

# SHORE JUDGES PLAN ACTION IN BERGER CASE

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## Consider Placing Con- tempt Charge Against Head Of Labor League

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### SALISBURY GROUP CALLED 'LYNCH JURY'

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## Telegram Also Was Critical Of Jurist's Talk To Inquest Body

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[Special Dispatch to The Sun]

Salisbury, Md., March 21—Lodging of a charge of contempt of court against Louis Berger, secretary of the Baltimore branch of the International Labor Defense League, is being considered by the judges of the First Judicial Circuit.

Mr. Berger dispatched a telegram to Judge Joseph L. Bailey in which he described a Wicomico grand jury as a "lynch jury." Judge John R. Pattison, chief jurist of the circuit, today stated a conference will be held by the judges of the circuit to determine whether to bring the contempt charge.

#### Investigating Negro Lynching

Mr. Berger's telegram declared that Judge Bailey's charge to the jury justified the belief of his organization that "the Shore mob leaders will be well covered with you investigating our organization instead."

The jury was investigating the lynching of Matthew Williams, a Negro, in Salisbury.

Judge Pattison said that Judge Bailey had forwarded the telegram to him and that he had discussed it with Judge Robert F. Duer, the third jurist of the First Circuit. He did not say when the conference would be held.

#### Did Not Mention League

Judge Pattison and Judge Duer said Mr. Berger's message was not addressed to Judge Bailey personally, but that they would consider the proposition that its contents were an affront to the court in charging the grand jury last Monday.

In his charge Judge Bailey did not mention the league 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.

The grand jury reported it was unable to find evidence upon which to hold anyone responsible for the lynching of Williams. The Negro murdered Mr. Elliott, a Salisbury merchant, and a few hours later a mob removed him from the Peninsula General Hospital and hanged him on the courthouse green.

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#### Glad To Prove Charges

Louis Berger, secretary of the Baltimore branch of the International Labor Defense League, on being informed last night that the jurists of the First Judicial district are considering charging him with contempt of court in connection with a telegram he sent to Judge Joseph L. Bailey criticizing the Wicomico county grand jury, declared he would be glad to prove his charges in open court.