

Efforts of Defense To Identify 'Mrs. L. Fry' Fail in Sedition Trial

By CARTER BROOKE JONES.

Mrs. L. Fry, mentioned frequently as the Government's case against the 26 defendants in the sedition trial has been unfolded, remained a woman of mystery today, despite efforts of defense attorneys yesterday to shed more light on her origin and activities.

The woman's name appears in a number of Government exhibits in evidence and she has been mentioned by several witnesses as collaborating with certain defendants in their asserted campaign against Communism.

Albert W. Dilling, counsel for Elizabeth Dilling, brought out from Henry D. Allen, a Government witness, that Mrs. Fry had said her real name was Mme. de Shismareff.

Question Ruled Out.

"Was she an agent of the Soviet OGPU?" asked the attorney.

Chief Justice Edward C. Eicher sustained an objection from Chief Prosecutor O. John Rogge.

On one occasion, Mr. Allen said, when he was living in Dallas, Tex., he was summoned by William

Power Maloney, former chief prosecutor in the case, to take a plane to New York to identify Mrs. Fry. The witness quoted Mr. Maloney as saying: "We have old lady Fry here in the clink," and adding that she was under indictment.

When he arrived in New York, Mr. Allen testified, he was informed he would not be needed, because Mrs. Fry had admitted her identity.

"Were your expenses paid on that trip?" Mr. Dilling asked.

Lost on Trip.

Mr. Allen said he got so much a mile, and, when the expenses were totaled, he was out \$86 of his own money.

The witness testified to a break with Mrs. Fry, with whom he formerly had been friendly. He said he had nothing more to do with her when she tried to get him to damage the home of a "Jewish agent." He also described how some of the defendants were suspicious of Mrs. Fry and suspected she was a Communist spy.

"Were any threats made to you by Mr. Maloney?" Mr. Dilling inquired.

Mr. Allen said there were. He told of a time in 1942 when he was summoned to Washington to testify before the grand jury, and called to Mr. Maloney's office at the Justice Department.

Threatened Indictment.

The witness recalled that the prosecutor, a special assistant to the Attorney General, said: "Mr. Allen, do you want to be indicted?" Mr. Allen added: "I said I didn't know what I could be indicted for," and he said, "You are not telling the whole truth in regard to Mr. Winrod." This was a reference to the Rev. Gerald Winrod, a defendant.

Mr. Allen said Mr. Maloney told him the thing for him to do was to come clean and tell the truth, adding: "How would you like to have us bring out your voice on a dictograph record of your conversation with Mr. Winrod?" The witness said he replied that he would be glad to hear such a record if they had it, only he "wanted to be certain it wasn't the voice of some Jew actor from Hollywood."

There was a flurry of defense objections when Justice Eicher admonished John W. Jackson, a defense attorney, for whispering with another defense counsel, Frank A. Kelly, while the latter was cross-examining the witness.

Justice Eicher pointed out that the court was trying to prevent each defendant from having 26 different cross-examinations.