

Viereck Guilty On All Counts; Waits Sentence

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Nazi Agent Faces Maximum Term of 12 Years in Prison

George Sylvester Viereck, German propagandist in two wars, will be sentenced next week, after being convicted late last night on all six counts of concealing from the State Department his propaganda activities on behalf of the Nazis before the United States entered the war.

The defendant, who heard Jury Foreman James I. Turner intone "guilty" to each of the six counts with the same calm that has characterized his appearance since the trial opened June 25, was committed to District Jail by Justice Bolitha J. Laws, who overruled a motion of Defense Counsel John J. Wilson that the 58-year-old author and poet be allowed to remain on bond until sentencing.

The District Court jury of three women and nine men deliberated 3 hours and 20 minutes, announcing they had reached a decision at 11:20 p.m.

Viereck faces a maximum penalty of 12 years and \$6,000 fine under the provisions of the Foreign Agents Registration Act.

Will Ask New Trial.

Mr. Wilson, who, with Attorney Leo A. Rover, defended Viereck, announced he was filing a motion for a new trial and would be prepared to argue the motion within a few days.

Should the defense motion be denied, Viereck will be sentenced within a week, the court indicated.

The courtroom was virtually deserted when word arrived that the jurors, who had been deliberating the case since 3 p.m., had reached a decision. Mrs. Viereck, who had followed the proceedings since Monday, sat in silence as the jury was polled.

When the defendant was taken into custody by a United States marshal; Mrs. Viereck, mother of two sons in the Army in North Africa, followed her husband from the courtroom.

Viereck returns to District Jail after four months of freedom. He was released from jail in March after the Supreme Court reversed the first District Court conviction of March 5, 1942. He was first indicted for violation of the Foreign Agents Act in October, 1941.

Spent Year in Jail.

He had been in jail one year pending appeal from the first conviction which carried an eight-month to two-year sentence.

The Government contended that Viereck registered with the State Department only as correspondent for a Munich newspaper and the German Library of Information, al-

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Viereck

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though actually he was an agent of the German Reich paid to send weekly reports to Berlin and to promote pro-German, anti-British feeling in the United States.

Viereck and his wife were the only defense witnesses. He maintained he had worked for peace on a "patriotic" and individual basis and had not been in the employ of Germany.

Justice Laws, in his lengthy charge to the jury, stressed that the defendant had the right to carry on propaganda activities for the Munich paper, the German Library or "even the German Reich" so long as he revealed this fact to the Government.

George A. McNulty, special assistant to the Attorney General, charged Viereck with being a member of a "propaganda cabinet" that included Dr. Hans Dieckhoff, German Ambassador to the United States, who was attached to the German foreign office during the period mentioned in the indictment; Dr. Hans Thomsen, charge d'affaires of the embassy here, and Dr. Hans Borchers, consul general in New York.

Justice Laws thanked defense counsel for defending Viereck without fees. Viereck filed a pauper's plea, claiming he could not afford competent counsel, and the jurist named Mr. Rover and Mr. Wilson.