

MERRIMAN SAYS ARAB COUNSEL TAMPED WITH AND INTIMIDATED MOSLEM WITNESS TESTIFYING FOR JEWS AS ARAB DISAPPEARS "TO AVOID INJURY"

Commission Hears Arabs Refused to Quit Land After Receiving Compensation
Because of Agitation by Arab Executive; Rabbi Kook Declines
to Answer Off-hand "Soul-Shaking Questions"

By GERSHON AGRONSKY
(Staff Correspondent, Jewish Telegraphic Agency)

Jerusalem, Dec. 17—"Things have reached a very serious pass when intimidation is added to our opponents' methods," said Sir Boyd Merriman, counsel for the Jews before the Palestine Inquiry Commission, in his opening statement yesterday. The disappearance of Kavar, Arab witness for the Jews, whose testimony had not been completed on Saturday, was the basis for Merriman's remark. He also charged that the mufti of Tiberias had taken an Arab employee of Pica (Palestine Jewish Colonization Association) a possible witness, from the anteroom where the Jewish witnesses wait, to the Moslem Council, where the Grand Mufti made it plain he was a traitor to the Arab cause if he considered acting as a witness for the Jews.

Witness "Suddenly" Called Away
This morning the Commission received a letter from Kavar stating he was suddenly called to Transjordan on personal matters. "I am avoiding injury to myself," the letter stated. Merriman charged that Kavar feared to return because of the warnings given to his friend Tabari. Stoker, counsel for the Arabs, denied that the Grand Mufti saw Tabari, but Merriman said, "He went to the Moslem Council." He went to Haaram to see friends," insisted Stoker.

Merriman told the Commission that Maughanani, counsel for the Arabs, was seen instructing an Arab reporter, according to the "Palestine Bulletin," to say that Braude, witness for the Jews, had broken down in his testimony. Such a story later appeared in the Arab press, Merriman charged, and bitterly objected to such behavior on the part of counsel. Maughanani, angered, denied such a story had appeared in the Moslem press and stated the notes he gave the Arab reporter

were for the use of the Arab Executive only.

Horowitz, resuming his testimony, admitted that some of the language in cables to London may have been too strong. "I offered to show the Palestine Government every cable I was sending to London," he explained, "but I objected to their war psychology in stopping them behind my back."

The witness recorded his objection to the Government's refusal to use the cooperation of the Jewish Agency as the Mandate provided, and cited the disarming of Jews "without courtesy of informing us."

Commissioner Bitterton asked the witness what, in his opinion, caused the riots. Horowitz replied that it was a mistake on the part of the Government to allow the Zionist Executive to make public the decisions on the Walling Wall dispute July 13. Other causes, he stated, were the criminal neglect of the Government to take precautions and to accept in time the offer of amnesties from Captain Phyllos. Commissioner Shaw then asked, "Why did you make public the Walling Wall dispute?"

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Submit Draft of New Law to Define and Codify Rights, and Functions of Jews in Italy

Bill Drafted by Government Commission Composed of Three Jews and Three Non-Jews
(Jewish Telegraphic Agency)

Rome, Dec. 17—Pointing out that at the present time the rights and functions of Jewish communities vary in each district, the Commission of six appointed by Minister of Justice Rocca yesterday submitted a draft of the proposed communities law. Three of the Commission's members are non-Jews. Chief Rabbi Sacerdoti is a member.

In Padua and Venice the Commission noted, the Piemonte and Marche laws are still in force although they antedate the foundation of the Italian kingdom. The most important Jewish communities in Rome and Milan were organized as voluntary associations. The commission's draft proposes that Jewish communities be recognized as authoritative bodies with the right to own and dispose of property under the supervision and protection of the government authorities. The communities would be governed by committees consisting of from three to fifteen members according to the numbers of the Jewish population. The committee would be elected by the community taxpayers.

Every Jew would have to pay community tax under the proposed ordinance unless he does not consider himself a member.

