

THREE JURISTS TO CONFER ON BERGER CHARGE

Will Decide If Telegram From
Communist Organization Is
Contempt Of Court

ATTACKED PERSONNEL
OF THE GRAND JURY

Also Alleged An Attempt Was
Made To "Cover Up" Identity
Of Mob Leaders

A telegram sent to Judge Joseph L. Bailey last Tuesday by Louis Berger, secretary of the Baltimore Branch, International Labor Defense, will be the subject of a conference between Chief Judge John R. Pattison and Associate Judges Bailey and Robert F. Duer, the chief jurist of the First Circuit stated today.

The judges are to decide if the author of the telegram shall be held in contempt of court.

Judge Pattison said Judge Bailey had turned the telegram over to him and he was in communication with the other jurists. He did not say when the conference will be held.

The telegram sent by the secretary of the communist organization assailed the Wicomico county grand jury as a "lynch jury" and added this statement:

"Your remarks to the grand jury about the International Labor Defense justify our belief that the shore mob leaders will be well covered, with you investigating our organization instead."

Judge Pattison and Judge Duer today stated the position that the message was not addressed to Judge Bailey personally, but the question to be considered was whether it was an affront to the court.

In charging the Grand Jury Monday, Judge Bailey did not mention the communist organization by name but asked the tribunal to investigate the "interference" and activities of an "outside organization," preceding the murder of Daniel J. Elliott on December 4.