

DW 11/27/40

Christian Front Plotters Get Fifth Postponement

Proceedings Last Less Than a Minute for Group Charged with Fascist Plot to Overthrow Government and Arms Thefts

For the fifth consecutive time since a jury disagreed in their cases last June 24, five members of the terrorist Christian Front were yesterday accorded another delay before the government finally decides either to retry them on charges of plotting to overthrow the government and to steal government munitions, or to

dismiss them. In proceedings that lasted less than a minute by the clock, defense counsel Leo Healy, ex-judge, asked for and received an adjournment till Dec. 4 from Judge Inch of the criminal division of the United States District Court in Brooklyn.

The motion for postponement was unopposed by the prosecution.

CONFESSED BOMB PLOT

The five are John T. Prout, Jr., captain in the National Guard who is now being courtmartialed for his part in turning over several thousand rounds of government ammunition to the plotters; John A. Viebrock, H. D. Bushnell Jr., Macklin Boettger, and William Gerald Bishop.

Viebrock, Boettger and Bishop are under bail on both counts. Prout is held only on the theft charge, while Bushnell is held only on the conspiracy count.

In their trial, the men admitted obtaining ammunition and explosives from the National Guard through Prout, and confessed that they had plotted to bomb the offices of the Daily Worker.

The courtroom was crowded yesterday with friends and supporters of the defendants.

The Christian Front plotters were first arrested on Jan. 14 of this year to the accompaniment of sen-

sational press stories issued by FBI chief Edgar J. Hoover.

Originally there were 17 defendants. Claus Gunther Ernecke committed suicide, and two other defendants were dismissed for lack of evidence during the trial.

The trial began on April 3 and dragged on for nearly four months, ending on June 24. The government called a total of 59 witnesses, 46 of them special agents of the FBI.

Nine of the 14 defendants were acquitted on both counts, including John F. Cassidy, acknowledged national leader of the Christian Front.

In his summation to the jury, United States Attorney Harold M. Kennedy declared that the "avowed purposes of the Christian Front are good sound American principles."

Newspapers described Kennedy's conduct during the trial as "more in the manner of a school teacher . . . than a prosecutor seeking a conviction."

After the trial, defense counsel Healy publicly praised Kennedy for his "fairness."

The chronology of the case since then follows:

JULY 3, hearing on motions for a retrial; postponed.

SEPT. 4, hearing postponed.

OCT. 3, hearing postponed.

NOV. 6, hearing postponed.

NOV. 26, hearing postponed.

NEXT HEARING: DEC. 11.

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