

Viereck Guilty On All Counts, Jury Finds

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Third Trial Lasts 21
Days; Faces Possible
Sentence of 12 Years

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George Sylvester Viereck, 59-year-old author and Nazi agent, was found guilty at 11:20 last night on all six counts of the Federal indictment charging him with violation of the Foreign Agents Registration Act.

The jury of nine men and three women deliberated eight hours and 20 minutes before reaching a decision. At 11:30 p. m., Justice Bolitha J. Laws opened court, and a few minutes later the jurors filed in to announce their verdict.

Justice Laws is expected to sentence Viereck Friday. Before adjourning court, he denied a defense appeal for a new trial and sent Viereck to jail for the night. John J. Wilson, Viereck's attorney, had asked that his client be released on bond. Mrs. Viereck, he said, was not well and should have her husband with her at this time.

Viereck heard the verdict, which may send him to jail for a maximum of 12 years with a \$6000 fine, with an impassiveness bordering on unconcern. His wife, however, sat in stricken silence, her eyes downcast.

On request of Attorney Wilson, Justice Laws said he would take into consideration the year in jail Viereck has already served on his first conviction for violation of the act.

Issues Outlined

In an hour and a half-long charge early in the afternoon Justice Laws told the jurors the question they had to decide was whether or not the defendant had failed to register with the Secretary of State the names of all the foreign principles for which he worked, and whether he had given full details of the activities he engaged in their behalf when he registered as an agent.

The "sharp issue" in this case, he charged them, is "whether Viereck was or was not an agent of the German Reich."

Close of the 21-day trial was

climaxed yesterday afternoon with Prosecutor McNulty's closing statement in which he declared evidence and testimony proved conclusively Viereck had used his registration with the State Department as a "camouflage" for his far more extensive propaganda activities. The designation, "author, journalist and publicist," as reply

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to the registration statement requesting nature of business, did not even suggest the actual extent of his services to the German Reich and Foreign Office, McNulty charged.

Protected by his registration as agent merely for the German Library of Information and correspondent for a Munich newspaper, the Government stated, Viereck felt free to carry his Nazi-inspired propaganda from Berlin, through the offices of the German Embassy and Consul General, right into Congress and the Congressional Record. Thousands of dollars made available by the German government enabled him to set up his own publishing company, Flanders Hall, print and circulate thousands of isolationist, anti-British books, and hire Americans to act as his cohorts, the prosecution maintained. Among the Congressmen who were "tricked" into working with him, according to the Government, were Representatives Clare Hoffman, Hamilton Fish and Martin Sweeney, and Senators Nye, Wheeler, LaFollette, the late Senator Lundeen, and a dozen others.

All these activities, the defense maintained, were conducted and financed by Viereck personally, with no allegiance to "any foreign government except his own." As a patriotic American citizen before the outbreak of war, his counsel stated, Viereck was simply interested in keeping this country "out of other country's quarrels."

Attorney Leo A. Rover pleaded with the jury to maintain unbiased judgement, "without racial prejudice," in a "difficult" case involving a defendant who worked with the German government. "You must not decide this case with a war psychosis," he declared.

The guilty verdict yesterday cli-

maxed efforts of a year and a half by the Government to convict the German agent for violating the Registration Act.

His first 2 to 6 year sentence, brought on March 5, 1942, on a Federal indictment was set aside a year later, on March 1 of this year, when the Supreme Court reversed the guilty verdict and sentence. His second trial, on a new indictment, ended in mistrial on June 22. The trial which came to a close yesterday opened before Justice Laws on June 25.

Viereck was born in Munich, Germany, in 1884, of a German father and American mother, and came to this country at the age of 13. Rapidly gaining a wide reputation as a writer and poet, he interviewed and wrote about world-famous political figures, from Woodrow Wilson to Adolf Hitler. Married for 28 years, he has two sons, Peter and George, jr., now privates with the United States Army in North Africa.

Leo A. Rover and John J. Wilson defended Viereck on appointment by the court, after he had taken a pauper's oath in April. Justice Laws last night expressed deep appreciation for their faithful and excellent defense, given without remuneration.