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Religious Equality Law Pleases Jugo-Slavian Jews, Who Get Complete Autonomy Over Spiritual and Administrative Affairs

(Jewish Telegraphic Agency)

Belgrade, Dec. 17—"The Jews of Yugoslavia are deeply moved by the Government's gesture in promulgating the statute regulating the status of the Jewish communities. They are grateful to King Alexander for his manifestation of good-will," the official Yugoslavian agency, "Avala," announced yesterday, circulating also an interview with Chief Rabbi Alkalay, saying that the Jews submitted their maximum desires, being afraid of modifications. "We were pleasantly surprised," he states, "when the Minister of Justice and Religion accorded the Jewish religious equality with other religions."

The new bill gives the Jewish communities complete autonomy over spiritual and administrative affairs with complete control of funds contributed by the state or individual members. The Jewish communities are to receive a share in the government's religious budget in proportion

to the Jewish population of the country. Municipalities will accord the Jewish communities a share in proportion to the Jewish population in the town. Jewish communities will be exempt from taxes and will receive other privileges.

Every Jew will have to belong to the Jewish community where he resides, no separatist communities will be allowed where one community already exists. Such separatist communities, orthodox and Sephardic, as already exist, will be allowed to remain.

The Federation of Jewish Communities, which is recognized as the governing body of all the Jewish communities, together with the Rabbinical Synod consisting of six Rabbis will decide all the Jewish matters in the country. A rabbi appointed by the King from three candidates submitted by the communities, will be appointed State Rabbi and will enjoy the rank and courtesy accorded to a Bishop.

JEW GETS HIGH JUDICIAL POST IN SWITZERLAND

(Jewish Telegraphic Agency)

Berne, Dec. 17—Kamil Guggenheim, a well-known Jewish lawyer, has been elected judge of the highest Swiss Court, the Bundesgericht. Guggenheim, who is 35 years old, is a practicing solicitor, an active member of the Social Democratic Party and distinguished in framing legislation.

Unique Religious Good-Will Meeting Backed by Students at University of Michigan

(Jewish Daily Bulletin)

Ann Arbor, Mich., Dec. 17—Five hundred men and women, students and townspeople, representing nearly every religious creed at the University of Michigan, Jewish, Catholic, and Protestant, met at a banquet table in the Michigan Union this evening, to pledge cooperation and express mutual good will. The two-hour meeting, sponsored and supported by every prominent student organization on the campus; sectarian or secular, including the B'nai B'rith Hillel Foundation, was the first of its kind ever held at a major American university.

Leaders of the University's and city's civic, educational and religious activities met with the outstanding representatives of the Michigan student body. Regent James O. Murfin, of Detroit, delivered the principal address of the evening, on behalf of the people of the State. A message of good-will was extended by Dr. Alexander P. Ruthven, recently inaugurated president of the University. Mayor Edward W. Staebler spoke for the townspeople.

Rabbi Adolph H. Fink, director of the Hillel Foundation, Father Allen J. Babcock, and Reverend Allison Ray Heaps, spoke for the Jewish, Catholic and Protestant groups. Graduates of the University were represented by T. Hawley Tapping, general secretary of the Alumni Association, who acted as toastmaster.

Under the combined auspices of the Hillel Foundation and the Episcopalian student guild, Dr. Frank Gavin, one of the outstanding intellectual figures in the Episcopalian clergy, and professor of ecclesiastical history at the Theological Seminary in New York City, was brought to Ann Arbor for an open lecture on "The Jewish Background of Christianity." Dr. Gavin also addressed one of the Foundation's weekly religious services.

Arabs Threatened for Using Rutenberg Electric Current

(Jewish Telegraphic Agency)

Haifa, Dec. 17—"Black hand" letters have been received by a number of Arabs here for using electricity from the Rutenberg Company's plant.

