

DEPARTMENT OF JUSTICE

Attorney General Francis Biddle today announced the opening of a sealed indictment returned by a Federal Grand Jury in the District of Columbia charging 28 persons with a nation-wide conspiracy:

(a) to interfere with, impair and influence the loyalty, morale and discipline of the military and naval forces of the United States, in violation of Section 11, Title 18, U.S. Code; and

(b) to cause insubordination, disloyalty, mutiny and refusal of duty in the military and naval forces of the United States, in violation of Section 34, Title 50, U.S. Code.

The indictment was returned on July 21, 1942, before Judge James W. Morris in the United States District Court for the District of Columbia and was impounded by the Court in the public interest.

The case was handled for the Department of Justice by William Power Maloney and John T. M. Reddan, Special Assistants to the Attorney General, under the personal direction of Assistant Attorney General Wendell Berge, in charge of the Criminal Division.

Named as defendants in the indictment were the following:

1. COURT ASHER, Muncie, Ind.;
2. DAVID J. BAXTER, alias THE CHANCELLOR, alias JOHN PEPPER, alias JOHN H. RAND, Colton and San Bernardino, Cal.;
3. OTTO BRENNERMANN, alias OTTO BRENNEMANN, Chicago, Ill.;
4. H. VICTOR BROENSTRUPP, alias THE DUKE OF ST. SABA, alias COUNT VICTOR CHEREP-SPIRIDOVICH, alias LIEUTENANT-GENERAL CHEREP-SPIRIDOVICH, alias COLONEL BENNETT, alias J. G. FRANCIS, New York City and Noblesville, Ind.;
5. OSCAR BRUMBACK, Washington, D. C. and Luray, Va.;
6. PRESCOTT FREESE DENNETT, Washington, D. C.;

7. C. LEON DE ARYAN, San Diego, Cal.;
8. HUDSON de PRIEST, Wichita, Kan., and New York City;
9. HANS DIEBEL, Los Angeles, Cal.;
10. ELIZABETH DILLING, alias REV. FRANK WOODRUFF JOHNSON, Chicago, Ill.;
11. ELMER J. GARNER, Wichita, Kan.;
12. JAMES F. GARNER, Wichita, Kan.;
13. ROBERT EDWARD EDMONDSON, alias R. E. EDMONDSON, New York City and Santa Barbara, Cal.;
14. WILLIAM GRIFFIN, New York City;
15. CHARLES B. HUDSON, alias REV. FRANK WOODRUFF JOHNSON, Omaha, Neb.;
16. ELLIS O. JONES, Los Angeles, Cal.;
17. WILLIAM KULLGREN, Atascadero, Cal.;
18. WILLIAM ROBERT LYMAN, JR., alias ROBERT LANHAM, Detroit;
19. DONALD McDANIEL, Chicago, Ill.;
20. ROBERT NOBLE, Los Angeles, Cal.;
21. WILLIAM DUDLEY PELLE, Noblesville, Ind.;
22. EUGENE NELSON SANCTUARY, New York City;
23. EDWARD JAMES SMYTHE, New York City;
24. HERMAN MAX SCHWINN, Los Angeles, Cal.;
25. RALPH TOWNSEND, San Francisco, Cal., Lake Geneva, Wis.; and Washington, D. C.
26. JAMES C. TRUE, Arlington, Va., and Washington, D. C.;
27. GEORGE SYLVESTER VIREECK, alias J. B. HAMILTON, New York City and Washington, D. C.;
28. GERALD B. WINROD, Wichita, Kan.

Count One of the indictment charges that from June 28, 1940, to the present the defendants "unlawfully, wilfully, feloniously and knowingly" conspired to commit acts in violation of Section 11, Title 18, U.S. Code, which would:

- "(i) Advise, counsel, urge and cause insubordination, disloyalty, mutiny and refusal of duty by members of the military and naval forces of the United States, and
- "(ii) Distribute and cause to be distributed written and printed matter advising, counselling, and urging insubordination, disloyalty, mutiny and refusal of duty by members of the military and naval forces of the United States."

