The enclosed 1,837 pages of records were determined to be responsive to your subject and were previously processed and released pursuant to the Freedom of Information Act (FOIA). Please see the selected paragraphs below for relevant information specific to your request as well as the enclosed FBI FOIPA Addendum for standard responses applicable to all requests.

In an effort to provide you with responsive records as expeditiously as possible, we are releasing documents from previous requests regarding your subject. We consider your request fulfilled. Since we relied on previous results, additional records potentially responsive to your subject may exist. If this release of previously processed material does not satisfy your request, you may request an additional search for records. Submit your request by mail or fax to—Work Process Unit, 170 Marcel Drive, Winchester, VA 22602, fax number (540) 868-4997. Please cite the FOIPA Request Number in your correspondence.

Please be advised that additional records responsive to your subject exist. If this release of previously processed material does not satisfy your request, you must advise us that you want the additional records processed. Please submit your response within thirty (30) days by mail or fax to—Work Processing Unit, 170 Marcel Drive, Winchester, VA 22602, fax number (540) 868-4997. Please cite the FOIPA Request Number in your correspondence. If we do not receive your decision within thirty (30) days of the date of this notification, your request will be closed.

One or more of the enclosed records were transferred to the National Archives and Records Administration (NARA). Although we retained a version of the records previously processed pursuant to the FOIA, the original records are no longer in our possession.

If this release of the previously processed material does not satisfy your request, you may file a FOIPA request with NARA at the following address:

National Archives and Records Administration
Special Access and FOIA
8601 Adelphi Road, Room 5500
College Park, MD 20740-6001

Records potentially responsive to your request were transferred to the National Archives and Records Administration (NARA), and they were not previously processed pursuant to the FOIA. You may file a request with NARA using the address above.

Reference file numbers 31-HQ-22778 and 31-HQ-12247 in your correspondence.
One or more of the enclosed records were destroyed. Although we retained a version of the records previously processed pursuant to the FOIA, the original records are no longer in our possession. Record retention and disposal is carried out under supervision of the National Archives and Records Administration (NARA), Title 44, United States Code, Section 3301 as implemented by Title 36, Code of Federal Regulations, Part 1228; Title 44, United States Code, Section 3310 as implemented by Title 36, Code of Federal Regulations, Part 1229.10.

Records potentially responsive to your request were destroyed. Since this material could not be reviewed, it is not known if it was responsive to your request. Record retention and disposal is carried out under supervision of the National Archives and Records Administration (NARA) according to Title 44 United States Code Section 3301, Title 36 Code of Federal Regulations (CFR) Chapter 12 Sub-chapter B Part 1228, and 36 CFR 1229.10.

Documents or information referred to other Government agencies were not included in this release.

Please refer to the enclosed FBI FOIPA Addendum for additional standard responses applicable to your request. “Part 1” of the Addendum includes standard responses that apply to all requests. “Part 2” includes additional standard responses that apply to all requests for records about yourself or any third party individuals. “Part 3” includes general information about FBI records that you may find useful. Also enclosed is our Explanation of Exemptions.

For questions regarding our determinations, visit the www.fbi.gov/foia website under “Contact Us.” The FOIPA Request Number listed above has been assigned to your request. Please use this number in all correspondence concerning your request.

You may file an appeal by writing to the Director, Office of Information Policy (OIP), United States Department of Justice, Sixth Floor, 441 G Street, NW, Washington, D.C. 20001, or you may submit an appeal through OIP’s FOIA online portal by creating an account on the following website: https://www.foiaonline.gov/foiaonline/action/public/home. Your appeal must be postmarked or electronically transmitted within ninety (90) days from the date of this letter in order to be considered timely. If you submit your appeal by mail, both the letter and the envelope should be clearly marked “Freedom of Information Act Appeal.” Please cite the FOIPA Request Number assigned to your request so it may be easily identified.

You may seek dispute resolution services by contacting the Office of Government Information Services (OGIS). The contact information for OGIS is as follows: Office of Government Information Services, National Archives and Records Administration, 8601 Adelphi Road-OGIS, College Park, Maryland 20740-6001, e-mail at ogis@nara.gov; telephone at 202-741-5770; toll free at 1-877-684-6448; or facsimile at 202-741-5769. Alternatively, you may contact the FBI’s FOIA Public Liaison by emailing foipaqustions@fbi.gov. If you submit your dispute resolution correspondence by email, the subject heading should clearly state “Dispute Resolution Services.” Please also cite the FOIPA Request Number assigned to your request so it may be easily identified.

Sincerely,

David M. Hardy
Section Chief,
Record/Information Dissemination Section
Information Management Division

Enclosure(s)
FBI FOIPA Addendum

As referenced in our letter responding to your Freedom of Information/Privacy Acts (FOIPA) request, the FBI FOIPA Addendum provides information applicable to your request. Part 1 of the Addendum includes standard responses that apply to all requests. Part 2 includes standard responses that apply to requests for records about individuals to the extent your request seeks the listed information. Part 3 includes general information about FBI records, searches, and programs.

Part 1: The standard responses below apply to all requests:

(i) 5 U.S.C. § 552(c). Congress excluded three categories of law enforcement and national security records from the requirements of the FOIPA [5 U.S.C. § 552(c)]. FBI responses are limited to those records subject to the requirements of the FOIPA. Additional information about the FBI and the FOIPA can be found on the www.fbi.gov/foia website.

(ii) Intelligence Records. To the extent your request seeks records of intelligence sources, methods, or activities, the FBI can neither confirm nor deny the existence of records pursuant to FOIA exemptions (b)(1), (b)(3), and as applicable to requests for records about individuals, PA exemption (j)(2) [5 U.S.C. §§ 552/552a (b)(1), (b)(3), and (j)(2)]. The mere acknowledgment of the existence or nonexistence of such records is itself a classified fact protected by FOIA exemption (b)(1) and/or would reveal intelligence sources, methods, or activities protected by exemption (b)(3) [50 USC § 3024(i)(1)]. This is a standard response and should not be read to indicate that any such records do or do not exist.

Part 2: The standard responses below apply to all requests for records on individuals:

(i) Requests for Records about any Individual—Watch Lists. The FBI can neither confirm nor deny the existence of any individual’s name on a watch list pursuant to FOIA exemption (b)(7)(E) and PA exemption (j)(2) [5 U.S.C. §§ 552/552a (b)(7)(E), (j)(2)]. This is a standard response and should not be read to indicate that watch list records do or do not exist.

(ii) Requests for Records about any Individual—Witness Security Program Records. The FBI can neither confirm nor deny the existence of records which could identify any participant in the Witness Security Program pursuant to FOIA exemption (b)(3) and PA exemption (j)(2) [5 U.S.C. §§ 552/552a (b)(3), 18 U.S.C. 3521, and (j)(2)]. This is a standard response and should not be read to indicate that such records do or do not exist.

(iii) Requests for Records for Incarcerated Individuals. The FBI can neither confirm nor deny the existence of records which could reasonably be expected to endanger the life or physical safety of any incarcerated individual pursuant to FOIA exemptions (b)(7)(E), (b)(7)(F), and PA exemption (j)(2) [5 U.S.C. §§ 552/552a (b)(7)(E), (b)(7)(F), and (j)(2)]. This is a standard response and should not be read to indicate that such records do or do not exist.

Part 3: General Information:

(i) Record Searches. The Record/Information Dissemination Section (RIDS) searches for reasonably described records by searching systems or locations where responsive records would reasonably be found. A standard search normally consists of a search for main files in the Central Records System (CRS), an extensive system of records consisting of applicant, investigative, intelligence, personnel, administrative, and general files compiled by the FBI per its law enforcement, intelligence, and administrative functions. The CRS spans the entire FBI organization, comprising records of FBI Headquarters, FBI Field Offices, and FBI Legal Attaché Offices (Legats) worldwide; Electronic Surveillance (ELSUR) records are included in the CRS. Unless specifically requested, a standard search does not include references, administrative records of previous FOIPA requests, or civil litigation files. For additional information about our record searches, visit www.fbi.gov/services/information-management/foipa/requesting-fbi-records.

(ii) FBI Records. Founded in 1908, the FBI carries out a dual law enforcement and national security mission. As part of this dual mission, the FBI creates and maintains records on various subjects; however, the FBI does not maintain records on every person, subject, or entity.

(iii) Requests for Criminal History Records or Rap Sheets. The Criminal Justice Information Services (CJIS) Division provides Identity History Summary Checks—often referred to as a criminal history record or rap sheet. These criminal history records are not the same as material in an investigatory “FBI file.” An Identity History Summary Check is a listing of information taken from fingerprint cards and documents submitted to the FBI in connection with arrests, federal employment, naturalization, or military service. For a fee, individuals can request a copy of their Identity History Summary Check. Forms and directions can be accessed at www.fbi.gov/about-us/cjis/identity-history-summary-checks. Additionally, requests can be submitted electronically at www.edo.cjis.gov. For additional information, please contact CJIS directly at (304) 625-5590.

(iv) National Name Check Program (NNCP). The mission of NNCP is to analyze and report information in response to name check requests received from federal agencies, for the purpose of protecting the United States from foreign and domestic threats to national security. Please be advised that this is a service provided to other federal agencies. Private Citizens cannot request a name check.
EXPLANATION OF EXEMPTIONS

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552

(b)(1) (A) specifically authorized under criteria established by an Executive order to be kept secret in the interest of national defense or foreign policy and (B) are in fact properly classified to such Executive order;

(b)(2) related solely to the internal personnel rules and practices of an agency;

(b)(3) specifically exempted from disclosure by statute (other than section 552b of this title), provided that such statute (A) requires that the matters be withheld from the public in such a manner as to leave no discretion on issue, or (B) establishes particular criteria for withholding or refers to particular types of matters to be withheld;

(b)(4) trade secrets and commercial or financial information obtained from a person and privileged or confidential;

(b)(5) inter-agency or intra-agency memorandums or letters which would not be available by law to a party other than an agency in litigation with the agency;

(b)(6) personnel and medical files and similar files the disclosure of which would constitute a clearly unwarranted invasion of personal privacy;

(b)(7) records or information compiled for law enforcement purposes, but only to the extent that the production of such law enforcement records or information (A) could reasonably be expected to interfere with enforcement proceedings, (B) would deprive a person of a right to a fair trial or an impartial adjudication, (C) could reasonably be expected to constitute an unwarranted invasion of personal privacy, (D) could reasonably be expected to disclose the identity of confidential source, including a State, local, or foreign agency or authority or any private institution which furnished information on a confidential basis, and, in the case of record or information compiled by a criminal law enforcement authority in the course of a criminal investigation, or by an agency conducting a lawful national security intelligence investigation, information furnished by a confidential source, (E) would disclose techniques and procedures for law enforcement investigations or prosecutions, or would disclose guidelines for law enforcement investigations or prosecutions if such disclosure could reasonably be expected to risk circumvention of the law, or (F) could reasonably be expected to endanger the life or physical safety of any individual;

(b)(8) contained in or related to examination, operating, or condition reports prepared by, on behalf of, or for the use of an agency responsible for the regulation or supervision of financial institutions; or

(b)(9) geological and geophysical information and data, including maps, concerning wells.

SUBSECTIONS OF TITLE 5, UNITED STATES CODE, SECTION 552a

(d)(5) information compiled in reasonable anticipation of a civil action proceeding;

(j)(2) material reporting investigative efforts pertaining to the enforcement of criminal law including efforts to prevent, control, or reduce crime or apprehend criminals;

(k)(1) information which is currently and properly classified pursuant to an Executive order in the interest of the national defense or foreign policy, for example, information involving intelligence sources or methods;

(k)(2) investigatory material compiled for law enforcement purposes, other than criminal, which did not result in loss of a right, benefit or privilege under Federal programs, or which would identify a source who furnished information pursuant to a promise that his/her identity would be held in confidence;

(k)(3) material maintained in connection with providing protective services to the President of the United States or any other individual pursuant to the authority of Title 18, United States Code, Section 3056;

(k)(4) required by statute to be maintained and used solely as statistical records;

(k)(5) investigatory material compiled solely for the purpose of determining suitability, eligibility, or qualifications for Federal civilian employment or for access to classified information, the disclosure of which would reveal the identity of the person who furnished information pursuant to a promise that his/her identity would be held in confidence;

(k)(6) testing or examination material used to determine individual qualifications for appointment or promotion in Federal Government service the release of which would compromise the testing or examination process;

(k)(7) material used to determine potential for promotion in the armed services, the disclosure of which would reveal the identity of the person who furnished the material pursuant to a promise that his/her identity would be held in confidence.
This document is made available through the declassification efforts and research of John Grenewald, Jr., creator of:

The Black Vault

The Black Vault is the largest online Freedom of Information Act (FOIA) document clearinghouse in the world. The research efforts here are responsible for the declassification of hundreds of thousands of pages released by the U.S. Government & Military.

Discover the Truth at: http://www.theblackvault.com
**FEDERAL BUREAU OF INVESTIGATION**

**REPORT MADE AT**
LOS ANGELES, CALIFORNIA

**DATE WHEN MADE**
8/25/47

**PERIOD FOR WHICH MADE**
6/23-26/47

**REPORT MADE BY**
CARROLL L. CARTWRIGHT

**CHARACTER OF CASE**
EXTORTION

**SYNOPSIS OF FACTS:**

JOSEPH A. BRUNDAGE, 325 California, Los Angeles, evidences definite psychopathic tendencies although there is no record of his commitment to any mental institution. Examination of subject at Veterans Hospital, West Los Angeles, in 1936 disclosed he was suffering from latent syphilis contracted in 1916. He suffers from strong persecution complex and states he is being annoyed by television from the RKO Studios in Hollywood. He has written letters to various prominent personalities regarding this persecution, and an abusive letter to Secretary of the Treasury MORGENTHAU in 1945 resulted in investigation by Bureau of Internal Revenue, and he admits having written letter to Attorney General CLARK. He threatens to buy a gun and personally to put stop to the television annoyance if something is not done about the matter. U. S. Attorney declines prosecution because of mental incompetence of subject.

**REFERENCE:**
Bureau letter dated 6/19/47.

**DETAILS:**

The following investigation was conducted on receipt of the referenced Bureau letter, which furnished information that the subject, JOSEPH A. BRUNDAGE, 121½ South Broadway, Los Angeles, had written a letter containing a definite threat against the life of the Attorney General.

A review of the Los Angeles files reflected that the subject had written two letters to this office, one on October 17, 1943, and a second on December 3, 1945.
in which he complained about having been annoyed by television coming from Hollywood and requesting that this nuisance be stopped. In the first communication was enclosed the printed card of the Brundage Studio of Engrossing, 121\(\frac{1}{2}\) South Broadway.

Mr. E. H. CALDWELL, Caldwell Studio Signs, 121\(\frac{1}{2}\) South Broadway, stated that the Brundage Studio of Engrossing had been at that address since early 1941. The proprietor of the shop is JOSEPH BRUNDAGE, and his brother, JOSEPH BRUNDAGE, takes care of the shop when the former is not there. JOSEPH BRUNDAGE was described as peculiar and eccentric in that he is secretive. Mr. CALDWELL stated that the subject has a strong racial bias, and he has been heard to talk about "the G--- d--- Mexicans, Negroes and Jews". CALDWELL stated that he has talked very little with either brother, but he recalled that about four years ago JOSEPH stated that he was going to have a song published, and he expected to earn a great deal on it.

Miss JURRIS LAVAYU, clerk at the Psychopathic Division of the County Clerk's Office, checked the records of that office for the name of the subject with negative results.

A check of the Los Angeles Police Department files disclosed that JOSEPH A. BRUNDAGE, LAPD R390-D-63, 121\(\frac{1}{2}\) South Broadway, had been arrested on a drunk charge on April 20, 1941, and was given one day suspended sentence. He was again arrested on a drunk charge on July 6, 1942, and released by waiver. There was no indication in the police records that he was a mental case. A notation in the files indicated that J. M. HARRELL, Internal Revenue Agent, had inspected the file on June 16, 1945.

Mr. J. M. HARRELL, Internal Revenue Agent, was contacted at his office at 417 South Hill Street, Los Angeles, and stated that the name of the subject was familiar to him, as he had investigated him two years before in regard to a letter written to Secretary of the Treasury MORGENTHAU in which the latter was addressed with violent and abusive language. Mr. HARRELL obtained his file on the case, and it was learned that the subject had written the said letter on April 10, 1945, and the Bureau of Internal Revenue had requested an investigation on May 29, 1945. Mr. HARRELL's report dated June 16, 1945, referred to a remittance of $21.40 and a personal letter to Mr. MORGENTHAU signed by this subject, who failed to supply information which would permit the proper crediting of his remittance. The report reflected that the subject was employed at the Jonathan Club, Sixth and Figueroa, and the personal history of the subject set forth in the report was obtained from the records of the Veterans Hospital in East Los Angeles, through conversation with the subject's sister-in-law, and Police Department records. This report reflected that BRUNDAGE was born at St. Louis, Missouri, on September 13, 1896, the son of HENRY BRUNDAGE of New York City, and ELLEN SINCLAIR, Washington, D.C. The subject entered the United States Army on May 17, 1918, and was discharged December 27, 1918. The records of the
Veterans Hospital showed that he had entered there on February 5, 1936, for the treatment of a chest cold bordering on pneumonia. An examination disclosed that he was suffering from syphilis contracted in 1916. BRUNDAGE again entered the hospital May 10, 1937, after being found unconscious in an alley in Los Angeles. He told the police at that time that he had been attacked and robbed by unknown persons. A physical examination showed that the syphilis condition was unimproved.

Mr. HARRELL interviewed the subject at his place of employment on June 15, 1945, and described the latter as suffering from a persecution complex. BRUNDAGE declared at that time that he had sent the tax payment direct to Secretary MORGENTHAU because the latter was in league with a number of the State Department who was formerly the head of the Library of Congress and who had submitted BRUNDAGE's name to "ROCKEFELLER'S" interests at Rockefeller Center, New York, and these interests had caused the song publishers to refuse the song sent by the subject. BRUNDAGE said that the reason that the Standard Oil Company was interested in him was that they had stolen his inheritance of from 70 to 80 million dollars, which inheritance was due his mother on the death of HARRY SINCLAIR of the Sinclair Oil Company. Apparently the subject's only knowledge of a connection between his mother and SINCLAIR was a vague childhood recollection of her statement that she had been left out of the SINCLAIR will. The mother, who is deceased, was said by the subject to be a sister, cousin or something of HARRY SINCLAIR. BRUNDAGE also told Mr. HARRELL that he was being constantly watched by television from Hollywood, and he said that an attempt had been made to murder him by television. BRUNDAGE was bitter in his denunciation of the war, which, he said, was being fought for the Communists, and he offered the opinion that Germany was being ruled by the Communists, and that soon the United States would be under their rule.

Mrs. HARRIET T. WOODS, employed at the Veterans Hospital, Wilshire and Sawtelle Boulevards, West Los Angeles, checked the hospital records for the name of this subject and verified the information to the effect that BRUNDAGE had been admitted to the hospital in February 1936 and again in May 1937. The hospital records showed that the subject suffered from respiratory trouble, cardiac hypertension, nephritis, arteriosclerosis, myocarditis and latent syphilis which was contracted in 1916. On the subject's second visit to the hospital it was noted that he had all the disabilities which had been found by examination on his first visit.

ROY GILLIAM, employee in the Personnel Department at the Jonathan Club, a leading men's social club in Los Angeles, checked his employment records and advised that JOSEPH A. BRUNDAGE had been employed as a house man from July 8, 1945, to March 31, 1947, at which time he resigned. His address was given as 325 California Street, Los Angeles.

HARRY MILLIGAN, housekeeper at the Jonathan Club, stated that BRUNDAGE had
been employed as a house man and had been a very hard worker, never missing a
day of work. BRUNDAGE was described as being very quiet, having no friends,
but because of occasional outbursts he made against the Communists and Jews
he was thought to be a little "nuts". MILLIGAN could give no reason for the
subject's resignation several months before.

Mrs. DOROTHY ANDERSON, landlady of the boarding house at 325 California
Street, was interviewed and stated that BRUNDAGE had lived at that address for
four years. She stated that the subject kept to himself and never causes any
trouble, and she volunteered the information that he talks about the Jews and
states that the Negroes have no right to be in this country.

Subject JOSEPH A. BRUNDAGE was interviewed at the Los Angeles office on
June 26, 1947. He arrived in an extremely nervous and excitable state. BRUNDAGE
said that his mother, ELLEN SINCLAIR, should have inherited the SINCLAIR fortune,
but the Standard Oil Company kept her from it. Some years ago he wrote the lyrics
to a number of songs, which he sent to the Library of Congress, and ARCHIEF
MACLEISH informed the Standard Oil Company where he was living. The latter com-
pany then had the RKO Film Company persuade him with television, beginning on
November 9, 1942. BRUNDAGE declared that the television rays strike his head,
and that if he were to open his mouth, it would strangle him. He said that he
has tried to shield himself from the rays by placing newspapers and cardboard
about his bed and keeping the window closed, and he threatened that if this
army were not stopped soon, he would buy a gun and stop it himself. He
said that he had written registered letters to many prominent individuals about
the matter, and in his billfold he had receipts for registered letters sent
to United States District Attorney H. K. MARTIN, Governor THOMAS E. DENBY, the
Senate Post Office Committee, Senator HOMER FERGUSON, the Director of the FBI,
State Senator JACK B. TENNEY and Governor EARL WARREN, the first of these reg-
istered letters being sent in July 1943. BRUNDAGE said that he had written to
Attorney General CLARK once before about the persecution by television, and when
nothing was done about it, he wrote the abusive letter dated June 10, 1947, which
read as follows:

"Tom Clark,
Att.,? General
Los Angeles, Cal.
6/8/47

Public Enemy #1

Say when are you going to bring them other public-enemies the
Russian Joe Standard Oil Co to justice when we hang you up
by your toes or put all of you dirty Free Masons - and Jews
in a gas furnace like Mr. Hitler, did and Hitler, put you
dirty traitors in the - right place when he put you in the
furnace - we will even have a bigger job than Hitler, because
we have to burn all them dirty black non citizens of Negroes
up along with you white traitors & what a dirty mess you
"Jew monkeys of Gentile-Free? Mascons made in this nation? and just to think of - it them dirty black Negroes helped Jimmy Dooolittle bomb our good white American Pacific Fleet at Pearl - Harbor - say how the hell can such dirty rats as you ever sleep at night with that guilt on your dirty godless souls you all would be better off dead you are a scourge to all christian civilisation

Signed
Joseph A. Brundage
121½ - So. Bavy.
Los Angeles 12 - Cal."

BRUNDAGE stated that he is not employed at the present time, and that he quit his job at the Jonathan Club because he was becoming run down and unable to sleep at night as a result of his persecution by television, which troubled him the most between the hours of 11 P.M. to 2 A.M. He stated that in addition to being troubled by television, his songs are being boycotted, probably by the RKO Company and IRVING BERLIN.

This matter was presented to United States Attorney JAMES CARTER, who declined prosecution because of the mental incompetence of the subject. Mr. CARTER stated that when he received a copy of the report setting forth the investigation conducted on BRUNDAGE, he would communicate with the Department regarding any action he might be requested to take with the local authorities in connection with the mental condition of BRUNDAGE.

The subject is described as follows:

Name: JOSEPH A. BRUNDAGE
Sex: Male
Race: White
Born: September 13, 1896, St. Louis, Missouri
Residence: 325 California St., Los Angeles, Calif.
Height: 5'7"
Weight: 130 lbs.
Hair: Light brown
Eyes: Blue-gray
Complexion: Ruddy
FPC (LAPD): 16 M 11 Rt 7
S 1 R 4

- CLOSED -
SAC, Los Angeles

July 11, 1947

Director, FBI

JOSEPH A. BRUNDAGE
ATTORNEY GENERAL; TOM C. CLARK - VICTIM

EXTORTION

RECORDED 9 15434-10

It will be unnecessary for you to conduct any further investigation in this case; however, you should remain in contact with United States Attorney Carter so as to be informed of what final decision is reached regarding the subject, Brundage, and the Bureau should be advised.

JTL: VPM

G.I.R. 5
MEMORANDUM

The notation at the top of the page reads:
"Don't push it -- He seems to be deranged!"
TO: THE ATTORNEY GENERAL  
FROM: Director, FBI  
DATE: July 2, 1947

SUBJECT: JOSEPH A. BRUNDAGE  
ATTORNEY GENERAL TOM C. CLARK - VICTIM  
EXTORTION

Reference is made to my memorandum of June 30, 1947, advising you of the identity of the individual who addressed a threatening letter which was received in your office June 10, 1947. In my memorandum I pointed out that Joseph A. Brundage was a sixty year old veteran of the First World War, admitted writing the threatening letter and during the course of the interview exhibited definite psychopathic tendencies.

The facts have been discussed with Mr. James H. Carter, United States Attorney at Los Angeles, who has declined prosecution because of the mental incompetency of Brundage. However, Mr. Carter indicated that he was referring the case to the Department for a recommendation as to whether the matter should be taken up with the local authorities regarding possible confinement of Brundage in a mental institution.

KEEP IN F. B. I. FILES  
7/18/47 675.
DIRECTOR  URGENT
JOSEPH A. BRUNDAGE, TOM CLARK, ATTORNEY GENERAL, VICTIM, EXTORTION.
REURTEL JUNE THIRTY, U.S.A. CARTER DECLINES PROSECUTION BECAUSE
MENTAL INCOMPETENCE SUBJ. HE WILL REFER MATTER TO DEPT. FOR ITS
RECOMMENDATION AS TO ACTION BY LOCAL XXX LOCAL AUTHORITIES REGARDING
SUBJS MENTAL CONDITION.

ACK PLAS

G.I.R. 9-15-4849
ORDRED 30 JUL 1948
EX-31

EXHIBIT 31

6-8-18

39

30 JUL 11-48
FROM: COMMUNICATIONS SECTION
TO: SAC, LOS ANGELES
JUNE 30, 1947

TRANSMIT THE FOLLOWING MESSAGE TO J. A. BUNDAGE; TOM C. CLARK, ATTORNEY GENERAL, VICTIM, EXTORTION.
RE: UNLIT TWENTY-SIXTH INSTANT, ADVISE ACTION CONTEMPLATED BY U.S.A.

J. L. S.

G. I. R. 5

U.S. DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

RECORDED: 19-15434 8
EX-51

19 JUL 1947

TELEMETRY

304

0 1947

5 08 PM Per
July 2, 1947

THE ATTORNEY GENERAL

Director, FBI

JOSEPH A. BRUNDAGE
ATTORNEY GENERAL TOM C. CLARK - VICTIM
EXTORTION

Reference is made to my memorandum of June 30, 1947, advising you of the identity of the individual who addressed a threatening letter which was received in your office June 10, 1947. In my memorandum I pointed out that Joseph A. Brundage was a fifty year old veteran of the First World War, admitted writing the threatening letter and during the course of the interview exhibited definite psychopathic tendencies.

The facts have been discussed with Mr. James M. Carter, United States Attorney at Los Angeles, who has declined prosecution because of the mental incompetence of Brundage. However, Mr. Carter indicated that he was referring the case to the Department for a recommendation as to whether the matter should be taken up with the local authorities regarding possible confinement of Brundage in a mental institution.

J. REW: or

SIGNED 9-15434

32 JUL 47

U.S. DEPT. OF JUSTICE

1847
I have received a memorandum dated June 13, 1947, from Assistant Attorney General Theron L. Caudle enclosing a threatening letter received in your office June 10, 1947, signed by an individual giving his name as Joseph A. Brundage, 121 South Broadway, Los Angeles 12, California. This letter was dated at Los Angeles, California, June 8, 1947, indicated the author was anti-Semitic and anti-negro and contained a definite threat against your person. I wish to advise you that the files of this Bureau contain three communications which have been addressed to, or in one instance, referred to this Bureau, all of which were written by Joseph A. Brundage with the same return address as that contained in the recent letter directed to you. The FBI Laboratory has established that the author of the three communications which have been received by this Bureau is identical with the author of this threatening letter.

While the three communications contained in our files are not of a threatening nature, they are defamatory of personnel prominent in the motion picture industry in Hollywood, California, and indicate definite anti-Semitic tendencies upon the part of the author. Brundage, in the letters contained in our files, claims that he is being blackmailed and that his entire family is being defamed through television.

I am instructing our Los Angeles Office to conduct necessary inquiries to establish the identity of Joseph A. Brundage and to learn of his background, particularly whether he has a record of being incarcerated in any mental institutions during the past. As requested by Mr. Caudle in his memorandum of June 13, this information will be discussed with Mr. James H. Carter, U. S. Attorney at Los Angeles, and as soon as further information is received by this Bureau in connection with this matter, it will be immediately communicated to you.

cc: Mr. Theron L. Caudle
Assistant Attorney General
FROM
THE ATTORNEY GENERAL
TO
Official indicated below by check mark

Solicitor General
Assistant to the Attorney General
Assistant Attorney General, Anti-Trust
Assistant Attorney General, Tax
Assistant Attorney General, Claims
Alien Enemy Control Section
Alien Property Section
Assistant Attorney General, Lands
Assistant Attorney General, Criminal
Assistant Solicitor General
Director, FBI
Director of Prisons
Director, Office of Alien Property
Commissioner, Immigration and Naturalization
Liaison Officer, Immigration and Naturalization
Administrative Assistant
Division of Accounts
Division of Communications and Records
Division of Supplies
Pardon Attorney
Parole Board
Board of Immigration Appeals
Librarian
Director of Public Information

Mr. Toleen
Mr. E. A. Tambr
Mr. Clegg
Mr. Glavin
Mr. Ladd
Mr. Nichol's
Mr. Rosan
Mr. Tracy
Mr. Egan
Mr. Gurza
Mr. Harbo
Mr. Mehr
Mr. Peneliusen
Mr. Quinn Tamm
Mr. Norris
Miss Goody

Mr. Horison
Mr. Darsey

Miss Kennedy
Mr. Hyatt
Mr. Coblenz
Mrs. Stewart
Miss O'Donnell
Miss McCarren
Miss Healy
Mrs. Kroll
Miss Adams
Miss Doyle
Miss Dennis
Mrs. Purvis

Director 6-14-47
WASH FROM LOSA 3 26 12-30 PM
DIRECTOR U R G E N T
JOSEPH A. BRUNDAGE. TOM CLARK, ATTORNEY GENERAL VICTIM, EXTORTION.
SUBJ. BRUNDAGE, AGE FIFTY, RESIDENCE THREE TWO FIVE CALIFORNIA
LOS ANGELES, PRESENTLY UNEMPLOYED. NO RECORD OF COMMITMENT TO MENTAL
INSTITUTION BUT IN NINETEEN THIRTY-SIX SUBJ., VETERAN FIRST WORLD
WAR, ENTERED VETERANS HOSPITAL, WEST LOS ANGELES, WHERE EXAMINATION
DISCLOSED LATENT SYPHILIS CONTRACTED IN NINETEEN SIXTEEN. ARRESTS
ON DRUNK CHARGES NINETEEN FORTY-ONE AND FORTY-TWO. IN APRIL, FORTY-TWO
SUBJ. WROTE ABUSIVE LETTER TO SECRETARY OF TREAS. MORGENTHAU,
RESULTING IN INVESTIGATION BY INTERNAL REVENUE AGENTS WHO REPORTED
SUBJ. SUFFERED PERSECUTION COMPLEX, THE LATTER ALLEGING STANDARD
OIL CO. CHEATED HIM OUT OF HIS SHARE IN SINCLAIR OIL PORTION DUE HIM
AS RESULT OF MOTHER'S RELATIONSHIP TO HARRY SINCLAIR. SUBJ. CLAIMED
HE WAS BEING WATCHED BY TELEVISION FROM BUDIX/HOLLYWOOD. SEVERAL
LETTERS IN LOS ANGELES FILES WRITTEN BY SUBJ. IN NINETEEN, FORTY-THREE
OICE SIMILAR COMPLAINTS. SUBJ. INTERVIEWED AND EVIDENCED DEFINITE
SYCHOPATHIC TENDENCIES. CLAIMED STANDARD OIL CO. PERSECUTED HIM
THROUGH RKO TELEVISION STATION IN HOLLYWOOD TO EXTENT THAT HE HAD
AD TO QUIT JOB AND HE THREATENED TO GET GUN AND PUT STAMP TO ANNOY-
ANCES HIMSELF. ADMITTED WRITING LETTER TO ATTORNEY GENERAL TOM CLARK
ND SENDING REGISTERED LETTERS TO OTHER PROMINENT FIGURES REGARDING
S PERSECUTION. U.S. GXXA A. CARTER TELEPHONICALLY ADVISED DETAILS
CASE.

OD

JUL 8, 1947

60 JUL 9, 1947

A PL.

60. W. 40
June 30, 1947

The Attorney General

Director, FBI

JOSEPH A. BRUNDAGE,
TOM C. CLARK, ATTORNEY GENERAL, VICTIM;
EXPOSTION

Reference is made to my memorandum of June 19, 1947, acknowledging the receipt of a memorandum from Assistant Attorney General Theron L. Cudle, dated June 10, 1947, which enclosed a threatening letter received in your office June 10, 1947, signed by an individual giving his name as Joseph A. Brundage, 121 South Broadway, Los Angeles 12, California. In my memorandum I furnished background information concerning a Joseph A. Brundage, who had previously communicated with this Bureau and who might possibly be identical with the author of this threatening letter.

I wish to advise that special agents of the Los Angeles Office have located Joseph A. Brundage at 325 California Street, Los Angeles, California. He is a fifty year old veteran of the first World War, who is presently unemployed. Upon interview he evidenced definite psychopathic tendencies. He admitted writing the threatening letter to you and also admitted sending registered letters to other prominent figures. He claims that he is being persecuted by the Standard Oil Company through an NBC television station in Hollywood to such an extent that he has been forced to quit his job. It has been learned that in April, 1942, he wrote an abusive letter to Secretary of the Treasury Morgenthau.

While there is no record of his having been confined to a mental institution, investigation has disclosed that in 1936 he entered the Veterans Hospital in West Los Angeles, where a physician's examination disclosed that he was suffering from latent syphilis contracted in 1916. His criminal record in Los Angeles consists of two arrests on charges of drunkenness in 1941 and 1942.

These facts have been communicated to Mr. James E. Carter, Jr., Attorney at Los Angeles, and any further pertinent information developed will be immediately communicated to you.

cc Mr. Theron L. Cudle
Assistant Attorney General

[Sent from D.O.]

[Time: 6:30 P.M.]

[Date: 6-30-47]

[By: J. L. Kie, Jr.]
SAC, Los Angeles

June 19, 1947

EX-40

JOSPEH A. BRUNDAGE

TO: C. CLARK, ATTORNEY GENERAL - VICTIM

There are enclosed herewith two photographic copies of a communication which was received in the office of the Attorney General on June 10, 1947, signed by an individual giving his name as Joseph A. Brundage, 121½ South Broadway, Los Angeles 12, California. You will note that the communication contains a definite threat against the life of the Attorney General.

The Bureau's files contain three letters, two of which were addressed to the Bureau, and the third referred to the Bureau by the Library of Congress, which have been identified by the FBI laboratory as having been written by the same individual who directed the threatening communication to the Attorney General. In each of the three letters contained in the Bureau's files the author signs his name as Joseph A. Brundage and furnishes the same return address, namely, 121½ South Broadway, Los Angeles 12, California. The letters contained in the Bureau's files are not of a threatening nature but indicate that the author, Brundage, has anti-semitic tendencies, complaints of being annoyed by television, and generally makes disparaging remarks concerning officials in the motion picture industry. From the tenor of these communications it appears very likely that Brundage may have a background of mental instability.

The current letter addressed to the Attorney General was referred to the Bureau by the Criminal Division of the Department of Justice. In the memorandum of transmittal the Criminal Division indicates that the U. S. Attorney, James M. Carter of Los Angeles, is being advised of the Attorney General's receipt of this letter and a request is made that a copy of any investigative reports prepared by you be furnished Mr. Carter. You should immediately conduct a search of your files and conduct such inquiries as appear necessary in order to establish definitely the identity of the subject, Joseph A. Brundage, and that he is the individual who directed the threatening letter to the Attorney General. Your investigation should cover completely the background of this individual, particularly with reference to any information indicating previous incarceration in a mental institution or history of mental illness. When this information is developed you should submit a summary teletype to the Bureau and thereafter furnish results of your investigation to the U. S. Attorney. This matter should be handled promptly.
Attached is original letter received in the Office of the Attorney General June 16, 1947 purporting to be from Joseph A. Brundage of 121½ South Broadway, Los Angeles 1, California, which definitely makes a threat on the life of the Attorney General. Will you kindly make an investigation of this matter and advise this office?

A copy of this memorandum is being sent to James M. Carter, United States Attorney at Los Angeles. Reports of the investigation are to be submitted to him, as well as to the Criminal Division.

Enclosure #95588

12:30 p.m. June 18, 1947
Received Copy, Attention Norman Ogden. Attested by Mr. Muther. Attache personally to Mr. Muther personally.

Sincerely,

[Signature]

[The date and other notations indicate that the memorandum was recorded and filed, but the specific details are not legible due to the handwriting and condition of the document.]
Office Memorandum - UNITED STATES GOVERNMENT

TO: Mr. Harbo
FROM: Mr. Stapp

SUBJECT: JOSEPH A. BRUNDAGE
TOM C. CLARK, ATTORNEY GENERAL - Victim
EXTORTION

DATE: June 13, 1947

The handwriting on letter dated June 8, 1947 to the Attorney General was compared with previous letters and it was concluded that the present letter dated June 8 signed Joseph A. Brundage was written by the writer of the previous letters signed Joseph A. Brundage which are 62-0-24221, 62-30977-1, 62-0-24993.

The original letter and envelope are being retained in the Laboratory without being treated for latent fingerprints at this time. They were handled by various persons before received.

ENCL ATTACHED

Specimens of the handwriting and handprinting will be placed in the Anonymous Letter File and if at that time any further identifications are made a further report will be submitted.

8 JUN 28 1947 A

[Handwritten notes and corrections scattered throughout the page]
Public Enemy 1

Say when ARE you going to bring them other Public Enemies
the Russian Jew Standard Oil Co to justice when we hang you up by your toes, or put all of you dirty Free Masons and Jews in
a Gas Furnace like Mr. Hitler, did and Hitler, put you dirty traitors in the right place when he put you in the Furnace—we will even have a bigger job than Hitler, because we have to burn all them dirty black non-citizens of Negroes up along with you white traitors see what
—over—
A dirty mess you Jew
Monkeys of Gentile-Free
Masons made in this
Nation) and just to think
Of-it then dirty black
Negros helped Jimmy
Doolittle Bomb our good
White American Pacific
Fleet at Pearl-Harbor-say
how the hell can such dirty
Rats as you ever sleep at
night with that guilt on your
dirty godless souls. You all
would be better off dead. You
are a scourge to all Christian
Civilisation

Signed
Joseph A. Brundage
12 1/2 - So. Blvd. N.Y.
Los Angeles 12 Cal.
E. B. J. Retained
REPORT
of the
FBI LABORATORY
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C.

December 11, 1956

RECORDED - GI

To: SAC, Washington Field

Tom C. Clark, Associate Justice, US Supreme Court - VICTIM;
John Marshall Harlan, Associate Justice, US Supreme Court - VICTIM

EXTRACTION

Examination requested by: Washington Field

Reference: AirTel 12/6/56

Specimen:

Q1 Small white envelope address handwritten in ink to "Tom C. Clark Supreme Court Washington, D. C.," postmarked "Tuscarora, Md. Dec 5 A.M. 1956."

Q2 Accompanying one-page letter handwritten in pencil and ink, beginning: "Notice that on Dec 15th..." and signed

Q3 Small white envelope address handwritten in ink to "John Marshall Harlan Supreme Court Washington, D. C.," postmarked "Tuscarora Md. Dec 5 1956 A.M."

Q4 Accompanying one-page letter handwritten in ink and pencil, beginning: "Notice that on Dec 15th..." and signed

(This sheet containing two erasures)

Results of Examination:

The handwriting on Q1 through Q4 was searched in the appropriate sections of the Anonymous Letter File. No identification was effected. A photographic copy of this writing is not being added to this file at this time.
The physical characteristics of Q1 through Q4 have been recorded for possible future reference. No watermarks or other identifying characteristics were found in Q1 through Q4 which would indicate the source of these items.

A separate report will be furnished concerning your request for the examination of Q1 through Q4 for the development of latent fingerprints.

Q1 through Q4 have been photographed and the original evidence will be returned with the fingerprint report.
FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

RECORDED 12/7/56

Laboratory Work Sheet

NO LAB FILE

File # J-31352
Lab. # D-242293 BE

Re: Tom C. Clark, Associate Justice,
US Supreme Court - VICTIM;
John Marshall Harlan, Associate Justice, US Supreme Court - VICTIM

EXTORTION

Examination requested by: SAC - UFO (9-may)

Date of reference communication: Airtel 12/6/56 Date received: 12/7/56 b6

Examination requested: Document -- Fingerprint

Result of Examination: Examination by

Specimens submitted for examination

Q1 Small white envelope addr. hdw. in ink to "Tom C. Clark Supreme Court xxxxxx Washington, D.C.", postmarked "Tuscarora, Md. Dec 5 A.M. 1956".

Q2 Accompanying one-page letter hdw. in pencil and ink, beg. "NOTICE that on Dec 15th..." and signed [illegible]

Q3 Small white envelope addr. hdw. in ink to "John Marshall Harlan Supreme Court Washington, D.C.", postmarked "Tuscarora Md. Dec 5 1956 A.M."

Q4 Accompany one-page letter hdw. in ink and pencil, beg. "Notice that on Dec 15th..." signed [illegible] (This one containing two erasures)
3.62" x 6.5" x .0044 white bond envelope, 200

5" x 8" x .0032" ruled tablet paper
18 blue green lines front; 23 blue green lines back
.25" apart; no win

4.89" x 7.89" x .0074" ruled tablet paper
21 blue lines front; 25 back
.315" apart; no win
The letters referred to above are being enclosed for the FBI Lab for appropriate handwriting examination and the RA Office and NTO advised of results.

In accordance with advice of NASA SMITHSON, N requested to notify Maryland State Authorities.

C. M. Rosen
John Marshall Harlan
Supreme Court
Washington, D.C.
NOTICE

that on Dec 15th, 1956

is going to take over the farm

by successor Deep Valley Farm

which rightly belong to me

and will file any one trespassing on said property.

If you want to know

why contact me at this address

9-3/13 52-1

D-242293 O2 PE
Tom C. Clark
Supreme Court
Washington D.C.
Dec 12 1956  

TO:  C. CLARK, ASSOCIATE JUSTICE,  
U.S. SUPREME COURT - VICTIM;  
JOHN MARSHALL HARLAN, ASSOCIATE  
JUSTICE, U.S. SUPREME COURT - VICTIM  
EXTORTION  

Reurairel December 8, 1956.  

Nine latent fingerprints developed on submitted specimens, described as Q1 - Q2 and Q4 in the separate laboratory report.  

Latents compared with prints of one, born 1-15-16 and one, born [redacted] with negative results. No place of birth available for either of these individuals.  

Submitted specimens returned separately.  

HOOVER  

FHL: wtm  
(8)  
2 - Baltimore (RM)  
Airtel mailed from Ident Div 12-12-56  
9 - 31352 - [redacted]  

RECORDED - 40  
EX-117  

10 DEC 12 1956
ATTACHED ENCLOSED

BEING RETAINED.

ROOM 1224A
Invoice of Contents from
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D.C.

Date: December 12, 1956
Case References: Tom C. Clark
ASSOCIATE JUSTICE, U. S. SUPREME COURT - VICTIM
John Marshall Harlan, ASSOCIATE JUSTICE,
U. S. SUPREME COURT - VICTIM
EXTORTION

List of Contents

12-12-56  9  81  52
Mr. Parsons, 7621
Mr. Conrad, 7621
Mr. 133
Mr. 7601
Mr. Downing, 6228 IB
Mr. Millen, 7140
Mr. 6127 IB

INSTRUCTIONS: Mail Room, place date of shipment and registry number;
Shipping Room, show date of shipment, bill of lading number and initial this invoice; then return it to person whose name is checked in column at right. After name checked name has been initialed, invoice should be placed in administrative
Marshall, U.S. Supreme Court, furnished two letters identical in contents addressed to TOM C. CLARK, Supreme Court, Washington, D.C., and JOHN MARSHALL HARLAN, Supreme Court, Washington, D.C. Letters postmarked 12/5/56, Tuscarora, Md. Letters signed \[redacted\] and stated "That on Dec. 15th, 1956, I \[redacted\] is going to take over by force if necessary Deep Valley Farm which rightly belong to me and will kill any one trespassing on said property. If you want to know why, contact me at this address." This matter presented to AUSA \[redacted\] who declined on basis it is not the mailing of a threatening communication within the meaning of the statute. AUSA \[redacted\] requested that the statement of occupying by force and killing anyone trespassing should be referred to the Maryland State Authorities.

C

DO NOT WRITE IN SPACES BELOW

9-31352 9

9-31352-3

RECORDED

40

10 DEC 71 1956

B
USA, Washington, D.C.
(Attention: AUSA \[redacted\])

1 - Baltimore (Info)
1 - Washington Field (9-1038)
On December 6, 1956, Marshal, U.S. Supreme Court Building, furnished to Howard Fletcher, Jr., two letters which were received that day but that were identical in contents and addressed to Tom C. Clark, Supreme Court, Washington, D.C., and John Marshall Harlan, Supreme Court, Washington, D.C.

It was noted that both letters were postmarked December 5, 1956, at Tuscarora, Maryland. The letters identical in contents stated:

"That on Dec. 15th, 1956 I [illegible] is going to take over by force if necessary Deep Valley Farm which rightly belong to me and will kill anyone trespassing on said property if you want to know why contact me at this address - [illegible]

On December 6, 1956, this matter was discussed with Assistant U.S. Attorney [illegible] who declined to authorize and stated it is not the mailing of a threatening communication within the meaning of the statute. Mr. [illegible] requested, however, that the statement of occupying by force and killing anyone trespassing as stated in the communications should be referred to the Maryland State Authorities.

The letters were referred to the Federal Bureau of Investigation Laboratory on December 6, 1956. By letter dated December 11, 1956, the FBI laboratory reported that the handwriting appearing on the letters and envelopes was searched in the anonymous letter file; however, no identification was effected.

By airtel dated December 12, 1956, the Bureau reported that nine latent fingerprints were developed on the specimens submitted. The Bureau reported that the latents were compared with the prints of one [illegible] born [illegible] and one Cora A. Young, born June 1, 1889, with negative results.

On December 12, 1956, the Baltimore Division advised the Maryland State Police Authorities were notified.
WFO 9-1038

ADMINISTRATIVE DATA

No description is set forth for the subject of this matter inasmuch as no investigation was conducted consisting of an interview with the subject of this matter. Likewise, no description was obtained of the victims in this matter as they were not interviewed. According to Mr. [redacted] Justice CLARK and Justice HARLAN were not aware of the receipt of the letters as these letters were turned over to Mr. [redacted] by the respective secretaries of CLARK and HARLAN.

LEAD

BALTIMORE DIVISION (INFORMATION)

One copy of this report is being furnished the Baltimore Division for information in view of the fact that the writer of the letter resides in the territory covered by the Baltimore Division. Also, the Baltimore Division had been requested by WFO airtel dated 12/6/56 to advise the Maryland State Authorities as requested by the AUSA.

REFERENCE:
WFO airtel to Director, 12/6/56.
Bulletin dated 12/11/56 to WFO.
Buairtel to WFO dated 12/12/56.

9 =81352 b7c
The latent fingerprint reported in Bulletin of June 19, 1954, to be of value on specimen Q3 of your case #9-936 and the latent fingerprint reported in Bulletin of December 12, 1955, to be of value on specimen Q1 of your case #9-1038 have been identified as impressions of one and the same finger of the same individual.

Inasmuch as the letters in both cases were received from Marshal of U. S. Supreme Court, it is suggested that an effort be made to identify any individuals known to Mr. to have handled the specimens in question and that their fingerprints be submitted for elimination purposes.

The latents in question have been compared with the fingerprints of born in Washington, D. C., but no identification was effected. These inked impressions may or may not be the fingerprints of Marshal of U. S. Supreme Court.

1 - Bufile (9-31352)
Laboratory Work Sheet Recorded 12-10-56 3:00PM/38

NO LAB FILE

File # 9-31352
Lab. # D-242-03 BE

Date received: 12/7/56

Examination requested by: NA - 523 (9-raw)

Date of reference communication: Airlot 12/6/56

Examination requested: Document - Fingerprint

Result of Examination:

Specimens submitted for examination

Q1 Small white envelope addr. hnd. in ink to "Tom C. Clark Supreme Court, Washington, D.C., postmarked "Tuscarora, MD., Dec 5 A.M. 1956."

Q2 Accompanying one-page hnd. in hnd. and ink hnd. in ink: "Notice that on Dec 15th..." and signed "Cora Alice Young, H. Dickerson, A.H. 0/o W. E. Dixon"

Q3 Small white envelope hnd. in ink to John Marshall Harlan Supreme Court Washington, D.C., postmarked "Tuscarora, MD., Dec 5 1956 A.M."

Q4 Accompanying one-page letter hnd. in ink and pencil, hnd. "Notice that on Dec 15th...." and signed (This one containing two erasures)

Q1 through Q4 submitted for latent fingerprint examination.

67 JAN 22 1957
To the Board and Sons of Care

Young, D.O.B. June 15, 1886 and South Have in

our care a young D.O.B. June 1, 1889 and

sent three weeks of.

Sub. lonis. Returned separately 17-11

until dated 17-11-56 front.
REPORT
of the
FBI
LABORATORY
FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C.

To: SAC, Washington Field Office

March 13, 1957

FELIX FRANKFURTER
Associate Justice
U. S. Supreme Court - VICTIM
EXTORTION

Examination requested by: Washington Field Office

Reference: Airltel 3-6-57

Examination requested: Document 9-31352

Specimen:

Q5 Envelope addressed to "Felix Frankfurter Supreme Court Washington, D. C." and postmarked "TUSCARORA MD DEC 5 1956 A.M."

Q6 Accompanying one-page letter beginning "Notice that on Dec 15th..." and ending "

Results of examination:

It was concluded that the handwriting on Q5 and Q6, described above, was written by the individual whose handwriting is found on Q1 through Q4, previously submitted by your office with airmel dated 12-6-56.

Since no known handwriting specimens of have been received for comparison, it has not been determined whether this individual wrote the questioned writings on Q1 through Q6.

Q5 and Q6 are returned herewith. Photographs are retained.

Envelopes (2)
21-5861

Comm - FBI

HLD: LH

MAILED 30
Re: FELIX FRANKFURTER
Associate Justice
U. S. Supreme Court - VICTIM

Examination requested by: SAC, Washington Field Office (9-1038)

Date of reference communication: Airtel 3/6/57 Date received: 3/7/57

Examination requested: Document - Fingerprint

Result of Examination: 9-31352

Specimen submitted for examination

Envelope addressed to "Felix Frankfurter Supreme Court
Washington, D C. and postmarked "U.S. Dept. of
Dec 9, 1957 A..."

Accompanying one-page letter beginning "Notice
that on Dec 15th..." and ending "

Specimen Checks Amount Date Payable To Signed By Bank
AIRTEL

TO: DIRECTOR, FBI
FROM: SAC, WFO (9-1038)

SUBJECT: FELIX FRANKFURTER
Associate Justice
U. S. Supreme Court - VICTIM

Exortion

RewFRAirtel to Bureau dated 12/6/56, entitled

TOM C. CLARK, Associate Justice, U. S.
Supreme Court - VICTIM; JOHN MARSHALL HARLAN, Associate
Justice, U. S. Supreme Court - VICTIM; Bufile 9-31352

On 3/6/57, Marshal, U. S.
Supreme Court, furnished an Agent of WFO a letter
addressed to FELIX FRANKFURTER, Supreme Court, WDC,
postmarked 12/5/56, Tuscarora, Md. This letter is
identical in contents to the two letters submitted to
Bureau 12/6/56. This letter was also postmarked same
date as above-referred-to letters.

advised that he had received
letter addressed to Associate Justice FRANKFURTER
subsequent to turning over letters received by Associate
Justice CLARK and HARLAN and had retained letter to
Associate Justice FRANKFURTER.

Letter turned over by this
date discussed with AUSA who
declined on the same basis he previously declined and
stated "it is not the mailing of a threatening
communication within the meaning of the statute."

1 - Bureau
1 - Baltimore (Info)
1 - WFO
JJR: CBB
(5)

AIRTEL

Mr. Persons

Mr. Rosen
WFO 9-1038

The letter is being enclosed for appropriate examination by the FBI Laboratory.

Copy furnished Baltimore for information purposes only.
Laboratory Work Sheet

Recorded 3/7/57
BAB

LATENT

File # 9-31352
Lab. # D-246333 EE

Re: FELIX FRANKFURTER
Associate Justice
U. S. Supreme Court - VICTIM

Examination requested by: SAC, Washington Field Office (9-1038)

Date of reference communication: Air Tel 3/6/57

Examination requested: Document - Paraffin

Result of Examination: 

Specimen submitted for examination: 4

SPECIMEN CHECK# AMOUNT DATE PAYABLE TO SIGNED BY BANK

Q5 Envelope addressed to "Felix Frankfurter Supreme Court
Washington, D.C." and postmarked "TUSCARORA MD
DEC 5 1956 A.M."

Q6 Accompanying one-page letter beginning "NOTICE
that on Dec 15th..." and ending

ENCL.

4/1 - 01 from W-10 with until 12/6/56
Felix Frankfurter
Supreme Court
Washington, D.C.

9-31 1956
<table>
<thead>
<tr>
<th>Reporting Office</th>
<th>Office of Origin</th>
<th>Date</th>
<th>Investigative Period</th>
</tr>
</thead>
<tbody>
<tr>
<td>WASHINGTON FIELD</td>
<td>WASHINGTON FIELD</td>
<td>3/11/57</td>
<td>3/6/57</td>
</tr>
</tbody>
</table>

**FEDERAL BUREAU OF INVESTIGATION**

**TITLE OF CASE**

1. FELIX FRANKFURTER

ASSOCIATE JUSTICE, U.S. SUPREME COURT - VICTIM

**EXTORTION**

**Synopsis:**

Marshall, U.S. Supreme Court, furnished a letter addressed to FELIX FRANKFURTER, Supreme Court, Washington, D.C. Letter postmarked 12/5/56, Tuscarora, Maryland. The letter signed and stated "That on Dec. 15th, 1956 I is going to take over by force if necessary Deep Valley Farm which rightly belong to me and will Kill anyone trespassing on said property if you want to know why contact me at this address - 

Letter identical in content with letters sent on same day to Associate Justices TOM C. CLARK and JOHN MARSHALL HARLAN. Matter presented to AUSA who declined on basis it is not the mailing of a threatening communication within the meaning of the statute.

**Approved**

1. Bureau
2. USA, Washington, D.C. (Attention: AUSA)
3. Baltimore (Info)
4. Washington Field (9-1038)

**Special Agent in Charge**

RECORDER 10

MAR 14 1957

[Signature]

[Signature]

[Signature]
On March 6, 1957, Marshall, United States Supreme Court Building, furnished a letter addressed to FELIX FRANKFURTER postmarked December 5, 1956, at Tuscarora, Maryland. Said that this letter was signed and the contents of the letter were identical to letters postmarked the same date and same place from the same individual that were received by Associate Justices TOM C. CLARK and JOHN MARSHALL HARLAN.

Advised that as he had previously furnished two letters to the Federal Bureau of Investigation (FBI) that were identical and received from the same individual that he just retained the letter addressed to FELIX FRANKFURTER as he did not receive the letter addressed to FELIX FRANKFURTER until the latter part of December, 1956.

The letter received by FELIX FRANKFURTER stated:

"That on Dec. 15th, 1956 is going to take over by force if necessary Deep Valley Farm which rightly belong to me and will Kill and one trespassing on said property if you want to know why contact me at this address -

On March 6, 1957, this matter was discussed with the Assistant United States Attorney, who declined to authorize and stated it is not the mailing of a threatening communication within the meaning of the statute. Mr. stated that as he had previously requested that the statement of occupying by force and killing anyone trespassing as stated in the communication should be referred to the Maryland State Authorities, he did not think it necessary to again advise them as the letters received by Associate Justices CLARK, HARLAN, and FRANKFURTER were all postmarked the same date and sent by the same individual. It is to be noted that the Baltimore Division on December 12, 1956, advised that the Maryland State Police authorities were notified of the letters sent by
The above referred to letter was transmitted to the FBI Laboratory on March 6, 1957.
ADMINISTRATIVE DATA

No description is set forth for the subject of this matter inasmuch as no investigation was conducted consisting of an interview with the subject of this matter. Likewise no description was obtained of the victim as he was not interviewed. According to Mr[________] it was unknown to him whether Associate Justice FRANKFURTER was aware of the receiving of this letter.

LEAD

BALTIMORE DIVISION (INFORMATION)

One copy of this report is being furnished to the Baltimore Division in view of the fact that the subject of this matter resides within the territory of the Baltimore Division.

REFERENCE

WFO airtel to Bureau dated March 6, 1957.
DIRECTOR, FBI (9-26223)

UNKNOWN SUBJECT, WAS.

SUPREME COURT OF THE UNITED STATES - VICTIM
EXTORTION - BUIFILE #9-26223; YOUR FILE #9-936

TOM C. CLARK
ASSOCIATE JUSTICE, U. S. SUPREME
COURT - VICTIM; JOHN MARSHALL
MARLAN, ASSOCIATE JUSTICE, U. S.
SUPREME COURT - VICTIM;
EXTORTION - BUIFILE #9-31352; YOUR FILE #9-1038

Received 2/12/57.

Latents previously developed instant cases compared
with the fingerprints of the three individuals named in your
letter, but no identification effected.

The submitted fingerprints of [redacted] and [redacted] destroyed
in accordance with your letter.

1 - WFO (9-1038)
1 - BUIFILE (9-31352)
DIRECTOR, FBI (9-26223) 3/12/57
SAC, WFO (9-1038)

Attention: Identification Division
Latent Fingerprint Section

UNKNOWN SUBJECT was.

SUPREME COURT OF THE UNITED STATES - VICTIM
EXTORTION - FILE #9-26223; YOUR FILE #9-936

TOM C. CLARK
ASSOCIATE JUSTICE, U. S. SUPREME
COURT - VICTIM; JOHN MARSHALL
HARLAN, ASSOCIATE JUSTICE, U. S.
SUPREME COURT - VICTIM;
EXTORTION - FILE #9-31352; YOUR FILE #9-1038

Reference dated 1/28/57.

Referenced letter informed that latent fingerprints
were found on letters submitted in the two above entitled cases
and suggested that Marshall of U. S. Supreme
Court furnish names of any other individuals who may have handled
the letters received in above cases.

On 3/6/57, Marshal of U. S. Supreme
Court, advised that there was a possibility that three other
employees of the Marshal's Office may have handled the letters
received in the above cases; however, he pointed out that he
personally opens all mail addressed to the U. S. Supreme Court
and if he notes any threatening letters he immediately places the
letters in a cellophane envelope. Mr. [illegible] stated that on
occasions when he was not in the office it may have been possible
for [illegible] or RAYMOND E. HARDING or
[illegible] to have handled these letters.

RAYMOND E. HARDING advised he was born [illegible] at
Washington, D. C., and was fingerprinted by the Army and his
ASN is [illegible]

RAYMOND E. HARDING advised he was born 3/17/10, and had
never been fingerprinted before.

4 - Bureau (Encl-2)
2 - WFO
(1 - 9-236)
JNR: gar
(0)
advised that he was born at Washington, D. C., and that he had never been fingerprinted.

Fingerprints were secured for and RAYMOND E. HARDING and are enclosed for comparison with the latent prints found on the letters submitted in the above mentioned cases. It is suggested that the fingerprints of , ASN be compared with the latent prints found on the letters.

advised that his full name is, and that he was born at WASHINGTON, D. C. It appears that the fingerprints of the referred to in referenced Bulet are the fingerprints of Marshall of U. S. Supreme Court.

The fingerprints of and RAYMOND E. HARDING that are enclosed may be destroyed after they have served their purpose.
FEDERAL BUREAU OF INVESTIGATION
FOI/PA
DELETED PAGE INFORMATION SHEET
FOI/PA# 1452745-0

Total Deleted Page(s) = 12
Page 184 ~ Duplicate;
Page 185 ~ Duplicate;
Page 186 ~ Duplicate;
Page 187 ~ Duplicate;
Page 188 ~ Duplicate;
Page 189 ~ Duplicate;
Page 190 ~ Duplicate;
Page 191 ~ Duplicate;
Page 192 ~ Duplicate;
Page 193 ~ Duplicate;
Page 194 ~ Duplicate;
Page 195 ~ Duplicate;

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
X Deleted Page(s) X
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X For this Page X
XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX
Los Angeles, California
July 28, 1949

Honorable Tom C. Clark
5101 Department of Justice
Washington 25, D. C.

Dear Tom:

I wish to extend to you my heartiest congratulations on your appointment to the United States Supreme Court. This is a well-deserved honor and I know that you must feel most happy over your designation.

I do wish for you a continuation of the successes which have characterized your past and I want to express the hope you will have many years of service in the Court.

I have enjoyed working with you during the many years you have been in the Department and I am hopeful that the occasion will present itself from time to time when I might have the opportunity of seeing you. If any time I can ever be of service, I hope you will not hesitate to call upon me.

With best wishes and kind regards,

Sincerely,

[Signature]

LBN: FML

RECORD: D - 04

ALL INFORMATION CONTAINED HEREBIN IS UNCLASSIFIED
DATE: 7/28/49 BY: S E R T J A D
DATE: August 5, 1949

TO: THE DIRECTOR

FROM: D. M. Ladd

SUBJECT: Peyton Ford called me on August 4 in connection with the nomination of the Attorney General to the Supreme Court. He advised that on the morning of August 4 at a Republican Policy Meeting, Senators Ferguson and Kem had indicated an objection to confirmation and they stated that there had been too many stories appearing that confirmation was going along without any trouble and they wanted to know who was going to deliver their votes. Senator Taft told them nobody was delivering their votes, that they could vote any way they cared, but that the Republican Policy Committee didn't want any petty politics entering into it.

Ford stated that Senator Kem and Senator Ferguson had asked to have the records of the Executive Session of the Kansas City hearings in order that they might be made available to the Republican Policy Committee and that such a request has been made of Senator Hoey for a full record in the Kansas City testimony.

Mr. Ford stated he thought the Director should be advised of this. I subsequently advised the Director of Peyton Ford's call. Later in the day Mr. Ford talked to me and inquired as to whether I had advised the Director and I stated that I had done so. He asked if the Director had any suggestions and I advised that there did not appear to be any suggestions that the Director could make.

ADDENDUM: LBN: hmc; 8-8-49

Mr. Ford called me on the evening of August 4 and advised me along the lines of his advice to Mr. Ladd. He thought this should be called to the Director's attention. Mr. Ford was advised on August 5 that this had been called to the Director's attention and the Director stated he was taking appropriate steps to do what he could.
August 8, 1949

Honorable Tom C. Clark
The Attorney General
United States Department of Justice
Washington, D. C.

Dear Tom:

The volume, "Opinions of Attorneys General," Volume 40, which you so kindly autographed to me has been received.

I did want to thank you for your thoughtfulness in making this volume available and particularly for your gracious dedication.

Sincerely yours,

[Signature]

ALL INFORMATION CONTAINED HERIN IS UNCLASSIFIED.
OFFICE OF DIRECTOR
FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

August 1, 1949

The attached book was sent to the Director by the Attorney General. The notation on the flyleaf inside reads: "To Edgar - with admiration and affection - Tom C. Clark 7/20/49"

ALL INFORMATION CONTAINED HEREBIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE.

RECORDED 6/21/40

62-724/1-351

ALL INFORMATION CONTAINED HEREBIN IS UNCLASSIFIED DATE 6/16/83 BY L.R. BROWN
Office Memorandum

TO: MR. FLETCHER
FROM: D. M. LADD
SUBJECT: Mike Horan called my office on the evening of August 3 and brought with him a typewritten list of names taken from letters protesting the appointment of the Attorney General to the Supreme Court.

He indicated that he would like to have any identifying information furnished to him of the names on this list.

DML:dad

Date: August 5, 1949

Mr. Tolson
Mr. Clegg
Mr. Glavin
Mr. Ladd
Mr. Nicholas
Mr. Rosen
Mr. Tracy
Mr. Egan
Mr. Gurnea
Mr. Harbo
Mr. Kohr
Mr. Pennington
Mr. Quinn Tanna
Mr. Haase
Mr. Holmes
Miss Gandy

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

Date 6-16-82 by 88-8 GLF 100

RECORDED: 30-163-72944-368
EX-112 31 Aug 1949
Mrs. N. M. McWilliams  
222 W. 10 Street  
New York 11, New York

Shirley Ostrow, Shirley Amster, Ben Marcus, Vicky Helfan,  
Ruth Gottlieb, Murray Ostrow, Abe Amster  
New York, New York

Henry and Helen Montrose, Jane Baldwin, Eva Salzman,  
Harry Brown, Evelyn McBride  

Max Trachtenberg  
? N.Y.

Philip Keaten  

Irving Silves  
242 West 103rd Street  
New York City 25, New York

Junior Matrons Chapter of American Jewish Congress  
Mrs. Lionel Leon, President  
6630 Colgate Avenue  
Los Angeles, California

Adele Wasserman, Pearl Wasserman, Maxine Baris, Regina Templehoff,  
C. Knutzel, Ruth Soils, Irv Wasserman, Ral Engel, Estelle Jaffe,  
Arnold Jaffy, Mal-Wykes  
Brooklyn, New York

Luke Porteous  
Jackson Heights, New York

Citizens of Lower Chelsea Manhattan  
New York, New York

Kathryn Quadrus and John Quadrus  
San Pedro, California

Helen Klein  
Jackson Heights, New York

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  

DATE: 6/11/83 BY 8-7 0151 180

ENCLOSURE
Women Defenders of America, Inc.
Mrs. Grace Hahn de Fremery, President
77 Fairmount Avenue
Oakland 11, California

American Labor Party
Women's Division
Albany, New York

Esther Gross
Los Angeles, California

Halsey Jahn
99-99 65th Road
Forest Hills, New York

International Fur and Leather Workers Union - CIO
Local 49
George Merlo, Manager
429 Northampton Street
Easton, Pennsylvania

Concourse Club Alp
Bronx, New York City

United Electrical Radio and Machine Workers of America, CIO
Henry Rhine, International Representative
Philadelphia, Pennsylvania

National Lawyers Guild
Robert J. Silberstien, Executive Secretary
Washington, D. C.

Socialist Workers Party
Farrell Dobbs, National Chairman
New York, New York

Wm. C. Jones

Theo. Dunkel
New York, New York
Eliabeth Zahniser  
636 East 13th Street  
New York City

George F. Davis  
89 Crown Street  
Meriden, Connecticut

David E. Levy  
333 Fourth Avenue  
New York 10, New York

Mrs. Betty Shafarman  

Jeanette S. Turner  
41-44-48 Street  
LIC 4, NY

Mrs. John W. Masters (Catherine)  
323 West 11th Street  
New York 14, New York

Miss Naomi Gerk  
149 E. 40th Street  
New York 16, New York

Michael Scott  
68 Montague Street  
Brooklyn 2, New York

American Labor Party  
Arthur Schutser, State Executive Secretary  
New York, New York

J.W. Keerans, Attorney at Law  
Esperson Building  
Houston, Texas
Fraternal Council of Negro Churches in America
Lester M. Smith, Washington Director
318 Third Street, S. W.
Washington, D. C.

Building and Management Chapter of Local 1 UPW CIO
Anti Discrimination Committee and Executive Board
New York, New York

K. Orange Progressive Party
Daniel La Tindall, Jr., Co-Chairman
East Orange, New Jersey

Miss Lynne Specht
1681 Vyse Avenue
Bronx 60, New York

David and Babette Mann
New York, New York

Richard Viggers
Brooklyn, New York

Mr. and Mrs. Harold J. Levy
239 Bay 22 Street
Brooklyn, New York

Gunther Jacobson
36 West 44th Street
New York 18, New York

Charles T. Mohr
608 S. Manuel Avenue
Albuquerque, New Mexico

United Electrical and Radio Machine Workers of America
District No. 3
Leo Jandreau, President
Schenectady, New York

C. Krans, Harold Saletsky
Riverside, New York
Sam Arcus, Josephine Franklin, Gertrude Weisberg, Irene Schilling, 
Lee Ham, Gertrude Christinson  
Brooklyn, New York

GOPA Local 16  
11 E 51 Street  
New York City

Jeanne Fitchum, Abra Portes, Lillian Lipson, Alice Richheimer, 
Patricia Erenburg, Norma Harris, Alice Kaplan, Atlantis Marshall, 
Enice Schumacher, Ann Jacobson, Elaine Steinberg, Sylvia Ware, 
Gertrude Gris, Mariel Raynor  
Winnetka, Illinois

Seymour Hackerman, Wayne Sainsbury  
Riverside, New York

Ethel J. Fankel, Martha Greenfield  
Riverside, New York

Len Vega, Jayne Reich  
Riverside, New York

Bernice Bicjak, A. H. Mereson  
Riverside, New York

Al Moss, Ben Tepper, U. Beaver  
Riverside, New York

J. A. Truscott  
Bluemont, Virginia

W. Muland, E. Barnstein  
Riverside, New York

Dan Wade, Ross Feingold  
Riverside, New York

E. Sprotter, George Sherman  
Riverside, New York
Frances Juknes, Irving Fankem, Miriam Rosenbaum
Riverside, New York

Samuel Cooper, Thelma Stein
Riverside, New York

Miriam Feinstein, Beatrice Rubin, Jordan J. Corwin
Riverside, New York

Marylin Weiss, Sylvia Gilowits, Robert Weinstein
Riverside, New York

Gene Levitt, Martin Hamburger, Bernice Mann
Riverside, New York

Jean Fried, Gladys Miles, Bob Rubin
Riverside, New York

Amelia D'lmno, Thomas Fuchs, Michael Canter
Riverside, New York

Gertrude Sondersky, Rebecca Berman
Riverside, New York

Sheila Kaplowits, Terry Greene
Riverside, New York

Victor Ludwing, Julius Shapiro, Jessie Klein
Riverside, New York

Sylvia Weiner, Bob Laming
Riverside, New York

A. Hilkent, T. Rubin
Riverside, New York

George Behrbo
192 Decker Avenue
Staten Island 2, New York
Herschel and Patricia rosenthal
5735 Bowfield
Los Angeles, California

F. Rochman, F. Karpel
Riverside, New York

Jules Coe, Frannie Botzkin
Riverside, New York

Paul Hortwitz, Robert Kusner
Riverside, New York

Harry Davis, Walton Fridling
Riverside, New York

Ida Taub, Virginia Nicolson
Riverside, New York

Eve Fogelman, Irene Lubell
Riverside, New York

Murray Z. Paley, Louise Vena, Max Brodsky
Riverside, New York

Saul and Margery Shire
New York, New York

Charles P. Howard
Des Moines, Iowa

Freda E. Boss
Long Island City, New York

Morris U. Schappes
New York (?)