Jewish Students Attacked at Jassy University

(Jewish Telegraphic Agency)

Bucharest, Dec. 17—New anti-Semitic disturbances occurred today at the Jassy University when Jewish students were thrown out of the Chemical Institute. Police restored order.

JEWS ACQUITTED OF LOOTING

(Jewish Telegraphic Agency)

Saïed, Dec. 17—Two local Jews have been acquitted of a charge of looting. This is the fifth case since the riots of Arabs looting Jews.

Naiditch, European Zionist Leader, Attacks Magnes and Bergmann and Calls for Resignation of Hebrew University Head

Not until the investigating committee will determine who is to blame for the acts of violence committed in Palestine in recent months, not until the civilized world will see clearly who is to "bear the mark of Cain," can there be any talk of peace negotiations, declares Isaac Naiditch, Zionist leader, in the Paris Yiddish daily, "Haynt." But in any event, says Mr. Naiditch, such negotiations should not be conducted by irresponsible or short-sighted persons.

Indicting Professor Bergmann and Dr. Magnes for their recent pronouncements, Mr. Naiditch declares:

"Dr. Hugo Bergmann, who is at the head of such a great national Jewish institution as the National Library, permits himself to write, in the general as well as the Zionist press, articles in which we are accused of chauvinism and of violating the rights of the Arabs, and he has chosen this period of bitter struggles in which we find ourselves today for his harangues. To such outbursts at such a time a

really healthy people should give only one answer: such people cannot remain any longer at responsible national posts.

"At the head of our university stands Dr. Magnes. We cannot tolerate the fact that this gentleman, acting in an entirely irresponsible manner, is carrying on negotiations about a peace treaty with the Arabs, agreeing upon a parliament where Jews should be represented in proportion to their numbers in the country, which means entrusting the Yishub in the hands of an Arab majority and allowing our enemies to supervise Jewish immigration, forgetting entirely that even Churchill's White Paper declares that Jews are coming into Palestine as of right and not as of sufferance.

"How can such an irresponsible person, who does everything as it seems by impulse, remain at the head of that cultural institution that should serve the national interests of Palestine and world Jewry?"

General Abel Davis Boomed for Assistant Secretary of War

(Jewish Daily Bulletin)

Chicago, Dec. 17—Major General J. Abel Davis, vice-president of the Chicago Title and Trust Company, and prominent in civic and Jewish affairs here, is being urged as Assistant Secretary of War to succeed Patrick Hurley, recently named Secretary of War to succeed the late Secretary Gogd.

It is understood in local political circles that Julius Rosenwald has sponsored General Davis's cause before President Hoover and the feeling exists that there is a strong possibility that he will be appointed.

Judge Lehman Chosen Head of Congregation Emanu-El

The presidency of the Congregation Temple Emanu-El, vacant since the death of Louis Marshall, was filled Monday night when Judge Irving Lehman of the State Court of Appeals was elected. Ben Altheimer, former vice-president, and who has been acting as president, resigned.

Judge Lehman, who is a brother of Lieutenant Governor Herbert Lehman, had been a member of the Supreme Court from 1908 to 1922. The congregation also voted to increase the number of vice-presidents from one to two and Sidney H. Herman and William I. Spiegelberg were elected. New by-laws adopted provide for calling the chapel of the new temple, Beth-El Chapel.

TO CALL WORLD CONGRESS

(Jewish Telegraphic Agency)

Berlin, Dec. 17—The Central Committee of the World Organization of the Schomre Schabbos (Sabbath Observance Organization) has decided to call a world congress from June 22 to June 24, 1930.

SAMUEL LEVY APPOINTED TO BOARD OF EDUCATION

Samuel Levy, chairman of the College Council of the Yeshiva College, head of the building committee of the Beth Israel Hospital and of the Yeshiva College, was yesterday appointed to the Board of Education to fill out the unexpired term left vacant by the recent death of Mr. Samuel Stern.

