

Four Bombing Suspects Indicted by Grand Jury

Sterling Hall
bombing *2 col*

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A Dane County Grand Jury Tuesday indicted four men already sought for the bombing of the University of Wisconsin's Sterling Hall in August, 1970, on charges of first degree murder in the death of 33-year-old physics researcher Robert Fassnacht.

The jury of eight men and seven women, who have been deliberating for almost two months, returned a six-count indictment against Madison broth-

ers Karleton L. Armstrong, 24, and Dwight A. Armstrong, 20; David S. Fine, 19, Wilmington, Del.; and Leo F. Burt, 23, Havertown, Pa.

IN ADDITION, Karleton Armstrong was indicted separately on three counts of arson for the damage done to the UW Old Red Gym, on Jan. 3, 1970, to the UW Primate Laboratory on Jan. 4, 1970, and to UW-ROTC building T-16 on Dec. 28, 1969.

The four men, whose whereabouts apparently are unknown to law enforcement authorities,

also were charged with injury by conduct regardless of life to Norbert Sutter, a UW security officer on duty at the time of the blast, and endangering safety by conduct regardless of life in the injuries to four UW students who were in the building when the blast occurred.

THE JURY also indicted the four on charges of damage to property by explosives, conspiracy to damage the property with explosives, and possession of explosives for unlawful purpose.

The jury, which was called by Circuit Judge Norris Maloney at the request of Dane County Dist. Atty. Gerald Nichol and Asst. Atty. Gen. David Mebane, Tuesday delivered their indictments to Maloney, who then signed state arrest warrants for the four men.

MALONEY CALLED the jury's efforts "all worthwhile" despite the fact that the four

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men were already named last October in a five-count federal indictment for the bombing of Sterling Hall, which housed the Army Math Research Center, a target of many anti-war protests.

Maloney said the jury's record of testimony "preserves the details of evidence for such time that there be a trial in the matter" if the four men are found.

"God only knows when they'll be found," Maloney said.

IN ADDITION, the judge said the jury's secret proceedings, which eliminate the evidence-disclosing preliminary hearing normally held in a felony case, kept pre-trial publicity to a minimum, and helped, therefore, to insure a free, unbiased trial.

Nichol said that the additional state charges of first-degree murder might facilitate extradition procedures for the four men if they are located in a foreign country.

Treaties with other countries may not include extradition for "political" crimes, such as sabotage, Nichol said, "but they usually always extradite on homicide charges."

NICHOL SAID that a complaint charging Karleton Armstrong with the arson of the three university buildings had been issued under former Dist. Atty. James Boll, but that the indictments Tuesday superseded that complaint.

The four men face a maximum penalty of life imprisonment plus 67 years if they are arrested and convicted of the state charges leveled against them Tuesday.

TWO WEEKS ago Donald Armstrong, father of the two brothers, was granted immunity from prosecution before his testimony before the secret group. At that time, he told officials he did not know whether his sons were "alive or dead."

Nichol said Tuesday that the four would be tried on the state charges first if the state authorities were the first to capture and arrest them.

Fassnacht was killed in the building when it was shattered by a pre-dawn blast. The charge of first-degree murder includes an intent to kill a person, as well as the actual murder.