

● PSF Subject File : D (General)

Box 143

Retired for preservation

PSF
D - Carver.

At 49 East 65th Street,

New York City, October 4, 1933.

Dear Vincent:

This is just to remind you that I am very anxious that Harold Sinton, of whom I spoke to you in Washington, be taken care of as soon as possible. They are really awfully "up against it" and I should like to do this for Miss Tully.

Very sincerely yours,

Honorable Vincent Delley,
331 Madison Avenue,
New York City.

PSF "D" *Mac* *corres.*
File *3-41*

THE WHITE HOUSE
WASHINGTON

April 18, 1941

MEMORANDUM FOR THE PRESIDENT

Vince Dailey just had me on the telephone. He is arranging a deal for the Postmastership in Rochester and wants to know if it is OK with you.

His brother, Donald wants the appointment but the arrangement is:

George Kelly is to be recommended as Acting Postmaster for the next six or eight months. Then later on, after the examinations are held, Don will be recommended for the permanent appointment.

Vince says he doesn't know why Don wants it but he does.

Mac
OK but for
heaven's sake check
through with Ed *Glynn.*
MAC



COLGATE W. DARDEN, JR.
GOVERNOR

*file
personnel*

COMMONWEALTH OF VIRGINIA
GOVERNOR'S OFFICE
RICHMOND

BF

*Gen Corres
D₃ 42*

June 18, 1942. THE WHITE HOUSE

JUN 19 9 06 AM '42

RECEIVED

Dear Mr. President:

I have your letter of the 15th. Certainly any communication from you, either in an official or unofficial capacity, is always welcome, and I appreciate the spirit which prompts your interest in this most difficult situation.

Justice Stone late last night refused to take any action in reference to the case, and counsel for Waller have asked me to hear them on the matter of commutation. This I expect to do within the next few days.

I shall give every possible consideration to this case in my efforts to arrive at a just conclusion.

Sincerely,

Wm. Randolph

His Excellency
Franklin D. Roosevelt,
President of the United States,
Washington, D. C.

Ken Cress
D 3-42

PERSONAL

June 15, 1942.

My dear Governor Darden:-

I hope you will let me send you this wholly personal and unofficial note, which it would be very presumptuous for me to send as President. I have only once before written in similar vein to the Governor of a State -- for I was a Governor once upon a time myself. I would have resented receiving such a communication from a President of the United States, but I would have had no resentment if it had come from an old friend who just happened to be President.

This relates to Odell Waller who unfortunately has got his case and that of the State of Virginia into the public prints in many papers throughout the country.

I had a somewhat similar case when I was Governor of New York. A man shot one of his neighbors. He was a poor ignorant fellow who became thoroughly imbued with the thought that his neighbor would kill him over an argument which had lasted for days. He was without question "scared", whether rightly so or not is really beside the point. With this in mind he armed himself and when the neighbor advanced against him in a very threatening way he fired.

The jury convicted him of murder in the first degree. The two elements of intent to kill and premeditation were accepted by the jury, but I could not accept the two elements because, first, I did not think the firing of the gun was with intent to kill but that the intent was to save himself. Similarly, the jury found premeditation, but there again I could not agree because it was, in my mind, premeditation to defend himself and only to shoot in order to preserve his own life.

I commuted the man's sentence to life imprisonment. I shall always be glad I did so.

Will you, therefore, try to think of this note as merely a suggestion from an old friend who has let the death sentence take its course in very many cases, but who really hopes that you will recognize that perhaps the killer element in human nature may not have been present in the case of this unfortunate man who might have been just "scared" for his own life.

Always sincerely,

His Excellency
Colgate W. Darden, Jr.,
Governor of Virginia,
Richmond,
Virginia.

THE WHITE HOUSE
WASHINGTON

*File
Personal*

June 16, 1942.

MEMORANDUM FOR

MRS. ROOSEVELT

*Return
this a grand
note
M*

FOR YOUR INFORMATION

F. D. R.

Personal

June 15, 1942.

My dear Governor Darden:-

I hope you will let me send you this wholly personal and unofficial note, which it would be very presumptuous for me to send as President. I have only once before written in similar vein to the Governor of a State — for I was a Governor once upon a time myself. I would have resented receiving such a communication from a President of the United States, but I would have had no resentment if it had come from an old friend who just happened to be President.

This relates to Odell Waller who unfortunately has got his case and that of the State of Virginia into the public prints in many papers throughout the country.

I had a somewhat similar case when I was Governor of New York. A man shot one of his neighbors. He was a poor ignorant fellow who became thoroughly imbued with the thought that his neighbor would kill him over an argument which had lasted for days. He was without question "scared", whether rightly so or not is really beside the point. With this in mind he armed himself and when the neighbor advanced against him in a very threatening way he fired.

Gen. Corcoran
D 3-42

The jury convicted him of murder in the first degree. The two elements of intent to kill and premeditation were accepted by the jury, but I could not accept the two elements because, first, I did not think the firing of the gun was with intent to kill but that the intent was to save himself. Similarly, the jury found premeditation, but there again I could not agree because it was, in my mind, premeditation to defend himself and *only* to shoot in order to preserve his own life.

I commuted the man's sentence to life imprisonment. I shall always be glad I did so.

Will you, therefore, try to think of this note as merely a suggestion from an old friend who has let the death sentence take its course in very many cases, but who really hopes that you will recognize that perhaps the killer element in human nature may not have been present in the case of this unfortunate man who might have been just "scared" for his own life.

Always sincerely,

His Excellency
Colgate W. Darden, Jr.,
Governor of Virginia,
Richmond,
Virginia.

This is the boy about
whom Mrs. Roosevelt
wrote to the Governor.

207

This is father - Couldn't he go in
the army? E.P.



June 8. 1942
300 Spring St
Richmond Va

Mrs Eliza Rosevelt
Washington D C
Dear Madam

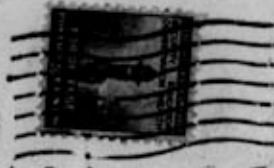
JUN 9 - 1942

I am writing you today I hope I
am a stranger to you, I have heard
lots of people speak of what a nice
lady you are, and what I can hear
is that you believe in helping the
poor and needed I na you has a fine
husband, when he was elected pres-
ident, the Country was in a terrible
shape people were almost starving, so
he made Ranges ment for them, to
eat and also opened up works that
was worth a lot to the poor, I na he
is busy now with the Country at
war, but I believe the U S A Can
ship the world Mrs Rosevelt I am
asking a favor as you please I be-
lieve you has lots of power I am
edell Waller. I was raised in Virgi-
nia and I am I never had a
chance to make any thing, not

even a good living & always worked
 hard but I couldn't get any thing
 out of it I raised some wheat with
 a man name Oscar Davis & he
 took all of the wheat and I tried
 to get my share of it he wouldn't
 let me have the wheat we got in a
 quarrel and I shot him to keep him
 from hurting me not meaning to
 kill him I said he carried a gun &
 was afraid of him he lived a
 few days & died I was tried &
 sentenced to death it was just wit-
 ness against me at the trial please
 write to the Governor of Virginia
 and get him to have mercy on
 me & allow me a chance please
 you will never regret it my days
 is short my time will be up the
 1st of this month. answer please
 Adell Waller

Mrs Elona Rosevelt

500 SPRING STREET
RICHMOND, VIRGINIA



Mrs Eleanor Roosevelt
Washington D C

7 D. Roosevelt Jr President of
USA

JULY 13, 1942

45

third to workers as a reward for their extra effort, one-third to management, and one-third refunded to the United States Treasury as their joint contribution to help pay for the war.

If no such agreement with management can be obtained, the union can still appeal its case to the War Labor Board. The board, as a government agency, can in fairness hardly deny such an appeal, since the workers, the employer and the nation itself all gain thereby.

Union-management cooperation on that basis is the answer to the question who will get the savings from greater industrial efficiency. It is the most effective and democratic way to turn out the needed supplies for our fighting forces, and by working together, labor and management will not only ensure the winning of the war; we shall also learn how to win the peace. In such cooperation, at the point of production, lies the seed of the future of American democracy.

R. J. LEVER

The Waller Case

ON JULY 2, in the Virginia penitentiary at Richmond, a twenty-five-year-old Negro farmer was electrocuted for killing his white landlord, Oscar Davis. Two years ago Odell Waller, a sharecropper, confronted Davis in a dispute over ownership of fifty-two sacks of wheat. The wheat belonged to Waller. During this meeting the Negro drew a gun and shot Davis four times, once in the side of the head, once in the arm, and twice in the back.

For many people the simple facts of this country shooting became symbols of far more complex questions involving the sharecropper system, the poll tax, the rights of Negroes. From the beginning there was a tendency among Waller's supporters in the North, under the inspiration of the larger issues which they had raised in Waller's defense, to disregard parts of the evidence that the state had established in court and to assume as true a number of the contentions which Waller's defense had not been able to prove. The most important of these points was the question whether Davis also was armed. The state offered the testimony of the slain man's family and of an eighteen-year-old Negro witness (much of whose testimony, however, must be viewed in the light of the fact that he lived with the Davis family) that Davis had no weapon. Against this, Waller's defense could only contend that Davis went "habitually" armed.

Yet, in the confusion of emotions and principles which this trial occasioned, by far the gravest error was committed by the institutional forces which sent Waller to his death; by the courts and the officials who saw only the simple, and sometimes questionable, evidence of the shooting; who refused to understand that Waller had become a dark, imposing symbol of exploitation to millions of the Americans who are told we must win a war for democracy and freedom. This mistake was made by the Virginia courts, which by their poll-tax nature were never constituted to try this case upon the ultimate values of democracy; it was made by the Supreme Court, which spoke not a single word to answer the gnawing questions of a case which towered above technicalities and the perfunctory handling which the Court accorded it; and finally, the

mistake was made by Governor Colgate W. Darden of Virginia whose final opinion—laden with phrases such as "racial discord at a critical time when every loyal citizen should strive to promote unity"—showed that the Governor was incapable of any concept of unity but unity on the white man's terms. This is a unity we have seen before. It is *sahib* unity, the unity of Burma, the unity of India, the unity of Java. Poll-tax unity.

Waller also wrote an opinion. He scrawled a long statement in barely legible hand. It confessed to wrong-doing, but, in the mute, pathetic way of ignorant people, he tried to explain the crushing circumstances of his life as a sharecropper on a small, poor plot of land. There is an authentic value in its words that is lacking in other documents of the trial. Placed beside it, Governor Darden's talk of unity comes off second best. These are Waller's statements, as he wrote them:

Have you thought about some people are allowed a chance over and over again then there are others allowed little chance some no chance at all. . . . I accident[ally] fell and some good people tried to help me. Others did everything they could against me so the Governor and the coats [courts] don't no [know] the true facts.