Leon Forer
Old Forge, New York
American Committee for Protection of Foreign Born
Rev. John W. Darr, Jr., Chairman, Board of Directors
23 West 26th Street
New York 10, New York

Mr. and Mrs. Abraham S. Endler
Jamaica, New York

American Labor Party
19 C. D.
Morris Goldin, Executive Secretary
82 Second Avenue
New York City, New York

Organisation Food, Tobacco, Agricultural and Allied Workers Union
of America CIO
John Tisa, Acting General President and Director
Philadelphia, Pennsylvania

Civil Rights Congress
Anne Shore, Executive Director
Los Angeles, California

Civil Rights Congress
George Marshall, Chairman of Board
205 East 42 Street
New York, New York

Kathleen Austin
59 Montgomery Street
Apt. #13
New York 2, New York

International Fur & Leather Workers Union of U. S. & Canada CIO
Ben Gold, President - Pietro Lucchi, Secretary-Treasurer
New York, New York

United Electrical Radio and Machine Workers of America
Albert J. Fitzgerald, General President
11 East 58th Street
New York, New York
United Electrical Radio Machine Workers of America
Executive Board Local 301
CIO Leo Jandrea Business Agent
Schenectady, New York

E. F. Parke
2786 Jerome Avenue
New York 58, New York

A. Soyer
83rd Street
Brooklyn, New York

F. C. Freeman
Brooklyn, New York

Yavorsky
214 Rockaway Parkway
Brooklyn, New York

National Council of Arts, Sciences and Professions
Clark Foreman, National Director
Brooklyn, New York

Ernest Rieland, Shirley Fubow, Herbert Prokof, Helen Friedman,
D. Lindberg, R. Mandel, Annette Grumenn, Irene Kiper, Mary Wilson,
Muriel Leener, Ida Kaufman
5 Beekman Street
New York City

Lee Drapkin, Len Drapkin, Sam Freedbaum, Ruth Freedbaum,
Jack Greenbaum, Bernard Stark, William Adler, Mary Schlossberg,
Emil Schlossberg, Lillian Drapkin, Pearl Ketchel, Elsie Ketchel,
Celia Schnitzer
Brooklyn, New York

Helga Aksahffenburg, Louise Seifried
Rockland, Maine

W. Ruberman
New York, New York
Leo Lerner  
New York, N. Y.

The Seattle Trade Union Civil Rights Committee  
Fred Berry, Chairman  
Seattle, Washington  

Anna Diamond, Bella Finkelstein, Ruth Nathanson  
330 W. 108th Street  
New York 25, N. Y.

Lou Edelman, Hank Gottlieb  
226 W. 108th Street  
New York City

Gladys Litt, Ruth Crystal  
280 Riverside Drive  
New York City

Anne and Jack Winkoff  
New York, N. Y.

Percy L. Greaves, Jr.  
7312 Hampden Lane  
Bethesda, Maryland

David Scribner  
11 East 51st Street  
New York 22, N. Y.
Office of the United States Attorney General

TO: DIRECTOR, FBI
FROM: SAC, HOUSTON

SUBJECT: COMMUNIST INVESTIGATION ATTORNEY GENERAL TOM CLARK

APPARENTLY CONFIDENTIAL

Referred 8-2-49. (u) (m)

that WENDELL ADDINGTON contacted JAMES J. GREEN and advised him he had obtained the complete report concerning the Texas State Senate Investigation involving Attorney General TOM CLARK. ADDINGTON advised this was a general investigative committee investigating financial activities in general. He states in this report Attorney General TOM CLARK's name appears in connection with alleged manipulation of the Southwestern Investment Corporation. He stated Mr. CLARK was also mentioned in connection with the investigation of the Texas Petroleum Council. Informant advised, according to ADDINGTON, this report set out Mr. CLARK received $12,000.00 for his services with the Texas Petroleum Council and the investigative committee was unable to determine what services Mr. CLARK performed. According to WENDELL ADDINGTON, the Council criticized Mr. CLARK for refusing to give such information.

ADDINGTON stated, according to the report, at the time of the investigation Mr. CLARK's partner was Mr. WILLIAM McCRAW, who was also Texas State Attorney General.

Informant also advised that ADDINGTON indicated that the report of the investigating committee criticized Mr. CLARK as being a hired lobbyist for the Safe Way Grocery chain stores while his partner, WILLIAM McCRAW, was State Attorney General.

Informant further advised WENDELL ADDINGTON was to contact Mr. JOE HILL, who was Chairman of the Investigating Committee, and endeavor to obtain a statement from Mr. HILL about the investigation.

ADDINGTON stated he would also check the newspaper editorials written during the investigation and would report to the Daily Worker in New York City.

Informant also advised JAMES GREEN contacted TOM NEAL, Organizer of the Progressive Party of Texas, and NEAL stated to GREEN he had checked the newspapers of Houston, Texas for any information that might pertain to this Senate Investigating Committee. Informant advised NEAL reported to GREEN that the papers merely mentioned the investigation and set out nothing of value to the Daily Worker.

This information is being forwarded this afternoon that furnished in referenced teletype.
Office Memorandum

TO: Director, FBI
ATTENTION: RESEARCH

FROM: SAC, Denver

SUBJECT: CRITICISM OF FORMER ATTORNEY GENERAL TOM C. CLARK

DATE: September 7, 1949

There is transmitted herewith for the Bureau's information a copy of a letter addressed to the Editor of Look Magazine, by Mr. SAM MENIN, Denver attorney, in which MENIN criticizes the position taken by former Attorney General CLARK in an article which appeared recently in Look Magazine. (U)

For the Bureau's information, MENIN is a Denver attorney who has been actively connected with the Communist Party for a number of years and has represented the Party and members of the Party on various occasions. No direct evidence is available of MENIN's membership in the Party but he is known to have had frequent contacts with Party leaders in Denver. (U)

The letter is being furnished for the Bureau's information. It was turned over to this office by the manager of Radio Station KVOO in Denver who had received a copy of it in the mail. (U)

RPK/mkg
Enclosure

AIRMAIL

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 60 SEP 22 1949 BY SE-8 (OPR)
September 3, 1943

Editor, Look Magazine
511 Fifth Avenue
New York 11, New York

Dear Sir:

It appears that Tom Clark finds it difficult to destroy the liberties of political minorities because lawyers throughout the land have in the highest tradition of their profession, and in pursuance to their oath to uphold our American Constitution, fought to defend the rights of the people.

In his article in Look of August 30, 1943, Clark indicates that lawyers who are Communists, or who act like Communists "should be scrutinized by grievance committees of the bar and the courts." This remark is apparently a follow-up of his speech before the American Bar Association, delivered in Chicago on June 21, 1946, where he stated that "our bar associations with a strong head should take these two brilliant brothers of ours to the legal woodshed for a definite and well deserved admonition." Thus, we have here clear inference that any lawyer who defends the rights of Communists or alleged Communists, should have his conduct "scrutinized by grievance committees", and in this way does Mr. Clark attempt to intimid
date and strike fear in the hearts of lawyers who would
defend political minorities whose views ran counter to those
entertained by the former attorney general who now holds
questionable place to our Supreme Court.

Mr. Clark seems to overlook the Scope of Ethics,
wherein there now is the following:

"The lawyer owes entire devotion to the interests
of the client, with zeal in the maintenance and
defense of his rights, and the exertion of his ut-
most learning and ability, to the end that nothing
be taken or be withheld from him, save by the rules
of law, legally applied. No form of judicial dis-
favor or public unpopularity should restrain him
from the full discharge of his duty. In the judicial
forum, the client is entitled to the benefit of any
and every remedy and defense that is authorized by
the law of the land, and he may exact his lawyer to
assert every such remedy or defense."

It seems to me that I, who defended the seven alleged
Communists in Colorado, and did so to the very best of my
capabilities, have been merely performing my duty as required
of me in the code of ethics which our profession follows. On
the other hand, I believe that Mr. Clark is guilty of a gross
violation of the rules of professional ethics by utilizing
public excitement against Communists, and using the public press
for in an effort to aid him extra-judicially in getting a con-
viction against the twelve leaders of the Communist party now
on trial in New York. Mr. Clark, in fact, was the chief counsel
for the government, acting through his deputies in the trial,
and therefore, had no right in view of Section 60, 26, which reads
as follows:

"It is unlawful for any person or persons
newspaper publications by a lawyer as to pending or
instituted litigation by advertisements in the form of
in the courts and otherwise prejudices the right of
such publications. Usually, they are to be excluded.
The article in Look Magazine with what appears to be Rogue Gallery pictures of the defendants and their numbers, although there has been no conviction as of the date of publication, certainly appears to me to be an attempt to influence the due administration of justice in the trial now going on in New York.

Dr. Clark, who as Attorney General was head of the department of justice, and the chief law enforcement officer of the United States acting directly under and by authority of the president. Yet an examination of his record would disclose that he has no regard for the legal and constitutional rights of the people. Dr. Clark has demonstrated an extraordinary disrespect for constitutional safeguards, when on February 5, 1943 he admitted before the Committee on un-American activities that he was perverting the law when he agreed that the Supreme Court of the United States found evidence insufficient to establish that a Communist, or one who believes in the principle of Communism comes within the provision of the deportation statute. Yet, he testified, "We are using deportation statutes to remove from among us those aliens who believe in foreign ideology." The meaning, of course, is clear that he was going after Communists despite the Supreme Court. He has permitted the FBI to be degenerated into a political police force. He has resorted to wire tapping and deprivation of rights of privacy guaranteed under the Fourth Amendment. He has, under the so-called loyalty order, listed organizations as subversive without even the semblance of a hearing before an impartial tribunal. He has applied the doctrin
of guilt by association, a doctrine foreign to our concept of justice, but which was acceptable by the Nazis. The department of justice is now holding for deportation persons merely on the grounds of association with a political party.

Mr. Clark has failed to protect the rights of the Negro people. He has refused to enforce the existing Federal laws for the protection of their civil rights.

As a member of the Bar, I refuse to be intimidated by a pronouncement such as Mr. Clark has made in Look Magazine. I expect to go on defending the rights of political minorities to the very best of my ability, and I feel that that is in conformity with the code of ethics for the legal profession, and is therefore binding upon me once I accept a retainer. I also feel that my conduct and the conduct of other lawyers who have acted on behalf of political minorities is entirely consistent with, and in pursuance of, the traditional rights of lawyers.

Respectfully yours,

Samuel D. Menin
Of the Colorado Bar

Endnotes
NEW YORK, N. Y.

August 23, 1949.

Director, FBI.

RE: COMMUNIST PARTY, USA—BRIEF,
INTERNAL SECURITY—C.

Dear Sir:

In connection with the article appearing in LOOK MAGAZINE, issue
of August 30 last, authored by Attorney General T. C. Clark, an agent of
this office has been privately advised by United States Attorney John F. X. McCahen
that he considers that the Department, especially Clark, has exhibited very poor
judgment in having this article published at this time. He is not of the opinion
that it will do any material harm to the trial of the 11 Communist leaders but
does feel that the comments in this article concerning Communist lawyers is
most inappropriate and unfortunate and only serves to give the defense attorneys
an instant case another ground for their charge of "hysteria prevalent throughout
the country." (U)

This is being submitted as an indication of McCahen's attitude and it
is requested that the Bureau accord it the strictest confidence. (U)

APPROPRIATE AGENCIES
AND FIELD OFFICES
ADvised BY DATING
DATE 8/77
Very truly yours,

EDWARD SCHNEIDER,
SAC.

CC: ASST. DIR. E. J. CONNELLEY
JFW: DJG
100-51752

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE RECEIVED BY SEP 21 1949

NOT RECORDED
100-3-74-5-1949
November 3, 1949

RECORDED - 28
62 - 72714 - 371

Honorable Tom C. Clark
Associate Justice of the Supreme Court of the United States
Washington, D.C.

Dear Tom:

Your kind note of October 27th has been received and I am most grateful for your commendatory references to my receipt of the Theodore Roosevelt award.

I was happy to be so honored and I am particularly pleased to know that you approve of the bestowal of the medal and the remarks which I made on that occasion.

Your friendly interest is deeply appreciated.

Sincerely yours,

H. H. Matt Booe

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

COMMUNICATIONS SECTION
MAILED 3
2 Nov 1 - 1949 P.M.

DEPT 3, DEPT.

63 DEC 1949
My dear Edgar:-

Congratulations on the Teddy Roosevelt Medal. It is only recognition well deserved. I did not know about it until I received a copy of your remarks. The third paragraph is a classic.

When you are this way do drop by-

My best to you.

Your friend,

Tom Clark /s/

COPY mpd

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE W/SGR BY 08-07-54

3-74
Supreme Court of the United States
Washington, D.C.

10/27 -

My dear Edgar:

Congratulations on the Teddy Roosevelt Medal. It is only recognition well deserved. I did not know about it until I received a copy of your reminiscences. The third paragraph is a classic.

RECORDED - 28

23 NOT 16 1949

When you have time do drop by.

My best hopes - your friend,

[Signature]
New York, N. Y.  
November 15, 1949

Mr. Hoover:

On November 3rd, Mr. Justice Tom Clark came to the city to attend a testimonial dinner to Irving Geist at the Waldorf. At Bureau instructions this office had a car meet him at the railroad station. When he stepped off the train and saw an FBI agent standing on the platform to meet him, he was obviously very pleased. He remarked in a joking manner to the agent, "Don't you read the newspapers?" The agent answered yes and asked why. The Justice then said with a grin, "Well, you know I'm not the A.G. anymore. They put me on the Supreme Court and I don't rate this cracker-jack FBI service." He then expressed his appreciation for the Bureau's kindness and courtesy.

Edward Scheidt
OFFICE OF DIRECTOR, FEDERAL BUREAU OF INVESTIGATION

FROM

TO

OFFICIAL INDICATED BELOW BY CHECK MARK

Mr. Tolson
Mr. Clegg
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Gurnea
Mr. Harbo
Mr. Mohr
Mr. Nease
Miss Gandy

See Me
Note and Return
For Your Recommendation
What are the facts?
Remarks:

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 6/16/83 BY 828 RETYCS
You are cordially invited to attend
the annual meeting and dinner of the
Dallas Citizens Council
honoring the Honorable Tom C. Clark
Associate Justice of the Supreme Court
of the United States
Crystal Ball Room, Baker Hotel
Dallas, Texas
at six o'clock in the evening
on Friday, December the thirtieth
Nineteen hundred forty-nine

Dallas Citizens Council
George MacGregor, President

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 12/16/183 BY ERGMM

MAILED 3
DEC 15 1949
COMM - FBI
R.S.V.P.
THE DALLAS CITIZENS COUNCIL
Dallas, Texas

Gentlemen:
I will attend the banquet in honor of Supreme Court Associate Justice Tom C. Clark as a guest of the Dallas Citizens Council.

______________________________________________
Signature

THE DALLAS CITIZENS COUNCIL
204 GREAT NATIONAL LIFE BLDG.
DALLAS, TEXAS

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 11/23/83 BY SE-8 275 PM
January 10, 1950

Honorable Tom C. Clark
Associate Justice of the
Supreme Court of the United States
Washington, D. C.

Dear Tom:

It was a distinct pleasure to learn
that you have been selected as "Big Brother of
the Year." (1)

I am happy for this opportunity to
join your many friends in offering sincere
congratulations upon your designation to
receive this award, in recognition of your
splendid contribution to the prevention of
juvenile delinquency. (1)

Sincerely yours,

J. Edgar Hoover

NOTE: Announcement of the award was made in Associated
Press dispatch datelined at Friday, January 9, 1950, and
appearing in the Washington Star on that date. (1)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1/10/50 BY STAFF
Justice Clark Named 'Big Brother' of Year

By the Associated Press

PHILADELPHIA, Jan. 9.—Supreme Court Justice Clark has been selected 'Big Brother of the Year.'

Selection of Justice Clark for the "Big Brother" award was made today by Big Brothers of America, an association of voluntary agencies engaged in the prevention of juvenile delinquency.

A scroll will be presented to Justice Clark at Washington January 16, in connection with the celebration of Big Brother Week, January 15-21.

The organization said Justice Clark was chosen because of his work, while Attorney General, in forming the Committee on Delinquency and helping to organize the Society of Sponsors which looks after boys in the national training schools.
January 18, 1950

BY SPECIAL MESSENGER

Honorable Tom Clark
Associate Justice of the Supreme Court of the United States
Washington, D.C.

Dear Tom:

Leo Cadison has advised that you desired six additional copies of the photograph of the members of your family taken at the Rose Garden at the White House last August and it is indeed a pleasure to enclose six copies of this photograph. (U)

With best wishes and kind regards, (U)

Sincerely,

[Signature]

Enclosure

NOTE: Cadison phoned on 1-16-50 asking if we could send direct to Justice Clark six copies of the photograph of his family and himself taken in the Rose Garden at the White House on August 21 or 25, 1949, when he was sworn in as Associate Justice of the Supreme Court. We have the negatives in the photographic section files and six finished copies have been made up for Justice Clark.
January 19, 1950

Dear Edgar:

I didn't realize that my request for additional copies of the family group picture had finally rested with you. At any rate I am very pleased to have them, and you were most thoughtful to send them over.

Many, many thanks.

With kind personal regards,

I am

Sincerely,

[Signature]

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

Hon. J. Edgar Hoover
Federal Bureau of Investigation
Department of Justice
Washington, D. C.
Office Memorandum • UNITED STATES GOVERNMENT

TO: Mr. Tolson
FROM: L. B. Nichols

DATE: February 28, 1950

SUBJECT:

On Tuesday, February 21, Miss O'Donnell, secretary to Justice Clark, called and stated the Justice had asked her to call and get the names of a couple of former Agents who could be used by a law firm in Austin, Texas. I asked her for further details. She did not have any. (U)

On Wednesday morning Clark saw me and stated that all he knew was that A. L. Works, who has one of the biggest law firms in Austin, had some litigation that he needed some assistance in and he wanted to secure the services of some former FBI Agent. Tom suggested we just give him the name of somebody now practicing law; that it was not necessary to recommend anybody. I told him we would check around. (U)

Later that morning, Peyton Ford called me and asked the same question. (U)

I have talked to Johnny Mohr and we both suggest the following names:

ALEXANDER P. PEDEN:

Peden's address is 3727 Albans Road, Houston 5, Texas. He resigned December 31, 1946, and is now practicing law in Houston. His office address is 906 Citizens State Bank Building. His record in the Bureau was excellent.

ROBERT L. HARPER:

Harper's address is 1203 City National Bank Building, Houston, Texas. He resigned November 14, 1947. His record was excellent.

I think we should give the names of both these men to Tom Clark and will do so if you agree. (U)

LBN: hmc
May 12, 1950

Honorable Tom C. Clark
Associate Justice of the
Supreme Court of the United States
Washington, D.C.

Dear Tom:

Your kind note of May 10 has been received
and I wish to express my heartfelt appreciation for
the congratulations which you extended on the occasion
of my Twenty-sixth Anniversary as Director of the FBI.
It was also thoughtful of you to make reference to
the anniversary which Mrs. Clark and you are celebrat-
ing this year, and I am glad for this opportunity to
wish you both many more years of happiness. (U)

I consider it a high privilege to serve as
Director of the FBI and it is my earnest desire that
the efforts of this Bureau will always be deserving
of the confidence and approval of the American people
to whom our services are dedicated. (U)

You have my deepest thanks for the friendly
interest which prompted your gracious letter.

Sincerely,

J. Edgar Hoover
Dear Edgar:

Congratulations on your 26th anniversary. This year marks mine also - but its of a wedding.

During these 26 years you too have been "wedded" to the service of your fellow Americans. That has meant much to us - the great American people.

Sincerely,

Tom Clark /s/

COPY mpd
Supreme Court of the United States  
Washington, D.C.

Dear Edgar:

Congratulations on your 26th anniversary. This year was nine also—But it's of a wedding.

During these 26 years you too have been "wedded" to the service of your fellow Americans. That has meant much to us—the great American people.

Sincerely,

[Signature]
Mr. Justice Clark
Supreme Court of the United States
Washington, D.C.

Hon. J. Edgar Hoover
Director, Federal Bureau of Investigation
Room 5633 - Department of Justice
Washington, D. C.

PERSONAL
Mr. Nichols:

As of interest, Alice O'Donnell in the office of Justice Tom Clark called and requested if at all possible a dozen copies of the reprint of the article on Civil Rights in the Iowa Law Review. (U)

Mr. Jones is mailing them to the Justice today.
<table>
<thead>
<tr>
<th>Name</th>
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<tr>
<td>Mr. Mohr</td>
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<td>Miss Gandy</td>
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<td>Mr. Holloman</td>
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<td>Mr. Ladd</td>
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<td>Mr. Belmont</td>
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<td>Records Sec.</td>
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<td>Mr. Nichols</td>
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<td>Mr. McGuire</td>
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<td>Miss Lurz</td>
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<td>Mr. Laughlin</td>
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<td>Mrs. Chisholm</td>
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<td>Mrs. Brown</td>
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<td>Mr. Wherry</td>
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<td>Mr. English</td>
<td>5627</td>
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See me ____________
For your info ____________
Note & return ____________
For appropriate action ____________

ALL INFORMATION CONTAINED HERIN IS UNCLASSIFIED
DATE 6/16/53 BY SP-887700

L. B. Nichols
Room 5640, Ext. 691
TO: Mr. Nicholas
FROM: M. A. Jones
DATE: June 4, 1953

SUBJECT: SPECIAL TOUR

NEPHEW OF SUPREME COURT JUSTICE TOM CLARK

Today, at 11:00 A.M., Agent Suttler met age 12, nephew of Supreme Court Justice Tom Clark, and his friend age 11, in the Director's Reception Room. With them was Justice Clark's chauffeur Oscar Bethea. Prior to the tour the group was introduced to Mr. Hoover.

They were taken on a very special tour of the Bureau which included the Laboratory, the Fifth Floor Exhibit Rooms, Traffic Diorama and the basement range where all three were given an opportunity to fire the Thompson submachine gun. They seemed to enjoy themselves thoroughly, and each expressed his appreciation for the courtesies extended at the conclusion of the tour.

It should be noted that the original memorandum gave the name as but young furnished the correct spelling as.

BMS:mmm
secretary to Justice Clark, called my office this morning and in my absence spoke to DeLoach. She explained that Justice Clark on several prior occasions has on a confidential basis submitted the names of several prospective law clerks to the Director and that the Director has seen fit to give him, the Justice, guidance regarding the background of the applicants in question. Miss stated that the Justice currently has prospective applicants and had instructed her to send the names over to the FBI for an appropriate check. She was advised that we would be glad to receive the names in question and that in the event we could be of any assistance, from the standpoint of guidance, we would be glad to do so. (u)

ACTION:

None until the names are received. (u)

CDD:arm

(3)

ADDENDUM: 5-16-55. CDD:arm. Application forms have been received from Justice Clark reflecting that the applicants for the above-mentioned positions are Mr. Arlington, Virginia, and Mr. Road, Arlington, Virginia. The Records Section has processed both forms and has found no information identical with either one of the applicants. Miss was telephonically advised of this fact on Friday, May 13, 1955. (u)

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE: [redacted] BY [redacted]

RECORDED - 8

INDEXED - 8

67 MAY 24 1958
ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

November 27, 1953

MEMORANDUM FOR MR. TOLSON
MR. NICHOLS
MR. LAMIT

Mr. _______ of the International News Service called me today and stated he had a request from New York to write what they know in Washington of what former Attorney General Tom Clark told former President Harry Truman about the Harry Dexter White case and whether there is a feud on between Truman and Clark because Clark refused to speak. Mr. _______ said he would like to read me what they had prepared, since Mr. Nichols was out of the city, and he then read the following:

Former President Harry S. Truman today is still waiting for Supreme Court Justice Tom Clark to make public his knowledge of the Harry Dexter White Case. Aside from Truman, Justice Clark is the only living witness to the actual handling of the White case. The points that Truman and his entourage are in a hot feud with Clark over his silence are denied by the former President's close friends. Clark was Truman's Attorney General at the time of the White case; however, Truman's friends confirm that the former President and his present advisors are "deeply disappointed" over Clark's failure to disclose the full circumstances surrounding the retention of White in the Government service. It can be stated authoritatively that both Mr. Truman and a close adviser spoke to Clark by telephone, prior to Friday, November 13, last, when the Justice announced he would not respond to a subpoena from the House Committee on un-American Activities to discuss the White case. Until that announcement, the former President and his advisors fully expected Clark to make public a letter to the Committee supporting Mr. Truman's handling of the case. When Clark failed to write such a letter, friends report Truman observed, "I feel pretty bad because Clark has let me down." (u)

The Clark version was given out in a nutshell on the afternoon of Friday, November 13, last, by Representative Walters, Democrat from Pennsylvania. It was that J. Edgar Hoover, FBI Chief, had recommended the Truman action. Hoover indignantly denied it later that afternoon. Indeed it was this thing by Walters that persuaded Hoover to appear before the Senate Security Meeting a few days later to brand the Truman action unwise and one that actually hampered the FBI's efforts. The Walters' statement, Hoover's indignant denial of it, and the silence that day all influenced the former President against using Hoover's name when making his report to the nation on Monday night, November 16, last. (u)
Here is what Truman's friends said Clark could have put in that letter: "Former Secretary of State James F. Byrnes called Mr. Truman's personal attention to February 6, 1946, to an FBI report dated February 1, 1946, warning the Administration that Henry Dexter White was suspected of a Soviet spy ring. When, then an Assistant Secretary of the Treasury, had been promoted by Mr. Truman some weeks earlier to a post as U. S. Representative of the International Monetary Fund. The President sought to block White's confirmation only to learn the Senate had acted about thirty minutes earlier. Mr. Truman thereupon asked the Secretary of Treasury, the late Fred Vinson, to confer with Clark and recommend a course of action. On February 21, 1946, Vinson and Clark talked with J. Edgar Hoover, head of the FBI. At this luncheon Hoover told Vinson and Clark about Elizabeth Bentley, confessed Soviet spy, who had given him the preceding year a complete disclosure of all her knowledge of Soviet spy activities. Hoover further stated that he then at that very moment trying to reinstate Miss Bentley into her old position in the Soviet spy apparatus and that any disturbance of the spy ring might destroy this effort. Hoover further declared he wished White promoted so that he might not be tipped off to his own surveillance or FBI knowledge of his connection with the spy ring. Hoover said the FBI policy was to maintain contacts on each spy and spy suspect until an entire ring could be exposed. Hoover added to add one spy from the Government would increase the FBI work until its Agents identified the man sent to replace the second spy. V inson and Clark, a few days later, reported their recommendations to Mr. Truman, based on Hoover's concurrence. As a result, Mr. Truman signed White's promotion commission on February 21, 1946. Many months later, in 1947, Hoover reported that Miss Bentley had failed to recover contacts with her old Soviet spy associates. Mr. Truman was notified there was no longer any need to keep White in his post. As a result, White resigned and received a very friendly letter from the former President to keep him from being alerted of the FBI investigation of the Soviet spies. (2)"

This in effect is what Truman's friends said Clark told both the former President and one of his advisors just prior to Friday, November 18, last. J. Edgar Hoover, without knowing of the Clark version, denied it in its entirety when he testified before the Senate Security Committee on Monday, November 19, last. Hoover angrily denounced as incomprehensible reports that the FBI would agree to promote a man within the Government who was suspected of being a spy. He said also he had personally informed Clark that White's promotion was unlawful. He added that such promotion would increase the size of the FBI to keep White under surveillance because the Monetary Fund was located in extra-territorial rights which would individualize the FBI. The FBI directly reported Clark and Vinson agreed to make three recommendations to (4)
Mr. Truman. They were: (1) to fire White without any statement; (2) to ask White to resign; (3) to let White take the new post while keeping him under surveillance and surround him with loyal Americans. Hoover added the two Cabinet members agreed that if White were asked to resign and refused, then the third plan should be adopted. He denied taking any part in recommending this program. The former President, he advised, relied heavily on the Clark version because they were unable to find Truman's files bearing directly on the case. At that time, February 20, 1946, Truman was then confronted with many grave problems affecting the Nation. He had a nation-wide steel strike on his hands which was forcing mines and factories to close; he had a tugboat strike raising up New York Harbor; railroad workers were threatening to strike too; his advisors were preparing plans for the Paris Peace Conference; therefore, he had to rely largely on memory and what Clark told him, since Vioon in death, Truman's friends wonder why Clark reversed the decision to write the letter. One supposition is that he was warned that Edgar Hoover might deny the story if he told it. (U)

Mr. ____ then asked if I had any comment on the above. I asked him where he had gotten this quoted material and he stated this was in effect what Murphy told them; that Murphy got it from Clark; and Truman had told them personally that he had talked to Clark and that Clark was going to clear the whole thing up that Friday by issuing a letter to the Committee by noon, and Truman had the props knocked from under him when Clark didn't issue the letter. I stated the story which was told was absolutely untrue and fortunately for the Bureau, I had dictated memoranda covering the luncheon. I stated I understood they were going on the assumption they could get by with this false story and that I would not respond. I stated I certainly did not want to get into this controversy but had been pushed into this thing by the circulation of this story by Clark and Murphy reflecting on it. I stated I had no personal feeling about President Truman whatever, although certain elements were trying to make it appear I did. (U)

Very truly yours,

[Signature]

John Edgar Hoover
Director

| SENT FROM B O. |
| TIME 6:15 1/4 |
| DATE 12-1-46 |
Office Memorandum • UNITED STATES GOVERNMENT

TO: Mr. Tolson

FROM: L. B. Nichols

SUBJECT: HARRY DEXTER WHITE

called to my attention a rather interesting fact. The first press run of Newsweek Magazine for November 23, 1953, page 26 and 27 tells in some detail the same story that was planted with International News Service (INS) (by Charlie Murphy). This story in Newsweek states that Truman told Vinson that he was White’s boss and to get the mess cleaned up. Vinson got in touch with Tom Clark who called in the Director. The Director raised a problem, namely, that while Bentley had broken with the Communists, the Communists did not know it and the FBI had asked her to resume her old contacts. They had put shadows and wire taps on all the subjects including White to accumulate evidence that could be taken into court. The Director stated that if White were fired, he would realize the FBI had been spying on him and not only would break off contacts with Miss Bentley, but would alert other members of the ring. Clark and Vinson discussed the problem and decided to hold off taking any action on White until the FBI finished its investigation. The Bentley operations never did work out. She was unable to re-establish her contacts and the FBI told her to stop trying. When Clark heard of this he told Vinson, who at once went to see White. He told White he wanted him to resign. White didn’t ask why. He evidently knew the reason. He simply said all right.

The subsequent edition puts the emphasis upon the Truman Monday night speech. Photostats of the two versions are attached. The first is marked A and the second B. In this connection Hutchinson told me that the first edition of the New York Times for Saturday, November 14th, carried the same version that he had prior to its being revised which causes him to believe that Krock’s source was the same as his (Charlie Murphy); however, the Sunday News of the Week Review of the New York Times carries the original version which indicated that a copy of Krock’s original story before it was revised was furnished to the News of the Week Review writers who prepared their copy from the original version without making the corrections.

In checking on this concludes, and this was an accidental conversation, that since there is a slight variation and more detail in the Newsweek story that the Newsweek people must have gotten their information from Tom Clark or somebody close to Clark, or conceivably Charlie Murphy had talked to Clark.

cc - Mr. Ladd
cc - Mr. Belmont
Attachments

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 6-10-53 BY 88-5

577
TO: Mr. Tolson

FROM: L. B. Nichols

SUBJECT:

[Redacted] informed me on November 8, 1953, that he is more and more convinced that the Senate Internal Security Committee is on the verge of exposing the Communist cabal which has sought to impede the Bureau over the years.

He stated in the strictest of confidence that [Redacted] had informed him that [Redacted] was in the office of [Redacted] on one occasion when Tom Clark called [Redacted] and "raised hell about the FBI sending reports to the White House." [Redacted] is reported to have told Clark that he was just a messenger boy and then, according to [Redacted] Clark subsequently called the Director on the carpet and asked why the Bureau was sending reports to the White House. The Director was reputed to have said he was doing it pursuant to Executive Order.

[Redacted] stated that it was the work of the Bureau that resulted in Hiss's conviction and resulted in Remington's conviction, and it was the Bureau's work which made it possible for the current exposure of Harry Dexter White, and that the Communist element has never gotten their revenge, although they have tried over the years.

cc: Mr. Ladd
Mr. Belmont

LBN:arm

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 6/16/53 BY 88-1,671R40
MEMORANDUM FOR THE DIRECTOR

Re: Justice Tom C. Clark

SAC Powers called from Miami today and advised that former Special Agent Arthur Crowl, who is now an investigator for the Keating Committee, had just been in the Miami Office. He stated that Crowl is conducting an inquiry concerning allegations which the Committee received from Dan Sullivan, also a former Agent and now attached to the Miami Crime Commission, to the effect that in 1940 Clark stayed for a few days at the home of Miami Shores. Crowl indicated that he is now deceased but was at one time the bodyguard and chauffeur for Al Capone. He was also supposed to have put up $300,000 for the release of four members of the Capone gang some years ago.

Crowl is said to have attended the races with Clark. In an effort to run this information down, Crowl has talked with Dan Sullivan and with a real estate dealer in Miami who is Sullivan's informant, and said that Crowl told him that Clark had stayed at his home. According to Crowl, the Committee is also considering a possible interview with Mrs. , a sister of who is said to be in a position to be able to furnish concrete evidence whether or not the allegations are true. Crowl indicated, however, that there was a good possibility that the interview with Mrs. would not be conducted in Miami but that she would be subpoenaed to appear before the Committee in Washington, D.C.

Crowl is supposed to have commented that the Committee is doing considerable digging into the activities of Justice Clark. No request for information from the files of the Miami Office has been made. Crowl's purpose in calling at the office, according to Powers, was to advise the Bureau of the inquiry which he is conducting in Miami. Powers stated that additional background information concerning Hickey is contained in a letter to the Bureau from Miami dated June 7, 1950, captioned, "Survey Concerning Prominent Underworld Figures Being Made By the United States Attorney's Office, Crime Survey."

Respectfully,

J. A. Beizoo

MAY 18, 1953
Ray Tucker

Supreme Court Justice Tom Clark’s friendship and toleration of the discredited Theron Lamar Caudle have now been topped by his judicial associates’ 8-0 condemnation of his handling of the case involving his country’s most notorious Russian spy in the “cold war”—Judy Coplon. He contributed directly to what legal experts call a lamentable miscarriage of justice.

Although a federal court in New York held that her guilt was “plain” in slipping official secrets to a Stalin agent, former Attorney General Clark’s illegal tactics in obtaining evidence and prosecuting her may let her go free of indictment against her here and in New York City.

This miscarriage of justice will result because Clark permitted J. Edgar Hoover and his FBI men to engage in lawless methods in arresting and building a case against her. Although Hoover does not dominate most recent A.G.’s, lawyers and jurists cannot understand how Clark could have been so submissive, so reckless and so injudicious in his swashbuckling enforcement methods.

BLUNDERS—Although Miss Coplon may be retried, most legal authorities believe it would be futile because of the Clark-Hoover tactics. They knowingly violated the safeguards which the Constitution and Federal statutes have created for even obviously guilty persons.

A New York court ordered a new trial because FBI agents arrested the girl and ransacked her handbag for incriminating documents without a warrant. D of J lawyers could not defend this, and other, blunders. In view of the fact that she was under constant surveillance, the FBI had plenty of time to obtain a warrant without any danger of her escaping them.

The FBI’s use of illegal wiretapping to obtain evidence aroused the anger of Judge Sylvestor Ryan in New York. Agents did the eavesdropping to reconstruct what they said they heard from the lips of the conspirators from memory or fragmentary notes because the recording disks they had used had been destroyed for some inexplicable reasons. Thus the government had no valid evidence.

INEPT—Department of Justice prosecutors fought stubbornly but unsuccessfully to prevent any disclosure of the fact that the law against wiretapping had been broken by the FBI agents, and presumably with the knowledge and approval of Clark. He did not participate in the Supreme Court’s discussion and ruling on the Coplon case.

In the Washington trial there were other evidences of blundering. The court severely criticized government lawyers and agents for having wired tapped privileged conversations between Miss Coplon and her counsel, thus nullifying a defendant’s most respected and closely guarded right.

Condemnation Of Clark

gestions that he should resign or be impeached, as did his failure to check up on Caudle’s questionable tax operations and friendship with known criminals.

Neither a resignation nor impeachment is expected, however. When the latter question was discussed by members of the House Judiciary Committee, veteran members pointed out that stupidity and ineptitude are not grounds for impeachment, although there have been interpretations to that effect.

Mr. Clark’s White House friends have counseled him to “sit tight,” as they have done with Attorney General J. Howard McGrath. President Truman realizes that he cannot afford to let such important personages develop “ill health” on the eve of a Presidential campaign, especially as the Righter, he is backing Senator Russell of Georgia or Senator Byrd of Virginia for nomination.

POLITICS—The Supreme Court, on the same tempestuous day when it condemned its silent colleague from Texas, neatly sidestepped a political problem that might have embarrassed the Democrats in the forthcoming political scrap if the honorable judges had arrived at a definite and final decision. It involves the question of racial segregation in South Carolina’s elementary schools.

The official ruling did not mention politics, of course. But there is not a man on the bench, all of whom have had active political careers, who did not realize, and possibly chuckle, over the implications.

Ironically, two figures deeply involved are Chief Justice Fred M. Vinson, a possible Presidential nominee, and former Associate Justice James P. Byrne, now Governor of South Carolina and an anti-Truman States Righter. He is backing Senator Russell of Georgia or Senator Byrd of Virginia for nomination.

SEGREGATION—The case involves the complaint of Negroes in Clarendon County, S. C., against segregation in the school system. They contend it violates the Federal Constitution. They also argue that colored children cannot obtain a suitable education even under a program giving them “equal but separate” facilities, which is the South’s method of solving the problem.

A three-judge federal district court held last June that segregation was not unconstitutional. But it did hold that educational facilities were not satisfactory for color pupils, and gave the authorities six months in which to remedy conditions and report back. Governor Byrnes immediately inaugurated a $75,000,000 building program for Negro youngsters.

The Supreme Court held that the six-month report from the lower court was not sufficiently specific and remanded the case for further study. It is obvious that “equal” facilities cannot be constructed before the November election. In fact, any report from the school or judicial authorities of South Carolina will reach the High Tribunal too late to be acted on before the ballots are counted next November.
June 8, 1956

Honorable Tom C. Clark  
Associate Justice of the 
Supreme Court of the United States  
Washington, D. C.

Dear Tom:

Many thanks for your note of the 5th. I am very glad I had the opportunity to see Mr. Jackson and his son, and I am deeply pleased that they enjoyed their visit. (3)

With kindest personal regards and best wishes, (3)

Sincerely,

NOTE: Robert M. Jackson, Editor in Chief of the "Corpus Christi Caller-Times," Corpus Christi, Texas, and his son, Bobby, toured the Bureau and met the Director on 6-4-56. (3)

HPL: meb
(3)
OFFICE OF DIRECTOR
FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

Supreme Court of the United States
Washington 13, D.C.
6/5

Dear Edgar:

Thanks for the gracious reception that you gave our old friends the Robert Jacksons. They were thrilled.

It was so nice of you to see them and I appreciate it the more knowing your busy schedule.

Best wishes as always.

(Tom C. Clark)

COPY:hmb

The Director saw the Robert Jacksons on 6-4-56.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
June 7, 1956

Honorable Tom C. Clark
United States Supreme Court
Washington 13, D. C.

Dear Tom:

I am very happy that you called us about your friend, Bob Jackson, and his son of Corpus Christi. I enjoyed so much seeing them last Monday morning when they called at the Bureau, and I hope you will never hesitate to let us know when a situation such as this arises.

It was very kind of you to comment as you did in your personal note to Mr. Nichols.

With best wishes and kind regards,

Sincerely,

Edgar

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 6/7/56 BY 88-8-88888888
Supreme Court of the United States
Washington 13, D. C.

6/5

Dear [Name]:

Thank you so much for arranging the wonderful reception for The Bob Forecrows. They were certainly enthusiastic over seeing Mr. Hoover.

Very sincerely,

[Signature]
I am most grateful for your kind offices, for which I am grateful.

Sincerely,

[Signature]
Dear Lou:

Thank you so much for arranging the wonderful reception for the Bob Jacksons. They were certainly enthusiastic over seeing Mr. Hoover. All of which was the result of your good offices - for which I am grateful.

Sincerely,

Tom Clark
Supreme Court Justice Tom C. Clark called me on Friday, June 15, to see if we could help out in the following situation. His driver and messenger is [name] who has had [days] since the days when he was Attorney General. The driver has a son, [name], who is now 16 years of age, and Clark is trying to help find a summer job to keep the boy busy. Salary is no consideration.

Tom was wondering if there is anything we could do to help out. I told him that, first of all, we could not do anything here since we had discontinued making summer appointments and, furthermore, the only summer appointments we had made were those who had worked in the Bureau previously and were 17 years of age or over.

Tom then wondered if we had any suggestions as to where the boy might get a job and, if any thoughts occurred, would we let Miss [name] know. I told him that we would keep this in mind and, if we had any thoughts, we would call Miss [name].

Clark stated that he is going to Rehoboth for a couple of weeks and, when he got back, he wanted to come by and have a visit with the Director.

Mr. Mohr doesn't know of any agencies although the possibility exists that the D. C. Highway Department or the Department of Agriculture might at some of their experiment stations utilize this summer employee. I see no point, since we do not know, of making this suggestion and in a few days I will call Miss [name] and tell her that we have been giving this some thought and just do not have any suggestions.

cc - Mr. Holloman
LBN: rm (3)
Office Memorandum

TO: Mr. Tolson

FROM: L. B. Nichols

DATE: January 17, 1957

SUBJECT: [Blank]

Secretary to Justice Tom Clark, called my office 1-15-57, and spoke to DeLoach. Justice Clark had received a letter from the captioned individual, who resides in Utica, New York, and identified himself as a consultant in labor relations. Desired that Justice Clark send him a letter endorsing plan to start a program honoring the origin of the Supreme Court. The Justice desired a little guidance before sending such a letter. (U)

After checking, DeLoach called Miss [Blank] and told her we had never investigated any individual of the captioned name. It was indicated that the Identification Division records reflected the arrest and subsequent conviction of an individual by the name of [Blank] Utica, New York, on charges of grand larceny. He was sentenced to ten years in prison. Miss [Blank] was advised that we had no information which would reflect any connection between the two names but that both individuals were from the same city. (U)

She expressed appreciation and indicated that she doubted very seriously if the Justice would desire to endorse project. (U)

ACTION:

For record purposes. (U)

cc - Mr. Jones

CDD: rm

INDEXED - 32
RECORDERD-32

ALL INFORMATION CONTAINED HEREIN ISUnclassified DATE 6/16/57 BY 88-882721
August 22, 1957

PERSONAL

Honorable Tom C. Clark
Associate Justice of the Supreme Court of the United States
Washington 25, D. C.

Dear Tom:

I am transmitting herewith a series of photographs taken of your wife, and you, and your associates on the "Queen Mary" on the occasion of your recent trip to England. (1)

I do hope that both of you had a very relaxing vacation although from the accounts which I have received from London, you must have been exceedingly busy. (1)

With best wishes and kind regards.

Sincerely,

[Signature]

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

Enclosures (5)

cq-Mr. Jones

LBN:jmr

(4)

HWG:eah

Tolson
Nichols
Boardman
Belmont
Mohr
Parsons
Rosen
Tamm
Trotter
Nease
Tele. Room
Holloman
Gandy

COMM. FBI
AUG 22 1957
MAILED 19
Date: August 23, 1957
To: Director, FBI
From: Legat, Rome
Subject: VISIT OF JUSTICE AND MRS. TOM C. CLARK TO ITALY

The American Embassy
Rome, Italy

Re London memorandum dated 8/1/57 forwarding the itinerary of Justice TOM C. CLARK.

At the request of this office, Justice CLARK was called upon by the Questore (Chief of Police), A. PACE, Venice, Italy, on 8/19/57. An English speaking police officer was placed at the disposal of Justice CLARK to act as guide and interpreter during his stay in Venice.

On 8/21/57 the Legal Attache called upon Justice CLARK at Venice, Italy. Justice CLARK was most appreciative of the attention and assistance rendered him by the Italian Police through this office.

Justice CLARK requested that his regards be expressed to the Director and to Assistant Director LOUIS B. NICHOLS.
Date: September 4, 1957

To: Director, FBI

From: Legat, Paris (66-62-65)

Subject: VISIT OF JUSTICE AND MRS. TOM C. CLARK (U)

Justice and Mrs. TOM C. CLARK arrived in Paris on 8/26/57 and were met by the agents of the Paris office. They had previously arranged transportation through the American Express Company (U).

It was possible to obtain theater tickets for the CLARKS, and this office was in contact with them on several occasions. They were very appreciative of the courtesies extended. They left on 9/2/57 for Spain. (U)

LEG: CH
Mr. Tolson:

I delivered this afternoon the Director's letter to Major General Harry H. Vaughan at his residence in Alexandria. He seemed to be very pleased that the Director had furnished him the background in this matter and stated as the Director mentioned, of course, he had access to no files and his letter to was had been based strictly on memory. He stated he had sent the letter to Pearson thinking if he had any decency and any desire whatever for accuracy he might consider publishing the letter but stated he, of course, realized that was wishful thinking. In reading the letter he reminisced as to the various things Pearson had accused him of, stating the only things Pearson never accused him of were having a mistress or an illegitimate child and, of course, he was very vindictive concerning Pearson and his writings. As to Pearson's complaint concerning him, referred to in the Director's letter, he stated that obviously the only reason Pearson had made this complaint was so that he could publish it in the papers and leave an inference in the minds of some people that he, Vaughan, had been investigated by the Bureau. He stated he distinctly recalled that Pearson had announced on the radio a day or two later that such an investigation was under way. He likewise reminisced that he didn't feel Tom Clark had been entirely open and above board in connection with the investigation since he felt Clark should have called it to his or to the President's attention rather than it being necessary for the Bureau to advise him, but he stated he realized Tom Clark was playing along with Pearson which probably explained the situation.

He inquired at some length concerning the Director's well being, was wondering how long the Director had been head of the Bureau, commented upon his Fortieth Anniversary in the Department of Justice, and he stated he saw no reason, due to the Director's vigor and excellent health, why he should not remain as head of the Bureau for at least another ten years or so. In parting he asked that his very warmest regards be extended to the "Boss."
September 24, 1957

Honorable Tom C. Clark
Associate Justice of the
Supreme Court of the United States
Washington 25, D. C.

Dear Tom:

In line with our conversation on Monday, I am attaching hereto a copy of the recent legislation in the Jencks case, together with the House and Senate reports on the subject. Since the opinion of Judge George H. Moore was used as a basis for the conferees' report, there is also enclosed the text of his decision.

With best wishes and kind regards,

Sincerely,

L. B. Nichols

Enclosures (5)

LBN:jmr

(Note: cover memo from Nichols to Tolson 9-24-57 LBN:jmr)
September 18, 1957

Honorable Tom C. Clark
Associate Justice of the
Supreme Court of the United States
Washington, D. C.

Dear Tom:

It was very thoughtful of you to write on the 12th, and I am glad to know that Mrs. Clark and you liked the photographs taken on the Queen Mary.

All of us were happy that we had the opportunity to assist you during your trip, and I was gratified to learn that our people helped make your visits to the various cities in Europe more pleasant. Your favorable report on the work of our representatives is certainly encouraging.

I have conveyed your thanks to Nick, and he joins me in expressing our appreciation for your kind letter.

Sincerely,

cc - London, with copy of incoming
cc - Rome, with copy of incoming
cc - Madrid, with copy of incoming
2 ccs - Paris, with 2 copies of incoming
cc - Personnel file of SA John A. Cimperman, with copy of incoming
cc - Personnel file of W. T. Brooking, Jr., with copy of incoming
cc - Personnel file of , with copy of incoming
cc - Personnel file of with copy of incoming
cc - Foreign Liaison Unit

Dear Edgar:

Mary and I just returned and the prints of the Queen Mary pictures were a hearty welcome home. It was thoughtful of you to send them.

In London Mr. Nichols took excellent care of us—furnishing cars etc. Mr. Cimperman S.A.C. was very helpful. He wrote agents in other European capitals and each was very thoughtful. In Paris we saw Brookings and in Venice and in Madrid. The agents were away so she came to meet us. While we had arranged for a car at each spot (through the American Express) it was certainly good to see a friendly face in these foreign parts.

You will be pleased to know that your people in Europe are all up to the high standards of the Bureau. I heard good reports on all sides.

Please thank "Nick" for me. Hope to see you soon and that your summer leaves you in good shape.

Yours,

/s/ T. C. C.

(Tom C. Clark)

Copy eam

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 9/12/83 BY 8-8 05:50P
Supreme Court of the United States
Washington 25, D. C.

CHAMBERS OF
JUSTICE TOM C. CLARK

Dear Edgar:

Mary and I just returned and the prints of the Queen Mary pictures were a hearty welcome home. It was thoughtfully of you to send them.

On landing Mr. Nichols took excellent care of us—furnishing cars etc. Our Camperman, S.A.C., was very helpful. He wrote agents in other European capitals and each wrote very thoughtfully.

In Paris we saw Brookes.

In Seville and Mrs. in Madrid. The agents were away so the cause of meet us. While we
I had arranged for a car at each stop (through the American Express) it was certainly good to see a friendly face in these foreign parts.

You will be pleased to hear that your people in Europe are all up to the high standards of the Bureau - I heard good reports on all sides.

Please thank "Nick" for me - Hope to see you soon and that your summer leaves you in good shape.

Yours -
October 23, 1957

BY SPECIAL MESSENGER

Honorable Tom C. Clark
Associate Justice of the
Supreme Court of the United States
Washington, D. C.

Dear Tom:

On Wednesday evening, November 6, 1957, a banquet will be held in Sheraton Hall at the Sheraton-Park Hotel in conjunction with the Retraining Session of the FBI National Academy. I would like to invite Mrs. Clark and you to be honored guests at the head table for this affair, which begins at 7:00 p.m. I would also be very happy to have you join us for the cocktail party which will precede the banquet, starting at 6:30 p.m. in the Continental Room.

I do hope that we will have the pleasure of your company for this occasion.

With kind personal regards,

Sincerely,

Edward

Dress - black tie
R.S.V.P.
cc - Mr. Parsons
cc - Mr. Tamm
cc - Mr. Nease

NOTE: See memo dated 9-26-57 from Executives Conference to Mr. Tolson, captioned "Retraining Session of FBI National Academy Associates, November 4-8, 1957."
October 29, 1957

Honorable Tom C. Clark
Associate Justice of the
Supreme Court of the United States
Washington 25, D. C.

Dear Tom:

I appreciated so much your kind words of October 22nd. Leaving the Bureau was the most difficult decision of my life because of my personal feelings toward Mr. Hoover, my associates and the mission of the organization. This act was prompted solely by personal considerations and family obligations.

After a good vacation, I will then consider one of three flattering offers and get back into the harness. Wherever I may be, you may rest assured that if the opportunity would ever present itself, I would be happy, indeed, to be called upon for any service as I do appreciate your friendship over the years.

With every good wish,

Sincerely,

L. B. Nichols

LBN:eJP

(3)

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 6/12/83 BY SP-8-87320

68 NOV 18 1957
Dear [Name],

I read that you are returning at the tender age of fifty-one. Too bad. The place won't be the same.

Let me wish you luck in your new work. I say "new work" for one who has been in the harness.
as long went cant retire
he keeps on working along.
Now we appreciate your cooperation over the years. When you are this way do
drop by and see us.
Meanwhiile, sort
duck always!”

Tea
Dear Edgar:

It is too bad but we have a meeting in Louisville on the 6th and 7th November. Mr. Justice Reed, Judge John Biggs and I are leaving that afternoon (the 6th) for it. We speak at a panel meeting which is all set up.

I do appreciate your thinking of me and am so sorry that this other date prevents our coming.

Give me a rain check*

Thanks and my best wishes.

/s/ Tom (Clark)

P.S. I especially regret it because it is an Academy meeting - as you know, I am very much interested in it. /s/ T.C.C.

COPY: hbb

ENCL.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
Supreme Court of the United States
Washington 25, D. C.

Dear Edgar:

It is too bad but we have a meeting in Louisville on the 6th and 7th November. Mr. Justice Reed, Judge John Biggs and I are leaving that afternoon — (the 6½) for it — we speak at a
Panel meeting which I am set up.

I do appreciate your thinking of me and am so sorry that this other date prevents our coming.

Give me a rain check!

Thanks and my best wishes.

PS. Especially regret it because it is an Academy meeting - as you know, I am very much interested in it.
Reference is made to the Director's Office telephone slip concerning the request made by Justice Tom Clark through his secretary, for material which would be of assistance to Clark in preparing his talk at Atlantic City next week before the ex-FBI agents association.

I had Mr. McGuire call Miss________ since it did not appear clear as to exactly what the Justice had in mind. Miss________ stated he had received copies of "The Grapevine" put out by the Society of Former Special Agents but had remarked that he used to see a booklet put out for FBI employees which he thought would be helpful. After describing "The Investigator" to Miss________ she was sure that that would not be the publication and it was suggested that possibly the Justice was thinking of the Law Enforcement Bulletin which sets forth each month pertinent problems pertaining to law enforcement work. Miss________ stated undoubtedly this was what the Justice had in mind and particularly the Director's opening statement (introduction) which usually highlighted some current problem. Miss________ was advised that undoubtedly this was what the Justice had in mind and, accordingly, copies of the Law Enforcement Bulletin were sent to Justice Clark today, 11-13-57, by courier.(u)
Miss Alice O'Donnell, Justice Clark's secretary, called my office on 5/14/58 and in my absence talked with Mr. DeLoach. The Justice is a member of the National Presbyterian Church. A considerable number of thefts of money have occurred at this church during the past twelve months. Most of the thefts consisted of funds taken from the church's wall safe. Justice Clark has committed himself to clear up this matter and has arranged a meeting with church heads Thursday, 5/15/58, at 12:00 noon.

Miss [Name] stated the Justice had told her to call the FBI to mention that last year while the Justice was speaking before the Society of Former Special Agents at its convention in Atlantic City, New Jersey, former SA had told him there was a former agent operating in Washington, D.C. who specialized in the handling of burglar alarms on safes. The Justice desired to ascertain from the FBI the identity of this former agent. He also desired to know if the FBI felt that an alarm wall safe was feasible.

Assistant Director Parsons has advised that the Laboratory is not aware of a former agent who is in the burglar alarm business in the Washington area. Insofar as the feasibility of a burglar alarm on a church wall safe is concerned, we are in no position to make recommendations concerning this matter in view of lack of jurisdiction and the fact that we are not familiar with the physical premises in which the wall safe is located.

If approved, it is suggested that I have DeLoach tell Miss [Name] that this matter has been given consideration but that we do not know of any former agent in this type of business and have no suggestions to make concerning burglar alarms. She will be told that she might desire to get in touch with the Mosler Safe people who offer consultation service free of charge upon request.

To: Mr. Tolson
From: G. A. Nease
Subject: JUSTICE TOM CLARK

3-14-58

cc: Mr. Jones

[Handwritten note: OK. But don't suggest they use the Mosler Safe people.]

50 May 21, 1958
MEMORANDUM FOR MR. TOLSON
MR. NEASE

While talking to Justice Tom C. Clark of the Supreme Court on another matter he mentioned that in looking through my recent book, 'Masters of Deceit' he did not find anything concerning passport control. I told him that this subject had not been covered in this book, whereupon he inquired if he could get a statement which I had made publicly regarding the use of passports, particularly in the communist setup and their activities. The Justice stated he would like to have a short paragraph, or three or four sentences, concerning the importance of passport control and would like to be able to attribute these remarks to some specific statement which I have made. I told him that I thought I had testified along such lines before the House Appropriations Committee (relative to seizures of passports issued in this country and the use and falsifying of them by communists), and I would be glad to prepare such a statement for him and would send it to his Secretary, Miss Ellis, as he had suggested.

Very truly yours,

J. Edgar Hoover

John Edgar Hoover
Director

cc-Mr. Holloman
June 3, 1958

Mr. Lawrence E. Walsh
Deputy Attorney General

Director, FBI

MISCELLANEOUS - INFORMATION CONCERNING
(Accounting and Fraud Section)

an attorney of Philadelphia, Pennsylvania, representing Representative William Joseph Green, Jr., of Pennsylvania, who is awaiting trial in Scranton, Pennsylvania, in connection with irregularities in the construction of the Tobyhanna Signal Corps Depot, related three incidents during May, 1958, which have caused him some alarm. (u)

advised that he has Box 20 at Garden State Race Track which is near Camden, New Jersey. While attending the races in May, 1957, met Special Assistant to the Attorney General Oliver Dibble, who is handling the prosecution of Congressman Green. Accompanying Mr. Dibble were an attorney of Scranton, Pennsylvania, and a former Pennsylvania state trooper who is now in the insurance business in Scranton. (u)

related that outside Dibble's presence, told him that he could get anything from Dibble, that he goes around with Dibble, and that Dibble in a regular fellow. was present when made these remarks to and also remarked in the same vein concerning Dibble. (u)

said he had no further contact with Dibble until May 10, 1958, when he called his office from Scranton indicated it was very important that the case at the track on that date. (u)

stated advised him he knew the Green case was coming up for trial on July 15, 1958. Also told him that Dibble would also willing to act have any juror he wanted. (u)

stated told him that Dibble implicitly and Dibble trusted. To said anything he has asked Dibble to do has always done. (u)
Mr. Lawrence H. Walsh
Deputy Attorney General

related he told he would take him into the Green case and would send him a confirming letter with a retainer fee. He said he told to make all arrangements with Dibble and that would hear from him the following week. said he had no intention of writing such a letter or of taking into the case and he did not understand what was behind actions.

was advised by his cocounsel, by Pennsylvania's Attorney General, and by United States District Judge Thomas J. Clary it was their belief was just trying to "horn in on the case." (U)

said the whole implication of his talks with Farrell was that could "take care of Mr. Dibble." (U)

The second instance related by was that appeared in Congressman Green's office in Philadelphia on May 12, 1958. told Congressman Green he believed he could "take Murphy off your back," referring to United States District Judge John W. Murphy, who will hear the Green case. (U)

According to told Congressman Green he had worked for the Internal Revenue Service. alleged that Judge Murphy had improperly declared the value of property in filing a tax return for an estate he represented in the early 1940's. (U)

Congressman Green referred to that a friend of hers at the Internal Revenue Service said that if Judge Murphy's action was known he could be impeached. said did not mention money and claimed he was not trying to make a deal but he did not know what the papers were worth to said he told he was not interested in the case. (U)

related that on May 16, 1958, a man identifying himself as from Scranton, Pennsylvania, called at his office and wanted to know if he could investigate the jury for the Green trial for
Mr. Lawrence E. Walsh
Deputy Attorney General

... told ... he knew everyone in Scranton and said he could be of great assistance. ... said he ushered this man from his office in about two minutes.

... mentioned several times he would like to know who had sent ... and ... to him. He refused to identify any agency or individual he might suspect of having done this but felt it was a very odd coincidence these events should all occur in such a relatively short period of time. ... declined to furnish a signed statement regarding the above and indicated he would not like to testify in any proceedings regarding the above because the circumstances involved another attorney.

... is reportedly president of the local bar association in Scranton, Pennsylvania, and is friendly with many attorneys in that area.

By letter dated March 30, 1949, the then Attorney General was advised of information concerning Edward Lavelle. This information indicated ... was characterized as at least eccentric if not a "crackpot." ... was employed as a clerk in the United States Internal Revenue Bureau at Scranton and, while so employed, was a constant trouble-maker and his employment was terminated. For many months thereafter he harassed the Collector of Internal Revenue with phone calls, letters, and threats. United States District Judge John W. Murphy is acquainted with ... character. (62-72944)

In the absence of any apparent violations within the jurisdiction of this Bureau, no investigation will be conducted unless requested by the Department.

1 - Assistant Attorney General
Malcolm W. Smith
June 9, 1958

BY SPECIAL MESSENGER

Honorable Tom C. Clark
Associate Justice of the
Supreme Court of the United States
Washington, D. C.

Dear Tom:

I have made an exhaustive check trying to find something on record that I may have said in connection with passport control matters. This was in connection with your telephone call to me of Thursday, June 5, 1958.

In checking my testimony before the House Appropriations Committee, I have found that the testimony was given in Executive Session and, therefore, is not part of the printed record. I have also had a check made of other material which I have prepared from time to time but have been unable to locate anything right in point.

In my book, "Masters of Deceit," I do refer to passports and other false documents used by Russian espionage agents. The reference material begins on page 293 and ends on top of page 294. It is quoted as follows:

"The (Communist) Party provided many essential services to Soviet espionage. Suppose a Russian espionage agent secretly entered the United States, to operate here or while en route to another country. Most likely, as so often happened, he would need a 'new identity,' or, in espionage language, a change of feathers. This probably meant a faked birth certificate, a false passport, and other identification papers. Maybe he would be placed in 'deep freeze' for..."
Honorable Tom C. Clark

several months. If so, he had to be 'serviced'--that is, fed and clothed. After being 'reefeathered,' he would be on his way."

I hope that the foregoing is of some assistance to you, and if I can be of any further service I wish that you would let me know.

Sincerely,
June 10, 1958

Honorable Tom C. Clark
Associate Justice of the
Supreme Court of the United States
Washington, D. C.

Dear Tom:

Miss [name] called my office this morning with regard to the photograph, and I am happy to send it along to you.

Sincerely,
EDGAR

Enclosure

NOTE: Request was received by telephone on 6-10-58 from Miss Alice secretary to Justice Clark.
August 6, 1958

Honorable Tom C. Clark
Shangri-La Apartments
1301 Ocean Avenue
Santa Monica, California

Dear Tom:

Thank you very much for your note of August 1, 1958. Both Clyde Tolson and I are looking forward to the luncheon on August 25 at the Biltmore Bowl and to seeing you there. I certainly appreciate your kind offer of assistance regarding the meeting.

Sincerely,

J. Edgar Hoover

Mailed by the Director

DWB:lmh:EH:rff

(4)
Supreme Court of the United States
Washington 25, D.C.

CHAMBERS OF
JUSTICE TOM C. CLARK

Dear Edgar:-

I am delighted that you and Clyde Tolson will attend the luncheon on Aug. 25th at 12 noon Biltmore Hotel.

Will see you there. Anythin I can do for you on the meeting etc let me know. Best regards -

79.

62-72944-3987

EX-128

17 AUG 1958

ALL INFORMATION CONTAINED HEREBIN IS UNCLASSIFIED
DATE 8/17/58 BY

Pt. B. 4
8/1

Dear Edgar -

I am delighted that you and Clyde Tolson will attend the luncheon on Aug. 25th at 12 Noon Biltmore Bowl.

Will see you there. Anything I can do for you on the meeting etc. let me know.

Best regards,

T. C. G.
(Tom C. Clark)

COPY: hbb
September 3, 1958

Honorable Tom C. Clark
Associate Justice of the
Supreme Court of the United States
Washington, D. C.

Dear Tom:

Thank you very much for your kind note of August 29 forwarding the clipping from the "Examiner." Such editorial comment is most reassuring but I appreciate even more the personal note you added to it.

With kindest regards,

Sincerely,

[Signature]

Tolson __
Boardman __
Belmont __
Mohr __
Necase __
Persons __
Rosen __
Tamm __
Trotler __
Clark __
Teletype Room __
Holloman __
Gandy __
M. C. Sullivan

SEP 3 357 PM 1958

REC'D READING ROOM

SEP - 1 1958
COMM-FBI

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 9.7.83 BY SP 111528

DWB:mjo. (3)

SEP 17 1958
MAIL ROOM
Dear Edgar:

I want to tell you how much I appreciate your appearance at the Law & Layman session on Monday last. It was a memorable occasion - tremendous in its impact. It gave our program nationwide coverage - and added new impetus to our project.

I clipped this from the paper when I left - and wanted you to have it - the lead editorial.

Thanks, Edgar. I hope to see you soon.

Your friend,

/s/ Tom (Clark)

COPY:hbb

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE [6/19] 82 BY 80-8 ETJ 00
Supreme Court of the United States
Washington 25, D.C.

CHAMBERS OF
JUSTICE TOM C. CLARK

Dear Edgar:

I want to tell you how much I appreciate your appearance at the
Law Day mass session on Monday last. It was a memorable occasion —
tremendous in its impact. It gave our program nationwide
coverage — and added new impetus to our project.
I clipped this from the paper where
I left — and wanted you to have it —
the lead editorial.

Haven, Edgar — I hope to see you
soon.

Your friend,

[Signature]
DIRECTOR J. EDGAR HOOVER of the Federal Bureau of Investigation never sugar-coats the pill, when he talks about the problems and particularly the costs of crime in America.

He stuck to the grim and bitter facts when he discussed the tragic subject before the judicial administration section of the American Bar Association's annual convention in Los Angeles.

Mr. Hoover's solemn appraisal of the situation is that we are paying a shocking ransom to the underworld for our failure to set up a code of moral discipline that would make life and property reasonably safe in America.

In 12 years, the annual volume of major crimes has nearly doubled. Since 1950, crime has increased four times as fast as the population. In 1957, there were nearly 3,000,000 crimes of violence. The annual cost in money is $22,000,000,000, which is 10 per cent more than we spend on education, 12 times more than we spend on churches.

But, as Mr. Hoover said, we could wash all this out of our minds and forget about it, and still be utterly appalled and ashamed by one remaining factor in the situation, which is the involvement of children, not as the victims of crime, but as actual participants in criminal careers.

Mr. Hoover told the American Bar Association that his major concern is not for the total number of crimes or the total cost, but for the disturbing growth of juvenile crime. Last year, persons under 18 years of age committed 53 per cent of all the crimes in the four major categories of vicious and destructive thefts. In the vital field of automobile thefts, boys and girls in the lower teen-age groups accounted for 67.6 per cent of all arrests.

The nation is compelled in these frightful circumstances, as Mr. Hoover said, to quit brushing the evil facts about juvenile crime under the rug, and to recognize that "this major problem is no longer one of youthful offenders, but rather one of young criminals."

He put the American people as a whole on sharp warning that in dealing with juvenile delinquency they have let "the smog of ill-considered theories, unrealistic contentions and gushing sentimentalism obscure the basic facts."

Mr. Hoover is right that communities and individuals alike have too long tried the practice of over-indulgence with vicious criminals because of their youth. He is especially right that "in the interest of self-preservation, it now is time for sterner measures."

And among these sterner measures is that of meeting the moral challenge, not of young people alone, for they are the mirrors of adult bad morals and weaknesses; but of the families and neighborhoods where the good example is the first condition of sound leadership.
April 24, 1953

Honorable Tom C. Clark
Associate Justice of the
Supreme Court of the United States
Washington 13, D. C.

Dear Tom:

I deeply appreciate your thoughtful letter of April 18, 1959. Your very kind comments regarding Mr. Boyle's visit with you and your wife are most gratifying, and it will be a pleasure to make your letter available to him.

It certainly has been a long time since our last meeting, and I definitely hope the opportunity will arise in the immediate future when we can get together.

With warm personal regards,

Sincerely,

NOTE: Bufiles reflect very cordial relations with Justice Clark.
Honorable J. Edgar Hoover  
Director, Federal Bureau of Investigation  
Washington, D.C.

Dear Edgar:

Mary and I were in Phoenix last week and while we were there had a nice visit with Ed Boyle, the SAC there, who had come to the San Marcos Hotel at Chandler (some 27 miles from Phoenix). I happened to have gone down to Tucson that day so he was thoughtful enough to await my return. He must actually be psychic or an expert on wire tapping, for he somehow learned that I had put in a distress call from the Phoenix airport to the hotel for transportation, and before I knew it he had taken care of my problem. The man is not only a volunteer, he's ingenious!

We had a very enjoyable discussion and reminisced on some old experiences which date back to 1945 when I first met Ed. He's a wonderful person all around and excellent representation for you out there. I just wanted you to know how gracious he was to me and that I deeply appreciated it. He measures up fully to the high standards of the Federal Bureau of Investigation.

It's been a long time since I have had the pleasure of seeing you. We must remedy this situation, and soon.

With warm regards, I am

Sincerely,

Tom (Clark)
Office Memorandum

TO: Mr. DeLoach

FROM: M. A. Jones

DATE: October 6, 1959

SUBJECT: MISS SECRETARY TO ASSOCIATE JUSTICE CLARK

THE SUPREME COURT
REQUEST FOR BUREAU PUBLICATIONS

Miss, Justice Tom Clark's secretary, called the Director's office and was referred to Leinbaugh. Miss said that Justice Clark had been requested to prepare an article for the Tennessee Law Enforcement Officers' publication. She said in this connection that they would like to have statements of the Director regarding the need for professionalization in law enforcement and data concerning the FBI National Academy.

Appropriate material was selected and forwarded to Miss by Leinbaugh. This is for your information.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 6/7/83 BY 88-885
December 1, 1959

Honorable Tom C. Clark
Associate Justice of the
Supreme Court of the United States
Washington, D. C.

Dear Tom:

I appreciate very much your letter of November 30, and your kind comments concerning "Communist Illusion and Democratic Reality." It is most encouraging to know that you consider it worthy of distribution among the State Chairmen of the American Bar Association's Section of Judicial Administration, and I am happy to send you under separate cover the 65 copies.

Many thanks for your thoughtful remark about the party. I am certainly glad you found it enjoyable.

With kindest personal regards,

Sincerely,

NOTE: Bureau enjoys favorable relations with Justice Tom Clark.
Honorable J. Edgar Hoover  
Director, Federal Bureau of Investigation  
Washington, D. C.

Dear Edgar:

First let me thank you for sending the copy of "Communist Illusion and Democratic Reality" which I have read with much interest. I had not seen it, though I see by the date it was released last September 30th.

The article has some very enlightening material in it and I would like to send a copy to each one of the State Chairmen of the American Bar Association's Section of Judicial Administration. This Section has a group of Judges now organized into what they call the Conference of Trial Judges and I would also like to send a copy to some of these Judges serving on that unit's Executive Committee for I am sure from having worked closely with them that they would be very interested in reading it.

If you have as many as 65 copies on hand this would take care of the circulation I have in mind. If you do not have these on hand, would you be good enough to have your Secretary call and let me know where they might be secured?

With regards and my sincere appreciation, I am

Very truly yours,

Tom Clark

PS Enjoyed your party -Thanks T. C. C.
April 14, 1960

Mr. Malachi Mahon
Office of Chief City Magistrate
100 Centre Street
New York 13, N.Y.

Dear Mr. Mahon:

I enjoyed having the opportunity of talking to you this morning, and was very pleased to hear that you are going to be Justice Clark's law clerk in Washington. This being a Fordham first, and certainly a first for you, I know that you will acquit yourself well. Certainly you will be working for a most outstanding man and I know you will serve him and the country well. (U)

If you are interested, some time while you are down in Washington, in going through our Bureau, I would be happy to drop them a note and make arrangements for you. (U)

Good luck in your new position.

Sincerely,

H. G. Foster
Special Agent in Charge.

cc: Assistant Director DeLoach, for information. Mr. MAHON is law clerk for Chief City Magistrate ABRAHAM M. BLOCH, and previously served in the same capacity for Judge Bloch's predecessor, Chief Magistrate JOHN M. MURTAGH, now Chief Justice, Court of Special Sessions, NYC. (U)
Honorable Tom Clark  
Associate Justice of the  
Supreme Court of the United States  
Washington, D. C.

May 5, 1960

BY SPECIAL MESSENGER

Dear Tom:

It gives me very great pleasure to extend an invitation to you to deliver an address at the graduation exercises of the Sixty-fifth Session of the FBI National Academy on Wednesday, June 8, 1960. The ceremonies will begin at 10:30 a.m. and will be held in the Departmental Auditorium which, you will recall, is located on Constitution Avenue, between Twelfth and Fourteenth Streets, Northwest. (U)

It has been almost fifteen years since you addressed the Twenty-ninth Session of the National Academy at its graduation exercises on July 21, 1945. The Academy has had an amazing growth and a profound impact upon law enforcement in America. The 3,819 law enforcement officers who have been graduated from the Academy are using their training to raise the standards of law enforcement. (U)

There are fifty-nine men in the current class, including four from Texas. I can assure you that they not only would be highly honored by your acceptance of this invitation but all of us in the FBI would likewise deem it a distinct honor. (U)

Based on memo Mr. Malone to Mr. Mohr dated 5/4/60, re: Graduation Exercises, 65th Session, FBI National Academy, JSR: ap (3)
Honorable Tom Clark

I sincerely hope that you will be able to be with us on June 8. I will have one of the Bureau officials furnish you additional information and make the necessary arrangements to escort you to the Departmental Auditorium on that day. (U)

Sincerely,

EDGAR
Memorandum

TO: MR. MOHR
DATE: 5/4/60

FROM: J. F. MALONE

SUBJECT: FBI NATIONAL ACADEMY GRADUATION EXERCISES

Inasmuch as General Shoup, Commandant, U. S. Marine Corps, has declined our invitation to speak at the Graduation Exercises, we are submitting the following names as substitutes:

1. ASSOCIATE JUSTICE TOM CLARK, U. S. SUPREME COURT.
   Justice Clark last spoke at a graduation exercise in July, 1945, when he was the Attorney General. His decisions on the Supreme Court have been more favorable to law enforcement than have most of the court judges.