The indictment charges that this conspiracy was carried on through the printing, publishing, distributing and circulating of newspapers, books, magazines, leaflets, circulars, pamphlets and other documents in the following places: among others: New York City; Chicago; Washington, D. C.; Noblesville and Muncie, Ind.; Wichita and Newton, Kan.; Los Angeles, San Diego, San Bernardino, Colton, Santa Barbara, Atascadero and San Francisco, Cal.; Omaha; Arlington, Va.; Lake Geneva, Wis.; New Haven, Conn.; and Erfurt and Stuttgart, Germany.

Among such publications employed in the conspiracy, the indictment charges, were the following:

The New York Enquirer
The Defender
The Octopus
The Galilean
X-Ray
Publicity
Beacon Light
The Roll Call
Weckruf Und Beobachter, also known as The Free American
Industrial Control Reports
World Service, also known as Welt Dienst, published at Erfurt, Germany
Social Republic Society Bulletin
America in Danger!
The Broom
Patriotic Research Bureau News Letter
Road to Victory
Women Investors in America Bulletin
Constitutional Educational League Bulletin
Scribner's Commentator
War Guilt and War Mongers
Revolution and The Fifth Column
Edmondson's Economic Research Service
American Vigilante
Citizens' No Foreign War Coalition Manual
America Awake
Lord Lothian v. Lord Lothian
War, War, War
The Cross and The Flag
Cease Firing
Purdy Publishing Company

(OVER)

The indictment further charges that in furthering the conspiracy the defendants organized or caused to be organized, supported, used, controlled, or contributed financially to the following organizations, among others:

SILVER SHIRTS

BLACK LEGION

KU KLUX KLAN

GERMAN-AMERICAN BUND, also known as AMERICAN-GERMAN BUND

NATIONAL WORKERS' LEAGUE OF AMERICA (Detroit, Mich.)

AMERICA FIRST COMMITTEE

NATIONAL COMMITTEE TO KEEP AMERICA OUT OF FOREIGN WARS

CITIZENS COMMITTEE TO KEEP AMERICA OUT OF WAR

MAKE EUROPE PAY WAR DEBTS COMMITTEE

ISLANDS FOR WAR DEBTS COMMITTEE

WAR DEBTS DEFENSE COMMITTEE

COALITION OF PATRIOTIC SOCIETIES

CRUSADING MOTHERS OF AMERICA

CITIZENS' NO FOREIGN WAR COALITION

AMERICAN GUARDS

SOCIAL REPUBLIC SOCIETY also known as S.O.C.I.S.

COMMITTEE OF PATRIOTIC ORGANIZATIONS

PROTESTANT GENTILE LEAGUE

PIONEER NEWS SERVICE

CRUSADERS WHITE SHIRTS

JAMES TRUE ASSOCIATES

WOMEN INVESTORS IN AMERICA

CONSTITUTIONAL EDUCATIONAL LEAGUE

WE, THE MOTHERS UNITED

FLANDERS HALL, INC.

UNITED MOTHERS OF AMERICA

WE, THE MOTHERS, MOBILIZE FOR AMERICA, INC.

AMERICAN MOTHERS

By employing the foregoing publications, documents and organizations, among others, and by making use of the Congressional Record, the indictment alleges, the defendants conspired to convey to and urge upon members of the armed forces of the United States -- "for the purpose of obstructing, and designed and intended to impede, obstruct and defeat the preparation of our national defenses against aggression and invasion and the National War Effort" -- that the United Nations were ineffectual, that the United States was safe from attack, and that confidence in American public officials was misplaced and unwarranted.

