

Second Viereck Trial To Be Resumed in ^{5 Jan} District Court Monday

5 Women and 7 Men
Chosen on Jury to Hear
German Agent Case

The second trial of George Sylvester Viereck, German propagandist charged with violations of the Foreign Agents Registration Act, will be resumed Monday in District Court with the Government expected to call its first witness to prove its contention that Viereck failed to inform the State Department he was an agent of the Nazis.

A jury of five women and seven men, impaneled yesterday after two hours' selection, heard Viereck, who pleaded not guilty to all counts, described as a "willful, derisive violator of the law," who set up "an American front" for the dissemination of Nazi propaganda in this country.

The accusations were made by George A. McNulty, special assistant to the Attorney General, in an hour-long opening statement.

Previous Conviction Upset.

Viereck was convicted by a District Court jury in February of last year of failing to furnish certain information on registering under the act, but the Supreme Court last March reversed the decision, contending that the jury had been erroneously charged and that Viereck was not required to furnish the information on which the Government based its original charges.

The grand jury returned a new indictment March 23, charging he failed on three occasions to inform the State Department that he was an agent of the German Reich and that he had not given a "comprehensive" statement of his activities in this country.

Mr. McNulty told the jurors that the Government would produce evidence showing that Viereck sent weekly reports on political matters in this country to the German Foreign Office and that he published and distributed "under fictitious names" books originally printed by German government-subsidized propaganda sources within Germany.

"Intimate Contact" Charged.

The Government also will show, Mr. McNulty said, that Viereck was "in direct and intimate contact" with the German Foreign Office prior to our entrance into the war. The prosecutor declared the defendant had been on friendly terms with the late Senator Lundeen, an isolationist, and frequently helped him prepare speeches.

Mr. McNulty described Viereck as the originator of "a scheme whereby propaganda was engineered into the Congressional Record" and then distributed "by the hundreds of thousands—at the expense of the taxpayer."

The defense, represented by Attorneys Leo A. Rover and John J. Wilson, deferred making an opening statement.