2. JAMES H. DOUGLAS, DEPUTY SECRETARY OF DEFENSE, (FORMERLY SECRETARY OF THE AIR FORCE).
   According to informal checks with Liaison Section, there appears to be no reason why Douglas would not be completely acceptable as a speaker. It is noted, however, that the graduation date for the National Academy may find him participating in some of the military school graduation ceremonies.

3. ROBERT B. ANDERSON, SECRETARY OF THE TREASURY.
   According to newspaper accounts, Secretary Anderson does a considerable amount of speaking and has been very favorably commented upon for his-speaking ability. He has been written up as a most promising and valuable member of the President's Cabinet.

4. ARTHUR E. SUMMERFIELD, POSTMASTER GENERAL.
   Mr. Summerfield is apparently in the corner of law enforcement in carrying out a very vigorous fight against the use of the U. S. mails for obscene literature purposes. According to Liaison Section, there is nothing which would make him unacceptable.

RECOMMENDATION: That one of the above-suggested individuals be appointed as the graduation speaker. He will then be invited.
Honorable J. Edgar Hoover  
Director, Federal Bureau of Investigation 
Washington, D. C. 

Dear Edgar:

It would indeed be a pleasure to be with you for the Sixty-fifth graduation exercises on June 8th at 10:30 o'clock and I look forward to the occasion.

If you have any ideas as to what you think the graduates would like to hear I would appreciate knowing this. Principally I had in mind that I would not want to duplicate a subject they have already heard discussed as a part of their training, or at lectures they had attended while here.

With best wishes, I am 

Sincerely,
Justice Clark wrote the Director on May 6, 1960, stating that it would be a pleasure to be present at the 65th graduation exercises of the National Academy on June 8, 1960. He said he would appreciate knowing any ideas we might have as to what the graduates would like to hear in his address. Justice Clark noted that he did not want to duplicate a subject the students have already heard as part of their training while they were in the National Academy.

It is believed that the theme of cooperation between law enforcement agencies to achieve maximum effective law enforcement for the protection of citizens would be a very appropriate topic for Justice Clark to consider. We have attached material relating to some of the cooperative services of the FBI such as the Laboratory, the Identification Division, the various law enforcement training programs and law enforcement conferences which can be made available to Mr. Clark for his consideration of this subject. Another important phase of this cooperation is the assistance the FBI has been to local law enforcement by the dissemination of information pertaining to crimes within the jurisdiction of such local agencies.

We have also obtained some data regarding National Academy graduates including the number of such graduates during Justice Clark's tenure as Attorney General and the number of graduates since he left the Department of Justice. It is noted that the current class contains four officers from the State of Texas.

RECOMMENDATION:

That you personally give the attached material to Justice Tom Clark or his long-time secretary, Alice O'Donnell, for the Justice to consider in connection with his address to the 65th Session of the National Academy.
Supreme Court of the United States
Memorandum

[Signature]

-------------------, 19...

Dear Edgar:

You were so thoughtful to write me regarding my participation in the FBI Police Academy Exercises. I enjoyed being with you and was privileged to participate. I know that you would want to know that Special Agent Dedouch was most helpful. He prepared the first draft
Supreme Court of the United States
Memorandum

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of my talk and did, I thought, an excellent job.

This letter is for Benham and his efficiency in performing his job is an example of the personnel that surrounds you - it is "tops".

My best -

[Signature]

[Date]
TP, I have just received the photos. I must say the camera did its best with what it had to work with. However, too much -

T
ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE: 6/21/60
REC: 96

52 JUN 21' 1960

Tom C. Clark

62-12-944-407

20 JUN 14 1960

CORRESPONDENCE
Dear Edgar:

You were so thoughtful to write me regarding my participation in the FBI Nat'l Academy Exercises. I enjoyed being with you and was privileged to participate.

I know that you would want to know that Special Agent DeLoach was most helpful to me. He prepared the first draft of my talk and did, I thought, an excellent job. His devotion to the Bureau and his efficiency in performing his job is an example of the personnel that surrounds you - it is "tops."

My best -

/s/ TCC (Tom C. Clark)

P.S. I have just received the photos. I must say the camera did its best with what it had to work with. Thanks so much.

/s/ TCC

COPY: hbb

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 6/19/77 BY SP R 04520N
June 9, 1960

BY SPECIAL MESSENER

Honorable Tom C. Clark
Associate Justice of the
Supreme Court of the United States
Washington, D. C.

Dear Tom:

It is indeed a pleasure to forward several photographs taken yesterday at the graduation exercises of the FBI National Academy which I thought you would like to have as mementos of the occasion.

With kindest regards,

Sincerely,

JUNE 9, 1960

Enclosures (4)

1 - Mr. Ingram

GEM:paw (4)
June 5, 1960

BY SPECIAL MESSENGER

Honorable Tom C. Clark
Associate Justice of the
Supreme Court of the United States
Washington, D. C.

Dear Tom:

Your speech today at the graduation ceremony of the FBI National Academy was indeed excellent, and I want you to know that I have heard nothing but the highest praise concerning it.

We are always pleased to have you with us, and I do want to thank you for taking time from your busy schedule to make this appearance. Your talk was not only timely but also presented a challenge to the graduates who were honored by your presence. The emphasis you placed upon cooperation among law enforcement agencies was most appropriate, and I know these men will return to their respective departments greatly inspired by your address. My associates and I found your complimentary remarks regarding the FBI very encouraging and reassuring.

With kind personal regards and best wishes,

Sincerely,

EDGAR
Pursuant to instructions of Mr. Tolson, the verbatim remarks of Justice Clark were prepared. An original and one copy were delivered to Alice O'Donnell in Justice Clark's chambers by SA Stapleton early the morning of 6-9-60. Wick had called prior to the delivery informing Miss O'Donnell we thought the address excellent and that we believed it so fine we would like to publish it in some of our publications and therefore would like to have the Justice, at his convenience, look it over and make any changes he felt desirable. (U)

As things now stand, the Justice at his convenience this week or over the week end will make any necessary changes in the original and the original or the copy will be returned to us. Miss O'Donnell said she would give us a call either Saturday, 6-11-60, or Monday, 6-13-60, so that we might send a messenger to pick up the address. (A copy of Justice Clark's remarks is attached.) (U)

RESPECTFULLY,

C. D. DE LOACH

Enclosure
REW: mlw (2)

HEREIN IS UNCLASSIFIED
ADDRESS ON JUNE 6, 1960, BY MR. JUSTICE CLARK, ASSOCIATE JUSTICE, SUPREME COURT OF THE UNITED STATES, BEFORE THE 65TH SESSION OF THE FBI NATIONAL ACADEMY, DEPARTMENTAL AUDITORIUM, WASHINGTON, D. C.

Thank you, Mr. Director.

Reverend Bartley, Senator Bridges, Mr. Assistant Attorney General, and my fellow Dallasite, Brother King:

You know, Mr. Director, this is not only a great pleasure but a distinct privilege to be here today to listen to the beautiful strains of this distinguished Marine band, to join in this beautiful prayer that the Reverend Bartley gave us, to listen to the hard-hitting speech of my distinguished friend of many years, Senator Bridges, and to look into the eyes of these graduates of this great FBI National Academy and to see the sea of people, hundreds of them, gathered here today, many, many standing in the aisles so that they might partake of this ceremony. Senator, this too is my second offense.

This morning as I entered the auditorium and met the Director, I felt like an old grad just coming back for a homecoming weekend. You know, I used to meet often with the classes. Sometimes it was in the gym; sometimes it was on the roof during pretty weather; and many times it was with Mr. Meyers, whom I am sure you have met with on many occasions yourselves, a very excellent servant of the people there in the Department of
Justice. While I was Attorney General, over 1,000 men graduated from this same FBI National Academy from which you graduate today. For me, I believe, the fondest memory of these ceremonies is the inspiring sight of each of the officers coming up here to this platform, one by one, and receiving his diploma—I understand today from the Assistant Attorney General. Their diplomas are their insignia that they are now members of that distinguished and select company of the FBI National Academy. This is indeed an hour of great distinction for you. That is evidenced the more by the fact that all of these hundreds of people have come here today to witness your graduation. I am sure, too, that your communities, as they should be, are each proud of your accomplishments. Today you carry home with you a great tradition—the tradition of loyalty, of justice, and of integrity. I know that you will keep that faith.

In fact, Mr. Director, seeing the graduates this morning convinces me, although I have been many classes, that this is perhaps the most intelligent class that I have had the privilege of meeting with. Now I know you are immediately going to wonder why I say that. Well, I say that because they have elected my fellow Dallasite, Captain King, as their president. What more evidence do you wish? All Texas is proud of you, Captain King, and of the three other Texans who are here in this class.
Now, Mr. Director, there are a total of 105 graduates—Senator, I don't want to make you feel bad—half actively engaged in the enforcement of the law in the great State of Texas. Now I ask you, what other state has 105?

This is the Silver Anniversary of the founding of your Academy. Many of us can remember back in July, 1935, when the first class assembled here. The Nation at that time was still in the grip of dangerous hoodlum gangs which roamed the country, virtually at will, robbing and kidnapping, and killing. John Dillinger, you may remember, had gone to his death in a blazing gun battle in Chicago just a year before that meeting. Only a few months prior to the 1935 class, FBI Agents brought to an end the infamous careers of "Ma" Barker and her son, Fred. Alvin Karpis, the leering criminal and the gang leader, was still at large back there in 1935.

Now these were dark, tension-filled days, when FBI Agents literally lived in their automobiles with their guns in their hands searching out these hoodlums. They faced danger straight in the eye, unhesitatingly laid their lives right down on the line, and held the banner of law enforcement high at a time when in some areas there was corruption. The roll call of FBI Agents and of the fearless and hardworking local officers back there during those days is indeed a tribute to the valor and the fearless dedication of the profession of law enforcement. Now since those dark days American
law enforcement has molded itself—and I hope the Director will pardon me when I say it—has molded itself in your image and in the image of the FBI. Now I think history can write its own verdict with reference to what accomplishments have been made. Today, thanks to the efficiency, the dedication, and the integrity of police officers everywhere law enforcement, the profession, is a respected one, and it deserves the accolades of all citizens everywhere.

As we view this quarter of a century of progress, we can be proud of these past accomplishments that I mention, and we can be optimistic as to those of the future. But some ask why has law enforcement achieved such monumental progress in the short span of 25 years. The answer, I think, lies in the cooperative techniques now used in combatting the criminal, the scientific crime detection programs, the fingerprints, the officer training which, Senator, I was happy to see you put at the top of the list, and the purposeful determination to see to it that law enforcement is done and done well.

We hear today some talk about the establishment of a National Police Agency—a single, all-inclusive law enforcement group, they say, to bring an end to all inefficiency, to all red tape, and to all conflicting jurisdictions. Well, frankly, I heard that same song way back before there
was an FBI National Academy. In my humble judgment it is a mistake, and it is also contrary to all of our concepts of the dual-Federalism that we have created here in the United States. It likewise violates the philosophy upon which our law enforcement system is founded. Let me add, if I might, and I know that I tread on rather, you might say, slippery ground when a Justice tries to add some little remark, particularly of advice or the answer to a question, but I believe that the answer to the crime problem as it faces us today is not so much the establishment of a National Police Agency or, for that matter, an over-all commission, but I believe that it is the intelligent, the energetic, the enthusiastic support that communities and people should give to their present law enforcement agencies that we have here in the United States. Specifically, I point out by providing the present officers of the law with the tools—the most efficient ones that are available—in order that they can get their job done. Now this includes not only better trained personnel, which I put at the top of the list, but also better equipment, more respect for officers of the law, firmer community support, and, I put it last—although in the realities of emphasis, it may be that it should have another spot—more pay for law enforcement officers. I hope that no one will forget that last one.
As one who has spent almost a lifetime in law enforcement work, I know that in the final analysis good law enforcement rests on the attitudes, on the opinions, on the mores of each of our communities here in America. In our system of free government, the local citizens themselves determine the quality of their law enforcement. If they want good law enforcement, they can get it. But they must work for it. They must encourage civic interest in it. They must teach respect, as I said, not only for law but for men and women who enforce the law. Every man, I believe, and every woman, yes, and every child in America should be brought to the realization that they cannot enjoy or maintain their rights, their dignity, their freedom, except for the loyal and devoted police officers who protect them in every community of our country. Yes, we have come a long way as I have said, but we have a long way yet to go.

In fact, the little pamphlet, Mr. Director, that you issued only two days ago—I think the title of it was "Cooperation—The Backbone of Effective Law Enforcement"—symbolizes, I believe, the challenge that I put to you today. It points out that the FBI has a vast storehouse of information which, at this very minute while we sit here, is being put to work and is actually working throughout the Nation. Take, for example, the 155,000,000 sets of fingerprints that are housed in the FBI's Identification Division. They are truly soldiers of service. They identify the guilty;
they protect the innocent; and they render also many humanitarian services. Those black little ridges that you see on these pieces of cardboard, if you go over to the FBI and have the privilege of going through their Fingerprint Section, day after day are unmasking the man who travels under aliases; the criminal who puts on the false fronts; and the swindler, too, who has that phony smile that most of them have. What is encouraging to me is the number of law enforcement agencies—over 13,000 in the United States today—which are utilizing the services of the Fingerprint Division. I think that is evidence of its great effect. Last year, in fact, almost 17,000 fugitive criminals—45 every day—were identified by fingerprint searches in the FBI, and, since the system began, over 270,000 fugitives from justice have been identified through its facilities.

Another of the FBI's greatest accomplishments, I think, is its scientific work. You, I am sure, were given an opportunity to study and appraise the latest techniques in the FBI's Laboratory. I am sure you know much more about it than I do. But, I remember back a quarter of a century ago, perhaps longer than most of you can go back on these scientific matters, that there were some who "poked fun" at the role of science in crime detection. What, they asked, does a piece of paint or a little hair, or maybe a blob of dirt, or a broken saucer or something like that have to
do with a murder case? Well, science taught us differently. We now know that it is a strong right arm of every law enforcement officer. Wherever he goes, he knows that the Laboratory at the FBI is working to perform scientific miracles that will make even this smallest little bit of evidence--this hair--tell its true story in the courtroom. During last year it made almost 185,000 scientific examinations, an increase of some 12 per cent, and its services--remember this because this is the true service of the FBI--are free of charge to law enforcement agencies anywhere in this Nation of ours.

Surely this is the spirit of cooperative law enforcement when a local Sheriff or Chief of Police or an officer like yourselves need only invest in the cost of one of Uncle Sam's airmail stamps, or if you don't think it's that important, a four-center, and you will secure, without any additional cost, the complete scientific advice of this great organization. Your FBI National Academy, also, is a splendid example, as the Senator has pointed out, of the value of knowledge, experience, and esprit de corps--and there is nothing like it anywhere except in the United States Marines, who are over there, and the FBI over here--they are just two peas in a pod when it comes to esprit de corps. Now all of this, my friends, can be transmitted into the flesh and blood of the men like you who are giving your lives to the profession of law enforcement.
In your weeks here in Washington, you have accomplished much more than just earn this diploma that the Assistant Attorney General will give you today. You are taking back with you the wisdom gained by an organization—by thousands of its Agents—throughout the country working against the criminal. Yes, and against the subversive, too. This storehouse of FBI information, this accumulated experience of law enforcement over years and years is a repository of the highest of ideals and most practical of everyday experiences. We in America, I deem it, are indeed fortunate to have this storehouse working for us on a 24-hour day basis for the welfare of all of our people.

And now, my fellow officers, because I feel too that I am sort of a member—I hope you don't object—there is just one more thing that I want to mention, and it's this training program that the Senator so eloquently spoke of. I take it from what little experience I've had in law enforcement, although it does cover a lifetime almost, that the most important duty of every officer—every police officer—in the United States is to inform himself of the latest and the most efficient police methods that are available. In this field, as the Senator says, the FBI has erected what, to my mind, is its most imposing and, I know, its most lasting monument. Last year alone it conducted over 2,500 police training schools—
all at the request of local officers like yourselves. It sponsored nationwide law enforcement conferences. Its Special Agents—and I want to salute them, too, for they are the boys that are really out on the front line—gave thousands of lectures in local communities throughout this country on modern crime detection. The Academy has graduated over 3,800 officers, and now they have gone back home and enjoy top ranks in their professions. One out of every six—just imagine, one out of every six of the 3,800 who are graduates here—are chiefs of police in their communities. Ninety-four are sheriffs of a county, and almost a fourth of the states have as their top public safety director a graduate of this same Academy from which you become a graduate today. I say that this is a most impressive record.

Now, my friends, Heaven's first law is peace and order. The first one in the administration of justice is a continued observance by police officers of all of those civilized, well-established, and fair laws of conduct that meet our standards of decency.

Upon this first duty every man's liberty not only depends, but the strength of our very country exists upon it and rests upon it. While there is always a time for law, especially now with crime on the rise as it is, still there is never a time in my book which warrants the sacrifice of the inalienable rights of the individual to the protection of his constitution.
We have created courts to protect these rights. The courts, however, you must remember, can proceed only on a case-by-case basis. Because of this, results on a case-by-case basis often appear obscure and are often most disheartening. Courts of course know that. They fully appreciate the difficulties that face you law enforcement officers. But courts, remember, cannot wear blinders. It is the bad case--the Senator mentioned a couple of them, and I agree with the principles stated in those cases--it's the bad case on the facts that makes what we often call the bad law.

But, I believe, bad cases teach that law enforcement does not need to cut corners on the law. The strict observance of the legal rule which the law lays down gets the best results, and that's why the FBI has accomplished such great results during the years it has been in existence. In carrying out this mandate of the law you must see to it that every police establishment in the United States requires its officers to engage in what I call a continuous "in service" training. In that way, you can carry home with you and there transmit the tradition of the FBI that you learned so much about here in Washington.

And so today I salute each and every one of you graduates.

And my old friend and fellow Dallasite, the Captain, too. I know that when
you return to your respective communities you will take with you the lessons that have been taught you here in this Academy. Through them may you not only increase the efficiency of your organization, but likewise the security of every community in this great country of ours. And so I say good morning officers, God bless you.
TO: Mr. DeLoach
FROM: M. A. Jones
DATE: 6-13-60

SUBJECT: ADDRESS BY JUSTICE TOM C. CLARK
JUNE 8, 1960
FBI NATIONAL ACADEMY GRADUATION EXERCISES
65TH SESSION

Attached are two originals and five copies of Mr. Clark's speech. Mr. Clark has seen the previous typing of this speech on which he made some minor changes which have been incorporated into the attached copies.

This speech, along with the text of the one delivered by Senator Styles Bridges on the same occasion, will be published in the August, 1960, issue of the Law Enforcement Bulletin. A friend of Mr. Clark's also is planning to insert his speech into the Congressional Record.

RECOMMENDATION:

That someone in your office furnish Mr. Clark with necessary copies of this speech.

Enclosures (7)

EX 105

REC 22

DWB: alc

52 JUN 21 1960 ALL INFORMATION CONTAINED HERIN IS UNCLASSIFIED
DATE 0 10 83 BY 50 ETOVY
June 22, 1960

Honorable Tom C. Clark
Associate Justice of the Supreme Court of the United States
Washington, D.C.

Dear Tom:

I was very pleased to note that Congressman Burleson extended his remarks in the June 21, 1960, issue of the "Congressional Record" to include your address before the 60th Session of the FBI National Academy. This is certainly a well-deserved tribute to your splendid talk on that occasion, and it was indeed thoughtful of Congressman Burleson to do this. I am enclosing the item as it appeared in the "Congressional Record."

Sincerely,

Edgar

Enclosure

NOTE: Honorable Tom C. Clark is on the Special Correspondents' List. See letter of same date to Congressman Omar Burleson.

ELC:mhd (3)
TO: The Director  
FROM: N. P. Callahan  
SUBJECT: The Congressional Record  

Pages A311-A316, Congressman Burleson, (D) Texas, requested to have printed in the Record the address delivered by the Honorable Tom C. Clark, Associate Justice of the Supreme Court, before the graduating class of the FBI National Academy on June 8, 1960. Mr. Burleson stated it is inconceivable that our Nation could now be without the system, and it proves the foresight of the Director of the FBI, the Honorable J. Edgar Hoover, in inaugurating the academy and the system of cooperation which it engenders. (U)

ALL INFORMATION CONTAINED HERIN IS UNCLASSIFIED

DATE 10/21/63 BY REOX

In the original of a memorandum captioned and dated as above, the Congressional Record for was reviewed and pertinent items were marked for the Director's attention. This form has been prepared in order that portions of a copy of the original memorandum may be clipped, mounted, and placed in appropriate Bureau case or subject matter files.
Honorable J. Edgar Hoover
Director, Federal Bureau of Investigation
Washington, D. C.

Dear Edgar:

Thank you for your June 22d letter and

for the enclosed reprint of my National Academy

speech in the Congressional Record.

I was pleased to know they felt it worthy

of reprinting in the Record and appreciate your

sending me a copy.

With all good wishes, I remain

Very sincerely,

[Signature]

June 27, 1960
On June 22, 1960 the following letter was received in the London office addressed to former Legal Attache JOM A. CIMPENMAN:

"The Justice suggested I write you about a program he is working on in connection with the forthcoming meeting of the American Bar Association here in Washington next August. As I am sure you know, many are coming from England, Scotland, and Australia.

"One of the programs - known as 'Law and the Layman' - has a format somewhat like 'Meet the Press' and we have a group of laymen who will propound questions to four or five jurists, the purpose to bring out a general discussion on what laymen can and do expect from the courts and the members of the legal profession. One of the judges on the panel is the Right Honorable Lord Justice Morris, Lord of Appeal in Ordinary, England. So that we may prepare some questions to be directed to him, and so that we may tell the other participants something about his work, etc. I need some background material on this jurist and we seek your help.

"The Justice has already written him but it occurred to us that he might not be in the city at this time; also, that it might be easier for you to get an idea of what he would need. We have the British Who's Who of course but that's quite sketchy. Can you tell us something about his background? What we would like to know is whether he has been a trial judge and if so, what type of cases he is most familiar with. Has he been identified with any outstanding case? Would he probably be a little more conversational on some particular subject? Has he or have other members of..."
REQUEST FROM OFFICE OF
JUSTICE TOM C. CLARK
SUPREME COURT OF THE UNITED STATES

his court, been confronted with the many articles
and discussions which appear prevalent in this
country on congested calendars? Anything like
this of course would be tremendously helpful since
we don't know much about the gentleman. Hope it
won't be too much trouble.

Regards and sincerely,
(Signed)

"Lawrence Spivak, producer of "Meet the Press" is
going to moderate it and is pressing us for bio-
graphical material on all participants because he
is leaving for Europe soon and wants to organize
it before leaving, hence this 'hurry up' request.

"Know the Judge will appreciate it."

There are attached the original and three copies of
a memorandum concerning the Right Honorable Lord Justice MORRIS,
Lord of Appeal in Ordinary. This information has been obtained
from sources of this office who are acquainted with Lord MORRIS.

If the Bureau desires, it is suggested that a copy of
the enclosed memorandum be furnished to the office of Justice
CLARK. No reply has been made by this office to the above letter.
Lord MORRIS was born JOHN WILLIAM MORRIS September 11, 1896 in Wales. He received a BA and an L.L. B. Degree from Cambridge University and also attended Harvard Law School in the United States. During World War II he served with the British forces in France and attained the rank of Captain.

After being a practicing barrister for a number of years Lord MORRIS was appointed Judge of the High Court, King's Bench Division, in 1945 and served in this capacity until 1951. Upon being appointed to the High Court he was automatically knighted and was then known as Sir JOHN WILLIAM MORRIS. In 1951 he was appointed Lord Justice of Appeal and served in this capacity until 1960. In the early Spring of 1960 he was appointed Lord of Appeal in Ordinary and was made a baron and life peer and given the title of Lord MORRIS of Borth-y-Gest.

While serving as a practicing barrister Lord MORRIS was appointed an extra judge in 1942 to assist in clearing up congested court calendars. This was a temporary appointment and his work was performed in the northern circuit of England. While Judge of the High Court from 1945 to 1951 Lord MORRIS sat as judge in all types of legal proceedings including civil as well as criminal. Also during this period he sat on a number of occasions at the Central Criminal Court (the Old Bailey) in London where he did, of course, hear strictly criminal cases.

As Lord Justice of Appeal from 1951 to 1960 he was concerned with all types of cases going up on appeal from the High Court.

In Lord MORRIS' present position as Lord of Appeal in Ordinary, he sits as a member of the House of Lords which is the highest court of appeal in the United Kingdom. In Lord MORRIS' career he has served in all phases of the English judicial system and is well thought of and highly respected in judicial circles.
By letter dated June 30, 1960, Legal Attache, London, advised that he had received a request from the office of Justice Tom C. Clark of the U.S. Supreme Court for information about the activities and background of the Right Honorable Lord Justice Morris, Lord of Appeal in Ordinary, England. The request was received in a letter addressed to former Legal Attache John A. Cimperman.

Legal Attache Bates forwarded with his letter of June 30, 1960, four copies of a memorandum concerning Justice Morris for delivery to Justice Clark. No reply to Justice Clark’s letter has been made by the Legal Attache.

RECOMMENDATION:

It is recommended that the original and one copy of the memorandum dated June 30, 1960, entitled "Lord Morris of Borth-y-Gest" be delivered to Justice Clark expeditiously by someone in your (Mr. DeLoach) office. The letter to the Legal Attache should be acknowledged at that time.
July 18, 1960

Honorable Tom C. Clark
Associate Justice of the
Supreme Court of the United States
Washington, D. C.

Dear Tom:

It was a pleasure to read the excellent observations you made in "Words to Live By" which appeared in the July 17 issue of "This Week," and I want to congratulate you for this significant contribution to the fight for good citizens.

Your words and the example you have set over the years will be inspiring to countless youths and their parents and will have no little beneficial effect on the growing Boy Scout movement in which we are both so vitally interested.

With kindest personal regards,

Sincerely,

Edgar

NOTE: Justice Clark is on the Special Correspondents’ List.
Bright Beginnings

By THOMAS C. CLARK
Associate Justice of the U. S. Supreme Court

"Of a good beginning cometh a good end." JOHN HEYWOOD

Forty-eight years ago (only two years after the organization was founded), I joined the Boy Scouts of America and became an Eagle Scout in 1914. My troop, No. 1 in Dallas, was a drum and bugle corps. There being no other marching units available at that time, our troop was designated by the city fathers to lead all parades.

Some say my interest in this activity stemmed from the ensuing half-day school holiday. However that may be, the experience struck the spark that led to my ambition to follow a public career. It has carried me from my days as a lawyer to civil district attorney, then Attorney General of the U. S., till now, as an associate Justice of the U. S. Supreme Court.

Of course, it takes a lot more than the fun of leading a parade to make a man a good public servant or a good citizen. And the many clubs, groups, organizations and agencies like the Boy Scouts which deal with youth, supply a lot more than parades and fun.

But of all the things they supply, the most important, I believe, are sparks. By exposing youngsters to healthy kinds of living and doing and working, the organized youth groups strike sparks of ambition and interest, character and pride that light fires for a lifetime. They are the kind of fires which cast their light and warmth throughout the community.
Supreme Court of the United States
Washington, D.C.

Dear Edgars,

Thank you for the gracious reception that you gave our good friends the Robert Jacksons. They were thrilled.

It was so nice of you to see them— and I appreciated it.
July 29, 1960

Honorable Tom C. Clark
Associate Justice of the Supreme Court
of the United States
Washington, D. C.

Dear Tom:

I am pleased to enclose for your personal use five copies of the August, 1960, issue of the FBI Law Enforcement Bulletin which has just been printed. Your address, which was delivered during the 65th graduation exercises of the FBI National Academy, begins on page eleven.

Let me say again how grateful I am for your taking part in the program. In the event you desire a few more copies, let me know and arrangements will be made to have them sent to you.

Sincerely,

Enclosures (5)

Note: Judge Clark is on the Special Correspondents' List.
Hon. J. Edgar Hoover  
Director, Federal Bureau of Investigation  
Washington, D. C.

Dear Edgar:

Upon my return to Washington I found the copies of the FBI Bulletin which you very thoughtfully sent.

You may be certain it was a real pleasure to take part in the program and to see evidence of the fine work you and the members of your staff are doing.

With warm personal regards, I am

Very sincerely,

Tom C. Clark

EX 104  
AUG 22 1960

51 AUG 25 1960
The office of Associate Justice Tom C. Clark, U. S. Supreme Court, has contacted the Bureau and advised that a personal friend of Justice Clark's, is now in Sweden studying and expects to visit Rome, Paris, London, Madrid and Berlin. Justice Clark's office did not have any information as to Mr. [Name] itinerary or contemplated stay in Europe. (1)

This is solely for the purpose of identifying Mr. [Name] to you in the event he has occasion to contact your office. (1)

1 - Paris (1)
1 - London (1)
1 - Madrid (1)
1 - Bonn (1)

JAS:LL:afs
(12)
1 - Foreign Liaison Unit (detached) (1)

Cover memorandum 9/19/60 to Mr. Belmont from Mr. Sizoo. (1)
JAS:LL, same Re.
To: MR. A. H. BELMONT
From: MR. J. A. SIZOCK

Subject: MISCELLANEOUS INFORMATION CONCERNING (Liaison Section)

DATE: September 19, 1960

By reference from the Director's Office, I took a telephone call today (9/19/60) from Miss [redacted], who identified herself as the secretary to Associate Justice Tom C. Clark, U. S. Supreme Court. She said that when the Justice was last in Europe, he had been in touch with our Legal Attaches in several cities, and that a young man who is a friend of his [redacted] is now studying in Sweden and plans to visit other parts of Europe. Miss [redacted] said he expects to visit Rome, Paris, London, Madrid and Berlin. She wondered if I could furnish her the names of the Legal Attaches in any of the above cities where we have Legal Attaches.

While discussing this with Miss [redacted], I determined that the Justice does not have any information as to Mr. [redacted] itinerary or contemplated stay in Europe. I, therefore, suggested as an alternative that I send a note to our Legal Attaches in Rome, Paris, London, Madrid and Bonn and identify Mr. [redacted] to them as a friend of Justice Clark's, so that they would know him in the event he had occasion to contact our Legal Attaches.

Check of Bureau files negative.

Attached is a suggested letter to the Legal Attaches.

ENCLOSURE

JAS:LI

(6)
TO: Director, FBI  
FROM: Legat, London (62-0)  
SUBJECT: REQUEST FROM OFFICE OF  
JUSTICE TOM C. CLARK  
SUPREME COURT OF THE UNITED STATES  
MISCELLANEOUS - INFORMATION CONCERNING

DATE: September 22, 1960  
CONFIDENTIAL

Remylet June 30, 1960, quoting a letter received in the London Office for the former Legal Attache JOHN A. CINPERMAN from the office of Justice TOM C. CLARK, asking for information on a Lord MORRIS, Lord of Appeal in Ordinary. The information obtained and forwarded to the Bureau with the recommendation that the Bureau furnish a copy of the information to Justice CLARK.

On September 19, 1960, the following letter was received from Justice CLARK, still addressed to former Legal Attache JOHN A. CINPERMAN:

"Dear John:

"Let me first thank you for the material on Lord Morris. It was just what we needed and most helpful. He and other members of the judiciary from England made a big hit here and we just hope they enjoyed being here as much as we did having them.

"I have today written Ambassador Whitney but I wanted to write you also about the plan of my sister-in-law, Mrs. W. H. Clark, Jr., to visit London. She and another lady, also from Dallas, are to be in your city and at the Claridge from September 15-21. I am sure they will encounter no difficulties while there, but I have found myself that advice from someone on the local scene can often save a lot of time and trouble."

"If you have the time, would you be good enough to give her a call? We would all be most grateful.

"I hope this finds you and Eileen well. If you are this way, please be sure to let us know for we would not want to miss an opportunity to see you again.

"Sincerely,"

[Signature]
I contacted Mrs. W. H. CLARK, Jr., by telephone on September 19, and told her if she experienced any difficulties while in London to please call on this office if we could be of any assistance. She was most cordial, and stated she appreciated the call and would let the office know if there was anything she needed.

It is suggested that if the Bureau desires, the Justice be informed that Mrs. CLARK was contacted by the London Office. It is also suggested that the Bureau might desire to tell the Justice that Mr. CIMPERMAN is no longer with the Bureau in London, but if the London Office could ever be of assistance to him, we would be most happy to do so. (U)

[Handwritten notes and signatures]
October 12, 1960

Honorable Tom C. Clark
Associate Justice of the
Supreme Court of the United States
Washington, D. C.

Dear Tom:

Your note of October 10 was most thoughtful, and I greatly appreciate your giving me the benefit of your impressions concerning my address before the International Association of Chiefs of Police Conference.

I do hope that my comments will have some effect in alerting the public to the serious problem which exists throughout the Nation with respect to juvenile criminality. Furthermore, we must have the wholehearted cooperation of every responsible citizen if we are to achieve success in our attempts to curb this menace to society.

With warm personal regards,

Sincerely,

NOTE: Justice Clark is on the Special Correspondents' List on a first name basis.
October 10, 1960

Honorable J. Edgar Hoover
Director, Federal Bureau of Investigation
Washington, D. C.

Dear Edgar:

I read with considerable interest your address before the conference of the International Association of Chiefs of Police last week and want to commend you for your timely remarks.

Your reference to the juvenile problems currently facing us I found of particular significance. Certainly our handling of the problem needs an overhaul and I would not restrict it to the "foggy" search-and-seizure area, for much attention could appropriately be given to the ramifications of the Mallory decision.

With warm regards, I am

Very sincerely,

Tom (Clark)
TO: DIRECTOR, FBI
   Attn: Assistant Director John P. Mohr

FROM: SAC, NEW ORLEANS

SUBJECT: VISIT OF SUPREME COURT JUSTICE TOM CLARK TO UNIVERSITY OF
MISSISSIPPI, 2/13-15/61

Remycall to Bureau today and Bucall to Memphis today. (1)

Information pertaining to subject obtained on
confidential basis from following sources:

STANLEY DAY, Brookhaven, Miss., PD
CLYDE COKER, Chief of Police
H. V. DICKEY, radio operator, Miss. Highway
   Safety Patrol
IVO LEA, Highway Patrolman

MEREDITH C. DURR is life long resident, Lincoln
   County, Miss., and presently resides four miles west of
Brookhaven, Miss. Employed as laborer on roads by State
   Highway Department. About twenty years ago was Baptist
   minister but quit to sell bootleg whiskey for awhile. Has
   been arrested several times by Brookhaven PD on drunk but
   not in recent years. Is prolific letter writer and writes
   frequent letters to Brookhaven and Jackson, Miss., newspapers(U)

3 - Bureau
1 - Memphis (Info)
2 - New Orleans

GAG: sam
(6)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 4/20/61  BY PP-88
which are usually critical of local, State and Federal Government. Was unsuccessful candidate for State Legislature in Lincoln County, 1959 election. Does not travel and not considered dangerous.

DURR is described as follows:

<table>
<thead>
<tr>
<th>Race</th>
<th>White</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sex</td>
<td>Male</td>
</tr>
<tr>
<td>Age</td>
<td>60 - 65</td>
</tr>
<tr>
<td>Height</td>
<td>5' 7&quot;</td>
</tr>
<tr>
<td>Weight</td>
<td>140</td>
</tr>
<tr>
<td>Build</td>
<td>Slender</td>
</tr>
<tr>
<td>Complexion</td>
<td>Ruddy</td>
</tr>
<tr>
<td>Hair Characteristics</td>
<td>Dark, turning gray</td>
</tr>
</tbody>
</table>
| Wears plastic frame glasses.

2.
Memorandum

TO: Mr. DeLoach

FROM: M. A. Jones

DATE: 2-10-61

SUBJECT: M. C. DURR

ROUTE 3, BOX 274

BROOKHAVEN, MISSISSIPPI

BACKGROUND:

The captioned individual wrote a letter to the Honorable Tom C. Clark dated 2-8-61. The letter and a true copy are attached. Durr's letter was critical of the fact that Mr. Clark is going to speak at the University of Mississippi on 2-14-61. He said that Justice Clark and the Supreme Court had brought heartaches and sorrows to the people of the United States by favoritism to the communists in rulings made by the Supreme Court. Durr said that the rulings made each of the Supreme Court members unwelcome guests in Mississippi. He concluded with the hope that God would intervene to see that Clark would not come to Mississippi.

This letter was referred to Assistant to the Director John P. Mohr of Justice Clark's office. In an accompanying note to Mr. Mohr she related she has not called the letter to Mr. Clark's attention but she was concerned about the "emotional" mail coming to him from that part of the country (Mississippi). She related that Mr. Clark will leave Washington for Memphis on 2-13-61 where the Dean of the University will have a car to meet him and drive him to Oxford, Mississippi, that night. He will speak twice at the University on 2-14 and will be driven back to Memphis the following morning, 2-15-61, where he will be leaving by the 10:30 plane for Washington.

INFORMATION IN BUFILES:

Bufiles contain no reference identifiable with M. C. Durr on the basis of information available to us. A colored security informant of the Springfield Office who was a former member of the Communist Party and who was born in Springfield, who lived in Springfield, was an informant was discontinued in November, 1959, because of lack of communist activities in the area where he lived. (100-38245)
The Brookhaven, Mississippi, telephone directory lists five persons by the name of Durr but contains no M. C. Durr or any name which would fit those initials. He is not listed in the special index maintained in the Correspondence Section of this Division.

RECOMMENDATIONS:

1. That Assistant to the Director Mohr advise Miss of Justice Clark's office that the files contain no information regarding M. C. Durr.

2. That our Memphis Office be telephonically alerted concerning the letter addressed to Justice Clark and informed that Clark may be in touch with them when he is in Memphis and Mississippi from February 13 until the morning of February 15, 1961.

3. That Mr. Mohr suggest to Miss that she inform Justice Clark that if he needs help at any time while in Mississippi, he should promptly get in touch with our Memphis Office.

ADDENDUM: JPM;hif 2/13/61

I called Miss secretary of Justice Clark, and told her we had no identifiable information in our files concerning M. C. Durr. I also furnished her with the name of the SAC at Memphis, his office address, his telephone number and suggested she have the Justice contact the SAC in the event he needed any assistance whatsoever during his visit to the University.
ADDENDUM (continued)

of Mississippi. I also called SAC Kelley at Memphis and furnished him with the Justice's itinerary and suggested that he discreetly contact the Justice to see if he could be of any assistance to him during his visit to Memphis and the University of Mississippi. SAC Kelley was also instructed to have discreet inquiry made concerning M. C. Durr, who wrote the letter in question to Justice Clark. (u)

Miss[____] was deeply appreciative of the Director's interest in this matter and she said she would relay to Justice Clark how thoughtful the Director had been about the whole situation. (u)

No further action necessary. The foregoing is for your information. (u)
Feb. 8, 1961.

Hon. Tom Clark:
U.S. Supreme Court Justice,
Washington, D.C.

Dear Sir:

The papers state that you are to speak at our State University of Mississippi on Feb. 14, 1961. I can't imagine who it was that invited you against the wishes of the people of our great State but whoever it was is certainly not a friend to the people of this State. The heartaches and sorrows you and the other members of your Court have brought the people of the United States by upholding fascists to the Communist in all of your rulings make each of your
Members of your Court, unwelcomed guest to set foot on Mississippi soil, may God somehow will intervene and see that you don't come to Mississippi is any fervent hope and prayer.

Sincerely,
M. C. Dirk.
Feb: 8-1961.

Hon: Tom Clark.
U. S. Supreme Court Justice,
Washington, D. C.

Dear Sir:-

The Papers state that you are to speak at our State University of Mississippi on Feb: 14-1961. I cant immagine who it was that invited you against the wishes of the People of our great state but whoever it was is certainly not a friend to the People of this state. The Heartaches and sorrows you and the other members of your court has brought the People of the united States by your favoritism to the Communist in all of your rulings make each of you members of your court unwelcomed guest to set foot on Mississippi Soil. May God somehow will intervene and see that you dont come to Mississippi is my fervent hope and prayer.

Sincerely,

M. C. Durr.
Dear John:

Just about the time I was beginning to wonder about the Mississippi trip the Justice is to make next week this came in. I never show him, nor concern him in any way, with mail such as this and have no intention of doing this now. It does worry me, though; some of our most "emotional" mail comes from this part of the country.

He leaves here Feb. 13 for Memphis where the Dean of the Univ. is sending a car for him, driving him to Oxford, Miss. that night. He speaks twice at the University--3:00 p.m. on 2/14 to the student body, and then same day at a banquet meeting on the campus.

The Dean, Robt. Farley, has arranged to have a car drive him to Memphis the next morning, 2/15, where he expects to take a 10:30 plane back to Washington.
March 2, 1961

Honorable Tom C. Clark
Associate Justice of the
Supreme Court of the United States
Washington, D.C.

Dear Tom:

I have received your cordial letter of February 25, 1961, regarding the assistance we were pleased to extend in connection with your recent engagement at the University of Mississippi. It was most kind of you to comment so generously regarding my associates in our Memphis Office, and I know they will be most appreciative of your remarks. We are glad to be of service whenever the occasion arises so please do not hesitate to call on us.

Sincerely,

ASAC

1 - Memphis - Enclosure

Attention SAC: The Bureau is aware that ASAC Halter actually met Justice Clark on his arrival and that SAC Kelley was with him on his departure.

NOTE: Justice Clark is on the Special Correspondents' List on a first-name basis.
Supreme Court of the United States
Washington 25, D.C.

Chambers of
Justice Tom C. Clark

Dear Edgar:

Though I did not realize it, my commitment to speak at the University of Mississippi was made known to your office, and your S.A.C. at Memphis, Clarence Kelley, was kind enough to meet my plane when I arrived there.

Mr. Kelley and his staff were most courteous and I did appreciate their offer of assistance. My thanks to all of you for your usual thoughtfulness.

With all good wishes, I remain

Very sincerely,

Hon. J. Edgar Hoover

Director, Federal Bureau of Investigation
Washington

Tom C. Clark

Feb. 25, 1961
UNITED STATES GOVERNMENT

Memorandum

TO : Mr. Malone
Attention: Mr. Edwards

FROM : H. L. Sloan

DATE: 3/27/62

SUBJECT: LUNCHEON INVITATION FROM JUSTICE TOM CLARK
APRIL 5, 1962

As you are aware, at the request of Chief Justice Warren and with the Director's approval, we have trained the guards of the Supreme Court in the use of the revolver at Quantico for a period of approximately three years.

This training for 1962 was completed on March 16. Sergeant of the Supreme Court guards has telephonically invited the writer and Special Agent Supervisor in Charge of Firearms Training, George Zeiss, to attend a luncheon in the Supreme Court Building as guests of Justice Tom Clark on April 5, 1962.

You will recall that while Attorney General of the United States, Justice Clark visited the Academy and witnessed a night firearms demonstration in company with the Director, Mr. Tolson, members of the Executive Conference and the United States Attorneys in 1947 and met Special Agent Zeiss and the writer at that time. Sergeant informed the writer that Justice Clark wanted to show his appreciation for the training the guards received at Quantico.

RECOMMENDATION:

Justice Clark and Sergeant of the Supreme Court Guards on April 5, 1962.

1 - Mr. DeLoach

HLS: edm

57 APR 9 1962

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 10/13/63 BY SP-8 GAYL10
Memorandum

TO: Mr. J. F. Malone
   Attention: Mr. Edwards

FROM: Mr. H. L. Sloan

DATE: 4/6/62

SUBJECT: LUNCHEON ENGAGEMENT
          JUSTICE TOM CLARK
          APRIL 5, 1962

Re my memo 3/27/62. Special Agent George Zeiss and I had lunch with Justice Tom Clark and a few of the Supreme Court Building Guards.

Mr. Clark expressed his appreciation for the Director's authorizing the firearms training for the Supreme Court Building Guards and stated that he could certainly see a difference in the group during the past several years as a result of the confidence gained by this training.

He also said that he had seen the Director recently and thought that he certainly looked healthy and as full of drive as ever. He requested that his regards be extended to the Director and to Mr. Tolson. Mr. Clark reminisced concerning the time he spent as Attorney General and described to the Guards present the firearms demonstration we gave for the United States Attorneys' Conference at Quantico in 1947. He said that he wanted to bring Chief Justice Warren to Quantico to see the Academy and to do a little "skeet" shooting.

He remarked that nothing has done so much for the law enforcement profession as the FBI National Academy and stated that even now in his travels law enforcement officers he meets, who attended the National Academy, identify themselves as such.

As we were leaving, he again expressed his appreciation for the firearms training afforded the Supreme Court Guards.

ACTION: None. Informative.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 4/6/62 BY 86-862
August 13, 1962

PERSONAL

Honorable Tom C. Clark
Associate Justice of the
Supreme Court of the United States
Washington, D.C.

Dear Tom:

The American Bar Association could
not have selected a more distinguished or deserving
man to be accorded its highest honor, and it is with
pride that I join your many friends in congratulating
you. You, of course, have my very best wishes for
continued success.

With kind regards,

Sincerely,

NOTE: Mr. Clark is on the Special Correspondents' List on a
first-name basis.
TO: DIRECTOR, FBI
FROM: SAC, DALLAS
SUBJECT: TOM C. CLARK
Associate Justice
United States Supreme Court

On April 30, 1961, I had a chance meeting with Mr. Clark at a neighborhood shopping area. I have known Mr. Clark for a number of years, having first met him when he was Attorney General and visited Las Vegas, Nevada, when I was Senior Resident Agent in that city. Mr. Clark advised he was visiting with his family in Dallas. He made several comments as to the fine work being done by the Bureau, and he expressed his admiration for the Director.

Above is for the Bureau's information.
UPJ-237
(RELEASE AT 10:30 P.M. EDT)

(ABA)

SAN FRANCISCO--THE AMERICAN BAR ASSOCIATION TONIGHT BESTOWED ITS HIGHEST HONOR, THE ABA MEDAL, ON ASSOCIATE JUSTICE TOM C. CLARK OF THE U.S. SUPREME COURT.

THE PRESENTATION, MADE AT THE ASSOCIATION'S 85TH ANNUAL DINNER, CITED CLARK'S WORK AS FORMER U.S. ATTORNEY GENERAL, SUPREME COURT JUSTICE AND ACTIVE ABA MEMBER.

"DESPITE HEAVY OFFICIAL BURDENS," THE CITATION SAID, "HE HAS ALWAYS BEEN WILLING TO CONTRIBUTE TO THE SPIRIT OF COMRADESHP IN THE PROFESSION AND TO SERVE THE COMMON INTEREST OF THE BENCH AND THE ORGANIZED BAR."

8/9-N749Ped

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 6/10/83 BY 8-8 874784

ENCLOSURE
I returned an earlier call from Honorable Tom Clark, Associate Justice of the Supreme Court of the United States, who said he had lunch today with this American Bar Association group which is here, as the Federal Bar was honoring the Board of Governors who are here for some meeting, and he heard say that he was going to see me tomorrow. Justice Clark stated he, of course, did not want to tell he was going to call me because he did not want to put any implications on it, but he, Clark, wanted to tell me what kind of a meeting it was. He said they have, as I know, an annual meeting and usually there are about 5,000 there, and he would rather suspect there would be more this year on account of its being held in San Francisco with the various inducements, including the fair at Seattle and reduced rates to Hawaii, and it is not often and in fact he did not believe he had known of anyone making a talk to these general assemblies, as they call them, except that they had Earl Warren three years ago, and he, Clark, thought from what said, that is what the invitation is going to be. Clark said he did not know what my situation is but he thinks the meeting is in August sometime. I stated I thought it was the first part of August. 

Justice Clark said the meeting place is across from the Fairmont Hotel and is a very good meeting place, holding about 5,600, and with the women he would think there would be about 7,500 people there and after the meeting, whatever I said would possibly be carried in their Journal although he did not talk to, the head of the Journal, who was also there today, but they have about 105,000 members now and it is a pretty potent group; that it is a different type than it used to be and it was changing considerably and they were getting some pretty good boys in it.
Supreme Court of the United States  
Washington 25, D. C.

August 20, 1962

Dear Mr. Hoover:

Your letter of August 13, 1962, has been received in the absence of Mr. Justice Clark. It will be brought to his attention upon his return in early September.

Very truly yours,

Secretary

Honorable J. Edgar Hoover  
Director  
Federal Bureau of Investigation  
Washington, D. C.
Dear Edgar:

Thank you for your letter, which I found upon my return to the City.

I appreciate your kind words as much as I do the recognition afforded me by the American Bar Association.

Sincerely,

Tom (Clark)

Honorable J. Edgar Hoover
Director
Federal Bureau of Investigation
Washington 25, D. C.

I hope that you had a good visit at La Jolla. I read where you were there. It was at the Balboa Bay Club. Very best,

EXP. PROC.
SEP 5 1962

ALL INFORMATION CONTAINED HERIN IS UNCLASSIFIED
DATE: SEP 26 1962 BY: 

F. S. 72944-430
March 11, 1963

Honorable Tom C. Clark
Associate Justice of the
Supreme Court of the United States
Washington, D. C.

Dear Tom:

I cannot tell you how sorry I was to learn of the passing of your brother, and I wanted to send you this note expressing my deepest sympathy.

While I realize there is little I can say to ease your pain of loss, I hope that you will gain some comfort from knowing the thoughts of your many friends are with you in sympathetic understanding. If I can be of any assistance at this time, please do not hesitate to call on me.

Sincerely,

Edgar

NOTE: Justice Clark is on the Special Correspondents' List and is known to the Director on a first-name basis.
Robert L. Clark Dies; Brother of U.S. Judge

Attorney Robert Lanier Clark, 58, of Dallas, Tex., a brother of Supreme Court Justice Tom C. Clark, died of cancer yesterday morning in Dallas.

Justice Clark, who had visited his brother last month, was with Mr. Clark when he died.

The esteem in which Mr. Clark held his older brother is indicated in an inscription on a photograph the Justice kept in his Washington office. The inscription read: "To my brother Tom, in whose soul the Flame of Hope, Freedom and Justice brightly burns—with the admiration and affection of his little brother."

Dallas Civic Leader

A native of Dallas, Mr. Clark was one of the city's foremost civic leaders and was a major figure in the State's Democratic Party.

He formerly served on the Greater Dallas Planning Commission and was vice president, director, and later chairman of the executive committee of the Dallas Civic Opera.

After serving as chairman of the Dallas County Jefferson Day Dinner from 1946 to 1949, Mr. Clark headed the State-wide Democratic Party event in 1947. In 1948, he was named to the Democratic National Finance Committee.

In addition, Mr. Clark was a director of the Texas Psychiatric Foundation and a member of American and Texas Bar Associations, the Southwestern Legal Foundation, the National Legal Aid Association, American Judicature Society, the American College of Political Scientists, the American Institute of Management, Dallas Historical Society, and Delta Tau Delta.

He was a member of the Dallas Bar Association and other civic organizations.

Mr. Clark, who is listed in "Who's Who in America," received his A.B. degree from the University of Texas in 1925 and his law degree from Jefferson University in 1931 and was admitted to the Texas bar the same year.

A senior partner in the Dallas law firm of Clark, Reed & Clark, he was vice president and director of the Dallas Hotel Co., and was general counsel for the Texas and Texas Airways. Since 1944 he had served as a director of the State Fair of Texas.

Besides Justice Clark, he leaves a son, Robert L. Jr., of New York City, and three sisters, Mrs. Julian Capers of Dallas; Mrs. Douglas Burchfield of Beaumont, Tex., and Mrs. Virginia Jacoby of Dallas.

Services will be held at 4 p.m. tomorrow in St. Michael's Episcopal Church in Dallas.

The family requests that expressions of sympathy take the form of contributions to the American Cancer Society.
January 18, 1965

Honorable Tom C. Clark
Associate Justice of the
Supreme Court of the United States
Washington, D.C.

Dear Tom:

It was a pleasure to learn that you have received the "Mr. Bam" award, and I did not want to let the opportunity pass without extending my heartiest congratulations.

I know you are proud of the signal honor accorded you which is indeed a fitting tribute to your many contributions to the welfare of the Nation's youth. Your friends in the FBI join me in offering our best wishes on this occasion, and we sincerely hope your future endeavors meet with every measure of success.

Sincerely,

Edgar

NOTE: Mr. Clark is on the Special Correspondents' List on a first-name basis.
TD Club to Give
Mr. Sam Award
To Justice Clark

Justice Tom Clark will receive the "Mr. Sam" award tomorrow night at the Touchdown Club's yearly dinner honoring the greats of sport. The 30th annual affair is set for the Sheraton-Park Hotel.

The "Mr. Sam" award, in memory of the late Speaker of the House, is given to a government figure in recognition of his contribution to sports. Justice Clark has been a leader in combating juvenile delinquency for almost two decades.

This is the fourth time the "Mr. Sam" award has been given. Previously selected for the honor were Rep. Joe Martin (R-Mass.) in 1962, Justice Byron (Whizzer) White in '63 and the late President Kennedy, posthumously, last year.
TO: Mr. DeLoach

FROM: M. A. Jones

SUBJECT: DR. GEORGE HILL PATTERSON

DATE: 4-1-65

BACKGROUND:

The Director and Mr. Tolson have a commitment at the residence of the Justice and Mrs. Tom Clark, Friday evening, 6 p.m., April 2, 1965. Dr. Patterson, the guest of honor, is visiting Washington, D.C., and is the cousin of Justice Clark.

INFORMATION IN FILES:

Dr. Patterson is a practicing neurosurgeon, Los Angeles, California. Biographic sources in the Bureau Library reveal he graduated from Columbia University, College of Physicians and Surgeons, New York, in 1921. He was born in 1898.

Dr. Patterson toured FBI Headquarters on 10-14-64 after arrangements were made by the Office of Justice Clark. The Director was not in his office at the time and could not meet Dr. Patterson. By letter of 12-14-64, Dr. Patterson requested an autographed item from the Director to be included in the Lucy Hill Patterson Memorial Library in Rockdale, Texas, in honor of Patterson's mother and because of his respect and admiration for the Director. Dr. Patterson was including in the Library his entire first-edition library and other books of approximately 3,000 volumes for the Library. An autographed copy of "Masters of Deceit" was sent on 12-16-64.

In February, 1965, Dr. Patterson forwarded to the Director a copy of the book, "The Mountain Meadows Massacre," through Justice Clark's Office in appreciation of the Director's autographed book sent to the Rockdale Library. The Director expressed his thanks to Dr. Patterson in his letter of 2-26-65. A cursory review of the book reflects it was a novel concerning 120 California-bound immigrants who were killed in 1857 while in Utah.

RECOMMENDATION: For information.

1 - Mr. Tolson
1 - Mr. DeLoach
1 - Miss Holmes
1 - Miss Gandy

REC-44

JMM:smg

11 APR 5 1965

CRIME ENG.

APR 1 1965
TO: MR. CALLAHAN  
FROM: C. R. DAVIDSON  
SUBJECT: THE JUSTICE TOM C. CLARK AWARD  

DATE: 1-22-65

The Department has informed the Bureau that nominations for the Justice Tom C. Clark Award are open for 1965. Any nominations the Bureau wishes to submit are to be forwarded to the Department no later than 2-17-65. 

This award, which is to be given for the sixth consecutive year, is for the purpose of giving public recognition to career lawyers who have performed outstanding work for the U.S. Government, for the Government of the District of Columbia, or in the field of public law generally. 

We have not in the past participated in this matter since we do not employ lawyers as such and would not meet the standards required. 

RECOMMENDATION: None. Submitted for information.
FBI WASH DC

FBI CHICAGO

1132 PM CDT URGENT 8-16-65 AAA

TO: DIRECTOR (91-22141)

FROM: CHICAGO (91-4165)

CONTINUED ASSASSINATION JUDGE CLARK: POLICE LIAISON (U)

THOROUGHLY REINTERVIEWED COOK COUNTY JAIL BY

BUAGENTS UNDER MORE DESIRABLE CONDITIONS TONIGHT. STATES

PREVIOUSLY SERVED SIX YEAR EIGHT MONTH SENTENCE FOR BURGLARY AND

RAPE IN ILLINOIS, AND RELEASED NINETEEN SIXTY-TWO.

ARRESTED JULY THIRTYONE LAST BY CPD AND PLACED IN COOK

COUNTY JAIL. APPROXIMATELY AUGUST TWO LAST OVERHEARD

AND CONVERSING IN ITALIAN LANGUAGE IN COOK

COUNTY JAIL YARD. UNABLE TO UNDERSTAND CONVERSATION. LATER

OVERHEARD AND PASSING NOTES TO EACH OTHER WHICH NOTES DESTROYED BY FLUSHING DOWN TOILET.

APPROXIMATELY AUGUST THREE LAST TOLD HE DESIRED TO HAVE A SERIOUS

TALK WITH HIM. ASKED IF HE WOULD BE WILLING TO KILL

SOMEONE FOR TWENTYFIVE THOUSAND DOLLARS IN ADDITION TO GETTING HIS

RELEASE FROM JAIL ON BOND. AGREED THAT HE WOULD DO THIS AND

WAS THEN TOLD THE INTENDED VICTIM WAS JUDGE CLARK, A FEDERAL JUDGE

(2)
WHO IS OVER ALL THE STATES OF THE U.S., THE MAN WHO TURNED DOWN ON APPEAL, AND WHO WAS GOING TO PUT IN. SAID "JUDGE CLARK MUST BE MADE AN EXAMPLE OF."

MENTIONED SOMETHING ABOUT JUDGE CLARK STAYING ON LAKE SHORE DRIVE AND SOMETHING ABOUT THE SIXTH FLOOR. SAID JUDGE CLARK THEN BEING SURVEILLED BY TWO ITALIANS. SAID HE WOULD DISCUSS USE IN THIS REGARD WITH ON THE FOLLOWING DAY INTRODUCED TO AT WHICH TIME NO DISCUSSION INSUED. OF OPINION SORRY A FEW DAYS LATTER HE HAD DISCUSSED ABOVE WITH THEN TOLD THAT HE IS "TREASURY MAN" AND THAT HE PARTICIPATED IN A SEVENTY THOUSAND DOLLAR ROBBERY. SAID HE TRUSTED AS "PEOPLE IN PEN" SAID HE WAS ALRIGHT. TOLD WHEN HE LEFT COOK COUNTY JAIL AUGUST THIRTEEN LAST HE WOULD WRITE LETTER TO IN COUPLE WEEKS. SAID WOULD REMAIN IN CHICAGO DUE TO BOND PROVISIONS. SAID WAS FROM ITALY AND HAD BEEN IN U.S. FIVE YEARS. ALSO THAT HE HAD MESSAGE FOR WHEN HE GOT OUT OF JAIL. HAS HAD NO FURTHER CONTACT WITH AS THEY ARE NOW IN DIFFERENT TIERS. (U)

AS NON-COMMUNICATIVE, ABUSIVE AND ANTAGONISTIC WITH AGENTS WHEN APPREHENDED JULY TWENTY LAST AND HIS ATTORNEY IN (U)
TELEPHONIC CONTACT WITH CHICAGO OFFICE IT IS NOT BELIEVED INTERVIEW
WITH WOULD BE PRODUCTIVE. (U)

WAS VIGOROUSLY QUESTIONED AND HIS STORY CHALLENGED BY
BUAGENTS TONIGHT. HE STEADFASTLY MAINTAINED HIS POSITION OF
TRUTHFULNESS AND VOLUNTARILY REQUESTED TO TAKE A POLYGRAPH EXAM
IF SAME DESIRED. BUREAU AUTHORITY IS THEREFORE REQUESTED TO INTERVIEW

BY USE OF POLYGRAPH PROVIDING THIS EXAMINATION COULD BE
ARRANGED UNDER EXISTENT CIRCUMSTANCES OF INCARCERATION. (U)

U.S. District Court
USDC CHIEF JUDGE WILLIAM CAMPBELL, CHICAGO, WHO COMMITTED
TO JAIL FOR CONTEMPT AND WHO RESIDES ON LAKE SHORE
DRIVE ALERTED BY SAC. JUDGE CAMPBELL ADVISED JUDGE TOM CLARK
HAS STAYED IN LAKE SHORE DRIVE HOTELS WHEN IN CHICAGO. (U)

CHICAGO WILL DISCREETLY DETERMINE AM NEXT WHO HANDLED
BOND AS THIS INFORMATION UNAVAILABLE TONIGHT. CLOSE LIAISON BEING
MAINTAINED WITH CIU, CHICAGO PD, BUREAU WILL BE IMMEDIATELY ADVISED
ANY DEVELOPMENTS. (U)

CONSIDERED ARMED AND DANGEROUS. (U)

END
WA...RPP
FBI WASH DC

cc: Mr. Scott & Mr. Delosh (U)
FBI CHICAGO
707 PM CDST URGENT 8-16-65 AAA
TO: DIRECTOR (91-28141)
FROM: CHICAGO (91-4165)

CONTEMPLATED ASSASSINATION JUDGE CLARK; POLICE LIAISON.

RE TELEPHONE CALL TO BUREAU TODAY. (u)

PRESENTLY HELD COOK COUNTY JAIL, CHICAGO, FOR RAPE AND BURGLARY, AND WHOSE RELIABILITY UNKNOWN, ADVISED AGENT TODAY FROM BOSTON TOLD HIM IN COOK COUNTY JAIL THAT JUDGE CLARK IS TO BE EXECUTED ON ORDERS OF CHICAGO HOODLUM STATED TWO ITALIANS NOW SURVEILLING JUDGE CLARK. OFFERED "LARGE" UNSPECIFIED SUM OF MONEY FOR HIS ASSISTANCE IN JUDGE CLARK'S EXECUTION. CLAIMED TO HAVE BEEN IN COMMUNICATION WITH IN COOK COUNTY JAIL. (u)

IDENTITY JUDGE CLARK UNKNOWN TO CHICAGO OFFICE BUT MAY REFER TO SUPREME COURT JUSTICE TOM C. CLARK WHO HEARD APPEAL FOR RELEASE ON BOND, JUNE, LAST NOT ACQUAINTED WITH PRIOR TO MEETING HIM IN COOK COUNTY JAIL. (u)

ARRESTED, CHICAGO, BY BUREAU AGENTS, JULY TWENTY, LAST, AS UPSET FUGITIVE IN CONNECTION WITH SIXTYSEVEN THOUSAND DOLLAR (u)
ROBBERY OF PHILADELPHIA TRANSPORTATION COMPANY, MAY THIRTYONE, LAST.
AT COOK COUNTY JAIL FURNISHED WIFE'S ADDRESS AS EAST BOSTON, MASSACHUSETTS. RELEASED AUGUST
THIRTEEN, LAST ON SEVENTYFIVE THOUSAND DOLLAR BOND FROM COOK
COUNTY JAIL AND HIS PRESENT WHEREABOUTS UNKNOWN. CRIMINAL INTELLIGENCE
UNIT, CHICAGO PD, ADVISED TODAY RE ABOVE AND THAT UNIT PRESENTLY
ATTEMPTING TO LOCATE AS HE IS CONSIDERED TO BE "VERY
DANGEROUS HIT MAN" BY CHICAGO PD. (u)
BUREAU WILL BE IMMEDIATELY ADVISED RE ANY DEVELOPMENTS,
CHICAGO, AND BEING REINTERVIEWED. (u)
CONSIDERED ARMED AND DANGEROUS. (u)
END
WA.....JXM
FBI WASH DC
TKS
SPECIAL INVESTIGATIVE DIVISION

a prisoner in Cook County Jail, alleges he received information from a former prisoner, that he had contract from [illegible] to kill Judge Clark. "The man who turned down appeal." was offered $25,000 in addition to release from jail on bond. [illegible] who was arrested on robbery charges by Bureau made bond August 13, last. [illegible] has had no contact with subsequent to initial introduction when no conversation regarding murder took place. [illegible] maintains truthfulness of information and will take polygraph. It is recommended Chicago be authorized to conduct polygraph. Associate Justice Tom Clark was advised of information evening August 16 by Washington Field and expressed appreciation for having been alerted but regards information as "stuff." AAS: gjf
TO: DIRECTOR, FBI
FROM: SAC, WFO (62-NEW)

Contemplated Assassination of Judge CLARK.
Police Liaison; Special Investigations Division (00:CG)

Re Bureau telephone call to WFO, 8/16/65, concerning captioned matter. (!)

Mr. Justice TOM CLARK, Associate Justice, U. S. Supreme Court, contacted by SA presently serving contempt sentence in Chicago, Illinois, had allegedly ordered CLARK's assassination; that presently serving another prisoner who was released on $75,000 bond August 13, 1965; that who had been arrested recently by FBI Agents in Chicago on a UFAP - ROBBERY charge, prior to leaving jail, informed that had ordered the execution of "Judge Clark" and was to pay a considerable sum of money to to do this job; that in turn, offered to pay a substantial fund to assassinate Justice CLARK. He was informed further that is still in jail and also that two Italians allegedly have Justice CLARK under surveillance (u)
Justice CLARK stated he appreciated being informed but was not concerned and that it did not appear logical that his planned execution would be talked around in the county jail. He added he had received similar threats in the past and was not inclined to pay much attention to this one. He was informed the FBI Office in Chicago was checking further in this matter and that he would be advised of all pertinent additional information developed.

During conversation with him it was ascertained Justice CLARK recently returned to Washington, D. C. from a vacation. Earlier on the evening of August 16, 1965, he and Mrs. CLARK drove their four grandchildren to the airport where the grandchildren boarded a plane to return to Dallas, Texas.

Justice CLARK advised he planned to board an Eastern Airlines plane at noon, August 17, 1965, for a trip to Wichita, Kansas. He will return to Washington Wednesday evening, August 18, 1965.

Results of contact with Mr. Justice CLARK telephonically furnished the Bureau by WFO, evening of August 16, 1965.

No further contact with Justice CLARK until instructed to do so by the Bureau.
TO SAC CHICAGO

FROM DIRECTOR FBI

CONTEMPLATED ASSASSINATION Judge Clark, Police Liaison, Special Investigative Division Matter. (U)

RECGTEL AUGUST SEVENTEEN INSTANT. (U)

AUTHORITY FOR POLYGRAPH EXAMINATION NOT GRANTED. IN EFFORT TO FURTHER RESOLVE INFORMATION MADE AVAILABLE BY MATTER SHOULD BE PURSUED VIGOROUSLY AND EFFORT MADE TO DETERMINE LOCATION AND ACTIVITIES OF THOROUGH ANALYSIS OF INFORMATION SHOULD BE MADE FOR ANY OTHER POSSIBLE LEADS IN THIS MATTER.

CONSIDERATION OF INTERVIEW OF CAN BE MADE WHEN LOCATION AND CURRENT ACTIVITY DETERMINED. FOR YOUR INFORMATION, INS HEADQUARTERS ADVISES HAS INS # WAS NATURALIZED IN BOSTON NOVEMBER TWENTY-EIGHT, NINETEEN HUNDRED AND SIXTY, WHERE INS FILE IS MAINTAINED. KEEP BUREAU ADVISED OF DEVELOPMENTS. (U)

NOTE: Information concerning INS status was obtained by SA Liaison, from Assistant Commissioner, INS, 8/17/65. (U)
Memorandum

TO: Mr. Belmont
FROM: J. H. Gale
DATE: August 17, 1965

SUBJECT: CONTEMPLATED ASSASSINATION JUDGE CLARK
POLICE LIAISON

SAC Marlin Johnson called at 6:00 p.m., August 16, 1965, to advise that one currently in Cook County Jail on local charge of rape and burglary, furnished the following information to Chicago Agents today.

According to he has been in Cook County Jail with one who had been arrested by Bureau Agents for UFAP - robbery on July 20, 1965, and who was released from Cook County Jail on $75,000 bail on August 13, 1965. According to claimed that he had been approached by to handle an execution of "Judge Clark." indicated that had promised an unspecified sum of money to do this job and was interested in having assist in the execution of the judge. did not know what Judge Clark was involved but Chicago presumes statement relates to Associate Justice Clark of the Supreme Court, who twice denied an appeal for release from Cook County Jail where he is being held for contempt after being afforded immunity. also allegedly informed that two Italians are currently following Judge Clark.

The above information was made available to Justice Tom Clark of the United States Supreme Court at 7:45 p.m., August 16, 1965. Judge Clark stated that he did not put much credence in this story and described it as probably "so much stuff." He expressed deep appreciation for Bureau's interest in bringing this matter to his attention and was informed...
Memorandum to Mr. Belmont

RE: [Blank]

that we are checking this matter out and would keep him advised of any additional developments. Judge Clark again expressed appreciation for the Bureau's interest in his welfare. He did not ask for any further assistance from the Bureau other than to be advised of any developments. He stated he was leaving today for Wichita, Kansas, and would be back in Washington on Wednesday. (u)

The Chicago Office reinterviewed [Blank] on the night of August 16, 1965, and learned from [Blank] that [Blank] had met [Blank] at Cook County Jail on one occasion but [Blank] did not discuss the proposed assassination with [Blank] advised our Agents that he was willing to undergo a polygraph examination to establish the veracity of his statements. (u) b6 b7c

ACTION:

The Chicago Office has been instructed to locate and determine the current activities of [Blank] (u)

It is the recommendation of the Special Investigative Division that the Bureau authorize a polygraph examination of [Blank] in order to determine the veracity of his statements concerning the alleged assassination of Judge Clark. It should be noted that during two interviews of [Blank] he has steadfastly maintained his story of the alleged assassination and polygraph examination could be of material assistance in evaluating his story. (u)

The Chicago Office will keep the Bureau currently advised of all developments so that any pertinent information obtained can be promptly brought to the attention of Judge Clark. (u)
FBI WASH DC

FBI CHICAGO

319 PM CDST URGENT 8/18/65 JLS

TO DIRECTOR

FROM CHICAGO. (91-4165) 2P

CONTEMPLATED ASSASSINATION JUDGE CLARK, POLICE LIAISON,
SPECIAL INVESTIGATIVE DIVISION MATTER. (u)

REMYTELS, AUGUST SIXTEEN, LAST; AND BUREAU RAD, AUGUST SEVENTEEN,

PRESENTLY RESIDING REGENCY HOTEL, CHICAGO.

EMPLOYED NIGHTLY AT LEANING TOWER OF PIZZA, EIGHT FIVE ONE NORTH
STATE STREET, CHICAGO. (u)

SERGEANT CRIMINAL INTELLIGENCE UNIT, CHICAGO PD,
ADVISED SUSPECT SEVERAL RECENT SERIOUS FELONIES CHICAGO AREA
INCLUDING ARMED ROBBERY. UNDER TWENTY FOUR HOUR FIGURE BY
CIU WHICH ANTICIPATES HIS ARREST NEAR FUTURE IN CONNECTION ROBBERY
ACTIVITY. CHICAGO PD HAS SPECIFICALLY REQUESTED NO INTERVIEW
BE CONDUCTED AT THIS TIME AS COULD JEOPARDIZE POLICE ACTIVITY.

ADVISED ATTORNEY, 25 AUG 1965

APPEARED BEFORE CHIEF COOK COUNTY ILLINOIS CRIMINAL COURT JUDGE (u)

END PAGE ONE.

