

Viereck Expected to Testify For U. S. at Trial of Fish Aide

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George Sylvester Viereck, indicted German agent, is expected to be a witness against George Hill, clerk to Representative Hamilton Fish (R.), of New York, when he is tried on two perjury charges January 7, Hill's attorneys said in District Court yesterday, as the date for his trial was set by Justice T. Alan Goldsborough.

Former Representative John O'Connor, of New York, attorney for Hill and also counsel for Fish when the grand jury investigating Axis propaganda activities summoned the Congressman, demanded that his client be placed on trial before Viereck's case is called.

"We want this trial before the Viereck case," said O'Connor. "We apprehend that Viereck might be called as a witness against Mr. Hill. When Viereck is tried, he might be acquitted. Now, when Viereck appears against Hill we want him to be either under indictment or convicted."

William Power Maloney, special prosecutor of the Department of Justice, said the Government was willing and anxious to have Hill tried before Viereck's case came up, "but for a different reason than that of defense counsel."

Justice Goldsborough, recently placed in charge of criminal assignments at the court after a judicial conference, set the date

subject to postponement of the trial of George Sylvester Viereck, German agent also under indictment for withholding information from the State Department. Viereck's trial date had previously been set for January 5 before Justice F. Dickinson Letts.

William P. Maloney and Edward J. Hickey, Justice Department special prosecutors, told the court they were sure Justice Letts would be agreeable to postponing the Viereck trial. Hill's attorneys, former New York Representative John J. O'Connor and William F. Cusick, then agreed to the January 7 date.

Considerable hickering between opposing counsel preceded the final agreement. The Government first moved the trial be set December 8, next Monday—declaring it would take "but one or two days."

Meanwhile, Representative Fish arrived back in Washington from Army duty in the Carolinas. He will testify at 10:30 tomorrow morning before the special Grand Jury.