

2 Magazine Officials Accused Of Obstructing Nazi Probe Jury

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The two top executives of the magazine Scribner's Commentator were accused in the District Court yesterday of trying to obstruct the special grand jury investigation of German agents by close contact with one of their employes who was summoned as a witness.

The executives were accused by Special Prosecutor William Power Maloney when Bessie Feagin, the Scribner's sales and promotion manager, was haled before Justice James W. Morris for possible contempt of court action after her memory "failed" in the grand jury room.

Miss Feagin admitted to the grand jurors that George T. Eggleston, editor, and Douglas M. Stewart, publisher of Scribner's, came to Washington last Sunday and talked to her about her testimony after

she left the grand jury room on Monday and Tuesday. They have left Washington, she said.

Subpenas were promptly issued, commanding both the magazine executives to come back and testify before the grand jury.

Miss Feagin was taken into court for admonition after nearly two hours of questioning on her third appearance before the investigators.

Prosecutor Maloney told Justice Morris that during the investigation of Adolf Hitler's propaganda machine it became necessary for the grand jurors to know the facts about certain mailing lists used by the agencies which disseminated propaganda.

Miss Feagin was asked about one such list, Maloney said, which had been made up from names supplied to Scribner's Commentator by for-
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mer Senator Rush D. Holt (Democrat), of West Virginia; Charles A. Lindbergh, Representative Hamilton Fish (Republican), of New York; the Social Justice Organization of the Rev. Charles E. Coughlin, Senator Burton K. Wheeler (Democrat), of Montana; the America First Committee, and other antiinterventionist sources.

The names from these sources, Maloney said, were assembled into a master list of persons to whom propaganda was mailed, some of it under Congressional frank.

Maloney said that it was strongly suspected that the list was "used for a serious and sinister purpose" besides the distribution of Scribner's Commentator, which itself has been widely accused of being under the domination of Nazi sympathizers.

Maloney pointed out that the magazine makes no effort to appeal to the public generally, is not sold on the news stands, but is mailed only to those whom it is believed might be influenced by its anti-interventionist policy.

When Special Prosecutor Edward J. Hokey, jr., members of the grand jury and Prosecutor Maloney questioned Miss Feagin, Maloney continued, her memory proved "consistently bad."

"I can't recall," was her favorite response, said the prosecutor, although she was questioned about circumstances she acknowledged were extremely unusual and happened recently.

After three days of such testimony, said Maloney, Miss Feagin admitted yesterday that she did not come to Washington alone, but was accompanied by Eggleston and Stewart, with whom she discussed what happened in the grand jury room.

This happened Monday and Tuesday, but Miss Feagin told the grand jury she could not remember what was said.

"We now feel that there has been an effort to obstruct this investigation," Maloney concluded, call-

ing Official Reporter F. L. Connor to the witness stand.

Connor read this transcript of Miss Feagin's testimony. She told the grand jury that two weeks ago Kable and Co., an Illinois firm, prepared a duplicate of the master mailing list and that she gave this to a Scribner's writer named Ralph Townsend. She said she could not recall what Townsend or Eggleston said about why this unusual step was being taken.

Eggleston and Stewart were highly interested when she was summoned by the grand jury, Miss Feagin testified, and came here and stopped at the same hotel she did. First she said the executives did this because they wanted to be witnesses, too. Later she said they made no effort to contact the prosecutors or Foreman John S. Gorrell of the grand jury. Then she added that testimony "wasn't their purpose in coming here. Their purpose was to be here when I was here."

While her testimony was read, the tall brunette listened tensely, resting her chin on her hand. Her previous smiles were supplanted by an angry frown. She stammered nervously when Justice Morris called her to the bar and asked whether she wished to consult a lawyer.

Justice Postpones Action

Miss Feagin first asked for Attorney Nicholas Chiascione, whom she had spoken to previously. Since Chiascione was not available, Miss Feagin spoke to William E. Leahy, with whom Chiascione is associated. Leahy was in a nearby courtroom trying an antitrust case.

As the conference dragged on, Justice Morris announced that he would postpone action until 10 a. m. today to give time for more leisurely consultation, so that when Miss Feagin goes back to the grand jury room she will have "the calm and composure which the grand jury is entitled to expect of a witness."

One German agent, Frank B. Burch, Akron, Ohio, lawyer, pleaded guilty to failing to register with the State Department. Another, George Sylvester Viereck, is awaiting trial for incomplete registration with the State Department. Also indicted, on two charges of perjury, was George Hill, office of Representative Hamilton Fish.