In my case I worked hard from sun up until sundown trying to make a living for my family and it ended in death for me. You take big people as the President, Governors, judges, their children don't never have to suffer. They has plenty money. Born in a mansion [mansion] nothing ever to worry about. I am glad some people are that lucky.

The penitentiary all over the United States are full of people ho [who] was pore tried to work and have something, couldn't so that maid them steel an rob.

These words help make clear certain values of this case which were not easily seen, except to some, because they existed below the surface of the evidence. These elements were understood instantly by Negroes out of their long experience as the second-class citizens of America; it was because of this understanding that Waller, though obviously guilty of a killing, though obviously guilty of the last, fatal aggression in his relations with Oscar Davis, became a symbol of oppression

to his race. There was beyond doubt a strong element of propaganda in this case, but it was not the handouts of the Workers' Defense League, as Governor Darden believed, which turned this killer into a symbol. It was the Negro's racial memory of injustice. Though Waller himself was a slayer, in many a Negro consciousness he became the symbol of Negro toil in the white man's fields, of Negro fate in the white man's courts, of every black body which has swung at the end of a rope from barn or bridge. Even in the specific matter of the evidence brought against Waller, there were significant facts below the surface. Negroes understood them intuitively, and so did many white men.

Where was Waller to carry his complaint against Davis? To the white courts of Virginia? He had no money. What mute rage consumed him at being put off the land, at having the paltry lot of wheat he had sweated in the sun for stolen? Who could believe the state's contention that Davis had promised him the wheat and intended in good faith to deliver it? That Waller had shot him in cold blood after he had made this promise and turned his back. The regular time for delivery of Waller's share already had passed and Waller's mother and wife, while he was away, had been ordered to leave their shack. What is it that goads a dull, hard-working Negro farmer to the suicidal madness of shooting a white man in the South? What could it be in Waller's case but that he knew, in his heart and in his guts, that he had sweated for a crop of wheat, that he needed it, that his family needed it, that he was being cheated of it. Who cannot guess the words that were really passing at that last meeting? "... all right, nigger, try to get that wheat ..."

No one would expect the Southerners who regard as sacrosanct all the traditional values of Southern thought to view this case in any other light than the one expressed by Governor Darden. But there was also a tendency for Southerners who are considered liberals to drift carelessly into this same point of view. This was a mistake, as many eventually realized. The case for Waller had profound though subtle values; support of Waller, slayer though he was, required no compromise and no apology in the conscience of a real liberal. Many Southerners swung around to this point of view after studying the case. Many had to overcome an unpleasant reaction to early propaganda in behalf of Waller, which minimized the evidence against him and which contained many of the superior and sneering phrases which can embitter Southerners of any hue. Race prejudice does not live only in the South. I am a Southerner and my own first reactions to these circulars were antagonistic. It seemed to me and to others that the Workers' Defense League had picked an unfortunate case for the anti-poll-tax fight, a case in which the defendant was in no sense a railroaded martyr like Tom Mooney or Sacco and Vanzetti. Yet it was due only to the hard work and the

hard fight of the Workers' Defense League and its attorneys that we began to understand that Waller, too, was the victim of a system.

No just view of the Waller case can be made without relating it to the background of Pittsylvania County in Virginia, and to the South. The League did this effectively when it stuck to solid facts. Its review of the Siddle case—"the Waller case in reverse"—is propaganda that Governor Darden's phrasing cannot wave away. Tom Denson was a Negro sharecropper on the farm of R. G. Siddle, a white man. In the fall of 1941 they quarreled. Siddle ordered the Negro off his farm and took all the crops, most of which had already been harvested. In this case the Negro *did* take the matter to court, and Siddle was ordered to let him complete the harvest and take his share of the crop. Denson went to the farm with help and began stripping and tying up the tobacco and cutting corn and digging potatoes. On October 20 Denson was returning to his fields from his cabin. He started down the driveway which led past Siddle's house to the potato patch. Siddle and his wife were sitting on the porch, with a shotgun beside the door. When the Negro was thirty or forty feet away on the driveway, he and Siddle got into an argument. As the Negro walked toward the house, Siddle shot and killed him, at a distance of about twenty-five feet. The Negro was unarmed. Siddle and his wife were arrested, charged with murder and released on \$1,000 bond. They were tried by a jury before Judge J. T. Clement, the same judge who tried Waller. The jury of white poll-tax payers acquitted them in about fifteen minutes.

From his first contacts with this case Governor Darden conscientiously made good an early promise that Waller's defense would be given every opportunity to exhaust his legal rights. He read large numbers of letters and gave his attention to the wires, telephone calls and personal opinions of hundreds of prominent citizens from all parts of the country. He conducted his part of the case with a dignity that could never have been expected of a Talmadge, a Bilbo, a Huey Long. One can hardly criticize his official attitude. But his decision was deplorable.

The Governor's conscientiousness is acknowledged with sincerity. The pamphlets of the Workers' Defense League made frequent mention of it. Yet there is another statement and another point of view which deserves the light of print. It was made in a telephone conversation the day of Waller's execution by A. Philip Randolph, president of the Brotherhood of Sleeping Car Porters. This is as he said it:

Waller is executed, and we lost the fight to save his life, but even so we went a step forward. Negroes are learning to use pressure. We are learning that it is the function of heads of government to be constantly balancing pressure, and the strongest side wins. We didn't quite get enough pressure to crack this case but we almost did. The greatest

pressure was put on by the other side, by too many important white people in a poll-tax state.

It is a long way from the Richmond penitentiary to the native villages of the Philippines, and still farther to Burma. It is a long distance if measured in miles, and these are the only measurements acknowledged by the courts and the men who let this second-class citizen go to his death. On the day Waller was executed the Anglo-Saxons were gone from Burma and gone from the Philippines. But on this day a dispatch from the Office of War Information carried a few brief lines which should have meaning for Richmond, Virginia:

The Japanese announcer in Manila said today: "In spite of the clearly benevolent aims of the Imperial Japanese Army in the Philippines, there are still some Filipinos who continue to offer utterly useless and wasteful resistance."

The Filipinos are fighting now, as on Bataan, for the independence America guaranteed them long before the war. The guarantee was not a matter of wartime expediency like the British guarantee in India. The Filipinos are not fighting for the second-class citi-

zenship which is the lot of most of our 13,000,000 Negroes. Nor for Governor Darden's concept of "unity at this critical time." They are not fighting for the poll tax, nor for courts of law that will blow hot for the dark-skinned man and cold for the white. They are not fighting for patriotic radio commercials, nor for American flags on the covers of magazines. They fight for themselves, their families, their villages. No one act alone will ever inspire 13,000,000 people to this patriotic fervor. But a new trial or a commutation sentence for Waller, who had become a symbol, would have given them an incalculable lift of spirit, just as his execution has left a feeling of wordless bitterness. It was in Governor Darden's hands to win a truly great victory for Virginia, indeed for the whole South. Instead, he chose to interpret this case in the strict, unheroic spirit of a crossroads magistrate. But besides all this, the life of a humble black farmer was at stake. In Waller's words, "I worked hard from sunup until sundown and it ended in death for me." When R. G. Siddle was tried, it ended in acquittal after fifteen minutes.

THOMAS SANCTON

The New Isolationism

THE STRUGGLE over America's role in the post-war world will not wait comfortably till the war is over. It has begun already.

Any sensitive observer in Washington can see it. The lines are now forming and proponents are already choosing up on rival sides. It is no use arguing that the struggle should be left till we have won the war: the struggle is already going on. It is intimately involved in the war effort, too, because basically it involves the question of what we are fighting for.

As Walter Lippmann pointed out the other day, the rest of the world can never be sure what the United States will do after this war because the United States itself doesn't know. This uncertainty causes difficulties. Will the promissory notes being written currently by Henry Wallace, Milo Perkins, Sumner Welles, President Roosevelt and others be cashed when the time comes, or will they bounce back marked "No Funds"—like Wilson's? Will Americans accept the obligation of leadership that they have been dodging for twenty years? Who can say?

This uncertainty gets in the way of the war effort. It casts doubts on America's purposes and handicaps our dealings with Latin America. Not much can be done about it. It is only possible to point out that this internal, momentous struggle, one of the most important in history, has already begun and that the adversaries are lining up. Potentially the fight will be more exciting than the League fight and more important.

Wilson's fight for the League was a simple affair. It came in an era that seems naïve by contrast. This new war is, from many angles, not a war at all but a revolution. A revolution does not stop with an armistice but goes on and on, like the French Revolution. Edward Hallett Carr has described this "twentieth-century revolution"¹ as an effort "to build up the world into larger units under centralized planning and control." The struggle, as this Englishman sees it, is not whether the revolution will succeed, but which side, the Axis powers or the United Nations, will control the result. The Axis contemptuously declares that democratic powers can't give the people full employment, security and economic equality; the British and American democracies contend that they can achieve these goals and preserve individual freedom too. They are allied with Soviet Russia, which has at least the historic interest of being the place from which the whole thing stemmed off from World War I.

Under these circumstances what will the United States do after this war? The Great Decision will be more far-reaching than the League fight. The post-war decision ramifies into internal matters like maximum production, centralized planning, economic equality. Have no doubt, all these issues will become involved. One side will advocate accepting the new responsibilities in whole or part; the other, the New Isolationists, will incline to oppose them, and will try

¹ *Conditions of Peace*. The Macmillan Company. \$2.50.

4

PSF

Em Conner "B"
3-44

THE WHITE HOUSE
WASHINGTON

August 24, 1944.

MEMORANDUM FOR

DOC O'CONNOR:

My recollection is that you made all plans to have Darlan come over and I guess its up to you to straighten this out for Louis Haughey.

F.D.R.

Louis Haughey doesn't want to go about 40 - if young Darlan leaves, he will need a main attendant and Louis is afraid that he would take one from the population which they don't have.

Louis would like to have how to proceed.

THE WHITE HOUSE
WASHINGTON

August 18, 1944

MEMORANDUM FOR
THE PRESIDENT

Toi says that Louis Haughey has a problem on his hands with respect to young Darlan.

Darlan is going off medical very soon. He and his mother occupy a cottage which could be used to good advantage by other people who have a member of their family taking treatment.

Louis Haughey doesn't know what to do about it - if young Darlan leaves, he will need a male attendant and Louis is afraid that he would take one from the Foundation which they can't spare.

Louis would like to know how to proceed.

G.

PSF

file

Gen Corvus "28" 3-45-

Warm Springs, Georgia
April 9, 1948.

