

Germ warfare charges: They called it sedition

By Jim Wood

From the start, they denounced the germ warfare charges.

President Eisenhower, one of the most trusted Americans in history, said they weren't true.

The Army, the Navy, the Senate internal security subcommittee—all said the allegations were written to incite mutiny in the Army and interfere with recruiting.

The prosecution said John and Sylvia Powell's

charges of "madmen in the Pentagon" were sedition, treason.

Yet the two, brought to trial in San Francisco, were never convicted. The sedition charges ended in a mistrial; the treason charge was never pressed.

When, to prepare their defense, the Powells subpoenaed records of shipments from Fort Detrick, Md., headquarters for germ warfare research, men showed up with briefcases to declare that such disclosures were contrary to the national interest.

Now, 25 years later, the Army has admitted widespread testing of germ warfare techniques.

The tests, according to the Pentagon, were made on U.S. cities, not on Korean enemies as the Powells charged in the 1950s. But the Powells, whose entire lives were affected by their decision to publish the charges in a Shanghai newspaper, have demanded records to prove their defense at the San Francisco sedition trial: That the United States was employing germ warfare in Korea.

The Central Intelligence Agency has notified the couple that they must await their turn for their CIA records; the queue, the CIA says, is a long one.

The decision to publish the charges had heavy consequences.

"It meant really changing our life's direction," John Powell says. "No more newspaper work. It was financially disastrous. It cost \$40,000 that we didn't have. We borrowed from Sylvia's relatives, my relatives, friends.

"We lived off our friends, really—they supplied us with money. During the trial we shipped the children off to stay with friends or relatives. Our mothers rented a cabin at Boulder Creek, near Santa Cruz, and we sent the boys there."

Sylvia, who worked for a national infantile paralysis foundation, lost her job as soon as the charges against her became known. John, who was selling school supplies, had just received a big order from a community across the bay when the story hit the newspapers. The order and the job were canceled.

"It took several years off our lives, but in a way it was fascinating," Sylvia recalls. "We made some wonderful, warm friends you could make only when you're under siege that way."

John recalls taking his Volkswagen to be serviced. The garage owner said he had read about their case in the newspaper and suggested that Powell bring the car in regularly regardless of whether he had the money to pay for service.

"You'll need your car," he said.

Powell, Wife Accused; Ran China Magazine

By BILL O'BRIEN

The United States Government yesterday accused a San Francisco couple of committing sedition in wartime by publishing wild lies against America during the Korean war.

John W. Powell, former editor of the China Monthly Review in Shanghai, was named in thirteen counts of an indictment returned by a Federal Grand Jury.

His wife, Sylvia, and a former associate, Julian Schuman, were accused jointly with him of conspiracy in one of the thirteen counts.

Returned In '53

The Powells, since their return from Red China in 1953, have been writing and lecturing—besides dodging Congressional committee hearings or refusing to testify fully before them. Schuman is a New York City resident. The Powells live here at 1015 Carolina Street.

Powell, 36, revived a revered and democratic publication operated by his late father in Shanghai—but turned it into an organ that former Korean war prisoners have

claimed was required reading in prison camps as part of the brain washing technique.