ALL INFORMATION CONTAINED HEREBIN IS UNCLASSIFIED

DATE 6-29-65 BY 88-EBT 10611.
ON BEHALF AUGUST THIRTEEN, LAST, WHEN BOND REDUCED TO THIRTY THOUSAND DOLLARS AND TEN PER CENT CASH BOND POSTED BY MOTHER FOR HIS RELEASE. AND JUDGE NAPOLI SIGNED BOND. PRESENTLY UNDER FEDERAL INDICTMENT CHICAGO FOR FBW, MAIL FRAUD, ITSP, AND CONSPIRACY, BUREAU FILE EIGHT SEVEN - EIGHT ZERO THREE SEVEN THREE. (u)

SERGEANT ADVISED TODAY, ORIGINAL SOURCE OF ALLEGATION, CONSIDERED RESPONSIBLE FOR AT LEAST SIXTY BURGLARIES AND THREE BRUTAL RAPES, CHICAGO AREA. BEING HELD UNDER ONE HUNDRED THOUSAND DOLLAR BOND. (u)

IF APPREHENDED CHICAGO POLICE DEPARTMENT, CHICAGO WILL CONSIDER INTERVIEW WITH HIM AT THAT TIME. IN EVENT ARREST DOES NOT MATERIALIZE IN FEW DAYS, IS LOST BY POLICE FIGURE OR CHICAGO POLICE WITHDRAW COVERAGE, CHICAGO WILL ATTEMPT TO PLACE AN INFORMANT IN CONTACT WITH CHICAGO PRESENTLY HAS PCI COVERAGE REGENCY HOTEL. (u)

LHM BEING PREPARED FOR DISSEMINATION SECRET SERVICE. BUREAU WILL BE IMMEDIATELY ADVISED RE ANY DEVELOPMENTS. (u)

END

WA .JXM

FBI WASH DC
CONTEMPLATED ASSASSINATION JUDGE CLARK, POLICE LIAISON, SPECIAL INVESTIGATIVE DIVISION MATTER.

REMYTEL AND BUREAU TELEPHONE CALL TODAY. (U)

ADVISED SUCCEEDED

THIRTY THOUSAND DOLLAR BOND REQUIREMENT BY DEPOSIT TEN PER CENT OF BOND AMOUNT OR THREE THOUSAND DOLLARS WITH THE CRIMINAL COURT OF COOK COUNTY, ILLINOIS. NO BONDSMAN UTILIZED IN THIS METHOD OF POSTING BOND UNDER CURRENT ILLINOIS LAW. (U)

UNDER PROVISION ILLINOIS LAW WHEN DEFENDANT OR MEMBER OF DEFENDANT'S FAMILY POST BOND THE DEFENDANT AND JUDGE IN HIS OFFICIAL CAPACITY AS OFFICER OF THE COURT BOTH SIGN THE BOND. (U)

END

WA...HFOL

FBI WASH DC

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

25 AUG 19 1965
Memorandum

TO: DIRECTOR, FBI (91-22141)

FROM: SAC, CHICAGO (91-4165)

DATE: 8/18/65

SUBJECT: CONTEMPLATED ASSASSINATION OF JUDGE CLARK
POLICE LIAISON SPECIAL INVESTIGATIVE DIVISION MATTER

Re Chicago teletype to the Bureau dated 8/18/65.

Enclosed herewith are eight (8) copies of a self-explanatory letterhead memorandum concerning the captioned matter. Sufficient copies are being provided for the Bureau in the event additional dissemination is desired.

[Handwritten notes and signatures]

RLB: MJD (4)

ALL INFORMATION CONTAINED HEREBIN IS UNCLASSIFIED
DATE 6/21/63 BY SS & M/M/A
INFORMATION CONCERNING
CONTEMPLATED ASSASSINATION
OF JUDGE CLARK

A confidential source, whose reliability has not
been established, has furnished the following information to
the Chicago Office of the Federal Bureau of Investigation
(FBI).

On approximately August 2, 1965, an inmate in the Cook County, Illinois, Jail, overheard
and also an inmate in the Cook County Jail, conversing in Italian language in the Cook County Jail yard. Later overheard
and conversing in a Cook County Jail tier. became aware of and passing notes to each other, which notes were destroyed by flushing down toilets.

On approximately August 3, 1965, asked if he would be willing to kill someone for $25,000 on his release from jail on bond. agreed to this proposition and was then told that the intended victim was Judge Clark, a Federal judge who was over all the states of the United States. Judge Clark was further described, according to this source, as the man who turned down on appeal and who was going to put in. told that Judge Clark must be made an example of. mentioned something about Judge Clark staying on Lake Shore Drive and something about the sixth floor. said Judge Clark was being surveilled by two Italians. told that he would discuss use in this regard with On the following day, after this discussion, introduced to at which time no discussion ensued.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 8/18/65 BY 35F 5G I

ENCLOSURE
was arrested in Chicago, Illinois, by Special Agents of the FBI on July 20, 1965, as an Unlawful Flight to Avoid Prosecution fugitive in connection with a $67,000 robbery of the Philadelphia, Pennsylvania, Transportation Company on May 31, 1965. On August 13, 1965, was released from custody in the Cook County Jail following the posting of a $30,000 bond.

A copy of this memorandum is being furnished to United States Secret Service, Chicago, Illinois.

This document contains neither recommendations nor conclusions of the FBI. It is the property of the FBI and is loaned to your agency; it and its contents are not to be distributed outside your agency.
CONTEMPLATED ASSASSINATION JUDGE CLARK
POLICE LIAISON
SPECIAL INVESTIGATIVE DIVISION MATTER

ReButel 8/17/65 and urtels 8/18/65. (u)

Immediately furnish Bureau results of efforts to ascertain activities of and other efforts to further resolve this matter. (u)

NOTE: incarcerated in Cook County Jail on local charges, recently furnished information to Chicago agents concerning an alleged plot by Chicago top hoodlum to assassinate Associate Justice Clark of the Supreme Court, who has twice denied appeal for release from the Cook County Jail where he is being held on Federal contempt charges. Chicago attempting to ascertain activities of also allegedly involved in this scheme, who was released on bond from Cook County Jail 8/18/65. Justice Clark advised of alleged threat and requested no action other than to be advised of any other further developments. (u)

JGL:ral (4) 

COMM-FBI

MAILED: 7975

MAILED: 58 SEP 7975

RECEIVED 58-349114 16

TO: SAC, Chicago
FROM: Director, FBI

12

Teil C. CLARK

NOTE:

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
FBI WASH DC

FBI CHICAGO

PLS HOLD FOR TWO MSGS

101PM CDST URGENT 8-24-65 JJC

TO DIRECTOR (91-22141)

FROM CHICAGO (91-4165) 2

Tom C. Clark

CONTEMPLATED ASSASSINATION JUDGE CLARK,

POLICE LIAISON, SPECIAL INVESTIGATIVE DIVISION MATTER.

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

REMYTEL AUGUST EIGHTEEN LAST. (u) DATED 11/23 BY 8-8 0159W

SERGEANT CRIMINAL INTELLIGENCE UNIT, CHICAGO

PD, ADVISED TONIGHT THAT UNIT ANTICIPATES PICKING UP

PD, ADVISED TONIGHT THAT UNIT ANTICIPATES PICKING UP

WITHOUT ARREST WARRANT TOMORROW ON CHARGE OF "INVESTIGATION"

PROVIDING CAN BE APPROACHED ALONE ON STREET. CHICAGO

OFFICE WILL BE IMMEDIATELY ADVISED WHEN AND IF THIS POLICE

ACTION CONSULTED. UACB CHICAGO, PROPOSES BUAGENTS INTERVIEW

WHILE IN POLICE CUSTODY WHICH INTERVIEW WILL CONSIST

OF QUESTIONS DESIGNED TO ELICIT COOPERATION FROM OR

IF UNCOOPERATIVE TO ABORT THE SCHEME, IF IN FACT ONE EXISTS.

THE QUESTIONS WOULD EXPOSE THE GOVERNMENT'S KNOWLEDGE OF THIS

ALLEGED "PLOT". DUE TO LAPSE OF TIME SINCE

RELEASE FROM COOK COUNTY JAIL ON LOCAL BOND, IT IS NOT FEEL THE QUESTIONS

WOULD PLACE ORIGINAL SOURCE OF THIS ALLEGATION,

END PAGE ONE

66 SEP 1 1665

MR. BELMONT FOR THE DIRECTOR
IN UNDUE JEOPARDY. IT IS NOTED [REDACTED] HAS NO FEDERAL CHARGES PENDING AGAINST HIM, AND, THEREFORE, IT IS FELT INTERVIEW WILL NOT EMBARRASS BUREAU. (U)

BUREAU WILL BE IMMEDIATELY ADVISED CONCERNING ANY DEVELOPMENTS. (U)

[REDACTED] CONSIDERED ARMED AND DANGEROUS. (U)

END

PLS HOLD FOR SECOND MSG (U)

FBI WASH DC

[REDACTED]

MR. GALE
A Cook County prisoner previously advised Chicago Office of contact made by [redacted] who was released on bond August 13 on UFAP-Robbery charges. [redacted] had indicated he had contract from [redacted] for murder of individual who from description was presumed to be Associate Justice Clark. [redacted] has been suspect by Chicago police in numerous robbery cases for which they plan to question him. Chicago Office will also interview [redacted] in effort to resolve allegations from Cook County Jail prisoner. It is noted Associate Justice Clark of Supreme Court, who had denied two of [redacted] appeals has been advised of allegations. (U)
TO: MR. MOHR

FROM: J. J. CASPER

SUBJECT: JUSTICE TOM C. CLARK
ASSOCIATE JUSTICE
U. S. SUPREME COURT
VISIT TO FBI ACADEMY
8/26/65

DATE: 8/25/65

Confirming the telephone call from SAC Sloan to you at 12:30 today, this is to advise that Special Agent Geo. A. Zeiss, III, Supervisor in Charge of Firearms Training at Quantico, received a telephone call from Associate Justice Clark stating he would like to bring his 12-year-old grandson and two of his friends to Quantico on Thursday, 8/26/65, to visit the FBI Ranges. He advised they would arrive at approximately 10 AM, and will have lunch at the Academy.

As you will recall, while Attorney General, Mr. Clark held a conference of the U. S. Attorneys during which they visited Quantico for dinner & a night firearms demonstration. The Director, Mr. Tolson & the Executives Conference were present. Mr. Clark has always held the Firearms Instructors, & especially Mr. Zeiss, in high esteem, & SAC Sloan & SA Zeiss have had lunch with Justice Clark in the Supreme Court Building. Also, while Attorney General, Justice Clark requested that his son, Ramsey Clark, now Deputy Attorney General, be afforded defensive tactics training prior to his military induction. This was handled by SA Zeiss in the gymnasium in the Justice Building.

I have instructed SAC Sloan to extend every courtesy to Justice Clark on his visit to the Academy.

ACTION: None. Informative.

ST-117

1 - Mr. DeLoach

HLS:les;hd

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
TO: SAC, Chicago 56
FROM: Director, FBI 6/27/65

CONTEMPLATED ASSASSINATION JUDGE CLARK POLICE LIAISON SPECIAL INVESTIGATIVE DIVISION MATTER

Reurtel 8/25/65. 

Authority not being given for polygraph examination of [originally supplied information that Chicago top hoodlum [redacted] and police character [redacted] were involved in an alleged scheme to assassinate Justice Clark of the U. S. Supreme Court. [redacted] interviewed while in custody of Chicago police and denies any knowledge of such plot and Chicago has recommended polygraph examination of [redacted] to assist in exploring this matter. Authorization not being given and Chicago instructed to utilize other means of approach in resolving this situation.

NOTE: [redacted] originally furnished information that Chicago top hoodlum [redacted] and police character [redacted] were involved in an alleged scheme to assassinate Justice Clark of the U. S. Supreme Court. [redacted] interviewed while in custody of Chicago police and denies any knowledge of such plot and Chicago has recommended polygraph examination of [redacted] to assist in exploring this matter. Authorization not being given and Chicago instructed to utilize other means of approach in resolving this situation.

ALL INFORMATION CONTAINED HERETIN IS UNCLASSIFIED
FBI CHICAGO
8:47 PM CDST URGENT 8/25/65 DRS
TO: DIRECTOR (91-23141)
FROM: CHICAGO (91-4165)

CONTEMPLATED ASSASSINATION JUDGE CLARK, POLICE LIAISON, SPECIAL INVESTIGATIVE DIVISION MATTER. (u)

REMYTEL AUGUST TWENTY FOUR LAST. (u)

ARRESTED FOR ROBBERY INVESTIGATION BY CPD TWELVE FIFTEEN PM TODAY. DECLINED TO ANSWER ANY QUESTIONS ASKED BY PD STATING WOULD NOT TALK WITHOUT LAWYER PRESENT.

INTERVIEW BY BJA GENTS TWELVE FIFTY FIVE PM TODAY, WHEN HE STATED "YOU HAVE BETTER INFORMATION THAN I'VE GOT. THIS IS NOT TRUE. WHO IS JUDGE CLARK? I DON'T EVEN KNOW A JUDGE CLARK. I'VE ONLY BEEN IN CHICAGO A COUPLE OF MONTHS AND ALL THESE THINGS HAPPEN TO ME."

WHILE THIS INTERVIEW DID NOT ELICIT AN ADMISSION FROM SAME DID RESULT IN A DENIAL AND COULD WELL HAVE RESULTED IN ABORTING THIS ALLEGED "PLOT" IF ONE EXISTED.

SERGEANT CIU, INDICATED CHICAGO POLICE WOULD RELEASE TODAY FOLLOWING ARREST PROCESSING. SGT. PHYSICAL SURVEILLANCE STATED THE TWENTY FOUR HOUR TISSUE ON COULD NOT BE FURTHER JUSTIFIED AS HAS MADE NO PERTINENT CONTACTS NOR ACTED IN A SUSPICIOUS MANNER SINCE POLICE TISSUE INSTITUTED AUGUST EIGHTEEN LAST. (u)

ALL INFORMATION CONTAINED HERIN IS UNCLASSIFIED DATE 6-17-65 BY SP CTW
PAGE TWO

CHICAGO NOW SURVEYING INFORMANTS PERTINENT AREAS RESIDENCE AND EMPLOYMENT IN EFFORT TO AFFORD COVERAGE ACTIVITIES. IN VIEW OF IMPASSE NOW REACHED THIS INVESTIGATION, CHICAGO RECOMMENDS FURTHER CONSIDERATION BE GIVEN BY BUREAU TO AFFORDING POLYGRAPH EXAMINATION TO ORIGINAL SOURCE OF ALLEGATION. ARRANGEMENTS COULD BE MADE THROUGH USA, CHICAGO, TO HAVE BROUGHT FROM COOK COUNTY JAIL TO FEDERAL BUILDING UNDER SUBPOENA WHERE POLYGRAPH WOULD BE GIVEN. BUREAU WILL BE IMMEDIATELY ADVISED ANY DEVELOPMENTS.

END

WA JXM

FBI WASH DC
SPECIAL INVESTIGATIVE DIVISION

8/26/65

AUFAP-Robbery subject, now Cook County Jail, Illinois, previously indicated to fellow prisoner that he had a "contract from _______ for murder of individual who from description was believed to be Associate Justice Clark. At interview indicated allegation untrue. Chicago believes if plot did exist, it may now be aborted but recommends polygraph examination of Cook County prisoner who gave us the information. Authority for polygraph not being granted. Chicago being instructed to confront Cook County prisoner, _______ with _______ denial in effort to further resolve allegation.

AAS: gjf

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 8/26/65 BY 8E-8 0551218

[Signature]
Reference is made to my memo of 8-25-65. (U)

SAC Sloan advises that Justice Clark, accompanied by his grandson, and his three young friends, (neighbors of Ramsey Clark, Deputy Attorney General), arrived at the Academy yesterday morning. They were taken on a tour of the Academy Building by SA Zeiss, had lunch with SA Zeiss and SAC Sloan, and with them proceeded to the range, where Justice Clark and the boys fired .22 caliber revolvers, rifles, and the Thompson submachine gun. (Justice Clark stated that this is the first time he had ever fired a revolver.) (U)

Mr. Clark made many complimentary remarks regarding our training facilities, and was most appreciative of the time spent by SAC Sloan and SA Zeiss with the group. He told SAC Sloan that in the recent conversation with President Johnson, he told the President that if all police officers could receive FBI training, we wouldn't have the crime problems we have today. He also advised that he was very grateful to Mr. Hoover for permitting us to train the Supreme Court guards in the use of firearms, and that as a result of the training, the guards were an entirely different and improved group. (U)

He made numerous pictures of the boys while firing and told SAC Sloan on leaving that if there was anything he could do to help us obtain our expanded training facilities, to let him know. He said he could see no difficulty in the Congress in that regard. (U)

ACTION:

None. Informative. (U)
AIRETEL

9/1/65

TO: SAC, Chicago
FROM: Director, FBI

CONTEMPLATED ASSASSINATION JUDGE CLARK
POLICE LIAISON
SPECIAL INVESTIGATIVE DIVISION MATTER

ReBuairtel 8/27/65.
Expedite requested investigation and promptly furnish results to Bureau. (U)

NOTE: Chicago is checking out an original allegation that top hoodlum [_________] and one [_________] were involved in an alleged scheme to assassinate Justice Clark of the U. S. Supreme Court. (U)

JGL:ral.
(4)

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
Mailed 25
SEP 1. 1965
COMM-FBI

REC-66
EX 105
19 SEP 2 1965
SUBJECT: CONTEMPLATED ASSASSINATION JUDGE CLARK POLICE LIAISON SPECIAL INVESTIGATIVE DIVISION MATTER

Re Bureau airtel, 8/27/65.

Chicago informants in position to furnish information re activities including and PCIs and , unable to furnish pertinent information re this matter to date.

observed 8/31/65 by Chicago Police Department Detectives at Leaning Tower of Pizza, 851 North State Street, Chicago.

During past two weeks, Chicago newspapers have afforded considerable publicity to Cook County Sheriff's Office, probe re preferential treatment afforded in Cook County jail. As result of this probe, two jail guards have been dismissed. US Bureau of Narcotics and USA Office, Chicago, also active in this probe, although newspapers in this connection only referred to another investigative agency independent from the Cook County Sheriff's Office. The Cook County Sheriff's

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CC 31-4165

has declined to identify this other agency. It is noted

has been officially afforded FBI interview

at Cook County Jail on two previous occasions. News sources

have access to county jail logs reflecting interviews and

might construe FBI investigation in this matter as being

connected with the Cook County Jail probe.]

UACB due to nature of open inquiry necessitated

by Cook County Jail regulations which include logging-in

procedures by interviewers another interview with

is not contemplated until such time as above probe

quiets down.

Chicago will intensify informant coverage, and will reinterview when deemed

advisable, probably within next two weeks.

Bureau will be immediately advised any developments.

CONSIDERED ARMED AND DANGEROUS.
FBI

Date: 9/10/65

Transmit the following in ____________________________________________
(Type in plaintext or code)

Via ________________________
(Priority)

TO : DIRECTOR, FBI (91-22141)

FROM : SAC, CHICAGO (91-4165)

SUBJECT: CONTEMPLATED ASSASSINATION
JUDGE CLARK
POLICE LIAISON
SPECIAL INVESTIGATIVE DIVISION MATTER

Re Chicago airtel to Bureau 9/1/65.

advised 9/10/65 Leaning Tower of Pizza,
851 North State Street, Chicago, closed by Chicago PD 9/7/65
due to violation health regulations. also
ascertained related to aka
also
learned and (LNU), employee at Leaning
Tower of Pizza, had recently travelled to Philadelphia, Pa.,
allegedly on behalf

and PCIs

unable to furnish pertinent information re

during current contacts. Sergeant

Criminal Intelligence Unit, Chicago PD, advised 9/8/65
hearing in Cook County Criminal Court, Chicago,
re $67,000.00 robbery of the Philadelphia Transportation

If deemed advisable, Chicago will re-interview
during following week.

Bureau will be immediately advised any developments.

CONSIDERED ARMED AND DANGEROUS

Bureau
Chicago
(1 - 62-6343)

GLB: jeo

Sent EX-113
M Bar

Special Agent in Charge

SEP 13 1965

RECEIVED 8-6-65
TO: DIRECTOR, FBI (91-4441)
FROM: SAC, CHICAGO (91-4165)
SUBJECT: CONTEMPLATED ASSASSINATION JUDGE CLARK POLICE/LIAISON SPECIAL INVESTIGATIVE DIVISION MATTER

Re Chicago airtel to Bureau dated 9/10/65. (u)

Inmate, Cook County Jail, Chicago, Illinois, who is original source of allegation concerning plot to kill Judge CLARK, reinterviewed by BuAgents 9/15/65. At commencement of interview, expressed disappointment that FBI had not interceded on his behalf re pending local charges against him. was reminded that no promises were ever made to him by BuAgents and was told by FBI would not intercede with local prosecution against him. agreed that no promises had been made to him by BuAgents in exchange for information but added that he hoped information furnished by him would merit assistance by the FBI re his local prosecution. (u)

reiterated he had furnished the truth to BuAgents as best as he can recall and understand concerning the assassination plot. Following the gangland killing of Chicago hoodlum during the early a.m. of 9/11/65 in Chicago, stated that on further reflection, of this incident, he realized that the conversation he had with in the Cook County Jail could have referred to rather than Judge CLARK. said he (u)
seriously considered writing the Chicago FBI Office for another interview but did not do so because of close censorship in the Cook County Jail following investigation of activities there. explained he felt a letter would bring attention to him. recalled Lake Shore Drive being mentioned by and learned that MANNY SKAR was killed in the rear of his Lake Shore Apartment. stated that he now recalls talking about a man and a woman in connection with this assassination plot but cannot remember whether they were intended victims or any other reason why they were mentioned.b6

also mentioned that approximately ten days after his interviews with BuAgents on 8/16/65 (FNU) b7c a Negro inmate in the Cook County Jail, gave an address and phone number where he could contact b7d should he change his mind. This address was at Leaning Tower Pizza, 851 North State Street, Chicago, telephone 664-5264, (FNU), according to is charged with armed robbery and was a close associate of in the Cook County Jail.(i)

stated he has had no further discussions with anyone in connection with instant assassination plot since previous interviews by BuAgents. (i)

Above information furnished 9/15/65 to Commander Homicide Division, Chicago Police Department, who is in charge of MANNY SKAR's homicide investigation(i)

Inasmuch as no information re this alleged assassination plot has been received from any other sources and has admitted confusion in his understanding of the details of the alleged plot, the Chicago Division does not contemplate further investigation UACB.(i)

CONSIDERED ARMED AND DANGEROUS.
Memorandum

TO: Mr. Conrad

FROM: R. H. Jevons

DATE: 10/21/65

Mr. Jevons, 7133

SUBJECT: SUPREME COURT JUSTICE TOM CLARK
DESTRUCTION OF OLD AMMUNITION

Of Supreme Court Justice Tom Clark's office telephoned this afternoon and advised that the Justice had a number of boxes of old shotgun shells that he would like to have destroyed. She is desirous of the Bureau destroying these old shotgun shells for the Justice.

ACTION:

Unless advised to the contrary, arrangements will be made to obtain these old shotgun shells and destroy them at Quantico.
Memorandum

TO: Mr. Mohr

FROM: J. J. Casper

DATE: August 17, 1966

SUBJECT: JUSTICE TOM C. CLARK
ASSOCIATE JUSTICE
U. S. SUPREME COURT
VISIT TO FBI ACADEMY
AUGUST 17, 1966

Re memorandum J. J. Casper to Mr. Mohr dated August 16, 1966, advising that Justice Clark and his Grandson, Tommy Clark, would visit the FBI Academy today.

Justice Clark and his Grandson together with two children, who are neighbors of Justice Clark, visited the Academy today and had lunch. Justice Clark was most complimentary of our facilities at Quantico and stated he wished that there was a facility for training U. S. Commissioners, Assistant U. S. Attorneys and new Federal District Judges similar to that of the FBI. He remarked that if such a training facility was available it would save the U. S. Supreme Court a lot of work. Justice Clark advised SAC Sloan that he had just returned from the West Coast and that everywhere he went he found a lot of enthusiasm for the expanded FBI training facilities and program.

While at the Academy Justice Clark shot skeet for the first time in his life and broke 10 birds out of 25. He also brought his own .22 rifle and fired a few rounds with this rifle at our range.

Justice Clark commented to SAC Sloan that he would probably call the Director sometime tomorrow and that as soon as the Supreme Court is convened in the Fall he was going to invite the Director to have lunch at the Supreme Court with members of the Court.

RECOMMENDATION:

Submitted for information.

1 - Miss Holmes
1 - Mr. Wick
1 - Mr. DeLoach
TJJ/hcv

57 AUG 24 1966

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 8/17/83 BY SE-8 58JOY

NOTE:
Memorandum

TO: Mr. Mohr

FROM: J. J. Casper

DATE: August 16, 1966

SUBJECT: JUSTICE TOM C. CLARK
ASSOCIATE JUSTICE
U. S. SUPREME COURT
VISIT TO FBI ACADEMY
AUGUST 17, 1966

SAC Sloan telephoned from Quantico advising that he received a telephone call from Justice Clark's secretary this morning stating that the Justice and his Grandson, [blank] (son of Ramsey Clark, Deputy Attorney General) would like to visit the Academy tomorrow, 8/17/66. Sloan suggested they arrive at the Academy on time for lunch.

For information, Justice Clark and his Grandson visited the Academy on August 26, 1965, and both were most complimentary in their remarks of the facilities at Quantico and the caliber of training given to our Agents.

I have instructed Sloan to extend every courtesy to the Justice on their visit tomorrow.

ACTION:

Information.

61 AUG 25 1966

ALL INFORMATION CONTAINED IN THIS MEMORANDUM IS UNCLASSIFIED.

DATE 6/12/66 BY [Signature]

1 - Mr. Wick
1 - Mr. BeLoach
HLS/hec

62-72944 440

16 AUG 18 1966
Memorandum

TO: Mr. Felt

FROM: H. L. Edwards

SUBJECT: 21ST NATIONAL CONFERENCE ON CITIZENSHIP

WASHINGTON, D. C., 9/12-14/66

ADDRESS BY ASSOCIATE JUSTICE OF THE U. S. SUPREME COURT

TOM C. CLARK

DATE: September 14, 1966

ATTACHED is a copy of the address of Associate Justice Clark which he gave at the Annual Dinner, 9-13-66. It was entitled, "Citizenship -- Gives Much and Expects Much." (U)

Justice Clark's speech was one of the hardest hitting I have ever heard him give and some of his statements were particularly noteworthy, considering the fact that they come from one of the Justices of the U. S. Supreme Court. He said everything which is in the manuscript but, in addition, he adlibbed and even went beyond some of the hard-hitting manuscript statements. (U)

For example, on the subject of civil disobedience, Justice Clark stated, "Some of us also seem to forget that the right of the people to assemble and petition does not include fighting, looting, burning and killing. This turns a sacred right into a disgraceful riot . . . ". He later said, "... we have the spectacle of civil disorders breaking out like waves all over the land. Nor are those participating in them the garden variety of criminals. They are of many ages and occupations, of different colors and sex, all law breakers by mood in outbursts of disrespect for law and constituted authority. As a result, the ranks of the law-breaking and the law-abiding have become mixed and confused. Law and its authority are defied -- local governments are confronted with staggering problems of maintaining peace and safety -- and we agonize over the sight of individual liberty run riot . . . Our problem today is our failure to teach our people democracy as written in our fundamental law -- individual rights rather than individual riot . . . " (U)

Speaking of juvenile delinquency and youthful criminality, Justice Clark stated, "The first disturbing sign (speaking of the fact that after almost two centuries of law, today we are 'so remarkably lawless') is the increase in delinquency among young people between the ages of 15 to 25 years. Our highest incidence of crime is in this age bracket." He then adlibbed by making reference to the fact that in the present century the U. S. has set up a system of juvenile courts but parents have gone far beyond the legislative intention and have actually abdicated their parental responsibilities and have left the whole matter of training and disciplining of juveniles and youth up to the judges. (U)

Enclosures

ENCLOSURE - 9-15-66

(Continued - Over)
Memorandum to Mr. Felt
Re: 21st National Conference on Citizenship, Washington, D. C., 9/12-14/66
Address by Associate Justice Tom C. Clark

Speaking of education, Justice Clark spoke of the massive educational programs, the billions of dollars spent on education, and he said that education has become a mass production operation. "As a consequence there is little attention given the individual student, especially the average one. These knowledge factories have become faceless and machine like. . . . We have forgotten about teaching democracy in our homes, in our schools and in our colleges and universities." (U)

Approximately 500 people attended the banquet of whom at least one-third were teenagers and older youths. The impression and impact made by Justice Clark were obvious, judging from the applause he received, the numerous comments of a favorable nature which were made following his address, and the number of people who came up to congratulate him after it was over. Copies of his manuscript were distributed to all present. (U)

At the business session this morning Justice Clark was re-elected President of the National Conference on Citizenship for the next year. He has been connected with the National Conference on Citizenship since it began in 1946 and, as Attorney General of the United States in that year, he sponsored the First Conference at Philadelphia. The instant conference was the 21st, and Justice Clark referred to this Twenty-first Conference as the "coming of age" conference. He mentioned that the Conference now has as affiliates more than 700 outstanding organizations in the country whose representatives attend. (U)

RECOMMENDATION: That an appropriate letter be sent to Justice Clark congratulating him on his hard-hitting address and on his re-election as President of the National Conference on Citizenship. If approved, Crime Records Division to handle. (U)

Proposed letter attached. (U)
An Address

by

MR. JUSTICE CLARK
Associate Justice
Supreme Court of the United States

"Citizenship -- Gives Much and Expects Much"

TWENTY-FIRST NATIONAL CONFERENCE ON CITIZENSHIP
Washington, D. C.
September 13, 1966

ALL INFORMATION CONTAINED HEREBIN IS UNCLASSIFIED DATE 9/13/66 BY 898 03:30
Mr. Justice Clark

It is a high honor and to me a cherished privilege to meet with you tonight at this the 21st National Conference on Citizenship. It was my good fortune as Attorney General of the United States to sponsor the first Conference at Philadelphia in 1946. The Conference has now become of age and we who conceived and have nurtured it over the years are proud of its accomplishment. Chartered by the Congress of the United States, the Conference now has as affiliates over 700 of the outstanding organizations of our country. Most of you who are in attendance here tonight come as the representatives of those associations; others attend as the delegates of States and municipalities.

The Conference has prospered because of the devotion of its members and the diligence and hard work of its staff, headed by my old friend, Judge Hyatt. I am pleased to announce that the Conference only last week received a three-year grant from the Allegheny Corporation. Through it we will be able to secure the services of Brigadier General Charles H. Cox, Retired, who will act as Executive Director of the Conference. We welcome General Cox to our staff and have every confidence that his service with it will be as distinguished as was that which he rendered in the United States Marine Corps. Having become of age, we are expecting even greater accomplishments from the Conference. Tonight, I predict that it will soon be recognized as the most effective organization in the field of citizenship in America.

The Conference has honored, and will continue to honor, the Purple Heart Veterans of America. Tonight, we honor those of Viet Nam. We owe them a deep debt of gratitude for continuing America's fight for the right of all men to be free. As we pay tribute to them we also recognize all Purple Heart veterans in homes and hospitals everywhere, as well as those who throughout our history have rendered like service even unto death. They teach us the lesson that a free people must always be ready and willing to defend their freedom.

It is true -- as we are often told -- "Memory is the thing we forget with."
Too often, too many forget. We often forget that our forefathers came here to escape tyranny, both temporal and spiritual; that they built a great democracy based on the fundamental proposition that all men are entitled to be free; that it took almost a hundred years and a war for us to secure the right of freedom to all Americans regardless of race, creed or color; and even now a century later we agonize among ourselves over the fulfillment of this same right to be free and equal among ourselves. In the foreign field we often forget that the security we enjoyed from the time of Napoleon until World War I was not due to our superiority in government but rather to a temporary constellation of world power. We overlook that we have since been twice surprised by the onset of war and seldom mention that in each instance we failed to capitalize fully on the opportunities for establishing a more stable world. In short, we underestimated the role of power and overestimated that of the good Samaritan as an instrument of world peace. Even today millions of us fail to realize that the world has grown so small that the possibility of any nation isolating itself is a physical impossibility. The advances of science have brought instantaneous communication and confrontation to all parts of the world; supersonic travel takes the astronauts around the world in the time that it takes to drive from Washington to Baltimore. You can leave Tokyo at 10:00 p.m. and arrive in Honolulu at 10:30 a.m. the same day -- eleven and a half hours before you took off. When I was a boy, there was an old Limerick that we thought expressed fantasy:

"There was a young man named Bright,
Whose speed was far faster than light.
He set off one day in a relative way
And came back the previous night."

Today, this Limerick reflects truth and actuality. As a consequence of these advances in technology, speed, communication and destruction we can escape the problems of the peoples on the other side of the earth about as well as we can escape
death and taxes.

Some of us also seem to forget that the right of the people to assemble and petition does not include fighting, looting, burning and killing. This turns a sacred right into a disgraceful riot. Those who engage in such conduct do lasting harm to their cause. They fail to remember that constitutional rights and privileges carry with them concomitant duties and responsibilities. Our individual rights are bound together with the welfare of all of us. Why is it that, after almost two centuries of law, today we are so remarkably lawless? Nor is it the cold, calculating criminal alone that faces us. We have a wider problem. The first disturbing sign is the increase in delinquency among young people between the ages of 15 to 25 years. Our highest incidence of crime is in this age bracket. Some say that it is the result of poverty, slums, housing, recreation, etc. But delinquency is present at an equal rate among the more affluent families. Next, we have the spectacle of civil disorders breaking out like waves all over the land. Nor are those participating in them the garden variety of criminals. They are of many ages and occupations, of different colors and sex, all law breakers by mood in outbursts of disrespect for law and constituted authority. As a result, the ranks of the law-breaking and the law-abiding have become mixed and confused. Law and its authority are defied -- local governments are confronted with staggering problems of maintaining peace and safety -- and we agonize over the sight of individual liberty run riot.

And another thing we forget is that this orgy of crime and riot is seen around the world. Who knows but what its image has accentuated the present low ebb in our standing in the community of nations? It was the German publicity chief, Goebbels, who said a quarter of a century ago that no country had so many social and racial tensions as did we. And he added: "I shall play upon them as on many, many strings." Others are now taking a lesson from his bow.

But let us reason together on the causes of this lawlessness. First of all, it is deep-seated and we cannot, therefore, expect to cure it overnight. Certainly
the many federal and state programs now in progress to eliminate slums and ghettos, to reduce poverty and to equalize opportunity, should be of great assistance. Likewise, the youth programs should prove most beneficial. And the national manpower conservation program of the Selective Service System, the Public Health Service and the Department of Defense should do much to remedy the health and physical defects of these young men who, because of these deficiencies, are not able to participate in their country's fight for world peace. We have forgotten that in World War II some 5,000,000 young men could not respond to their country's call because of physical and mental defects. And, we have massive educational programs. Indeed we have forged a new educational system. We spend 38 billion dollars on it, 30% of which is for higher education. The federal government alone poured two billion dollars last year into universities for research and development. That is almost a fourth of the operating income of all of the colleges and universities in the United States. Research grants are engulfing the universities and the whole education system is on a mass production basis. As a consequence there is little attention given the individual student, especially the average one. These knowledge factories have become faceless and machine like. I stand up with Amory Houghton, Jr., Chairman of the Corning Glass Works, who declared recently in an address at Centre College: "Our problem today is not in producing more technology; our problem is in using it. Our problem is not science, it's democracy." We have forgotten about teaching democracy in our homes, in our schools and in our colleges and universities. A family used to be more than a blood-relationship. It was a special place we all loved and were taught standards of behavior and democratic living that stayed with us the rest of our lives. And our grade and preparatory schools supplemented this homework by teaching about our heritage, our government, the respect that we each owe to law and constituted authority and other basic principles that govern a democratic society.

Our great President touched upon the problem in his Citizenship Day and Con-
He said, in part, that "It is very important that every American understand our system of government, cherish the fundamentals of freedom and be always ready to defend our heritage for which so many have given so much." I submit that one cannot "be ready" unless he knows of his heritage, has been taught to cherish his freedom, and understands his system of government.

Sophocles said that truth is the strongest argument. And it still is. The truth is that millions of our citizens know little or nothing about the Constitution, the Bill of Rights, the nature of our government and the distinguished heritage that is theirs. You read about the citizen who, a few years ago, tore the Bill of Rights from a bulletin board in a public building and denounced it as subversive material; you heard of civil rights leaders denouncing court orders and refusing to obey those that did not suit their mood; you know that we have 15 million functional illiterates in our population and that some 65 million citizens over the age of 18 years do not have a high school education. Our problem today is our failure to teach our people democracy as written in our fundamental law—individual rights rather than individual riot—respect for law and constituted authority and the personal relationship that each of us must maintain with our great heritage and the government that it represents. These principles must be brought home to all Americans. This is the challenge that this Conference must meet. With its 700 affiliated organizations and their millions of members, it can perform this job. We must bring the problem to the attention of all Americans, especially educators and youth organizations so that our educational system may be alerted and steps taken to correct these deficiencies.

It is vitally important that our country produce more citizens who are alert to these fundamental concepts of our society. This is especially true with youth. I am happy to say that one-third of the attendance at this Conference is made up of young citizens. We who are of an older generation are proud of them. We feel that we have improved upon ourselves. As has been said, "Youth is not a time of life, it
is a state of mind. ' And the state of mind of youth as a whole today is far more knowledgeable than their years. They say it is a young man's world but I like to think at age 67 that we grow old only when we desert our ideals; we are as young as our faith; as strong as our self-confidence and as happy as our hopes; we grow old only when we are overcome by our doubts; when we nourish our fears and practice our despairs.

It is true that our future is in the hands of those of younger years. We are fortunate in having such a good crop. I have explicit faith in them. As I have said, some get out of line but percentagewise it is small. We must enlist them in a great campaign for good citizenship. That is our salvation. In this challenging age we must think of them as being "of us" not just "with us." Properly trained they will continue to improve our society and its processes. Their dedication to this goal depends upon our actions. Together we must develop a living democracy in which we all partake in perfect harmony.

It has been my good fortune to be permitted over a lifetime to be and to work with the Boy Scouts. Each year they have a Jamboree at which over 50,000 boys attend. At its close they have a very impressive ceremony. As they stand in mass on a hillside, each boy lights a tiny candle -- 50,000 candle power lights them and the earth about them. No dark place can be seen.

We see many dark places in our social structure today. But all that we need are candles -- you and I and millions of others must be like candles bringing light to dark places, here and there and everywhere -- you in your place and I in mine. Never forget. "It is better to light one candle than to curse the darkness."
September 15, 1966

Honorable Tom C. Clark
Associate Justice of the
Supreme Court of the United States
Washington, D. C. 20543

Dear Tom:

I have read a copy of your address of September 13th before the Twenty-first National Conference on Citizenship and want to congratulate you for your timely and hard-hitting remarks, which I am sure were well received.

Your re-election to the presidency of the National Conference on Citizenship is still another tribute to you, and you have my very best wishes for a highly successful year in this office.

Sincerely,

Edgar

NOTE: Justice Clark is on the Special Correspondents' List on a first-name basis. This letter recommended by Inspection Division. See Edwards to Felt, 21st Nat'l. Conf. on Citizenship. Wash, D.C. 9-12-14.

ALL INFORMATION CONTAINED HERIN IS UNCLASSIFIED
Dear Edgar:

Upon my return from a trip West I found your September 15th letter about my National Conference on Citizenship speech. I very much appreciate your generous words. The Conference on Citizenship organization is a good one and needs all the help it can muster.

With best wishes, I remain

Sincerely,

Hon. J. Edgar Hoover
Director, Federal Bureau of Investigation
Washington, D.C.

Tom (Clark)
Houston, Texas  
October 16, 1945

Director, FBI

Re: TOM C. CLARK  
Attorney General  
Miscellaneous

ATTENTION: Inspector Robert C. Hendon

Dear Sir:

The following information is being submitted relative to the Attorney General's visit in the Houston territory and in conformity with instructions received from Inspector Hendon.

The Attorney General, accompanied by his brother, ROBERT; SAM RIDDICK, Public Relations Officer for the Department of Justice; and Special Agent TOM WEBB, arrived at Corpus Christi, Texas at 4:15 P.M. on October 11, 1945. Through arrangements perfected by Mr. James L. Lattimore, President of the Nueces County Bar Association, the Writer was in attendance at all functions given in honor of the General. His main and only public appearance at Corpus Christi was at a dinner dance given by the Nueces Bar Association in the Driscoll Hotel on October 11 at 7 P.M. Mr. Lattimore served as toastmaster and the Attorney General, in his talk, made a very complimentary reference to the FBI when he mentioned the manner in which Federal Judgships were selected. He stated that each application, after being personally considered by him, was given the FBI for appropriate investigation. He said, speaking of the FBI, he wanted at that point to mention that the FBI was the best investigative agency of its kind in the world. He said that as Attorney General he had had the opportunity of trying numerous important cases as based on FBI testimony and that FBI Agents were the best witnesses since they had their facts well at hand and knew how to put proper emphasis on matters developed by investigation. In his talk, he also dealt on the matter of juvenile delinquency and used figures supplied by the Director to whom he gave full credit in talking on these matters.

The Attorney General's reference to the FBI at this meeting should be considered most helpful since all members of the State Supreme Court, the Circuit Court of Appeals, and local State Judges from the southeastern part of Texas were in attendance. In addition, all lawyers were present and many State officials, including the former Governor, James Allred.
The Attorney General left Corpus Christi, Texas for Houston at 9:20 A.M. on October 12 by Braniff plane and the Writer accompanied him at the General's request. During the course of the trip, I told the Attorney General that we of the FBI were truly appreciative of his complimentary reference to the Bureau in his speech the evening before. He said he was sincere in making the remark as he really felt the FBI, under the Director's leadership, was the finest of its kind.

While the Attorney General was in Corpus Christi, Admiral J. J. (Jocko) Clark, Commander of the Corpus Christi Naval Air Training Bases, served as his host upon arrival and at a club breakfast at the Admiral's home on the morning prior to his departure for Houston. Admiral Clark, it will be recalled, is of The Fighting Lady fame and a nationally known figure in Naval actions in the Pacific.

On arrival at Houston at 10:30 A.M. on October 12, the Attorney General and members of his party were guests at a luncheon held at the Houston Country Club and sponsored by Mr. Douglas W. McGregor, former United States Attorney for the Southern District of Texas, and former Governor William P. Hobby, now of the "Houston Post." The Writer was in attendance with the Attorney General at both the invitation of Mr. McGregor and Mr. Hobby. The talk given by the Attorney General on this occasion was strictly informal with no references being made to Departmental matters.

On the evening of October 12, 1945, the Attorney General, as the guest of honor, appeared at a dinner given at the Rice Hotel under the sponsorship of the Houston Bar Association. Mr. James L. Shepherd, Jr., President, served as toastmaster and principal arranger, being assisted by Mr. McGregor. An estimated 500 people were present as dinner guests. In this address, the Attorney General again referred to juvenile delinquency, using the figures and reference to the Director as in the Corpus Christi talk. In his talk he related the following humorous incident concerning a watch which was given him upon his inauguration as Attorney General by an unknown donor. He said appreciating that he would be unable to accept the gift if it came from a member of the Department of Justice, he called upon the Director to make an investigation. He said that true to its reputation, the FBI always got its man and he was relieved to know that the donor of the watch was an outside individual thus enabling him to retain the gift. No other reference was made to the Bureau in this particular talk.
Director
Re: Tom C. Clark, Attorney General
HO 10/16/45

As indicated, I was able to be with the Attorney General the majority of the time and I know from his comments made publicly and to me personally that he thinks most highly of the Director and what the Bureau is accomplishing in investigative matters. Mr. Robert Clark, the Attorney General's brother, personally told me of his high admiration for the Bureau. I found Sam B. Riddick very affable and a sincere admirer of the Bureau. Special Agent Tom Webb performed his duties creditably.

The Attorney General, after staying in Houston on the night of October 12, was personally taken to the airport by the Writer and he departed for Dallas, Texas at 8:29 A.M. on that date. SAC Percy Wyly was notified telephonically of this fact.

Of interest to the Bureau, I am enclosing herewith one copy each of the press releases which appeared in the papers in Corpus Christi and Houston. Two additional copies of the releases, together with glossy photographs taken, are being sent separately and directly to Mr. Riddick in accordance with his request.

I might mention that the Attorney General gave the Writer an autographed photograph of himself. I feel from my own experience and from remarks made by those making arrangements for the Attorney General's visit in the Houston territory that everything went along smoothly and to the satisfaction of all those participating.

Very truly yours,

GALEN N. WILLIS
SAC

GNW:NK
Enclosures
67-199
SPECIAL DELIVERY
Tom C. Clark
Will Talk Here

United States Attorney General Tom C. Clark will talk here Friday.

He will be guest speaker at a dinner of the Houston Bar association at 7 p.m. in the main ballroom of the Rice hotel. Before the dinner a cocktail party will be held at 6:15 p.m. in the South American room.

More than 500 are expected to attend. Invitations have been extended to members of the bar in Southeast Texas.

Attorney General Clark is a Texan. He was appointed by President Truman and took the oath of office June 30 after the Senate had confirmed the appointment.

Former United States District Attorney Douglas McGregor will introduce Mr. Clark at the dinner.

James L. Shepherd, president of the Houston bar, will preside.

Tickets are not on sale in the office of the bar association in the Civil Courts building.
United States Attorney General Tom C. Clark of Dallas will arrive here by plane at 10 a.m. Friday, James L. Shepherd, president of the Houston Bar Association, said Thursday.

Mr. Clark will be honor guest and speaker at a dinner given by the association in the Rice Hotel at 7 p.m. Friday. Earlier, he will attend a luncheon given by friends at the Houston Country Club.

More than 400 reservations have been made for the Friday night dinner. Others wishing to attend are urged by Mr. Shepherd to secure reservations at the bar association's office in the Civil Courts Building.
Free Competition Will Be Protected, Clark Promises

DALLAS, Oct. 10—(AP)—Attorney General Tom C. Clark said here Wednesday night that the department of justice is open to every person with an honorable cause and no businessman need fear government interference where the ethical rights of free competition are respected.

The attorney general, a native of Dallas, in an address prepared for delivery at a banquet in his honor, mentioned the Sherman anti-trust act. He said it was designed to maintain free enterprise and "no honest man at all can look at it in fear."

"I acknowledge myself and desire above all to be the lawyer for the people of the United States," he said. "If the department of justice abides by its very name then justice compels me to be the advocate of every person with an honest cause and an honest hand..."

No Terror Instruinent

"I want no notion to exist that the department of justice is an instrument of terrifying account raised to batter American business and the free enterprise for which our great President has but so recently given the freest rein. Everyone in the department is open to any American businessman, from the largest to the smallest, if he has a cause and is deserving under
the law of protection. I am somewhat abashed at the very saying of that. But too often we must correct misconceptions.

"To a recent group of prominent Maryland attorneys I said: I shall be the people's lawyer, the people's lawyer; to see that the innocent are protected, the guilty punished, monopolies, trusts, and the restraint of interstate, business prevented, the public purse guarded, civil liberties preserved and constitutional guarantees held inviolate. That is my goal."

"In none of this will I institute, nor under any circumstances tolerate, anything like a witch hunt. I am triumphantly proud to proclaim that we finished off a war that tried the nerves of everyone. But no man can show an instance of the slightest hysteria in the United States department of justice. Such a policy of one-sided and one-eyed approach is going to continue.

"It will insist that every problem get a thorough looking over. I want to map judgments not quite nerved up, agreement on anything..."

"We want a free economy. In this connection I want to speak a minute about the Sherman act which is nothing less than a bedrock of government monopoly."

"The Sherman act is a misconception on this score and sadly, it exists among the people itself. The antitrust laws place no restriction upon industry. It puts no brake upon the businessman. No honest man at all can look like it. In fear, the antitrust law seeks only to relieve business from arbitrary types of restriction imposed by monopoly and from regimentation by entrenched monopoly groups."

"Freedom to compete!"

"It asserts the freedom to compete; it seeks and successfully must to remove illegal obstructions to competition.

"No man, no group must on any plane where the ethical rights of free competition are respected can say that he fears the antitrust laws. We see not interested in the fear of those who would violate this, this first tenet of American life.

"And I will say that those who wish for their own gain to strangle free enterprise in America, who would hog our markets, who would chase honest competitors from the field can expect only one thing from the department of justice. They may expect prosecution."

"An honest businessman has nothing whatsoever to fear. On the contrary, he has, for his own defense, the cape of protection which if the act is, itself, the guarantee that he can operate to the full limits of his genius and ethical opportunity."

End of Domination.
Attorney General Clark Arrives

United States Attorney General Tom C. Clark is shown as he stepped from a Braniff plane at the Municipal Airport Friday morning.
Attorney General Arrives Here for Dinner Tonight

Tom Clark Is Greeted at Airport by Prominent Members of Houston Bar.

Wearing a broad-brimmed sheriff's hat, a plain gray suit and a big infectious smile, Tom C. Clark, United States attorney general, stepped from a chartered Braniff passenger plane at 11 a.m. Friday and shook hands in rapid succession with a dozen or more prominent members of the Houston bar.

He was accompanied by his brother, Bob Clark of Dallas, and also by Douglas W. McGregor, former United States district attorney in Houston, now in private practice of law. They flew to the Municipal Airport on Telephone Road from Corpus Christi.

Not in Serious Mood.

The young attorney general was definitely not in a serious mood as he shook hands first with James L. Shepherd, president of the Harris County Bar Association, and with other prominent attorneys.

Included among the attorneys on hand to meet him were State Senator Weaver Moore, Rex Baker, Col. W. B. Bates, K. C. Barkley, Wilmer Hunt, William L. Hemphill, and M. E. Kurth.

A reporter sought to find out some of Mr. Clark's ideas on current topics, but he said, "I will go into all that tonight when I speak at the bar association dinner."

Dinner Set Tonight.

Mr. Shepherd said the dinner at the Rice Hotel tonight will begin at 7 p.m. but will be preceded by a cocktail party at 6:15 p.m. Mr. Clark was invited to attend as the guest of honor.

Mr. Shepherd, who will preside, will introduce Mr. McGregor, who in turn will introduce Mr. Clark at the meeting. The meeting will be "streamlined," Mr. Shepherd said, and long speeches will be banned, except for Mr. Clark, who will be privileged to speak as long as he desires. Mr. Shepherd laughed.

After shaking hands with members of the bar reception committee, Mr. Clark in company with an FBI man, and a newsmen was brought to the Rice Hotel in Mr. Shepherd's car for a few minutes before leaving for the Houston Country Club where he was guest of honor at a private luncheon at 12:30 given him by some 30 or 40 personal friends in Houston.

Talks About Problem.

On route to the city, Mr. Clark did permit himself to dwell briefly on some of the problems facing the country, now that the war is over.

The No. 1 problem, he said, of course is to provide returning ex-servicemen with employment, and the next most important thing, he continued, is to pay more attention to the nation's juvenile problem.

He seemed to think that the U. S. O. Clubs for soldiers had opened up a new vista for handling youths. These clubs modified for juveniles, he said, could provide decent places for youth to go and have some excitement.

Doing something for the youth of the nation, he said, is imperative, because during the past six months juvenile crimes over the country have jumped up 27 percent.

The attorney general is very
much interested in trials of war criminals in both Europe and Asia, and said some of the Asiatic trials would deal with Japanese criminals as far back as the conquest of Manchuria.

Sees Death for Criminals.

He predicted death sentences for all of the major war leaders of Germany and Japan, now classed as criminals. He said several able members of his staff were now aiding in the prosecution of criminals.

Machinery for the trial of war criminals in Germany already has been set up, he said, and the machinery for Japanese trials is now being set up.

Regarding laws to help reconvension activities, Mr. Clark said he “might go into that tonight.”

“However, you can never tell what Tom Clark is going to talk about,” he laughed. “I have had nice speeches prepared for me time and again, but when I get before the crowd, the prepared speeches just don’t seem to fit in, and I just ramble on.”

“Recently, in a hurry to catch a plane, I left a prepared speech on the table for the audience to read, if they cared to.”

Ridicled About Cooking.

Some members of the party ridicled the attorney general on his pancake cooking prowess as described recently in an article about him in the Saturday Evening Post. A picture in the Post showed him tossing a pancake high in the air.

“You know what that really was?” the attorney general said.

“What was it?” some one bit.

“It was bread.” Everybody laughed. And then he explained that it was a piece of bread which had been trimmed like a pancake.

“But I caught that ‘pancake’ all right,” Mr. Clark chuckled.

Mr. Clark will leave for Dallas Saturday and then from there to St. Louis. He came here at the invitation of the Houston Bar.

At Corpus Christi, Mr. Clark was given a dinner Thursday night by members of the Nueces County Bar Association and a breakfast at the naval air station Friday morning given by Rear Adm. J. J. Clark.

Present at the dinner Thursday night were members of the Texas Supreme Court, representatives of the Texas Court of Criminal Appeals, Fourth Court of Civil Appeals, district judges and lawyers from all over South Texas.

The tall Dallas cabinet member told the group last night that the enforcement of the Sherman antitrust act will be one of his major objectives.

If it were not for our antitrust law, entrenched greed would take the position it had before 1893,” Mr. Clark stated. “I am going to see to it that these laws are enforced,” he added.
government's mixing in business during the war wasn't popular with everybody," he said.

As far as the Department of Justice is concerned, we intend to cooperate with business in barring unfair governmental encroachment, in order that business may go forward to provide jobs for labor, a fair return on capital, and to provide citizens with the goods they are entitled to."

"No Witch-Hunting."

Speaking in a courtroom baritone that alternated with a soft Texas drawl, Mr. Clark added that there would be "no witch-hunting, no fishing expeditions to harass business—but there will be strong enforcement of proper, impartial, simple, straightforward justice."

"As a policy, I assure you there will be no criminal indictments against any trade association or group of business associations for practices which it has openly followed for years in the belief that it was right. Civil action will be instituted in each district to enforce the continuance of any objectionable practice," he said.

Recommending Judges

Turning to the attorney general's duty of recommending federal judges, Mr. Clark said, he found it impossible to "close my eyes, reach in a hat, and come up with a judge."

Many capable lawyers will not accept commissions because of the low salaries paid to judges. Yet there never was a time when the nation had more need for judges who can comprehend the problems of the ordinary citizen.

"As attorney general, I will appoint only those lawyers who have had practical courtroom experience, who are men of the common people, who have everyday horse-sense."

Expressing concern over the rising tide of juvenile delinquency during the first half of 1845, the attorney general urged the bar association to cooperate fully with any civic movement intended to provide young people with places to "kick up their heels," rather than to turn to crime for an outlet to their energy.

To Go After Evaders.

"And I want you to bear with me, when we get after the tax evaders. When someone tries to get out of paying his just share of taxes, it is tough on us who pay our shares."

Concerning his new official status, Mr. Clark said the attorney general's office is so big that it makes him feel like "a small-town boy in tall cotton."

"But the attorney general's office is really a small-town law office, except that it has a right smart number of lawyers—about 27,000, I understand—working for it."

His "Greatest Client."

Describing President Truman as "my greatest client," Mr. Clark said all cabinet members greatly admired the president's ability to make sound, quick decisions in any emergency.

He also paid high praise to the sound judgment of former Secretary of Commerce Jesse H. Jones, who, incidentally, he said, gave to the late President Roosevelt the octagonal table around which the cabinet gathers each week.

Mr. Clark was introduced by former United States District Attorney Douglas W. McGregor. He left Saturday for Dallas and St. Louis and expects to be in Washington for a cabinet meeting Tuesday morning.

Out-of-town guests at the dinner, presided over by James L. Shepherd, president of the Houston Bar Association, included Claude Carter of Harlingen; Robert Clark, the attorney general's brother; Stephen A. Kay, United States District attorney for East Texas; and Murray Smythe, chairman of the board of directors of the State Bar Association.
CLARK GIVES HIS IDEAS ON RECONVERSION

Attorney General Says It Is Important to Decide How Far Government and Business Should Mix.

The opinions of "the president's lawyer" on problems of reconversion, juvenile delinquency, appointments of federal judges and contacts with the public at large were clearly set forth Friday night when Tom C. Clark, attorney general of the United States...

BACK IN DALLAS.

Associated Press.

Dallas, Oct. 13.—Attorney General Tom Clark returned to Dallas Saturday, following a two-day tour to San Antonio, Corpus Christi and Houston. He was back in his home town to attend a meeting of the Dallas Bar Association, where he was the honor guest. Clark also was to witness the Texas University-Oklahoma football game in the Cotton Bowl Saturday afternoon.

and self-styled "small-town lawyer from Dallas," spoke before 50 persons at a Houston Bar Association dinner in his honor at the Rice Hotel. "The war isn't over so long as the battle of reconversion is yet to be won," Mr. Clark said.

In reconversion it is important that something should be decided about how far government and business should mix and just how far free enterprise in the United States should be permitted to go.

"Our victory in the war came through a close business-labor-...

(See CLARK, Page 2)
DALLAS, Oct. 11.—(AP)—UNITED STATES ATTORNEY GENERAL TOM CLARK and his wife are shown after their arrival in Dallas to attend a banquet in Clark's honor. Dallas is then Attorney General.
Tom C. Clark, United States attorney general, will arrive at the municipal airport here at 10 a.m. Friday.

He was in Corpus Christi Thursday. He will be accompanied by his brother, Bob Clark of Dallas, and former United States District Attorney Douglas-McGregor of Houston.

Attorney General Clark will speak here at a dinner Friday night given by the Houston Bar Association.

The dinner will be held at 7 p.m. in the main ballroom of the Rice hotel. A reception and cocktail party will be held at 6:15 p.m. in the South American room.

A reception committee from the bar association will meet Mr. Clark Friday morning. This committee is composed of:


More than 400 are expected to attend the dinner. The attorney general will be introduced by Mr. McGregor.

Attorney General Clark leaves Saturday morning for Dallas. He will be the guest of the Dallas Bar Association at a luncheon there.
UNITED STATES ATTORNEY GENERAL TOM CLARK, pictured here with former United States District Attorney Douglas W. McGregor, left, and James L. Shepherd, right, president of the Houston Bar association, was honored by Houston friends during a one-day visit Friday. A dinner was given the noted Texan by the bar association Friday night at the Rice hotel.
Clark Promises Healthful Climate For Business

By Roy Grimm

No American business need fear criminal prosecution under his administration for practices which have been followed publicly for years and which might later be construed as violating federal statutes, United States Attorney General Tom C. Clark said at Houston Bar association dinner in his honor Friday night at the Rice hotel.

"Where an industry has gone forward in the belief that it was right in such a practice and where it was common public knowledge that the practice existed," the attorney general pledged, "I intend to permit no criminal prosecution. On the other hand, civil action will be instituted to enjoin the continuance of the objectionable practice."

In an address largely following the lines of speeches made in Dallas, San Antonio and Corpus Christi, he said, "There must be concerted and continuing effort to control these conditions, he said, and he believes the success of the U. S. O. in providing recreation centers for servicemen has shown the way for the establishment of similar entertainment centers for juveniles.

The need for raising the salaries of federal judges from the district benches up through the supreme court was emphasized by the attorney general, who noted the frequent refusal of able lawyers to accept commissions on the federal bench because of the inadequacy of the income.

He promised unremitting prosecution in cases of tax evasion, which might be expected to develop in numbers under the pressure of a high post-war level of taxation. "The atomic bombs no longer are falling," Attorney General Clark said, "the bullets are not flying and the submarines are not sending forth their torpedoes. But the battle is not won. The battle now is the battle of reconversion. American business, labor and government co-

See BUSINESS PROMISED
Page 5, Column 7

Business Promised Healthful Climate

(Continued from Page 1.)

business so private enterprise can go forward into reconversion without hindrance, "so American labor can get its just dues, American capital can get its return and the American people can get the goods they produce."

The attorney general, wearing his accustomed bow-tie and like most of its natives calling Dallas "Dall-las" pledged that in his enforcement of anti-trust laws there will be "no witch-hunting and no fishing expeditions" but a strong policy of enforcement to the letter in "a practical, simple, everyday fashion."

Juvenile delinquency, he said, is one of the major problems now facing the department of justice and the nation. Recent statistics from J. Edgar Hoover, director of the federal bureau of investigation, show that delinquency among teenagers has increased 27 per cent since the beginning of 1929 and among girls 45 per cent.

Follow U. S. O. Example

There must be concerted and continuing effort to control these conditions, he said, and he believes the success of the U. S. O. in providing recreation centers for servicemen has shown the way for the establishment of similar entertainment centers for juveniles.

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"The atomic bombs no longer are falling," Attorney General Clark said, "the bullets are not flying and the submarines are not sending forth their torpedoes. But the battle is not won. The battle now is the battle of reconversion. American business, labor and government co-
Postwar ‘Witch-Hunt’ Decried by Clark

There will be no “witch-hunt” for so-called ‘Reds,’ such as that which followed the end of World War I, in the present postwar era, U.S. Attorney General Tom C. Clark declared Friday on his arrival in Houston.

Mr. Clark, here to attend a dinner sponsored by the Houston Bar Assn., recalled how A. Mitchell Palmer, attorney general in 1918 directed a nationwide hunt for alleged agitators and troublemakers.

Mr. Clark stated that, although crime increased greatly during the war and remains a serious problem, he believes reconversion of industry and the return of servicemen to normal civilian lives will do much to improve the situation.

Expressing concern over the spread of juvenile delinquency in the nation, Mr. Clark said he hoped that peacetime organizations patterned after the USO and similar groups would be formed to provide places of recreation for teen-age boys and girls. He suggested that large concerns might be interested in sponsoring such youth centers in cooperation with civic authorities.

Mr. Clark arrived here Friday morning by plane from Corpus Christi.

TOM CLARK
Full Prosecution
Due-Tax Evaders,
Clark Declares
Co-operation Urged
By Attorney General

United States Attorney-General
Tom Clark, who calls himself a
"small town lawyer," Friday night
told the Houston Bar Association
that American business, govern-
ment and labor must continue wa-
time co-operation to win the battle
of reconversion.

Speaking at a dinner in his
honor at the Houston Country
Club, Mr. Clark said that no
American business need fear
criminal prosecution under his
administration for practices
which have been followed pub-
icly for years and which might
later be construed as violating
federal statutes.

"Where an industry has gone for-
ward in the belief that it was right
in such a practice, and where it
was common public knowledge that
the practice existed," he said, "I'll
intend to permit no criminal pro-
scription. However, civil action will be
instituted to enjoin the continuance
of the objectionable practice."

"The attorney general dealt briefly
with the problems of reconver-
sion, juvenile delinquency, govern-
ment co-operation with private
enterprise and the need of able
lawyers in the federal judiciary.

"The need for raising the salaries
of federal judges from the district
Benches, up through the Supreme
Court was emphasized by the cab-
iet member, who noted the fre-
quently refusal of able lawyers to
accept commissions on the federal
bench because of the inadequacy
of the income."

He promised relentless prosecu-
tion in cases of tax evasion which
might be expected to develop in
numbers under the pressure of
high postwar level of taxation.

Douglas McGregor, Houston at-
torney and former federal district
attorney, introduced Mr. Clark.
James L. Shepherd Jr., president of
the Houston Bar Association, pre-
sided.

Mr. Clark left Houston Saturday
for Dallas, where Mrs. Clark is
visiting her parents, and will re-
turn to Washington after a brief
visit in St. Louis, Mo.
High Federal Officials To Be Here With Clark

Hannegan, McGrath, Pauley and Porter
To Arrive at Dallas Tomorrow, Travel
To Corpus Christi for Dinner Thursday

Four high Washington officials are expected to accompany U. S. Atty. Gen. Tom C. Clark on his visit to Corpus Christi, Thursday, Warren B. Phillips, chairman of the local Bar Assn. committee on invitations, said today.

These include: Postmaster Gen. Robert E. Hannegan; J. Howard McGrath, who recently resigned as governor of Rhode Island, to become Solicitor General of the United States; Edwin W. Pauley, United States representative on the Allied Reparations Commission, and Paul A. Porter, chairman of the Federal Communications Commission.

The group will arrive at Dallas tomorrow by plane, accompanied by Rep. Hatton W. Sumners. On the following day, they will fly by private plane to Corpus Christi, although it is not certain that Sumners will accompany the party here.

Phillips said this morning he expected all nine justices of the Supreme Court of Texas to be present, in view of the last-minute notice from Chief Justice James E. Alexander, who at first had written that he could not attend.

Reception at 6

The committee hopes to be able to handle arrangements for 500 in all, Phillips said. This will include 130 lawyers from 24 surrounding counties, commanding officers and the legal staff at the Naval Air Training Bases; district judges; officers of the State Bar and the justices of the high state courts.

The program here calls for reception at 6 o’clock in the Robert Driscoll mezzanine, which will be open to the public generally, and a dinner-dance at
Beckett to Attend

The affair is being arranged by the Nueces County Bar Association, to which James W. Lattimore is president, various other officers and members of the Association acting on the committee, set up for the purpose of the event.

With Chief Justice Alexander, Supreme Court judges and members of the Association will attend, while Chief Justice W. E. Edward Smith, W. T. Murray and Governor Price with Clerk Robert Cook of the Fourth Court of Civil Appeals will be here from San Antonio.

Judge Mallory, J. M. T. North of the Court of Criminal Appeals at Austin, and W. H. Beckett, president of the State Bar Association from Dallas, have sent word they will attend. Three other former state presidents are on the reservations list, including Claude Carter of Houston.

Some Will Fish

Among the district judges who have indicated their intention of attending are: E. Broderick of Alice, H. D. Barrow of Sargent, W. G. Gayle of Beeville, V. J. Molino of Cuero, and three from the Valley and one from La Salle.

The ARP party will be headed by Rear Adm. J. M. Clark, commanding officer; and Capt. C. E. Tackett, commander of the Naval Air Station.

This morning notices were received at Phillips office from Reps. John E. Lyle and Lyndon Johnson, continuing their plans to be here. Robert Copley, brother of the United States Attorney General, also will be here.

Many of the out-of-town dignitaries from other parts of the state, among them Judge Alexander, are planning to move over to Port Aransas—now that the causeway once again is open—and to spend a few added days in fishing and relaxation. Phillips said.

The government was not interfering with the formation of the prospective new Socialist Party, he said. He was "not prepared to answer, whether the next deduction would permit participation of Communist parties, until we knew of no plans for organization of the latter."
Attorney General Clark Will Arrive at 4 Tomorrow; Dinner List Limited to 500 Persons

U. S. Atty. Gen. Tom Clark, who landed by plane at Dallas today to be given an enthusiastic welcome by his fellow townsman in the city where he began his legal career, will land at the Corpus Christi Naval Air Station at approximately 4 o’clock tomorrow afternoon.

Accompanying him will be members of his party who are to attend the reception and dinner-dance at the Robert Driscoll Hotel, planned in his honor by the Nueces County Bar Association.

The Clark plane will take off from San Antonio at 3 p. m. on its flight from Dallas. Rear. Adm. J. J. Clark, commanding officer of the NATB, will head the reception party to meet the attorney general at the Navy field.

The reception at the hotel here has been moved ahead to 5 o’clock tomorrow afternoon at the mezzanine, with the dinner-dance to start at 7:30 p. m. in the ballroom for invited guests and members of the bar only.

At least 500 persons are expected to attend this event, which is the principal reason why admission has been confined, since the facilities of the ballroom probably will be taxed at that number.

The guests, besides Clark and his official party, will include ranking officers and the legal staff at the NATB, judges of the high state courts, district judges, attorneys from all over the state and the 100-odd members of the Nueces County Bar Assn.

It was announced this afternoon that as a special entertainment feature during the dinner-dance, an intermission, Nancy Yeager Swingford concert, soprana, will be soloist, accompanied by Ann Biffl, man at the piano.
CORPUS CHRISTI, TEXAS, THURSDAY MORNING, OCTOBER 11, 1945

TOM C. CLARK arrives here today
Texas Bar Honors
Clark Here Today

Tom C. Clark, U. S. attorney general, with members of the Nueces County Bar Association as host, will be given a big welcome today with a public reception to be followed by a dinner in his honor at the Robert Driscoll Hotel.

Texas' member of President Truman's cabinet is scheduled to arrive by plane this afternoon from Dallas, his home city, where he was honored last night. He will be escorted from the airport to his quarters at the hotel. There on the mezzanine starting at 5 o'clock, Clark will be honored with a reception to which the general public is invited.

This will be followed at 7 o'clock with a dinner and dance in which state and political leaders of the state will join with the Nueces County Bar Association in honoring Clark.

Principal Address
James L. Lattimore, president of the Nueces County Bar Association, will preside at the dinner as master of ceremonies. The program will begin with the singing of the National Anthem by Nancy Yeager Swinford with Ann Publisher piano accompanist. The only speaker of the evening will be the attorney general.

Lattimore has appointed a number of committees which are working on the details of the entertainment. One committee will meet Clark and his party at the airport and escort him to the hotel. Another committee will meet the train from Austin which will bring members of the Texas Supreme Court, the Court of Criminal Appeals and of the attorney general's staff here for the reception and banquet.

Separate committees have been named by Lattimore to greet members of the Fourth Court of Civil Appeals, visiting district judges and out-of-town lawyers who are coming in from all over South Texas for the affair.

Only attorneys and their wives and executives of the Naval Air Station will be at the dinner and dance because so many lawyers from out of the city have made reservations. Lattimore said.

Speaks at Dallas
Clark told a hometown audience at Dallas last night that the Sherman Antitrust Act is the "bedrock of a free economy" and that he intends to prosecute anyone who tries to stifle competition or enterprise in America.

"Search it as you will and nothing will be found remotely to indicate that through this act the government can regulate business," he said.

"There is a misconception on this score and it sadly exists among the people most concerned, the businessman."

"I desire above all to be the lawyer for the people of the United States," he said. "If the Department of Justice abides by its very name then justice compels me to be the advocate of every person with an honest cause and an honest hand."

(Continued from "Texas")
Editorial

South Texans Will Welcome Clark As One of Their Own During Visit

Although Tom Clark is a native of a section of the state many miles from here, he always has been a Texan, and as such, Corpus Christians and South Texans will welcome President Truman's attorney general during his visit here as one of their own.

The attorney general will find that members of the bar in this area and just plain citizens take the pride in his spectacular advancement to one of the highest places in the nation's government.

Texans like to have something to boast about. In Attorney General Clark they have just that. Clark made an enviable record as a young practicing attorney. His climb has been even more rapid since he entered the federal service.

Few United States attorney generals have come into that high office with such varied experience within the Department of Justice as Clark brought with him. Like the familiar big business success story, Clark started at the bottom of the department. He moved into the antitrust division as special assistant to the attorney general, later served as assistant to trust-buster Thurman Arnold and then took over Arnold's job when Arnold became a federal judge.

Security considerations made it impossible for Clark to catch public attention as a trust-buster, but some of the suits which he started are beginning to come to light.

He also served as coordinator of alien enemy control in the Western Defense Command, as assistant attorney general in charge of the Department of Justice's criminal division and prior to that he had been in charge of the war frauds unit.

Popular interest in Clark, locally and nationally, can be explained by the attorney general's recent statement:

"I desire above all to be the lawyer for the people of the United States. If the Department of Justice abides by its very name, then justice compels me to be the advocate of every person with an honest cause and an honest hand."
Leading Judges and Attorneys
Of State Here To Honor Clark

A United States prosecutor, two
strict judges and a former gov-
nor and federal district judge
were in the van today, as attorneys
and jurists from all over Texas
gan pouring into Corpus Christi
to join in doing honor to Tom C.
Clark, second Texan in history
hold the exalted cabinet post
United States attorney general.
First to register at the White
House today were James V. Allred,
Governor during the Texas centen-
nal year, and later, United States
district judge, in company with J.
Patman, Jr.
They were followed soon after-
ward by Charles C. Bowie, as-
stant United States district attor-
ney; Judge W. B. Blalock of
ission and Judge Bryce Par-
son of San Antonio.
Meanwhile, the honor guest of
night's reception and dinner-
ance, arranged by the Nueces
County Bar Association, flew into
San Antonio from Dallas at noon.
and his party was traveling in
a Braniff company executive
plane, placed at their disposal with
entire crew by Braniff Airways,
c.
At San Antonio, Clark and his
party stopped over for lunch, tak-
ing off again at 3 p. m., for the
Feral Air Station where Rear
Adm. J. J. Clark, commanding
rice, had been a reception
smitee awaiting their arrival.
4 p. m.
The reception at the Robert
Driscol mezzanine was to start
at 5 p. m., lasting until shortly
before the private party begins in
the ballroom at 7:30 o'clock.

