

# A MACHINE-GUN CHARGE DISMISSED

## Federal Government Won't Press Case Against Minutemen Leaders

A charge of possession of an unlawfully made submachine gun against Walter Patrick Peyson, 24, and Robert Bolivar DePugh, 46, Minutemen leaders, has been dismissed by Judge John W. Oliver at the request of the federal government.

Calvin K. Hamilton, assistant U. S. attorney, said that he requested the dismissal because of other cases pending against the two men in other districts and in view of previous convictions in this district.

Hamilton said the decision to dismiss also was based on a determination by the government that the firearm involved in this case was part of the same offense involved in another charge. The weapon was one of four automatic weapons dug up in a cemetery near Coloma, Mo., in November, 1965, by federal agents.

Peyson was found guilty April 15 on a charge of possession of one of the unlawfully made weapons found in the cemetery. He is awaiting sentence by Judge Elmo B. Hunter of the U. S. District court on that conviction. A similar charge against DePugh also has been dismissed by the government.

By Harry Jones, Jr.  
(A Member of The Star's Staff)  
Reputation-damaging defense tactics in upcoming trials are promised in a letter from Robert B. DePugh, imprisoned leader of the right-wing Minutemen organization.

The 9-page letter was post-marked from Sapulpa, Okla., and appeared to be in DePugh's handwriting. The contents and writing style of the letter also tended to confirm its authenticity.

**Convicted on Two Charges**  
DePugh is serving a one-year sentence in the federal penitentiary at Leavenworth, Kas., on a conviction of violating the National Firearms act. He recently was sentenced to four years for bond jumping but that conviction is under appeal.

In his bond-jumping trial here, DePugh chose to offer no defense witnesses after the government had rested its case.

"Up until now," he wrote The Star, "I have declined to do anything that might get the judges too angry with me in hopes I might eventually win a few of these cases and get out in a few years."

"With every passing day it has become more obvious that the government intends to keep me in prison as long as I live.

"I have also held back in or-

der to protect a few reputations (including my own) from a real mud-slinging contest but no more!

"At every trial from now on I expect to fight every step of the way and throw every punch I can. Some of it will make me look bad—I couldn't care less—others will look a lot worse—including a few government officials.

**"A New Freedom"**  
"They have taken everything I hold dear away from me—and with nothing more to lose, I now have a new freedom that I never had before."

DePugh faces more federal charges in U. S. District courts in Joplin, Mo., Kansas City, Seattle and Albuquerque, N. M. His next trial is tentatively set for April 16 in Joplin, where he will be tried on another National Firearms act charge.

DePugh has claimed that the FBI had planned to assassinate him. In his letter, he touched on that general theme again.

"The fact that I have said in the past that the government would kill me is the only reason I'm still alive today," he wrote. "When my trials are over and I have lost my news value—then some 'lifer' will be offered a parole and I will get a knife between my ribs—it's just a matter of time."

The bulk of DePugh's letter concerned his observations on prison life and what's wrong with the system of justice in the United States.

The guards and most of the prisoners at Leavenworth treat him well, he wrote, but most city and county jails are "pig pens." He has been held in several in the last eight months in the states of Washington, New Mexico and Missouri while awaiting court appearances.

**Libraries Are Criticized**  
The food and sanitation at Leavenworth are excellent, he wrote, and he also praised the penitentiary's recreational facilities for physical sports. The prison library is "very, very poor," however, and its law library "very, very, very, very poor," he wrote, with "only a few out-dated books designed to confuse rather than help any convict trying to help himself in that manner."

"Educational opportunities slight," he added. "Rehabilitation efforts absolutely none!! Not even the slightest pretext."

His biggest problem, he continued, has been a lack of opportunity to assist in the preparation of his own defense. He is still being held in "solitary confinement," he wrote and has been given no reason for this.

