

German Agent 'Put Words Into Mouths' Of U. S. Legislators, Prosecutor Asserts

By Dillard Stokes

Post Staff Writer

Representative Hamilton Fish was named in the District Court yesterday as the man who arranged with the German agent, George Sylvester Viereck, for 125,000 copies of a speech written by Viereck to be franked to people on Fish's private mailing list.

Special Prosecutor William Power Maloney told the jury trying Viereck that the Government would prove that Fish ordered his secretary, George Hill, now convicted of perjury, to mail out the speech for Viereck.

The speech, entitled "Six Men and War," had been placed in the Congressional Record by the late Senator Ernest Lundeen (Farmer-Labor), of Minnesota. His frank was used in the mailing.

The prosecutors indicated that Fish would be invited to take the witness stand late today to support their charges against Viereck with his testimony.

Trial Before Letts

Viereck went on trial before Justice F. Dickinson Letts Monday on charges of violating the Foreign Agent Act by concealing the use of Congressmen and their franks by the Nazi propaganda machine.

Maloney outlined the Government case after Special Prosecutor Edward J. Hickey, jr., and Viereck's lawyers, Emil Morosini, jr., and Daniel F. Cohalan, jr., had spent a little over a day choosing 12 jurors and 2 alternates.

"What Viereck was doing," Maloney declared, "was to put words in the mouths of legislators on Capitol Hill who were duped with his clever talk—we don't know what else—while he laughed at them in secret reports he sent to Berlin.

"You will see, ladies and gentlemen, how this man, this defendant, Viereck, wrote a speech for the late Senator Lundeen, entitled 'Six Men and War'—that speech was delivered on the floor of the Senate by Senator Lundeen and inserted in the Congressional Record.

Printed at GPO

"Thereafter, 125,000 copies of it were ordered reprinted at the Government Printing Office, a good part of the expense being borne by ourselves, the American taxpayers—125,000 copies printed.

"And where were they sent out from? It was Lundeen's speech, and it was to be sent out under his frank. That speech was not mailed out from Lundeen's office. By arrangement made between this defendant, George Sylvester Viereck, and Congressman Hamilton Fish, 125,000 copies of that speech were mailed to Congressman Hamilton Fish's private mailing list—a list which the Congressman had acquired by way and as a result of his organizing a committee called "The National Committee to Keep America Out of War."

"And, ladies and gentlemen, the arrangements for the mailing and

Nazi Speech Viereck Wrote Was Franked By Rep. Fish, Jury Told

Fish Had Speech Viereck Wrote Mailed Out, Jury Told

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distribution of those copies of 'Six Men and War' were between Congressman Fish and this defendant, George Sylvester Viereck, under the Capitol dome—the Capitol of our country.

"And a poor dupe of a clerk named George Hill, was instructed by Congressman Fish to go ahead and mail them out, in the presence of the defendant, who stood enjoying the huge joke, using the Congressional Record and the franking privilege to defeat us, literally, to beat our brains out."

Viereck registered himself as an agent of the official propaganda agency, German Library of Information, and as agent of several private German principals. However, his registrations — which were placed in evidence yesterday—reported no activities such as Maloney described.

Maloney said the Government would prove that Viereck sponsored isolationist committees set up by Prescott Bennett, with Mr. Lundeen as chairman, which mailed out tons of Viereck-inspired material under Congressional frank.

The Post last September 26 exposed the fact that a week before 20 mailbags full of unaddressed franked mail were spirited out of Dennett's headquarters the morning he was wanted as a witness before the special grand jury on Axis agents. Fish's secretary, Hill, sent the House truck which hauled them away, and had eight of the bags placed in a House storeroom used by Fish.

Fish denied this on the House floor. Hill, "the poor dupe," denied it under oath, denying also that he knew Viereck. He was sentenced ten days ago to serve two to six years in prison for perjury.

Defense Council Morosini pleaded with the jurors not to be swayed by "hysteria, venom or personal prejudice" which he said were being directed toward his client. Instead, he urged that the trial follow Anglo-Saxon traditions. Morosini sketched the history of these traditions from Magna Carta to date.

Viereck, said Morosini, was controlled by a "fierce love and ardent attachment to America."

Moreover, said Morosini, Viereck interceded with Hitler, to get him to halt persecution of the Jews. When Ambassador Dodd represented the United States in Berlin, said Morosini, he asked Viereck to take certain facts to high German officials, and Viereck did so.

Viereck's lawyer also said the German agent wrote President

Roosevelt a letter, which led to a conference between Viereck and Undersecretary of State William Phillips. This was the only reference by the defense attorney to Viereck's summoning of Secretary Hull, Senator Joseph F. Guffey (Democrat), of Pennsylvania, Representative Stephen A. Day and other prominent persons.

"At his own expense," Morosini declared, "Viereck fought American entry into the war. He was in the pay of nobody."

The opening addresses brought 10 sharp clashes between the prosecutors and the defense lawyers. Three defense motions for mistrials were overruled before Maloney sat down. Later in the day a fourth was denied.

First Government witness was Sigfrid H. Hauck, president of Flanders Hall, Inc., a Scotch Plains, N. J., publishing house. Hauck identified the contract which gave Viereck control of his company.

After he had published four anti-British books for Viereck, Hauck said, his printers refused to handle more. But a new printer was found and six other anti-British publications were issued. He identified several manuscripts as having been supplied to him by Viereck.

Hauck identified a copy of Viereck's book, "Spreading the Germs of Hate," from which Maloney read passages in which Viereck described his activity for Germany in this country in the first World War. Working closely with the German propaganda machine in that war, according to Viereck's book, was Daniel F. Cohalan, sr., father of one of Viereck's lawyers in this trial.

Jurors Listed

Both defense and Government used all their challenges before a jury was seated yesterday. The jurors are:

John W. Crow, 41, realty man, 513 Ingraham Street Northwest; Mrs. Elizabeth P. Sauber, 39, housewife, 7636 Seventeenth Street Northwest; Gordon M. Baden, 42, telephone company employe, 4491 Conduit Road Northwest; Frank M. Newberry, 61, builder, 3215 Stephenson Place Northwest.

Also Mrs. Ethel H. Barley, 54, housewife, 614 E Street Northwest; O. C. Nance, 50, bookkeeper, 3018 Dumbarton Avenue Northwest; Joseph A. Trew, 32, motor company official, 4000 Cathedral Avenue Northwest; H. N. Watts, 51, railway employe, 1345 Shepherd Street Northwest.

Also William S. Avery, 32, gas meter reader, 1308 Emerson Street Northwest; William F. Milbourn, 39, auditor, 2129 Eighteenth Street Northwest; George R. Lindsay, 35, department store buyer, Conduit Road Northwest, and Daniel J. Finegan, sr., Government messenger, 615 Morris Place Northeast.

Those named alternates were George M. Wright, 37, hardware store owner, 8401 Eighth Street Northwest, and John M. Krauss, 64, chief chemist, 3818 W Street Northwest.

Finegan and Mrs. Burley were members of the jury which last week convicted Laura Ingalls, stunt flier, and America First speaker, of failing to register as a paid agent of the German government.

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