

Surprise Witness Disputes Viereck

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End of Trial Nears; Summations Expected to End Early Today

By Adele Bernstein
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A surprise Government rebuttal witness yesterday contradicted the testimony of George Sylvester Viereck that he "personally" financed widespread propaganda activities to promote an isolationist policy in this country before the outbreak of war.

He was Sanford Griffith, former United States Army major and member of Army Intelligence.

Griffith took the stand shortly after noon and described himself as head of Market Analysts, a firm specializing in industrial and consumer research and public opinion polls.

Talked With Viereck

On April 3, 1940, he told the court, he found himself seated next to Viereck at a luncheon meeting of the Overseas Press Club in New York City. There they struck up a conversation and, on Viereck's suggestion, later adjourned to the bar to continue their talk, Griffith stated.

The jury of nine men and three women listened intently as the witness replied to questioning by Federal Prosecutor George A. McNulty.

Viereck did, Griffith asserted, tell him the following:

That the German government was prepared to "spend plenty of money" to get accurate analyses of American public opinion polls and polls of "special" groups whose opinions were of "patriotic interest" to Germany;

That he, Viereck, had "unlimited funds" for "various projects";

That he was going to Washington the following day to get an "added appropriation";

And that he could obtain and had obtained money from the German Embassy to finance his activities.

Some suggestion also was made by Viereck that Griffith give his services to the "work," the witness declared.

Denied by Defendant

These allegations Viereck had previously denied from the witness stand. Of Griffith, he had declared that he "contrived to set next to

me" and "attempted to draw me" into conversation.

"I thought he probably was working for the British or American secret service," Viereck recalled.

With final redirect examination of the defendant by Attorney Leo A. Rover, the trial slowly drew to a close.

Federal Prosecutor Albert E. Arent delivered a summation reviewing the Government's case against the German agent with which it hopes to convict him on six violations of the Foreign Agents Registration Act.

In his closing statement, which will be concluded this morning, defense counsel Rover appealed to the jury to "reorientate" itself back to the days before Pearl Harbor, to maintain a calm, unprejudiced attitude toward the evidence and the defendant.

Pointing to Viereck, his attorney urged the jury to bear in mind "he is not charged with disloyalty to America, on the face of the evidence," and "he is not charged with sabotage or espionage . . . or interfering with the war effort."

Failure Explained

"He did not disclose (to the State Department when he registered as an agent for the German Library of Information and correspondent for the Muenchener Neueste Nachrichten the fact he

was the agent of the German Foreign Office, because that was not the fact," Rover emphasized.

There was nothing in his reports to his Munich editor (addressed to German Ambassador to the United States Hans Diekhoff in Berlin, but meant, Viereck insists, for his editor) that could be characterized in any way except as the work of a journalist reporting from abroad, Rover continued.

And Viereck's comments in these reports were no different than the kind found in columns by Dorothy Thompson and Walter Lippmann, "making suggestions on phases of the war," the attorney said.

The testimony of two Government witnesses especially should be "carefully considered," Rover cautioned the jurors. They were Miss Spardell and Otto Borsdorf, formerly secretary and receptionist, respectively, to German Consul General Hans Borchers in New York.

Evidence Appraised

These witnesses had earlier described Viereck as a frequent caller at the consulate and recipient of regular messages and money from Borchers.

But they are now German citizens on American soil, he declared, and because they want to obtain American citizenship, "they nat-

urally want to stay on good terms with the American Government." This was not meant as any reflection on the prosecution, Rover hastened to add several times.

With completion of the defense's closing statement this morning and delivery of the Government's statement by Prosecutor McNulty, the case is expected to be in the hands of the jury by tonight. Extended testimony and cross-examination of Viereck has delayed close of the trial by several days. Justice

Bolitha J. Laws, however, is preparing to instruct jurors on the law and the indictment during the afternoon.