Nearly all of the state dignita-
ries expected here for the big
event tonight were still on the
road during the early afternoon.
Chief Justice James P. Alexan-
der of the State Supreme Court
was understood to be traveling by
special train from Austin, accom-
pained by other members of the
high tribunal, clerks of the Su-
preme and Appellate Courts and
members of the Court of Criminal
Appeals.
They were slated to register at
the Robert Driscoll, but were not
due until late afternoon.
At first reports from Dallas
earlier this week, it was believed
a second cabinet official, Post-
master Gen. Robert E. Hennegan,
and several others high in Wash-
ington circles would join Clark at
his reception here.
Word was received today from
Dallas, however, that Hennegan
and his party who flew to Dallas
with Clark were compelled by the
press of official business to re-
turn to Washington, whence they
returned by plane this morning.
Clark will leave here on his
Braniff liner tomorrow, for Hou-
ton and Austin, where he will
greet old friends before returning
to Dallas Saturday to witness the
Oklahoma-Texas football game.

THOMAS C. CLARK
... takes son's advice

Four-in-Hand Ties Replace
Bow Variety

DALLAS, Oct. 11, (AP) —
Washington has a critical sit-
uation, impression
The attorney
States

impression

impression
Military and Civilian Officials Greet Clark at NAS

AWYERS JOIN GREETINGS—A number of Corpus Christi lawyers and visiting officials were on hand to welcome Mr. Clark when he arrived by specially chartered plane. Here, the attorney general of the United States, a native of Dallas, talks with some of the civilian visitors. In the picture, left to right, are: Joe J. Alsup, assistant district attorney; Dudley Tarlton, chairman of the reception committee for the Nueces County Bar Association; James V. Allred, former governor of Texas and later a United States district judge; and the attorney general. (Official U. S. Navy photograph.)
RECEIVES FULL HONORS—Att'y. Gen. Tom Clark, as a cabinet member, was accorded full honors when he arrived at the Naval Air Station by plane yesterday afternoon. Although the Texan reportedly had recently stopped wearing bow ties, long his favorites, he wasn't wearing a four-in-hand yesterday. This picture, made just after the plane landed, shows, left to right, Capt. T. T. Tucker, commanding officer of NAS, Rear Adm. J. J. Clark, chief of NAITC, and commander of NATB; Congressman John E. Lyle, and Robert Clark of Dallas, brother of the attorney general. (Official U. S. Navy Photograph.)
Clark Accorded Enthusiastic Reception by South Texas Bar And State Legal Dignitaries

Tom Clark, the tall, smiling Texan whom President Truman recently appointed attorney general, left Corpus Christi for Houston this morning after an enthusiastic reception by the South Texas bar and a notable gathering of legal dignitaries from throughout the state.

About 500 members of the legal fraternity and their guests heard Clark last night as he pledged a strict enforcement of the anti-trust laws and declared that the war is not over until the United States reverts to peace-time economy.

The attorney general's brother, Robert Clark, a Dallas attorney, and Sam Riddick, one of his sides, were breakfast guests of the Clark family. The attorney general has been here the past few daysooted in the activities of the state bar association.

He indicated plainly that the black market is a major concern of the Justice Department and asserted that the war will not be finally over until a stable peacetime economy is achieved. Continuance of some restrictions and
Chief Justice Alexander Here

Headed by Chief Justice James P. Alexander and Mrs. Alexander were the following officials and members of the court: Associate Justice C. S. Slattery and Mrs. Slattery; Associate Justice W. M. Taylor and Mrs. Taylor; Associate Justice G. B. Smedley and Mrs. Smedley: Associate Justice A. J. Folley and Mrs. Folley; Associate Justice Few Brewster and Mrs. Brewster; Associate Justice J. E. Hieckman and Mrs. Hieckman; Associate Justice Gordon Simpson; Associate Justice John H. Sharp and Mrs. Sharp. The clerk of the supreme court, George H. Templin and Mrs. Templin were also present.

Representing the Court of Criminal Appeals was Associate Justice Tom L. Beauchamp and State's Attorney Ernest Goens.

From the Fourth Court of Civil Appeals, San Antonio; came two of three members of the court, Associate Justice James R. Norvell and Associate Justice W. O. Murray.

Alfred and Lyle Present

James L. Lattimore, president of the Nueces County Bar Association, who presided at the banquet, introduces all of the high court members and a number of other notables, including James P. Alford, former governor and former United States district judge, and Rep. John E. Lyle, who came here from Washington with the attorney general.

Capt. F. Williams introduced the attorney general. The banquet was given by the bar association here which had as its guests a great many attorneys from South Texas and the Valley. Due to the many out-of-town guests, the audience was composed almost exclusively of lawyers and their wives, the few others principally being Navy and other officials.

"Welcome at NAS"

Clark operated on a crowded schedule throughout his brief visit in Corpus Christi, but he obviously enjoyed every minute of his stay and seemed not at all displeased that he had not a moment to rest. Arriving by plane shortly after 4 o'clock, Clark was welcomed at the NAS by Admiral Clark and accorded all the honors prescribed for a cabinet member. He was whisked to the Robert Driscoll Hotel, behind an escort of sirens-screaming motorcycles and went almost at once to the mezzanine of the hotel where an informal reception was held.

The dinner started shortly after 7. After the conclusion of the attorney general's speech—the only one on the program—the guests left the Terrace Room while it was cleared for dancing and Clark shook hands for half an hour before retiring to his suite.

Clark's speech was a mixture of levity and serious discussion of the problems of his office and obviously was well received by the audience. He made much of the identical surname he and the admiral bear, and referred to the naval officer many times as "Capt. Jockey." They are not related. He joked about the attentions and facilities accorded the attorney general from the "piping over the side" at the air station here to the bullet-proof automobile which is provided him in Washington by the Justice Department, and said that the attorney general's office is really "all cotton.

Juvenile Crime Increasing

Throughout his speech, the attorney general talked as a Texan back home among his own people and found but no levity in his voice when he said with emphasis, earnestness:

"Texas is dear to my heart. I was born in Texas, reared in Texas, and went to school in Texas. Texas is the dearest thing in the world to me, next to Mary, my wife."

Juvenile delinquency, the enforcement of the anti-trust laws, and the fight on the black market were stressed by the attorney general.

He quoted figures recently compiled for him by J. Edgar Hoover, head of the FBI, showing a great increase in federal crimes committed by juveniles and offered as the possible solution the opening of more youth centers. He urged civic clubs to undertake the work of sponsoring such centers. He said that lawyers should assist them and give freely of their time and energy in promoting such institutions.

The enforcement of the anti-trust laws will be one of the major objectives, Clark said.

Restrictions Will Continue

"If it were not for our anti-trust laws, entrenched greed would take the position it had before 1933," he declared. "The problem is particularly bad with the government having for disposal billions of dollars worth of manufacturing plants created for the war effort."

"I am going to see that these laws are enforced. By that I do not mean hunting or fishing expeditions, but I do mean strict..."
CLARK GREETS CLARK—Att'y Gen. Tom Clark grinned widely as he stepped from his plane at the Naval Air Station landing field yesterday afternoon, and was greeted by Rear Adm. J. J. (Jocko) Clark, chief of the Naval Air Intermediate training and commander of the Naval Air Training Bases. The attorney general was "piped aboard" as he left the plane. (Official U. S. Navy Photograph.)
Clark Praises Texas Judiciary, Pledges Battle on Monopolies

All Members Of State High Court Here

By HERSCHIEL HUNT

With a smile as broad as the brim of his big Texas hat, Tom Clark of Dallas who went to Washington only a few years ago and became attorney general of the United States, strode into Corpus Christi, and into the hearts of his fellow Texans yesterday.

Arriving by plane the middle of the afternoon, Clark was given a landing welcome at the Naval Air Station that continued until this morning when he breakfasted with Rear Adm. J. J. Clark at the base again and took off by plane for Austin.

Top Judges Here

Last night at the Robert Driscoll Hotel, the Nueces County Bar Association joined by the nine members of the Texas Supreme Court, representatives of the Texas Court of Criminal Appeals, the Fourth Court of Civil Appeals and district judges and lawyers from all over South Texas and their wives, paid tribute to the native Texan who represents this state in President Truman's cabinet.

About 500 members of the legal fraternity and their guests heard and saw a man who went to Washington a Texan and one who came back the same way.

Informal, yet with an innate and commanding dignity, this group listened for 45 minutes as they heard of the Sherman Antitrust Act, enforcement of which will be one of his major objectives. "If it were not for our antitrust law, entrenched greed would take the position it had before 1933. I am going to see to it that these laws are enforced," the attorney general said.
Clark (Continued From Page One)

wants to see old Tom and Lucille right out. He deems still a major Department of Justice problem.

On juvenile delinquency, he quoted figures recently given by J. Edgar Hoover, Director of the FBI, that for the first six months of this year juvenile delinquency, among boys 15 years and under increased 27 per cent. Washington in the same age bracket, and for the same period, with the increase 18 per cent.

Clark's Views on Programs:

Clark suggested that the lawyers of the nation with the Boy Scouts and other service organizations work out a program to provide youth centers, so that the youthful spirits of juveniles could be channeled into the proper direction.

He ended on a homely note that made his hearers realize that the high honor and responsibility had not changed one bit.

Great to Be Here:

"It's great to be down here in Texas. This is the first time I've been back in months and the first time to be down here down to the Gulf. Since I can't come back very often, you must come see me."

(Turn to Page 16, Column 2)
Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Coffey
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Acers
Mr. Carson
Mr. Harbo
Mr. Houdon
Mr. Muzio
Mr. Stark
Mr. Quinlan
Mr. Nenso
Miss Gandy
My dear Mr. Director:

Permit me to call your attention to and thank you for the splendid results we are getting from the Bureau.

Assistant Director Rosen has done a splendid job of supervision of war fraud investigations. Under his direction the Special Agents in Charge have given us such superb cooperation that we have been able to perform our job with dispatch and effectiveness.

The cooperation of Mr. Tamm in working out many unusual problems has been most helpful.

Again thanking you and trusting that you will call upon me if I can be of service, I am

Sincerely yours,

TOM C. CLARK

Honorable John Edgar Hoover
Director
Federal Bureau of Investigation
Washington, D. C.
While calling on another matter, Assistant Attorney General Tom C. Clark inquired if the Bureau had any additional information on the plane crash in which his brother was killed.

I told Mr. Clark that a check would be made to determine if we have any additional information and he would be advised.

Very truly yours,

D. M. Ladd
October 16, 1943

Honorable Tom C. Clark
Assistant Attorney General
U. S. Department of Justice
Washington, D. C.

Dear Tom:

Please be assured that my thoughts are with you in your sorrow at the death of your brother in the airplane crash in Tennessee today.

I hope the Bureau facilities at Nashville may be of some assistance to you and please feel free to call upon me if there is anything at all I may do either personally or officially to make things easier for you at this time.

With kindest regards and deepest sympathy,

Sincerely,

[signature]

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 10/16/43 BY 50-TG-20420
Tom C. Clark  
ASSISTANT ATTORNEY GENERAL  
Washington  

Monday

My dear Edgar:—

Your thoughtful letter regarding the passing of my brother was so much appreciated but the hearty and helpful cooperation you and Al Rosen and Special Agent Wilson gave shall always be remembered.

Al was so kind and considerate - saw me off on the plane here and had Agent Wilson meet me at Nashville. And Agent Wilson could not do enough. The Dallas boys also pitched in.

It is such friendship that really makes the heart happy for it is so strong and dependable.

Although I doubt if the cause of the crash can be definitely established I thought, perhaps, you might have something on it. If so I would like to have it.

Again, many, many thanks. And remember, if any time I can serve you I do hope you will give me the opportunity.

Sincerely your friend,

/s/ Tom

59 NOV 22 1943

62-72 27' -3

3 OCT 30 1943

59 NOV 22 1943
My dear Edgar:

Your thoughtful letter regarding the passing of my brother was so much appreciated, but the hearty and helpful cooperation you and Al Rosser and Special Agent Wilson gave me shall always be remembered.

Al was so kind and considerate—saw me off on the plane here and had Agent Wilson meet me at Nashville. And Agent Wilson cared not do enough. The police boys also pitched in.

It is such friendship that really makes the heart happy for it is so strong and dependable.
Although I doubt if the cause
of the crash can be definitely established
I thought, perhaps, you might have some
thing on it. If so I would like to have
it.

again, many, many thanks.

And remember, if any time I can
done you I do hope you will give me
the opportunity.

Sincerely your friend,

Tom
October 14, 1973

DIRECTOR, FEDERAL BUREAU OF INVESTIGATION

Re: United States v. Claud semiclassical

Mr. G. Maynard Smith, of my Division, has informed me of the splendid job done in the case of United States v. Claud semiclassical by Special Agent in Charge Frank Hammock and Special Agents Marcus H. Calhoun and William H. Crawford, all of the Atlanta Field Office.

This was one of the finest reporting jobs the Criminal Division has ever experienced. Every angle of the case was completely covered and this was accomplished under the most adverse circumstances. Every lawyer wishes for one case in which every possible angle has been covered thoroughly, and this case was the answer to that wish.

Not only was the case well prepared by these agents, but their manner of testifying was equally as well done and the services of the agents and Special Agent in Charge Hammock were invaluable during the trial of the case.

I also want to commend to you the splendid job done by Mr. H. D. Davis, Jr., of the Technical Laboratory in analyzing and testifying to the handwriting exhibits in the case. His presentation of his findings was done in an expert manner and he conducted himself in the very finest way on the cross-examination.

Respectfully,

TOM G. CLARK,
Assistant Attorney General.
January 21, 1944

Honorable Tom C. Clark
Assistant Attorney General
U. S. Department of Justice
Washington, D. C.

Dear Tom:

It was very kind of you to drop me your note of January 17, 1944, concerning the Baker-Lockwood case.

Your commendation of this Bureau and my administration of it is deeply appreciated and I do want to express my heartfelt thanks. It was typically thoughtful of you to mention the Agents associated with Mr. G. H. Fay in this trial and I am grateful for the skillful handling of it by your staff.

With best wishes and kind regards,

Sincerely yours,

J. Edgar Hoover

cc - Kansas City
cc - Cincinnati
cc - New York
cc - Milwaukee

COMMUNICATIONS SECTION

JAN 22 1944 P.M.
ASSISTANT ATTORNEY GENERAL
WASHINGTON

January 17, 1944

Dear Edgar:

I want to call to your attention the splendid work of the Special Agents assigned to the Baker-Lockwood case.

Mr. G. M. Parks of my staff, who participated in the trial of the case, has informed me that Agent Leonard Walters of the Kansas City Field Office, had at all times during the course of the investigation displayed an attitude of painstaking industry and keen insight into the complete development of the facts, that Agent Maxwell Johnson of the Cincinnati Field Office, performed a splendid service in compiling the information which was responsible for the proof that the defendant Cornelius G. Loose had expended money far in excess of any known legitimate income. I also want to mention Agent William Hamilton of the New York office and Agent Merrill Drennan...
of the Milwaukee office whose assistance in the presentation
of the case was of great value. Without this help and the
complete cooperation of the Bureau the results might have
been quite different.

With kind personal regards and best wishes,

Sincerely,

J. Edgar Hoover, Director
Federal Bureau of Investigation,
Washington, D. C.

P. S. Edgar, the fine work and complete
cooperation of your boys spells
"success" in our cases -- and besides
I sleep so much better knowing our
cases are being handled by them under
your direction. Thanks so much.
Federal Bureau of Investigation

United States Department of Justice

San Antonio, Texas

February 19, 1944

Director, FBI

Re: HON. TOM CLARK
ASSISTANT ATTORNEY GENERAL

Dear Sir:

On February 16, 1944 Assistant Attorney General TOM CLARK was the guest at a dinner given in Austin, Texas. There is attached hereto a clipping from the Austin American of February 17, 1944 which is self-explanatory concerning the affair.

Lt. Col. HOMER GARRISON, Jr., Director of the Texas Department of Public Safety, attended the dinner and reported that Mr. CLARK was very commendatory in his praise of the Director and the FBI. Lt. Col. GARRISON is writing a personal letter to the Director concerning his observations.

I thought the Bureau would be interested in this matter.

Very truly yours,

R. C. SURAN
SAC

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 6/16/44 BY 8-8 RED PEN
THE AUSTIN AMERICAN
Austin, Texas

February 17, 1944

Tom Clark Paid
High Tribute At
Austin Banquet

Delegations From All
Larger Cities Attend;
Promotion Is Hinted

A statewide gathering of lawyers, judges and officials Wednesday night honored Tom Clark, Dallas lawyer, university law graduate, now head of the criminal division of the US attorney general's department, and a potential future attorney general of the nation, at a testimonial banquet given by Percy Rice and W. H. Harrell of Dallas.

Delegations were here from all the larger Texas cities.

Non-political nature of the gathering was stressed by former Gov. Dan Moody, toastmaster, and by speakers; and Clark himself said he is "running for no office," but through several of the speeches of tribute to the distinguished Texan were predictions that he may be expected to advance in his legal services to the nation and attain cabinet rank.

Mayor Welcomes

Facially, Gov. Moody said, it had been rumored Clark might be a candidate against Sen. Lee O'Daniel, but added, if he was thinking about it, "I can give him some advice; and if he doesn't believe me, I'll refer him to Gov. James V. Allred over there"—both opponents of O'Daniel in the Senate race.

Mayor Tom Miller of Austin welcomed the guest of honor and out-of-city visitors for the gathering. Invocation was offered by the Rev. Kenneth Pope.

Several of the distinguished visitors were introduced—Former US Judge James V. Allred, Judge W. A. Keeling, members of the Texas supreme court and other appellate courts, including all members of the Waco court of civil appeals and Judges Towne Young and Joel R. Bond of the Dallas court of civil appeals; US Dist. Atty. Clyde Erwin, Ben Foster, Sheriff Smoot Schuind—of Dallas; Mayor Gus Mauerann and others of San Antonio.

Writer Pays Tribute

Former Undersecretary of Int. Al J. Wurtz paid tribute to Clark as a lawyer, and predicted that Clark will "go higher" in his federal service, and that in the highest legal office of his nation he would reflect credit upon himself and honor upon Texas.

Atty. Charles L. Black commended Clark as one of the greatest lawyers of Texas. Henry H. Brooks who was associated with Clark in several cases, paid tribute to him as a friend and to his personal qualifications.

Clark, in his response, told of the extensive work of the attorney general's department, and described the work of its FBI division. He turned aside to pay tribute to the Texan delegation in Congress, and declared if Texans might see the delegation in its work their effectiveness in counsel and achievements of Congress would be more fully realized.

Asks Lawyer Assistance

He described the work of his own division, the criminal division, and the 226 lawyers in it. Many types of cases are carried on even in war times, he said. He added that the Chaplin case in California and the "Hopkins letter" forgery case at Washington will be prosecuted immediately.

He closed his talk with an appeal for lawyers to assist the government when they can by serving as trial lawyers for the department in cases in their vicinity, pointing out that the government agencies need great loss of personnel to the armed forces.
February 23, 1944

Honorable Tom C. Clark
Assistant Attorney General
U. S. Department of Justice
Washington, D. C.

Dear Tom:

Lieutenant Colonel Homer Garrison, Jr., of the Texas Department of Public Safety told me of your commendatory remarks concerning the work of the FBI and my administration of it which you made on the occasion of a testimonial dinner tendered you in Austin. Please accept my deep thanks for your kind statements and it is a pleasure to work where mutual admiration exists.

With best wishes and kind regards,

Sincerely yours,
May 28, 1940

Honorable Tom C. Clark
Assistant Attorney General
U. S. Department of Justice
Washington, D. C.

Dear Tom:

I have received your note of May 28, and am very glad indeed to know that it was possible for our representatives in St. Louis and Kansas City to be of assistance to you on your recent trip. It was thoughtful of you to write me about it.

With kindest personal regards,

Sincerely,

[Signature]
May 22, 1944

Dear Edgar:

I want to pass along to you my appreciation for the fine reception I got in St. Louis from Mr. G. B. Norris, your Special Agent in Charge, and also for the assistance given me by Bailey Miller, Special Agent in Kansas City. Had it not been for Mr. Miller's help, I never would have made my plane and you know how important that is.

You have a fine group of men and they have never failed to do a good job for me.

With kind, personal regards and best wishes,

Sincerely,

TOM C. CLARK

Honorable J. Edgar Hoover
Director
Federal Bureau of Investigation
Department of Justice
Washington, D. C.
Office Memorandum
UNITED STATES GOVERNMENT

TO:        [Redacted]
FROM:      [Redacted]
SUBJECT:   [Redacted]

DATE: October 17, 1964

ALL INFORMATION CONTAINED HERIN IS UNCLASSIFIED

[Redacted] 2 4 1964

I told Mr. McCoy, who identified himself as being associated with Tom O'Clair, the Department, called at my office, Clark, that he had asked me for a statement of the Director on Postoner crime and had stated they wanted the information to use to support their report. He also stated they wanted to get figures.

He replied: 

"Mr. McCoy, it's been explained to me that the Uniform Crime Reports Bulletin is a publication of the Bureau of the Census and that it is not the proper body to provide information on Postoner crime. I will give you a copy of the Uniform Crime Reports Bulletin, which I have been furnished with regard to the matter. He did not join in any discussion of the problem.
At the request of Mr. Tom Clark, on October 14th I talked to him about his desire to obtain some statistics which might be used by him in a political speech on October 17th. Fundamentally Mr. Clark was interested in showing trends in crime rates between Republican and Democratic Administrations. I pointed out to him that we had no material of this kind, although I did furnish him with figures on the decline in the number of bank robbery cases, which decline exceeds 90 per cent since 1932. I also furnished him with statistics on the number of kidnapings reported and solved since 1932.

Mr. Clark wanted to obtain figures showing murder or other felony rates in cities such as Chicago, Los Angeles, San Francisco, etc. as compared with New York, during the period when Mr. Dewey was District Attorney in New York. I pointed out to Mr. Clark that the Bureau's figures from its crime statistics project would represent the entire metropolitan area of New York, while Mr. Dewey's office was in but one borough so that the figures could not be used with any degree of accuracy to establish any point of this kind.

I pointed out to Mr. Clark that he might desire to point out that during the present Administration the Federal Bank Robbery Statute, the National Firearms Act, the Federal Kidnaping Act, the Fugitive Felon Statute, etc. had been placed on the books.
October 28, 1944

Honorable Tom C. Clark
Assistant Attorney General
U. S. Department of Justice
Washington, D. C.

Dear Tom:

I am writing you this personal note to express my sincere thanks for your taking time out to be with us this morning to present the diplomas to the members of the Twenty-sixth and Twenty-seventh Sessions of the FBI National Academy.

The members of the graduating class were greatly honored to receive their diplomas from you and I sincerely hope that you found the program interesting.

With best wishes and kind regards,

Sincerely yours,

[Signature]
November 9, 1944

Honorable Tom C. Clark
Assistant Attorney General
United States Department of Justice
Washington, D. C.

Dear Tom:

I am enclosing copies of the photographs made during the Graduation Exercises of the 26th and 27th Sessions, FBI National Academy, on October 26, 1944, at Washington, D. C.

With best wishes and kind regards,

Sincerely yours,

Enclosure

FBI
Washington, D. C.

61 NOV 8 1944

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE RECEIVED BY: P-8, 870520
November 6, 1944

Dear Edgar:

I appreciate very much your sending me the photographs made at the Graduation Exercises. It was an interesting meeting and I enjoyed it very much.

Kind personal regards,

Sincerely,

TOM C. CLARK

Honorable J. Edgar Hoover
Director
Federal Bureau of Investigation
United States Department of Justice

EX-4

33 NOV 9 1944

78 NOV 15 1944
November 9, 1944

Honorable Tom C. Clark
Assistant Attorney General
U. S. Department of Justice
Washington, D. C.

Dear Tom:

In accordance with the request of your secretary, it is a pleasure to enclose a transcript of the proceedings at the Graduation Exercises of the Twenty-sixth and Twenty-seventh Sessions of the FBI National Academy on October 28, 1944.

With best wishes and kind regards,

Sincerely,

Enclosure
Dear Edgar:

You may be sure I enjoyed the "graduation exercises" very much. It opened my eyes to the great service you are rendering all of our law enforcement agencies through education.

I was honored at being included in this inspiring ceremony. Your kind introductory words concerning myself — though not deserved — are greatly appreciated and I shall always treasure them.

Your friend,

TOM

Hon. J. Edgar Hoover
Washington
10/31

Dear Edgar:

You may be sure I enjoyed the "graduation exercises" very much. It opened my eyes to the great service you are rendering all of our law enforcement agencies. Through education, I was honored at being included in this inspiring ceremony.

Your kind introductory words concerning myself - Though not deserved - are greatly appreciated and I shall always treasure them.

Your friend,

J. Edgar Hoover
Washington
January 4, 1945

PERSONAL AND CONFIDENTIAL

Mr. J. Edgar Hoover, Director
Federal Bureau of Investigation
U. S. Department of Justice
Washington, D. C.

Dear Mr. Hoover:

Former Special Agent Ross Bohannon, as you know, is presently practicing law at Brownwood, Texas. Recently he and his partner had occasion to contact United States Senator Tom Connally concerning certain patronage matters.

Mr. Bohannon advises me that Senator Connally stated that Attorney General Francis Biddle is "on his way out" and that the Texas delegation is reserving their full patronage strength to endeavor to have Tom Clark appointed Attorney General.

Senator Connally indicated that Speaker Sam Rayburn, Congressman Lyndon Johnson, and he, Senator Connally, were going to do everything in their power to have Clark appointed as Attorney General.

I thought you would be interested in this information.

Sincerely,

DEAN R. MORLEY
Special Agent in Charge

[Stamp: ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED]

[Stamp: DECLASSIFIED ON 6/16/80]
Honorable Tom C. Clark  
U. S. Department of Justice  
Washington, D.C.

Dear Tom:

Your appointment as Attorney General is indeed gratifying and I want to extend my heartiest congratulations.

I know you will fill the position with distinction and will do a grand job. You may be assured of my personal and official cooperation.

With most cordial regards,

Sincerely yours,
June 12, 1945

Dear Edgar:

I shall be glad to address your graduating class on July 21st, and appreciate very much your asking me. I know this will be an interesting occasion and I am looking forward to it.

With kind personal regards and best wishes,

Sincerely yours,

TOM C. CLARK
Assistant Attorney General

(RECORDED 169-73944-13X)

John Edgar Hoover, Esq.
Director, Federal Bureau of Investigation
Department of Justice
Washington, D.C.

(P.S. Thanks for everything - anything I can do will let me know)

6C 27 1945
Office Memorandum

TO: THE DIRECTOR
FROM: D. M. LADD

SUBJECT: SAC Kimball at Norfolk telephoned and advised that the new Attorney General, Tom Clark, was coming to Norfolk on June 21st and was going to join Assistant United States Attorney Johnson in going down to the Eastern Shore of Maryland, presumably on a fishing trip. Mr. Kimball said that he had been requested by the Assistant United States Attorney to have a car meet Tom Clark at the boat and drive him to the Federal Building to meet the Assistant United States Attorney. I told Mr. Kimball this should be done.

DATE: June 14, 1945
Call: 2:45 P. M.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 6/183 BY 88-8 8954U

SC JUL 29 1945
DEPARTMENT OF JUSTICE POST #41
THE AMERICAN LEGION

June 18th, 1945

Dear Comrade:—

THE DEPARTMENT OF JUSTICE POST #41 OF THE AMERICAN LEGION

will give a reception and cocktail party in honor of

HON. TOM C. CLARK
THE INCOMING ATTORNEY GENERAL OF THE UNITED STATES
and
MRS. CLARK

Thursday July 5th, 1945
5:30 to 7:30 P.M.

at the

WILLIARD HOTEL
Parlors A, B, C, D & E

You and your family and friends are cordially invited to attend.

Tickets are $3.50 per person and may be obtained from

JOHN P. BEEBE
Chairman of the Subcommittee on tickets
Room 2527 Department of Justice Bldg, RE. 8200, Branch 545

or

ARTHUR BREUER
Post Adjutant
Room 2120 Department of Justice Bldg, RE. 8200, Branch 1061

ALEXANDER HOLTZOFF
Post Commander

EDWARD J. SHAUGHNESSY
Chairman, Committee on Arrangements

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 6/18/45 BY 88-806

EX - 68
Pursuant to your request, there are set forth below the names, titles and correspondence addresses of the US representatives in charge at the American diplomatic establishments in London, England, Paris, France and Rome, Italy:

(1) Mr. U. Joseph Lynch
   Legal Attaché
   The American Embassy
   London, England

(2) Mr. Horton H. Telford
   Attaché
   The American Embassy
   Paris, France

(3) Mr. Stanley Russo
   Vice Consul
   The American Consulate
   Rome, Italy
The Attorney General

John Edgar Hoover
Director, Federal Bureau of Investigation

July 23, 1945

I thought you might like to see the attached photograph which appeared in this morning's New York Daily Mirror.

[Signature]

All information contained herein is unclassified.

Date 6/6/42 by SP-8 R735 00
July 21, 1946

Honorable Tom C. Clark
The Attorney General
Department of Justice
Washington, D. C.

Dear Tom:

I just wanted to let you know that you made a great talk at the graduating exercises this morning, and that we all deeply appreciate your taking time to address the class. I thought your remarks were very timely and I know that the entire audience received a great deal of benefit as well as pleasure from what you had to say.

We were honored to have you appear before the class and I have heard many remarks by the class members themselves and they appreciated not only hearing your address but receiving from you personally their diplomas.

With best wishes and greatest respect,

Cordially,
July 23, 1945

Honorable Tom C. Clark
The Attorney General
Department of Justice
Washington, D.C.

Dear Tom:

I have heard numerous favorable comments concerning the speech you made at the Commencement Exercises of the Twenty-ninth Session of the FBI National Academy on July 21, 1945, and I am wondering whether you would have any objection to our printing your prepared talk in the next issue of the FBI Law Enforcement Bulletin. This publication has a wide circulation among more than 15,000 chiefs of police, sheriffs and other law enforcement officers throughout the United States. I know they would enjoy reading your remarks.

With best wishes and kind regards,

Sincerely,

[Signature]

cc - Training Division
Attention Mr. Rogers

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
The Attorney General

July 23, 1945

John Edgar Hoover, Director, Federal Bureau of Investigation

NEWSPAPER EDITORIAL

A photostatic copy of the editorial "Work Of The FBI" which appeared in the Easton Daily Express at Easton, Pennsylvania, on July 11, 1945, is transmitted herewith. It is believed you may find this commentary on our work of interest.

Attachment
Office Memorandum - UNITED STATES GOVERNMENT

TO: THE DIRECTOR

FROM: D. M. Ladd

SUBJECT: Gus Vanech called and wanted you to be advised that the induction ceremony for Tom Clark in the Department on Saturday PM will be broadcast over Wayne Coy's radio Station WINX at 2:45 P. M. It is possible other radio stations will also broadcast the ceremony. Mr. Vanech stated, however, that the ceremonies would start at 2:30.

ALL INFORMATION CONTAINED HEREBIN IS UNCLASSIFIED

DATE 6/6/45 BY 88-82514
633 Federal Building
Louisville 2, Kentucky

June 30, 1945

Director, FBI

PERSONAL AND CONFIDENTIAL

Re: HARLAN COUNTY, KENTUCKY
November 3, 1942
ELECTION LAWS
CONSPIRACY

Dear Sir:

This will confirm the telephonic information furnished to Supervisor PAUL J. SHINE of the Bureau by Special Agent C. ADDISON KINCAID on June 25, 1945.

Special Agent FRANCIS X. JAHN informs me that United States Attorney CLAUDE P. STEPHENS and his assistant MACK STEPHENSON left Lexington, Kentucky, for Washington, D. C., on Thursday, June 21, 1945. On Saturday, June 23, 1945, Miss JOHN BILLINGSLY, secretary to Mr. STEPHENS, informed Agent JAHN that Mr. STEPHENS had gone to Washington in response to a telegram from the Attorney General (Mr. TOM CLARK), which telegram stated he was to proceed to Washington in connection with the Harlan vote cases.

On June 24, 1945, Special Agent EDWARD J. GEBBEN was traveling from Norfolk, Virginia, to Lexington, Kentucky, in response to a subpoena in these cases which were set for arraignments and trial at London, Kentucky, June 25, 1945. On the train he met Mr. STEPHENS who was returning from Washington. Agent GEBBEN reports that Mr. STEPHENS appeared to be extremely dejected. STEPHENS informed Agent GEBBEN that he had been called to Washington by the Attorney General and the Attorney General had instructed him flatly that he was to move to dismiss the cases against the election commissioners and tabulators.

Mr. STEPHENS went on to say that the Department had carefully inquired into the question as to whether or not Federal Judge H. CHURCH FORD could obstruct a motion to dismiss and the Department was of the opinion that the Judge would be without authority to demand that the Government proceed with trials on the two pending indictments against the commissioners and tabulators. Mr. STEPHENS stated that the Attorney General's position was based on a memorandum prepared for him by Mr. TURNER SMITH, who is in the Civil Rights Section and who has heretofore participated actively in the court proceedings in the Eastern District of Kentucky. Mr. SMITH's memorandum, according to Mr. STEPHENS, asserts that the Government has insufficient evidence upon which to base a conviction. Mr. STEPHENS is convinced that there are other factors...
behind the Attorney General's orders to him to dismiss these cases.

Mr. STEPHENS went on to tell Agent GEBBEN he learned in Washington that at the time the appointment of Mr. TOM CLARK as Attorney General was to be presented to the Senate, Senator A. B. CHANDLER received a telephone call from Senator TOM CONNALLY in which CONNALLY informed CHANDLER, "I've got TOM CLARK here and he wants to see you." CHANDLER is reported to have replied, "I thought he would be coming around to see me about now." Mr. STEPHENS stated that Mr. CLARK then met with Senator CHANDLER and it was agreed that CHANDLER would not oppose Mr. CLARK's nomination to a cabinet post in consideration of which Mr. CLARK would instruct the United States Attorney for the Eastern District of Kentucky to dismiss the commissioners and tabulators cases.

Mr. STEPHENS is seriously concerned about these instructions because Federal Judge H. CHURCH FORD has been insistent that any action taken in these cases be taken on the merits. For example, on June 11 and 12, 1945, Attorney JIM GOLDEN, who represents almost all of the defendants in these cases, called upon Mr. STEPHENS at Lexington, Kentucky, to discuss with him the possibility of entering a nolle prosequi with respect to certain of the defendants and with respect to recommending probations for others. Special Agent FRANCIS X. JAHN was requested by Mr. STEPHENS to be present during these discussions to inform him of the specific facts with respect to the individual defendants. In these discussions only the precinct officials were mentioned and no reference was made to the commissioners and tabulators. When the discussions were completed on June 12, 1945, Mr. STEPHENS decided that he should nolle the indictments as to five of the precinct officials and that in the interest of justice he should recommend probation for certain of the precinct officials who were undoubtedly under the domination of one or more of their co-defendants. He then proposed to Attorney GOLDEN that they go to Judge FORD's office and review the discussions with him. Mr. STEPHENS requested Agent JAHN to accompany him to Judge FORD's chambers in order to provide him with any information concerning the facts in these cases into which the Judge might inquire.

On June 12, 1945, in Judge FORD's chambers, Mr. STEPHENS opened the discussion by informing the Judge that he and Mr. GOLDEN had been reviewing the cases with respect to the precinct officials and they had arrived at certain conclusions which they would like to take up with the Judge. Judge FORD, however, cut Mr. STEPHENS short with the statement that he did not care to hear anything about these cases except in open court. Judge FORD went on to say that after the hearing at London, Kentucky, on March 19, 1945, when the Government moved to dismiss its charges with respect to eleven of the precinct officials, as reported heretofore, he thereafter received a large volume of letters from citizens of Kentucky who complained to him that
they could not understand why certain of the defendants were punished while certain others were let go. Judge FORD said emphatically that when these cases are called in court, he will be very glad to hear any pleas which Mr. GOLDEN might make for his clients or any recommendations which the United States Attorney cared to make, but under no circumstances did he desire to enter into a private discussion of these cases to work out any arrangements which might or might not be understood by the general public.

On June 25, 1945, when the remaining fifty-seven defendants in these cases were arraigned, Precinct 17-C, Cumberland, was called first. The three defendants entered their pleas of guilty. In the second case called, that of Precinct 48, Totz, three of the four defendants pleaded guilty and Defendant JAMES LEWIS pleaded not guilty. According to the evidence in this case, JAMES E. LEWIS acted as a precinct official and signed the ballots for an hour or so, at the expiration of which time his co-defendants informed him that they intended to write up some votes. LEWIS entered a vehement protest but the others would not listen to him. LEWIS thereafter obtained a book and sat in a corner of the room where the polling took place and engaged in reading the balance of the day. One of his co-defendants forged his name to a large number of ballots which were illegally voted. LEWIS gave a complete statement to the investigating agents and the United States Attorney had proposed to use him as a Government witness if this precinct case went to trial. However, in view of the pleas of guilty on the part of LEWIS' co-defendants, Mr. STEPHENS then moved in open court to nolle the indictment as to LEWIS. Judge FORD then stated from the bench that he would like to have Mr. STEPHENS file with his nolle a written statement outlining the reasons upon which the nolle was based. Judge FORD remarked that he appreciated that he could not require the United States to do this, but he felt that in order to avoid any misunderstanding of the Government's position in the matter this should be done. To this recommendation of Judge FORD, Mr. STEPHENS expressed his acquiescence in open court.

During the balance of the arraignments, Mr. STEPHENS moved to nolle with respect to four additional precinct defendants in those instances where it appeared in the interest of justice that such action should be taken. On each and every occasion when Mr. STEPHENS did announce his intention to nolle, Judge FORD repeated his recommendation in open court that the United States Attorney file with the motion a written statement of the reasons therefor.

When the cases were called with respect to the commissioners and tabulators, the defendants present entered pleas of not guilty and these cases were set for trial by Judge FORD for July 23, 1945.
After the arraignments, Mr. STEPHENS stated to Agent JAHN that he had been placed in a very embarrassing position by the Attorney General and he did not know how he could get around it unless he resigned. He continued that he had decided in any event he should discuss the situation fully and completely with Federal Judge H. CHURCH FORD to explain to the Judge that he was being instructed to enter a dismissal in the commissioners and tabulators cases and did not know what else to do but follow these instructions.

The court was adjourned on June 26, 1945, after the petit jury returned a verdict of guilty with respect to Precinct 56, Three Point, defendants who stood trial beginning on June 25, 1945. The next case on the docket is that of the Mary Helen Precinct defendants which is set for July 16, 1945. The United States Attorney and Judge FORD returned to Lexington on the evening of June 26, 1945, and it is quite likely that within the next few days Mr. STEPHENS will discuss with Judge FORD the instructions he had received from the Attorney General and at that time reach a decision as to what shall be done in the commissioners and tabulators cases.

I will keep you informed of any developments in this matter which come to my attention.

Very truly yours

M. W. McFARLIN
SAC
Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Tolson
FROM : Mr. Nichols
SUBJECT:

The Attorney General, Tom Clark, in a broadcast over WRC at 10:45 p.m. on July 6, 1945, stated:

"Tax evasions, war frauds, antitrusts, and the black market will be stamped out. John Edgar Hoover of the Federal Bureau of Investigation has built up the world's best investigative agency. He and I see eye to eye on these problems, and together we can solve them."

50 JUL 21 1945

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 6-16-83 BY SP 8-45 MW
July 25, 1945

Honorable Tom C. Clark
The Attorney General
Department of Justice
Washington, D. C.

Dear Tom:

I want to say again how much your presence and your fine address contributed to the most successful graduation exercises for the 20th Session of the FBI National Academy last Saturday morning. It seemed to me that the program was one of the finest we had ever had and your contribution was definitely the high light.

Enclosed herewith is a set of photographs showing you at the graduation exercises. I thought you might like to have them for your memoirs.

With best wishes and kind regards,

Sincerely yours,

Enclosure

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATED 6-28-43 BY 518875/AM
The Attorney General

John Edgar Hoover, Director, Federal Bureau of Investigation

July 23, 1945

There is attached hereto a copy of this Bureau’s publication, "FBI This Week," for July 28, 1945, which I thought you might like to see.

Attachment

[Handwritten note:]

Mr. Tolson
Mr. B. A. Tamm
Mr. Cleve
Mr. Coffey
Mr. Clavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Trace
Mr. Carlsen
Mr. Egan
Mr. Gurnee
Mr. Haddon
Mr. Pendleton
Mr. Quinn Tamm
Mr. Nourse
Miss Caudy

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE: 6/83 BY SP-8-01946

[Stamp:]

X-66

[Signature:]

Tom Clancy
July 12, 1945

Honorable Tom C. Clark
The Attorney General
U. S. Department of Justice
Washington, D. C.

Dear Tom:

I was thoughtful of you to send the congratulatory note with regard to the accomplishments of the Bureau during the past fiscal year.

I personally appreciate your interest and am taking pleasure in advising my assistants of your kind note.

With kindest regards,

Sincerely,

[Signature]

[Stamp: ALL INFORMATION CONTAINED HEREBIN IS UNCLASSIFIED]
Dear Edgar:

Congratulations on your last year's report.

It is a great record for a great bureau - and it reflects your brains and stamina.

Please express to your staff my deep appreciation.

Sincerely,

Tom Clean
OFFICE OF DIRECTOR
FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

7-9-45

Mr. Pennington
Mr. E. A. Tamm
Mr. Clegg
Mr. Giffey
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Carson
Mr. Egan
Mr. Hendon
Mr. Munford
Mr. Jones
Mr. Pennington
Tele. Room
Mr. Nease
Miss Beahm
Miss Gandy

Congratulations on your last year's report.

It is a great record for a great bureau - and it reflects your brains and stamina -

Please express to your staff my deep appreciation -

Sincerely,

/s/ Tom Clark

COPY

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 6/4/43 BY 80-887560
Edgar:

The Arkansas editorials are very good. We could stand more of them. Thanks.

I do appreciate your sending them to me. I think we should get some sort of clipping service to watch things of this type. Do you have such?

Your constant help makes things much easier for me.

/s/ Tom Clark

RECORDED 6/2-72944 25

EX-8

All information contained herein is unclassified.

Date 6/1/83 by 80-8 8150.
Edgar:

The Arkansas editorials are very good. We could stand more of them — thank you.

I do appreciate you sending them to me. I think we should git some sort of clipping service to watch things of this type. Do you have such?

Your constant help makes things much easier.

For me,

Don
July 20, 1945

Honorable Tom C. Clark
The Attorney General
Department of Justice
Washington, D. C.

Dear Tom:

With reference to your note of July 19, 1945, regarding the Arkansas editorials recently forwarded to you, I thought you might like to know that the FBI does not engage a clipping service in order to have editorial comment called to our attention.

We have arrangements through the Special Agents in Charge of each field division for clippings in the local publications in their field division district which are of interest to the Department of Justice, to be sent directly to our Washington headquarters, and in accord with your desire I will be very happy to see that items sent in to us are promptly called to your attention.

Sincerely,

CC Mr. Jones: In perusing newspaper clippings, arrangements are to be made by you to see that items which are of interest to the Attorney General and which mention him by name are to be photostated and a positive photostatic copy furnished to the Attorney General by cover memorandum.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 1945 BY j.p.
Dear Mr. Hoover:

Thank you for sending me a photostatic copy of the editorial "Worthily Rewarded" from The Charlotte Observer. Your thoughtfulness is very much appreciated.

With kind personal regards,

Sincerely yours,

Tom C. Clark

Honorable J. Edgar Hoover
Director, Federal Bureau of Investigation
Washington, D.C.
August 2, 1945

Dear Edgar:

I am delighted to have the set of photographs of the FBI graduation exercises last Saturday, and it was very thoughtful of you to send them to me.

Thanks also for your fine words of commendation on my talk and I assure you it was a great pleasure to me to have had the opportunity to participate in these exercises.

With kind personal regards and best wishes,

Sincerely yours,

[Signature]

Mr. J. Edgar Hoover

Director, Federal Bureau of Investigation
FROM: M. A. Jones

TO: Mr. Nichols

DATE: August 9, 1945

SUBJECT: Special Tour for Ramsey Clark, son of the Attorney General

In accordance with instructions received from Mr. Clegg some time ago, Special Agent E. D. Mason today appeared at the roof gymnasium and met Attorney General Tom Clark and his 17-year-old son, Ramsey. Mr. Mason was with Ramsey for approximately three hours on the roof, and he was with the Attorney General for two hours.

Arrangements had been previously made through the Training Division for a disarming and judo demonstration for the Attorney General and his son. Prior to the Attorney General's arrival at the roof gym, Mr. Mason made friends with his son and played several games of quoits. It appears that young Ramsey, who is completing his high school education in summer school which will conclude about the middle of this month, intends to enlist in some branch of the armed forces toward the end of the month. He will be 18 years old next December.

The Attorney General came up to the gym about noon, and gym instructors Smith and Zeiss put on a gala show. During the disarming demonstration the Attorney General participated and was thoroughly convinced of the ability of Mr. Zeiss and Mr. Smith at disarming a person, for they with great facility stripped him of a revolver and held him at their mercy. At the close of the demonstration Attorney General Clark's son had a number of questions to ask and these were very patiently explained by Mr. Zeiss and Mr. Smith. The Attorney General seemed very interested in it all and told his son to accept the invitation of Mr. Zeiss and Mr. Smith to come back and get any further advice or instruction the boy wanted.

It should be made a matter of record that the Attorney General has been attending FBI gym classes regularly and that Mr. Zeiss and Mr. Smith have a very close liaison with him. The Attorney General calls them by their first names and seems genuinely appreciative of their assistance in physical training matters. The demonstration which Zeiss and Smith put on for the Attorney General this morning held his interest and provided an opportunity for an explanation as to the Bureau's training work along judo and disarming lines for police departments through Special Agent instructors. The show was the same one which has been given before clerical war schools, and it was handled with its usual dispatch and efficiency. Zeiss and Smith both made splendid impressions, talked clearly and forcefully, and everything moved quickly with no delay or hesitation. Mason pointed out that this made a very fine impression.
on the Attorney General. The thought is offered for whatever use the Bureau may see fit to put it, that if some special work needs to be done for the Attorney General, Mr. Zeiss and Mr. Smith, because of their friendship with Mr. Clark, might be in a position to help.

Mason invited the Attorney General to take a tour and Mr. Clark stated that he would be very happy to take a tour because his friends had been through the FBI and they report back to him sketches of the various things they have seen and he would like to see the FBI in action for himself. While he did not have time to take a tour this afternoon, he stated that he will call in the near future. This tour, when arranged, should be very thorough indeed. Ramsey hopes to take a tour this afternoon and will call Mason in his office when he gets back from a luncheon appointment his father has arranged.

cc - Mr. Clegg

ADDENDUM: Ramsey Clark was taken on a tour this afternoon by Agent Mason. They covered the Laboratory thoroughly and detailed arrangements had been made for exhibits to be laid out so that the Bureau's work would be presented at its best. Ramsey seemed to be quite thrilled and the scope and detail of the Laboratory made a great hit with him. Because his father intended to leave at 4:30 P.M. today, the tour was necessarily cut short, but arrangements have been made whereby Ramsey will telephone Mason next Saturday morning to complete the tour. At that time the rest of the Bureau's facilities will be shown him and if Ramsey has time a car will be reserved to take him over to the Armory. Ramsey again mentioned to his father the prospects of the Attorney General taking a trip through the Bureau, and his father confirmed his previous statement to the effect that he intended to take one just as soon as he could get time to do so.
While at the Roof Gym on August 3, the Attorney General advised Mr. Zeiss that he would like for his son to come around for a Defensive Tactics demonstration on "some Saturday" and suggested that he very possibly would be able to come around on Saturday, August 4.

Mr. Zeiss was advised to make arrangements to handle the demonstration for the Attorney General's son and Supervisor E. P. Mason of the Crime Records Section was contacted, it being suggested that he arrange to be present at the demonstration and thereafter conduct the Attorney General's son on a tour of the Bureau if he desired.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED.

DATE 6-6-45 BY 38-8 6:53W
5-5 AUG. 22 1945
The Attorney General

John Edgar Hoover, Director, Federal Bureau of Investigation

August 13, 1945

There is attached hereto a copy of this Bureau’s publication, "FBI This Week," for August 11, 1945, which I thought you might like to see.

Attachment
The Attorney General

John Edgar Hoover, Director, Federal Bureau of Investigation

MEMORANDUM

August 14, 1945

PROPOSED ARTICLE

Transmitted herewith for your information is a photostatic copy of the following editorial:

"Unprecedented Record Is Established by the FBI" which appeared in the August 11, 1945, issue of The Florida Times-Union, Jacksonville, Florida.

Attachment
Established by the FBI

Americans should be thankful to the Federal Bureau of Investigation for the outstanding work it has done in protecting war plants and other interests of this country during World War II. Evidence is piling higher and higher week by week, month by month, to show that Director John Edgar Hoover and his men have done one of the outstanding jobs in the over-all war effort.

A fair and significant sample of the successes achieved by the FBI forces is revealed in the announcement that five German spies sent to the United States after 1939 to learn of atomic bomb developments were persuaded to double cross the Nazis and work as counter espionage agents.

It is worthy of special note that some of the spies were intercepted in Europe and South America on route to the United States and made "double agents" before they launched any espionage activities of the Nazis.

This same kind of alertness is responsible for the fact that not only was no sabotage of any kind committed in an atomic plant, but none of major importance has been committed since the United States entered the war, or immediately prior thereto.

A comparison of the record during the present war with that during the war of 1917-18 serves to emphasize how greatly superior is the FBI of today to the forces doing similar work were in the other world war.

Mr. Hoover and his men undoubtedly are justifiably proud of their record, and certainly they deserve the gratitude of all Americans.
Office of the Attorney General  
Washington, D.C.

July 21, 1945


THOMAS C. CLARK

MEMORANDUM FOR J. EDGAR HOOVER  
DIRECTOR, FEDERAL BUREAU OF INVESTIGATION

Dear Edgar:

I regret that the pressure of official duties has caused me to delay expressing to you my appreciation for the services rendered by Messrs. S. V. O'Grady,


The service rendered by your men greatly facilitated the handling of such a large number of people and I deeply appreciate their effort.

P.S. I thought this done long ago. Please ask the boys to come in and see me sometime so I can thank them.

P.S. I thought this done long ago. Please ask the boys to come in and see me sometime so I can thank them.  

Tom
The Attorney General

August 22, 1945

John Edgar Hoover, Director, Federal Bureau of Investigation

There is attached hereto a copy of this Bureau's publication, "The Investigator," for August, 1945, which I thought you might like to see.

Attachment
Dear Edgar:

Thank you for sending me a copy of the publication "FBI This Week", dated August 4. It is always good to read of the Bureau's activities. Just received Amp one. They are most interesting. (Just received Aug. 11th one. They are all most interesting.)

Tom C. Clark

Attorney General

J. Edgar Hoover, Director

Federal Bureau of Investigation

Washington, D.C.
Dear Edgar:

Thank you for sending me photostatic copies of the three editorials. I was interested in seeing them.

Kind personal regards and best wishes,

Sincerely yours,

[Signature]

Tom C. Clark

Mr. J. Edgar Hoover

Director, Federal Bureau of Investigation
The Attorney General  

John Edgar Hoover, Director, Federal Bureau of Investigation  

August 24, 1945  

There is attached hereto a copy of this Bureau's publication, "FBI This Week," for August 25, 1945, which I thought you might like to see.

Attachment
August 29, 1945

The Attorney General

John Edgar Hoover, Director, Federal Bureau of Investigation

EDITORIAL — FBI GETS ALL SET TO START DRIVE TO RUN DOWN CHISELERS

There is attached hereto a photostatic copy of the following editorial in which I thought you might be interested:

"FBI Gets All Set To Start Drive To Run Down Chiselers" from the August 11, 1945, edition of the Independent-Tribune, Anderson, South Carolina.

Attachment

[Handwritten note:]

Tom C. C. [Signature]

[Stamp:]

RECORDED & INDEXED

[Stamp:]

EX-27 49 AUG 41

[Stamp:]

All information contained herein is unclassified.

[Signature]
Black marketeers and tax evaders are in for a lot of grief. The Law is getting pretty tired of them and proposes to do something about them, and at once.

The Treasury and Justice Departments and the Agriculture Department and the OPA are ganging up on the crooks. Tax revision and black market cases are getting priority over all others in the offices of the ninety-four U. S. attorney's offices throughout the country.

Estimates say that the black marketeers defrauded the American people of around $2,000,000,000 during the last fiscal year, ending June 30.

Tax dodging, it is estimated, has cost the country another $1,000,000,000. This is believed to be a direct by-product of black marketing. But the government has not been idle. Last year $123,000,000 in taxes and penalties was wrung from delinquents through court action.

Sixty-five defendants plead guilty to 186 convictions for perjury and evasion of tax. Nineteen of them were sentenced to from one to 15 years in prison and others to fines totaling $9,200,000.

Between 1943 and the summer of 1945, 80 black market cases had been turned over to the Department of Justice by the OPA alone.

Out of this number, 4,280 convictions were obtained, including 841 prison sentences, and fines totaling $4,638,000.

The public hasn't been very helpful, which is why the black markets have flourished. The people have bought and are buying wherever they can get what they want, and that has encouraged the crooks.

But now sleuths are everywhere, running down the black marketeer and the tax evader wherever he may be found.

Every man arrested is going to get a prompt and vigorous prosecution, every state is joining in the drive.

To head the campaign, Attorney General Tom Clark has brought to Washington a two-fisted prosecutor, T. Vance Quinn of New York.

Hoover's men are already on the job, like eager bloodhounds, to run down their prey.

We won't know about the hunting, of course, until the game has been bagged, but it looks like a good season.
September 5, 1945

Honorable Tom C. Clark
The Attorney General
Department of Justice
Washington, D.C.

Dear Tom:

I thought you would be interested in the attached copies of the FBI Law Enforcement Bulletin for September, 1945, containing a reprint of your address "Ten Years of Progress in Law Enforcement" which was delivered before the 29th Session of the FBI National Academy on July 21, 1945.

We continue to receive numerous favorable comments concerning this fine speech and I feel confident law enforcement officers throughout the United States who read our Bulletin will find your observations both enjoyable and inspiring.

With best wishes and kind regards,

Sincerely yours,

Enclosure

5 copies FBI LEB, Sept. 1945.

Mr. Tolson
Mr. E. A. Smith
Mr. Chegg
Mr. Coyle
Mr. Goss
Mr. Land
Mr. Banham
Mr. Rosen
Mr. Tracy
Mr. Carroll
Mr. Argu
Mr. Brand
Mr. Brandt
Mr. Penn
Mr. Quin
Mr. Nunn
Miss Gandy

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 6-1-45 BY 8T5
September 6, 1945

Honorable Tom C. Clark
The Attorney General of the United States
Washington, D.C.

Dear Tom:

As you know, the 20th Century Fox Company is planning to release the picture "House on 38th Street" which was produced with the full cooperation of the FBI. Mr. Spyros P. Skouras, President of the 20th Century Fox Company, is planning a special showing of the picture in New York City on the evening of Thursday, September 13th at the Studio Auditorium located at 444 West 56th Street, at 8 P.M., to be followed by the serving of supper. There will be another private showing of the picture to a small group of invited guests on Monday evening, September 17th, at 8 o'clock in the Ballroom at the Carlton Hotel, to be followed by supper. Mr. Skouras will send you an invitation to both showings.

I am sending you this note in the hope that it will be possible for you to attend either one, or both of the private showings of the picture. It is an excellent portrayal of the counterespionage work of the Bureau during the war and I am sure you will enjoy seeing the film.

With kind personal regards,

Sincerely,
September 10, 1945

Honorable Tom C. Clark:
The Attorney General of the United States
Washington, D.C.

Dear Tom:

With further reference to my letter of September 8, 1945, regarding the buffet supper and the showing of the picture "The House on 52nd Street," the New York preview has been changed from Thursday night to Friday night in view of the reception being given General MacArthur on Thursday night in New York. The picture will be shown at the Little Playhouse, the Sixth Floor of the home office of Twentieth Century-Fox Film Corporation, 62 West 55th Street at 8 p.m.

The special showing in Washington on Monday evening, September 17, has been changed from 8 p.m. to 7:45 p.m. in the Ballroom of the Statler Hotel rather than the Carlton Hotel.

I do hope that you can be present at both of these functions.

With best wishes and kind regards,

Sincerely,

[Signature]

[Enclosure stamp]

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
The Attorney General  
John Edgar Hoover, Director, Federal Bureau of Investigation

September 14, 1945

There is attached hereto a copy of this Bureau’s publication, "FBI This Week," for the current week, which I thought you might like to see.

Attachment
Dear Edgar:

I have your letter of September 6th concerning the production "The House on 92nd Street" and most certainly want to see it when it is shown in Washington. Spiros Skouras reminded me of it again the other day when I talked with him and I told him I would attend on the 17th.

Thank you for writing me.

Kind personal regards and best wishes.

Sincerely,

J. Edgar Hoover, Director
Federal Bureau of Investigation
Washington, D.C.
Since the Attorney General signed this Miss Gandy has invited Mrs. Clark, the children and me. Mrs. Clark says she will be delighted to be there and will bring Mildred. Ramsey left today for boot camp with the Marines. I, too, shall be glad to be there. Many thanks.

Grace Stewart
The Attorney General

John Edgar Hoover, Director, Federal Bureau of Investigation

September 24, 1945

John C. Clark

There is attached hereto a copy of this Bureau's publication "FBI this Week" for September 22, 1945, which I thought you might like to see.

Attachment
The Attorney General

October 1, 1945

John Edgar Hoover, Director, Federal Bureau of Investigation

There is attached hereto a copy of this Bureau's publication "FBI This Week" for September 29, 1945, which I thought you might like to see.

\[ \text{Signature} \]

Dr. Tolson
Mr. A. A. Yule
Mr. Chase
Mr. Oles
Mr. Reaves
Mr. Elkins
Mr. Goins
Mr. Tracy
Mr. Carson
Mr. Eden
Mr. Johnson
Mr. Pendleton
Mr. Quinlan
Mr. House

\[ \text{Signed by} \text{ Signature} \]

\[ \text{Date:} \text{10-1-45} \]

\[ \text{Date:} \text{2-7-44} \]

\[ \text{RECORDED} \]

\[ \text{All information contained herein is unclassified.} \]
October 5, 1945

Honorable Tom C. Clark
The Attorney General
Department of Justice
Washington, D. C.

Dear Tom:

On Friday, October 26, 1945, at 10:30 A.M., graduating exercises for the Thirtieth Session of the FBI National Academy will be held at the Departmental Auditorium, located on Constitution Avenue between 12th and 14th Streets, Northwest.

I would appreciate it very much if you could arrange to attend the exercises and present the diplomas to the graduates.

Sincerely,

[Signature]

[Stamp]: ALL INFORMATION CONTAINED HEREAFTER UNCLASSIFIED

[Signature]
October 5, 1945

Mr. Sam Riddick
Public Relations Office
John Edgar Hoover, Director, Federal Bureau of Investigation

In accordance with your request of Mr. Nichols, there is attached a memorandum containing numerous interesting incidents, which I trust will be of assistance.

Attachment
unknown spy. His suspicions were confirmed by experts in the
FBI Laboratory and as a result, one of the most dangerous
spies, potentially, was uncovered and was brought to justice
along with the one other individual who had worked with him.
Each was sentenced to serve 37 years. (Lehmitz case, #65-40282)

One woman spy who operated in the United States under
the observation and complete control of the Federal Bureau of
Investigation was one of the best dressed Nazi agents ever to
leave Europe. When she was arrested, she had in her possession:
42 pairs of nylon stockings, 41 pairs of shoes, 20 two-way-stretch
nylons, 30 dresses, 7 suits, 10 handbags, 27 rings, 20 jeweled
bracelets, and a variety assortment of other clothing and adorn-
ments. (Grace Buchanan Dineen)

While the average citizen was enjoying the Christmas
Season in 1944, Special Agents of the FBI were extremely busy
on a vital assignment which had to be handled successfully.
Several weeks prior to the holiday season, information had been
developed that two strange men had been seen in the vicinity
of a spot where it was suspected that the enemy may have landed
agents. The first real break came on December 26, 1944, when
one of the spies was located in New York City and admitted his
identity. He said that he had landed on the coast of Maine
with a companion whose name he gave but whose whereabouts he
Early in 1942 the Federal Bureau of Investigation received 12 letters which appeared quite innocent but which actually contained, in secret writing, detailed information of extreme value to the enemy. These letters were addressed to an intermediary in a neutral country but were obviously intended for the directors of the German submarine campaign in the Atlantic.

The communications were mailed from New York City, but to find a spy in the midst of this metropolis was a difficult assignment indeed. But it was the FBI's job and the job was done.

First, all information appearing in the letters was carefully analyzed. The agents knew that the spy had a dog which had been sick, that he was about to lose his home through a foreclosure, that he himself had been ill of pneumonia, and that he had been to Portugal during a recent spring. Hospital, dog-license records, and other possible sources of information were checked but the agents did not hit the jackpot until they began a close inspection of baggage declarations made by passengers entering the port of New York on ships coming from Portugal. A Special Agent noticed that one of these declarations bore handwriting closely resembling the handwriting of the
said he could not supply. He did state, however, that this
individual formerly lived in Peru and that he was in the habit
of buying Peruvian newspapers at a Times Square newsstand.

Many Special Agents established surveillances at a number of
newsstands in New York City and their patience was rewarded
on Saturday evening, December 30, when the remaining member
of the spy team walked into the newsstand. Strangely enough,
he did not come at that time to buy a Peruvian newspaper. But
he was there, the Agents recognized him, and took him into
custody, completing the job of removing two dangerous enemies
from circulation.

The first of these men who was found was William
Curtis Colepough and the one who was arrested at the newsstand
was Erich Gispel. They were turned over to military authorities,
were tried, and each received a life sentence.

LAPIDARIAL

Since the emergency began there have been 19,466
complaints of sabotage. The FBI investigations have disclosed
sabotage in some form in 2,288 instances. But, in the vast
majority the damage has been traced to individuals motivated by
spite, or to juvenile mischief, or gross carelessness. Not
one single act of foreign-directed sabotage occurred during the
wartime emergency. Many cases of reported sabotage were found
upon investigation to be industrial accidents or to be the
result of thoughtlessness on the part of those guilty.

For instance, two friends were spending a Sunday evening together and after a couple of shots of bourbon each, they decided to go to the box factory where one worked and rob some wild bees which were believed to have stored up honey in one wall of the factory. They went to the plant, which was doing important war work, managed to get by the watchmen since one was employed there, and proceeded with their plans. The bees proved to be quite capable guardians of their golden treasure and it became necessary, after the boards had been pulled from one section of the wall, for the men to devise some means of fighting off the bees before they could pull the boards back in place. The solution was a blow torch. It completely vanquished the bees and the men left with some honey, but the strains started sounding about the time they reached home, and as a result, the box factory, valued at $200,000, was destroyed. These individuals were carefully checked and there was no indication that they committed sabotage or that they intended to burn down the plant. They were, however, convicted in state court of second-degree burglary and were placed on probation.

* * * * *

Occasionally justice is shockingly swift and falls with a finality which is impressive to us all. A fire occurred
In a big eastern building in which war work was being done and the FBI investigated to ascertain if there had been any sabotage, a body was found at the scene and when it was identified through fingerprints it was determined that the dead man was a person with a criminal record who had long been suspected of covering up his thefts by starting fires. In this instance he apparently made the mistake of starting a fire near some explosive material. The explosion blew a heavy door down on him and he apparently was trapped as a result of his own mischief. (98-31407)

In another case a powder factory blew up. An FBI investigation disclosed several burned match stems end a portion of a pipe, although absolutely no smoking was the rule or the project. A check of employees disclosed that one was extremely fond of his pipe and it was found that the pipe found in proximity to the burned match stems was his. The pipe smoker could not be questioned for he was among the dead but it was obvious that he had succumbed to the desire for an after-lunch smoke. That was his last mistake.

SELECTIVE SERVICE

Various schemes have been devised by Selective Service evasion in an attempt to outwit the FBI. In one such case Special Agents began looking for a delinquent and soon
found his wife who described herself as a widow. She sorrowfully related that her husband had died some time before and said that a death notice had appeared in a national publication. But the Agents did not take her word for it. They checked both reports, found that they were erroneous, looked further into the woman's background and found that she had recently married an individual whose name was entirely different from that of the missing registrant. You have already guessed the answer. The registrant had merely changed his name, hoping that he would be considered dead, and had remarried his wife. But he failed to get away with it. He was caught and was sent to prison for a two-year term. (25-46222)

FINGERPRINTS

Fingerprints frequently are the connecting link between a criminal and a crime. In one of the FBI's most important kidnapping cases every effort was being made to turn up some evidence which would identify the kidnappers. At that stage of the hunt a fortune in ransom had been paid, the kidnappers had released their victim and had disappeared to enjoy an easy life on their loot.

The victim recalled that gasoline had been placed in the automobile, in which he was transported, from a can. Special Agents of the FBI asked all officers in the area to be on lookout for abandoned gasoline cans. A farmer near a small town in Wisconsin found a can and because of the work
done by the FBI, his find was reported, the can was sent to
the FBI Laboratory, and on it was developed the clear print
of a single finger. This fingerprint was identical with one
of the patterns on a fingerprint card already in the FBI's
possession, and resulted in the identification of Doc Barker.
This gave the FBI information that the notorious Barker-Karpis
gang was responsible for the kidnapping and you will recall
that the mob was quickly cleaned up.
Office Memorandum  •  UNITED STATES GOVERNMENT

LBN: HBM

TO: MR. TOLSON
FROM: L. B. NICHOLS

SUBJECT: SAM RIDDICK IN THE PUBLIC RELATIONS OFFICE CALLED.

He stated they were in an awful jam and could give them a hand.

He stated that "Tom" is making four or five talks before bar associations in the next two weeks, that they don't have time to prepare manuscripts for each one, that he accordingly is going to talk extemporaneously. He, Riddick, is calling the various divisions for some interesting items and was wondering if we could give him something in the next three or four days in the form of a memorandum including factual items which the AG could work in his speech.

I told Riddick we were pretty pressed but we would look around and I would let him know. It is recommended that we get up such a factual memorandum, which the AG might use.
TO: MR. TOLSON  
FROM: R. C. HENDON  
SUBJECT: ATTORNEY GENERAL'S TRIP

DATE: 10/10/45

There is attached hereto the final itinerary of the Attorney General's trip as furnished by Mr. Clark to Agent Webb yesterday. Webb stated that the Attorney General was very cordial to him and told him that he wanted to be a regular fellow on this particular trip but desired that Webb serve as a buffer for him and keep him on the itinerary. He further suggested that it would be well to have an Agent handle his telephone calls and help with the visitors at each of the places he was stopping. Webb is meeting the Attorney General at 9:30 a.m. today in his office and riding with him to the airport from where they expect to depart at 10:00 a.m.

I called SAC Wyly at Dallas, SAC Acers of San Antonio, SAC Willis of Houston and SAC Norris of St. Louis. I gave them in detail the present itinerary and advised them in each instance that they were to be at the airport to meet the Attorney General and that they were to assist in any way they could. I told them that Webb would be with the Attorney General at all times and that they should help him when he requested assistance in any way. I said that it would be well for them to have extra cars available and three or four well qualified Agents standing by should something special be needed. I further indicated that they should have capable men on the desks during the Attorney General's presence in their divisions so that proper action could be taken should there be any change in plans. I also instructed that they were to advise the next office of the departure and arrival times of the party. Agent Webb will keep them closely advised in this regard. I further instructed that a capable Agent should be made available to help with the telephone calls and visitors as the Attorney General had indicated to Webb.

SAC Wyly has been in close touch with Robert Clark, the Attorney General's brother, and has been invited to attend all of the receptions and events at Dallas with the exception of the private dinner for the members of the family on Sunday evening at the Clark home. He is also attending the football game.

SAC Acers at San Antonio is on the Reception Committee, had already been scheduled to ride in the Attorney General's car to and from the airport and is in close touch with the entire situation.

SAC Willis, who had just arrived back in Houston from Richmond, was not yet fully advised although he was planning to attend the banquet in Houston on Friday evening. I told him he should make necessary contacts to attend the affairs in Corpus Christi on the 11th and to be back in Houston on the 12th. I told him that should the Attorney General invite him to ride in the plane from Corpus Christi to Houston on the
morning of the 12th that this would be satisfactory, in which event he of course should arrange for someone from the office to meet them that morning at the airport.

SAC Norris advised that on Monday evening the Attorney General was scheduled to address a banquet sponsored by the St. Louis Bar Association at the Jefferson Hotel and that he and some other Agents had a "table." He said some very important people were scheduled to sit at the speaker's table. I told Norris what the SAC's in Texas were doing and told him it would be entirely proper for him to attend any of the receptions that might be given at St. Louis and sit at the speaker's table were he to be invited. I further told him that Wyly would advise him from Dallas as to the departure and arrival time and that he should advise the Bureau as to the departure time of the Attorney General from St. Louis.

In each instance I told the SAC's that they should take a prominent part in all of the activities. The Attorney General advised Webb that in the party leaving today would be Mrs. Clark; Solicitor General McGrath; Bob Hannegan; Ed Pauley; Hatton Sumners; Congressman John Lyle; Joe Nunan, Commissioner of Internal Revenue; Dale Miller, Washington representative of the Texas Chamber of Commerce; and possibly Secretary of War Patterson. These names were furnished to each of the SAC's with advice as to their identity although I pointed out that it was probable all would return to Washington direct from Dallas tomorrow. The Attorney General indicated to Webb that only the two of them would make the remainder of the trip.
Wednesday, October 10th

Arrive Dallas 2:30 p.m. if at all possible. Land at Love Field Airport.

5:00 p.m. - R. L. Thornton cocktails, top of Mercantile Bank Building.

6:00 p.m. - Reception, cocktails preceding banquet, Hotel Adolphus.

7:00 p.m. - Banquet sponsored by Dallas Citizens Council and Dallas Chamber of Commerce, Grand Ballroom, Hotel Adolphus. This is a stag affair.

9:00 p.m. - Talk by The Attorney General to be carried by all radio stations in the Texas Quality Network and Texas State Network and Radio Station KRLD.

10:00 p.m. - Tom C. Gooch, cocktails, Danish Room, Hotel Adolphus.

Thursday, October 11th

8:30 a.m. - Leave Love Field Airport at Dallas for San Antonio by private plane.

Arrive San Antonio, 10:00 a.m. Land at Municipal Airport.

11:15 a.m. - Reception, St. Anthony Hotel.

12 o'clock Noon - Luncheon sponsored by San Antonio Bar Association at St. Anthony Hotel.

3:00 p.m. - Leave Municipal Airport at San Antonio for Corpus Christi.
Thursday, October 11th, continued

3:50 p.m. - Arrive Naval Airport at Corpus Christi.

5:00 p.m. - Public reception at Driscoll Hotel.

6:30 p.m. - Cocktails and reception by Southwest Texas Bar Association at Driscoll Hotel.

7:00 p.m. - Banquet sponsored by Southwest Texas Bar Association, Driscoll Hotel. Spend the night at Driscoll Hotel.

Friday, October 12th

9:00 a.m. - Leave Naval Airport Corpus Christi for Houston.

10:00 a.m. - Arrive Municipal Airport at Houston.

12 o'clock Noon - Governor W. P. Hobby luncheon at Country Club.

6:00 p.m. - Reception preceding banquet.

