

Grand Jury to Probe Handling of Fay Case

Fay Case

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complete, better evidence — more far-reaching evidence—hadn't been received.

Mad Over Messing Up

"The thing that struck me hardest was this Fay case... We resent the fact that the case was handled as it was. A number of us are really mad about the thing and feel that we are justifiably mad about it, the way the case was, as we call it, messed up.

"Now what we can't get through our minds is why the situation in the Fay case, which we feel is the most important case that we have had, was allowed to go the way it did."

The court: "Was allowed what?"
Kallenberg: "Allowed to be, as I crudely expressed it, messed up the way it was, and whether Mr. Rossbach, to mention names, was not derelict of duty, or whatever he could be charged with, malfeasance of office or something, in that direction.

Wasting Time

"We are not satisfied, and to put it again possibly crudely, we feel that we are really wasting our time if we are going to come here and sit and pass out indictments, then have them improperly handled.

"The thing we can't possibly condone is the fact that after we have passed down this indictment, the thing is so horribly handled."

Direct discussion of the possibility of a jury investigation was opened by Stiles:

"I believe, your honor, that the jury is in substantial agreement with much that I have said, and for your information I would be very much pleased if you would poll them on the subject in some appropriate way."

The court: "Well, on what subject? I don't get what your subject is."

Stiles: "Well, I am very sorry that

Arouses Jurors



U. S. ATTORNEY ROSSBACH

Calls Rossbach Prosecution Inept

Angered by the manner in which the Joseph S. Fay income tax evasion case was "messed up," the Federal Grand Jury, in a move virtually unprecedented in New Jersey, is planning to investigate U. S. Attorney Rossbach's prosecution.

Two members of the jury which indicted Fay voiced the jury's sentiments on Fay's acquittal in open court before Senior Federal Judge Fake yesterday in the presence of the entire jury. One of them, A. Richard Kallenberg of 35 Lorraine street, Glen Ridge, raised the question whether Rossbach was derelict in his duty and whether he could be "charged with malfeasance of office or something."

John M. Durling of 136 Seton place, South Orange, foreman of the jury, today said that he preferred to make no comment at present, but said that Rossbach's han-

Clark Interested In Jury's Probe

Washington Bureau.

WASHINGTON—Informed of the Newark Federal Grand Jury's decision to investigate handling of the Fay case, Attorney General Clark today said he will direct his office "to look into the situation and incorporate the jury's findings in the investigation of the case."

Douglas W. McGregor, assistant to the attorney general, who was assigned by Clark earlier to probe the handling of the Fay case, said he is "naturally interested" in the Grand Jury's action and will study a transcript of its session with Judge Fake.

"It was a novel action, to say the least," McGregor commented.

ding of the case will be considered further at Tuesday's session of the jury.

The other spokesman for the jury before Judge Fake yesterday was Albert I. Stiles of 43 Druid Hill road, Summit, who sought vainly to be relieved from further service on the Grand Jury because he felt that "my function here is useless." Stiles said he felt the Fay case was handled "ineptly."

Rossbach, reached last night, said he had "no comment" on the latest development in the case.

Was Against Indicting

Stiles opened the surprise after-