

RIDDER ACCUSES WRITERS OF LIBEL

**Publisher Gets Summonses for
Rex Stout, Dr. F. W. Foerster
and Theodore H. Tetens**

CALLED TRAITOR, HE SAYS

**Defendants Declare They Have
Proof of Pan-German Plot
Charged in Pamphlet**

Summonses charging criminal libel against Rex Stout, author; Dr. Frederick W. Foerster, German scholar, and Theodore H. (Fritz) Tetens, were obtained in Essex Market Court yesterday by Victor F. Ridder, publisher and editor of the New York Staats-Zeitung.

Mr Ridder accused Dr. Foerster and Mr. Tetens of collaborating in writing a thirty-two-page pamphlet that, he asserted, described him as the leader of a Pan-German conspiracy and by inference portrayed him as being a traitor to the United States. He charged that Mr. Stout wrote an introduction to the pamphlet that read:

"This pamphlet reveals the only organized and continuing conspiracy by any group of citizens against the integrity of the United States and its ideals."

The summonses were granted by Magistrate Edgar Bromberger in open court after a clerk had questioned jurisdiction in the matter. They are returnable Monday.

Wants to Answer Pamphlet

In asking for the summonses Mr. Ridder told the court: "I want the opportunity, somewhere, to answer this pamphlet or make the people publishing it responsible. They have distributed them all over the country, particularly in and about St. Paul, Minn., and Grand Forks, N. D., where we own other newspapers."

Mr. Ridder later said he had been forced to go into Magistrate's Court after he had been to District Attorney Frank Hogan to ask for relief and the District Attorney had "failed to act." He charged that he first saw the pamphlet on April 2 and on April 6 went to Mr. Hogan's office with the others named in the booklet, Special Sessions Justice Gustav Wieboldt, Theodore Dengler and Dr. Gottfried Seyfardt.

Dr. Foerster Promises Proof

Dr. Foerster, a former professor in Munich, labeled a traitor by the Nazis, said he welcomed the opportunity to appear in court "to document our case." He declared also that "we have all the material and every word can be proved." He said his collaborator was of like mind.

Mr. Stout, chairman of the Writers War Board, said, "If he (Ridder) wants an opportunity to question me in court he'll probably get it."

Mr. Ridder said that while the introduction bore both the name of Mr. Stout and of Quentin Reynolds, he had not asked for a summons against the latter in the belief that he didn't know the contents of the pamphlet and had signed it merely as a favor to Mr. Stout. Mr. Reynolds is out of the country at present.

In discussing the action Mr. Ridder said he was particularly anxious to find out who was back of the attack and was "doubtful that the three men he had summoned were in a position to finance it themselves." The pamphlet sells at newsstands for 15 cents. It is in the form of an open letter to "Loyal Americans of German descent" and the cover reads: "To prevent World War 3." It also asks the question, "Would you sign this letter?"

The pamphlet mentions various news stories in the Staats-Zeitung that it is contended originated from German sources and says that Mr. Ridder appeared at a meeting of the Steuben Society where a Nazi flag was hung. "All I want," said Mr. Ridder, "is to make them prove it true or pay the penalty." He said he believed the writers were sincere anti-Nazis and thought they were attacking adherents of Nazism, and then he added: "How can they link me to a conspiracy to undermine this country? Why, for the past ten years I have been the leader here in the fight against Hitler."

RIDDER DROPS SUIT OVER PAMPHLETS

Complaints Against Rex Stout
and 2 Others, Charging
Libel, Withdrawn

Complaints of criminal libel against Rex Stout, Dr. Frederick W. Foerster and Theodore H. Tetens were withdrawn in Essex Market Court before Magistrate Morris Rothenberg yesterday by Victor F. Ridder, publisher and editor of the New Yorker Staats Zeitung, upon application by Charles W. Newmark, counsel for the publisher.

The complaints were based on statements put out in a pamphlet last spring, but Mr. Newmark conceded that if the defendants chose to stand on their legal rights they could not be compelled, in a criminal action, to testify and that therefore he was unable to establish proof that they published the pamphlet.

"In view of our inability to prove publication, due entirely to difficulties of technical proof as raised by the defendants," Mr. Newmark told the magistrate, "it is obvious that the defendants are unwilling to meet the issues in this case and we reluctantly, at the request of our client, Mr. Ridder, withdraw the complaint."

The withdrawal closed the criminal action, but counter civil suits involving the same principals are pending. Mr. Newmark said that while it was impossible to examine the defendants in the criminal action, a civil suit does permit examination of defendants before trial and necessary proof of publication might be obtained in that way.

Mr. Stout is an author and is chairman of the War Writers Board. Dr. Foerster is a German scholar who once taught philosophy and pedagogy at the University of Munich in Germany and Mr. Tetens has been an investigator of Germans' activities in the United States and in Latin America. Dr. Foerster's and Mr. Tetens' names were signed to the pamphlet. Mr. Stout's name was printed as co-author of the introduction.

Mr. Ridder maintains that the publication, in effect, describes him as a leader in a Pan-German conspiracy and as a traitor to the United States.

The New York Times

Published: October 7, 1943

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