7:00 p.m. - Banquet at Rice Hotel sponsored by Houston Bar Association.

Saturday, October 13th

8:00 a.m. - Leave Municipal Airport, Houston, for Dallas, Texas.

9:30 a.m. - Arrive Dallas, Texas.

11:00 a.m. - Reception, Hotel Adolphus preceding luncheon.

11:45 a.m. - Luncheon, Hotel Adolphus, sponsored by Dallas Bar Association and Dallas Chapter of the Federal Bar Association. Ladies invited.

2:00 p.m. - Leave Hotel for Fair Park to attend football game between Univ. of Texas and University of Oklahoma.

2:30 p.m. - Arrive football game.
Saturday, October 13th, continued

5:00 p.m. - End of football game, return to Hotel Adolphus.

7:30 p.m. - George L. MacGregor, cocktails and dinner, Brook Hollow Country Club. Ladies invited.

Sunday, October 14th

9:30 a.m. - F. O. Burns, breakfast Dallas Country Club. Stag affair.

Balance of time until 2:30 unscheduled.

3:00 p.m. - Robert L. Clark at home, 4411 Belfort, public reception until 6:00 p.m.

6:30 p.m. - Robert L. Clark, dinner at home for all members of the Clark and Ramsey families.

Monday, October 15th

Nothing scheduled in Dallas.
Leave for St. Louis
TO: THE DIRECTOR
FROM: Mr. Edw. A. Tamm
DATE: 10/6/45

SUBJECT: Miss O'Donnell of the Attorney General's Office called me today and advised that the following was the Attorney General's itinerary for his forthcoming trip:

Attorney General leaving 9 or 10 A.M. and arriving Dallas 2:30, Wednesday October 10.

WEDNESDAY, October 10

There will be a reception and banquet in the evening at the Hotel Adolphus at 7:00 P.M. and is sponsored by the Dallas Chamber of Commerce.

9:00 P.M. there will be a talk by the Attorney General carried by all radio stations in the Texas Quality network and radio station KRLB (phonetic)

THURSDAY, October 11th

Leave Dallas and arrive San Antonio 10:30 A.M. and there will be a luncheon for the Attorney General at noon sponsored by the San Antonio Bar and Chamber of Commerce.

3 P.M.

Leave San Antonio and arrive Corpus Christi at 5 P.M.

At 7 P.M. there will be a banquet sponsored by the Southwest Texas Bar Association at the Driscoll Hotel.

FRIDAY, October 12th

Leave Corpus Christi at 9 for Austin. Arrive Austin 11 and there will be a luncheon for him arranged by Charles Black, an attorney there. (He hasn't sent the Attorney General's Office all the information, but Attorney General leaves Austin at 2:30 P.M. for Houston).

Attorney General arrives Houston 4:30 P.M. 6 P.M. reception and 7 P.M. banquet to be held at the Rice Hotel sponsored by the Houston Bar Association.

SATURDAY, October 13th

Leave Houston 7 A.M., arrive Dallas 9:30. At 11 A.M. reception at Hotel Adolphus. 11:45 AM luncheon at same hotel sponsored by the Dallas Bar Association and by the Dallas Chapter of the Federal Bar Association.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 5/30 CT 18 1945
SATURDAY, October 13th (continued)

2:00 P.M. tentative plans to attend football game (believed this item canceled)

7:30 P.M. dinner at the Brook Hollow Country Club (personal one - no speech)

SUNDAY, October 14th

9:30 A.M. Stag breakfast. Balance time until 2:30 P.M. unscheduled.

Attorney General’s brother has reception for him until 6 P.M.

MONDAY, October 15th

Leaving for St. Louis. Speech in St. Louis (details not yet available to Attorney General’s Office except that it is at Jefferson Hotel).

I requested Miss O’Donnell to advise me as soon as the time of departure from St. Louis and arrival in Washington were known. She said she would so advise me.
Office Memorandum

UNITED STATES GOVERNMENT

TO: THE DIRECTOR

FROM: Mr. Edw. A. Tamm

DATE: October 8, 1945

SUBJECT:

On Saturday Mr. Gus Vanech advised me Mr. Clark was making a trip of about one-week's duration leaving Washington by Secretary Patterson's private plane for stops in Dallas, San Antonio, Corpus Christi, Austin and Houston. The Attorney General is to be the recipient of a number of banquets, receptions, luncheons, etc. Accompanying him at least on the first stage of the trip will be Solicitor General McGrath, Bob Hannegan, Ed Pauley, Lyndon Johnson, Paul Porter, Haddon Summers, John Ely, Mrs. Clark and possibly Secretary of War Patterson. According to Mr. Vanech Mr. Clark was most anxious that you make this trip with him. He would like to have you for the whole trip but if you could not make the entire trip he would like to have you attend the dinner on Wednesday night at Dallas, flying back to Washington after the dinner if necessary. If you could not go Mr. Clark wanted your representative to travel with him as a general overseer to handle all details, etc.

I told Mr. Vanech I knew you had a number of long-standing commitments this week but that I knew likewise you would be most anxious to do anything the Attorney General desired in a situation of this kind. Mr. Vanech was told this invitation would be brought to your attention when you called in by long distance telephone.

I subsequently talked to you about this situation and you desired to give it consideration in the light of your commitments.

On Sunday morning Mr. Vanech called me and said the Attorney General was most anxious to have your decision in this matter. After talking to you on Sunday about the situation I contacted Mr. Vanech telephonically and advised him you greatly regretted having to decline an invitation to attend the Clark dinner in Dallas Wednesday night which had been sent to you by telegram by Mr. Clark's brother some days ago. I advised Mr. Vanech that you believed Special Agent Tom Webb would be the best selection to accompany the Attorney General on this trip since he had made similar trips with Mr. Stettinius and others, and would do a good job for the Attorney General on such an assignment. Mr. Vanech said he would advise the Attorney General and let me know if Mr. Clark wanted Tommy Webb to accompany him. I tried on a number of occasions to reach Mr. Vanech without success. At 5:30 PM I talked to him by telephone and informed him that one of the considerations which you had considered in reaching a decision that you could not make this trip was the fact that Senator Connally was so hostile to you and
Memorandum for the Director

the Bureau that you were afraid Connally might construe Tom Clark's
taking you on this trip as a direct affront to him. Connally and
pointed out to Vanech you were afraid Connally would retaliate by
some hostile act against Clark in the future and you didn't want
to expose Clark to this. Mr. Vanech stated that this thought had
not occurred to him and he would transmit it to Tom Clark immediately.
At 5:35 P.M. Tom Clark called and stated he was very sorry that
you could not make the trip but was most appreciative of the
consideration you had given to it and your analysis of all
of the circumstances involved in your going. He stated consequently
he would be glad to have Tommy Webb accompany him and his office
would tomorrow let Mr. Webb know of the time of the departure, etc.

I have not taken this matter up with Tom Webb but will
do so unless you personally desire to talk with him.

Respectfully,

Edw. A. Tamm

[Signature]
FROM: Mr. Edw. A. Tamm

TO: THE DIRECTOR

SUBJECT: Call: 4:36 PM

I called SAC Hallford of Baltimore Field Division at this time and advised him that the Attorney General was going over to Baltimore and would make an address at the Levindale Hebrew Home scheduled to appear there at 2:00 PM. I told Mr. Hallford it would be well for him to contact the Attorney General upon his arrival to inquire whether there was anything the Bureau could do for him in Baltimore. Mr. Hallford was further advised that the Attorney General is driving to Baltimore.

53 OCT 18 1945
TO: MR. TOLSON
FROM: R. C. HENDON
SUBJECT: ATTORNEY GENERAL'S TRIP

DATE: 10/15/45

SAC Wyly telephoned this morning from Dallas to advise that the Attorney General left for St. Louis at 8:35 a.m. today accompanied by Congressman Hatton Sumners, Sam Reddick and Tom Webb in a private plane. They are arriving at St. Louis shortly after noon where the Attorney General is to attend a luncheon at the Racquet Club and then he will address the Bar Association meeting at the Jefferson Hotel tonight. Wyly stated that the Attorney General was presently intending to leave St. Louis tomorrow morning direct for Washington, D. C. Wyly said that everything again went smoothly during the Attorney General's second visit to Dallas.

Later information that leaving St. Louis 11 p.m. tonight, arriving Washington D. C. 3 a.m.

Later information that leaving St. Louis 11 p.m. tonight, arriving Washington D. C. 3 a.m. Mr. Nease and Mrs. Stewart of A. G.'s Office advised. She is arranging for party to be met and no action necessary by us. 10-15.
The Attorney General

John Edgar Hoover, Director, Federal Bureau of Investigation

October 15, 1945

Mr. Clark

There is attached hereto a copy of this Bureau's publication "FBI This Week" for October 13, 1945, which I thought you might like to see.

Attachment

[Signature]

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 11/14/43  BY 8/8/43
October 16, 1945

MEMORANDUM FOR MR. TOLSON
MR. GEESO
MR. HANCOCK

John Edgar Hoover
Director

Mrs. Stewart, the Attorney General's Secretary, telephoned to advise that the Attorney General will be unable to deliver the diplomas at the Graduation Exercises on Friday, October 20, 1945, as the White House has changed the Cabinet Meetings from Friday afternoon to Friday morning.

I thanked her for calling and furnishing this information.

Very truly yours,

John Edgar Hoover
Director

ALL INFORMATION CONTAINED HEREBIN IS UNCLASSIFIED
DISTRIBUTION: 09-5-8-17712
Dear Edgar:

Thank you very much for the copy of my address at the New York University Club on September 25th and for your favorable comments thereon.
TO: MR. TOLSON  
FROM: R. C. HENDON  
SUBJECT: ATTORNEY GENERAL'S TRIP

DATE: 10/12/45

SAC Wyly advises that everything went smoothly at Dallas in connection with the first portion of the Attorney General's visit in that city. Wyly attended all of the functions and was at the speaker's table for the banquet, being introduced. He said both the Attorney General and Solicitor General McGrath gave excellent speeches. Wyly stated McGrath's speech was particularly outstanding and he is going over so well that they almost voted him "Texas citizenship." The Attorney General in speaking of the President said that a better man could not have been found even had the facilities of the FBI been used and that "the FBI has lots of facilities believe you me." Also in his speech he mentioned the Suggestion Box case which he mentioned at the Press Club here some time ago. Wyly stated that he had breakfast yesterday morning in the Attorney General's suite at the hotel at which Hatton Sumners, Congressman Lyle, Dick Nash, Sam Reddick, Tom Webb and Pat Coon, formerly with the Department who is now in the firm of Clark and Coon, were present.

Wyly stated that Tom Webb is handling all of the Attorney General's calls and according to Wyly is doing an excellent job, with the Attorney General seeming to like him very much. Wyly said the Attorney General was very complimentary and was apparently well pleased. Accompanying him for the remainder of the trip upon leaving Dallas in addition to Webb were Bob Clark, Congressman Lyle and Sam Reddick. Wyly said that he was going to meet the Attorney General upon his arrival back in Dallas tomorrow and was attending all of the other functions as planned.

SAC Acers likewise said everything went extremely smoothly in San Antonio where he attended all of the functions. His speech dealt solely with antitrust matters and he didn't mention the Bureau but during the reception afterwards he was highly complimentary of the Bureau and the Director, stating there was nothing that the FBI couldn't do. He particularly complimented the work on the Chapel case and referred to the Identification Division. Acers stated Congressman John Lyle agreed with everything the Attorney General said, stating that the work of the Bureau was uncanny and we couldn't do without it. Acers stated that he understood that in his speech at Corpus Christi last night the Attorney General referred to the "unbelievable job performed by the Bureau before and during the war." Acers likewise said that Webb was doing a fine job.
SAC Willis met the Attorney General at Corpus Christi yesterday and then rode with the party from Corpus Christi to Houston this morning. He said that there has not been a hitch. The Attorney General has been very complimentary to the Bureau and the Director and referred to the Bureau in glowing terms in his speech last night. Willis is attending all of the functions at Houston today.
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See Me __________________________ ( )
Note and Return ______________ ( )
Remarks:
The Attorney General

John Edgar Hoover, Director, Federal Bureau of Investigation

The Investigator

There is attached hereto a copy of "The Investigator" for September, 1945, which I thought you might be interested in seeing.

Attachment
The Attorney General
John Edgar Hoover, Director, Federal Bureau of Investigation

October 23, 1945

Tom C. Clark

Attached hereto is a copy of the October, 1945, issue of the FBI Law Enforcement Bulletin which I thought you might like to see.
Federal Bureau of Investigation
United States Department of Justice
Houston, Texas
October 16, 1945

Director, FBI

Re: TOM C. CLARK
   Attorney General
   Miscellaneous

ATTENTION: Inspector Robert C. Hendon

Dear Sir:

The following information is being submitted relative to the Attorney General's visit in the Houston territory and in conformity with instructions received from Inspector Hendon.

The Attorney General, accompanied by his brother, ROBERT S. RIDDICK, Public Relations Officer for the Department of Justice; and Special Agent TOM WEBB, arrived at Corpus Christi, Texas at 4:15 P.M. on October 11, 1945. Through arrangements perfected by Mr. James L. Lattimore, President of the Nueces County Bar Association, the writer was in attendance at all functions given in honor of the General. His main and only public appearance at Corpus Christi was at a dinner-dance given by the Nueces Bar Association in the Driscoll Hotel on October 11 at 7 P.M. Mr. Lattimore served as toastmaster and the Attorney General, in his talk, made a very complimentary reference to the FBI when he mentioned the manner in which Federal Judgeships were selected. He stated that each application, after being personally considered by him, was given the FBI for appropriate investigation. He said, speaking of the FBI, he wanted at that point to mention that the FBI was the best investigative agency of its kind in the world. He said that as Attorney General he had had the opportunity of trying numerous important cases as based on FBI testimony and that FBI Agents were the best witnesses since they had their facts well at hand and knew how to put proper emphasis on matters developed by investigation. In his talk, he also dealt on the matter of juvenile delinquency and used figures supplied by the Director to whom he gave full credit in talking on these matters.

The Attorney General's reference to the FBI at this meeting should be considered most helpful since all members of the State Supreme Court, the Circuit Court of Appeals, and local State Judges from the southeastern part of Texas were in attendance. In addition, all lawyers were present and many State officials, including the former Governor, James Allred.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE: 1945-11-08
The Attorney General left Corpus Christi, Texas for Houston at 9:20 A.M. on October 12 by Braniff plane and the Writer accompanied him at the General's request. During the course of the trip, I told the Attorney General that we of the FBI were truly appreciative of his complimentary reference to the Bureau in his speech the evening before. He said he was sincere in making the remark as he really felt the FBI, under the Director's leadership, was the finest of its kind.

While the Attorney General was in Corpus Christi, Admiral J. J. (Jock) Clark, Commander of the Corpus Christi Naval Air Training Bases, served as his host upon arrival and at a club breakfast at the Admiral's home on the morning prior to his departure for Houston. Admiral Clark, it will be recalled, is of The Fighting Lady fame and a nationally known figure in Naval actions in the Pacific.

On arrival at Houston at 10:30 A.M. on October 12, the Attorney General and members of his party were guests at a luncheon held at the Houston Country Club and sponsored by Mr. Douglas W. McGregor, former United States Attorney for the Southern District of Texas, and former Governor William P. Hobby, now of the "Houston Post." The Writer was in attendance with the Attorney General at both the invitation of Mr. McGregor and Mr. Hobby. The talk given by the Attorney General on this occasion was strictly informal with no references being made to Departmental matters.

On the evening of October 12, 1945, the Attorney General, as the guest of honor, appeared at a dinner given at the Rice Hotel under the sponsorship of the Houston Bar Association. Mr. James L. Shepherd, Jr., President, served as toastmaster and principal arranger, being assisted by Mr. McGregor. An estimated 500 people were present as dinner guests. In this address, the Attorney General again referred to juvenile delinquency, using the figures and reference to the Director as in the Corpus Christi talk. In his talk he related the following humorous incident concerning a watch which was given him upon his inauguration as Attorney General by an unknown donor. He said appreciating that he would be unable to accept the gift if it came from a member of the Department of Justice, he called upon the Director to make an investigation. He said that true to its reputation, the FBI always got its man and he was relieved to know that the donor of the watch was an outside individual thus enabling him to retain the gift. No other reference was made to the Bureau in this particular talk.
Director  
Re:  Tom C. Clark, Attorney General  
HO 10/16/45  

As indicated, I was able to be with the Attorney General the majority of the time and I know from his comments made publicly and to me personally that he thinks most highly of the Director and what the Bureau is accomplishing in investigative matters. Mr. Robert Clark, the Attorney General's brother, personally told me of his high admiration for the Bureau. I found Sam Riddick very affable and a sincere admirer of the Bureau. Special Agent Tom Webb performed his duties creditably.

The Attorney General, after staying in Houston on the night of October 12, was personally taken to the airport by the Writer and he departed for Dallas, Texas at 8:29 A.M. on that date. SAC Percy Wyly was notified telephonically of this fact.

Of interest to the Bureau, I am enclosing herewith one copy of each of the press releases which appeared in the papers in Corpus Christi and Houston. Two additional copies of the releases, together with glossy photographs taken, are being sent separately and directly to Mr. Riddick in accordance with his request.

I might mention that the Attorney General gave the Writer an autographed photograph of himself. I feel from my own experience and from remarks made by those making arrangements for the Attorney General's visit in the Houston territory that everything went along smoothly and to the satisfaction of all those participating.

Very truly yours,

Galen N. Willis  
SAC

GNW: NK  
Enclosures  
67-199  

SPECIAL DELIVERY
The Attorney General

October 26, 1945

John Edgar Hoover, Director, Federal Bureau of Investigation

There is attached hereto a copy of this Bureau's publication "FBI This Week" for October 27, 1945, which I thought you might like to see.

Attachment
FEDERAL BUREAU OF INVESTIGATION

October 22___1945

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<th>The Director</th>
<th>Records Section</th>
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<td>Mr. Coffey</td>
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<td>Mr. Rosen</td>
<td>Search, serialize, and route</td>
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See Me

 apropos of our recent discussion, I have talked further to Gus Vanesch about the Attorney General's program of obtaining an Army bomber for his personal use and neither your name nor that of the Bureau will enter into this matter in any way.

Edward A. Tamm
5734

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 11/16/45 BY J. L. G. W.

30 NOV 5 1945
Federal Bureau of Investigation
United States Department of Justice
San Antonio, Texas
October 17, 1945

Director, FBI

Re: ATTORNEY GENERAL TOM CLARK
VISIT TO SAN ANTONIO, TEXAS
OCTOBER 11, 1945

Dear Sir:

Reference is made to San Antonio letter to Bureau dated October 12, 1945, with which were transmitted ten mat finish prints of photographs taken upon the occasion of the Attorney General's visit to San Antonio, October 11, 1945.

In accordance with Mr. SAM REDDICK's request, glossy finish prints of these photographs have been secured and are transmitted herewith.

Very truly yours,

M. W. ACERS, SAC
Mr. Samuel B. Reddick, Public Relations
Office, Room 5115, U. S. Department of Justice
John Edgar Hoover, Director, Federal Bureau of Investigation

Attorney General's Visit To San Antonio, Texas
October 11, 1945

Transmitted herewith are several copies of photographs taken on the occasion of the Attorney General's recent visit to San Antonio, Texas, which I thought you might care to have.

Enclosure

CC - San Antonio

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 11/13/45 BY WH-8 STAG

[Signatures and dates on bottom of page]
The Director

Mr. Tolson

Mr. Ladd

Mr. Coffey

Mr. Rosen

Mr. Clegg

Mr. Glavin

Mr. Nichols

Mr. Tracy

Mr. Hendon

Mr. Pennington

Mr. Quinn

Mr. Nease

Mr. Welch

Mr. Nease

Miss Gandy

Miss Stalcup

Miss Gray

Miss Hines

Records Section
Personnel Files
Send File
Bring file up-to-date
Search, serial-
ize, and route
Reading Room
Mechanical Section
Call me re this
Note and return
Stamp and mail
Prepare tickler
Call these files

ALL INFORMATION CONTAINED

See Me HEREIN IS UNCLASSIFIED

DATE 6/6/43 BY SP-8

Edward A. Tamm
5734
Office Memorandum

TO: THE DIRECTOR
FROM: Mr. Edw. A. Tamm
SUBJECT: $500.00 FUNDS TO BE TRANSMITTED TO YUGOSLAVIAN INDIVIDUAL

DATE: 10/23/45
Call: 2:40 PM

Miss O'Donnell of the Attorney General's Office called me at this time and advised that the Attorney General is anxious to send some money in the amount of approximately $500.00 to a very worthy cause in Yugoslavia for people who are in need of money. She explained that the exchange is not possible because the Yugoslavian bank has not set up the mechanics for it. She further explained that although the United States government has cleared all of the legal mechanics necessary for it, the Yugoslavian government has not set up any bank to accept the money.

Miss O'Donnell said they had been working on this matter for some time now for the Attorney General. The money was intended for the mother of a family very much in need of money and who has died since they began this negotiation. At this time the money is for the sister. The family is Yugoslavian but they have an American brother who is sending the money.

The Attorney General thought perhaps they could send the money over with some of the people going over there at different times but as yet they haven't been able to locate anybody who is going over. I inquired of Miss O'Donnell whether they had contacted the State Department and she replied that they had turned her over to the Treasury Department since it was a matter of foreign funds and because it originally started out that they were just going to try to send the money over. Miss Stewart suggested the possibility that perhaps the FBI would have someone going over or someone over there now. Miss O'Donnell asked if I had any views on this.

I told Miss O'Donnell I would check into this matter to see whether there was anything we could do and later advise her. She expressed her appreciation.

We will ask Fred Lyons at State what if anything can be done.

All information contained herein is unclassified.

(Date) 11/8/45 by Sec. O.T. Fow
MEMORANDUM FOR THE ATTORNEY GENERAL

October 31, 1945

Recently Miss O'Donnell of your office contacted the Bureau for the purpose of determining whether it would be possible to make arrangements for the transmittal of $500.00 to a needy family in Yugoslavia. I have checked into this matter through Bureau contacts within the State Department and in other agencies, and do not believe it is possible for you at this time to transmit funds to Yugoslavia. Embassy or State Department facilities may not be used for the transmittal of money to persons of foreign nationality. The State Department has a regulation which prohibits the use of any of its facilities for the transmittal of money to aliens although I am advised that if you personally "brought sufficient pressure" upon the Secretary of State and established a case of absolute necessity on the part of persons in Yugoslavia, it might be possible to have an exception made in this case, although I am advised that no exception has ever been made heretofore. Unless, therefore, you have some strong, personal interest in this transmittal, I think it would be inadvisable for you to attempt to have the State Department make an exception.

Respectfully,

[Signature]

John Edgar Hoover
Director

[Stamp: ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED]
TO: MR. D. M. LADD
FROM: Mr. R. R. Roath
SUBJECT: FUND TO BE TRANSMITTED TO A YUGOSLAVIAN INDIVIDUAL

DATE: October 29, 1945

Reference is made to Mr. Tamm's memorandum to the Director concerning the Attorney General's inquiry with reference to the transmittal of $500 to a family in Yugoslavia.

Pursuant to your request I checked on this matter with Mr. Fred Lyon of the State Department to determine whether such a transaction could be handled through the State Department.

Mr. Lyon has now informed me that after checking with Mr. Castle of the State Department, it was learned that Embassy facilities cannot be used to transmit American funds to aliens. However, it is possible to send money via State Department pouches to American citizens abroad or to alien relatives of Servicemen.

After talking to Mr. Castle, Mr. Lyon informed me that the State Department has never permitted the use of their facilities in making money available to aliens, but that he, Mr. Lyon, felt that if the case warranted making an exception, he felt that sufficient pressure could be exerted by the Attorney General on the State Department to have the money transmitted. He stated that the case would have to be one of absolute necessity and even at that it would be considered a great exception to the State Department procedure, citing the fact that it had never been done before.

No further request is being made at the State Department unless advised to the contrary. You may, however, desire to inform the Attorney General's office of the above facts so that they may take any further action desired.
October 30, 1945

MEMORANDUM FOR H.R. TOLISON

Tom E. Clark

McCabe called from Knoxville.
The Attorney General is coming to Knoxville on November 1 to address the Tennessee Bar Association by army plane. He wanted to know if there was anything they should do. I told him that he should do nothing until instructed by the Bureau.

Respectfully,

N.M. Nichols

Salam:
See Mr. Stewart. I try to arrange for me to be always advised even though they may want nothing.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 10/6/45 BY 6/8/31

THIS MEMORANDUM IS FOR ADMINISTRATIVE PURPOSES TO BE DESTROYED AFTER ACTION IS TAKEN AND NOT SENT TO FILES
cc - Mr. E. A. Tamm  
Ladd  
Liaison  
Webb  
October 30, 1945

THE ATTORNEY GENERAL

John Edgar Hoover - Director, Federal Bureau of Investigation

I received the attached photographs and newspaper clippings from Mr. N. E. Ascar, Special Agent in Charge of our San Antonio Field Office, pertaining to your recent visit to San Antonio, Texas. I thought you might be interested in having them to complete your file on this trip in the event you have not already received these copies.

Mr. Ascar advised me that your trip was very successful, and there was quite a bit of favorable comment relative to your speech before the San Antonio Bar Association at the St. Anthony Hotel.

Attachment
Director, FBI

Re: ATTORNEY GENERAL TOM CLARK
VISIT TO SAN ANTONIO, TEXAS,
OCTOBER 11, 1945

Dear Sir:

In confirmation of telephonic communication with Inspector R. C. HENDON of the Bureau, I wish to advise that the Attorney General's visit to San Antonio seemingly went quite well.

The Attorney General arrived in San Antonio at the Municipal Airport at 10:53 AM on October 11, 1945, in TCM BRANIFF's private executive plane. He was met at the airport by the Reception Committee consisting of the following individuals:

Mayor GUS MAUERMANN
Mayor of the City of San Antonio;

WALTER LOUGHRIDGE
President of the San Antonio Bar;

C. "WILLY MELLER
President, San Antonio Chamber of Commerce;

W. P. SMITH, Jr.
U. S. Attorney;

GUY McNAMARA
U. S. Marshal;

HENRY CARTWRIGHT
Assistant U. S. Attorney;

M. E. STAFFORD
SAC, FBI, San Antonio

The Attorney General's party consisted of the following individuals: TOM CLARK, Attorney General of the United States; ROBERT CLARK, the Attorney General's brother; Congressman JOHN LYNCH, Corpus Christi, Texas; TOM "EBB", Special Agent, FBI; SAM REDDICK, Public Relations Officer for the Department of Justice.
Letter to Director, Page 2, October 12, 1945

The Attorney General's party was escorted from the airport to the St. Anthony Hotel in the Mayor's official car and two of the cars of the San Antonio office. A motorcycle escort was provided by the Mayor.

At the St. Anthony Hotel, the Attorney General was conducted to Suite 716, which had been arranged for by the Bar Association, and he was interviewed by representatives of the San Antonio papers, the San Antonio Light, the San Antonio Express, and the San Antonio Light News. Public relations were handled for the Bar Association by AL HECOX, prominent San Antonio attorney and former County Judge.

At 11:15 AM, the reception for the Attorney General was held in Room 329 of the St. Anthony Hotel and over 150 lawyers met the Attorney General as did Justices of the Supreme Court and the Court of Criminal Appeals. Neither Governor COKE R. STEVENSON or Attorney General GROVER SELLERS were present, although invitations had been extended to them.

The scheduled luncheon in the Anacacho Room of the Hotel began at 12:00 noon. The Speakers' Table, in addition to Mr. CLARK, consisted of his brother, Congressman LYLE, W. R. SMITH, Jr., who arranged for the Attorney General's visit to San Antonio, WALTER LOUGHRIDGE, President of the Bar Association, and Master of Ceremonies, as well as members of the Supreme Court.

A special table was provided for the remaining members of the Attorney General's Party and ASAC G. M. H. CARLSON, Ass't. USA HENRY MOUSUNO (who will probably be the next USA), and the writer. Those in attendance were almost exclusively attorneys. For example, not even WILLIAM A. WHALEN, District Director of Immigration & Naturalization, was invited, nor were other city officials. It was strictly a Bar Association luncheon to provide the Attorney General with an opportunity to speak to the lawyers.

The only speech was that of the Attorney General. Other members at the Speakers' Table were introduced briefly. The new Federal Judge, BERNICE RICE, was squeezed in at the Speakers' Table at the last minute, as arrangements had not been made to include him.

The Attorney General's remarks were centered around his belief that the enforcement of laws to avert inflation was the paramount work of the Department of Justice in the Post-War Period. Ranking next to this was the enforcement of the Anti-Trust laws to the end that small businesses may be preserved. He
added that the prosecution of black marketeers is proceeding, pointing out the campaign now in full swing in the East.

The luncheon came to a close at 1:30 PM, after which the Attorney General and the Reception Committee retired to his suite and engaged in an informal discussion for approximately 40 minutes.

During the luncheon, Mr. SAM REDDICK thought that a bag containing photographs of the Attorney General had been misplaced. These were found on the special plane by SA JOR B. ALTBRATHY and placed in Mr. REDDICK's hands in less than 40 minutes.

Congressman LYLE wanted to contact his brother-in-law, who was thought to be at a Separation Center. Despite the fact that it is almost impossible to locate anyone at a separation center, and despite the fact that his brother-in-law was many miles from San Antonio on leave, he was located, telephonically contacted, and instructed to get in touch with Congressman LYLE in Corpus Christi by telephone.

Apparently, the Attorney General's Party was impressed with the manner in which they were handled during their five hours' stay in San Antonio.

During the informal discussion in the Attorney General's suite, he said there were three things which he intended to mention and should have mentioned during his remarks to the San Antonio Bar. "First", he said, "I should have mentioned BOB SMITH and the fine job he has done as U. S. Attorney". (It is to be noted that Mr. SMITH is the one who made arrangements for the Attorney General's visit to San Antonio.) "Secondly", he said, "I should have mentioned Sheriff DENNIS KILDAY's brother, Congressman PAUL KILDAY, but it is apparent from talking to the people that this was unnecessary. Thirdly, I should have mentioned the FBI and meant to, but I did cover it in Dallas and that was broadcast over the Texas Network."

Thereafter, he said, referring to the FBI, "There is nothing those fellows can't do. Since I have been connected with the Department of Justice, I have had the privilege of working closely with EDGAR HOOVER and the FBI and I have known for a long time just what a wonderful organization it is. But since I have been Attorney General, I have learned even more about what outstanding work the FBI can do."

The Attorney General then elaborated on the Bureau's outstanding job in the apprehension of ERIC GIMPLE and referred to the clue which resulted in his apprehension, namely, the fact that GIMPLE kept a small amount of money in his upper left-hand pocket. He told about the surveillance maintained and about
the Agents' seeing GIMPLE buy a paper as the news stand closed, drawing from
his upper left-hand pocket the money with which he paid for the paper. He
said, "The FBI is the finest organization in the world and did a splendid
job before and during the war".

U. S. Attorney R. SMITH, Jr. pointed out to the group that there had been
no foreign directed sabotage in the U. S. and he attributed this record to the
work of the FBI.

Representative JOHN LYLE of Corpus Christi, Texas, said, "The work of the FBI
is uncanny - we just couldn't do without it". Representative LYLE elaborated
on this while driving out to the airport and he was high in his praise of the
Director and the Bureau.

Late papers were secured for the party and the group was escorted to the
airport. The plane took to the air at 3:07 PM, October 11. The Houston office
was immediately advised and the information relayed by the Houston office to
SAC "IIIIS, who was in Corpus Christi to meet the Attorney General there.

Pursuant to the request of U. S. Attorney W. R. SMITH, Jr. and Bureau authori-
sation, a check was made of the suite occupied by the Attorney General, the
reception room, and the Anacacho Room, in which the luncheon was held, for the
purpose of providing safety to the Attorney General while he was in San Antonio.

By teletype from Houston dated 10-12-45, Mr. SAM REDDICK requested two copies
of all newspaper releases incidental to the Attorney General's visit together
with two copies of any glossy photographs which may have been taken. There
are attached two mat finish copies of each photograph taken during the Attorney
General's visit, which prints were ordered prior to Mr. REDDICK's request.
Glossy photographs are presently being prepared and will be forwarded immediately
upon their receipt.

Photographs were also taken by a photographer employed by the Bar Association.
These photographs are being forwarded to the Attorney General by Mr. AL HICK,
who apparently desired to forward them direct on behalf of the Bar association.
When these are received, complete photographic coverage will have been effected.

There are also attached two copies of all newspaper releases in San Antonio
relating to the Attorney General's visit. The photographs and newspaper re-
leases requested by Mr. SAM REDDICK are being sent to the Bureau so that they
may be appropriately forwarded by the Director.

Very truly yours,

M. W. ACERS, SAC

M"A:CL
Enclosures
The Attorney General

John Edgar Hoover, Director, Federal Bureau of Investigation

THIRTY-SIXTH ANNUAL DINNER
FIVE AND HOSPITAL OF THE DAUGHTERS OF ISRAEL
WALDORF-ASTORIA HOTEL
OCTOBER 28, 1945

Transmitted herewith for your information is a copy of the journal which was issued in connection with the above dinner. It was obtained by a representative of our New York Field Office and I believe you will find it of interest.

Enclosure

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 6-18-45 BY F.B.I.
New York, N. Y.

October 29, 1945.

PERSONAL AND CONFIDENTIAL

Director, FBI

Tom C. Clark


Dear Sir:

In connection with the captioned dinner, at which gathering Attorney General Tom C. Clark was the principal speaker, a request was made of Special Agent W. J. McNulty of this office at the time Attorney General Clark departed from LaGuardia Airport for Washington, D. C., on the late evening of October 28th, that a journal for the dinner be secured and forwarded to him. Accordingly, a journal was obtained and same is being forwarded herewith for delivery to the Attorney General.

Very truly yours,

E. E. Conroy

SAC

Enclosure.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 6/6/43 BY 88-8 0160
Dear Edgar:

Thank you very much for the photographs which were taken on the occasion of my recent visit to San Antonio, Texas. They are excellent pictures and I am delighted to have them in remembrance of my trip.

With kind personal regards,

Sincerely,

Attorney General

Honorable J. Edgar Hoover
Director
Federal Bureau of Investigation
Washington, D. C.
The Attorney General

John Edgar Hoover, Director, Federal Bureau of Investigation

November 5, 1945

There is attached hereto a copy of this Bureau's publication "FBI This Week" for November 9, 1945, which I thought you might like to see.

Attachment

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 6/15/45 BY SBT OR
Record of Telephone Call or Visitor

Mr. Stewart in the Attorney General's Office called and phoned.

Phone No. __________

Hour 5:00pm Date Nov. 6, 1945

REMARKS

When she was told that Mr. Hoover and Mr. Tamm were out of the office, she said she did not really want to talk to anyone but just wanted to know if we had any night mimeographers. After checking with Mr. Ladd, she was told that there were no night mimeographers as that office closed at 5:30pm.

Absolutely right.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 6/16/53 BY P-883/746
November 6, 1945

MEMORANDUM FOR MR. TOLSON

Tom Clark  
ATTORNEY GENERAL

Colonel McInerney called me early this morning and told me about the AG's press conference at 11:45 today. The AG is going to discuss 4 points:
1--the reorganization of the public relations office and introduce McInerney to the press, 2--the Ezra Pound case, 3--juvenile delinquency, 4--the AG is going to ask the press to cooperate in holding down juvenile delinquency.

McInerney invited me to attend the press conference. He stated he thought that whenever the AG had a press conference that it would be well for me to be there. I told him that I could not contribute anything. He stated that was not his idea, but he thought that there are a lot of members of the press who would come to the AG's press conference who are not acquainted with the Bureau, and this would give them a contact.

I thanked McInerney and told him I had an appointment today and did not know whether I could get out of it, that I would let him know.

Respectfully,

[Signature]

ADDENDUM: LBN: HBM: 11-6-45

While talking to McInerney after dictating the above, he told me the AG was also going to elaborate on the anti-trust situation and point out that the FBI is to do investigations. Berge is going to be present to answer any questions.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 11-6-45 BY SE-8842

THIS MEMORANDUM IS FOR ADMINISTRATIVE PURPOSES TO BE DESTROYED AFTER ACTION IS TAKEN AND NOT SENT TO FILES
The Attorney General

John Edgar Hoover, Director, Federal Bureau of Investigation

November 8, 1945

PHOTOGRAPHS AND NEWSPAPER CLIPPINGS

It is a pleasure to transmit herewith photographs and newspaper clippings which have been received in connection with the recent visit of your party to the State of Texas. I believe you will find this material of considerable interest.

Attachment

ALL INFORMATION CONTAINED HERIN IS UNCLASSIFIED
DATE 6/28/3 BY SP-8 RTSU
The trip to Dallas, Texas, by way of Secretary of War Patterson's private plane left Washington, D. C. at approximately 10:30 AM on October 10, 1945, and arrived at Dallas, Texas (Dallas time) 4:30 P.M. the same day. Those present on the plane were the Attorney General, the Postmaster General, Ed Pauley, head of the Reparations Committee, Congressman John Lyle of Texas, Congressman Hatton Sumners of Texas, David Miller, Chamber of Commerce representative from Dallas, Colonel Rogelsohn, Mrs. Clark and the writer.

Mr. Percy Wyly and Agents from his office met this plane at Love Field outside of Dallas, and had all arrangements made for taking the bags from the plane and transportation to the Hotel Adolphus, room reservations, etc. The General and other members of the party commented on the efficient manner in which SAC Wyly handled matters in Dallas, Texas. SAC Wyly made an extremely favorable impression on the Attorney General as did other Agents of his office.

The itinerary of the Attorney General as furnished to Mr. Homan was followed out in Dallas smoothly and efficiently.

Mr. Tom Braniff, President of Braniff Airlines, furnished his private plane for the Attorney General's party to fulfill commitments in San Antonio, Corpus Christi and Houston. SAC Maurice Acers of the San Antonio Office met the Attorney General's party at the airport and likewise had overlooked nothing in making the Attorney General's visit extremely successful. The Attorney General's brother, Robert Clark, who accompanied the Attorney General throughout Texas commented on the efficient and smooth manner in which the FBI had taken care of even the smallest details in San Antonio. Congressman Lyle was not only very much impressed with SAC Acers, but also Special Agents Jim Kennedy and George Carlson.

At the conclusion of the luncheon at the St. Anthony Hotel in San Antonio given by the Bar Association, the Attorney General's party departed at 3:00 P.M. for Corpus Christi, where the party was formally received by Admiral JoJo Clark (of Fighting Lady fame), at the Corpus Christi Naval Air Base. SAC Galen Willis and his Agents met the party at the base and also had made excellent arrangements for all the activities at Corpus Christi. The Attorney General made a very fine speech at a banquet at the Driscoll Hotel on this evening, and mentioned the Bureau very favorably, stating it had done an outstanding job during this war and was the best investigative organization in the world. It must be noted at this time that in all of the Attorney General's speeches he brought in the Director's name by calling him "Edgar," and mentioned as a basis for the various stories he told in his speeches the excellent manner in which "Edgar's boys" had always been able to find out the important information for him.
The following morning, Friday the 12th, the Attorney General's party was the guest of Admiral Jock Clark for a breakfast at his quarters at the Corpus Christi Air Base. After the breakfast the party left for Houston, Texas, arriving there around noon. The Attorney General made another fine talk at a banquet sponsored by the Bar Association given at the Rice Hotel that evening.

The Bureau might be interested in knowing that SAC Galen Willis and his men did an excellent job in Corpus Christi and Houston in making various arrangements for the Attorney General's commitments in these two cities to be run off smoothly and without any hitch.

SAC Willis although he has only been in Houston a short time appeared to have the key men of Houston and Corpus Christi very well in hand. The Attorney General's party left Saturday morning, October 13, to return to Dallas, Texas.

After a luncheon at the Adolphus Hotel sponsored by the local Bar Association of Dallas, the entire party proceeded to the football game between Texas University and Oklahoma University. That evening a dinner party was given the Attorney General at the Country Club which was a very informal affair. The following morning, October 14, an informal breakfast was given the Attorney General at the Dallas Country Club which was attended by approximately 60 close friends of the Attorney General. At 3 PM this same date, a reception was given for the Attorney General by his brother, Robert Clark, which was attended by approximately 700 people, at his home.

The Attorney General's party left the following morning, October 15, for St. Louis, Missouri, in Tom Braniff's private plane. Those present on this trip with the Attorney General were Congressman Hatton Summers, Tom Braniff, Sam Siddick, new Public Relations man for the Department of Justice, Dale Miller and the writer. On the arrival of the party at St. Louis, SAC Gerald Norris and his agents met the plane and also had made excellent arrangements which were instrumental in making the Attorney General's trip to St. Louis very successful and pleasant.

After a luncheon at the Racquet Club, the Attorney General was taken to visit various places of public interest in St. Louis. That evening the Attorney General made another excellent speech before the Bar Association of St. Louis at a Banquet given at the Jefferson Hotel. The party left St. Louis at 1:30 AM (St. Louis time) on October 16, 1945 and arrived in Washington, D. C. 7 AM the same day.

For the information of the Bureau SAC Norris and his men handled everything in such a manner that it placed an extremely favorable light on the Bureau as evidenced by comments from the Attorney General and members of the Party.

It might be noted that the Attorney General was warmly received every place he went, and there were many comments not only in Texas, but in St. Louis after he had his various speeches that he was definitely Presidential timber. These comments came from influential individuals in the various places visited.
The simple down-to-earth manner of the Attorney General and his "common horse sense" language, and "regular guy manner" were the things that impressed the people most. It is felt by the writer that the Bureau made a definitely favorable impression on the Attorney General and his party by the manner in which the various SAC's and the offices visited took care of making things run smoothly and efficiently without entering into the picture too much.

If the Bureau deems it advisable, it is respectfully suggested that a letter of commendation be sent to SAC's Percy Wyly, Maurice Acers, Galen Willis and Gerald Norris, for the very excellent job they did.
The Attorney General

John Edgar Hoover, Director, Federal Bureau of Investigation

November 19, 1945

There is attached hereto a copy of this Bureau's publication "FBI This Week" for November 17, 1945, which I thought you might like to see.

Attachment

All information contained herein is unclassified.

Date 6/2/83 by sp-8 073414.
Colonel Timothy A. McInerny
Director of Public Relations

John Edgar Hoover, Director, Federal Bureau of Investigation

It is believed that you will be interested in the attached photographs and newspaper clippings which have been received in connection with the recent visit of the Attorney General and his party to the State of Texas.

Attachment/
Director, FBI

ATTENTION: CRIME RECORDS SECTION

RE: MATERIAL CONCERNING ATTORNEY GENERAL TOM CLARK'S VISIT TO TEXAS

Dear Sir:

The Houston Field Division advised this office that Mr. SAM RIDDICK, Public Relations Officer for the Department of Justice, desired two copies of all newspaper releases incidental to the visit to Texas of Attorney General TOM C. CLARK, together with two copies of any glossy photographs which may have been taken. The Houston Office suggested that one copy be forwarded to Mr. RIDDICK and the remaining copies to the Bureau, which action is being taken by the Houston Field Division.

With the assistance of Mr. T. H. BARRETT, Press Relations Man for "The Dallas Morning News", two copies of each issue of that newspaper during the period of Mr. CLARK's visit were obtained. Similar assistance was received from Assistant City Editor STEVE WALSH of "The Times-Herald", the Dallas afternoon paper.

Enclosed are clippings, appropriately dated and identified, obtained from such papers.

In connection with the photographs which were taken during Mr. CLARK's visit, DENNY HAYES, the photographer for "The Times-Herald", advised that he is an independent contractor who, together with his staff, takes photographs of apparently newsworthy scenes which photographs in turn are purchased by "The Times-Herald" on a selective basis. He had taken thirty-seven photographs in connection with the visit of Mr. CLARK and he advised that copies of prints of these photographs could be obtained at a purchase price of fifty cents per print of 4 X 5 size and one dollar per print on 8 X 10 size. No such photographs were ordered.

Mr. BARRETT of "The Dallas Morning News" advised on first contact that it would be possible to get glossy print photographs of pictures concerning Mr. CLARK's visit which he had made available to "The Dallas Morning News". Mr. BARRETT was requested to obtain such pictures and when such pictures were called for by Special Agent JOHN H. DAVIES of this office, he was advised that there was a service charge of 75 cents in connection with these...
Letter to Director from Dallas, 11-1-45 RE: MATERIAL CONCERNING ATTORNEY GENERAL TOM CLARK'S VISIT TO TEXAS

photographs. Agent DEVLIN personally paid this fee and these photographs are also enclosed.

It is suggested that the Bureau take whatever copies of the pictures or news clippings they desire and forward the remaining material to Mr. RIDDICK.

Very truly yours,

PERCY WILY II
SAC

JHD: BD

Enclosures

Memo to AG 11-8-45
Grum

Memo to Col. Komlodi A. Mr. Storrey
11-9-45
Grum
TO : MR. LADD  
FROM : K. C. HOWE  
SUBJECT:

DATE: November 16, 1945

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

Agent Wood called from the New York Office at 7:40 PM this evening with information to the effect that the Attorney General has a reservation to leave New York City tonight at 11:30 PM, arriving in Washington, D.C. at 12:59 AM via Eastern Airlines.

Wood stated that a call had been received at the New York Office earlier today from the Bureau, at which time the New York Office was told to advise the Bureau as soon as the Attorney General's reservation to Washington was confirmed in order that the Attorney General's chauffeur might be instructed to meet him at the airport.

ADDENDUM: At 8:10 PM the Attorney General's chauffeur called and inquired whether the Bureau had any word as yet concerning the AG's arrival. He was given the above information, whereupon he said he would meet the Attorney General at the airport.

ADDENDUM: At 9:15 PM Miss O'Donnel of the AG's office called and inquired concerning any word from the Attorney General. She was told when he is coming in and that his chauffeur had the information and intended meeting him.

KCH:RAB

RECORDED  164-72747+75
Office Memorandum

TO: MR. LADD

FROM: K. C. HOWE

DATE: November 16, 1945

Call: 11-15-45
8:55 PM
KCH: DA

SUBJECT: 

Special Agent J. G. Woods of the New York Office called at the above time and stated that Agent McNulty had just called the office there and advised that the Attorney General is leaving New York tonight from LaGuardia Field on Flight 11 of Eastern Airlines at 11:30 PM, due to arrive in Washington at 12:59 AM, November 16. McNulty is with the AG in connection with some activity in New York, and in calling the office had left instructions that the Bureau be called and requested to have a car meet the AG at the National Airport.

Agent Woods did not know whether the AG had made a specific request to be met at the Airport here by a Bureau car or whether McNulty had merely suggested this. He did not know how he could get in touch with McNulty at the moment in order to check this, and was told to leave it go until or unless he was called back from the Bureau.

As you will recall, you discussed this matter with Mr. Tamm, who in turn took it up with Mr. Gus Vanech of the Department.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 09/18/45 BY 80-P-R-T

68 NOV 28 1945

259
Office Memorandum

TO: Director, FBI
FROM: SAC, Boston
DATE: November 16, 1945

SUBJECT: ATTORNEY GENERAL TOLL CLARK'S VISIT TO PROVIDENCE, RHODE ISLAND
November 8, 1945

Pursuant to information received from E. E. CONROY of the New York Field Division that the Attorney General, TOLL CLARK, was to visit Providence, Rhode Island on November 8, 1945, agents of the Providence Residency met him at the train on that date.

He was escorted and assisted in every possible manner by the Providence agents during his visit to Providence.

Attached are clippings obtained from the PROVIDENCE JOURNAL and the EVENING BULLETIN newspapers, as indicated.
Prominent Personalities at McGrath-Pastore Dinner

The testimonial dinner to two Rhode Island Democrats at the Narragansett Hotel last night was probably the largest political dinner in the history of the state. Above (l-r): Mrs. Tom Clark, Sen. Theodore Francis Green, Mrs. J. Howard McGrath, Mayor De Labaie J. Roberts and Rep. John J. Esposito. Upper right: Toastmaster John E. Esposito.

Five of the tables were closed, two were opening but not operating and two maintained partial production.

DINNER

Continued

In presenting McGrath, the State chairman said the mayor was "a man whose future in public office is as bright as he wants to make it."

Attorney General Clark, a Texan, declared that it was he who suggested McGrath's nomination of Assistant General to President Truman. "We wanted a man steeped in law, a man who knew the law, a man who could deal out just simple justice as attorney for the United States," said Clark in telling how he had heard McGrath's record at United States District Attorney in Rhode Island before selecting him as the logical man to be namedcolleague general.

McGrath Voted Thanks

Former Governor McGrath expressed "thanks to all" in co-operating with him during the war years. "You are an obligation to all who co-operated with me in difficult times," he said.

Turning to the other guest of honor, Governor Pastore, he said he realized that his state's future would not now have alacrity in a force to maintain co-operation in the affairs of the State. McGrath mentioned the political strife that were in the past and said, "You will have new political leaders rising again."

Judge Cappelli, Jr.

"You are the successor to the Superior Court," a former lieutenant governor, drew a parallel between the careers of Pastore and McGrath. Of McGrath's appointment as associate general, Judge Cappelli said: "I am sure that this is but a step to further reward, further glory."

virtue of the fact that he was Lieutenant Governor. Judge Cappelli emphasized, "We are going to ennable him and elect him governor next year." A passing ovation followed Judge Cappelli's remarks.

Senator Theodore Francis Green reviewed the political records of Pastore and McGrath. He said that as United States Attorney for Rhode Island, McGrath "demonstrated his remarkable legal abilities so well that his superiors in the Department of Justice singled him out for his capabilities."

Senator Peter G. Galvin also reviewed the careers of Governor Pastore and his predecessor.

Attorney General Clark left immediately following the dinner for the State Airport at Hillsgrove, from which he took off in a private plane for Washington. He is scheduled to attend a Cabinet meeting at 10 o'clock this morning.

To Stay Until Monday

McGrath said he expected to be

Assistant pastor of St. Mary's Church Providence.

Other seated at the head table were: Mrs. Clark, former Governor William G. Wynn, Harry E. Corwin of Pawtucket, speaker of the House and Representative; Attorney General John H. Nolte; Judge John F. Hart at the United States District Court; U. S. Representative John E. Fogarty and Alme E. Scrimm, Wat-ter H. Reynolds of Providence, chairman of the dinner committee; Judge Benjamin F. O'Connell, presiding judge of the Superior Court; Mrs. Margaret M. Sullivan, Democratic National Committeewoman from Rhode Island; Armand Bl Cote, Solicitor of State; Russell B. Handy, General Treasurer; Capt. Robert E. Quinn, USNR, former Governor and James R. Kieran, Democratic minority leader in the R.I. House of Representatives and Senator William G. Troy, minority leader of the State Senate.
ler general, Judge Cappelletti said: "I am sure that this is but a step to
further reward, further glory."

"Predict Pastor's Election"

Pointing out that Pastor succeeded to the governor's chair by prayer by the Rev. John A. Dally, as

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The dinner was opened with a

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U. S. Attorney General's Wife
Gets Silver Serving Tray

Slim, attractive Mrs. Tom C. Clark, wife of the U. S. Attorney General, received a sterling silver serving tray, a gift from 1680 Rhode Islanders, on her 21st wedding anniversary, last night.

The Texas-born former Mary Jane Ramsey visited the State for the first time to attend, with her husband, a testimonial dinner for J. Howard McGrath, U. S. Solicitor General, and Gov. John O. Pastore. The tray was presented to Mrs. Clark by John E. Mullen, Democratic State Chairman, toastmaster at the dinner in the Narragansett Hotel.

Upon her arrival at Union Station, Mrs. Clark stepped from the Yankees Clipper, wearing a brown fur-trimmed hat and a brown fur jacket over a green wool traveling dress.

At the dinner she wore a dark crepe-voile-length dress with a hat of orchid feathers, matching an orchid corsage.

Mrs. Clark and her husband have "never been separated on a wedding anniversary," she said, "although we've been away from home for most of our celebrations." Their two children were unable to accompany their parents. Mrs. Clark and her eldest, Mildred, 12, is at school, and Ramsey, 16, entered the marines corps in September.

The Clarks, with the former governor and his wife and son, David, and a party of friends and political associates, inspected the Federal Building where the "Attorney General conferred with U. S. District Judge John F. Harrigan, late yesterday afternoon. They then proceeded to a cocktail party at the home of Frank Cross in Pawtucket.
U.S. Attorney General's Wife Gets Silver Serving Tray

Slim, attractive Mrs. Tom C. Clark, wife of the U.S. Attorney General, received a sterling silver serving tray, a gift from 1600 Rhode Islanders, on her 21st wedding anniversary, last night. The Texas-born former Mary Jane Ramsey visited the State for the first time to attend, with her husband, a testimonial dinner for J. Howard McGrath, U.S. Solicitor General, and Gov. John O. Pastore. The tray was presented to Mrs. Clark by John E. Mullen, Democratic State chairman, toastmaster at the dinner in the Narragansett Hotel.

Upon her arrival at Union Station, Mrs. Clark stepped off the Yankee Clipper wearing a brown fur-trimmed hat and a brown fur jacket over a green wool traveling dress. At the dinner she wore a deep-crope-street-length dress with a hat of orchid feathers, matching an orchid corsage.

Mrs. Clark and her husband have never been separated on a wedding anniversary," she said, "although we've been away from home for most of our life-to-date."

Their two children were unable to accompany their parents. Mrs. Clark said because Milford, 12, is at school, and Lindsey, 16, entered the marine corps in September.

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Their two children were unable to accompany their parents. Mrs. Clark said because Milford, 12, is at school, and Lindsey, 16, entered the marine corps in September.

The Clarks, with the former governor and his wife and son, Dave, and a party of friends and political associates, inspected the Federal Building where the Attorney General conferred with U.S. District Judge John J. Harrington, the day before.

They then proceeded to a cocktail party at the home of Frank Crotz in Pawtucket.

Chairman Mullen, in presenting the anniversary gift to Mrs. Clark at the dinner, said it was the product of Rhode Island craftsmen and would serve as a memento of the Clarks' visit to Rhode Island from the guests assembled at the dinner.
On the 21st Anniversary of Their Marriage

Attorney General of the United States Tom Clark and Mrs. Tom Clark at the McGrath-Pastore dinner at the Narragansett Hotel last night as they acknowledged the gift of a huge silver tray on the occasion of the 21st anniversary of their marriage. The presentation was made by the toastmaster, John E. Mullen, in behalf of the throng assembled to pay honor to Solicitor General J. Howard McGrath and Gov. John O. Pastore. Attorney General Clark was one of the principal speakers.

Silver Serving Tray Is Presented To Wife of U.S. Attorney General

Mrs. Tom Clark's Visit to Providence Coincides with 21st Anniversary of Her Wedding; She Was Texas-born Mary Jane Ramsey

"...I've been thinking about the 21st anniversary of our wedding," she said, "al-
Silver Serving Tray Is Presented
To Wife of U.S. Attorney General

Mrs. Tom Clark's Visit to Providence Coincides with
21st Anniversary of Her Wedding; She Was
Texas-born Mary Jane Ramsey

Slim, attractive Mrs. Tom C. Clark, wife of the U.S. Attorney General, received a sterling silver serving tray, a gift from 1400 Rhode Islanders, on her 21st wedding anniversary, last night.

The Texas-born former Mary Jane Ramsey visited the State for the first time to attend, with her husband, a testimonial dinner for J. Howard McGrath, U.S. Solicitor General, and Gov. John O. Pastore. They tray was presented to Mrs. Clark by John E. Mullen, Democratic State chairman, toastmaster at the dinner at the Narragansett Hotel.

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At the dinner she wore a dark crepe street-length dress with a hat of orchid feathers, matching an orchid corsage.

Mrs. Clark and her husband have "never been separated on a wedding anniversary," she said, although we've been away from home for most of our celebrations.

Their two children were unable to accompany their parents, Mrs. Clark said, because Mildred, 12, is at school, and Ramsey, 17, entered the marine corps in September.

The Clarks, with the former governor and his wife and son, David, and a party of friends and political associates, inspected the Federal Building where the Attorney General conferred with U.S. District Judge John P. Hartigan, last Wednesday afternoon.

They then proceeded to a cocktail party at the home of Frank Crook in Pawtucket.

Chairman Mullen, in presenting the anniversary gift to Mrs. Clark at the dinner, said that it was the product of Rhode Island craftsmen and would serve as a monument of the Clarks' visit to Rhode Island from the guests assembled at the dinner.
Continued from Page One.

The governor, drew a parallel between the careers of Pastore and McGrath.

Of McGrath's appointment as solicitor general, Judge Cappelli said: "I am sure that this is but a step to further reward, further glory."

Predicts Pastore's Election

Pointing out that Pastore succeeded to the governor's chair by virtue of the fact that he was lieutenant governor, Judge Cappelli emphasized, "We are going to nominate him and elect him governor next year." A rousing ovation followed Judge Cappelli's remarks.

Senator Theodore Francis Green reviewed the political records of Pastore and McGrath. He said that as United States Attorney for Rhode Island, McGrath "demonstrated his remarkable legal capabilities so well that his superiors in the Department of Justice singled him out then as one who could one day be considered for high office in the department."

Senator Peter G. Gerry also reviewed the careers of Governor Pastore and his predecessor.

Attorney General Clark left immediately following the dinner for the State Airport at Hillsgrove, from which he took off in a private plane for Washington. He is scheduled to attend a Cabinet meeting at 10 o'clock this morning.

To Stay Until Monday

McGrath said he expected to be in Rhode Island until Monday.

The dinner was opened with a prayer by the Rev. John H. Tully, assistant pastor of St. Mary's Church, Providence.

Others seated at the head table were: Mrs. Clark, former Governor William S. Flynn, Harry F. Curwin of Pawtucket, speaker of the House of Representatives; Attorney General John H. Nolan; Judge John F. Hartigan of the United States District Court; U. S. Representative John E. Fogarty; and Alice J. Fournier, Walter H. Reynolds, of Providence, chairman of the dinner committee; Judge Jeremiah E. O'Connell, presiding justice of the Superior Court; Mrs. Margaret M. Sullivan, Democratic National Committee woman from Rhode Island; Armand H. Cote, secretary of state; Russell H. Handy; General Treasurer; Capt. Robert R. Quinn, USNR, former Governor; and James H. Kiernan, Democratic majority leader in the R. I. House of Representatives, and Senator William G. Tavy, minority leader in the State Senate.
McGrath, Pastore Iailed at Dinner
Attend by 1400

New Solicitor General of U. S.
Disavows Further Ambitions for Political Office

HANKS CITIZENS OF R. I.

Attorney General Clark Voices "Faith in Aide; Governor Assures Nothing Spectacular"

J. Howard McGrath, solicitor general of the United States, who together with his successor, Gov. John Pastore, was honored at a testimonial last night, told a gathering of 1400 persons, "I have no further ambitions for political office, nothing to the contrary withstanding."

Raising his voice as he neared the end of a talk in which he expressed "profound thanks" to the citizens of Rhode Island for their cooperation during his terms of office, former governor McGrath said he went to Washington to serve as solicitor general because Attorney General Tom Clark asked him to go.

"I go to serve the President of the United States," McGrath said. "I have no further ambitions for political office, nothing to the contrary withstanding."

Then, turning to Attorney General Clark, who was seated next to him, McGrath added, "I want to stay as long as you are there, as long as the President wishes me to be there."

Some Republicans Present

Democrats and a generous sprinkling of Republicans crowded the Narragansett Hotel to attend the dinner to McGrath and to Governor Pastore. Nearly 400 persons crowded into the ballroom for the dinner while others were served in surrounding corridors and parlors. The event was probably the largest political dinner in the history of the State.

Governor Pastore promised that whatever I do shall always be done to reflect credit upon my State, my party and my family.

"‘I may not be spectacular,” he continued, "I am not spectacular, including his family in his remarks, Pastore said, "We have no desire for grandeur. We are as we have been."

Suggested McGrath, Clark Says Attorney General Clark, a Texan.
He may not be spectacular, he continued. "I don’t choose to be spectacular." Including his family in his remarks, Pastore said, "We have no hope, no desire for grandeur. We are as we have been."

Suggested McGrath, Clark Says

Attorney General Clark, a Texan, revealed that it was he who suggested McGrath’s nomination as solicitor general to President Truman. "We wanted a man steeped in law, a man who knew a jury, a man who could deal out just simple justice as attorney for the United States," said Clark in telling how he had reviewed McGrath’s record as United States District Attorney in Rhode Island before selecting the then Rhode Island Governor as the logical man to be named solicitor general.

"I predict for him a great future," Clark said. "I know he will fill that office with distinction."

Clark continued: "McGrath and I..."
As Some Distinguished Visitors Arrived in Providence

THE CLARKS AND THE MCGRATHS CHECK IN at the Biltmore after their arrival here yesterday. From left to right are: Mrs. McGrath, Mrs. Clark, U.S. Attorney General Tom Clark, David McGrath, Solicitor General J. Howard McGrath, Gov. John O. Pastore and (in rear) Fred Kilguss, the governor's secretary. For pictures taken at the testimonial dinner last night, turn to page 35. And for a picture of the wives of three prominent Democrats, see the Woman's Page.

Pastore, McGrath Honored by Politicians at Dinner

Approximately 100 Democrats, and a good sprinkling of Republicans, paid tribute last night to Rhode Island's new governor, John O. Pastore, and his predecessor, J. Howard McGrath, who resigned the chief executive's chair to become U.S. Solicitor General.

In one of the biggest political dinners on record in the State, nearly 400 persons crowded into the ballroom of the Narragansett Hotel, while the others were served in corridors and several smaller dining parlors, which were wired with loud speaker equipment.

In the presence of his new successor, U.S. Attorney General John C. Clark, who accompanied him from Washington yesterday, McGrath declared that he had "no further ambitions for political office." He said he became solicitor general because "he knew him when he saw him."
In the presence of his new superior, U.S. Attorney General Tom C. Clark, who accompanied him from Washington yesterday, McGrath declared that he had "no further ambitions for political office." He said he became Solicitor General because he was asked to and wanted to help in Washington as long as the attorney general is there and "as long as the President wishes me to be there."

Pastore Speech

In a speech of homespun simplicity to which those present—the fabric of the Democratic organization in Rhode Island—listened attentively, Governor Pastore promised that "whatever I do shall always be done to reflect credit upon my State, my party and my family."

Saying, "I am a simple man," Pastore continued:

"I may not be spectacular. I don't choose to be spectacular." Then, including his family in his remarks, he said, "We have no hope, no desire for grandeur. We are as we have been."

Democratic State Chairman John E. Mullen, toastmaster, turned over to Mayor Dennis J. Roberts of Providence the privilege of introducing the principal speakers of the dinner.

Continued on Page 18, Col. 3.

Dinner
Dear Edgar:

Thank you for your kindness in sending me a copy of the Journal which was issued on the occasion of the Thirty-sixth annual dinner of the Home and Hospital of the Daughters of Israel held at the Waldorf-Astoria Hotel on October 28th last.

Tom Clark

November 15, 1945
The Attorney General

November 21, 1945

JoHN Edgar Hoover, Director, Federal Bureau of Investigation

Attached hereto is a copy of the November, 1945, issue of the FBI Law Enforcement Bulletin which I thought you might like to see.
The Attorney General

John Edgar Hoover, Director, Federal Bureau of Investigation

November 23, 1945

There is attached hereto a copy of this Bureau's publication "FBI This Week" for November 24, 1945, which I thought you might like to see.

Attachment

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 12/83 BY SO-8888(08)
Office Memorandum • UNITED STATES GOVERNMENT

TO: MR. E. A. TAMM
FROM: Mr. D. M. Ladd
DATE: 12/7/45

SUBJECT: ATTORNEY GENERAL'S TRIP TO BIRMINGHAM, ALABAMA

December 7, 1945

Call: 11:25 A.M.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

At the above time I called the Birmingham Field Office and advised ASAC J. A. Robey that the Attorney General is leaving via Navy plane at 3:00 P.M. today due to arrive in Birmingham at approximately 5:45 P.M. Birmingham time. I told him they will land at Birmingham Airport and the Attorney General will be accompanied by Chief Justice Laws and Congressman Luther Patrick. I advised Mr. Robey that the Attorney General desires to have a Bureau car to meet his party at the airport. I stated I thought it would be well to have a couple of cars because with three in the party they may have luggage and one car would be for the luggage. I told Mr. Robey it would be advisable to check up on the arrival time inasmuch as it was a Navy plane rather than a commercial plane and they may make up time as they are not traveling on schedule. ASAC Robey said he would have people there early enough to take care of this matter. I instructed Mr. Robey to take care of the party while they were there, to make cars available to help them around, etc. I advised Mr. Robey I did not know just how long the Attorney General and his party would be in Birmingham.
TO: Mr. D. M. Ladd

FROM: J. D. Donohue

DATE: December 8, 1945

SUBJECT: ITINERARY OF ATTORNEY GENERAL, December 8, 1945

At the above time, SA Garvin of the Birmingham Office called and advised that he had just put the Attorney General on the plane to return to Washington and also advised that the AG planed to go on through to New York. He stated that the AG got on the plane at 8:30 a.m. their time, which would be 9:30 a.m. our time, and will arrive at the Anacostia Air Field at about 1:15 p.m., Washington time. The plane number is Navy-JRB90571. The pilot of the plane is named Mercer.

SA Garvin advised that Mr. Stewart, the AG's secretary, is to have Mr. McInerney pick up the little suitcase by the desk in the big office and bring it to the airport when he meets Mr. Clark. Mr. Clark advised he will arrange for his own transportation to New York. Garvin adv. that the AG said Bill McMillan (phonetic) always meets him in New York and that Bill knows he is coming. Garvin advised that the AG would stop at the airport here and while here, arrange for someone to meet him in New York, but he will fly to New York. Garvin suggested that Bill McMillan be contacted to determine the probable time the AG will arrive in New York.
Dear Edgar:

Thanks for sending me a copy of the November, 1945, issue of the FBI Law Enforcement Bulletin. I enjoyed it very much.

Tom Clark

Nov. 30, 1945
Office Memorandum • UNITED STATES GOVERNMENT

TO : D. M. LADD.
FROM : J. D. DONOHUE.
SUBJECT: ATTORNEY GENERAL'S RESERVATIONS.

Miss O'Donnell of the Attorney General's Office called and advised that the reservation for the Attorney General on the B & O Railroad for Sunday morning will not be needed.

It was ascertained that neither yourself nor Messrs. Mumford, Nichols, Tolson or the the Chief Clerk's Office knew anything about this reservation.

Upon Mr. Tolson's authorization, Supervisor J. J. Ryan in New York was contacted at 3:25 p.m. and he advised that probably Mr. William McNulty, who was presently with the Attorney General, would know more details about this reservation since he was handling the contact with the Attorney General in New York.

ACTION:
None.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 6/10/83 BY 88-887384

JDD:mod
8/10/28 1945 84
The Attorney General

John Edgar Hoover, Director, Federal Bureau of Investigation

December 17, 1945

Attached hereto is a copy of the FBI Law Enforcement Bulletin for December, 1945, which I thought you might like to have.

Attachment

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 6/10/45 BY SE-3 6/30/45
Director, FBI.

Dear Sir:

This is to advise the Bureau that Attorney General TOM CLARK visited this area November 26 and 27, 1945, during the occasion of his address before the Dade County Bar Association banquet November 26th. While he was in the vicinity I visited with him at the Roney Plaza Hotel, where I paid my respects and offered him my services.

The Attorney General was in the process at the time of preparing his speech to be delivered before the convention of State Attorneys General at Jacksonville and requested stenographic assistance. A stenographer from the Miami Office was furnished Mr. Clark and his companion, Colonel Tim McInerney, for approximately one hour. He commented to me later on the efficiency of the stenographer, Miss HELEN RICHARDSON.

At the Dade County Bar Association banquet, to which Mrs. Danner and I had been invited, the Attorney General spoke more or less extemporaneously, during which time he paid several fine tributes to the FBI. He related an amusing incident wherein he had received an anonymous letter in his suggestion box criticizing his wearing of bow ties and the manner in which Mrs. Clark fixed her hair. He stated he had called on you for assistance and that in no time at all you had advised him that the identity of the letter writer was known, namely, Mr. Clark's son. He stated at the time that he had soon learned, following his elevation to the position of Attorney General, that if he wanted to find out anything he had only to ask you and that if you did not know you would find out in a very short time.

On November 27, 1945, I arranged a fishing trip and the Attorney General's entire party, accompanied by GEORGE SMATHERS, Special Assistant to the Attorney General, and the writer went out on TATEM WOFFORD'S boat. We fished furiously from about 9:00 A.M. to 2:00 P.M. and, while the trip was delightful, the sun was warm and the lunch was excellent, the fish just did not bite. No one even got a good hearty strike. The Attorney General, however, seemed to enjoy himself very much and got a fair start toward a case of sunburn while out on the boat.

Before departing he thanked me very much for my attention and seemed to enjoy his visit here very much.

[Signature]

November 30, 1945
Director,  

There is attached hereto a clipping concerning his contemplated visit here.

Very truly yours,

R. G. DANNER  
SAC.

Enclosure (1)

RGD:C
Tom Clark Will Speak
At Coral Gables Club

To afford all attorneys in the area an opportunity to hear U. S. Attorney General Tom Clark, the Dade County Bar association Saturday invited all members of the legal profession and their wives to attend the reception and dinner scheduled for 6:30 p. m. Monday at the Coral Gables Country club.

Attorney General Clark will be the featured speaker at the banquet, which will start at 7:30 p. m.

The attorney general, accompanied by Harold Judson, assistant solicitor-general, will arrive sometime Monday, according to word received Saturday by W. L. Gray, chairman of the monthly meeting for the bar association.

He will be met at the airport by Will M. Preston, president of the association; Gray, City Commissioner James Dunn and R. G. Danner, head of the Miami office of the FBI.

The reception committee at the club will include Federal Judge John W. Holland, U. S. District Attorney Herbert S. Phillips, Assistant District Attorneys Ernest Duhaime and Fred Botts; George A. Smathers, special assistant to the attorney general, Stuart W. Patton, Danner and officers and directors of the association.

Gray said that tickets may be obtained today at the Country club and on Monday at 1425 duPont bldg., 540 Ingraham bldg., 1408 Congress bldg., 715 Security bldg., 930 Seybold bldg., 1110-Biscayne bldg., 220 Shoreland bldg., 10th floor of the First National bank bldg., and at room 621, 605 Lincoln Road bldg., Miami Beach.

Dress will be formal for the ladies. Attorneys may wear business suits.

Attorney General Clark is scheduled to address the National Association of Attorneys General at Jacksonville Tuesday.
ATTORNEY GENERAL TOM C. CLARK DEPARTED MIAMI, FLORIDA, EIGHT PM, THIS DATE VIA FEC RR, CAR F DASH SEVENTHSIX, DRAWING ROOM A, WITH SCHEDULED ARRIVAL AT WASHINGTON, DC, EIGHT PM, DECEMBER SIXTEEN. THE ATTORNEY GENERAL DESIRES THAT HIS OFFICE BE ADVISED AND THAT HE BE MET BY HIS CHAUFFEUR UPON HIS ARRIVAL AT WASHINGTON. HANDLE.

SMITH

ACK AND HOLD

9-31 PM OK FBI WASH DC MT

57 JAN 4 1946
TO: Director, FBI.
FROM: SAC Birmingham.

DATE: December 11, 1945.

SUBJECT: VISIT OF ATTORNEY GENERAL TOM C. CLARK TO BIRMINGHAM, ALA.

Reference is made to my telephonic conversation with Assistant Director H. H. CLEGG on December 6, 1945, regarding the visit of Attorney General TOM C. CLARK to Birmingham on December 7, 1945, to speak at the Alabama Bar Association convention. Inasmuch as I was scheduled to appear at one of the sessions of FBI Law Enforcement conferences to be held at Montgomery, Ala., on the evening of December 7, 1945, Mr. CLEGG stated that it would not be necessary for me to return to Birmingham for the purpose of meeting Mr. CLARK.