My dear Lieutenant Darlan:

I am very glad to have your note and to know that in a few weeks the second anniversary of your arrival here finds you really better. I hope that your physical condition will soon make you independent enough to do some active work.

It is, in one sense, too early to tell just what the developments are going to be in France, but on my recent trips I have been much impressed with the future of Algiers and Morocco.

I shall be very happy if you will write to me if you start to do something. I shall hope to see you before I leave here and we can begin to talk about your plans.

Give my very warm regards to your Mother.

Very sincerely yours,

Lieutenant Alain Darlan,
Georgia Warm Springs Foundation,
Warm Springs, Georgia.

Warm Springs April 6th.1945.

Mister President,

I want to take the opportunity of your being here, to tell you again, all my thankfulness for your kindness and your generosity for me.

In a few weeks, the anniversary of my arrival at Warm Springs, two years ago, will take place.

Since then, and thank to you, I received here, the most wonderful care, and my improvements have been amazing, if one considers the pitiful condition in which I was, when I first came.

I want to tell you again too, that I am looking forward for an opportunity, to prove you my gratefulness, by some better means than words, as soon as my physical condition will allow me to be independent enough to be active again.

I shall always remain at your entire disposal, Mister President, to do whatever you will ask me to do.

My plans for the future are still quite uncertain, since I did not receive yet, any dependable news from France, neither about my going back and my staying there being only possible, nor about what has been left to me materially.

Whatever my plans will be, and as soon as I shall be able to make any, I shall not do or start anything, before submitting it to your approval, and asking you for your kind advice.

My Mother ask me to give you her very best thoughts, and I send to you Mister President my very respectful regards and the expression of my deep gratitude,

A. Darby

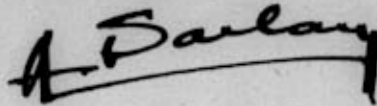
Warm Springs April 6th.1945.

Dear Miss Tully,

May I ask you to be kind enough to give the enclosed letter
to Mister President.

I thank you very much.

Very sincerely yours,

A handwritten signature in dark ink, appearing to read 'A. Darlan'. The signature is stylized with a large, sweeping 'A' and a long horizontal stroke extending to the right.

Alain Darlan.

file
personal

[1936]

PSF
S. Corvus

MORVEN PARK
LEESBURG, VIRGINIA

The other Davis regret
that they will be unable
to attend the reception
January 9th to which they
have been bidden. Mrs.
Davis is in Florida with
Davis suffers from a
sprained ankle.

It is a keen disappointment
to them thus to be deprived
of the pleasure in person
of attending to the President
and Mrs. Roosevelt their
best wishes for the

coming year; and to
present them upon the
achievement of a great
democratic administration.

January -
Sixteenth
Montgomery & Co. Inc.
1916

Personal.

Oronoque
Stockbridge, Mass.

file RSE
personal D.
Jen (r)

June 28/36.

Dear Mr. President:

Your acceptance speech
was powerful. I am was
sorry I couldn't remain at
Philadelphia to be present.
You are so right in pointing
out that the reactionary concep-
tion of freedom - of which he
talks much now - is the
freedom to use government and
to exploit the people.

I think you were wise

I do hope you have a
fine vacation next month
and to see you in August.

Faithfully yours
Norman.

in not writing to Owen Johnson.
I had not thought of it from the
angle you mention. The situation
here has however become more
complicated - as a result of
Ely's unwarranted defection -
and I am not sure Johnson
can get the united support of
the Democrats now. I have
told him confidentially of your
feeling and have suggested
that he have a talk again
with Mr. Grath and then go to
see Jim Farley and talk
the matter over.

THE JOHN DAY COMPANY INC. PUBLISHERS



386 FOURTH AVENUE • NEW YORK CITY

RICHARD J. WALSH
President

September 18, 1936

Miss M. A. Le Hand
Secretary to the President
The White House
Washington, D. C.

Dear Miss LeHand:

It was very kind of you to send me the enclosed check for \$18.75, but I return it and the statement, because you have the transaction reversed. This statement is evidence that we owe the President \$18.75 on additional royalties earned by ON OUR WAY and our check for this will be sent at the end of this month, which is the regular date for royalty payments.

I am still strongly hoping that the President can be persuaded to let us prepare a book of his 1936 addresses, to be published as soon as possible after his second inauguration.

Sincerely yours,

Richard J. Walsh

RJW:GBP
Encs.

BTF
n)
"D" Corrus

THE JOHN DAY COMPANY INC. PUBLISHERS

386 FOURTH AVENUE - NEW YORK CITY

ROYALTY STATEMENT

In Account with Hon. Franklin D. Roosevelt,
The White House,
Washington, D.C.

New York August 31st 1936.

FOR THE

{ SIX MONTHS
{ ENDED June 30th 1936.

TITLE	Number Sold	Price	Copies Subject to Royalty	Royalty per Copy	AMOUNT
On Our Way	48	\$2.50	48	.375	\$ 18.00
	2	\$2.50	2	.375	.75
					\$ 18.75



OFFICE OF THE CHIEF
U. S. SECRET SERVICE
The White House

*file
personal*

PSF

REFER TO FILE No. **WH-15395-8**

Gen. Counsel

TREASURY DEPARTMENT

WASHINGTON, D. C.

June 13, 1941.

MEMORANDUM for Col. Starling.

With reference to the Western Union telegram, "New York, New York, June 11, 1941. The President, the White House, Go. Delay means death. Delano."

Our New York office has ascertained that this telegram was sent at the instigation of Mrs. Louisa Potter Delano, wife of William A. Delano, 131 East 36th Street, New York City, who telephoned the message from Caladonia 5-3138.

Mr. William A. Delano is senior partner of the architectural firm of Delano & Aldridge, 136 East 38th Street, N. Y., and a member of the National Park Commission.

Mr. Delano advised that his wife had sent the telegram, which he believed was originally inspired by Mrs. Boardman Harriman and committee. Mr. Delano further stated that he understood that many more such telegrams are to be sent, and claims that the meaning of this committee is that we must intervene on behalf of England now and that delay will mean death to the country.

Mrs. Grace Tully

lph:fmc

PSF
D Carver

(2)

PERSONAL

March 18, 1936.

Dear Will:-

I am glad to have your nice letter.
You are right about the need of an additional
Judge and I am doing everything possible to get
the bill through.

With my warm regards,

Always sincerely,

William Denman, Esq.,
No. 2 Laurel Street,
San Francisco,
California.

WILLIAM DENMAN
LYMAN HENRY
CABLE DENMAN

WILLIAM DENMAN
610 MERCHANTS EXCHANGE BUILDING
SAN FRANCISCO
No. 2 Laurel Street

March 14, 1935.

Miss Margaret Le Hand,
The White House,
Washington, D. C.
My dear Miss Le Hand:

Will you please get the enclosed letter to the President in such a way that it will not become a part of any public file. It would be unfortunate if a Circuit Judge were disclosed as stating that the condition of litigation in his Court constituted a scandal.

I know Colonel McIntire will forgive me if I avoid risking the enclosed letter with the enormous mass of correspondence that is finally sorted to his desk.

Very cordially yours,

William Denman.

WD/b

1 Enclosure.

WILLIAM DENMAN
LYMAN HENRY

CABLE DENMAN

WILLIAM DENMAN
~~612 MERCHANTS EXCHANGE BUILDING~~
SAN FRANCISCO

No. 2 Laurel Street

March 14, 1935.

Dear Franklin:

H. R. 5917
Bill for 5th Circuit Judge,
9th Circuit.

We are delighted that you have appointed a fourth Judge for the Ninth Circuit to fill the vacancy caused by the death of Judge Sawtelle.

This brings the size of the Court to what it was in 1920. The so-called Fourth Judge Bill of two years ago simply restored us to the condition of 1920, a defect in previous legislation having lost us one Judge.

In the interim, the Circuit, which is three times as large as Germany, has increased in population over forty percent. Its rate of dockettings has increased from less than 200 a year to 580 a year. Each of the four Circuit Judges of 1920 participated in about 100 opinions a year. The four Judges of today are supposed to participate each in 180 opinions a year. This means that each Judge should read the briefs and record, and either write, concur in or dissent from an opinion every other day of the year, including Sundays, holidays and a supposed vacation period.

Besides the above, District Court cases involving the constitutionality of state statutes require the presence of a Circuit Judge. This means traveling from San Francisco to Butte Montana, (2800 miles round trip) or Tucson, Arizona, (1600 miles) with Helena, Boise, Seattle, Tacoma, Portland, Carson and Los Angeles as way stations.

Townsend and Sinclairs are forcing through the seven state legislatures of the Circuit, constantly increasing numbers of statutes requiring such distant litigation.

Four Judges cannot possibly discharge this volume of business. Already the Court is heavily in arrears and by the October term will be 300 cases behind its dockettings.

The Bar is bitterly resentful, which is not helpful to the Administration. The resentment is justifiable, though, of course, its objective is not.

It is my impression the Chief Justice has taken the matter up with you. If he has not, I know he will corroborate what I am saying.

The Blanton and other judge-baiting obstructionists in the House and Senate will kill the pending Fifth Judge Bill unless Administration pressure is behind it.

Please give it to us and stop the present and growing scandal throughout the Circuit.

Yours,

The President
Washington, D. C.

Bill

BF
J Corrus (2)

April 11, 1935.

Dear Henry:-

Do not be too surprised at receiving the enclosed. The long, sad story is this -- the wallet was purchased by a lovely lady for a very drunken boy friend and was given to me to deliver, at least five years ago. I have never been able to catch up with said boy friend and also I know that he does not want anything from the lovely lady except silence! Consequently, as the initials are the same as yours, I am bequeathing this wallet to you with love and kisses from the lady!

I hope to see you soon.

As ever yours,

Henry C. de Rham, Esq.,
Cold Springs,
New York.

Gen Corres

28

PSP: Subject
File

3-44

SEVENTY-FOURTH CONGRESS

ANDREW J. MAY, KY., CHAIRMAN
 R. EYING THOMASSEN, TEX.
 MATTHEW J. MERRITT, N. Y.
 JOHN M. COSTELLO, CALIF.
 OVERTON BRIDGES, LA.
 JOHN A. BRADSHAW, ALA.
 PAUL J. KILDAY, TEX.
 CARL T. DUNHAM, N. C.
 CLIFFORD DAVIS, TENN.
 JOHN EDWARD SHERIDAN, PA.
 ROBERT L. F. SIKES, FLA.
 PHILIP J. PHILLIPS, MASS.
 PAUL STEWART, CALIF.
 ARTHUR WHISTEAD, MISS.

