

N. D. C., FRIDAY, APRIL 16, 1943.

## Court Bars Viereck's Counsel for Second Trial Set May 12

Laws Asserts Morosini, Who Won Reversal, Was Discourteous

The second trial of George Sylvester Viereck, accused of violating the Foreign Agents Registration Act, will be held in District Court without the services of Emil Morosini jr., a member of the New York Bar and counsel for Viereck, according to Justice Bolitha J. Laws, who, late

yesterday, it was learned, ruled Mr. Morosini out of the pending case.

Government and defense counsel received a letter, also filed with Harry Hull, clerk of the criminal division of District Court, from Justice Laws saying that Mr. Morosini was dismissed by Justice F. Dickinson Letts from the first Viereck trial last year because of an alleged discourtesy to the court.

Justice Laws said that on examination of the record of the case, "it appears that Mr. Morosini was extremely discourteous to the presiding judge and in my judgment properly was excluded from further participation in the trial."

The justice added, "I also feel that in the present case he should not be permitted the privilege of appearing in behalf of the defendant, particularly inasmuch as the defendant has available other counsel fully competent to protect his interests. Accord-

ingly \* \* \* Mr. Morosini will be denied the privilege of appearing as counsel in the present case."

Justice Laws, who will preside at the second trial of Viereck, set May 12 as a tentative trial date. Arguments on a demurrer to the second indictment have been scheduled for April 22.

Viereck's conviction of a year ago was reversed recently in the Supreme Court. Last month he was ordered to stand trial on a second indictment.