In furtherance of this three-pronged campaign, the indictment alleges, the defendants conspired to propagandize the armed forces of the United States to the effect that:

"(i) The war now raging in all parts of the world, commonly known as 'The War for Survival', is a dishonest war waged at the expense and measured in blood and dollars of the people of the United States solely for the benefit of and to insure the continuance of world domination by 'International Jewry-Organized Finance', 'British-American Capitalists', 'British Imperialists', 'International Bankers', 'International Capitalists', 'Mongolian Jews', Communists and other persons and groups opposed to our republican form of government";

"(ii) The duly elected holders of public office and the Government of the United States are controlled by Communists and members of the Communist Internationale who are seeking to destroy the Constitution of the United States and our republican form of government and substitute therefor a Communist form of government under the rule of a dictatorship";

"(iii) The people of the United States are being forced by dishonest, corrupt, and traitorous public officials to finance a war against nations and people who are friendly to the United States and who have no aggressive designs upon the United States";

"(iv) By supplying arms and munitions and other implements of war to the Government of Soviet Russia the Government of the United States is giving aid and comfort to a foreign power whose agents have already filtered into high public offices in the Government seeking to destroy the republican form of government of the United States and to prepare the way for the said foreign power to take possession of the United States";

"(v) Germany and Italy have committed no aggressive act against any nation and are fighting a solely defensive war against British Imperialism, American Capitalists, and the desire of American public officials to rule the world, hence any act of war against them or either of them is unjust and immoral on the part of the United States";

"(vi) The Japanese war against China is morally right and just and constitutes an effort by the Japanese to establish right and justice in territory formerly ruled by anarchists, brigands and Communists lying within the Japanese sphere of influence";

"(vii) The Axis Powers are fighting to free the world from domination by Communism and International Jewry, hence the United States should give no aid and comfort to the enemies of the Axis";

"(viii) An honorable and just peace could be brought about speedily were it not for the opposition of Communists and International Jewry";

"(ix) The peoples of nations opposed to the Axis Powers are politically and morally decadent, corrupt and degenerate";

(OVER)

"(x) The cause of the Axis Powers is the cause of justice and morality";

"(xi) To give aid to any of the nations and peoples opposed to the Axis Powers is to encourage the growth and spread of Communism";

"(xii) If the Axis Powers are defeated, all of Europe and Asia will be ruled by a Communistic form of Government";

"(xiii) The nations opposed to the Axis Powers are not in fact friendly to the United States but are seeking under the guise of friendship and community of interest and ideals to obtain from the United States money, materials and men with which to fight an unjust war";

"(xiv) The only interest the nations opposed to the Axis Powers have in the United States is how much in money and materials of war they can get from the United States free";

"(xv) Great Britain is planning to destroy the independence of the United States and to force the United States into a national union with the British Empire";

"(xvi) As a result of sending and giving American arms, equipment and materials of war to foreign nations which are opposed to and seeking to destroy American ideals and our republican form of government, United States military and naval forces, inadequately armed, equipped and led, are being exposed to terrible physical handicaps, diseases and death and are being 'slaughtered like sheep'";

"(xvii) No real danger exists anywhere in the world to the United States, its possessions or its republican form of government";

"(xiii) The Japanese attack upon Pearl Harbor was instigated by Great Britain."

The indictment further charges that the defendants, as a part of their conspiracy, carried on "a systematic campaign of personal vilification and defamation of the public officials of the United States Government" in order to convince members of the armed forces that "such public officials are traitorous, corrupt, dishonest, incompetent, un-American and mentally unbalanced". To this end, the indictment alleges, the defendants propagandized the members of the military and naval forces of the United States to the effect that:

(a) The United States is governed, not by elected representatives, "but by a secret foreign group of persons and organizations opposed to American

principles and ideals and seeking to overthrow the Constitution";

(b) Elected representatives have violated their oath of office to support the Constitution and "are planning to involve the United States in a war as a means of enabling them to overthrow the Constitution" and substitute a dictatorship;

(c) "The war with Japan was provoked deliberately by officials of the United States Government as a means of enabling them to seize permanent control of the Government ... under the guise of military necessity";

(d) American public officials "are bent on conquering the whole world and to that end have provoked war with Germany, Italy and Japan"; and "deliberately plotted" the war in league with the Communists; and are plotting to "force the United States into a permanent political union with Great Britain";

(e) "The public officials of the United States are atheistic and anti-religious";

(f) As a result of "dishonest, illegal, corrupt" acts and orders of American public officials, "members of the military and naval forces of the United States have needlessly lost their lives";

(g) "The public officials of the United States are "insane murderers bent on ruling the whole world" ... "squandering the wealth of the nation in order to carry out their plan for world domination" ... "anti-Christian, Marxian dictators" ... "sacrificing deliberately the defense of the United States to rush to the defense of Godless, corrupt and degenerate nations" ... "Judas-like betrayers of their country" ... "planning to mingle the blood of Negroes, criminals and Jews with that of Christian-American soldiers and sailors by means of transfusions and so-called 'blood banks' ..."