Copies Sold Here

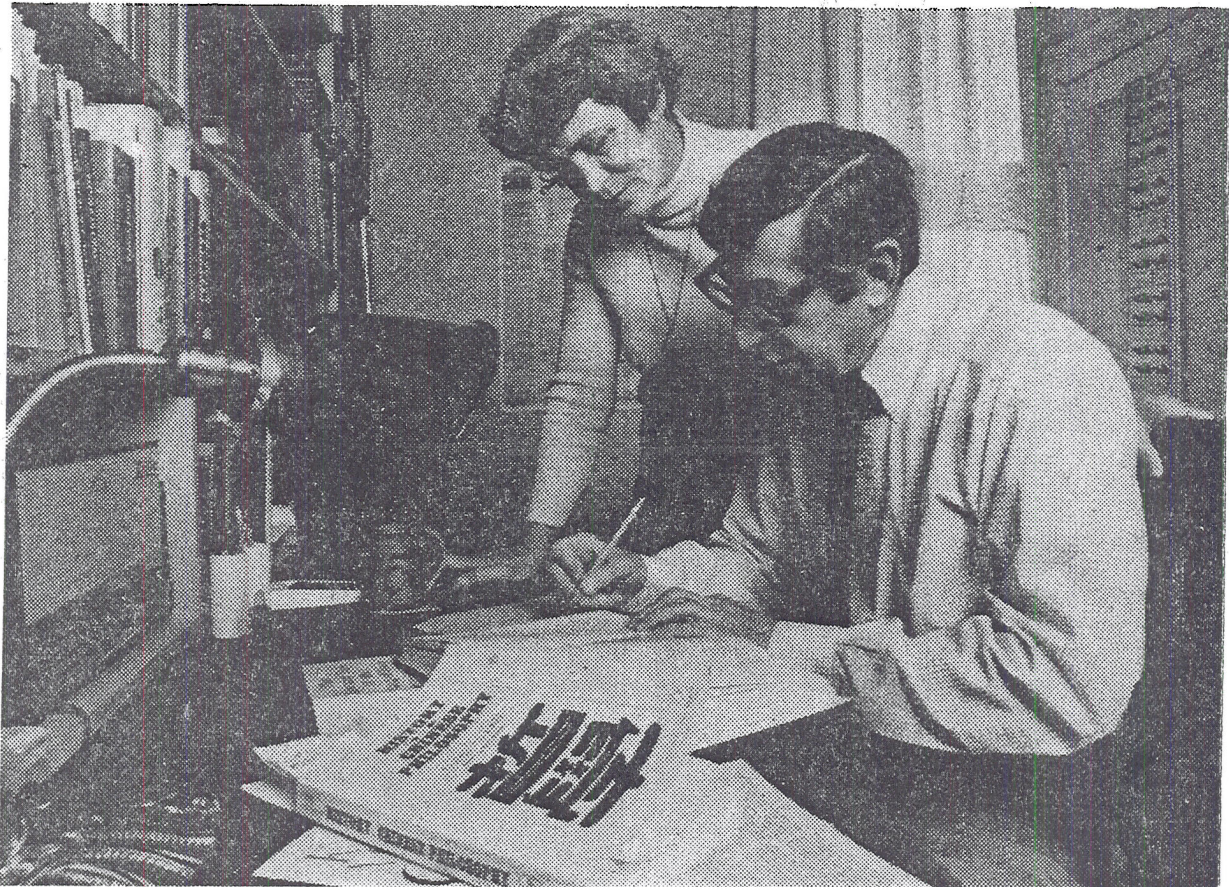
His wife, 35, whom he met and married in Shanghai, and Schuman, also 35, served as associate editors. The indictment says all three knowingly published false information calculated to aid the enemy.

To nail down the jurisdiction of local courts, the indictment goes on to indicate that copies of the Shanghai Monthly Review were sold in northern California, and therefore, could have obstructed recruitment and fostered insubordination in the American armed forces.

Among the statements listed in the indictment as published by the Powells and Schuman between August, 1950, and

(See U. S. JURY Page 10, Col. 3)

1956 REPORT OF THE POWELLS' INDICTMENT
Accused of sedition in wartime



Examiner Photo by Paul Glines

The Powells today: They still say germ warfare was used against the Koreans

At the children's center where their two boys were being cared for, the teachers took every precaution to protect the children from the adverse publicity.

"We only had one bad phone call. There were lots of arguments but no rocks through the window," Sylvia says.

"There is, though, another kind of problem. You know your telephone is tapped. You know that anyone who comes to the house will be checked out by the FBI through the window."

"The FBI went to friends, people I went to college with," John recalls. "I didn't have a single newspaper friend who wasn't approached."

Sylvia says she believes their parents suffered more than she or John did.

"Suddenly you realize what you did in good faith was hard on others," she says.

Both recall that they were put under a lot of pressure to see what could be worked out. In those pre-Watergate years it was inconceivable to many friends that the government might not be telling the truth.

Yet at their trial, that's exactly what the Powells maintained. They had just seen the Rosenbergs found guilty after a trial in which they cooperated with the government in avoiding matters the government claimed were militarily sensitive.

"We felt that it was a matter of principle: First, we were right, that they did use germ warfare, and second that we had a right to say so. We decided that, unlike the Rosenbergs, if we go to trial we're going to get witnesses and prove we're right."

The strategy, conceived by attorney Doris Walker, Charles Garry and others, worked and the government dropped 11 of 13 charges. (When Robert Kennedy became attorney general, the remaining two charges were dismissed.)

Meanwhile, the Powells were informed that the insurance on their car would be dropped (later amended to an assigned risk) because they were unpopular and someone might damage the auto.

Because they were broke, the Powells lived in a broken down, tiny house on Potrero Hill. It turned out to be a major blessing. An artist friend suggested they fix up and enlarge the house. John read some books on carpentry, and soon the family had embarked on a new venture of fixing up old houses.

From there, they branched into antiques, which they love so much they hold many pieces for a year or more before they can bear to part with them.

They opened a shop, live in the flat above and spend their time reading and quietly puttering among their oriental rugs and early American antiques.

Some day, they say, they hope to hear from the CIA.