WALTER S. ANDERSON, N. Y.
 DEWEY SHORTT, IND.
 LESLIE C. ARNDSON, ILL.
 CHARLES R. CLAGSON, MASS.
 J. FARNELL THOMAS, N. J.
 PAUL W. SHAFER, NEBR.
 THOMAS E. MARTIN, IOWA
 CHARLES H. ELLSTON, OHIO
 FOREST A. HARNESSE, IND.
 ROSE D. FENTON, PA.
 J. LEROY JOHNSON, CALIF.
 CLARE EUSTICE LUCK, CONN.

ANTHONY J. DIAMOND, ALABAMA
 SOLVIER PAGAN, PUERTO RICO
 JOSEPH R. FARRINGTON, HAWAII

ALMA WATTERSON, CLARK

ANDREW J. MAY
 7th Dist. Kentucky

HOME ADDRESS:
 PRESTONBURG, KY.

HOUSE OF REPRESENTATIVES
 COMMITTEE ON MILITARY AFFAIRS
 WASHINGTON, D. C.

April 4, 1944

Re Major Marion G. Denton

COURT MARTIAL OF MAJOR MARION G. DENTON

Marion G. Denton, Major, Air Corps, Serial No. O-150432, a cadet in World War I, receiving his primary training at Park Field, Millington, Tennessee, and having an aeronautical rating of Reserve Military Aviator, was ordered to duty by S.O. - 176, paragraph 124, of the War Department. An extract of that order follows:

"EXTRACT

* * *

124. Par. 98, S.O., 166, W.D., 1941, is revoked. By direction of the President under the authority contained in Public Resolution No. 96, 76th Congress, approved 27 August, 1940, Major MARION GRAY DENTON (O-150432), Air Corps Reserve, is ordered to active duty, effective 1 August, 1941. On that date he will proceed from Auburndale, Florida, to Maxwell Field, Montgomery Alabama, reporting to the commanding officer, Air Corps Advanced Flying School, for duty. Major DENTON will rank from 1 August, 1941. He will be relieved from duty in time to enable him to arrive at his home on 31 July, 1942, on which date he will revert to inactive status. The travel directed is necessary in the military service. FD 1499 Pl-06 A 0410-2 and 3 and QM 1601 P61-07 A 0525-2 and 3. The duties to be performed by this officer will not require him to participate in regular and frequent aerial flights.

* * *

BY ORDER OF THE SECRETARY OF WAR:

G. C. MARSHALL
Chief of Staff

OFFICIAL:

E. S. Adams
Major General
The Adjutant General

Franklin D. Roosevelt Library

DECLASSIFIED

DOD DIR. 5200.9 (9/27/58)

A TRUE COPY
/s/ George P. Keenan

GEORGE P. KEENAN,
W/O (Jg) AUS
Asst. Technical Inspector."

Date- 3-19-59

Signature- Carl L. Spicer

It will be noted that the final sentence of that order reads: "The duties to be performed by this officer will not require him to participate in regular and frequent aerial flights."

It is noted that upon his reporting to duty he made several efforts to have his flying status restored; that in the latter part of 1942 he complied with Army Air Forces Regulation 50-3 and purchased some flying time "outside"; that due to a change in Regulation 50-3 he bought some "high-powered" flying time and in April 1943 a Board of Officers was convened and he qualified through a flying test with a rating of Pilot. His statement that he qualified for the aeronautical rating of Pilot is based upon the fact that he was told by the Board that he had met the qualifications and saw the approval of the Board as evidenced by the Board proceedings which were returned to Southeast Army Air Forces Training Center for correction. He has not had official notice of this qualification. Major Denton attended the Technical Inspectors School at Chanute Field. This background is given for the purpose of determining whether or not as of June 18, 1943, he was a flying officer and eligible to command Air Forces units in compliance with Army Regulation 95-60.

While he was at Chanute Field he received a letter from his Post Adjutant, stating that a telegram had been received advising that he was to be detailed as Post Commander in an active theater. This letter bore the approximate date of May 28, 1943, and was from Headquarters, Buckingham Army Air Field, which was his home station at that particular time. The letter enclosed a telegram from Southeast

Army Air Forces Training Center, stating he was to be detailed as Post Commander in an active theater. That telegram and letter were presented as exhibits C and D in his trial but were not even considered as bearing upon his defense at trial, to the effect that his order S.O. - 156 specifically ordered him to be assigned as Post Commander of the Greenland Base Command..Upon arrival at destination he will assume command." It was at Maxwell Field that he first learned that he was assigned as Post Commander of an active theater, Greenland Base Command. Order 156, extract of which is set forth herewith, directed Major Denton to proceed to Presque Isle and to report to the commanding officer of the North Atlantic Wing for transportation to destination, which he did, arriving at Presque Isle on June 16, 1943.

"S E C R E T

HEADQUARTERS
ARMY AIR FORCES SOUTHEAST TRAINING CENTER
Maxwell Field, Alabama

SPECIAL ORDERS)
No. 156)

June 8, 1943

EXTRACT

~~SECRET~~
Auth: Hq AAFSETC
Initials ?
Date 8 June 1943

*

*

*

3. MAJ. MARION G. DENTON 0150432 AC is reld fr asgmt to BAAF Fort Myers Fla and by direction of the President is asgd as Post Commander of the Greenland Base Command. He WP fr BAAF Fort Myers Fla to Presque Isle Maine reporting to the CO North Atlantic Wing Air Transport Command

- 4 -

not later than June 15, 1943 for T by air to destination. Upon arrival at destination he will assume command.

*

*

*

By command of Brigadier General WELSH,

D. D. FITZGERALD,
Colonel, G. S. C.
Chief of Staff

OFFICIAL:

/s/ JAMES W. PORTER
JAMES W. PORTER
Lt. Col., A.G.D.,
Asst. Adj. General

~~SECRET~~

Upon arrival he presented to the Adjutant of the North Atlantic Wing a copy of his secret orders; the Adjutant could not determine exactly where he was to go and remarked, "There are several installations in Greenland and I do not know where to take you." Major Denton replied, "All I have is the order itself." The Adjutant then told him to go to officers' quarters and that he would hear from him. On June 17, 1943, the Adjutant sent for him and informed him that information had been received from the War Department as to the proper destination and proceeded to issue a trip ticket to BW-1. BW-1 is also designated as APO 858, c/o Postmaster, New York, New York. Acting upon the information of the said Adjutant that he was being sent to the proper destination, Major Denton boarded a plane on the afternoon of June 17, 1943, and was taken to the Greenland Base Command designated as APO 858, arriving there in the early hours of the morning of June 18, 1943. Later that morning he directed the Officer of the Day to take him to Post Headquarters and was conducted to the Post Headquarters and introduced to a Major Lloyd.

He told Major Lloyd, "I have come here to assume command of the post" and started to take from a manila envelope a copy of S. O. - 156, which we have discussed. Major Lloyd, without seeing a copy of said order, said "Let's go see the Colonel." This action of Major Lloyd's led Major Denton to believe and assume that Col. Robert W. C. Wimsatt was the post commander. He was conducted into the Adjutant's office, introduced to Captain (now Major) Anderson, and waited approximately 30 minutes while the Adjutant went to another office. The Adjutant then returned and asked for a copy of Major Denton's orders. Taking the copy of the orders, the Adjutant disappeared again. When he returned, Major Denton was taken in and introduced to Colonel Wimsatt. Upon looking at the copy of the order, Colonel Wimsatt remarked, "That's a crazy-looking order, it looks like an Air Corps order." In the course of their conversation, Colonel Wimsatt said, "There is no such thing as Post Commander of the Greenland Base Command." Present at this conference was Colonel Wimsatt, a Col. Kelsey Reeves, a Capt. Thomas L. Anderson, and Major Lloyd. Whereupon Major Denton told Colonel Wimsatt that it might be a crazy order but that he did not write it, he was there merely to comply with it. Colonel Wimsatt did not inquire into any qualifications, credentials, personal history, or reasons for the presence of Major Denton, and it is presumed that all of this had been talked over in the 30 minutes that Major Denton was kept waiting for the interview. Colonel Wimsatt finally told Major Denton to return to his quarters and that he would hear from him.

The foregoing is substantiated by testimony at the trial, in which Colonel Wimsatt testified that Major Denton did not formally report

to him, that it was in the form of a visit. That statement was correct because Major Denton was really appearing for the purpose of taking over command.

June 18, 1943, was Friday.

Colonel Wimsatt made no further contact with Major Denton. The next day, which was Saturday, Major Denton wrote a letter direct to the Air Inspector, Army Air Forces, Washington, D. C., attention Technical Division, explaining the predicament in which he found himself and in paragraph 2 he stated: "At present no duties have been assigned or assumed, due to the evident conflict of orders with organization and the presence of the undersigned is not immediately needed at the above APO". Also, in paragraph 4 of same letter: "Transports of the ATC fly between this Post and Washington, and it is thought that a trip by such means would result in several very helpful clarifications." Major Denton received an endorsement reply to the foregoing letter under date of June 29; however, orders were not issued by Washington to enable him to carry out the suggestion.

Having heard nothing from Colonel Wimsatt, early on Monday morning of June 21, 1943, Major Denton attempted to confer with him and was informed that he was not in his office; then, in the early afternoon of the same day, Major Denton again called at the office of Colonel Wimsatt and succeeded in getting an audience with him. He stated to the Colonel that he had been ordered by the War Department to that particular destination to perform a certain duty and had been unable to perform that duty, and thought it advisable for him to notify the War Department in Washington, to which Colonel Wimsatt replied that it was not necessary,

stating, "This is where you belong." Evidence obtained shows that this statement was in conformity with Major Denton's ideas, as he firmly believed that he belonged right there and that he was to assume command as post commander under his S.O. - 156. It is also evident that, regardless of what Colonel Wimsatt knew and/or believed, he did nothing to help Major Denton clarify this situation either by advice or command.

This Committee has before it facts to show that while Colonel Wimsatt attempted to justify his actions by saying he knew Major Denton was coming to the base and why he was coming, and that his knowledge was based upon information received by him from the War Department, both mail and radio, copies of which were in his files at the base headquarters; yet he did not at any time, even upon request, produce such written evidence to support his statement. Also, his statement was refuted by his Adjutant, Captain Anderson, who stated there were no other orders at the base, just the S.O. - 156. When asked before the investigating officer whether he relied upon this order for his authority to issue commands to Major Denton, Colonel Wimsatt replied, "Not specifically, we have War Department order on your being transferred here." From the position that Colonel Wimsatt took later, this statement is incorrect and a variance. Responses to inquiries made by this Committee to the War Department were to the effect that no orders concerning Major Denton could be found.

Four days passed during which time Major Denton, receiving no

instructions or advice from Colonel Wimsatt, remained in transient quarters.

