

Hill Retrial Motion Denied After Hearing In District Court

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Fish Aide to Be Sentenced
For Perjury February 6;
Attorneys Will Appeal

George Hill, second secretary to Representative Hamilton Fish, today lost his plea for a retrial of the two perjury charges on which he was convicted in District Court.

After listening to oral arguments, Justice F. Dickinson Letts formally denied a defense motion for new trial—and indicated he would sentence Mr. Hill on February 6. Twenty years' imprisonment would be the maximum sentence.

It was Judge Letts who presided at the trial after the perjury indictment was presented by the grand jury investigating Nazi propaganda here.

The defense retrial motion contended that much evidence was illegally admitted during the trial and that the prosecutor, Special Assistant to the Attorney General William Power Maloney, was guilty of "misconduct." Mr. Maloney and his associate, Special Assistant to the Attorney General Edward J. Hickey, jr., appeared for the Government at today's meeting, maintaining that conduct of the trial was legal.

Mr. Hill's lawyers, the former New York Representative, John J. O'Connor, and William F. Cusick, indicated they would now carry the case to the United States Court of Appeals.

Tomorrow, Justice Letts will listen to arguments on defense motions in the case of George Sylvester Viereck, indicted on charges of failing to register completely with the State Department as a Nazi agent. Mr. Viereck contends, through his counsel, Emil Morosini, jr., and Daniel F. Cohalan, jr., both of New York, that the Government illegally seized evidence from the defendant and this it wants returned. In addition, the defense is asking the court either to delay the trial or to have it held in another jurisdiction because of the alleged inflamed state of the public mind due to extensive publicity in the case.