

Fox, William

1879¹¹ - 1952 ^{7/8}
Telosva, Spring - N.Y.

motion pict. producer

(73 yrs old)

Plans to settle 70 mill. bankruptcy
for 885,000. Would settle 4,900,000
income tax claim for 295,000.00

1941 (N.Y. Times. 1942 Jan 22 9/5)

Fox Repeats Story Of \$27,500 Advance To Judge Davis

Former Movie Magnate
Tells Court He Made
Two Unsecured Loans

By the Associated Press.

PHILADELPHIA, Aug. 1.—Approximately 50 minutes of testimony has placed before a second Federal jury the story of William Fox, one-time movie magnate, that he gave retired United States Circuit Court Judge J. Warren Davis \$27,000 in unsecured loans.

The Government, claiming the money was advanced in return for favorable decisions on Fox bankruptcy proceedings, is trying Judge Davis and Morgan S. Kaufman, former bankruptcy referee, on charges of conspiracy to obstruct justice and defraud the United States. A jury failed to agree in first trial of the case.

Fox, who pleaded guilty and is awaiting sentence on similar charges, related yesterday that he handed \$12,500 in bills wrapped in a newspaper to Judge Davis on a Philadelphia street in the early winter of 1936. On another occasion, he said, \$15,000 was sent to the jurist through Kaufman.

Fox said that two months after he, Kaufman and Judge Davis discussed "in a general way my trials and tribulations" as a result of financial difficulties, "Kaufman came to my home in Atlantic City" and said the jurist was about to give a wedding for his daughter Mary and didn't have enough money.

"He said the judge needed \$15,000," Fox asserted, "and would I be good enough to lend it to him? Kaufman suggested it would be a good thing. I told Kaufman I didn't have the money and he suggested it would be a good thing for me to borrow it. Then I asked Mrs. Fox to loan me the \$15,000 and she did."

Later, the former movie producer declared, Judge Davis telephoned him and asked for a conference. They met in a Philadelphia hotel, Fox said, and Judge Davis told him he owed money to his daughter, who was married to Roger Firestone. The jurist asked for \$12,500, the witness stated, and he borrowed the amount from Mrs. Fox and gave it to him on a street corner.

The money included \$10,000 in \$1,000 bills, said Fox, five of which the Government charges Mrs. Firestone deposited in a Florida bank. Fox said Judge Davis became concerned over the fact that the Government had traced the bills by their numbers and suggested that if he were questioned, Fox should contend he paid the notes to "a man named Lewis" who had died.

FOX GETS A YEAR AND \$3,000 FINE

Ex-Movie Producer Sentenced
in Philadelphia After Counsel
Declares He Was Victim

'JUSTICE WENT SHOPPING'

Court Denies Request to Alter
Plea and Go Before Jury as
Davis and Kaufman Did

Special to THE NEW YORK TIMES.

PHILADELPHIA, Oct. 21.—William Fox, bankrupt former motion picture producer, was sentenced today to a year and a day in a Federal penitentiary and fined \$3,000 on a charge of conspiracy to obstruct justice and defraud the government.

Fox pleaded guilty last Spring, soon after he had been named in an indictment with J. Warren Davis, retired Federal circuit court judge, and Morgan S. Kaufman of Scranton, a lawyer. Davis and Kaufman were tried twice, with Fox the principal witness against them, and in both instances the jury failed to agree. Subsequently the government nolle prossed the indictment against them.

Immediately after Judge Guy K. Bard imposed sentence in Federal district court today on the 62-year-old defendant the court granted permission to Fox's attorney, Martin Littleton of New York, to appeal the sentence to the Federal Circuit Court. Bail was increased from \$5,000 to \$15,000, and that amount filed about two hours later in Fox's behalf.

Mr. Littleton asked Judge Bard for permission for his client to withdraw his plea of guilty and to stand trial before a jury. When that was denied, he pleaded for clemency, declaring that Fox had not sought judicial favors in return for loans totaling \$27,500 which he testified he had made to Judge Davis, with Kaufman acting as an intermediary in one case.

"Fox did not lure and entice justice into corruption," Mr. Littleton said. "Fox was the only honest man in this whole transaction and he tried to atone and make amends for his error by aiding the government and testifying to the truth at both trials. Instead of Fox seeking to do wrong, it was justice itself which sought to be corrupted and which went shopping to do so."

Gerald A. Gleeson, United States Attorney, told the court he agreed with most of what Mr. Littleton had said. He conceded that Fox had helped the government and asked that that be taken into consideration.

"The gravity of the offense is such, however," he added, "that I would be remiss if I did not ask for a substantial prison term for Fox."

Judge Bard then said that he realized the assistance that Fox had given the government, but held that the case was "so serious" that he was compelled to send the defendant to prison and impose the fine.

After bail was obtained, Fox left for New York with his wife and attorney.