Out of a clear sky, on June 23, 1943, without advance instructions, conference, advice, or information of any sort, Colonel Wimsatt's billeting officer, Lt. Frank Zitnik, appeared at the transient officers' mess, where Major Denton was eating his noonday meal, and informed him that he, Lieutenant Zitnik, was relaying a message from Major Anderson to the effect that a plane was going to leave in about twenty minutes; that "they" would like to have him on it and for him to call the Priorities and Passenger Officer. As Major Denton was leaving the mess hall, he met the Assistant Adjutant, who said that "they" had been looking for him for fifteen minutes. Major Denton replied that he did not know what it was all about and that he expected to see the Colonel before he went anywhere. Major Denton then proceeded to his quarters and in a few minutes the Colonel and his Adjutant came in. The following conversation ensued:

Colonel: Major, I want you to get on the airplane waiting for you and go to No. 2.

Major: I understood, Colonel, that we were to have a conversation before I was sent anywhere.

Colonel: I have a sick commander and want you to go and take over at No. 2.

Denton: In that case I request that you report me as unfitted for duty.

Colonel: I am not going to argue with you — you are going on that plane or I am going to try you.

Major: Then, sir, I suggest that you try me.

Colonel: Prepare the charges, then, Captain."

Colonel Wimsatt and his adjutant then left the building.

It is difficult for the Committee to understand how a commanding officer, assuming he was such and a superior officer, could send a new officer to any assignment without assuring himself that the new officer had, and fully understood, complete instructions as to the duties to be performed and the exact location of the place of assignment. It should be borne in mind that Colonel Wimsatt was fully aware that this officer had not been in the Arctic before and did not know what conditions he was facing, nor whether he was being sent to a flying field, a weather bureau, or a radio station.

The evidence presented to the Committee shows that later that day, June 23, 1943, Major Denton was placed under arrest and confined to his quarters, having access only to the transient mess and the latrine, which were in adjacent buildings.

On June 24, 1943, at 10:45 a. m., Major Denton had delivered to him a copy of the following order:

"HEADQUARTERS BASE COMMAND
APO 858, c/o Postmaster
New York, N. Y.

23 June 1943

SPECIAL ORDERS)

:

NUMBER 111)

1. Major MARION G. DENTON, 0150432, Air Corps, having reported for duty with this Command 18 June 1943 pursuant to Paragraph 3, classified Special Orders 156, Headquarters Army Air Forces Southeast Training Center, Maxwell Field, Alabama, dated 8 June 1943, is hereby relieved

from attached to Headquarters and Headquarters Company Base Command, APO 858, c/o Postmaster, New York, N. Y., and assigned to Army Base, APO 679, c/o Postmaster, New York, N. Y., and will proceed thereto by first available air transportation. Upon arrival Major Denton will assume command of Army Base, APO 679, c/o Postmaster, New York, N. Y., relieving the present commanding officer Major CARL C. JENSEN, 0306039, Infantry. Transfer of funds and property, etc. will be accomplished according to appropriate Army Regulations.

*

*

*

By order of Colonel WIMSATT:

THOMAS L. ANDERSON

Captain, Infantry

Adjutant

OFFICIAL:

/s/ Thomas L. Anderson

THOMAS L. ANDERSON

Captain, Infantry

Adjutant"

HEADQUARTERS BASE COMMAND
APO 858, c/o Postmaster
New York, N. Y.

23 June 1943

SPECIAL ORDERS)

NUMBER 111)

1. Extracted.

2. Major CARL C. JENSEN, 0306039, INF, is relieved and assignment Army Base, APO 679 NYC, and assigned to Army Base, APO 858, NYC. He WP thereto by first available T. reporting upon arrival to the CO thereof, to assume command of the 73rd Inf Bn (Sep).

3. VOCO of 19 June 1943 attaching Major MARION G. DENTON, 0150432, AC, to Base Hq & Eq Co, APO 858 NYC, for administration is hereby confirmed and made of record.

By order of Colonel WIMSATT

THOMAS L. ANDERSON

Captain, Infantry

Adjutant

OFFICIAL

/s/ Thomas L. Anderson

THOMAS L. ANDERSON

Captain, Infantry

Adjutant"

The fact that the above order was published after the arrest of Major Denton and not prior to the foregoing oral order, would not have been important or irregular, in the interest of time, had Colonel Wimsatt, or his properly designated officer, taken up the matter of assignment and duties to be performed and had informed Major Denton that an order covering the discussed assignment would follow him.

However, in complete absence of any advance instructions or discussion relative to the assignment in question, and believing his orders to be definitely contrary to such action, Major Denton's case presents a very unusual situation. It is understandable that if combat conditions actually existed, or there was danger of its taking place, there might be occasion for a commanding officer to disregard the formalities which were certainly due in this instance; but such conditions did not exist.

A close examination of the conversation alleged to be a legal order given by Colonel Wimsatt to Major Denton, knowing that based upon that conversation charges were preferred, would lead a thinking man to

wonder if he were being "shanghaied." It must be remembered that six days had passed and Colonel Wimsatt had not attached Major Denton to any organization, had not advised or informed him as to what his duties were or were to be, but had requested him to remain in transient quarters and eat at transient mess, the same as any visiting officer.

The Committee has before it the fact that on July 10, 1943, Colonel Wimsatt was relieved of his command at Greenland Base Command on orders instituted in Washington as of June 24, 1943, the next day after the alleged violation by Major Denton.

Colonel Albert D. Smith, now a Brigadier General, relieved Colonel Wimsatt, and took over command of Greenland Base Command on July 10, 1943, and immediately went on a mission to Iceland, returning to his command on July 28, 1943. During all of that interval, from June 23, 1943, to July 28, 1943, Major Denton had remained in highly restricted confinement. Then on July 28, 1943, Colonel Smith called Major Denton to his office and lifted the confinement. In his conversation with Major Denton, Colonel Smith invited a full explanation of his position, saying that he had heard of Major Denton's case while in Washington, prior to coming to Greenland, and wanted to help any one in trouble; that Major Denton was not a criminal and he was not going to treat him as one; that when he, Denton, went out of the door of that office, he could do anything that any other officer of the base could do; that Major Denton would stop eating in the transient officers' mess, and would eat with the permanent officers; that Colonel Wimsatt was trying to protect Major Lloyd; that he, Colonel Smith, was in hopes that Washington would send the charges back for another investigation and recommendation,

and, in that case, it would be disposed of. Colonel Smith exhibited to Major Denton a letter he had received from Maxwell Field, stating Major Denton's S. O. - 156 had been amended, assigning him to the Greenland Base Command. Major Denton did not receive a copy of the amendment, but was shown same at Mitchel Field on August 20, 1943, the day of the second investigation, at which time Major Denton asked for and was furnished with a typewritten copy. The Amended Order reads as follows:

WAR DEPARTMENT
THE ADJUTANT GENERAL'S OFFICE
WASHINGTON, D.C.

JHD/egw/1515-MU

AG 201-Denton, Marion G.
(6-2-43) PO-A.

8 July, 1943

Subject: Amendment of Orders.

Thru: Commanding General,
Southeast Air Force Training Center
Maxwell Field, Alabama.

To: Major Marion G. Denton, O-1580432, Air Corps.

1. The Secretary of War amends paragraph one (1) of classified letter orders AG 201-Denton, Marion G. (6-2-43) PO-A, 5 June 1943, pertaining to Major Marion G. Denton, to read as follows: It is desired that you issue the necessary orders to relieve Major Marion G. Denton, O-150432, Air Corps, from his present assignment and duty, effective at such time as will enable him to comply with this order, and assign him to the Greenland Base Command. He will proceed from his present station to Presque Isle, Maine, and report to the Commanding Officer, North Atlantic

Wing, Air Transport Command, not later than 15 June 1943, for transportation by air to destination. Upon arrival at destination he will report to the Base Commander for duty.

/s/ Ben D. Culleton
Adjutant General.

Distribution:

Commanding General, Army Air Force.
Army Postal Service, Room 3-e-561, The Pentagon

A TRUE COPY

/s/ W. Stone

W. STONE
Major, A.G.D.
Asst. Adj. General."

If the original order of June 8, 1943, pursuant to which Major Denton proceeded to Greenland, was clear as to its proper interpretation, there was no need to issue corrective orders dated July 8, 1943, and in that very correction it creates in the opinion of the Committee, a doubt on the part of the War Department itself as to the meaning of the orders of June 8, 1943. It is, furthermore, firmly the opinion of the Committee that where such a doubt existed as to the proper meaning and interpretation of orders as to cause the War Department to correct them, as was done, the situation thereby corrected is certainly not one to result in the sentencing of an officer with a past record such as Major Denton had, to twelve years at hard labor, nor in fact to even subject him to trial by court martial. The Committee notes that as late as July 8, 1943, the War Department in Washington recognized the fact that they had not assigned Major Denton to the Greenland Base Command, as is shown by the foregoing amended orders addressed to Major Marion G. Denton through

Commanding General, SEAFTC, Maxwell Field, Alabama, and not through the commanding general of Greenland Base Command. Therefore, the commanding officer (either Colonel Wimsatt or his successor) could not have assigned him to the Greenland Base Command without proper authority from the War Department, and, likewise, neither of them could possibly have been his superior officer on June 23, 1943, for the purpose of giving him orders of duty. The amendment negates the charge of violation of the 64th Article of War.

Major Denton left Greenland on August 17, 1943, on orders to report to Mitchell Field for temporary duty. On August 20, 1943, he was ordered to appear before an investigating officer for a second investigation. Colonel Wimsatt did not appear before this investigating officer, but his statement of expected testimony was introduced. It could be reasoned that the Commanding General of the First Air Corps did not adopt the report previously made in Greenland but instead ordered a new investigation upon which a recommendation for a court martial trial could be successfully based. In this second investigation Colonel Wimsatt was conspicuous by his absence, although readily available. This is borne out by a portion of the record of trial. Defense moved to quash the charge upon the ground that the charges and specifications were not given, a fair and impartial investigation, that the investigating officer exceeded his authority in that he acted as judge and jury to determine the legality of the order involved, and that the accused was not given the opportunity to examine all of the documents alleged to be in the accuser's possession. It is believed that Major Edward A. Borsage

exceeded his authority in assuming to examine all documents and determining whether they were legal without disclosing their contents to the accused or producing them. In denying the motion to quash, the court had before it the statement of the prosecution in objection to the motion, to wit:

"Prosecution: The accuser, Colonel Wimsatt, was present and was called to testify before the investigation officer. At the investigation by Colonel Sparks at Mitchel Field, the accuser, Colonel Wimsatt, was not available. At that time Colonel Wimsatt was in Arkansas. He had not yet been called for the trial - the other witnesses had...." (Emphasis supplied.)

