

# 3 Suspects Attack Agents Jury Validity

## Pleas in Abatement Made by Townsend, 2 Other Defendants

The legality of the special grand jury on Axis agents was attacked yesterday by three of the 28 persons indicted here on July 21 on charges of plotting—both before and after Pearl Harbor—to foment disloyalty and mutiny in the armed forces.

These attacks, in the form of pleas in abatement, were filed in the District Court by:

Charles B. Hudson, Omaha, Nebr., editor of the bulletin, America in Danger, whose slogan—until he was indicted—was "End the War Quickly."

James True, Arlington, Va., promoter of Industrial Control Reports, which was listed by the grand jury as one of the instruments of the alleged Nazi propaganda network.

Ralph Townsend, the Japanese agent now serving a prison sentence of eight to 24 months for violating the Foreign Agents Act.

### All Demand Jury Trials

All three demanded jury trials of the issues raised by their pleas.

True and Hudson, signing the papers themselves and apparently without lawyers, withdrew their "not guilty" pleas in order to file the pleas in abatement.

Hudson sent his plea from Omaha, and True filed his in Washington. Each has denied having anything to do with the other, or with the rest of the defendants.

By a coincidence, however, these two alleged conspirators hit upon exactly the same wording for their long and complicated pleas in abatement.

### History of Jury Recited

All three recited the history of the special grand jury which was set up July 2, 1941, and had been extended, for three months each time, on October 6, 1941; December 31, 1941; April 3, 1942, and July 2, 1942. The extensions authorized the grand jurors to continue investigations begun but not finished during the original term.

The pleas asserted that the investigation which brought the indictment of True and Hudson were not begun in the original term, but long afterward. Both men took oath that they believed this claim was true.

Both the minutes and the sessions of the grand jury are secret.

### Winrod May Make Plea

Another alleged conspirator—Gerald B. Winrod, who issues the Defender magazine, at Wichita, Kans.—apparently plans to offer a similar plea. His attorney, Robert Foulston, Wichita, has been given until Thursday to do so.

A number of other defendants are due to appear in the District Court on Thursday to answer the charges. They include William Dudley Pelley, Silver Shirt chief, already serving 15 years for sedition and conspiracy; the jailed German agent, George Sylvester Viereck, and the editors of the seditious paper, Publicity, James F. Garner, and his father, Elmer J. Garner.

Special Prosecutors William Power Maloney and John T. M. Reddan will present new witnesses before the special grand jury today.