

SPm 41440

Bundsmen on Trial For Plot Against U. S. Is Found Hanged

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Defendant Terrified By Death Threats, Attorney Reveals

By the Associated Press.

NEW YORK, April 13.—The body of Claud Gunther Ernecke, 36, German-American bundsman, accused with 16 other men of plotting to overthrow the United States Government, was found hanged today in the basement of a Brooklyn apartment house.

Police, who listed the case as a suicide, said a note was found with the body, but its contents were withheld.

A wide search had been under way for Ernecke since his disappearance yesterday, two weeks after the trial of the alleged seditious conspirators started. His \$7,500 bail was ordered forfeited when he did not appear in court.

Detectives said Ernecke apparently had gone to the apartment house basement, around the corner from his home, Thursday afternoon and hanged himself. Medical examiners said he had been dead at least 36 hours.

A rope tied to a steam pipe and a small box which apparently had been kicked from under him told the story.

Judge Declines Comment.

Federal Judge Marcus B. Campbell said yesterday the trial of the other defendants would be resumed Monday regardless of whether Ernecke was found. Informed today of Ernecke's death, the judge declined comment.

Ernecke's lawyer, former Magistrate Leo Healy, said the German-born bundsman had become terror-stricken over threats made against his life as a result of testimony depicting him as a ringleader of the alleged plot. One anonymous threat warned that his tongue would be cut out.

Mr. Healy said today he had tried to soothe Ernecke, but his efforts appeared futile. The lawyer said Ernecke had only \$1.20 when he last saw him on Wednesday.

Government Witness Faints.

The trial was adjourned Wednesday when Dennis Healy, principal witness for the Government, fainted after three days of cross-examination by Ernecke's attorney. When it resumed yesterday the witness was still too ill to continue. It was then that Judge Campbell ordered Ernecke's bail forfeited and issued a bench warrant for his arrest.

The witness had portrayed Ernecke as one of the leaders in the alleged plot to overthrow the Government, and had testified that the German had told him he would like to fight against "Jewish refugee Americans."

Ernecke, according to information released by the F. B. I. at the time of his arrest in January, was born in Berlin, Germany, June 2, 1903, and held first naturalization papers. A salesman and a member of the German-American Bund, he had served in the cavalry of the New York National Guard.

His first enlistment was on March 2, 1931. He re-enlisted in April, 1936, and was promoted to corporal a year later, but in the following year was demoted "for reasons unknown." He was honorably discharged April 12, 1939.