According to the prosecution's statement, it had been determined before the second investigation was conducted, that there was to be a trial. Therefore, his investigation report must meet that requisite, and it is manifest that he had to keep out of his report any possibility of the question of legality arising, by making the accuser "not available." Can it be that this complies with the 70th Article of War requiring that an investigation shall be thorough and impartial? If it is not the province of the court to determine whether or not the investigation was or was not thorough and impartial, but a matter for the reviewing authority, how was the reviewing authority to be able to determine the legality of the first investigation when it was discarded, thereby reaching the inevitable conclusion that its disclosure would prove there was no violation?

At the trial, Major Denton could not get the defense counsel of his choice, and the reason given was that he was not available, although Major Denton had asked for him immediately after his arrival at Mitchel

Field, August 18, 1943, and the trial was held on September 27, 1943. Two officers unknown to the accused were appointed defense counsel, and in contrast with the members of the prosecution, the defense counsel had little experience with serious charges, neither one being a member of the Judge Advocate General's Office. A Colonel Gersten, who has the reputation of being an outstanding defense counsel, was designated law member of the court as originally constituted. Late Saturday afternoon before the trial was to begin on Monday morning, Colonel Gersten was relieved as law member, and a Colonel Fisher, who was a member of the Judge Advocate General's Office, and who had an office in a temporary building adjoining that of the Trial Judge Advocate, was appointed. The same order named a member of the Judge Advocate General's Office from Washington as Trial Judge Advocate, while the original Trial Judge Advocate was named as assistant.

To sustain the charge, it would have been compulsory to have the testimony of the officer in the Adjutant General's Office, in Washington, who gave the directive to SEAFTC to issue order to Major Denton, Lt. Col. J. H. Dailey. That officer was responsible for the issuance of this order, and he knew what it directed to be obeyed. His testimony would have shown whether or not he intended to assign Major Denton to be post commander of Greenland Base Command and to assume that command upon arrival there. This officer is now and was then Chief of the Overseas Assignment Section of the Adjutant General's Office and upon inquiry from him for the Committee he stated that the Army Air Forces

requested that Major Denton be assigned as Post Commander of the Greenland Base Command; that before those orders were actually prepared he received a telephone message from the Air Forces to the effect that they "had better make it by direction of the President because an officer on the Post ranked him," and that it was for this reason that they put in that it was by order of the President; that "otherwise, if he would have reported to the Post to which he was assigned the other chap who ranked him would still have been the Post Commander, not Denton."

This should entirely eliminate any doubt as to what was intended in issuing the order of June 5, 1943, to Maxwell Field which was the basis of the orders of June 8, 1943 to Denton, but in addition to this those orders were not clear or definite even to such extent. Furthermore, there is no question but that full authority is definitely found in existing law for the President to issue such orders in the event of his determining that they are indicated as stated in the Federal Code Annotated:

"1591. Rank and precedence among Regulars, Militia, and Volunteers (article 119).-- In time of war or public danger, when two or more officers of the same grade are on duty in the same field, department, or command, or of organizations thereof, the President may assign the command of the forces of such field, department, or command, or of any organization thereof, without regard to seniority of rank in the same grade. (June 4, 1920, c. 227, sub-chapter II, §1, 41 Stat. 811.)"

There was clearly confusion in the issuing of said order, as was shown in a letter from the Air Adjutant to Colonel Philip Doddridge, Maxwell Field, Alabama, dated July 6, 1943, in answer to a letter dated

June 30, 1943, from Colonel Philip Doddridge, and the amendment.
These two letters are quoted below:

~~SECRET~~

HEADQUARTERS
ARMY AIR FORCES SOUTHEAST TRAINING CENTER
Maxwell Field, Alabama

30 June 1943.

Colonel Fred C. Milner, A. G. D.,
Air Adjutant General,
Headquarters, Army Air Forces,
The Pentagon,
Washington, D. C.

Dear Colonel Milner:

"I am submitting to you a situation that has arisen in Greenland and which has come to our attention through personal correspondence.

"Pursuant to a secret letter, The Adjutant General, dated 5 June 1943, file AG 201-Denton, Marion G. (6-2-43) PO-A, this headquarters issued paragraph 3, Special Orders No. 156, 8 June 1943, which reads in part as follows:

"Major Marion G. Denton, 0150432, Air Corps * * * by direction of the President is assigned as Post Commander of the Greenland Base Command. He will proceed * * *. Upon arrival at destination he will assume command."

"You will note that the wording in the letter of The Adjutant General, cited above, is identical to the wording we use in our Special Orders.

"Attached is a copy of a letter written by Major Denton to an officer in the Judge Advocate's office of this headquarters, which indicates either a serious situation existing in Greenland or very definitely a misunderstanding as to Major Denton's status.

"I pass this on to you for any action that you may deem desirable and appropriate, and would very much appreciate advice from you as to what action you may decide to take.

"With kindest personal regards,

Sincerely,

/s/ Philip Doddridge
t/ PHILIP DODDRIDGE,
Colonel, A. G. D.,
Adjutant General

~~SECRET~~

~~SECRET~~

6 July 1943.

Colonel Philip Doddridge,
AAFSE Training Center,
Maxwell Field, Alabama

Dear Colonel Doddridge:

"I had the matter of Major Denton's assignment looked up in our Personnel Division. They have just informed me that they have asked The Adjutant General to amend the order to delete so much as reads 'and by direction of the President assign him as Base Commander of the **** Base Command' and to substitute therefor, 'assign him to the **** Base Command' and to direct him upon arrival at destination to report to the 'Base Commander' instead of 'assume command'.

"I do not know if the original order was a mistake or not. It has apparently caused considerable difficulty and I hope that the change mentioned above will straighten out matters without further trouble. If I can be of further service, let me know.

Sincerely yours,

FRED C. MILNER,
Colonel, A.G.D.,
Air Adjutant General

~~SECRET~~

Major Denton attempted to carry out the duty assigned in S.O. - 156 and in so doing he was clearly justified by the foregoing facts. If there was a violation of Colonel Wimsatt's order in defiance of S.O. - 156, it was not chargeable to Major Denton, but to the Adjutant General's Office in Washington. When Colonel Garey testified that Major Denton had been sent to relieve Colonel Wimsatt, the Trial Judge Advocate said, "That in itself is ridiculous, not even the

President can do that." This is contradicted by existing law as quoted above.

Colonel Malcolm Stewart, a Regular Army officer of thirty years experience, whose assignment was Air Inspector of the First Air Force and whose duty was to see that all orders were properly carried out, was not allowed to testify for the defense as to what was Major Denton's duty under that order, because they said he was not an expert.

Colonel Raynor Garey, AGD, Adjutant General, First Air Force, was called as a witness for the defense. His testimony, in part, follows:

Q. But due to your experience you were taken in here as Adjutant General and sent up here as an experienced man to assist in the proper writing of orders for the First Air Force?

A. That is my duty as Adjutant General of the First Air Force.

Q. I hand you an order which is marked "Exhibit No. 1" in this court-martial proceeding and would like to ask you to read Paragraph 3 particularly of that order.

A. (Witness reads as requested).

Q. Colonel Garey, if you wrote that order and an officer came to you and said it was not clear to him, what would you tell him his duties were to be?

A. I would read over the order to him and tell him he was assigned as post commander of the Greenland Base Command.

Q. Would you interpret any other post other than as post commander, Greenland Base Command?

A. It doesn't mention anything other than the post commander, Greenland Base Command.

Q. His duty would be to assume command as post commander of Greenland Base Command?

A. That's what the order says.

* * * * *

Q. If I should tell you that the Greenland Base Command consists of several posts?

A. He would be post commander of whatever was in the Greenland Base Command if there was more than one. There can be only one base or post commander.

In the prosecution's summation of the case to the court, his statements are quoted:

"...The whole defense has been that Colonel Wimsatt was not the accused's superior officer and that defense is based upon a very nice interpretation of Paragraph 3, Specification Orders No. 156, introduced in evidence as Prosecution's Exhibit No. 1. The defense would have the court believe that that order meant to say "the" post commander. The prosecution asks the court to believe that that order meant "a" post commander. If that word "a" had been in there, there could have been no question as to the meaning of that order. It is our belief that with the evidence before the court there can indeed be no question as to the meaning of that order...."

If the prosecution suggested that "a" should be read into the order of June 8 as stated in the above quotation so that the order would read "a post commander," it would seem necessary that the Court proceed then to read into the orders something to indicate which post he was to command, as the evidence shows clearly there were three posts in Greenland. It seems hardly within the realm of justice for a trial court to reconstruct an order and upon that reconstruction render a verdict against the defendant, particularly when the War Department itself had

reconstructed the order under the date of July 8. If the court reached its verdict after such mental processes, thereby creating a nunc-pro-tunc order, it is a far cry from justice as the Committee sees it.

The prosecution stated that Major Denton offered no rebuttal to the "presumption that this command was a lawful command." The whole military machinery is within the reach and command of the Judge Advocate General's Office and if that statement of the prosecution intends to convey that they had rather convict an officer than to summon information from the appropriate departments that might reflect favorably upon an officer, then, indeed, justice by court martial has reached "an all-time low."

The Committee is informed that in ten minutes after the court was closed they had arrived at a verdict of guilty. This is a further indication that it was predetermined that the accused was to be tried by court martial and convicted. The accused was thereafter sentenced to be dismissed from the service; to forfeit all pay and allowances due or to become due and to be confined at hard labor, at such place as the reviewing authority may direct, for twelve years. It is understood that following a review of this trial record, in accordance with the usual procedure, by the Judge Advocate General, that the sentence of 12 years has been reduced to 5 years, and that the record has been referred to the President for appropriate action.

To be guilty of a violation of the 64th Article of War, it must be shown conclusively that the accused acted "wilfully", or with bad intent. It must also show that there was a lawful command by a

superior officer. It is clearly shown in this case that the accused was endeavoring to the best of his ability to carry out what was a War Department order by direction of the President. The mix-up in that order necessitating an amendment should have been the means of clearing up this whole matter and closing the incident, and that it did not is unanswerable.

Additional evidence adduced at this hearing from Army officers of high standing and experience, speaking both on and off the record, was to the effect that:

Had they been in command in Colonel Wimsatt's place, no such episode as the one involving Major Denton would have taken place. Colonel Wimsatt displayed a very definite persecution complex after returning from his isolation on an ice cap, resulting from an airplane crash a few months previous to the arrival of Major Denton. The general opinion was that he was "ice happy," a colloquialism meaning mentally disturbed. Subsequent to Colonel Wimsatt's return from the ice cap the number of courts martial of men of rank and file for minor offenses became excessive. When Colonel Smith took command after the removal of Colonel Wimsatt, he promptly freed a number of soldiers so persecuted.

