie near the collar.

An instant later he knew he was acquitted and the crowd was cheering.

He was asked his plans.

"Not now, no, now," pleaded an associate, shoving Chaplin through the crowd.

"He's worn out," said a feminine fan, and the comedian's lined face looked it.

One of the jurors, Mrs. Edythe E. Lewis, said two women jurors had held out for a guilty verdict in

Chaplin, however, testified they merely conversed briefly on that occasion, and that shortly afterward he took her to her own hotel in a taxicab.

Similarly, Chaplin denied Miss Berry's allegations that they had been intimate after their return to Hollywood on several occasions.

Joan, admitting she broke into his house one night in December, 1942, and threatened him with a gun, asserted they had sexual intercourse on that occasion, with the weapon on a table near the bedside. Chaplin vehemently denied they were intimate at that time.

Miss Berry also had testified that when she asked Chaplin what they were to do about her then unborn daughter, the actor had threatened to "spend a fortune blackening your name" if she made her condition public. The actor likewise entered a strong denial to this allegation.

The actor faces two more legal actions, one criminal, one civil,

the voting, but she declined to name them.

"It was a most friendly jury," Mrs. Lewis added, however. "It has been a lovely association throughout."

In reaching its verdict the jury was forced to decide who was telling the truth—Chaplin or Miss Berry. They differed in almost every essential detail.

Chaplin never denied he had been intimate with Miss Berry; in fact he admitted it inferentially when asked: "What was the last date you had sexual intercourse with Joan Berry?"

"Sexual intercourse isn't that important in my life," the actor snapped back, adding that he "might" have been intimate with his red-haired drama pupil in January, 1942, and that "maybe" he was the following May.

But he did deny immoral conduct with Joan on the occasions on which the Government's indictment was based. He asserted they were not intimate in New York in October, 1942, as alleged by Joan. Meeting Accidental, He Said

To the Government's allegation that he sent her there for immoral purposes, Chaplin responded that he provided the tickets because Joan had insisted she wanted to visit New York. Their meeting there was purely accidental, he said.

Miss Berry had testified she went to his apartment in the Waldorf Towers a few nights after he had delivered a "second front" speech October 16; that they went into a bedroom; that Chaplin disrobed and then an act of intimacy ensued.

arising from his association with Miss Berry. He was indicted with six others for allegedly conspiring to deprive Miss Berry of her civil rights by forcing her to leave Beverly Hills after a vagrancy sentence was suspended.

Mr. Tolson ✓
 Mr. Clegg ✓
 Mr. Coffey ✓
 Mr. Glavin ✓
 Mr. Ladd ✓
 Mr. Nichols ✓
 Mr. Rosen ✓
 Mr. Tracy ✓
 Mr. Acers _____
 Mr. Carson _____
 Mr. Harbo _____
 Mr. Hendon _____
 Mr. Mumford _____
 Mr. Starke _____
 Mr. Quinn Tamm _____
 Mr. Nease _____
 Miss Gandy _____

Happy Ending

**Chaplin Acquitted
 Of Mann Act Charges**



Associated Press WIREPHOTO
 While a well-wisher tries to get his ear to congratulate him, Charlie Chaplin hears from a juror, Mrs. Beatrice Allan, left, the story of how the jury balloted to find him innocent of Mann Act violation charges.

Los Angeles, April 4 (AP).—Lips trembling, clutching at the knot of his necktie, an emotion-choked Charlie Chaplin tonight heard himself acquitted of Mann Act charges.

Yells of "Hooray!" went up from the spectators as the court clerk announced acquittal on the first of the indictment's two counts.

The bailiff rapped for order, and U. S. District Judge J. T. F. O'Connor warned loudly against a further demonstration. The clerk then read the verdict of acquittal on the second count.

The jury of seven women and

five men cleared the world-famed British-born comedian of Government charges that he transported his former protegee, 24-year-old Joan Berry, to New York City and back in October, 1942, for immoral purposes.

By finding him innocent on the second count the jury placed credence in his denial that he financed her return trip to Hollywood.

Roscoe Reeder, foreman of the jury, said that on the first ballot 5 jurors voted guilty and

innocent with 1 not voting. On the second ballot, he said, 3 voted guilty, 8 innocent with 1 withholding his ballot. The third ballot, Reeder said, had cut the guilty votes to 2 with 10 voting innocent and on the fourth ballot the vote was taken which freed the comedian from the Mann Act charges. That was on the first count.

