

N. Y. Sun
10/5/38

GERMAN LEAGUE PLEA

Appellate Court Weighs
Conviction Appeal

The fate of the head of the German-American Settlement League, operators of Camp Siegfried in Yaphank, L. I., and five of its directors, is uncertain today after the Appellate Division in Brooklyn yesterday reserved decision on a defense appeal from the conviction obtained last July against them for "failing to file documents and statements of membership with the Secretary of State."

As a result of the conviction by a jury in Suffolk county court on July 12, County Judge L. Barron Hill sentenced Hans Mueller, president of the league, to a year's imprisonment. He fined the league \$10,000 and fined Herman Schwarzman Bruno Haehnel, Addo Billefeld Henry Hauch and Henry Wolfgang all directors, \$500, each.

Presiding Justice Edward Lazarus heard the argument of John Winans, defense counsel, then disqualified himself, saying he did not know what case was under consideration until Winans started talking and that he had not wanted to interrupt. He said he would get drafts of the argument to Justice William B. Carswell. Other justices were George H. Taylor Jr., William F. Hagarty, John B. Johnston and Frederick Close.

Mr. Winans asked for a reversal of the conviction and dismissal of the indictments for a number of reasons. He said that the league's "oath" was merely a pledge, that "eighty per cent" of the testimony at the trial was extraneous, that a "claque" in the court room influenced the jurors adversely and that the case should have been tried in Albany, because most of the league's business was in Kings county.