

# Grand Jury Subpenas Fish in Nazi Agent Probe

## Summons Served After Invitation To Appear Without It Is Disregarded

By Dillard Stokes  
Post Staff Writer

Representative Hamilton Fish yesterday was summoned by the special grand jury investigating German agents, which indicted his secretary a fortnight ago on two charges of corrupt perjury.

As is the custom when the testimony of Congressmen is needed, Fish was "invited" to appear last Wednesday. However, he did not show up Wednesday or Thursday; and Friday night, Foreman John S. Gorrell issued a formal subpoena, commanding Fish to be at the grand jury room at 10:30 next Wednesday.

### Failed to Appear

Assistant Attorney General Wendell Berge, chief of the criminal division, said last night that "the negotiations for Mr. Fish's testimony were continued after he failed to appear last week. However, it is my understanding that the grand jurors independently directed that the subpoena be issued and that, accordingly, it was issued by Mr. Gorrell, upon his own authority."

Air-mailed to New York, the summons was served yesterday morning by a deputy of the United States marshal in New York.

Grand jury questioning of the New York anti-interventionist Congressman has been awaited for more than six weeks since The Post uncovered the role played by his office in spiriting a ton of mailbags of franked envelopes out of the headquarters of Prescott Dennett, another witness in the investigation of Nazi propagandists.

### Said He'd Forget Immunity.

Pursuing other lines of inquiry in the interval, the grand jurors have indicted George Sylvester Viereck, 57, Hitler's ace propagandist in America, and charged that he financed Dennett's anti-interventionist committees in order to use them to get Nazi propaganda through the mails under Congressional frank.

The day of the mailbag expose, Fish was quoted as saying that he "would not take refuge in Congressional immunity, but would appear willingly before the grand jury in Washington to tell what he knew about the mailbags."

The "immunity" to which Fish referred apparently was the provision of the Constitution that Congressmen "shall in all cases, except treason, felony and breach of the peace, be privileged from arrest

during their attendance at the sessions of their respective Houses and in going to and returning from the same."

But the United States Court of Appeals here refused immunity to the late Senator Huey P. Long when he was served with a civil summons, saying that the privilege was limited to arrest.

Since Fish was quoted as professing his willingness to tell what he knows about the mail bags, Special Prosecutors Edward J. Hickey, jr., and William Power Maloney have uncovered a number of other important matters which the grand jurors want explained.

Fish has indicated that he knows about some of them.

When Fish's secretary, George Hill, 45, was indicted, Prosecutor Maloney told the Court that Hill was "the Washington key man of a propaganda machine master-minded by German agents."

Furthermore, Maloney continued, Hill admitted to the grand jury that he handled \$12,000 in the last five months, but remained determinedly silent when he was asked who paid him the money and what he did with it.

### Fish Backs Up Aide

Following the indictment, Fish said, "I have confidence in Hill's integrity and I will back him up." A few days later, Fish issued a statement in which he said, "The insinuation that any of this money (the \$12,000) came from subversive sources . . . is utterly ridiculous and preposterous."

Fish also said in the statement that Hill's lawyer, John O'Connor, of New York, former Representative, "when he goes into court next week, has in mind going into a detailed record of the receipts and expenditures made by Mr. Hill for sending out Congressional speeches, extracts from the Record and committee hearings."

The week passed without O'Connor going into court or otherwise producing the detailed record mentioned by Fish.

Hill's activities included ordering the Government Printing Office to turn out hundreds of thousands of copies of anti-interventionist speeches and other material by various Congressmen.

### Dennett Mailed Out Many

Many thousands of such speeches were mailed out by Prescott Dennett, alleged instrument of Viereck, the Nazi propagandist, to those on the mailing list of his Make Europe Pay and Islands for War Debts committees.

Speeches with Fish's frank were among hales of material taken from Dennett's headquarters when the special prosecutors of the Department of Justice propaganda squad made a raid there.

Besides those found when the place was raided, Dennett had about a ton of other franked speeches at his disposal when he was served with the grand jury subpoena the night of September 18. Early next morning Hill sent an official House of Representatives truck, which hauled them away in 20 mailbags.

The truck dropped 12 of the mailbags at the headquarters of the America First Committee and delivered eight others to Fish's office, where Hill ordered them placed in a storage room used by Fish.

After The Post reported this, Fish told the House that Hill sent the truck to pick up 500 copies of one of his speeches from Dennett—Fish having no idea how Dennett got them—and when the ponderous load was delivered Hill "refused to accept it."

### Hill Indicted for Same Story

Hill told the same story under oath, to the grand jury, which thereupon indicted him for perjury. The grand jury also charged that Hill swore falsely when he denied contact with Viereck.

Last week, as the grand jurors continued their exploration of the vast and intricate German propaganda machinery, the name of Fish turned up in still another corner into which the investigation reached. Prosecutor Maloney said in open court that letters which had been written to Fish were among those used in the compilation of a mammoth mailing list for the magazine, Scribner's Commentator.

The promotion manager of the magazine, Bessie Feagin, testified before the grand jury only after she was threatened with a contempt charge for failure to answer questions.

Miss Feagin admitted that her editor, George T. Eggleston, and publisher, Douglas M. Stewart, came to Washington with her and talked to her about her testimony. Prosecutor Maloney accused them of trying to obstruct the inquiry and summoned them here to be questioned Wednesday.