"It being the plan and purpose of said defendants", the indictment charges, "to destroy the morale and faith and confidence

(OVER)

of the members of the military and naval forces of the United States and the people of the United States in their public officials and republican form of government," the defendants conspired "to seize upon and use and misuse the right of freedom of speech and of the press to spread their disloyal doctrines, intending and believing that any nation allowing to its people the right of freedom of speech and of the press is powerless to defend itself against enemies masquerading as patriots and seeking to obstruct, impede, break-down and destroy the proper functioning of its republican form of government under the guise of honest criticism."

The indictment charges that the defendants entered into and continued the conspiracy "knowing full well and intending that a government bereft of the faith and confidence of the members of the military and naval forces and of the people is powerless to defend the nation or the people against armed attack from without or treachery from within".

According to the indictment, the defendants "as a part of ... and a means to the accomplishment of the end" of the conspiracy, engaged in "a continuous and systematic campaign of written and printed opposition and sabotage against any and all efforts of public officials ... to arouse the members of the military and naval forces ... and the American people to a realization of the grave and imminent danger threatening the national existence of the United States" by propagandizing the armed forces of the United States to the effect that:

(a) Activities of the Axis Powers constitute "no real danger to the national existence and security of the United States or to any of its territorial possessions";

(b) "None of the Axis Powers has any intention of threatening the United States";

(c) Expansion, strengthening or modernization of our armed forces, by any means whatsoever, is unnecessary and is part of the plot by American public officials to involve the United States in war;

(d) American public officials are seeking deliberately to "provoke" a war with "peaceful nations, such as Germany, Italy and Japan, which are seeking only to live at peace with the world in general and with the United States in particular";

(e) It is "impossible" for any of the Axis nations to wage war successfully against the United States or to "seize and occupy any United States territory";

(f) The United States should "refrain from interference" in the war;

(g) "The policy of hemispheric solidarity and Pan American co-operation for defense, sponsored by the United States, is doomed to failure because the people of Latin America are physically degenerate and politically corrupt";

(h) The actions of Germany, Italy and Japan are "justified in the eyes of God" and constitute merely "an attempt to throw off the yoke of harsh and unjust restrictions imposed upon the so-called Axis Powers by the Monroe Doctrine and by Great Britain and her allies of the first World War";

(j) Statements of American public officials that our best interest is to be served by aiding the United Nations are "false and designed to conceal from the people the true fact that such public officials are under the control and domination of British Imperialists and International Jews";

(k) "The public officials of the United States are guilty of murdering American soldiers and sailors killed while carrying out the illegal orders of such public officials."

The indictment sets forth 50 quotations from articles and statements published and printed or caused to be printed by the defendants in furthering the conspiracy; and, in addition, cites various "overt acts" of defendants establishing jurisdiction.

Count Two of the indictment charges that the defendants, from December 8, 1941, and up to the presentment "unlawfully, willfully, feloniously and knowingly" conspired to violate Section 34, Title 50, U.S. Code, by willfully causing and attempting to cause insubordination, disloyalty, mutiny and refusal of duty in the military and naval forces of the United States in order to obstruct the recruiting and enlistment services of the United States.

Count Two reaffirms and realleges, in connection with this conspiracy, all the charges contained in Count One.

Maximum penalties under Section 11, Title 18, are a fine of \$10,000 or ten years imprisonment, or both; and under Section 34, Title 50, a fine of \$10,000 or imprisonment for 20 years, or both.