

Hearing Today on New Trial for 5 'Front' Plotters

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Prosecutor Kennedy's 'Lack of Enthusiasm' for Case Resulted in Acquittal of Nine of the Terrorists in Previous Trial

Five members of the fascist Christian Front, residue of the original gang of seventeen arrested in a spectacular terror plot last December, nonchalantly prepared to resume their scarcely uncomfortable roles of defendants as the hearing for dismissal or retrial of their cases on charges of terrorism and conspiracy to overthrow

the Government begins today in Federal Judge Robert Inch's court in Brooklyn.

The 17 were caught hot-handed with guns and ammunition "lifted" from National Guard armories in New York City, including 18 cans of cordite, a powerful explosive, and 3,500 rounds of rifle munitions.

The earlier trial, lasting 11 weeks, ended in dismissal of the conspiracy charges against nine of the defendants. Judge Marcus B. Campbell ordered a retrial for five others, after the jury had returned no verdict, declaring mistrial.

One of the original 17 hanged himself soon after the hearing began on the case last April. Two others were exonerated by the court.

COUGHLIN APPLAUDS

The trial was conducted in an atmosphere of tender solicitude on the part of the prosecution and the court for the defendants and the Christian Front itself, while Father Coughlin applauded from the sidelines. Harold M. Kennedy, U. S. attorney in charge of the prosecution, won significant approval from the defense attorney, Leo Healy, an ex-magistrate, who praised Kennedy's "fairness" in his summation to the jury, declaring:

"No criticism could be extended to Harold M. Kennedy."

The defendants on the stand admitted their aim was to "eradicate Jews in the United States" and "destroy Communism."

Father Coughlin himself, acutely embarrassed by the apprehension of the gang, hastened at first to disassociate himself from them, even going so far as to rage that they would be punished to the limit.

A week later, however, the fascist priest reversed himself, exclaiming defiantly:

"I freely chose to be identified as a friend of the accused. . . . I do not disassociate myself from that (Christian Front) movement. . . ."

And Father Coughlin's Social Justice, on July 1, in a last minute streamer on page 1, crowed the news: "Not guilty! Christian Fronters Cleared of Charges!"

Both judge and prosecutor did their utmost to convince the jury that the Christian Front was not on trial.

Social Justice of July 1 quoted Prosecutor Kennedy's summation to the jury:

LAUDS CHRISTIAN FRONT

"The Christian Front is not in this case. Neither is the National Rifle Association. The Christian Front had to be mentioned because it formed the first background for the conspiracy. The avowed purposes of the Christian Front are good, sound American principles, but if some convicts base their thieving expedition at an Elks lodge, the Elks would have to be mentioned."

In the same issue of Social Justice, a story written before the acquittal was announced boasted of the outcome of the Brooklyn trial in the following words:

"Neither the Government of the United States nor the Federal Bureau of Investigation of the Department of Justice has any enthusiasm for the prosecution of this paper-thin 'conspiracy.'"

The Tablet, official organ of the Brooklyn Catholic Diocese and generally regarded as Father Coughlin's "New York mouthpiece,"

in its June 29 issue addressed a letter to Attorney General Robert Jackson, in which it charged that "some Jewish organizations had cooked up the entire case."

"All through the case there seemed to be an endeavor to prove anti-Semitism," declared the Tablet's letter, "as though

this, even if true, was hardly an offense."

While onlookers wondered whether today's hearing and the subsequent court action would continue in the same farcical vein as the earlier "trial," it was recalled that newspaper stories appearing soon after the last rendered verdict prated of the "great expense" of a retrial for the five mentioned.

It was also regarded as significant for the "easy out" of the Christian Front terrorists that the judge reduced bail of William Gerald Bishop, one of the leaders still held, from \$10,000 to \$5,000.

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