Mr. Levy, who is a member of the law firm of Aronstein & Levy, is prominent in Jewish welfare and philanthropic enterprises. He is an active Zionist and for 20 years was affiliated with the Lebanon Hospital Association.

LEVINSON NOW FAVORS U. S. ENTRY INTO WORLD COURT

(Jewish Daily Bulletin)

Chicago, Dec. 17—Salmon O. Levinson, father of the plan to outlaw war by treaty, and internationally known as an advocate of peace, has reversed his stand on the entry of the United States into the World Court. Mr. Levinson announced yesterday that he now favors America's participation.

LAZARUS NAMED RECORDS CHIEF IN SURROGATE'S OFFICE

David Lazarus, a prominent Tammany leader, and for twelve years a deputy commissioner, has been appointed Commissioner of Records in the Surrogate's office.

Mr. Lazarus succeeds John F. Curry, leader of Tammany Hall, who resigned last week. Political leaders are recalling that during the recent fight for the Tammany leadership, Mr. Lazarus, as one of the district leaders, was not friendly to the present Tammany boss, whom he now succeeds.

Merriman Says Arab Counsel Tampered with and Intimidated Moslem Witness Testifying for Jews who Flees "to Avoid Injury"

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cisions; then?" "To quiet the Jews," responded Horowitz. "But in Jewish opinion that was an important cause of the riots," said Shaw.

Horowitz answered, "If there were no Jewish unrest, there would have been no riots; also, if there had been no Jews in Palestine, the riots would not have occurred. The Jewish unrest over the Wailing Wall gave the Arabs an opportunity to carry out their designs."

Few Arabs Refused Compensation

Passman, former manager of the American Zion Commonwealth, testified to refute charges that Afulah Arabs were driven from the land to make way for the Jews. He showed that the Government had approved of the compensation given the Arabs and that only twelve Arabs refused the terms. These did so, the witness said, "because the Arab Executive came from Jerusalem and told them not to get off the land." He said the first Jewish plowers were attacked, but later the Arabs accepted the money offered and left the land. He stated that the Arab tenants of Jidra settled on other lands, built houses and bought livestock with the money given them by the Jews. His company, he said, twice compensated the Bedouin squatters, but they are still trouble-makers.

The Katz farm, the witness said, valued at \$80,000, was burned during the riots, and an orange grove was uprooted on November 16. Commissioner Betterson expressed surprise that vandalism had occurred so recently. Passman also told the Commission that \$1,000,000 was being expended on irrigation work around Haifa Bay, which work will free the plain cities of malaria. He showed that at Herzlia, where \$200,000 had been expended on drainage and highway improvements and \$800,000 invested in building of plantations, the Arab villagers retained their lands alongside of the Jewish village and there had been no riots.

Shaw Rebukes Witness Tampering

The Chairman of the Commission sternly rebuked any one connected with the Arab defense who spoke to a person in the private room reserved for the Jewish witnesses, giving rise, he said, to the suspicion that interference had been attempted with a person likely to give evidence. The suspicion of the Commission was strengthened, he said, by the fact that another witness who was present at the same time, has disappeared. "If the Commissioners learn that anyone has tampered or interfered with witnesses," he warned, "steps will be taken of a most serious nature, leading to severe punishment for the offender. People should realize that this cannot be tolerated, and cannot be done with impunity."

Counsel for the Arabs, Stoker, said he regretted that the Commission did

not investigate the complaint. "The Arabs have nothing to hide," he insisted.

Reading Chancellor's statement to the Mandates Commission that the Wailing Wall dispute would be settled if Moslem authorities would sell the pavement before it to the Jews, for which the money was available, Merriman asked Chief Rabbi Kook if this were so. Rabbi Kook responded that he had never heard of such a proposal. The Chief Rabbi was close to breaking down, first when questioned regarding the burial of the Mizrahi boy, who, he insisted, was a martyr, saying the Jewish law requires the highest honors paid to any Jew killed or murdered in cruel circumstances. "Our recent afflictions prevented us paying deserving honors to the martyrs at Hebron and of the Yeshivah—youths who promised to become lights of Israel, rabbis and sages, were brutally massacred," stated the venerable witness.