It is significant, in the Committee's opinion, that the Army did not find it convenient to grant Major Denton's request to have as his defense counsel Captain John C. Cook, but, on the other hand, it assigned a special officer from the Judge Advocate General's Office in

Washington to Mitchel Field to prosecute Major Denton.

Colonel Wimsatt had admitted that the orders were confused and Major Denton did not understand why he was sent to Greenland in the first place since he was a technical inspector of two years' experience.

Conclusion

It is the opinion of the Committee that the evidence adduced at the trial of Major Denton, at the hearing, and as the result of the investigations shows that a serious miscarriage of justice has occurred in the verdict and penalty against him. It is also the firm belief of the Committee that it is unnecessary categorically to enumerate all of the points which contribute to this view as they are fully set forth in the foregoing report. There is, however, one outstanding point which in itself leaves no doubt that an error has been committed, and that is substantiated by the original request for the issuance of orders to Major Denton, for the reasons that the Army Air Forces requested the Adjutant General's Office to assign Major Denton to Greenland as Post Commander, with instructions to assume command upon arrival at his destination; that shortly thereafter, and before the orders had been prepared, Lt. Col. J. H. Dailey, Chief of the Overseas Assignment Section of The Adjutant General's Office, received a telephone message from the Army Air Forces stating that as Major Denton would be ranked by an officer at that particular post, previously designated as being at the point of destination, it would be advisable to have the orders issued "by direction of the President."

The inevitable conclusion from this is that it was a particular post to which it was intended that Major Denton should be assigned; that such post was particularized in two ways; first, by being the one at which an officer outranked Major Denton, and second, by being the post at the point of destination. The logical conclusion is that it was intended by the original request from the Army Air Forces that Major Denton should be assigned to that particular post and no other, and should take command upon his arrival. This is borne out by the fact that there was no other post at the point of destination and that there was an officer there who ranked Major Denton.

Recommendation

It is the Committee's belief that in the trial of Major Denton there was clearly a miscarriage of justice and the Committee respectfully recommends that the verdict and sentence of the court martial be disapproved by the President and that Major Denton be restored to his former status.

Carl L. Durham

Chairman, Special Committee

*William H. King -
Basil*

John D. Denton

A. J. May

Chairman, Committee on Military Affairs

PSF
"J" Carver
May 1940

THE DALTON SCHOOLS
108 EAST 89TH STREET
NEW YORK

HELEN FAIRHURST
PRINCIPAL

File
Personal

MARION DICKEMAN
ASSOCIATE PRINCIPAL

May 20, 1940

Dear Missy:

Perhaps in one of the President's relaxed moments you will tell him how humiliated I am at having caused any one a moment's anxiety in what was on my part a thoughtless act.

I am enclosing a copy of the letter I have just written to Mr. Crimm. I am glad I sent the inscription to be checked for otherwise you might never have known the guilty party. Please tell the President how sorry I am. My love to you both.

Ever affectionately,

Marian

Miss Marguerite LeHand
The White House
Washington, D. C.

Enc.

May 20, 1940

My dear Mr. Crimm:

I am, I think, more deeply humiliated than I ever remember of being.

When I was in Washington with the girls I did, as you know, copy the inscription on the desk in the President's study.

Of late I have been making every effort to collect stories illustrating international goodwill and when Mrs. Roosevelt retold the story of the President's desk I immediately resolved, as I have many times before, to copy the inscription. It never occurred to me that I should have asked permission to do so.

I assure you I touched nothing else on the President's desk. If the drawer was slightly pulled out it was only because of my difficulty in seeing the inscription.

The thought that I caused any one of you a moment's anxiety has made me very unhappy. I certainly will not offend in this way again.

Very sincerely and contritely,

Mr. Crimm
The White House
Washington, D. C.

PSE Gen Cires
~~Dinner 3-4~~
"15"

June 26, 1941

Dear Marian:

Ever so many thanks for your note. I do hope to see you over the week end and we can look at the desirable trimming at the Top cottage. Your July first party sounds interesting. I wish I could come to the luncheon but I have the Norwegians in tow.

Of course, you must bring them over to see the Library. Talk to me about the hour when I see you.

Affectionately,

Miss Marian Dickerman,
The Val-Kill Cottage,
Hyde Park, Dutchess County,
New York.

fdr/tb

THE VAL-KILL COTTAGE
HYDE PARK
DUTCHESS COUNTY
NEW YORK

July 15th 1941

Dear Franklin

I have just walked up
to your cottage on top of the hill & am
here to do a little (very little) humming
of some of your trees. Perhaps the next
time you are here I can show you
what I mean & then if you think
well of it I should like to go ahead.

On July 1st Nan + I are having for
luncheon at the cottage the delegates
from South + Central America who
are here to attend the international con-
ference on education at Lunenburg.

Thanks to the help we have had from
the Government + two of the foundations
delegates are coming from everyone
of the twenty republics + Canada. They
ought to be an interesting group.

THE VAL-KILL COTTAGE
HYDE PARK
DUTCHESS COUNTY
NEW YORK

On the first they are here for luncheon
+ then on the second go to Buffalo +
that night on one of the steamers to Detroit.
I wish I could speak Spanish.

Their trip to Hyde Park will be more
interesting + worth while in every way
if they may visit your new library.
Would you be willing to have
them do so + if the answer is

yes - whom would you suggest to
show it to them?

Mr. Ford has asked to entertain
them when they are in Ann Arbor & the
committee has asked as to the prob-
ability of allowing them to accept
such an invitation or rather an in-
vitation from such a man as Mr.
Ford!

I was sorry to read that you
were not feeling fit and hope the

THE VAL-KILL COTTAGE
HYDE PARK
DUTCHESS COUNTY
NEW YORK

bit of rest has helped some.

I wonder if you know how proud
we all are of you and how much
some of us would really like to
help in any way we could.

Love,

Maureen

GRACE;

*file
personal*

The President wanted a copy of
this poem - original was sent to
John McCormack. - *filed Congress folder 3-42*

TOI

Gen Corcoran '28'
3-42

Au Clare de la Luce

O Lovely Luce -- O Comely Clare!
Do you remember -- way back there --
Holding your lacquered nails aloft,
"The war we fight," you said, "is soft."

And while the vote hung in the balance
You turned the trick with all your talents.
You were the keystone brave and bouyant.
By Lucifer, were you clarevoyant!

Time marches on, events apace --
Are you a hoarder saving face?
What say you now that Eisenhower
Has Africa within his power?

What say you of the bold attack
Where sea is blue and sky is black --
"Vive la Liberte" for all!
"Soft" was the word, do you recall?

"Soft" where the dauntless Callaghan
Gave life itself, where every man
Rode through the fire with flag aloft?
Say it again -- did you say "soft"?

O Lovely Luce -- O Comely Clare!
The brave deserve the less unfair.
You are elected now, that's that --
The ring we'd say is in your hat.

But ere you pack your Vuitton grip
To take the Washingtonian trip,
While still responding to the toasts,
Remember this: that words are ghosts.

And when it's mealtime, never stoop
To see the letters in the soup.
The ghosts may form like homing birds
"My God," you'll cry, "I ate my words!"

Howard Dietz.

file 3-7-45

Ken Cones "20" 3-45

GLENBURN
RHINEBECK, NEW YORK PSF

Dear Frank Lee -
I thought this might
remind you this year.
It is the original
color for prints,
but none have been made,
so this is the only
record of this particular
picture -

It takes you my
love & Christ me
freely ~

Officer Tinker

Office down.

CAM D. DORSEY
CHARLES B. SHELTON
HENRY A. NEWMAN
RALPH H. PHARR
HAROLD T. PATTERSON

DORSEY & SHELTON

LAWYERS

HEALEY BUILDING

ATLANTA, GA.

TELEPHONES
WALNUT 0121
0122

June 10, 1932.

Dear Franklin,

In re: Summers vs. Roosevelt,
United States District Court.

Your letter of June 6, 1932 with enclosures received.

The above suit is returnable to the October Term of the Court and defensive pleadings will be prepared, sent to you, and filed in due course. Since C. W. Jones has sworn to the petition it will be necessary that you file a sworn answer.

I hope the suit is subject to a general demurrer, but it may state a cause of action. We will consider this question carefully and advise you later. I am afraid we cannot successfully attack the jurisdiction of or service in the suit. I am sorry you have to be troubled with a matter of this kind.

Charlie joins me in the best of wishes and personal regards.

Sincerely,

Mr. D. Dorsey

CDD:IL

Hon. Franklin D. Roosevelt,
Executive Mansion,
Albany, New York.

RF
"D" Carres

7

Dorsey

How to
make S.T.E.

PSF
D'Corris

THE WHITE HOUSE
MAR 7 9 07 AM '38
RECEIVED

EDDIE DOWLING
ST. JAMES THEATRE
NEW YORK CITY

March 4, 1938.

Dear Mr. President:-

Thanks for your nice letter of appreciation re my Palm Beach speech. The speaker last year was Homer Cummings, and the Old Guard refused to let him give them four ideas on the then important Supreme Court issue. So, only being the Attorney General of the United States, poor Homer bowed in deference to their wishes.

I also was warned not to mention your good self nor the New Deal. But, not caring a damn for the Old Guard nor their millions, and believing that ideals and a friendship such as I have always had for you (and that I pray you have for me), plus the fact that you are - regardless of what you think of me - the President of my country, no one shall ever in my presence - not even my brother - insult or belittle you, whether in private or in public.

Rest assured, I was not invited to the Statesburys, and I was the loneliest man in Palm Beach the day following my speech. They revoked my guest card at their golf club, and only two people spoke to me all day; one was A. P. Giannini the banker, and the other little Archie McNeill. None of the Old Dealers, nor even the "phony" New Dealers - of which I am sorry to report there are many - wanted to be seen with me. So I left and came back home. The Sun Still Shines in Arizona, so I'll try that next.

You'll be happy to learn that I have the two greatest hits in America: "King Richard II" and "Shadow and Substance," making me more money than I can ever use. So, if my brother, the U. S. Marshal of Rhode Island, is an embarrassment to you, dismiss him. I am your friend, and will understand. Although all my trouble in R. I. happened in 1932, when I fought them in Convention Hall in Chicago for you, whilst they held out for Al. Smith, if it will give Senator Green and Senator Geary any pleasure to lick me on this point, they can have the satisfaction with my blessing. But they can't take away the fact that I gave and will continue to give you my all, and I have never asked you for a thing for myself.

