

DW 6/25/40

EXTRA

Jury Acquits 9 'Fronters', Disagrees on 5

Federal Jury Had Been Deliberating Since Wednesday

(By United Press)

A Federal jury which has been deliberating charges of conspiracy to overthrow the government by 14 defendants since Wednesday afternoon last night returned a verdict of acquittal for nine of the defendants and disagreed on five.

Federal Judge Marcus B. Campbell declared a mistrial in the cases of the five defendants on whom the jurors could not reach a verdict. Among the five was William Gerald Bishop, the only one of the defendants not free on bail during the trial.

The trial consumed 11 weeks and began with 17 defendants, one of whom hanged himself a week after hearing of the case began on April 3. Two others were exonerated by the court.

The indictment, in two counts, charged conspiracy to overthrow the government by force and conspiracy to steal government prop-

erty, including ammunition and explosives. One of the 14, Alfred Quinlan, remained on trial on the second count after Judge Campbell had dismissed the first against him.

Quinlan was a sergeant of the 165th Infantry, New York National Guard, and during the trial evidence was introduced to the effect that some of the defendants stole ammunition from National Guard armories.

THE VERDICTS

The verdicts, returned by a jury of 11 men and one woman, were:

John F. Cassidy, 34, law student and former leader of the Christian Front, acquitted on both counts;

John T. Prout, Jr., 29, captain in the 165th Infantry, New York National Guard, acquitted on first count, disagreement on second (conspiracy to steal government property);

John A. Viebrock, 34, elevator mechanic, disagreement;

William H. D. Bushnell, Jr., 18, disagreement on first count, acquittal on second;

Macklin Boettger, 32, salesman, member of 27th Air Division, New York National Guard, disagreement;

John A. Graf, 23, utility firm clerk, acquitted;

John F. Cook, 19, member of the U. S. Marine Corps Reserve, acquitted;

Leroy Keegan, 38, baker and member of the U. S. Naval Reserve, acquitted;

Michael Vill, 35, bus driver, naturalized American of German birth, acquitted;

Michael J. Beirne, 32, telephone company employe, naturalized American of Irish birth, former sergeant in the 165th Infantry, New York National Guard, acquitted;

Francis M. J. Malone, 25, department store clerk, acquitted;

Alfred J. Quinlan, 27, sergeant in 165th Infantry, National Guard, acquitted on second count, the first having been dismissed by the court.

The jury disagreed on both counts against Bishop, whom the prosecution had regarded as the leader of the alleged conspiracy.