On the second count, Reeder said, the first ballot brought 1 vote for guilty, 11 for innocent, and on the second ballot the jury agreed on the actor's acquittal.

Chaplin rapidly patted the hand of his attorney, Jerry Giesler, who sat beside him as the verdict was read.

"Mr. Chaplin, you are dismissed," said Judge O'Connor from the bench.

Trembling, Chaplin rose from his swivel chair at the counsel table and walked toward the jury box as a swarm of well-wishers charged toward him.

One by one he shook each juror's

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the last time he was intimate with Joan, the actor snapped:

"Sex is not the important in my life!"

Taking up the second count in the indictment, which charges that Chaplin transported Joan back to California from New York for immoral purposes, Carr said that the principal dispute between Government and defense was why the actor gave her \$300.

"She says he gave it to her to buy a ticket back to Hollywood," he continued. "He says it was an act of charity. Ladies and gentlemen, we certainly don't want to convict anyone for performing a charitable act."

Carr also referred to Joan's statement that Chaplin wanted to "rehabilitate" her and offered to pay her \$25 a week if she would move out of her hotel room in Hollywood and stay at the Studio Club.

"I think he wanted to put her on call!" he exclaimed.

Pistol Incident Discussed

And as to Joan's testimony that she and Chaplin had sexual relations in his Beverly Hills home the night of December 23, 1942, when she broke in with a pistol, Carr said:

"I suspect that Mr. Giesler will suggest that the great master, Mr. Chaplin, has taught her to act and that she was acting on the stand. I'll leave it to you as to who's the better actor."

Chaplin has denied that any act of intimacy took place that night.

In an obvious reference to the defense counsel's assertion that Joan was available to Chaplin sexually at almost any time and that he didn't have to take her to

New York to be intimate with her, Carr told the jury:

"The chastity of the woman (in a Mann Act case) is wholly immaterial. Assume, if you please, that the woman was a common, ordinary prostitute. It would make no difference if the defendant has for his purpose the transportation for immorality in another State."

Chaplin Fidgets

Chaplin, dressed in a dark-blue suit and wearing a blue-and-white polkadot tie, fidgeted in his chair as the flaming-haired young prosecutor proceeded.

Carr said that the testimony of Chaplin's butler, Edward Chaney, was significant. He read excerpts from Chaney's testimony in which the butler admitted telling Carr he overheard the actor say he had had sexual relations with Joan on her New York visit.

"The words 'sexual relations' and 'intimacy' were not used," Carr said. "Chaplin's words were 'of course I had it. Of course I had been out with her.'"

Then, looking at the seven women and five men on the jury, all middle-aged or elderly, he demanded:

"Can you tell me why a man's butler would come up here and lie against him?"

Reviewing what he considered

the weaknesses in defense testimony, he pointed out that the stories told by Army Pvt. Lionel V. Bonini and Chaplin did not jibe.

Joan testified that she had sexual relations with Chaplin at his home the night of December 30-31. Carr called attention to defense witness Bonini's testimony that he drove her around in his car until 3 a.m. December 31, looking for film writer Hans Ruesch.

And Chaplin, he recalled, testified that he found Joan lying on the mat outside his kitchen door the night of December 30—an unexpected and unwelcome caller—and drove her to a spot near the Beverly Hills police station to get rid of her.

Then Carr pointed out that

Claude Marples, Beverly Hills police official, and Mrs. Jessie Reno, police matron, testified that Joan was in the police station on December 31 from about 1:30 a.m. to 2:30 a.m., when they left to drive her to an apartment house on Olympic Boulevard.

"She must have had a split personality to be in so many places at once!" he declared.

FILE

Chaplin Charges Political Gang Up

HOLLYWOOD, April 3.—Charles Chaplin told newspapermen yesterday that he was a victim of political persecution and that he was really being tried because of a Second Front speech made in New York City's Carnegie Hall last winter.

Shortly before court reconvened, newsmen told him he was not a popular man because he never had become an American citizen.

"I never was aware until recently that people considered me an Englishman," he said. "I never thought about it. I never wanted to vote. I'm an artist.

"I have never been interested in politics, but I know now I put my foot in it when I gave that speech for a second front."

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