Reference is further made to the telephonic conversation between Assistant Director D. K. LADD and Assistant SAC JAMES A. ROBEY of this office on December 7, 1945, at which time Mr. LADD requested that the Attorney General be met at the Birmingham airport upon his arrival and transported to his hotel, or wherever he desired to go. Mr. LADD also suggested that another automobile be made available for the transportation of Mr. CLARK's luggage. Later Mr. LADD again called and requested that a message that Solicitor General McGRATH desired to have the Attorney General call him on arrival be furnished to the Attorney General.

Please be advised that ASAC JAMES A. ROBEY, accompanied by Agents E. B. BRUNINGA, W. T. HARDY and J. P. MANSFIELD, with two automobiles, proceeded to the Army Air Base. At approximately 6 PM, Attorney General CLARK, accompanied by Chief Justice BOLITHA LAWS and Congressman LUTHER PATRICK, arrived by Navy plane. Mr. CLARK was immediately contacted by ASAC ROBEY, at which time he was given the message to call Mr. McGRATH and also was informed that two automobiles were immediately available for the purpose of transporting himself, his guests and his baggage to wherever he may desire to go. At the same time a delegation of approximately fifteen members of the Alabama Bar Association, among those being RODERICK BEDDOW, President, State Bar Association, and LAWRENCE F. GERALD, Secretary of the State Bar Association, were on hand to greet Mr. CLARK. Also U. S. Marshal RAYMOND M. THOMASON was on hand to greet Mr. CLARK. Mr. BEDDOW extended Mr. CLARK an invitation to attend a cocktail party given by HENRY STILLS, former President of the American Bar Association, which cocktail party was to be held prior to Mr. CLARK's appearance at the Tutwiler Hotel for a speech at 8 PM. An invitation was also extended to ASAC ROBEY by Mr. BEDDOW to attend the cocktail party, which was declined. Mr. CLARK decided to attend the cocktail party and informed ASAC ROBEY that he and his guests would go in the car of Mr. BEDDOW, however, he requested that his baggage, as well as the two Navy Lieutenants, pilot and co-pilot of the plane which brought him to Birmingham, be taken to the Tutwiler Hotel, which was done. Mr. CLARK had a reservation at the Tutwiler Hotel and spent the night there. Mr. CLARK was also informed that in the event the Birmingham Bureau office could be of any assistance to him during his stay in Birmingham that he should not hesitate to communicate with ASAC ROBEY. An automobile was available during the evening of December 7, however, no request was received from Mr. CLARK for any assistance.
Ltr. BH to Bureau 12-11-45
RE: VISIT OF ATTORNEY GENERAL
TOM C. CLARK TO BIRMINGHAM,
AL.

Mr. CLARK requested that an automobile be made available at the Tutwiler Hotel at 7:30 AM on December 8, 1945, for the purpose of transporting him to the airport as he intended to proceed to Washington at approximately 8 AM on that morning. A car was made available and Agents J. P. MANSFIELD and ROBERT O. FRENCH transported Mr. CLARK to the Army Airport where he departed by Navy plane for Washington, D. C., at approximately 8:15 AM.

Mr. CLARK expressed his appreciation to the Bureau for meeting him and making available transportation for him while in Birmingham.

JAR: Mc
Subject: Itinerary of Attorney General

Sr. Young of the Cincinnati Division telephonically advised that the Attorney General will leave Cincinnati for Chicago tonight. The Cincinnati office called Sr. McSwain at Chicago and Agents will meet the train at Chicago at 7:30 tomorrow and they will go with the Attorney General while he shops. The Attorney General did not want hotel reservations in Chicago.

Mr. Young stated the Attorney General spoke about 10:30 AM today in Cincinnati and then left immediately for a luncheon engagement in Dayton and Agents were with him all day.

All information contained herein is unclassified.

DATE 12/19/42

 Recorded 6/2/27 1/1] 90
Office Memorandum  UNITED STATES GOVERNMENT

TO  Mr. Essal

FROM  Mr. Edw. A. Tamm

SUBJECT  ATTORNEY GENERAL'S TRIP TO CINCINNATI AND CHICAGO

DATE: 12/10/45

Call: 6:59 PM

I called the Cincinnati Field Division at the above time and in the absence of SAC Holloman and ASAC King, spoke with Special Agent Cranston. I instructed him to get in touch with SAC Holloman tonight and advise him the Attorney General is arriving in Cincinnati at 7:22 A.M., December 19, 1945, on the Baltimore and Ohio, and that he will be in Compartment B, Car 11. I told him I wanted Mr. Holloman to meet the Attorney General at the train to have a car there and to put himself and the office entirely at the disposal of the Attorney General for the day. I advised Mr. Cranston it was my understanding that the Attorney General might want some reservations on a train going to Chicago, although I did not know whether he had made those arrangements, that they should wait and check on this with the Attorney General December 19, 1945. I stated if the Attorney General desires to be met by Bureau Agents in Chicago on Thursday morning, December 20, 1945, Mr. Holloman should call Chicago as soon as he is able and advise SAC McSwain what time the Attorney General is arriving in Chicago, by what means, et cetera. I told him this should be left for Mr. Clark to decide inasmuch as he may have made arrangements to be met by the U. S. Attorney in Chicago.

EAT: jmg

ALL INFORMATION CONTAINED HERIN IS UNCLASSIFIED EXCEPT AS NOTED.
Office Memorandum - United States Government

DATE: December 19, 1945

TO: Mr. A. Rosen
FROM: E. J. McCabe

SUBJECT: ITINERARY OF THE ATTORNEY GENERAL

Special Agent Young of the Cincinnati Division advised the writer at 2:20 P.M. on December 19, 1945, that the Attorney General and Mr. Timothy McInerney have tickets to Chicago and will leave Cincinnati at 11:40 P.M. tonight, December 19, 1945, via Pennsylvania Railroad, arriving in Chicago at 7:30 A.M. on December 20, 1945. They will occupy Drawing Room B in Car A70.

Special Agent Young further advised that Mr. George Smithers, who was also with the Attorney General, was going to Akron, Ohio, tonight and would stay at the Mayflower Hotel there. He said the Cleveland Division had secured hotel reservations for him there.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED.

DATE 9/183 BY 88-8 OTTAW

RECORDER No. 2-9-1945-91

30 DEC 31 12:00

SC JAN 4 1946
December 26, 1945

Honorable Tom C. Clark
The Attorney General
U. S. Department of Justice
Washington, D. C.

Dear Tom:

I thought you would be interested
in the attached cartoon which was drawn by
cartoonist Elies and was made available to
the Bureau by Mr. Gene Conley of the Publishers
Syndicate, 30 North LaSalle Street, Chicago,
Illinois. I have directed a letter to Mr.
Conley thanking him for making this cartoon
available and extending my thanks to Mr.
Elies, I have also advised him that I was
making this cartoon available to you as I
knew you would be interested in having it.

With best wishes and kind regards,

Sincerely yours,

[Signature]

Enclosure

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATING 12/52 BY SOP 8-9-10-44
Office Memorandum

UNITED STATES GOVERNMENT

TO: Mr. D. M. Ladd
FROM: A. C. Bise

DATE: December 20, 1945

SUBJECT:

SAC McSwain, Chicago, telephoned at 7:35 P.M. He advised that the Attorney General had arrived at Chicago at 11:45 A.M. and was met by McSwain and United States Attorney Al Woll. He stated that the Attorney General, Mr. Woll and he went directly to the Sherman Hotel where the Attorney General spoke at a luncheon of the Executives Group.

From this luncheon they went to the United States Attorney's office and from the United States Attorney's office to the Standard Club where they met with Judges William J. Campbell, John P. Barnes, and LuBuy.

The Attorney General was accompanied by Timothy McInerney.

Early in the day, while at the Office of the United States Attorney, Mr. McInerney made reservations for him and the Attorney General to return from Chicago to Washington, D.C. on Flight 46 of the Pennsylvania Central Airlines. However, due to uncertain weather, there was some question whether Flight 46 would depart on time and through the facilities of the Chicago Field Office accommodations were secured on Flight 66 of the American Airlines for the Attorney General only.

Mr. McSwain advised that the Attorney General had left Chicago on Flight 66, American Airlines, at 6:46 P.M. Central Time for Washington, D. C. and that Mr. McInerney would depart on Flight 46 of the Pennsylvania Central Airlines. Mr. McSwain stated that the Attorney General had requested that these flights be met at the Washington Air Port by Departmental chauffeurs and further that Mrs. Tom Clark be telephonically advised of his plans.

Mrs. Grace Stewart, Secretary to the Attorney General, and Mr. John Clark, in charge of chauffeurs, were not available. However, Miss Davis, Secretary to Mr. A. D. Vanech of the Department, was available and in a conference called among Miss Davis, William Jetter (colored chauffeur) and the writer, it was arranged that William Jetter would meet the Attorney General arriving at 10:37 P.M. on Flight 66, American Airlines, and that either William Jetter or Chauffeur Butler (colored) would meet Mr. McInerney, arriving at 12:23 A.M. on Flight 46, Pennsylvania Central Airlines.

Mrs. Tom Clark was telephonically advised that the Attorney General left Chicago on Flight 66, American Airlines and would arrive at Washington Air Port at 10:37 P.M. She was further informed that a Departmental chauffeur had been requested to meet him there.

Mrs. Tom Clark was telephonically advised that the Attorney General left Chicago on Flight 66, American Airlines and would arrive at Washington Air Port at 10:37 P.M. She was further informed that a Departmental chauffeur had been requested to meet him there.

Addendum 5:

1946

Williams, the Attorney General's private chauffeur, telephoned at 8:50 P.M. advising that he would meet the Attorney General at the Air Port at 10:37 P.M. and that he also would meet Mr. McInerney at 12:23 A.M. or see that he was met by another chauffeur.
Dear Sir:

Just before Attorney General TOM C. CLARK left Miami, Florida, he gave to Special Agent John L. Quigley, of this office, the name of ED WEISL who he stated was a personal friend of his and requested that the writer contact him and express the Attorney General's regrets at not being able to see him personally or talk to him on the phone while he was here in Miami, Florida.

Agent Quigley made an effort to contact Mr. WEISL and was informed that on Friday, the day before the request was made by the Attorney General to contact Mr. WEISL, he had returned to New York City. It was determined that Mr. WEISL's residence in New York City was Hampshire House, Central Park South.

It is suggested—that this matter be brought to the attention-of the Attorney General as he may desire to contact Mr. WEISL while he is in New York. It is understood he contemplates being there for the next few days.

Very truly yours,

RUSSELL E. SMITH

ROSEVELT E. SMITH, SAC
TO: Mr. Ladd
FROM: C. D. Barron
SUBJECT: Tom C. O. Clark

Agent Nathan called at 3:00 a.m. this morning advising that the two packages for the Attorney General and one for Colonel Timothy A. McInerney, which were to go on Flight 72, PCA, Chicago to Washington, were not sent due to the cancellation of the flight. This flight was scheduled to leave at 8:15 p.m. and arrive at Washington at 1:10 a.m., December 22. The packages will be sent on Flight 18, PCA, leaving Chicago at 6:45 a.m., December 22, arriving Washington, D.C., at 3:50 p.m., December 22, 1945; 3:50 p.m. might possibly be Chicago time.

Due to the fact that an agent was assigned by the Washington Field Office to meet this plane and pick up these packages, an attempt was made to locate him through the PCA desk at the Washington Airport, with negative results. This morning the writer talked with Special Agent Tierney of the Washington Field Office, and he was advised that the packages would arrive on Flight 18. He was advised that unless he heard to the contrary from the Bureau the packages should still be brought to the Attorney General's office when picked up.
Office Memorandum  •  UNITED STATES GOVERNMENT

Date: December 22, 1945

To: Mr. E. A. Tamm

From: D. M. Ladd

Subject: Packages to be Delivered to Attorney General's Office

SAC G. R. McSwain telephonically contacted me at 6:45 p.m., December 21, 1945, and advised that the Attorney General had bought some items in Chicago, which were Christmas presents for his family, and wanted to get them to Washington. SAC McSwain made arrangements to put the packages on Flight 72, FCA, December 21, 1945, in care of the pilot. Agent McSwain requested clearance to call the Washington Field Office and have an agent meet the plane, pick up the packages, and deliver them to the Attorney General's office on December 22, 1945. He was told to go ahead with his plans.

All information contained herein is unclassified.

56 Jan 9, 1946
TO: [Mr. Field]
FROM: Mr. Edw. A. Tamm
SUBJECT: ATTORNEY GENERAL'S TRIP TO NEW YORK CITY, December 28, 1945

At the above time I called SAC Conroy of New York City and advised him word had been received that the Attorney General and Mrs. Clark are en route to New York City due to arrive there at 1:00 P.M. via Pennsylvania Railroad, that when they left they were in Car 260, Seat 15, but their reservations probably would be changed en route inasmuch as their seats were not together and they were going to try to obtain a drawing-room on the train, etc. I asked Mr. Conroy to arrange for Mr. and Mrs. Clark to be met at the train and to determine if there was anything else the Bureau could do for the Attorney General and his wife.

Mr. Conroy advised it would be difficult with Mr. McNulty on leave and the other chauffeur who had been driving the Attorney General just out on an errand. He said they would handle this the best way possible.

EAT: dmg
TO:  Mr. Edw. A. Tuner
FROM:  Mr. J. C. Mulroy
SUBJECT:  ATTORNEY GENERAL'S TRIP TO LINCOLN, NEBRASKA

At the above time I called the Omaha Field Division and in the absence of SAC Logan, who is in Seattle on extended leave, I spoke with ASAO J. C. Mulroy. I advised him that the Attorney General plans to leave Washington, D. C. on December 27, 1945, at approximately 8:00 A.M., via Navy plane. The plane is that of the Assistant Secretary of the Navy the number of which is given as 05046. I told Mr. Mulroy that the Attorney General is flying to Lincoln, Nebraska, to address the Bar Association there after which he will fly back to Washington tomorrow night. I advised him it was my understanding that the Attorney General's office was not talking with U. S. Attorney Joseph T. Votava regarding the Attorney General's plans but as yet they do not know whether anyone else will meet him. Mr. Mulroy was advised of your desire that the Bureau's facilities be made available to the Attorney General on his various trips and if he wishes to use Bureau cars, cooperation and assistance he should feel free to do so.

I instructed Mr. Mulroy to have a couple of cars at the Lincoln Army Air Field tomorrow in plenty of time to meet Mr. Clark that he should personally identify himself to the Attorney General and to take along a couple of well-appearing, good men with him. I said I thought two cars would be enough, that the Attorney General should be advised the cars are available to him in the event he wishes to be driven into town. On the other hand, I stated if the Bar Association has made plans to handle the transportation, the Agents should not force themselves, that the Bureau's facilities are merely available if needed. I told him it would be well to go on in to Lincoln to the Bar Association meeting which, I understood, was to be at the Corn Husker Hotel and if the Attorney General desired the use of a stenographer, reservations for anything, et cetera, the Agents will be available to handle these things. I advised him our position is to always be available on call but never to force ourselves into the picture. He said he understood.

Mr. Mulroy was advised that Mr. Clark plans to leave via the same Navy plane tomorrow evening some time to be back in Washington by Friday as there is to be a Cabinet meeting on Friday. I told him I did not think there would be a question of obtaining reservations for travel unless the weather completely closes in. I advised him the estimated flying time from Washington, D. C. to Lincoln is 7 hours, but it is undependable and they should arrange to arrive there in plenty of time, and also to arrange with the Control Tower or someone else to be advised when the plane arrives.

Mr. Mulroy stated there had been considerable publicity out there today concerning the Attorney General's trip and they had
Memorandum for the Director

been wondering whether they would hear from Washington regarding this trip. I advised him I was not aware until the last few minutes that this trip was to take place and had not known of the publicity. I instructed him to handle this matter and advise the Bureau tomorrow of the developments. He said he would do this.

EAT:DMG
The Attorney General

John Edgar Hoover, Director, Federal Bureau of Investigation

Tom Clark

There is attached hereto a copy of this Bureau's publication "FBI This Week" for January 4, 1946, which I thought you might like to see.

Attachment
January 7, 1946

Honorable Tom C. Clark
The Attorney General
Washington, D. C.

Dear Tom:

It is a pleasure to enclose at this time photographs taken at Miami Beach, Florida, during the International Association of Chiefs of Police convention which I thought you might like to have.

With kindest regards,

Sincerely yours,
Mr. Tolson

Mr. Clegg

Mr. Coffey

Mr. Glavin

Mr. Ladd

Mr. Nicholas

Mr. Rosen

Mr. Tracy

Mr. Mohr

Mr. Carson

Mr. Leonard

Mr. Amidon

Mr. Jones

Mr. Quinn

Teles. Room

Mr. Nesse

Miss Beams

Miss Gandy

UNITED STATES GOVERNMENT

TO: Mr. Tolson

FROM: Mr. Nichols

DATE: 12/29/45

Cadison in the Public Relations Office called me December 27 stating that the Attorney General had been asked to contribute to the President's State of Union Message. They had to have something within an hour as they had to send the material to the Attorney General by wire in Lincoln, Nebraska.

I prepared the attached statement which was approved by Mr. Tamm and handed it to Cadison. Later in the afternoon Coblenz brought their proposed statement around and asked that we send it by teletype to Omaha and have it delivered to the Attorney General. There was no other choice but to have this done.

Attached
For years prior to the outbreak of war, the United States was a haven for foreign espionage agents who because of our liberty-loving laws encountered no difficulty in coming and going as they pleased. Despite their head start from the very inception of the Emergency our Democracy showed its superior ability to cope with these matters in the American way through the stellar work of the Federal Bureau of Investigation which has been able to keep espionage under control through the war years. Its counter-espionage program reached its height in actually recruiting enemy spies and using them against the enemy in a systematic program of furnishing deceptive information so that at the time of the invasion it was possible to deceive the enemy by deploying their forces to the north.

The battle of espionage is not over. Our country will continue to be the target of foreign agents and it is incumbent that the counter-espionage forces that were centered around the Federal Bureau of Investigation during the war years not be permitted to deteriorate but on the other hand be instigated to increasingly be on the alert. This is the best insurance that we can have in protecting ourselves from subversive forces that would supplant American Democracy.

The war record of security on the home front is spectacular by the absence of sabotage that plagued the United States in World War I. Our national accomplishments are a tribute to the cooperation of key industries and local law enforcement agencies who worked with the FBI at the time it started its preventative program.

Sabotage in future wars can be expected to take a definite turn. An atomic bomb with time fuses could be planted days or months in advance to the actual time it was to take effect. We cannot relax our securities and as we press toward friendly relations among the civilized peoples of the world, it is of course incumbent that at all times we think of our own security first. From the very inception of the war until its end there was not a single enemy-directed act of sabotage. The FBI was able to nip their plans in the bud.
The increased security regulations in other wars did bring about widespread suspension of civil rights. I am happy to report that our nation has come through the war years with civil rights being protected as never before in the history of any nation. The policies and programs worked out in the Department of Justice and the Federal Bureau of Investigation not only detected and brought about the apprehension of the guilty but likewise curbed the suspicions from literally thousands of innocent individuals who otherwise would have been victimized by wartime hysteria.

* * * * * * *

The solidarity of the Western Hemisphere has enhanced during the war years. We were able to render great assistance through our Federal Bureau of Investigation to many South American Republics which made it possible for our neighbors in the south to have the same high degree of security from enemy espionage and sabotage agents that we had in the United States. The liaison created with the authorities in the Western Hemisphere ranging from the Royal Canadian Mounted Police in Canada down through Central and South America have been a factor in bringing about better relationships. These gains should not be sacrificed but must be carried on into the peacetime years to increase the neighborly spirit and protect the Western Hemisphere from invasion of subversive forces from every direction.
To: Director
   Mr. Edward Tamm
   Mr. Clegg
   Mr. Glavin
   Mr. Ladd
   Mr. Nichols
   Mr. Rosen
   Mr. Tracy
   Mr. Carson
   Mr. Hendon
   Mr. Jones
   Mr. Nease
   Miss Gandy
   Personnel Files Section
   Records Section
   Mrs. Skillman

See Me For Appropriate Action
Send File Note and Return

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 6/2/45 BY 80-8-3912S

Clyde Tolson
Tom Clark

Dear Edgar:

Thank you for your memo of December 22nd giving me the information concerning Mr. Ed Weisl's return from Miami to New York. I appreciate Agent Quigley's efforts in this connection.

Sincerely,

[Signature]

Attorney General

December 28, 1945
December 26, 1945

Mr. Gene Conley
Publishers Syndicate
30 North LaSalle Street
Chicago, Illinois

Dear Mr. Conley:

Mr. G. B. LeCain, Special Agent in Charge of the Chicago Field Office of the Bureau, forwarded to me the original cartoon by Cartoonist Elles dated December 11 concerning the Attorney General. I want you to know that I deeply appreciate your making this cartoon available and I would also appreciate your extending my thanks to Mr. Elles. I am taking the liberty of forwarding this cartoon to the Attorney General as I thought he would be interested in having it.

With best wishes and kind regards,

Sincerely yours,

[Signature]

[Text not visible]
December 11, 1945

Mr. J. Edgar Hoover
Director
Federal Bureau of Investigation
Washington, D.C.

Dear Mr. Hoover:

I have received from Mr. Gene Conley of Publishers Syndicate, 30 North La Salle Street, Chicago, the original of a cartoon by Miss concerning the Attorney General.

It was thought that possibly you might like to personally pass this on to Mr. Clark and that in addition you might wish to thank Mr. Conley by personal communication for making this available.

Sincerely yours,

[Signature]

G. R. McSWAIN
SAC

Encl.
Office Memorandum • UNITED STATES GOVERNMENT

TO: Mr. Tolson
FROM: L. B. Nichols
DATE: December 28, 1945

SUBJECT:

Mr. Mulroy, ASAC at Omaha, called Mr. McGuire from Lincoln, Nebraska, this morning, reporting that arrangements for the handling of Attorney General Clark last evening at Lincoln went very smoothly. The Attorney General arrived shortly before 4 p.m. and was met at the airport by Mr. Mulroy and United States Attorney Joseph Votova and escorted to the Cornhusker Hotel. Mr. Clark was accompanied by Colonel McInerny, Mr. Lowell Jason of the Federal Trade Commission, and a Mr. Kilday of the Department.

Immediately upon arrival, the Attorney General requested Mr. Mulroy to obtain three stenographers and to have his speech retyped. Apparently he had revised the speech on the plane and, of course, wanted it for delivery that night. Mulroy states that McInerny tried to urge Clark not to change his talk and that subsequently the Attorney General remarked that the changes apparently went over all right and the FBI did a good job in getting the copy back to him. Actually, we had no Bureau stenographers in Lincoln and Mr. Mulroy was successful in obtaining a stenographer from the United States Attorney's office in Lincoln and the stenographers of two local attorneys who are friendly with the Omaha Office.

Mr. Mulroy stated that he also delivered personally to the Attorney General the teletype sent by the Department over the Bureau's lines to the Omaha Office last night relative to material for the contemplated State of the Union talk of the President.

Mulroy advised that the Attorney General appeared to rely entirely on the Bureau, as he did not even look up the reception committee after the completion of his speech, but headed right for Mulroy and the Bureau car and the airport. The party left at 10:30 p.m. for Washington.

Mr. Tamm, who had asked for a report from Mulroy, has been telephonically furnished the substance of the above.

CC Mr. E. A. Tamm

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 12/28/45 BY S8-8 XRIJ4U

50 JAN 11 1946
December 27, 1945

Captain Albert K. Lorchouse
Commanding Officer
E. C. Local Air Station
Lischi, Florida

Dear Captain Lorchouse:

I did want to write and express my appreciation for your assistance in connection with the arrival of the Honorable Tom Clark, Attorney General of the United States, at your station. I knew that an urgent board inquiry prevented your being present at the time, but your assistants were of great help and I wanted you to know that the Attorney General and I are grateful for their splendid cooperation.

With best wishes and cordial greetings for the Holiday Season,

Sincerely yours,

S. W. Hoover

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 12/27/45 BY 82-881109

RECORDED
SA-40 JAN 8 1946
ATTORNEY GENERAL AND MRS. CLARK LEAVING NEW YORK ONE FORTY FIVE PM TODAY TRAVELING PENNSYLVANIA RR TRIP CODE TRAIN NUMBER ONE NINE ONE, BEDROOM A, CAR SA FORTY SIX. TO ARRIVE IN WASHINGTON FIVE FIFTY FIVE PM.
TO:        MR. EDW. A. TAMM
FROM:      Mr. D. M. Ladd
SUBJECT:   "UNITED STATES GOVERNMENT Call:  5:22 P.M.

DATE:  1/7/46

Mrs. Grace Stewart of the Attorney General's office called me at this time and advised that Mr. Don Cook and Mr. H. Graham Morrison, Executive Assistants to the Attorney General, inquired if it would be all right for them to use the gymnasium on occasion. Mrs. Stewart was making this inquiry for the Attorney General.

I advised her I would have to check with the Director inasmuch as the gymnasium is used so much of the time now especially with the Police Academy commencing today for another session. Mrs. Stewart requested me to call her when I determined the Director's views on this.

1/7/46 Addendum: In accordance with the Director's instructions communicated with Mrs. Stewart and advised her that the gym was used full-time by the Police Academy and In-Service class which started today. Mrs. Stewart stated she appreciated this but if at some later time it was possible for the two men to use the gym, she would appreciate being advised. DML
Mr. Donald C. Cook  
Executive Assistant to the Attorney General  
John Edgar Hoover, Director, Federal Bureau of Investigation

January 14, 1946

With reference to your informal notation of the seventh, transmitting the photographs of the Attorney General, I am unable to identify the individuals or the occasion. I am sure that this did not occur at the International Association of Chiefs of Police convention, and I regret that I am unable to be of assistance.

Enclos (r)
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**MEMORANDUM**

Mr. Hoover, The AG would like to have the names of the gentlemen appearing in this photograph. Do you recall them?

Date: 1/7/46

**Notation reads:** Jan 16 46

Mr. Hoover, The AG would like to have the names of the gentlemen appearing in this photograph. Do you recall them?
Dear Edgar:

Thanks for sending me the photographs with your memorandum of January 4, taken on the occasion of the presentation to you of the Certificate of Distinguished and Public Service by Mayor LaGuardia. I am glad I could be there.

Tom Clark

P.S. Also the Miami ones. That trip was "short but perfect".

Notation Reads: P.S. Also the Miami ones. That trip was "short but perfect".

56 Jan 28 1946 29 4
The Attorney General

John Edgar Hoover, Director, Federal Bureau of Investigation

Newspaper Editorials

Transmitted herewith for your information is a photostatic copy of the following editorial:


Enclosure
Attorney-General Clark on the "Pay-off of Law-Violations"

EVEN AS rills at last grow into mighty rivers, so do the little sins sow the seeds of major crimes. Small law-infractions—not worth bothering about in themselves—tolerated day by day, may provide fertile soil for a rank weed: contempt of law in general.

Such are the ill effects of sumptuary laws that attempt to control people's deep-seated habits and customs—the curfew, the "blue" laws and constitutional prohibition. Thomas Jefferson had that principle in mind when he said that the least-governed people were the best governed.

When it comes to training the youth in the way he should go, the essential thing is to teach him the difference between right and wrong—and with that instruction, to arouse in him the desire to do right. That, was a noble maxim which the boy George Washington wrote in his copy book:

"Labor to keep alive in your breast that spark of celestial fire called conscience."

Give the growing lad an alert conscience, teach him to respect authority and the law, and he will not turn delinquent.

Attorney-General Tom C. Clark, in an interview lately given The Dallas Morning News, emphasized that truth: As Mr. Clark warned:

"Slight and seemingly innocent violations of the law have a pay-off more serious than people think... In the days of war shortages, some people obtained meat, cigarettes, butter, nylon stockings, apartments, shoes, new tires and even new automobiles, through the underground, grapevine or black market by means of so-called tips. Such practices have their harvests."

The principle applies with particular force to traffic-law violations. The pedestrian who habitually crosses the street where he pleases, disregards the signal light when he can get away with it, and "jaywalks" at will, cannot justifiably blame the motorists who drive as though he owned the street and the traffic laws were not made for him.

Such are the practices and attitudes, which pile up a distressingly high accident-rate. Suppose a motorist made a practice of running through red signal lights when he saw no car coming down the intersecting street. Sooner or later, that driver would miscalculate and get in trouble. That is also true as to the pedestrian, as of every person who seemingly thinks himself above the law.

Attorney-General Clark cited some "arithmetic of crime" from F.B.I. reports. Youths not yet 21 years old are charged with 15 per cent of the murders, 36 per cent of the robberies, 51 per cent of the burglaries, 26 per cent of the arson, 62 per cent of the automobile-thefts, 30 per cent of the rapes recorded last year. More persons 17 years old than of any other age were arrested for all types of offenses.

That is the juvenile crime problem. What can be done about it? Mr. Clark is putting that question to the "Attorney-General's panel"—15 outstanding citizens. He has requested the panel that will meet shortly in Washington, to work out a program which he can suggest to the States—legislature, law officers and courts.
Thank you very much for sending me the Bliss cartoon. I am going to have it framed — I like it so well. It was very thoughtful of you to get it for me.

Tom Clark
DECEMBER 27, 1945

To: COMMUNICATIONS SECTION.

TRANSMIT IMMEDIATELY TO ATTORNEY GENERAL CLARK OR TO COLONEL THRODDY
ATTORNEY GENERAL AT OUTFITTER AT OUTFITTER HOTEL, LINCOLN,
NEBRASKA.

KO0VER FOR THE ATTORNEY GENERAL

THIS IS THE FINAL MATERIAL FOR SUBMISSION TO THE WHITE
HOUSE AT PUBLISHED BY THE OFFICE OF THE SOLICITOR GENERAL AS OF
FOUR THIRTY PM TODAY. IT IS NOT DETERMINED WHO WILL ATTEND THE CABINET
MEETING.

COBLENZ

(Teletype - Copy following material. (Free competition).)

JULIUS
FBI· WASH DC 12-27-45 6-34 PM DTS
SAC, OMAHA U R G E N T
DELIVER IMMEDIATELY TO ATTORNEY GENERAL CLARK OR TO COLONEL TIMOTHY MCINERNY PERSONALLY AT ONCE TONIGHT AT CORNHUSKER HOTEL, LINCOLN, NEBRASKA.

HOOVER

MEMORANDUM FOR THE ATTORNEY GENERAL

THIS IS THE PROPOSED MATERIAL FOR SUBMISSION TO THE WHITE HOUSE AS PREPARED BY THE OFFICE OF THE SOLICITOR GENERAL AS OF FOUR THIRTY PM TODAY. IT IS NOT DETERMINED WHO WILL ATTEND THE CABINET MEETING.

COBLENZ

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 12/23 BY 8-8-34

FREE COMPETITION.

THE ECONOMIC EFFECTIVENESS OF PRIVATE ENTERPRISE depends upon THE CONTINUOUSLY RENEWED VITALITY THAT COMES FROM FAIR AND FREE COMPETITION. THAT IS THE KIND OF COMPETITION THAT THE MAJORITY OF AMERICAN
BUSINESSMEN WANT. THEY KNOW THAT IT MADE AMERICA INDUSTRIALLY GREAT.

BY VIGOROUS ENFORCEMENT OF THE ANTITRUST LAWS DURING WARTIME
THE GOVERNMENT WAS ABLE TO EXPOSE AND TO OVERCOME THE DANGEROUS IN-
FLUENCE WHICH INTERNATIONAL COMBINES AND CARTELS EXERTED ON A NUMBER
OF OUR STRATEGIC INDUSTRIES. AS A RESULT OF ANTITRUST ACTION MANY
CARTEL ARRANGEMENTS AND CONSPIRACIES WERE BROKEN UP AND MANY RESTRICTIONS
WHICH HAD HAMPERED WAR PRODUCTION AND CREATED SERIOUS SHORTAGES WERE
REMOVED.

YET IT IS AN HISTORICAL FACT THAT MONOPOLIES FLOURISH MOST
LUXURIANTS IN WARTIME AND IN THE RECONVERSION PERIOD FOLLOWING WAR.
UNAVOIDABLY SOME CONCENTRATION OF CONTROL IN INDUSTRY HAS OCCURRED
DURING THE WAR YEARS. MANY SMALLER BUSINESSES, UNABLE TO SUSTAIN THEM-
SELVES UNDER THE NECESSARILY HARSH CONDITIONS OF A WARTIME ECONOMY,
WERE COMPELLED TO GO OUT OF EXISTENCE.

IT IS ESSENTIAL TO THE FUTURE WELL-BEING OF OUR ECONOMIC SYSTEM
THAT THIS TREND NOW BE CORRECTED. EXISTING MONOPOLISTIC AGGREGATIONS
IN VIOLATION OF THE LAW MUST BE RESTRAINED, OR SPLIT INTO THEIR COMPO-
NENT PARTS, THROUGH LEGAL PROCESS. TO EXPEDITE RECONVERSION, TO STIM-
ULATE FULL EMPLOYMENT, TO PROTECT CONSUMERS AND TO INCREASE OPPORTUNI-
TIES FOR ENTERPRISE, IT IS IMPERATIVE THAT THE ANTITRUST LAWS BE VIGOR-
OUSLY ENFORCED. THE PROTECTION OF THE RIGHTS OF SMALL BUSINESS IS
ESPECIALLY IMPORTANT IN ORDER TO FACILITATE THE RE-ENTRY OF VETERANS
INTO THE ECONOMIC LIFE OF THE COMMUNITY.

END PAGE TWO
DURING THE WAR YEARS THE INTERNAL SECURITY OF THE COUNTRY WAS MAINTAINED AT A HIGH LEVEL--AND WITHOUT INFRINGING UPON THE CIVIL LIBERTIES OF OUR CITIZENS. ENEMY AGENTS AND THEY WERE NUMEROUS/ WERE INTERCEPTED, AND IN SOME CASES WERE ACTUALLY USED TO SERVE OUR OWN CAUSE. NOT A SINGLE WAR PLANT OR MILITARY INSTALLATION IN THIS COUNTRY WAS DESTROYED BY ENEMY SABOTAGE. HIGH TRIBUTE MUST BE PAID NOT ONLY THE PATRIOTISM OF OUR PEOPLE BUT ALSO TO THE VIGILANCE AND EFFICIENCY OF FEDERAL AND STATE LAW ENFORCEMENT OFFICERS.

BLACK MARKETS DEVELOPED DURING THE WAR IN A LARGE NUMBER OF COMMODITIES. INTENSIVE ACTION HAS BEEN TAKEN BY THE GOVERNMENT. IN MANY FIELDS A HIGH DEGREE OF SUCCESS IN ERADICATING THESE ILLEGAL MARKETS HAS BEEN ACHIEVED--IN OTHERS, CONTINUED EFFORT IS REQUIRED AND IS BEING GIVEN. EVERY WEAPON IN OUR ARMORY IS BEING USED--OF GOODS SOLD IN VIOLATION OF LAW, FINES, PROSECUTIONS FOR TAX EVASION, JAIL SENTENCES. BUT THE PROBLEM REMAINS ONE OF VITAL IMPORTANCE IN OUR FIGHT AGAINST INFLATION.

AS AN AFTERMATH OF THE STRESSES OF THE WAR, WE ARE THREATENED WITH A CRIME WAVE--PARTICULARLY AMONG YOUNG PEOPLE--EVEN MORE VICIOUS AND WIDESPREAD THAN THAT WHICH OCCURRED AFTER THE FIRST WORLD WAR. WE CAN MEET THIS THREAT, FIRST OF ALL, BY CONCERTED EFFORT TOWARD THE ACHIEVEMENT OF PROSPERITY AND A HIGH STANDARD OF LIVING FOR ALL OUR PEOPLE. HONEST AND WELL-PAID EMPLOYMENT MUST BE MADE AVAILABLE TO ALL. SECONDLY, WE MUST, EACH OF US, AS A MATTER OF PATRIOTIC DUTY, SO CONDUCT
OURSelves AS NOT TO COURAGE ANY FORM OF VIOLATION OF LAW. BY REFUSING TO PATRONIZE BLACK MARKETS WE WILL CUT AWAY THE PROFIT WHICH KEEPS THEM ALIVE.

WE MUST AT THE SAME TIME STRENGTHEN AND SUPPORT OUR LAW ENFORCEMENT AGENCIES. MUCH HAS BEEN ACHIEVED IN THE PAST BY COOPERATION BETWEEN THE STATE AND FEDERAL GOVERNMENTS. IT IS MY HOPE THAT THIS COOPERATION WILL CONTINUE ON AN EVER-INCREASING SCALE, SO THAT VIOLATORS OF THE LAW CAN ANTICIPATE PROMPT DETECTION, APPREHENSION, AND CONVICTION. TO THIS END I PLEDGE VIGOROUS ACTION BY THE FEDERAL LAW ENFORCEMENT AGENCIES.

THE FOLLOWING OPTIONAL PARAGRAPHS WERE DRAWN UP SO THAT THE PRESIDENT COULD, IF HE THOUGHT THEM SUFFICIENTLY IMPORTANT, INCLUDE THEM IN HIS MESSAGE. THEY ALL RELATE, OF COURSE, TO THE WORK OF THE DEPARTMENT. WE UNDERSTAND THAT COLONEL MCINERNY IS PREPARING CERTAIN ADDITIONAL MATERIAL ON MATTERS NOT DIRECTLY RELATED TO THE WORK OF THE DEPARTMENT.

WAR TRIALS--TREASON/ OPTIONAL 1

THE TRIALS OF NAZI WAR CRIMINALS ARE NOW PROCEEDING AT NUREMBERG, IN PURSUANCE OF THE DECLARED POLICY OF THE UNITED NATIONS THAT THESE OFFENDERS BE SPEEDILY BROUGHT TO THE BAR OF JUSTICE. THE TRIALS OF JAPANESE WAR CRIMINALS WILL BE CONDUCTED ON A LIKE BASIS.

HERE AT HOME, THERE REMAINS THE TASK OF DEALING APPROPRIATELY WITH SUCH AMERICAN CITIZENS AS HAVE GIVEN TREASONABLE AID TO THE ENEMY WHILE IN GERMANY, ITALY, AND JAPAN. THE GOVERNMENT WILL PROCEED TO BRING THESE INDIVIDUALS TO TRIAL, WHEN EVIDENCE IS AVAILABLE TO MEET THE STRICT TEST OF TREASON EMBODIED IN OUR CONSTITUTION. ALSO, THOSE FEW WHO HAVE UNTIL NOW SUCCESSFULLY EVADED THE SELECTIVE SERVICE ACT WILL BE SOUGHT OUT AND PROSECUTED.

END PAGE FOUR
IT HAS BEEN AND IT WILL CONTINUE TO BE THE POLICY OF THE EXECUTIVE BRANCH OF THE GOVERNMENT TO CARRY OUT THE MANDATE OF CONGRESS IN ASSISTING VETERANS IN ENFORCING THEIR RIGHTS TO REEMPLOYMENT IN THE JOBS THEY HELD PRIOR TO THEIR ENTRY INTO THE MILITARY SERVICES. THESE RIGHTS WILL BE VIGOROUSLY ASSERTED IN THEIR BEHALF.

IT IS THE POLICY OF THE GOVERNMENT TO COORDINATE LITIGATION REGARDING ALIEN PROPERTY WITH ANTITRUST LITIGATION, SO AS EFFECTIVELY TO PREVENT THE RESUMPTION OF ILLEGAL TRADE RELATIONS IN WHICH FORMER ENEMY-CONTROLLED COMPANIES IN THE UNITED STATES WERE ENGAGED THROUGH CORPORATE DEVICES, PATENT HOLDINGS, AND PATENT LICENSES AND CONTRACTS.

CAREFUL EXAMINATION HAS BEEN MADE OF A VAST AMOUNT OF DOCUMENTS SEIZED BY THE OCCUPATION FORCES IN GERMANY, INCLUDING, FOR EXAMPLE, RECORDS OF THE I.G. FARBN INDUSTRY OCTOPUS. IN MANY CASES THESE DOCUMENTS TEND TO PROVE THAT THE BENEFICIAL OR REAL OWNERS OF PROPERTY SEIZED BY THE ALIEN PROPERTY CUSTODIAN WERE ENEMIES, AND NOT THE AMERICAN OR NEUTRAL PERSONS WHO CLAIM TO BE OWNERS. OTHER EFFECTIVE STEPS ARE BEING TAKEN TO PREVENT THE CONTROL BY CARTELS OF VITAL SECTIONS OF AMERICAN BUSINESS.

UP TO VJ DAY IT WAS NECESSARY FOR THE GOVERNMENT TO ACQUIRE FOR WAR PURPOSES OVER FOURTEEN MILLION ACRES OF LAND AND IMPROVEMENTS, PLUS TWENTY SIX THOUSAND TWO HUNDRED FIFTY PARCELS OF LAND NOT MEASURED ON AN ACREAGE BASIS. IN ADDITION, THERE WERE REQUIRED FOR NON-WAR
PURPOSES APPROXIMATELY NINE MILLION ACRES AND OVER FOUR THOUSAND PAcs OF LAND; IT WAS NECESSARY TO SUPERINTEND THE PAYMENT OF HUNDREDS OF MILLIONS OF DOLLARS TO LANDOWNERS-- TO TAKE ALL POSSIBLE PRECAUTIONS TO PREVENT PROFITEERING-- AND AT THE SAME TIME TO INSURE FAIR AND JUST COMPENSATION FOR LANDS ACQUIRED.

/ALIENS/ OPTIONAL 5

IT HAS BEEN MOST REASSURING TO THE NATION AS A WHOLE THAT, DESPITE THE FEARS THAT ONCE EXISTED OF POSSIBLE ACTIVITIES OF A FIFTH COLUMN, OUR FOREIGN-BORN POPULATION HAS IN OVERWHELMING MAJORITY PROVED ITS LOYALTY AND DEVOTION TO OUR GOVERNMENT. THEIR GALLANTRY HAS BEEN DEMONSTRATED ON THE FIELD OF BATTLE. THEY HAVE MADE A MAGNIFICENT RECORD IN WAR PRODUCTION IN OUR FACTORIES. DURING THE PAST FIVE YEARS MORE THAN A MILLION AND A HALF MEN AND WOMEN RECEIVED UNITED STATES CITIZENSHIP BY NATURALIZATION. IT IS ESTIMATED THAT TODAY THERE ARE APPROXIMATELY THREE MILLION ALIENS IN THIS COUNTRY-- UNDOUBTEDLY THE SMALLEST PERCENTAGE OF ALIENS, IN TERMS OF OUR TOTAL POPULATION, WE HAVE EVER HAD.

AT NO TIME DURING THE WAR DID THE TOTAL NUMBER OF ALIEN ENEMIES/interned as potentially dangerous persons exceed ten thousand. THAT IS TRULY AN AMAZING FACT IN A NATION OF ONE HUNDRED THIRTY NINE MILLION PEOPLE OF DIVERSE NATIONALITIES. SOME OF THOSE WHO WERE INTERNED HAVE NOW BEEN RELEASED-- MANY OTHERS ARE NOW BEING RETURNED TO THEIR NATIVE COUNTRIES. AND NOW THAT THE SHIPPING LANES ARE OPEN, THE DEPORTATION OF ALIENS ILLEGALLY IN THIS COUNTRY HAS BEEN RESUMED.

END

CORRECTIONS: PAGE 3, LINE 13, WILL U PLs CHANGE THE WORD "FORFEITURE" TO "DETECTION"
The economic effectiveness of private enterprise depends upon the continuously renewed vitality that comes from fair and free competition. That is the kind of competition that the majority of American businessmen want. They know that it made America industrially great.

By vigorous enforcement of the antitrust laws during wartime the Government was able to expose and to overcome the dangerous influence which international combines and cartels exerted on a number of our strategic industries. As a result of antitrust action many cartel arrangements and conspiracies were broken up and many restrictions which had hampered war production and created serious shortages were removed.

Yet it is an historical fact that monopolies flourish most luxuriantly in wartime and in the reconversion period following war. Unavoidably some concentration of control in industry has occurred during the war years. Many smaller businesses, unable to sustain themselves under the necessarily harsh conditions of a wartime economy, were compelled to go out of existence.

It is essential to the future well-being of our economic system that this trend now be corrected. Existing monopolistic aggregations in violation of the law must be restrained, or split into their component parts, through legal process. To expedite reconversion, to stimulate full employment; to protect consumers and to increase opportunities for enterprise, it is imperative that the antitrust laws be vigorously enforced. The protection of the rights of small business is especially important in order to facilitate the re-entry of veterans into the economic life of the community.
(Internal Security: Crime)

During the war years the internal security of the country was maintained at a high level—and without infringing upon the civil liberties of our citizens. Every agent (and they were numerous) were intercepted, and in some cases were actually used to serve our own cause. Not a single war plant or military installation in this country was destroyed by enemy sabotage. High tribute must be paid not only to the patriotism of our people but also to the vigilance and efficiency of Federal and State law enforcement officers.

Black markets developed during the war in a large number of commodities. Intensive action has been taken by the Government. In many fields a high degree of success in eradicating these illegal markets has been achieved; in others, continued effort is required and is being given. Every weapon in our armory is being used: Profusion of goods sold in violation of law, fines, prosecutions for tax evasion, jail sentences. But the problem remains one of vital importance in our fight against inflation.

As an aftermath of the stresses of the war, we are threatened with a crime wave—particularly among young people—even more vicious and widespread than that which occurred after the first World War. We can meet this threat, first of all, by concerted effort toward the achievement of prosperity and a high standard of living for all our people. Honest and well-paid employment must be made available to all. Secondly, we must, each of us, as a matter of patriotic duty, so conduct ourselves as not to encourage any form of violation of law. By refusing to patronize black markets we will cut away the profit which keeps them alive.

We must at the same time strengthen and support our law enforcement agencies. Much has been achieved in the past by cooperation between.
the State and Federal governments. It is my hope that this cooperation will continue on an ever-increasing scale, so that violators of the law can anticipate prompt detection, apprehension, and conviction. To this end I pledge vigorous action by the Federal law enforcement agencies.
Note to the Attorney General

The following paragraphs were drawn up so that the President could, if he thought them sufficiently important, include them in his message. They all relate, of course, to the work of the Department. I understand that Colonel E. is preparing certain additional material on matters not directly related to the work of the Department.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 6/12/183
     BY SP-8 8/7/1840
The trials of Nazi war criminals are now proceeding at Nuremberg, in pursuance of the declared policy of the United Nations that these offenders be speedily brought to the bar of justice. The trials of Japanese war criminals will be conducted on a like basis.

Here at home, there remains the task of dealing appropriately with such American citizens as have given treasonable aid to the enemy while in Germany, Italy, and Japan. The Government will proceed to bring these individuals to trial, when evidence is available to meet the strict test of treason embodied in our Constitution. Also, those few who have until now successfully evaded the Selective Service Act will be sought out and prosecuted.
It has been and it will continue to be the policy of the executive branch of the Government to carry out the mandate of Congress in assisting veterans in enforcing their rights to reemployment in the jobs they held prior to their entry into the military services. These rights will be vigorously asserted in their behalf.
It is the policy of the Government to coordinate litigation regarding alien property with antitrust litigation, so as effectively to prevent the resumption of illegal trade relations in which former enemy-controlled companies in the United States were engaged through corporate devices, patent holdings, and patent licenses and contracts.

Careful examination has been made of a vast amount of documents seized by the occupation forces in Germany, including, for example, records of the I. G. Farben Industry octopus. In many cases these documents tend to prove that the beneficial or real owners of property seized by the Alien Property Custodian were enemies, and not the American or neutral persons who claim to be owners. Other effective steps are being taken to prevent the control by cartels of vital segments of American business.
(LAND ACQUISITION)

Up to VJ Day it was necessary for the Government to acquire for war purposes over 14,000,000 acres of land and improvements, plus 26,250 parcels of land not measured on an acreage basis. In addition, there were required for non-war purposes approximately 9,000,000 acres and over 4,000 parcels of land. It was necessary to superintend the payment of hundreds of millions of dollars to landowners; to take all possible precautions to prevent profiteering; and at the same time to insure fair and just compensation for lands acquired.

...
It has been most reassuring to the Nation as a whole that, despite the fears that once existed of possible activities of a Fifth Column, our foreign-born population has in overwhelming majority proved its loyalty and devotion to our Government. Their gallantry has been demonstrated on the field of battle. They have made a magnificent record in war production in our factories. During the past 5 years more than a million and a half men and women received United States citizenship by naturalization. It is estimated that today there are approximately 3,000,000 aliens in this country—undoubtedly the smallest percentage of aliens, in terms of our total population, we have ever had.

At no time during the war did the total number of alien enemies interned as potentially dangerous persons exceed 10,000. That is truly an amazing fact in a nation of 133,000,000 people of diverse nationalities. Some of those who were interned have now been released; many others are now being returned to their native countries. And now that the shipping lanes are open the deportation of aliens illegally in this country has been resumed.

END
The Attorney General

John Edgar Hoover, Director, Federal Bureau of Investigation

January 18, 1946

Tom C. Clark

There is attached hereto a copy of this Bureau's publication "FBI This Week" for January 18, 1946, which I thought you might like to see.

Attachment
-4TO

Official Indicated below by check mark

Assistant to the Attorney General •••••
Assistant Attorney General, Anti-Trust ••
Assistant Attorney General, Tax •••••••••
Assistant Attorney General, Claims •••••••
Ass istant Attorney General, Lands • • • • • • • •
Assistant Attorney General, Criminal •••
Assistant Attorney General, War •••••••••
AI ien Enemy Control Unit ••••••••
Allen Property Unit •••••••••••
Ass istant Sol ic itor Genera I •••••••••••

Di rector, FBI • • • • • • • • • • • • • • • • .. ..
Di rector of Pr isons • • • • • • • • • • • • • • •
Cornnissioner, Imllligration and Natural ization '••
Liaison Officer, Immigration and Natural izatlon
Administrative Assistant ••••••••••••
Division of Accounts •••••••••
Division of

Co~~unications

and Records ..

. . .

Division of 5uppl ies •••••••• •
Pardon Attorney. • • • • • • • • • • • • • • • •
Parol e Board • • • • • • • • • • • • • •
Board of Immigration Appeals •••••• ..

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Director of public Relations ••••••

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Mr. Donald Cook •••••••••••••

Hrs. stewart .. . .. ..

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Hi S5 }tcCarron .. .. .. .. ..

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Hrs. Kroll ............... •~.. .. .. .. .. .. .. .. .. ..
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Hiss Hoore .................................... ..

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Mr. Olson
Mr. A. Tamm
Mr. Clegg
Mr. Glavin
Mr. Ladd
Mr. Nicholas
Mr. Rosen
Mr. Tracy
Mr. Carson
Mr. Egan
Mr. Gurnea
Mr. Harbo
Mr. Hendon
Mr. Jones
Mr. Pennington
Tele. Room
Mr. Nease
Miss Beahm
Miss Gandy

Office of Director
Federal Bureau of Investigation
United States Department of Justice

January 3, 1946

I spoke again with Miss O'Donnell about the copies of photographs.

She said the Attorney General had said he just wanted to have one of these photographs for himself at the office and two or three for his home and he did not see where there could be any matter of copyright laws involved in doing this.

Tom Clark

Please

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATED 2/18/46 BY REB

RECORDED
30 JAN 28 1946

Mr. O'Donnell
52 FEB 7-1946
MEMORANDUM

JAN. 25, 1926

MISS GANDY:

The General is having family pictures framed for his desk and it seems Ramsey Clark's picture, attached, is just a bit smaller than the other two pictures. Wonder if we could have Ramsey's picture rephotographed to bring it up to size of others, or 10-1/2" x 13-1/2". Needs to be 1/2" longer and 1-1/2" wider. I know he would appreciate it a great deal.

Alice O'Donnell
MEMORANDUM

MISS GANDY:

Please have 250 of the large pictures and 50 glossies made up for the Attorney General.

Mary McCarron

Delivered to Miss Mary 2-5-46 (M)

[Signature]
January 28, 1946

MEMORANDUM FOR MESSRS. TOLSON
E. A. TAMH
CLEGG
GLAVIN
HARBO
LADD
NICHOLS
ROSEN
TRACY
NEASE

Tom Clark

It is desired that in the future any calls from the Attorney General's Office regarding the Attorney General's itinerary, particularly in instances when the Bureau is to meet the Attorney General at his point of destination, be referred to Mr. Nichols' office for handling in order that the calls will be properly channeled.

Very truly yours,

John Edgar Hoover
Director

RECORD
14227744-117
31 FEB 1946

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 02/28/43 BY SP-8 COYOL
TO:

____ Director __ Mr. Leonard
____ Mr. Tolson ____ Mr. McGuire
____ Mr. E. A. Tamm ____ Mr. Nease
____ Mr. Clegg ____ Mr. Quinn Tamm
____ Mr. Glavin ____ Miss Gandy
____ Mr. Harbo ____ Records Section
____ Mr. Ladd ____ Pers. Records Sec.
____ Mr. Rosen ____ Reading Room
____ Mr. Tracy ____ Mail Room
____ Mr. Carson ____ Room 5627
____ Mr. Cartwright ____ Miss Ledman
____ Mr. Heinritz ____ Miss Middleton
____ Mr. Hendon ____ Miss Mumford
____ Mr. Jones ____ 

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE: 6/9/43

FILE WITHOUT YELLOW

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At your annual meeting in 1916, Elihu Root, as President of your Association, made a memorable address on the subject of "Public Service by the Law." In the course of his speech, he had occasion to recognize the inevitable development of a system of administrative law in this country, he said, such a system "is still in its infancy."

The infant to which Mr. Root referred has had an extraordinary growth since that time. So precocious has it shown itself that for the past 20 years it has been perhaps the primary subject of discussion among legal thinkers. Some have considered the infant prodigy as a threat to our democracy—an alien system—a "contrivance of self-seeking bureaucrats." Others, with whom I agree, have recognized that the administrative process has had to expand to meet the needs of an increasingly complex civilization. Full recognition, it seems to me, has not been given to the fact that the phenomenal growth of the administrative process in recent years has been forced by phenomenal events—two World Wars of catastrophic proportions, and an intervening financial depression, all in one generation.

The belief is fairly common among people today that the administrative process in the Federal Government is new—that it is wholly a creation of the present era. Not at all! It is as old as the Government itself. At the very first session of the first Congress under the Constitution, statutes were enacted conferring important administrative powers. In that year—1789—the Congress passed laws involving the administration of customs and the regulation of ocean-going vessels—laws which are the antecedents of statutes now administered by the Bureau of Customs in the Treasury Department. At that time the first pension law was passed—the first of a long series of pension laws...
now in the charge of the Veterans Administration. Payments to invalid pensioners were to be made under regulations issued by the President—an early recognition by Congress of the advantage of delegating to the Executive broad rule-making power within the framework of statutory policies.

In 1790, Congress initiated the succession of laws governing the issuing and recording of patents. The Secretary of State, the Secretary of War and the Attorney General of the United States were empowered to grant a patent to any person petitioning for it, if his invention or discovery were deemed "sufficiently useful and important." In 1796, a revision was made for trading with the Indians according to such rules and orders as the President should prescribe.

In fact, the growth of the administrative process may be said to follow the path of the growth of the Union. As problems have been encountered, they have been met and sometimes too quickly; it is true—sometimes not to meet emergent problems, policies must be anticipated and adopted; appropriate governmental agencies must be established; efficient procedures must be put in place to meet emergent problems, while hasty legislation is to be declared, the lack of legislation may bring a result which will be scanned as "too little and too late."

It was the growth of steam navigation which gave rise in 1820 to "An act to provide for the better security of the lives of passengers on board of vessels propelled in whole or in part by steam." This act made it unlawful for an owner of a steamboat to operate without a license from the Collector of the Port. It was the rapid expansion of railroads, accompanied by discriminatory rate adjustments, irresponsible financial manipulation, and speculation, that led to the enactment in 1877 of "An act to regulate commerce," creating the Interstate Commerce Commission, and more recently—The creation of other agencies to meet the needs of changing times, has steadily continued, in the state governments.
1938—the increasing use of the airplane as a method of public transportation led to the establishment of a Civil Aeronautics Authority with power "to promote the development and safety, and to provide for the regulation, of civil aeronautics."

The great advantage of administrative agencies is their flexibility, their capacity to do a complex task fairly and with dispatch. A few weeks ago I read the Fifth Quarterly Report of the Office of Contract Settlement. I was amazed by the tremendous progress which has been made in settling terminated war contracts through administration action. The surrender of Japan caused the termination of over 100 thousand prime contracts, involving 24 billion dollars in cancelled commitments. Add to this the contracts that were terminated by V-E Day and you have some realization of the gigantic task faced by the War and Navy Departments and by the Office of Contract Settlement. Some 288,000 prime contracts, involving 62 billion dollars in cancelled commitments, were terminated from the beginning of our war production to date. Of these, 185,000 contracts, involving over 25 billion dollars, have now been settled.

Similar records of accomplishment may be found in other administrative agencies. The Interstate Commerce Commission receives, analyzes, and files thousands of rate schedules, applications and complaints. Yet that is only a part of its work. The Social Security Board keeps literally millions of records, and disposes of 8 or 9 hundred thousand claims a year. The Grain Standards Administration in the Department of Agriculture supervises over a million gradings of grain annually. In the light of these few examples, it is no wonder that Congress has resorted more and more frequently to the administrative process as an in-
strument for the execution of its legislative policies.

As lawyers, you are, no doubt, most concerned with the
rule-making and adjudicatory functions of administrative agencies.
In a sense, some agencies may be viewed as highly specialized legis-
latures and courts. As specialized legislatures, certain agencies
enact rules and regulations under powers delegated to them by Congress.
Within the confines of these powers they may fill in the details of the
national legislative program. As specialized courts, certain agencies
hear and decide controversies affecting private interests. Most of
these controversies are decided informally, but some may result in for-
al hearings with lengthy records.

An examination of an act with which we are all familiar —
the Selective Training and Service Act — will show the manner in
which the Congress has placed broad rule-making and adjudicatory func-
tions in a single agency. In this act Congress wisely refrained from
seeking to control every possible aspect of the induction process. In-
stead, Congress incorporated into the act a general statement of the
policy to be pursued in inducting men into the armed forces. It has
delegated to the President the power to make such rules and regulations
as might be necessary to carry out the congressional policy. The Pres-
ident, under the express authority of the Act, has delegated broad
powers to the Director of Selective Service. The Director, by virtue
of his highly specialized duties, is in a position to know the day-to-
day needs of the armed forces and the manner in which those needs can
best be met. The Director has been able to weigh such considera-


as age, occupation and family status in formulating the rules guiding induction. It is these rules, promulgated by the Director of Selective Service, that have given the act its flexibility and vitality.

In addition to the grant of rule-making power, the Selective Training and Service Act makes provision for the performance of quasi-judicial functions within the administrative framework. Registrants who are dissatisfied with their classification may ask for a hearing to obtain a deferment, or a different classification. The local Selective Service Board hears and decides such complaints. Should the registrant be dissatisfied with the decision of the local Board, he has recourse to a local Board of Appeal and, in exceptional circumstances, to the President of the United States. Such are the manifold administrative remedies which the act provides.

The administrative process, of course, has not been free of criticism. Some of this criticism has been based on a disapproving view of the legislative policies which the agencies are bound by law to execute. Some of it has been based on dissatisfaction — sometimes justified — with the procedures followed by some of the agencies. Many members of the bar have vigorously opposed the growth of the administrative process. This opposition, to quote Chief Justice Stone, is "reminiscent of the distrust of equity displayed by the common law judges and of their resistance to its expansion." Instead of resisting its growth, he added, the legal profession should seek "to adopt the un­
doubted advantages of the new agencies as efficient working implements of government, surrounded, at the same time, with every needful guaran-
tee against abuse."
Your Association, over a period of many years, has taken a

**tremendous** interest in problems of administrative law and procedure.

Your Special Committee on Administrative Law, since its formation in 1923, has steadily sought to have Congress enact regulatory legislation in this field. And I think it is fair to say that we, in the Government, have also worked hard in the same general field in an effort to improve our procedures. As defects have been pointed out, we have tried to correct them. We have tried to make of the administrative process an efficient and, withal, fair implement for the proper functioning of government.

In 1939, President Roosevelt directed Attorney General Murphy to select a committee of eminent lawyers, jurists, scholars and administrators to investigate the "need for procedural reform in the field of administrative law." For two years this Committee on Administrative Procedure examined carefully the workings of the more important administrative agencies. In 1941, its full report was given to the President and to the Congress. The Committee made a number of specific recommendations for the improvement of the procedures of particular agencies — recommendations which, in the main, have been adopted. In addition, the majority of the Committee made general recommendations, embodied in a bill which it prepared for submission to Congress,
Further effort looking toward general legislation in the field of administrative law was necessarily suspended during the war years. A number of bills on this subject have, however, been introduced in the present session of Congress. I should like to speak particularly of the McCarran-Sumners bill. For the past several months your Special Committee on Administrative law and the Department of Justice have collaborated with the Judiciary Committees of both Houses, at their specific request, in seeking to arrive at a final draft of the McCarran-Sumners bill which would be acceptable to all interests concerned.

I think the hard work which has thus been carried on has been

accomplished with success. The final draft of the McCarran-Sumners bill, recently reported by the Senate Judiciary Committee, may be described as a restatement of the law of due process for administrative agencies. It establishes minimum procedural requirements in terms applicable to all administrative agencies of the Federal government. Broad general principles are laid down with a sufficient degree of flexibility to be consistent with and not to prejudice the effective operation of Government and at the same time with a sufficient degree of definiteness to protect the public in its dealings with the Government. Recognition has been given to the fact that not every function of governmental agencies can be regulated uniformly. Their functions are far too varied for an over-generalized Procrustean approach. Adjudications of disputes between citizens, for example, are to be sharply distinguished from, let us say, disposals of surplus-Government property. Accordingly, appropriate exceptions have been made, not of agencies as such, but of certain of their functions.
War and defense functions, for example, are exempted from all the provisions of the bill except the section requiring increased public information. Appropriate exceptions, too, have been made of functions of the United States requiring secrecy in the public interest, such as the confidential operations of the Secret Service and the Federal Bureau of Investigation. The paramount public interest is also appropriately recognized. For example, while the general rule is that agencies must publish notice of proposed rule-making in the Federal Register, such notice need not be given where it is contrary to the public interest. However, in such circumstances, an agency must make a finding to that effect and incorporate a brief statement of the reasons therefor in the rules issued.

The basic scheme underlying this legislation is to classify all administrative proceedings into the two categories we have discussed, namely, rule-making and adjudication. But the bill does not specify the agencies which have rule-making powers and adjudicatory functions. To determine that, reference must be made to the special laws Congress has enacted for a particular agency. Proceedings are classed as rule-making under the bill, not merely when they result in regulations of general applicability (something akin to the legislative process), but in certain cases involving a wide range of technical knowledge and experience, such as corporate reorganizations and the prescription of rates for the future. Proceedings are considered as adjudications, on the other hand, where the element of
accusation is strong, and individual compliance or behavior is challenged. It is important to bear in mind the essential difference between these two types of proceedings in order to understand why the doctrine of segregation of functions is applicable only to adjudication. Adjudication, being quasi-judicial in character, must be conducted in quasi-judicial fashion. For this reason, the examiner who presides at the hearing in such a proceeding is forbidden to consult with any person or party on any fact in issue unless upon notice and opportunity for all parties to participate. Further, such an officer is not to be responsible to or subject to the supervision or direction of any person engaged in the performance of investigative or prosecuting functions. The purpose is to divorce the trier of facts from the prosecutor. Such a separation of functions will be found today in most, if not all, Federal agencies. Such a separation, however, would be completely unrealistic if applied to rule-making, since there the presiding officer is not a trier of facts. He sits to determine the advisability of the enactment of a rule, and should be allowed to call on all sources for his information, including the highly-specialized knowledge of the members of the agency staff.

In adjudications, the presiding examiner will generally be required to make a decision or recommend a decision. In rule-making, the agency may in its discretion dispense with the decision of the examiner. Some of the agencies, such as the Federal Communications Commission, find that in a field as highly technical as theirs the report of an examiner is not of great value or importance in formulating rules. But such a report is of fundamental importance in formal adjudications. Here, in
view of the adversary nature of the proceeding, the presiding officer
must evaluate evidence and consider the credibility of the witnesses.

I shall not attempt to cover all the provisions of the bill in
the brief space of time remaining. Of particular importance to the
public, and to the legal profession as well, is the requirement that
administrative agencies publish, or make available, an increased
measure of information concerning their organization, functions, and
I should also mention the requirement that
procedures. Trial examiners must be appointed for each agency. They
are to perform no duties inconsistent with their functions as examiners,
and are to receive compensation prescribed by the Civil Service
Commission. The conditions of their tenure are designed to insure
their impartiality and independence of judgment.

The section on judicial review of administrative action will be
of particular interest to this audience. Its provisions, while fully
safeguarding the rights of aggrieved individuals, do not hamper the
proper conduct of administrative business. Thus, there is no right to
proper conduct of administrative business. Thus, there is no right to
a review of discretionary agency action. Courts are not to set aside
agency findings unless they are found to be "arbitrary, capricious, or
otherwise not in accordance with law," or "unsupported by substantial
evidence." Due account is to be taken of the rule of "prejudicial
error." The section thus enacts in statutory form the soundest aspects
of existing law, which are generally recognized as most sound
and practical in their application.

In these troubled days of transition, business and Government must
cooperate upon a basis of understanding and good will. The task of
business is to create the highest possible levels of employment and productive activity. A primary task of the Government is to assist in this process. It must at the same time alleviate and correct impediments to the development of our economy. The Government must, in the interest of society as a whole, regulate where regulation is required. It must assist where assistance is required. But it is my firm belief that these necessary processes of business and the Government can be conducted on a plane of mutual understanding and good will. The lawyer can do much toward the achievement of this basis of cooperation. He is, in countless situations, the intermediary between business and the administrative agencies. By his understanding of the problems of Government, as well as those of business, he can be of invaluable aid to both, and to our society as a whole.

The McCarran-Summers bill in its present form seems to me to be a real contribution toward achieving this solid basis of cooperation. If it is adopted, it will be an earnest on the part of the Federal Government that it is willing to require of all Government agencies the highest standard of conduct, with full publicity and full opportunity for judicial review of administrative action. The bill will offer to the public and to the legal profession statutory assurance that these standards must be strictly observed. The legal profession will have the heavy responsibility of seeing to it that the provisions of the bill are used to bring about the more effective and just carrying out of governmental business, rather than as a means of hampering or delaying
that business. The courts will have a similar responsibility. I have no doubt that they will use their powers wisely. The Supreme Court has reminded us that "although the administrative process has had a different development and pursues somewhat different ways from those of courts," administrative agencies and courts "are to be deemed collaborative instrumentalities of justice, and the appropriate independence of each should be respected by the other." In this spirit, we may look forward to the establishment of a solid basis of cooperation and understanding.
AT YOUR ANNUAL MEETING IN 1916, ELIHU ROOT, AS PRESIDENT OF YOUR ASSOCIATION, MADE A MEMORABLE ADDRESS ON THE SUBJECT OF "PUBLIC SERVICE BY THE BAR." IN THE COURSE OF HIS SPEECH, HE HAD OCCASION TO RECOGNIZE THE INEVITABLE DEVELOPMENT OF A SYSTEM OF ADMINISTRATIVE LAW IN THIS COUNTRY, HE SAID, SUCH A SYSTEM "IS STILL IN ITS INFANCY."

THE INFANT TO WHICH MR. ROOT REFERRED HAS HAD AN EXTRAORDINARY GROWTH SINCE THAT TIME. SO PRECOCIOUS HAS IT SHOWN ITSELF THAT FOR THE PAST 20 YEARS IT HAS BEEN PERHAPS THE PRIMARY SUBJECT OF DISCUSSION AMONG LEGAL THINKERS. SOME HAVE CONSIDERED THE INFANT PRODIGY AS A THREAT TO OUR DEMOCRACY--AN ALIEN SYSTEM--A "CONTRIVANCE OF SELF-SEEKING BUREAUCRATS." OTHERS, WITH WHOM I AGREE, HAVE RECOGNIZED THAT THE ADMINISTRATIVE PROCESS HAS HAD TO EXPAND TO MEET THE NEEDS OF AN INCREASINGLY COMPLEX CIVILIZATION. FULL RECOGNITION, IT SEEMS TO ME, HAS NOT BEEN GIVEN TO THE FACT THAT THE PHENOMENAL GROWTH OF THE ADMINISTRATIVE PROCESS IN RECENT YEARS HAS BEEN FORCED BY PHENOMENAL EVENTS--TWO WORLD WARS OF CATASTROPHIC PROPORTIONS, AND AN INTERVENING FINANCIAL DEPRESSION, ALL IN ONE GENERATION.

IN 1790, CONGRESS INITIATED THE SUCCESSION OF LAWS GOVERNING THE ISSUING AND RECORDING OF PATENTS. THE SECRETARY OF STATE, THE SECRETARY OF WAR AND THE ATTORNEY GENERAL OF THE UNITED STATES WERE EMPOWERED TO GRANT A PATENT TO ANY PERSON PETITIONING FOR IT, IF HIS INVENTION OR DISCOVERY WERE DEEMED "SUFFICIENTLY USEFUL AND IMPORTANT." IN 1796, PROVISION WAS MADE FOR TRADING WITH THE INDIANS ACCORDING TO SUCH RULES AND ORDERS AS THE PRESIDENT SHOULD PRESCRIBE.
IN FACT, THE GROWTH OF THE ADMINISTRATIVE PROCESS MAY BE SAID TO FOLLOW THE PATH OF THE GROWTH OF THE UNION. AS PROBLEMS HAVE BEEN ENCOUNTERED, THEY HAVE BEEN MET—SOMETIMES TOO QUICKLY, IT IS TRUE—SOMETIMES NOT QUICKLY ENOUGH. TO MEET EMERGENT PROBLEMS, POLICIES MUST BE DEBATED AND ADOPTED, APPROPRIATE GOVERNMENTAL AGENCIES MUST BE ESTABLISHED, APPROPRIATE PROCEDURES MUST BE PUT INTO EFFECT. WHILE HASTY LEGISLATION IS TO BE DEPLORED, THE LACK OF LEGISLATION MAY BRING A RESULT WHICH WILL BE MOURNED AS "TOO LITTLE AND TOO LATE."

IT WAS THE GROWTH OF STEAM NAVIGATION WHICH GAVE RISE IN 1838 TO "AN ACT TO PROVIDE FOR THE BETTER SECURITY OF THE LIVES OF PASSENGERS ON BOARD OF VESSELS PROPELLED IN WHOLE OR IN PART BY STEAM." THIS ACT MADE IT UNLAWFUL FOR AN OWNER OF A STEAMBOAT TO OPERATE WITHOUT A LICENSE FROM THE COLLECTOR OF THE PORT. IT WAS THE RAPID EXPANSION OF RAILROADS, ACCOMPANIED BY DISCRIMINATORY RATE ADJUSTMENTS, IRRESPONSIBLE FINANCIAL MANIPULATION, AND SPECULATION, THAT LED TO THE ENACTMENT IN 1887 OF "AN ACT TO REGULATE COMMERCE," CREATING THE INTERSTATE COMMERCE COMMISSION. THE CREATION OF OTHER AGENCIES, TO MEET THE NEEDS OF CHANGING TIMES, HAS STEADILY CONTINUED, IN THE STATE GOVERNMENTS AS WELL AS THE FEDERAL.
THE GREAT ADVANTAGE OF ADMINISTRATIVE AGENCIES IS THEIR FLEXIBILITY, THEIR CAPACITY TO DO A COMPLEX TASK FAIRLY AND WITH DISPATCH. A FEW WEEKS AGO I READ THE FIFTH QUARTERLY REPORT OF THE OFFICE OF CONTRACT SETTLEMENT. I WAS AMAZED BY THE TREMENDOUS PROGRESS WHICH HAS BEEN MADE IN SETTLING TERMINATED WAR CONTRACTS THROUGH ADMINISTRATIVE ACTION. THE SURRENDER OF JAPAN CAUSED THE TERMINATION OF OVER 100 THOUSAND PRIME CONTRACTS, INVOLVING 24 BILLION DOLLARS IN CANCELLED COMMITMENTS. ADD TO THIS THE CONTRACTS THAT WERE TERMINATED BY V-E DAY AND YOU HAVE SOME REALIZATION OF THE GIGANTIC TASK FACED BY THE WAR AND NAVY DEPARTMENTS AND BY THE OFFICE OF CONTRACT SETTLEMENT. SOME 288,000 PRIME CONTRACTS, INVOLVING 62 BILLION DOLLARS IN CANCELLED COMMITMENTS, HAVE BEEN TERMINATED FROM THE BEGINNING OF OUR WAR PRODUCTION TO DATE. OF THESE, SOME 185,000 CONTRACTS, INVOLVING OVER 25 BILLION DOLLARS, HAVE NOW BEEN SETTLED.