# Minuteman Says Mud to Fly

Saturday, April 13, 1970

# DePugh Stays Firm on Principles

By Harry Jones, Jr., and  
Joe Henderson

(Memoirs of The Star's Staff)

## DE PUGH FREED OF GUN CHARGE

Minutemen Leader Still  
Faces Several Other  
Counts

JUDGE DISMISSES CASE

U. S. Attorney Calls Aide  
Principal Figure  
in Offense

A charge of possessing an unlawfully made sub-machine gun against Robert Bolivar DePugh, national leader of the Minutemen, has been dismissed by Judge Elmo B. Hunter in U. S. District court.

The dismissal was at the request of Calvin K. Hamilton, assistant U. S. attorney. Hamilton said he sought the dismissal because of the unavailability of certain witnesses to testify at the trial and because the evidence indicated that Walter Patrick Peyson, 26-year-old DePugh aide, was the principal figure in the offense. DePugh was to have gone on trial Monday in Joplin, Mo.

Hamilton said he also had taken into consideration the actions pending against DePugh in other districts. The charge upon which DePugh was to be tried was identical to the one on which Peyson was convicted Wednesday.

Seven months behind bars apparently has not changed the right-wing "revolutionary" thinking of Robert Bolivar DePugh, who was national co-ordinator of the Minutemen organization until his arrest last summer.

DePugh made this clear Friday in the U. S. District courtroom of Judge William R. Collinson before being sentenced to four years in a federal institution on a bond-jumping conviction.

"If I had been tried as a revolutionary," he told the court, "I would have pleaded guilty."

DePugh more often has referred to the Minutemen movement as "counterrevolutionary" in nature on the grounds that the "revolution" in this country is leftist oriented and a counter-revolution would be necessary to wrest the country out of the hands of the Communists.

Reading from a 9-page, handwritten statement he had prepared while in an isolated "control unit" at the federal penitentiary in Leavenworth, DePugh delivered a speech phrased at times so eloquently that what followers he still has undoubtedly will be quoting from it at meetings for as long as the Minutemen organization exists.

"It is said of the revolutionary that while he still fights, he is never shown mercy," DePugh said. "If he wins, he is seldom thanked. And if he loses, he is never forgiven."

"I do not ask for thanks, forgiveness or mercy. I would appreciate justice, but if I am not given justice, then I will accept injustice and I will fashion even that into a weapon to continue the fight—for principle, for pride, for honor."

At another point, DePugh attempted to rationalize his failure to report to court when ordered while free on bond—the crime for which he was sentenced Friday.

"I have broken the law," he said. "I stand before the court



Robert DePugh

DePugh. "I am dedicated to the principle that government is based on law and not upon men or the whims of some men."

DePugh, 46 years old, and Walter Patrick Peyson, 27, his top lieutenant in the Minutemen, went "underground," as they called it, after a federal grand jury in Seattle indicted them and seven other Minutemen on the charge of conspiring to rob three banks in Redmond, Wash., in early 1968.

The seven others were tried and convicted but DePugh and Peyson remained in hiding until July, 1969, when the FBI arrested them near Truth or Consequences, N. M. DePugh immediately began serving a one-year prison term at Leavenworth on an earlier firearms law conviction.

tried and found guilty. At this point it is no doubt traditional for the prisoner to offer some expression of repentance, but in all sincerity I cannot do so. To make matters worse, I cannot in good conscience give the court the slightest assurance that I will ever change my ways."

He said he had never broken the law "wantonly" nor done anything he thought was morally wrong. It is easy not to break the law, he added, "for those who have no principles, no pride and no honor."

Has the prisoner before you now committed any crime," he asked the judge, "that was not committed by John Hancock, Benjamin Franklin, Thomas Jefferson, Caesar Rodney and all those other American patriots who signed the Declaration of Independence?"

"Did they, too, not break the law? Did they, too, not become fugitives from justice? What would have happened to these men if the colonies had lost the Revolutionary war? There would be no Constitution, no Congress and the laws I am accused of breaking would not even exist."

Judge Collinson's reply to DePugh's oration was brief.

"You and I have different ideas of government," he told