Rabbi Kook Wearied

Wearied of the brutal cross-examination of the counsel for the Arabs, Chief Rabbi Kook exclaimed, "This honored Commission investigates the blowing of the shofar as though pure blood had not been spilled, as if terrible things, unimaginable in the most backward country, had not occurred." He insisted that the Jews were entitled to worship undisturbed everywhere, especially in the "holiest place in the Holy Land." "I cannot answer briefly, soul-shaking questions," he retorted at another time. Commissioners Hopkins, Morris and Snell also expressed fatigue at Stoker's persistent questioning regarding the shofar blown at the Wailing Wall and in reference to the funeral.

Asked whether it was the intention of the Jews to convert the Wailing Wall into a synagogue, Chief Rabbi Kook replied that the most sacred place known to Jews transcends any synagogue. "Tolerance always existed here," he said, "because the whole world recognized that the holiness of the Temple pervades the site. Before mischief-making individuals incited our Moslem brethren, everybody respected our rights."

Rabbi Kook declined to discuss administrative details connected with the Wailing Wall, such as the appointment of the headle, although Drayton, cross-examining for the Government, tried to get Chief Rabbi Kook to admit that the headle was the real authority at the Wall. Rabbi Kook said he had not seen the aforementioned letter from Sacher protesting against a breach of the status quo, until after it was sent. He said that the Rabbinate possessed sufficient documents regarding Jewish claim to the Wailing Wall pavement as a holy place, but he had not considered it necessary to submit a technical discussion to the Commission, because

Medical Association Journal Casts Doubt on Discovery of Influenza Germ by Dr. Falk

(Jewish Daily Bulletin)

Chicago, Dec. 17.—The American Medical Association, in the next issue of its journal, whose editor is Dr. Morris Fishbein, will say that the recent announcement by Dr. Isadore Falk, professor of Hygiene and Bacteriology at the University of Chicago, that he had discovered the influenza germ and isolated it, was "unduly hasty and without warrant." The "Medical Journal" will say that "there is thus far little or no evidence in scientific or medical literature, or even in spoken addresses, to indicate that I. S. Falk, Ph.D., and his associates, have progressed any further toward the solution of this problem than have workers in other parts of the world, now or in the past."

While the "Medical Journal" was casting doubt on Dr. Falk's discovery, Dr. William H. Parks, a member of the Influenza Commission, declared that while he had had no opportunity to verify Dr. Falk's findings, "all I can say is that it is a very thoughtful piece of work, whether he has found the germ or not."

From London, Dr. David Thomson, who has been doing research work in influenza for three years, paid tribute to Dr. Falk for his reported isolation of the influenza germ.

New Law Will Codify Rights and Functions of Italian Jews

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self a Jew. The community would provide for the proper observance of the Jewish faith, regulate charity, administer marriage ceremonies, according to the recent law regulating non-Catholic ceremonies, and would supervise Jewish public institutions.

In order to carry out the proposed activities the Jewish community would be entitled to dispose of sums raised among members of the community. The communities would be linked into a National Federation whose headquarters would be in Rome and would be governed by a board elected by a congress of presidents of the communities. Individual communities would have to submit reports of balance sheets for the approval of the government.

The Commission also submitted its opinion regarding exclusion of Rabbis from military service and state examinations on Saturdays, also other matters which were not covered by the Communities' law.

The proposed Jewish Communities' Law is expected to commence in force early in 1930 following consideration by Minister Rocco and approval by Mussolini.

"the whole civilized world knows it is the holiest place to Jews and the greatest receptacle for Jewish tears. The spiritual meaning of the Wailing Wall is untranslatable into the language of official documents."