

2 Former Air Wardens Get 30 Years as Spies

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By the Associated Press

New York, Sept. 28.—Two former Staten Island air raid wardens who pleaded guilty to charges of conspiracy to violate the wartime espionage act were sentenced today to 30 years imprisonment each by Judge Mortimer W. Byers in Brooklyn Federal Court.

Judge Byers told the two men, Ernest F. Lehmitz, 57, and Erwin H. De Spretter, 52, he thought they had "not told the truth to the Government" and had "failed to cooperate with the Federal Bureau of Investigation" and consequently he was imposing the longest prison terms prescribed by law for such offenses.

Lehmitz and De Spretter at first pleaded innocent to the espionage conspiracy charges, but after the government completed its case against them they suddenly entered pleas of guilty.

Federal agents testified at the trial Lehmitz sent military information to Germany by means of invisible ink notes to persons in Spain and Portugal, and De Spretter sold to Lehmitz some of the information transmitted.

Persons convicted of violating the Wartime Espionage Act may be

sentenced to death, but Judge Byers indicated he did not feel like imposing such sentences in view of testimony that their spy work had proven of little or no value to the enemy.

De Spretter, described by FBI agents as a consulting engineer specializing in heat radiation, made a personal plea to Judge Byers for leniency, saying:

"I have been 20 years in this country and raised a family here. I did not have it in my heart to hurt

this country."

Arthur Gerfield Hays, counsel for Lehmitz, told the court his client was "weak, rather than malicious," and "one who submits easily to pressure." He said Lehmitz submitted to pressure by Germans to become a spy, and "just as readily told all when the FBI arrested him."

Joseph H. Wackerman, court-assigned counsel for De Spretter, described his client as a "20-cent spy."