

ARREST PLOT LAID TO VIERECK FRIEND

**E. P. Banta, 73, Held on Charge
of 'Framing' Rape Case
Against Anti-Nazi Author**

LINKED TO SEDITION TRIAL

**Motive Was to Discredit Writer
as Witness, Prosecutor Says
—Girl Admits Her Part**

Edwin P. Banta, 73 years old, was arraigned in Special Sessions yesterday and held in \$1,500 bail for trial on Sept. 11 on a charge of having conspired to have a false charge of rape brought against Arthur Derounian, who, under the pen name of John Roy Carlson, wrote the best seller "Under Cover."

District Attorney Frank S. Hogan, who ordered Banta's arrest, charged that Banta had boasted that "if we make this charge stick, we'll blow that Washington sedition trial sky-high." According to Mr. Hogan, Banta is a friend of George Sylvester Viereck, one of the defendants in the sedition case. Derounian has been a key witness for the prosecution.

Banta was an orator for the German-American Bund in the days when that organization was flourishing, according to Mr. Hogan, and was prominently mentioned in "Under Cover." The prosecutor asserted that Banta, posing as a violent anti-Nazi, recently succeeded in obtaining employment as an investigator for the Anti-Nazi League of 165 West Forty-sixth Street.

Enlisted Aid of Girl

His actual motive in taking this position was the hope of obtaining evidence that might aid Viereck and the other defendants in the Washington trial, according to the District Attorney. Mr. Hogan said that Banta succeeded in enlisting the cooperation of Miss June Kelly, 21, of 327 West Fifty-sixth Street, in his work ostensibly in behalf of the league.

Mr. Derounian learned of the association of Banta and the girl, according to Mr. Hogan, and called on her at her home on June 16, in the belief that she could furnish information about Nazi subversive activities in this city. Three days later she told Banta of Mr. Derounian's visit.

Banta immediately suggested that she should make a charge of rape against Mr. Derounian, according to Assistant District Attorney Abraham Poretz, who added that the girl at first demurred, but finally agreed to make a charge of attempted rape. This was after Banta was alleged to have boasted to her that the charge would "blow up" the Washington trial.

Banta Called on Valentine

Banta called upon Police Commissioner Valentine at his office in police headquarters and told him of the rape charge. The commissioner called in Deputy Chief Inspector Michael J. Murphy of his confidential squad and ordered him to investigate. Inspector Murphy had a talk with the girl, who at first insisted that the charge was true, but then broke down and admitted it was false, according to Mr. Poretz.

Miss Kelly was taken to the office of the district attorney, where she repeated her account of the alleged plot to Mr. Poretz, and detectives were sent to arrest Banta at his home, 215 East Seventeenth Street. Miss Kelly was named as a co-conspirator in the information on which Banta was arraigned yesterday, but not as a defendant. She and Mr. Derounian will be witnesses for the prosecution at Banta's trial, according to Mr. Poretz.

When Banta was arrested he told the detectives that he was the victim of "a plot of the Anti-Nazi League."