Most sincerely

Eddie Dowling

Hon. Franklin D. Roosevelt,
The White House,
Washington, D.C.

AUTHOR AND PRODUCER OF:

"King Richard the Second" • "Shadow and Substance"
"Thumba Up" • "Big Hearted Herbert" • "Rainbow Man" • "Sidewalks of New York" • "Steppin' Out" • "Sally, Irene and Mary"
"Velvet Lady" • "Greater Love" • "Honeymoon Lane", etc.

PSF
"D" Carries
Jim - Draper 2-36

November 13, 1936.

Dear Dan:-

You are right about the dust storm -- only it happened as recently as Tuesday, November third.

You are right also about other kinds of Royalists but -- here is a poser -- Have you as a citizen lifted your little finger or wiggled your little toe to expose them? Why not take a day off and dig into some cases unworthily on the relief rolls and trot down to Colonel Somerville with your list? Thus do I shame you!

I do hope to see you one of these days.

Always sincerely,

Docter George Draper,
325 East 72nd Street,
New York City, N. Y.

THE PRESBYTERIAN HOSPITAL IN THE CITY OF NEW YORK
THE INSTITUTE OF OPHTHALMOLOGY
THE SLOANE HOSPITAL FOR WOMEN
BROADWAY AND 165TH TO 168TH STREETS
NEW YORK, N. Y.



November 6, 1936

Dear Franklin,

First of all my hearty congratulations.

Now you and I went through a difficult experience some years ago which remains for me an inspiration. From the moment you were nominated the first time until today I have told everyone, with firm conviction, that in my whole medical career I had not witnessed such gallantry as you displayed during your illness. Entirely on the basis of that performance I voted for you the first time.

This time my vote went the other way, even after a long talk with dear old Bishop Atwood! My reason for this change was not because of any lessened warmth in my friendship or diminished admiration for your stout heart. It was because as a biologist I sensed an unsound attitude toward one of nature's laws which Darwin and others pointed out. In fact I sent you a telegram last year quoting old Dr. Aristotle to the effect that "the only perfect state is that in which each man is equal according to his merit, and firmly possesses that which is his own". This was the only communication in our pleasant semi-scientific correspondence during the last three years to which you did not retort. I think, however, that there was a dust storm at that particular moment.

THE PRESBYTERIAN HOSPITAL IN THE CITY OF NEW YORK
THE INSTITUTE OF OPHTHALMOLOGY
THE SLOANE HOSPITAL FOR WOMEN
BROADWAY AND 165TH TO 168TH STREETS
NEW YORK, N. Y.

As a citizen who is doing his bit in one small phase of our national effort, I would like to make the following observation. You cracked down on the Economic Royalists for gouging "the peepul". I presume you have witnessed, as I do daily, the W.P.A. so-called "workers", many of whom are said to have private jobs on the side. These men, like the "E.Rs." are also gouging "the peepul". I hope you will by fiery word and vigorous deed crack down on the "Royal Parasites" with equal justice.

Good luck,

As ever,

Wm.

filed 10/27/44

See memo 10-3-44

THE STORY ABOUT MR. DULLES

file
Confidential

I am going to talk to you about how large enemy or enemy-connected international corporations operate during wartime. The case I am going to describe is a fairly simple one, and because of its simplicity it ought to reveal clearly how the international business interests protect themselves in times of danger.

This story begins even before World War I. There was, at that time, a manufacturing company in this country making magnetos. This company was a subsidiary of Robert Bosch of Stuttgart, Germany. Because of German ownership this company was seized by the Alien Property Custodian. After the war ended the Alien Property Custodian sold the company to independent American interests. By 1930, however, through devious techniques known to and practiced by international financiers, this American company was again back in the hands of the Germans; it was then operating as the American Bosch Company.

By 1934, through a series of international maneuvers the control of the American company was in the hands of the Mendelssohn Bank of Amsterdam, Holland, which was acting as a dummy for German interests.

Then came preparation for the present war. The German Reichsbank, which then owned the property, knew that Holland would shortly be invaded and they decided to place nominal ownership elsewhere. The Reichsbank tried to sell the company to American or British interests, with the proviso that within two years after the war the property would be returned to the original owner, Robert Bosch. Finally, on May 6, 1940, it was suddenly reported that the American company had been sold to the Wallenberg interests in Sweden.

And who is Wallenberg?

Wallenberg, through Enskilda Bank, controls all of Sweden's basic industries. In World War I, his father, Marcus Wallenberg Sr., acted as a front for German interests in the U. S. In this war Marcus Wallenberg, Jr. arrived in the United States in 1940 to make final arrangements for the protection of the American Bosch Company shares. During this visit he picked up millions of dollars worth of German securities in the United States on an average of twenty cents on the dollar, and boasted that he had unlimited funds for the account of the German Reichsbank. While in this country -- in order to protect the American Bosch Company from seizure by the Alien Property Custodian in the event the United States went into the war, - he established a series of holding companies. The American Bosch certificates were placed in a company called Providentia Ltd., a Delaware corporation.

To cover the trail, completely, the Providentia Ltd. was in turn controlled by three different Swedish holding companies, behind which lurked the shadowy figures of the Swedish banking family -- the Wallenbergs. Mr. Wallenberg's major job while in the United States was to find the proper kind of American through whom to operate. This American was Mr. George Murnane, former associate of Ivar Kreuger, of the Swedish Match Trust, and an investment banker in New York. Mr. Murnane was formerly the chairman of the Board of Directors of American Bosch Company, and as early as 1934 there is evidence to indicate that he knew of the German control of the American Bosch Company. In 1940, when approached by Wallenberg he agreed to serve as sole voting trustee of the American Bosch shares. The purpose now was to Americanize the company in case of war.

Apparently, however, Wallenberg thought this Americanization was not sufficient, so in the spring of 1941 he approached John Foster Dulles, senior member of the

firm of Sullivan and Cromwell, Chief Adviser on Foreign Affairs to Mr. Dewey, and who is scheduled to be Secretary of State should Mr. Dewey be elected.

What transpired between them we do not know, but we do know that on August 1, 1941, Mr. Dulles became the sole voting trustee of the Providentia Company, and we suddenly discover that the shares of the American Bosch Company were placed in the hands of Providentia Ltd. In other words, John Foster Dulles agreed to protect the foreign interests of the American Bosch Company, for the duration of the war. The voting trust agreement expressly stated that Mr. Dulles' trusteeship was to end upon the termination of the war, when the foreign owners would resume legal control.

Now why was it necessary to find such a prominent name as Dulles to act as voting trustee? You will recall that the time was 1940-41. We were beginning to prepare for defense. The armed forces needed supplies for Diesel equipment, and also needed aviation magnetos. Naturally, the Bosch Company tried to get the contracts. Specifically it wanted to obtain the contracts for 17,000 engines from Pratt & Whitney, and 20,000 from the Wright Aeronautic Corporation. The Army took a look at the company and refused to place the orders with a German firm. Frantic efforts were then made by the Bosch Company to become Americanized. Mr. Dulles was the answer. He became the sole voting trustee of the Bosch Company and the company got the contracts. The total business in 1939 was \$3,000,000 and in 1943 about \$50,000,000.

Now you know why Mr. Dulles became the sole voting trustee.

This is not the end of the story. Eight months later, after an investigation by the U. S. Treasury, the shares of the American Bosch Company were discovered to be German owned. As a result, notwithstanding the fact that Mr. Dulles had been for eight months the trustee for all the shares which

were owned by the Wallenberg people for the Germans, that were vested, and are today in the hands of the Alien Property Custodian.

In case you do not know what firms Mr. Dulles has represented in the past, suffice it to mention that his clients have been Henry Shroeder Banking firm, very close to German banking interests; the Dutch Phillips Company; the Swedish SKF Company, and other companies, members of international cartels.

It was Mr. Dulles who evolved the technique of the voting trust as a means of Americanizing foreign companies, thus giving enemy interests a chance to trade on both sides of the fence.

The word "cartels" may cause you to wonder where cartels enter into the American Bosch Company case. Here it is; although the German and American Bosch companies had for a number of years allegedly been competitors in the United States, and other parts of the world, in 1931 they entered into a series of agreements relating to the fuel injection industries and they made a division of territory on patented and unpatented products to restrict competition. For instance, the American Bosch Company was prevented from manufacturing certain products such as generators, without the specific approval of Bosch of Germany. Thanks to these cartel agreements the German Bosch Company hamstrung the American Diesel production. So much so that the Navy, which required a steady flow of Bosch fuel injection equipment for its diesel ship-building program, had to ask the American Bosch Company to grant the patent rights to the Caterpillar Tractor Company in order to manufacture the patented parts. And, what do you think the attorneys for the American Bosch company said in July 1941? They refused to grant the Navy the patents unless they could obtain German permission. The American

Government stepped in in time, and the American Bosch Company has, since then, been working almost entirely for the war effort, and today is under control of the U. S. Government.

We merely wanted to tell you this story to show you how international cartels are operating in wartime, and how they find Americans to protect the foreign interests. Not only has Mr. Dulles, who as an international lawyer cannot claim that he was ignorant of the nature of the American Bosch Company, protected German interests of the American Bosch Company. He also consented to act as a voting trustee in another holding company for Wallenberg in this country -- the Nineteen Corporation -- also a Delaware Corporation.

As regards Wallenberg, I might add that he has also acted as a front for the Schering Company, Bloomfield, N. J., the famous German chemical firm, and Thorer & Hollander, a German Company, New York. Both the Schering Company and Thorer & Hollander are vested by the Alien Property Custodian as enemy concerns.

Surely Mr. Dulles could have looked into the nature of these companies before he consented to act for Wallenberg.

PSF
"J" Carter.

Sen ~

February 1, 1940

Dear Rabbit:

And still they come. As we are off for Hyde Park tonight, I think you should have this right away.

The President loved talking to you and Mac on Tuesday evening. I only wish we all could have done the same. However, I am sure you know how much we missed you.

I am also sending the card which we gave the President and which I want you and Mac to sign and return to me for the President.

Lots of love to you.

As ever,

Enclosures

Mal/tmb

Cashiers check No. 30733 dated 2/2/40 drawn on the Riggs National Bank to the Order of Margaret A. Durand in the amount of \$175.00 signed by the Asst. Cashier (?)

BF Durno
Gen - 2
"D"

Nov. 3, 1939

Memorandum for the President from General Watson

Attaches message which George Durno gave him.

Re-Message via Western Union from J.C. Oestreicher from
Mexico City (International News Service Correspondent)
regarding German Submarine U-69 which cruised off Tampico
Oct 17, 1939.

See: Navy folder-Drawer 1-1939