SIMILAR RECORDS OF ACCOMPLISHMENT MAY BE FOUND IN OTHER ADMINISTRATIVE AGENCIES. THE INTERSTATE COMMERCE COMMISSION RECEIVES, ANALYZES, AND FILES THOUSANDS OF RATE SCHEDULES, APPLICATIONS AND COMPLAINTS. YET THAT IS ONLY A PART OF ITS WORK. THE SOCIAL SECURITY BOARD KEEPS LITERALLY MILLIONS OF RECORDS, AND DISPOSES OF 8 OR 9 HUNDRED THOUSAND CLAIMS A YEAR. THE GRAIN STANDARDS ADMINISTRATION IN THE DEPARTMENT OF AGRICULTURE SUPERVISES OVER A MILLION GRADINGS OF GRAIN ANNUALLY. IN THE LIGHT OF THESE FEW EXAMPLES, IT IS NO WONDER THAT CONGRESS HAS RESORTED MORE AND MORE FREQUENTLY TO THE ADMINISTRATIVE PROCESS AS AN INSTRUMENT FOR THE EXECUTION OF ITS LEGISLATIVE POLICIES.
AN EXAMINATION OF AN ACT WITH WHICH WE ARE ALL FAMILIAR--
THE SELECTIVE TRAINING AND SERVICE ACT-- WILL SERVE TO ILLUSTRATE THE
MANNER IN WHICH THE CONGRESS HAS PLACED BROAD RULE-MAKING AND
ADJUDICATORY FUNCTIONS IN A SINGLE AGENCY. IN THIS STATUTE CONGRESS
WISELY REFRAINED FROM SEEKING TO CONTROL EVERY POSSIBLE ASPECT OF THE
INDUCTION PROCESS. INSTEAD, CONGRESS 'INCORPORATED INTO THE ACT A
GENERAL STATEMENT OF THE POLICY TO BE PURSUED IN INDUCTING MEN INTO
THE ARMED FORCES. IT HAS DELEGATED TO THE PRESIDENT THE POWER TO MAKE
SUCH RULES AND REGULATIONS AS MAY BE NECESSARY TO CARRY OUT THE
CONGRESSIONAL POLICY. THE PRESIDENT, UNDER THE EXPRESS AUTHORITY OF THE

ACT, HAS DELEGATED BROAD POWERS TO THE DIRECTOR OF SELECTIVE SERVICE.
THE DIRECTOR, BY VIRTUE OF HIS HIGHLY SPECIALIZED DUTIES, IS IN A
POSITION TO KNOW THE DAY-TO-DAY NEEDS OF THE ARMED FORCES AND THE MANNER
IN WHICH THOSE NEEDS CAN BEST BE MET. THE DIRECTOR HAS BEEN ABLE TO
WEIGH SUCH CONSIDERATIONS AS AGE, OCCUPATION AND FAMILY STATUS IN
FORMULATING THE RULES GUIDING INDUCTION. IT IS THESE RULES, PROMUL-
GATED BY THE DIRECTOR OF SELECTIVE SERVICE, THAT HAVE GIVEN THE ACT ITS
FLEXIBILITY AND VITALITY.
IN ADDITION TO THE GRANT OF RULE-MAKING POWER, THE SELECTIVE TRAINING AND SERVICE ACT MAKES PROVISION FOR THE PERFORMANCE OF QUASI-JUDICIAL FUNCTIONS WITHIN THE ADMINISTRATIVE FRAMEWORK. REGISTRANTS WHO ARE DISSATISFIED WITH THEIR CLASSIFICATION MAY ASK FOR A HEARING TO OBTAIN A DEFERMENT, OR A DIFFERENT CLASSIFICATION. THE LOCAL SELECTIVE SERVICE BOARD HEARS AND DECIDES SUCH COMPLAINTS. SHOULD THE REGISTRANT BE DISSATISFIED WITH THE DECISION OF THE LOCAL BOARD, HE HAS RECURS TO A LOCAL BOARD OF APPEAL AND, IN EXCEPTIONAL CIRCUMSTANCES, TO THE PRESIDENT OF THE UNITED STATES. SUCH ARE THE MANIFOLD ADMINISTRATIVE REMEDIES WHICH THE ACT PROVIDES.

THE ADMINISTRATIVE PROCESS, OF COURSE, HAS NOT BEEN FREE OF CRITICISM. SOME OF THIS CRITICISM HAS BEEN BASED ON A DISAPPROVING VIEW OF THE LEGISLATIVE POLICIES WHICH THE AGENCIES ARE BOUND BY LAW TO EXECUTE. SOME OF IT HAS BEEN BASED ON DISSATISFACTION--SOMETIMES NO DOUBT JUSTIFIED--WITH THE PROCEDURES FOLLOWED BY SOME OF THE AGENCIES. MANY MEMBERS OF THE BAR HAVE VIGOROUSLY OPPOSED THE GROWTH OF THE ADMINISTRATIVE PROCESS. THIS OPPOSITION, TO QUOTE CHIEF JUSTICE STONE, IS "REMINISCENT OF THE DISTRUST OF EQUITY DISPLAYED BY THE COMMON LAW JUDGES AND OF THEIR RESISTANCE TO ITS EXPANSION." INSTEAD OF RESISTING ITS GROWTH, HE ADDED, THE LEGAL PROFESSION SHOULD SEEK "TO ADOPT THE UNDOUBTED ADVANTAGES OF THE NEW AGENCIES AS EFFICIENT WORKING IMPLEMENTS OF GOVERNMENT, SURROUNDED, AT THE SAME TIME, WITH EVERY NEEDFUL GUARANTEE AGAINST ABUSE."
YOUR ASSOCIATION, OVER A PERIOD OF MANY YEARS, HAS TAKEN A VERY KEEN INTEREST IN PROBLEMS OF ADMINISTRATIVE LAW AND PROCEDURE. YOUR SPECIAL COMMITTEE ON ADMINISTRATIVE LAW, SINCE ITS FORMATION IN 1933, HAS STEADILY SOUGHT TO HAVE CONGRESS ENACT REGULATORY LEGISLATION IN THIS FIELD. AND I THINK IT IS FAIR TO SAY THAT WE, IN THE GOVERNMENT, HAVE ALSO WORKED HARD IN THE SAME GENERAL FIELD IN AN EFFORT TO IMPROVE OUR PROCEDURES. AS DEFECTS HAVE BEEN POINTED OUT, WE HAVE TRIED TO CORRECT THEM. WE HAVE TRIED TO MAKE OF THE ADMINISTRATIVE PROCESS AN EFFICIENT AND, WITHAL, FAIR IMPLEMENT FOR THE PROPER FUNCTIONING OF GOVERNMENT.

IN 1939, PRESIDENT ROOSEVELT DIRECTED ATTORNEY GENERAL MURPHY TO SELECT A COMMITTEE OF EMINENT LAWYERS, JURISTS, SCHOLARS AND ADMINISTRATORS TO INVESTIGATE THE "NEED FOR PROCEDURAL REFORM IN THE FIELD OF ADMINISTRATIVE LAW." FOR TWO YEARS THIS COMMITTEE ON ADMINISTRATIVE PROCEDURE EXAMINED CAREFULLY THE WORKINGS OF THE MORE IMPORTANT ADMINISTRATIVE AGENCIES. IN 1941, ITS FULL REPORT WAS GIVEN TO THE PRESIDENT AND TO THE CONGRESS. THE COMMITTEE MADE A NUMBER OF SPECIFIC RECOMMENDATIONS FOR THE IMPROVEMENT OF THE PROCEDURES OF PARTICULAR AGENCIES—RECOMMENDATIONS WHICH, IN THE MAIN, HAVE BEEN ADOPTED. IN ADDITION, THE MAJORITY OF THE COMMITTEE MADE GENERAL RECOMMENDATIONS, EMBODIED IN A BILL WHICH IT PREPARED FOR SUBMISSION TO CONGRESS.
FURTHER EFFORT LOOKING TOWARD GENERAL LEGISLATION IN THE FIELD
OF ADMINISTRATIVE LAW WAS IN LARGE MEASURE NECESSARILY SUSPENDED DURING
THE WAR YEARS. A NUMBER OF BILLS ON THIS SUBJECT HAVE, HOWEVER, BEEN
INTRODUCED IN THE PRESENT SESSION OF CONGRESS. I SHOULD LIKE TO SPEAK
PARTICULARLY OF THE MCCARRAN-SUMNERS BILL. FOR THE PAST SEVERAL MONTHS
YOUR SPECIAL COMMITTEE ON ADMINISTRATIVE LAW AND THE DEPARTMENT OF
JUSTICE HAVE COLLABORATED WITH THE JUDICIARY COMMITTEES OF BOTH HOUSES,
AT THEIR SPECIFIC REQUEST, IN SEEKING TO ARRIVE AT A FINAL DRAFT OF
THE MCCARRAN-SUMNERS BILL WHICH WOULD BE ACCEPTABLE TO ALL INTERESTS
CONCERNED.

I THINK THE HARD WORK WHICH HAS THUS BEEN CARRIED ON HAS BEEN
REWARDED WITH SUCCESS. THE FINAL DRAFT OF THE MCCARRAN-SUMNERS BILL,
RECENTLY REPORTED FAVORABLY BY THE SENATE JUDICIARY COMMITTEE, MAY BE
DESCRIBED AS A RESTATEMENT OF THE LAW OF DUE PROCESS FOR ADMINISTRATIVE
AGENCIES. IT ESTABLISHES MINIMUM PROCEDURAL REQUIREMENTS IN TERMS
APPLICABLE TO ALL ADMINISTRATIVE AGENCIES OF THE FEDERAL GOVERNMENT.
BROAD GENERAL PRINCIPLES ARE LAID DOWN WITH A SUFFICIENT DEGREE OF FLEXIBILITY TO BE CONSISTENT WITH THE EFFECTIVE OPERATION OF GOVERNMENT AND AT THE SAME TIME WITH A SUFFICIENT DEGREE OF DEFINITENESS TO PROTECT THE PUBLIC IN ITS DEALINGS WITH THE GOVERNMENT. RECOGNITION HAS BEEN GIVEN TO THE FACT THAT NOT EVERY FUNCTION OF GOVERNMENTAL AGENCIES CAN BE REGULATED UNIFORMLY. THEIR FUNCTIONS ARE FAR TOO VARYED FOR AN OVER-GENERALIZED APPROACH. ADJUDICATIONS OF DISPUTES BETWEEN CITIZENS, FOR EXAMPLE, ARE TO BE SHARPLY DISTINGUISHED FROM SUCH MATTERS AS DISPOSALS OF SURPLUS GOVERNMENT PROPERTY. ACCORDINGLY, APPROPRIATE EXCEPTIONS HAVE BEEN MADE, NOT OF AGENCIES AS SUCH, BUT OF CERTAIN OF THEIR FUNCTIONS. WAR AND DEFENSE FUNCTIONS, FOR EXAMPLE, ARE EXEMPTED FROM ALL THE PROVISIONS OF THE BILL EXCEPT THE SECTION REQUIRING INCREASED PUBLIC INFORMATION. APPROPRIATE EXCEPTIONS, TOO, HAVE BEEN MADE OF FUNCTIONS OF THE UNITED STATES REQUIRING SECRECY IN THE PUBLIC INTEREST, SUCH AS THE CONFIDENTIAL OPERATIONS OF THE SECRET SERVICE AND THE FEDERAL BUREAU OF INVESTIGATION. THE PARAMOUNT PUBLIC INTEREST IS ALSO APPROPRIATELY RECOGNIZED. THUS, WHILE THE GENERAL RULE IS THAT AGENCIES MUST PUBLISH NOTICE OF PROPOSED RULE-MAKING IN THE FEDERAL REGISTER, SUCH NOTICE NEED NOT BE GIVEN WHERE IT IS CONTRARY TO THE PUBLIC INTEREST. YET, IN SUCH CIRCUMSTANCES, AN AGENCY MUST MAKE A FINDING TO THAT EFFECT AND INCORPORATE A BRIEF STATEMENT OF THE REASONS THEREFOR IN THE RULES ISSUED.
THE BASIC SCHEME UNDERLYING THIS LEGISLATION IS TO CLASSIFY ALL ADMINISTRATIVE PROCEEDINGS INTO TWO GENERAL CATEGORIES, NAMELY, RULE-MAKING AND ADJUDICATION. BUT THE BILL DOES NOT SPECIFY THE AGENCIES WHICH HAVE RULE-MAKING POWERS AND ADJUDICATORY FUNCTIONS. TO DETERMINE THAT, REFERENCE MUST BE MADE TO THE SPECIAL LAWS CONGRESS HAS ENACTED FOR A PARTICULAR AGENCY. PROCEEDINGS ARE CLASSED AS RULE-MAKING UNDER THE BILL, NOT MERELY WHEN THEY RESULT IN REGULATIONS OF GENERAL APPLICABILITY /SOMETHING AKIN TO THE LEGISLATIVE PROCESS/, BUT ALSO IN CERTAIN CASES INVOLVING SUBJECT MATTER DEMANDING JUDGMENTS BASED ON A WIDE RANGE OF TECHNICAL KNOWLEDGE AND EXPERIENCE, SUCH AS CORPORATE REORGANIZATIONS AND PRESCRIPTION OF RATES FOR THE FUTURE. PROCEEDINGS ARE CONSIDERED AS ADJUDICATIONS, ON THE OTHER HAND, WHEN THE ELEMENT OF ACCUSATION IS STRONG, AND INDIVIDUAL COMPLIANCE OR BEHAVIOR IS CHALLENGED.

IT IS IMPORTANT TO BEAR IN MIND THE ESSENTIAL DIFFERENCE BETWEEN THESE TWO TYPES OF PROCEEDINGS IN ORDER TO UNDERSTAND WHY THE DOCTRINE OF SEGREGATION OF FUNCTIONS IS APPLICABLE ONLY TO ADJUDICATION. ADJUDICATION, BEING QUASI-JUDICIAL IN CHARACTER, MUST BE CONDUCTED IN QUASI-JUDICIAL FASHION. FOR THIS REASON, A THE EXAMINER WHO PRESIDES AT THE HEARING IN SUCH A PROCEEDING IS FORBIDDEN TO CONSULT WITH ANY PERSON OR PARTY ON ANY FACT IN ISSUE UNLESS UPON
NOTICE AND OPPORTUNITY FOR ALL PARTIES TO PARTICIPATE. FURTHER, SUCH AN OFFICER IS NOT TO BE RESPONSIBLE TO OR SUBJECT TO THE SUPERVISION OR DIRECTION OF ANY PERSON ENGAGED IN THE PERFORMANCE OF INVESTIGATIVE OR PROSECUTING FUNCTIONS. THE PURPOSE IS TO DIVORCE THE TRIER OF FACTS FROM THE PROSECUTOR. SUCH A SEPARATION OF FUNCTIONS WILL BE FOUND TODAY IN MOST, IF NOT ALL, FEDERAL AGENCIES. A SEPARATION OF THIS SORT, HOWEVER, WOULD BE COMPLETELY UNREALISTIC IF APPLIED TO RULE-MAKING, SINCE THERE THE PRESIDING OFFICER IS NOT A TRIER OF FACTS. HE SITS TO DETERMINE THE ADVISABILITY OF THE ENACTMENT OF A RULE, AND SHOULD BE ALLOWED TO CALL ON ALL AVAILABLE SOURCES FOR HIS INFORMATION, INCLUDING THE HIGHLY SPECIALIZED KNOWLEDGE OF THE MEMBERS OF THE AGENCY STAFF.

I SHALL NOT ATTEMPT TO COVER ALL THE PROVISIONS OF THE BILL IN THE BRIEF SPACE OF TIME REMAINING. OF PARTICULAR IMPORTANCE TO THE PUBLIC, AND TO THE LEGAL PROFESSION AS WELL, IS THE REQUIREMENT THAT ADMINISTRATIVE AGENCIES PUBLISH, OR MAKE AVAILABLE, AN INCREASED MEASURE OF INFORMATION CONCERNING THEIR ORGANIZATION, FUNCTIONS, AND PROCEDURES. I SHOULD ALSO MENTION THE REQUIREMENT THAT TRIAL EXAMINERS BE APPOINTED FOR EACH AGENCY TO CONDUCT FORMAL HEARINGS. THEY ARE TO PERFORM NO DUTIES INCONSISTENT WITH THEIR FUNCTIONS AS EXAMINERS, AND ARE TO RECEIVE COMPENSATION PRESCRIBED BY THE CIVIL SERVICE COMMISSION. THE CONDITIONS OF THEIR TENURE ARE DESIGNED TO INSURE THEIR IMPARTIALITY AND INDEPENDENCE OF JUDGMENT.

THE SECTION ON JUDICIAL REVIEW OF ADMINISTRATIVE ACTION WILL BE OF PARTICULAR INTEREST TO THIS AUDIENCE. ITS PROVISIONS, WHILE FULLY SAFEGUARDING THE RIGHTS OF AGGRIEVED INDIVIDUALS WILL NOT IN MY JUDGMENT HAMPER THE PROPER CONDUCT OF ADMINISTRATIVE BUSINESS,

THUS, THERE IS NO RIGHT TO A REVIEW OF ANY AGENCY ACTION WHICH IS LAW COMMITTED TO AGENCY DISCRETION. COURTS ARE NOT TO SET ASIDE AGENCY FINDINGS UNLESS THEY ARE FOUND TO BE "ARBITRARY, CAPRICIOUS, OR OTHERWISE NOT IN ACCORDANCE WITH LAW," OR "UNSUPPORTED BY SUBSTANTIAL EVIDENCE." DUE ACCOUNT IS TO BE TAKEN OF THE RULE OF "PREJUDICIAL ERROR." THE SECTION THUS ENACTS IN STATUTORY FORM THOSE ASPECTS OF EXISTING LAW WHICH ARE GENERALLY RECOGNIZED AS MOST SOUND AND PRACTICAL IN THEIR APPLICATION.
IN THESE TROUBLED DAYS OF TRANSITION, BUSINESS AND GOVERNMENT MUST COOPERATE UPON A BASIS OF UNDERSTANDING AND GOOD WILL. THE TASK OF BUSINESS IS TO CREATE THE HIGHEST POSSIBLE LEVELS OF EMPLOYMENT AND PRODUCTIVE ACTIVITY. A PRIMARY TASK OF THE GOVERNMENT IS TO ASSIST IN THIS PROCESS. IT MUST AT THE SAME TIME ALLEVIATE AND CORRECT IMPEDIMENTS TO THE DEVELOPMENT OF OUR ECONOMY. THE GOVERNMENT MUST, IN THE INTEREST OF SOCIETY AS A WHOLE, REGULATE WHERE REGULATION IS REQUIRED. IT MUST ASSIST WHERE ASSISTANCE IS REQUIRED. BUT IT IS MY FIRM BELIEF THAT THESE NECESSARY PROCESSES OF BUSINESS AND THE GOVERNMENT CAN BE CONDUCTED ON A PLANE OF MUTUAL UNDERSTANDING.


THE MCCARRAN-SUMNERS BILL IN ITS PRESENT FORM SEEMS TO ME TO BE A REAL CONTRIBUTION TOWARD ACHIEVING THIS SOLID BASIS OF COOPERATION.
PAGE FOURTEEN

IF IT IS ADOPTED, IT WILL BE AN EARNEST ON THE PART OF THE FEDERAL
GOVERNMENT THAT IT IS WILLING TO REQUIRE OF ALL GOVERNMENT AGENCIES THE
HIGHEST STANDARD OF CONDUCT, WITH FULL PUBLICITY AND FULL OPPORTUNITY
FOR JUDICIAL REVIEW OF ADMINISTRATIVE ACTION. THE BILL WILL OFFER TO
THE PUBLIC AND TO THE LEGAL PROFESSION STATUTORY ASSURANCE THAT THESE
STANDARDS MUST BE STRICTLY OBSERVED. THE LEGAL PROFESSION WILL HAVE
THE HEAVY RESPONSIBILITY OF SEEING TO IT THAT THE PROVISIONS OF THE
BILL ARE USED AS A MEANS OF BRINGING ABOUT THE MORE EFFECTIVE AND JUST
CARRYING OUT OF GOVERNMENTAL BUSINESS, RATHER THAN AS A MEANS OF
HAMPERING OR DELAYING THAT BUSINESS. THE COURTS WILL HAVE A SIMILAR
RESPONSIBILITY. I HAVE NO DOUBT THAT THEY WILL USE THEIR POWERS
WISELY. THE SUPREME COURT HAS REMINDED US THAT ALTHOUGH THE AD­
MINISTRATIVE PROCESS HAS HAD A DIFFERENT DEVELOPMENT AND PURSUES
SOMewhat DIFFERENT WAYS FROM THOSE OF COURTS, "ADMINISTRATIVE AGENCIES
AND COURTS" ARE TO BE DEEMED COLLABORATIVE INSTRUMENTALITIES OF
JUSTICE, AND THE APPROPRIATE INDEPENDENCE OF EACH SHOULD BE RESPECTED
BY THE OTHER." IN THIS SPIRIT, WE MAY LOOK FORWARD TO THE ESTAB­
LISHMENT OF A SOLID BASIS OF COOPERATION AND UNDERSTANDING.

HOOVER

END

OK FBI MM JWOBV
MISS GANDY:

Secretary Anderson gave this picture to the Atty. Genl and it is his idea to frame it and put it with other Cabinet Officers' pictures. The others, however, are larger. Do you think your photographer could blow this up, allowing a border for an autograph, and to fit a frame about 10" x 14".

Alice O'Donnell

REC'D 6-2-44 4:19

[Signature]

[Note: The text is not legible for transcription.]

[Note: The date 59FEB 18 1946 is written on the page.]
Cadison in the Department Public Relations office called and stated that the AG was going on the American Town Meeting program on the night of February 21 and the copy has to be in by February 15. The AG must be prepared to make a five-minute introductory speech wherein he refers to the problem of juvenile delinquency with facts and figures.

Cadison wanted to know if we couldn't give him some new figures. I told Cadison that although our figures have heretofore been published, all we had were Uniform Crime Reports and copies of the Director's speeches. He stated that if we could give them whatever information we had they would appreciate it.

The thought occurs that the Director might desire to furnish the AG with a five-minute draft.
The Attorney General

John Edgar Hoover, Director, Federal Bureau of Investigation

Attached hereto is a copy of the February, 1946, issue of the FBI Law Enforcement Bulletin which I thought you might be interested in seeing.

Attachment

MAJ: MKH
Dear Edgar:

Thank you for the copy of the editorial from the Florida Times Union of January 28th. I think it is excellent.

Yours,

[Signature]

P.S. Also for the S.A. Evening News editorial on the panel.

P.S. Also for the S.A. Evening News editorial on the panel.
March 15, 1946

MEMORANDUM FOR LE. TOLCH

The Attorney General called to advise that he talked
to the President yesterday in connection with a speech Mr. Clark
will make next week in Atlanta. He stated the President felt
he should say something about the Communist Party, particularly
with reference to there not being any place in the American
tradition for a party who believed in overthrowing a government
by force. Mr. Clark asked if something could be prepared for
him about 500 words or more. I told the Attorney General I could
take care of this immediately.

[Signature]

[Handwritten note:]

Speech on Communism

Truly yours,

John Edgar Hoover
Director

[Handwritten note on paper:

1-2-7-4-1-123]
The Attorney General

March 20, 1946

John Edgar Hoover, Director, Federal Bureau of Investigation

Uniform Crime Reports Bulletin

Attached hereto is a copy of the Annual Bulletin, 1945 of Uniform Crime Reports which I thought you might be interested in seeing.

MAJ: UKH

RECORDED
6-2-44
EX-11

ALL INFORMATION CONTAINED HERIN IS UNGLASSIFIED
April 6, 1926

LEONARDO F. D. TOLEDO

LEONARDO F. D. CAVEN

During telephonic conversation with the Attorney General this evening he inquired if the Bureau has any funds available which might be used for the purchase of a car for his use. He said that one of his cars — not the Cadillac — broke down in front of the White House the other day. I explained that we are running $200,000 over our appropriation at the present time and therefore would not be in a position to assist him in this respect until after July 1st and that even then I believed special provision would have to be made in the Bureau's appropriation. I told the Attorney General that I would be glad to have a check made to see if it will be possible to have his cars placed in proper running condition.

Very truly yours,

J. Edgar Hoover

Director

10:45 AM

RECORDED

162 72.741 - 12.5

37 X 15.5

EX: 40

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE: 4/18/31 BY SP-8 6150
March 25, 1946

Dear Mr. Brown:

I wish to acknowledge your communication of March 19, 1946, with reference to the possibility of the Attorney General addressing the annual meeting of the Georgia Bar Association in Savannah on May 31, 1946.

To date the Bureau has not been advised by the Attorney General of any plans along this line; however, in the event the Attorney General does want any facility from the Bureau you will be informed in ample time.

Very truly yours,

J. Edgar Hoover
John Edgar Hoover
Director
Mr. J. Edgar Hoover, Director
Federal Bureau of Investigation
United States Department of Justice
Washington, D. C.

Dear Mr. Hoover:

The local newspapers indicate that Attorney General Tom C. Clark has accepted an invitation to address the annual meeting of the Georgia Bar Association to be held in Savannah, Georgia, on May 31, 1946.

Although I met Mr. Clark when he stopped in Savannah en route to Miami, Florida for the IACP Convention, I thought it best to communicate with him through you to determine what accommodations he will require while in Savannah. I would also like to make arrangements to provide for his comfort and entertainment while he is in Savannah, and would appreciate any information in your possession concerning the date of his arrival and the length of his visit to Savannah.

I realize that these details have probably not been worked out but would appreciate receiving this information as soon as it becomes available to you. I also would like to receive any instructions which you might have concerning the visit of the Attorney General to Savannah.

Very truly yours,

D. K. Brown
Special Agent in Charge

All information contained herein is unclassified.
Mr. J. Edgar Hoover, Director
Federal Bureau of Investigation
Washington, D. C.

Dear Mr. Hoover:

I thought that you would be interested in knowing that Honorable Tom C. Clark, the Attorney General of the United States, accompanied by Colonel Timothy McInerney, also of the Department of Justice, arrived in Kansas City, Missouri, about 11:30 A.M. on April 14, 1946, for the purpose of conferring the Eagle Rank on a class of 155 Boy Scouts of America.

Attorney General Clark, in addition to conferring the rank of Eagle on the Scouts, made an address to the class and their mothers and others assembled in the Music Hall of the Municipal Auditorium on Sunday afternoon, April 14th, later attending an informal reception at the Muehlebach Hotel and a dinner that evening at the Muehlebach, both given in his honor.

I thought that you also would be interested in learning that during the course of Attorney General Clark's formal address in the afternoon at the auditorium and in his informal remarks at the dinner that evening, he mentioned you and the work of the Bureau on several occasions and was most commendatory in any reference to you and to the FBI.

Attorney General Clark was met by me and some other Agents; we extended him every courtesy and took him to the airport Sunday evening whence he departed at 9 o'clock in a Navy plane for Washington.

Sincerely,

Dwight Brantley
Special Agent in Charge
FROM
THE ATTORNEY GENERAL

TO

Official indicated below by check mark

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<th>Solicitor General</th>
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MEMORANDUM

PLEASE TRANSMIT RETURN TO MU HEALY
5113

ALL FBI INFORMATION CONTAINED HEREBY UNCLASSIFIED

DATE 6/24/45 BY R.E. MCMAHON

162-7294418

RECORDED
7 APR 30 1946
TRANSLATION FROM THE ITALIAN

IL CASTEMENTO

Casa Editrice Lilliputian - Palazzi Hautin - Vescovado -
Calle della Accademia, 1965 - Venice.

Venice, March 15, 1946

Attorney General

[Signature illegible]

Editorial files

We would like to have one of your photographs in order to complete our editorial files with photographs of the best known Italian and foreign personalities. We shall be doubly grateful to you if you would enclose some biographical data with it.

In the hope that you will graciously comply with our request, we are sending herewith enclosed a self-addressed envelope for your use.

Please accept our sincerest thanks and most cordial regards.

EDITORIAL FILES

(signature illegible)

[Signature illegible]

#911286

COPIES DESTROYED

332 DEC 14 1954
April 29, 1946

I am returning herewith two copies of the English translation together with an original letter written in Italian dated at Venice, March 15, 1946. This material was forwarded to me today for translation.

EGTVP S
The Attorney General

April 30, 1948

John Edgar Hoover, Director, Federal Bureau of Investigation

During your recent visit to Kansas City a local photographer took your photograph and furnished prints to our Kansas City Field Office. Since I thought you might like to have them they are being enclosed.

Enclosure
Office Memorandum

TO: Director, FBI

FROM: SAC, Kansas City

SUBJECT: ATTORNEY GENERAL TOM C. CLARK

DATE: April 23, 1946

United States, some photographs of him were made by some local photographers while at his suite at the Hotel Muehlebach. Two of these photographs are transmitted herewith to the Bureau.

It has occurred to me that possibly the Attorney General may desire these photographs and, if the Bureau deems it appropriate, they may be tendered to him.

DB: B
Encs. 2

RECORD

162-72944-129
31 MAY 1946

ALL INFORMATION CONTAIN
HEREIN IS UNCLASSIFIED
DATE 6/7/83 BY 50-8 GTO
Office Memorandum

to: MR. D. M. LADD
FROM: Mr. P. F. Kristine
SUBJECT: Attorney General's Return to Washington

DATE: April 28, 1946

At 12:42 p.m. on April 28, 1946, I received a call from Special Agent Lewis F. Russell of the Dallas Division. He advised that SAC Wyly had told him to furnish the following information to the Bureau:

The Attorney General and his party are leaving Dallas at 2:30 p.m. today for Washington. They are traveling in a Navy plane piloted by Lieutenant Commander Carter. They plan to go by way of Nashville, Tennessee, and to refuel the plane there. They are scheduled to arrive in Washington at 10:00 p.m. tonight. Agent Russell did not know whether this is Eastern Standard Time or Central Standard Time, however, it is presumed that it would be Eastern Standard Time.

ACTION:

After discussing this information with Mr. Nichols over the telephone at approximately 1:15 p.m. today, I called the switchboard in accordance with Mr. Nichols' instructions and spoke to Miss Sadler, who was on duty. I furnished her the above information and instructed her to advise Miss O'Donnell, the Attorney General's secretary, of this information and to determine from her which airport the Attorney General's plane would land on since this information was not furnished by the Dallas Division. I further instructed Miss Sadler after securing this information to advise the Attorney General's chauffeur. She stated this would be done.

ALL INFORMATION CONTAINED HEREBIN IS UNCLASSIFIED
DATE 6/3/46  BY SP-9 GTS/PR
ASAC Lynch phoned at 12:20, advising the AG's plans had been changed and he was now leaving New York by American Airlines, flight 503, 2:35 p.m. EST this afternoon, arriving in Washington at 3:55. He will then leave Washington by train at 6:01 p.m. tonight for Louisville.

There is no action for us to take other than notifying the AG's office, which we have already done.
The Attorney General

Director, FBI

May 9, 1946

There is attached a copy of the May, 1946, issue of the FBI Law Enforcement Bulletin which I thought you might like to have.
Office Memorandum

TO: Mr. Tolson

FROM: L. B. Nichols

SUBJECT: Mr. Tolson

On Friday afternoon Miss O'Donnell of the AG's office advised that the AG was going to Philadelphia Saturday afternoon, leaving Washington at 2 p.m. via Pennsylvania Railroad, arriving in Philadelphia at 4:30 p.m. Standard Time, 5:30 Eastern Daylight Saving Time, and desired to be met and taken to the Bellevue-Stratford Hotel, where he made a speech Saturday night. Boardman was advised to handle this.

Early this morning Mr. Hinze, in Boardman's absence, informed me that the train arrived at 4:13, rather than 4:30, Standard Time, and that consequently they were not there when the train came in. The AG went immediately to the Bellevue-Stratford Hotel, where Boardman found him. His speech was not until 7 o'clock. Nobody had arranged for him to have a room, and the Philadelphia Office was able to get him a room and a bottle of spirits, the latter purely on a personal basis. He was very grateful for the assistance rendered him.

Immediately after learning this, I called Miss O'Donnell. She had not heard of it as yet. She was very apologetic and stated that she should have checked the schedule.

Hinze also told me that the speech was arranged for by the Immigration Service; however, Carusi did not put in his appearance until at the time of the dinner and the Immigration people had apparently done nothing whatsoever to look after the AG.
May 27, 1946

Honorable Tom C. Clark
The Attorney General
United States Department of Justice
Washington, D.C.

Dear Tom:

I thought you might be interested in having a copy of the photograph taken on May 22, 1946. One is enclosed at this time.

With best wishes and kind regards,

Sincerely yours,

J. Edgar Hoover

Enclosure

photo of U.S. Attorneys' Conference
Dear Edgar:

Thank you for sending me copies of the article appearing in the Middletown Journal, predicated on my remarks there at the "I Am An American Day" celebration on May 19th. I have read it with great interest.

Sincerely,

[Signature]

OFFICE OF THE ATTORNEY GENERAL

June 14, 1946

[Signatures]

[Handwritten notes]
June 28, 1946

Honorable Tom C. Clark
The Attorney General
United States Department of Justice
Washington 25, D. C.

Dear Tom:

Your note of June 19, 1946, enclosing a copy of Representative P. Edward Hebert's letter concerning HR 6285, has been received. Your thoughtfulness in sending this to me is indeed appreciated.

With best wishes and kind regards,

Sincerely,

BHH bjh

Information as to the address, salutation, and closing was obtained telephonically from the Reading Room.

Recorded: 62-72944-136

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE: 70 JUL 9 1946
TO: MR. LADD
FROM: C. J. MARTIN
DATE: 6/22/46

SUBJECT: MESSAGE FROM ATTORNEY GENERAL

SAC McSwain of Chicago telephoned to transmit a message from the Attorney General to Mr. Donald Cook. The Attorney General wishes Mr. Cook to check with Judge Vinson to see if he has a robe, and if he does not have one, Mr. Cook is to tell Gus Vanech to borrow a robe for him from the man in Washington who makes them.

Mr. McSwain also informed of the following change in the Attorney General's schedule. He originally planned to leave Chicago on PCA, Flight No. 416, but he cancelled such reservation and is now departing from Chicago on the American Airlines nonstop flight to Washington, leaving Chicago at 3:25 P.M. Chicago time and arriving in Washington at 6:20 P.M. Washington time today. The Attorney General has Colonel McInerney with him and wishes a car to meet him at the airport.

ACTION-TAKEN:

Mr. Cook was notified of the foregoing. Mr. McGuire was also advised of the above, and pursuant to Mr. McGuire's instructions information as to the Attorney General's arrival and his desire that a car be at the airport was left with the switchboard so that the Attorney General's chauffeur may get this message. An attempt was made to contact the Attorney General's office, but no one was available there.

GJM:AJB

RECORDED 62-22944-137
EX-2 29 JUN 27 1946

ALL INFORMATION CONTAINED HEREBIN IS UNCLASSIFIED

DATE: 9/183 BY SH-8-85

58 JUL 9 1946
MEMORANDUM FOR: Director
Federal Bureau of Investigation

I had not seen the editorial from the Daily Worker of June 24, which was written in response to my Chicago speech on Communism. I am very glad you so thoughtfully attached it to your memorandum of the same date.

P.S. Just read the two new articles by the Washington correspondent. What a tirade! Thanks for sending them.
July 15, 1946

The Attorney General
Director, FBI

TOM CLARK

Attached herewith is one copy of the July 15, 1946 issue of the FBI Law Enforcement Bulletin which I thought you might like to have.

Attachment

MAJEL

ALL INFORMATION CONTAINED HERIN IS UNCLASSIFIED
DATE 6/17/46 BY 8:39 PM
Mr. Don Cook of the Department telephonically contacted E. J. McCabe advising that the Attorney General had a 12 inch by 16 inch photograph of the President, a close personal friend of the Attorney General and two or three Cabinet officers, which the Attorney General was anxious to have enlarged. He stated that they had no negative for this photograph and indicated that it would be desirable to have it enlarged to about a minimum of five or ten feet. He stated that he was anxious to have this enlargement as soon as possible, preferably before Friday, July 5.

Mr. Cook intimated that he was desirous of having the enlargement made by the Bureau laboratory, but toward the end of his conversation asked if the Bureau had any connections with local commercial photographers.

Mr. Cook was advised that the matter would be looked into, referred to the appropriate Bureau official and his call returned as soon as possible.

OBSERVATION:

Mr. Krahling of the Mechanical Section advised that the Bureau is equipped to make an enlargement 40 inches by 60 inches maximum. He suggested, however, that since it would be necessary to run off a negative first, it would be very difficult to have the enlargement finished today. Mr. Parsons of the Laboratory advised that a former Bureau employee, James Dunlop, who operates a commercial photographer's shop at 625 F Street, N.W., Washington, D.C., would be a qualified man in an enlargement of this type.
CONFIDENTIAL

DECODE OF DOUBLE CODE CABLE NUMBER 820 FROM SIS NUMBER 656 DATED JULY 3, 1942 AT LONDON. RECEIVED VIA STATE DEPARTMENT.

FOREIGN OFFICE HAS INQUIRED OF AMBASSADOR REGARDING REPORTED VISIT OF ATTORNEY GENERAL CLARK TO THE UNITED KINGDOM ABOUT AUGUST 1ST. AMBASSADOR HAS NO KNOWLEDGE OF SAME AND REQUESTS DETAILS. C.V.D.

RECEIVED 7-3-46 11:45 AM EST MD

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE.

If the intelligence contained in the above message is to be disseminated outside the Bureau, it is suggested that it be suitably paraphrased in order to protect the Bureau's cryptographic systems.
ASAC Bills, Newark, called and advised that in the late evening on July 5, 1946, Mrs. Green had called the CP Headquarters, after having made several other calls, in which she told the CP Officials that she had a lot of papers, documents, etc., which proved that Attorney General Clark and Secretary of the Treasury Vinson were involved in a mess when Tom Clark was a District Attorney and that it is an allegation of a conspiracy to hold the CP in check and also to deprive certain individuals of their rights. Mr. Bills stated this is very lengthy and inquired as to sending it in by air mail letter. I advised him to send it by air mail right away so we would have it in the morning.

Classified by 5/9/45
Declassify on: DAPA 6/30/48

CONFIDENTIAL
July 22, 1946

I thought you might be interested in the attached editorial entitled, "The People Need the Awakening Light," which appeared in The Memphis Commercial Appeal. While it is true that you have had some brickbats thrown at you from various groups who have a pinkish tinge; nevertheless, I feel that the greater masses of the American public thoroughly concur in the remarks you made in Chicago which caused you to be singled out as the target for the Communistically inclined fringe.

Memphis, Tennessee

Attachment

LBN: cb
The Attorney General

July 23, 1946

Director, FBI

Tom Clark

I am attaching hereto copies of the photographs taken in the Solicitor General's Office this morning and I thought you might like to have them.

Attachment

LBN:MP:JEJ
Thank you for sending me a copy of the July 1946 issue of the FBI Law Enforcement Bulletin. I am glad to have it.

7CC
The Attorney General

Director, FBI

July 31, 1946

To m. C. CLARK

FBI Law Enforcement Bulletin

Attached hereto is a copy of the August, 1946, issue of the FBI Law Enforcement Bulletin which I thought you might like to have.

Attachment
Reference is made to your telephone call of July 31, relative to the Attorney General being grounded at Charlotte.

I got in touch with him immediately after your call, and after taking him to dinner in Charlotte, arranged for an agent to drive him to Myrtle Beach. The agent informed me that the trip to Myrtle Beach was made without misadventure and they arrived there around midnight.

The Attorney General appeared to be well satisfied with the way we took care of him here.
ATTORNEY GENERAL TOM C. CLARK, PRESENTLY STOPPING WHISTLING WINDS COTTAGE EIGHTEEN MILES FROM MYRTLE BEACH, S. C., REQUESTS THAT BUREAU NOTIFY DEPARTMENT TO DIRECT ANY NECESSARY EMERGENCY COMMUNICATIONS TO HIM OR ASSISTANT ATTORNEY GENERAL CAUDLE THROUGH SAVANNAH OFFICE, THIS REQUEST MADE IN VIEW OF LACK OF COMMUNICATIONS FACILITIES AT WHISTLING WINDS COTTAGE.
TO: MR. TAMM
FROM: D. M. LADD
SUBJECT: TOM C. CLARK

The Attorney General called me today and advised that he would appreciate if the Bureau would wire its representative in the Embassy in Paris to contact his son, Cpl. Ramsey Clark of the Marine Corps, and advise him that Attorney General and Mrs. Clark would be in Paris on Sunday in order that he might be available.

After checking with the Director, appropriate wires were dispatched to Paris and also to London.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
Office Memorandum

TO: The Attorney General

FROM: Director, FBI

DATE: July 22, 1946

SUBJECT:

I thought you might be interested in the attached editorial entitled, "The People Need the Awakening Light" which appeared in The Memphis Commercial Appeal. While it is true that you have had some brickbats thrown at you from various groups who have a pinkish tinge; nevertheless, I feel that the greater masses of the American public thoroughly concur in the remarks you made in Chicago which caused you to be singled out as the target for the Communistically inclined fringe.

Thanks, I agree, but whether they agree or not I was right.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED.

53 Aug 23 1946
MEMORANDUM

FROM
THE ATTORNEY GENERAL
TO
Official indicated below by check mark

Solicitor General
Assistant to the Attorney General
Assistant Attorney General, Anti-Trust
Assistant Attorney General, Tax
Assistant Attorney General, Claims
   Alien Enemy Control Section
   Alien Property Section
Assistant Attorney General, Lands
Assistant Attorney General, Criminal
Assistant Solicitor General
Director, FBI
Director of Prisons
Commissioner, Immigration and Naturalization
   Liaison Officer, Immigration and Naturalization
Administrative Assistant
   Division of Accounts
   Division of Communications and Records
   Division of Supplies
Pardon Attorney
Parole Board
Board of Immigration Appeals
Librarian
Director of Public Information

Hr. Donald Cook
Hr. Morison
Hr. Ford
Hr. Stewart
Miss O'Donnell
Miss McCarron
Miss Healy
Hrs. Kroll
Miss Adams
Miss Doyle
Miss Moore
Miss Dennis
CONFIDENTIAL

(DEC) DECODE OF DOUBLE CODE CABLE 136 FROM SIS 498 DATED AUGUST 14, 1946, AT PARIS, FRANCE. RECEIVED FROM THE STATE DEPARTMENT.

ATTORNEY GENERAL TOM CLARK. REFERENCE YOUR CABLEGRAM OF AUGUST 14. RAMSEY CLARK NOW IN MOSCOW. DUE BERLIN AUGUST 17. ROUTE TO PARIS. STATE DEPARTMENT WILL MAKE EVERY EFFORT TO EXPEDITE HIS RETURN TO PARIS ON AUGUST 18.

[RECEIVED: 8-14-46 2:25 PM EST IMR]

If the intelligence contained in the above message is to be disseminated outside the Bureau, it is suggested that it be suitably paraphrased in order to protect the Bureau's cryptographic systems.
ATTORNEY GENERAL TOM CLARK, ATTORNEY GENERAL AND MRS. CLARK LEAVING SHORTLY ON PERSONAL VISIT TO LONDON AND PARIS. EXPECT TO BE IN PARIS SUNDAY, AUGUST EIGHTEEN. THEIR SON, CORPORAL RAUSCH CLARK, MARINE CORPS, MAY BE REACHED THROUGH COLONEL BENNETT IN CHARGE OF COURIERS, AMERICAN EMBASSY, PARIS.

CONTACT CORPORAL CLARK THROUGH BENNETT AND ADVISE OF ARRIVAL SUNDAY. THEY WOULD LIKE TO SEE CORPORAL CLARK AT THAT TIME. EXTEND USUAL COURTESIES TO ATTORNEY GENERAL AND WIFE.
To: COMMUNICATIONS SECTION.

Transmit the following message to:

DELIVER FOLLOWING MESSAGE TO ATTORNEY GENERAL PERSONALLY.

SAY, "WELCOME HIS RETURN TO PARIS IF NECESSARY. "RAISEY/

WILL BE RELEASED SEPTEMBER 13 BUT CAN REMAIN IF DESIRED.

ADVICE H. GRAY."

CONFIDENTIAL

DECLASSIFIED BY DEWEY

RE/J.

ALL INFORMATION CONTAINED HERIN IS CONFIDENTIAL EXCEPT WHERE SHOWN OTHERWISE.
CONFIDENTIAL

DECODE OF DOUBLE CODE CABLE NUMBER 140 FROM SIS NUMBER 498 DATED AUGUST 19, 1946 VIA PARIS. RECEIVED VIA STATE DEPARTMENT.

ATTORNEY GENERAL AND MRS. CLARK ARRIVED PARIS AUGUST 18, 3:30 PM STOPPING AT HOTEL CRILLON PARIS. TENTATIVE SCHEDULE: AUGUST 21 NUREMBERG, 22 BERLIN, 23 COPENHAGEN AND STOCKHOLM, 26 AMSTERDAM, 27 GENEVA, 28 ROME, 30 VIENNA WEATHER PERMITTING, OTHERWISE WILL GO TO NICE AND PARIS. LONDON ABOUT SEPTEMBER 3 OR 4, THEN EDINBURGH AND SHANNON AND WILL RETURN TO WASHINGTON BY SEPTEMBER 10. REQUEST HIS DAUGHTER-IN-LAW BE ADVISED THEY ARRIVED SAFELY AND NOT TO WORRY.

RECEIVED: 8-19-46 1:34 PM EST FMF

ALL INFORMATION CONTAINED HERIN IS UNCLASSIFIED, EXCEPT WHERE SHOWN OTHERWISE.

If the intelligence contained in the above message is to be disseminated outside the Bureau, it is suggested that it be suitably paraphrased in order to protect the Bureau's cryptographic systems.

[5 5 AUG 28 1946]
The Attorney General
Director, FBI

To Tom Clark

August 22, 1946

Attached is a copy of the September, 1946, issue of the FBI Law Enforcement Bulletin which I thought you might like to have.
TO:

Mr. Leonard
Mr. McGuire
Mr. Nease
Mr. Tamm
Mr. Nease
Mr. Tamm
Mr. Nease
Mr. Tamm
Mr. Clegg
Mr. Quinn Tamm
Mr. E. A. Tamm
Mr. Harbo
Mr. English
Mr. Ladd
Mr. Records Section
Mr. Rosen
Mr. Pers. Records Sec.
Mr. Tracy
Mr. Reading Room
Mr. Carson
Mr. Mail Room
Mr. Cartwright
Mr. Miss Jones
Mr. Heinritz
Mr. Miss Middleton
Mr. Hendon
Mr. Miss Pitts
Mr. Jones

See Me

Send File

For Appropriate-Action-

Prepare Reply

Mr. E. A. Tamm
Mr. Clegg
Mr. Glavin
Mr. Ladd
Mr. Rosen
Mr. Nichols
Mr. Tracy
Mr. Carson

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 6/17/83, BY Gurnea

Mr. Pennington
Mr. Tamm
Mr. Nease
Miss Gandy

L. B. Nichols
Room 5640, Ext. 691
Decode of double code cable number 143 from SIS number 498 dated August 23, 1946 at Paris, France. Received: via State Department.

Attorney General Clark left Berlin August 23 for Copenhagen and Stockholm, planning to leave Stockholm August 25. Requests immediate advice as to state of health and well-being of his daughter. Please advise.

Received: 8-23-46 1:24 PM EST

All information contained herein is unclassified except where shown otherwise.

If the intelligence contained in the above message is to be disseminated outside the Bureau, it is suggested that it be suitably paraphrased in order to protect the Bureau's cryptographic systems.

Confidential
Cablegram - URGENT

[Handwritten text]

All information contained herein is unclassified

Reference your message number one four three. Office of Attorney General.

Advise you have called Mildred each day. She is extremely well and happy.

She is doing some swimming and riding. Sends all her love unquote. Arrange to deliver message to attorney general immediately.

CONFIDENTIAL

[Handwritten text]

4717/16

[Handwritten text]

AUGUST 23, 1946

[Handwritten text]
URGENT CABLEGRAM

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

To: COMMUNICATIONS SECTION

CONFIDENTIAL

Transmit the following message to:

LEGAL ATTACHE
AMERICAN EMBASSY
PARIS, FRANCE

MRS. STEWART AND ACTING AG DESIRE DISCUSS ROUTINE BUSINESS WITH AG OVER PHONE SOON AS HE IS AVAILABLE AND REQUEST AG INDICATE TIME AND ADVISE WHEN AND WHERE CALL SHOULD BE PLACED. ADVISE

HOOVER

LBH:hhm

cc = SIC European Desk

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 9/183 BY 80-4 (1800)

CONFIDENTIAL

(August 26, 1946)

(56 SIV 26 46)
CONFIDENTIAL

Tom C. CLARK

DECODE OF DOUBLE CODE CABLE NUMBER 145 FROM SIS NUMBER 498 DATED AUGUST 27, 1945 AT PARIS, FRANCE. RECEIVED VIA STATE DEPARTMENT.

ATTORNEY GENERAL CLARK ARRIVING PARIS ABOUT 4:00 P.M. AUGUST 27. ARRANGING TELEPHONE CALL FROM HERE WITH MRS. STEWART AND ACTING ATTORNEY GENERAL AT 7:00 P.M. TODAY PARIS TIME.

RECEIVED: 8-27-46 11:56 AM EST

All information contained herein is classified except where shown otherwise.

Telephone Call original

If the intelligence contained in the above message is to be disseminated outside the Bureau, it is suggested that it be suitably paraphrased in order to protect the Bureau's cryptographic systems.

DECLASSIFIED BY SP-MLT for\nON 4/17/03\n#971255

CLASSIFIED DECISIONS REPEAL BY DEPARTMENT REVIEW COMMITTEE (DRC)
DATE: 2/1-31/87

CLASSIFIED DECISIONS REPEAL BY DEPARTMENT REVIEW COMMITTEE (DRC)
DATE: 2/25/75/26/10-27-87

DEC 16 1964

332

DEC 16 1964

6 SEP 5 1946

CONFIDENTIAL
CONFIDENTIAL

DECODE OF DOUBLE CODE CABLE NUMBER 740 FROM SIS NUMBER 498 DATED AUGUST 28, 1946 AT PARIS. RECEIVED VIA THE STATE DEPARTMENT OF U.

ONE. ATTORNEY GENERAL CLARK REQUESTS H. GRAHAM MORRISON BE ASKED TO EXTEND RAMSEY’S SERVICES FOR SIXTY DAYS. TWO. MR. INGVAR LINDELL, SWEDISH UNDER SECRETARY OF MINISTRY OF SOCIAL AFFAIRS AND CHAIRMAN OF SWEDISH GOVERNMENT COMMITTEE FOR STUDY OF POLICE METHODS, NOW IN UNITED KINGDOM AT INVITATION OF BRITISH GOVERNMENT TO STUDY BRITISH POLICE METHODS AND TRAINING. ATTORNEY GENERAL CLARK BELIEVES IT WOULD BE ADVANTAGEOUS TO THE UNITED STATES TO EXTEND SIMILAR INVITATION FOR SAME PURPOSE AND WOULD DEVELOP CLOSER AND MORE PRODUCTIVE RELATIONS BETWEEN SWEDEN AND UNITED STATES PARTICULARLY WITH REFERENCE TO COMMUNIST INFILTRATION. ATTORNEY GENERAL REQUESTS DIRECTOR AND ACTING ATTORNEY GENERAL DISCUSS PROJECT AND SUGGEST TO STATE DEPARTMENT TO ISSUE INVITATION. THREE. TRADING WITH THE ENEMY ACT. ATTORNEY GENERAL HAS DISCUSSED OPERATION OF ABOVE ACTS OF GENERAL CLAY AND DESIRES ACTING ATTORNEY GENERAL INITIATE DISCUSSION WITH GENERAL COUNSEL, TREASURY DEPARTMENT TO EXPEDITE ISSUANCE OF LICENSE OF AMERICAN BUSINESSMEN TO TRADE WITH GERMANY. UNDER PRESENT CUMBERSOME PROCEDURE AMERICAN BUSINESS IS LOSING OUT ON PURCHASES OF PEACE TIME GERMAN MANUFACTURED ARTICLES. POINT OUT THE MORE MANUFACTURED GOODS FROM GERMANY SOLD IN THE UNITED STATES WOULD BE ADVANTAGEOUS AND DIRECTLY REDUCE COST OF OCCUPATION.

RECEIVED: 8-28-46 2:11 PM EST

UNDERLINED PORTION ACTUAL DECODE, AWAITING CONFIRMATION.

All information contained herein is unclassified except where shown otherwise.

If the intelligence contained in this cable message is to be disseminated outside the Bureau, it is suggested that it be suitably paraphrased in order to protect the Bureau's cryptographic systems.
August 9, 1946

Dear Dean:

The following is a tentative itinerary for my proposed trip to Europe:

- **August 17, 1946**: Leave New York
- **August 18**: Arrive Paris
- **August 20**: Berlin
- **August 21**: Nurnberg
- **August 22**: 
- **August 23**: Copenhagen
- **August 24**: Stockholm
- **August 25**: 
- **August 26**: Prague
- **August 27**: Vienna
- **August 28**: Rome
- **August 29**: Paris
- **August 30**: 
- **August 31**: 
- **September 1, 1946**: Paris
- **September 2**: London
- **September 3-4**: Record
- **September 5-6**: Scotland
- **September 7-10**: Ireland

I do not know that this schedule will be followed, but I did want you to have an idea of what I have in mind right now. I have not contacted any of our representatives abroad with respect to accommodations for myself, Mrs. Clark, and Col. Keirney, so would appreciate anything you feel you may be able to do along this line.

Kind personal regards,

Sincerely,

[Signature]

Attorney General

[Name]
<table>
<thead>
<tr>
<th>Mr. Cartwright</th>
<th>Classifying Unit</th>
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</thead>
<tbody>
<tr>
<td>Mr. Waikart</td>
<td>Consolidation Unit</td>
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<tr>
<td>Mr. Eames</td>
<td>Filing Unit</td>
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<tr>
<td>Mr. Seyfarth</td>
<td>File Review &amp; Research</td>
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<tr>
<td>Mr. Runaldue</td>
<td>General Index Unit</td>
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<td>Mr. Saunders</td>
<td>Numbering Unit</td>
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<td>Personnel Files</td>
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</table>

Block copies Recording Unit

Please return Routing Unit

Note date Stop Desk

Note card Service Unit

Note and return Central Post Desk

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 6-7-83 BY 58-8 RT 3

OK to place on record as this is all we received. See Mr. Nichol's notation on attached routing slip.

Mr. Randolph

7233
<table>
<thead>
<tr>
<th>Mr. Tolson</th>
<th>Mr. Jackson</th>
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<tbody>
<tr>
<td>Mr. Tamm, E. A.</td>
<td>Mr. Jones</td>
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<td>Mr. Clegg</td>
<td>Mr. Keay</td>
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<td>Mr. Mason</td>
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<td>Mr. Baughman</td>
<td>Mr. May</td>
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<td>Mr. Boyle</td>
<td>Mr. Mohr</td>
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<td>Mr. Callan</td>
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<td>Mr. Carroll</td>
<td>Mr. Mumford</td>
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<td>Mr. Caver</td>
<td>Mr. Nelson</td>
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<td>Mr. Coyne</td>
<td>Mr. Newby</td>
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<td>Mr. Edwards, H. L.</td>
<td>Mr. Newman</td>
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<td>Mr. Egan</td>
<td>Mr. Fite, Mr.</td>
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<td>Mr. Evick</td>
<td>Mr. Arminting</td>
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<td>Mr. Fletcher</td>
<td>Mr. Prin, Mr.</td>
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<td>Mr. Gatchner</td>
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<td>Mr. Stetter</td>
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<td>Mr. Hine</td>
<td>Mr. Strickland</td>
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<td>Mr. Hinch</td>
<td>Mr. Suttler</td>
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<tr>
<td>Mr. Tamm, Q.</td>
<td>Mr. Whitson</td>
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All information contained herein is unclassified.

Date 8/25/46 by FJ

Was this received with a cover letter? I do so do you remember date?

Thank you.

R. D. Ellis

Central Hold Desk Records Section
Penalty for Private Use to Avoid Payment of Postage, §300
To: COMMUNICATIONS SECTION

Transmit the following message to: CONFIDENTIAL

DML:DG

AUGUST 29, 1946

FA

[Enclosure]

ADVISE ATTORNEY GENERAL CLARK ON ARRIVAL LONDON THAT BOB HANNEGAN STATES FRED SALTER, VICECONSUL AMERICAN EMBASSY LONDON WILL MAKE ARRANGEMENTS FOR CLOTHING STOP ALSO ADVISE HIM MILDRED WELL (A)(U)

(To be signed)

Mr. Yeates
Mr. E. A. Tomm
Mr. Clevez
Mr. Glinda
Mr. Radd
Mr. Nichels
Mr. Tressy
Mr. Roese
Mr. Garson
Mr. Callery
Mr. Menden
Mr. Ballman
Mr. Glavan Tomm
Mr. Vesal

All information contained herein is unclassified except where shown otherwise.

CC - SIS EUROPEAN DESK

CONFIDENTIAL

SEP 13 19 (U)

Confidential

Sent via 

CC-150
If the intelligence contained in the above message is to be disseminated outside the Bureau, it is suggested that it be suitably paraphrased in order to protect the Bureau's cryptographic systems.
THE ATTORNEY GENERAL

August 30, 1946

Attention: Acting Attorney General H. Graham Harrison
John Edgar Hoover — Director, Federal Bureau of Investigation

MESSAGE FROM ATTORNEY GENERAL CLARK

The Liaison Representative of the Federal Bureau of Investigation in
Paris has forwarded by cable a message from the Attorney General incorporating
two requests.

He first asks that you arrange for the extension of the services of
his son, Remsey, in his present position for sixty days.

Secondly, under the heading of TRADING WITH THE ENEMY ACT, the Attorney
General advises that he has discussed operation of the above Act with General Clay
and desires that the Acting Attorney General initiate a discussion with the General
Counsel of the Treasury Department to expedite the issuance of licenses for American
businessmen to trade with Germany. He points out that under the present cumbersome
procedure American business is losing out on purchases of peace-time German
manufactured articles. He suggests that it be emphasized that if more manufactured
goods from Germany were sold in the United States it would be advantageous and
would indirectly reduce the cost of occupation.
URGENT

September 2, 1946

MR. STANLEY R. RUSO
VICE CONSUL
AMERICAN CONSULATE
ROME, ITALY

TRANSMIT THE FOLLOWING MESSAGE PERSONALLY TO ATTORNEY GENERAL TOM C. CLARK:

"SORRY TO MISS YOUR CALL. NOT ING URGENT THIS END. MILDRED WILL SEND LCP SIGNED, GRAPE STEWART." IF ATTORNEY GENERAL HAS LEFT ROMEForward message to him. Advise if unable to deliver message.

ETT: mjg
9/2/46

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 9/7/43 BY 8P 8/6/43

326 C

EPH C
CONFIDENTIAL

DECLASSIFIED BY SPECIFY ON 4/17/65
#971255

DECODE OF DOUBLE CODE CABLE NUMBER 150 FROM SIS NUMBER 498 DATED SEPTEMBER 47 PARIS, RECEIVED VIA STATE DEPARTMENT.

ATTORNEY GENERAL CLARK LEAVING PARIS FOR LONDON SEPTEMBER 3

[RECEIVED 9-4-45 8:06 AM EST]

[REMARKS]

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE.

If the intelligence contained in the above message is to be disseminated outside the Bureau, it is suggested that it be suitably paraphrased in order to protect the Bureau's cryptographic systems.
The Director: Records Section
Mr. Tolson: Personnel Files
Mr. Ladd: Send File
Mr. Rosen: Bring file up-to-date
Mr. Clegg: Search, serialize, and route
Mr. Glavin: Reading Room
Mr. Nichols: Mechanical Section
Mr. Tracy: Bureau Supply Section
Mr. Pennington: Mail Room
Mr. Quinn: Call me re this
Mr. Nesse: Note and return
Mr. Hendon: Call these files
Mr. Travers: File
Mr. Nease: File
Miss Gandy: Note and return
Miss Stalcup: Stamp and mail
Miss Gray: Prepare tickler
Miss Butcher: Call these files

See Me

FEDERAL BUREAU OF INVESTIGATION

1946

Edward A. Tamm
5734
An article appearing in the San Diego Tribune-Sun of September 5, 1946, reveals that the Attorney General is scheduled to address the California State Bar Association at its annual convention in Hotel Del Coronado, Coronado, California, on the morning of September 27, 1946.

This office will be most anxious to assist the Attorney General in any manner possible by way of transportation or otherwise during his stay here. I shall be at In-Service Training. Mr. DORWART, Assistant SAC, will give this matter his personal attention.
ATTORNEY GENERAL TOM C. CLARK LEAVING NEW HAVEN TWO TWENTY A.M. SEPTEMBER FOURTEENTH NEXT. TRAVELING DRAWING ROOM A CAR ONE THREE. WILL ARRIVE WASHINGTON D.C. EIGHT FIFTEEN A.M. EASTERN STANDARD TIME.

GLEASON

ACK AND HOLD PLS

ALL INFORMATION CONTAINED HERIN IS UNCLASSIFIED

6-7-944-167

RECORDED 13 P.M. 1946

SEP 17 1946

DATE 6-7-44 BY 80-8 GTS/RU
The Director  Records Section
Mr. Tolson  Personnel Files
Mr. Ladd  Send File
Mr. Rosen  Bring file up-to-date
Mr. Clegg  Search, serialize, and route
Mr. Glavin  Reading Room
Mr. Nichols  Mechanical Section
Mr. Tracy  Bureau Supply Section
Mr. Hendon  Mail Room
Mr. Pennington  
Mr. Quinn Tamm  
Mr. Nease  
Mr. Coyne  
Miss Gandy  Call me re this 
Mr. Carson  Note and return

Mr. E A  
Mr. Clegg  File
Mr. Contr.  
Mr. Ladd  
Miss Stalcup  Stamp and mail
Mr. Nichols  
Miss Gray  Prepare tickler
Mr. Rosen  
Miss Butcher  Call these files
Mr. Tracy  
Mr. Carson  
Mr. Ladd  
Mr. Henon  

See Me

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 6/19/33  BY SP-8 875/CLS

Edward A. Tamm  
5734
CONFIDENTIAL

DECODE OF DOUBLE CODE CABLE NUMBER 846 FROM SIS NUMBER 828 DATED SEPTEMBER 10, 1946 AT LONDON. RECEIVED VIA THE STATE DEPARTMENT.

RETURN OF ATTORNEY GENERAL CLARK AND PARTY DELAYED 24 HOURS. WILL NOW LEAVE SHANNON FOR UNITED STATES SEPTEMBER 17 NEXT ARRIVING UNITED STATES NOON OF NEXT DAY. ADVISE MRS. GRACE STEWART, AG SECRETARY WHO WILL MAKE NECESSARY ARRANGEMENTS.

CIMPERMAN

RECEIVED 9-10-46 12:28 PM EST MET

DECLASSIFIED BY SP2 reaction
ON 11/26/83

CLASSIFIED PERIODICALLY
BY DEPARTMENT EXECUTIVE COMMITTEE (DEC)
DATE: 11/21/83

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE.

If the intelligence contained in the above message is to be disseminated outside the Bureau, it is suggested that it be suitably paraphrased in order to protect the Bureau's cryptographic systems.

52 SEP 26 1946 CONFIDENTIAL
Office Memorandum  

TO: MR. D. M. LADD  
FROM: MR. E. T. TURNER  

DATE: 9/2/46  

SUBJECT: CALL FROM MISS GRACE STEWART, ATTORNEY GENERAL'S OFFICE

TOM C. CLARK

At 9:30 a.m. Miss Grace Stewart of the Attorney General's Office called and advised that the Attorney General had called her on a prior date but she had missed the call and had just received the message. She requested that the Bureau send him a message in Rome.

I talked with Mr. Mumford who stated that the message should be sent as requested by Miss Stewart. The attached message was sent to Mr. Stanley Russo, Vice Consul, American Consulate, Rome, Italy, containing the message as dictated by Miss Stewart.

Attachment

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 9/2/46 BY SE 8 893/20

162-72944-169

SEP 5 1946
CONFIDENTIAL

DECODE OF DOUBLE CODE CABLE NUMBER 151 FROM SIS NUMBER 498
SEPTEMBER 6, 1946 AT PARIS RECEIVED VIA STATE DEPARTMENT

ATTORNEY GENERAL CLARK REQUESTS MR. LADD CONTACT JACK FRYE,
OF TWA, AND ADVISE HIM THAT THE ATTORNEY GENERAL AND PARTY ARE LEAV-
ING SHANNON, IRELAND SEPTEMBER 10, AND WOULD APPRECIATE TWA ASSISTANCE
THERE IN ACCEPTING EXCESS BAGGAGE, CUSTOMS COURTESIES, ETC.

[RECEIVED 9-6-46 12:37 PM EST]

REMAINED

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE.

If the intelligence contained in the above message is to be disseminated
outside the Bureau, it is suggested that it be suitably paraphrased in
order to protect the Bureau's cryptographic systems.

[55 SEP 27 1946] (CONFIDENTIAL)
The Attorney General

Director, FBI

"THE INVESTIGATOR"

SEPTEMBER, 1946

Tom C. Clark

September 24, 1946

I am attaching a copy of the September, 1946, issue of "The Investigator" which I thought you might be interested in seeing. You will note that your photograph appears on page twelve in this particular issue.

Enclosure
September 24, 1946

MEMORANDUM FOR MR. TOLSON

Caldwell called today. He has been thinking further about the Director's speech and he wondered if it wouldn't be a good idea to include in the speech a paragraph on the cooperation the labor leaders have extended in purging themselves of Communism. He thought this might be very well but was passing the idea on just as a suggestion. He also stated that he supposed I knew that every time the Director sends the AG a report on some Communist labor leaders that the AG calls responsible people in labor unions and passes the information on, I told him I did not know this.

Respectfully,

L. H. Nichols

I recommend no action 9/25

I didn't know of this prior to. Be careful of what we send in future.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 37 OCT 3

38 OCT 8 1946

THIS MEMORANDUM IS FOR ADMINISTRATIVE PURPOSES TO BE DESTROYED AFTER ACTION IS TAKEN AND NOT SENT TO FILES.
Nov. 24th at 7:15

Called up several times while I was away very upset about a watch
Carnie had given them for $10.00
When I came back I called them but they didn't want to talk about it and said it was a gold one 67-7294-0175

The watch silver or platinum face with two or three tiny diamonds and a couple of small sapphires at
each end in a musk (or such)I said that slipped over. The name I believe was
can. Elgin. On headquarters
part of duty
Yellow gold watch
No stones
Office Memorandum

TO: THE DIRECTOR
FROM: D. M. Ladd
SUBJECT: Miss O'Donnell in the Attorney General's Office advised me that the Attorney General would like very much to have the Bureau conduct an investigation for him with reference to the disappearance of a silver or platinum watch with two or three tiny diamonds and several small sapphires at each end and having a mesh silver band to slip over the hand.

Miss O'Donnell stated that upon the return of the Attorney General and Mrs. Clark from Europe, it was found that this watch was missing. It was believed that this was an Elgin watch, although they were not too sure.

Upon making inquiry, Mrs. Clark found out from her colored cook, Mary, that a Mr. Moon, Michigan 1564, had called several times while Mrs. Clark was away and appeared to be very upset about a watch that Carrie, Mrs. Clark's maid, had given to him for ten dollars. Upon hearing this, Mrs. Clark called this number and talked to a Mr. Moon who didn't deny that he had made the call but claimed the watch he had was a gold one.

The Attorney General requested that an Agent of the Bureau contact Mr. Moon and endeavor to determine whether the watch that he obtained from Carrie Lewis, Mrs. Clark's maid, is in fact the missing watch of Mrs. Clark.

In the event you approve making this inquiry, I will contact the field office concerning this.

DML: da

Director approves going ahead on this

End

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 6-8-43 BY 88-817162
Pursuant to Mr. E. A. Tamm's instructions based on your call from the Attorney General's Office yesterday, I called the Washington Field Office and talked to Supervisor Tom Jenkins, who was acting, and told him to interview Mr. Moon, the individual who had been calling the Clark home about a watch.

Mr. Jenkins subsequently called and advised that the individual's name is Ellis T. Moon, 136 Rhode Island Avenue, N. W., and that he is an undertaker. He said he had met Clarrie Lewis a couple of years ago at a ball game and since then had at various times loaned her $5.00, for which she left with him her watch as security. The most recent loan was for $10.00 and his calls to the Clark residence were an effort to recover his $10.00. Not being successful, he has in the meantime in turn pawned the watch with Jack Tendler, 913 D Street, N. W. He stated that the watch he had as security is recalled by him as being a yellow-gold Bulova.

Again pursuant to Mr. Tamm's instructions, I told Mr. Jenkins that as soon as the Tendler establishment reopens after the current religious holidays he should have the watch actually examined and advise us so that we can inform the Attorney General's Office.
Office Memorandum

TO: DIRECTOR, FBI
FROM: GUY HOTTEL, SAC, WASHINGTON,
SUBJECT: LOSS OF WRISTWATCH BY MRS. TOM C. CLARK

DATE: September 30, 1946

Pursuant to the instructions of Mr. J. K. MUMFORD, of the Bureau, on September 27, 1946, an Agent of this office obtained from TENDER'S PAWN BROKER EXCHANGE, 913 D Street, N. W., a lady's yellow gold Bulova wristwatch which had been left there July 16, 1946, by ELLIS E. MOON, 136 Rhode Island Avenue, N. W.

The watch is encased in a 10 karat rolled gold-plated case approximately three-quarters of an inch square, bearing on the back Serial #9135883. Faintly inscribed on the back is the word "HONGIE". The case is plain with no settings. Attached to the case is a yellow gold link band.

JDM: VIM
Reference is made to Miss O'Donnell's call of September 25, 1946, advising of the disappearance of Mrs. Clark's silver or platinum wrist watch.

In accordance with Miss O'Donnell's request, an inquiry was made which revealed that one Ellis T. Moon of 136 Rhode Island Avenue, Northwest, had on several occasions in the past advanced small sums of money to Mrs. Clark's maid, Clarrie Lewis. Each loan was secured by Miss Lewis' gold wrist watch. Within the recent past, Moon called on Miss Lewis in an effort to recover a $10 loan and, in being unsuccessful, pawned Miss Lewis' watch with Jack Tendler of 913 D Street, Northwest.

The watch panned by Moon was examined by Bureau Agents and was determined to be encased in a ten karat, rolled, gold-plated case, approximately three-quarters of an inch square, bearing serial number 9135883. The word "Honcie" was inscribed on the back of the watch case. Attached to the case was a yellow gold link band. From the above, it is apparent that this watch is not identical with the watch described by Mrs. Clark as missing.

Some delay was occasioned in determining the above facts from Jack Tendler who observed the recent religious holidays. I regret that I am unable to be of more assistance to you in this matter.
Office Memorandum

TO: MR. TAMM
FROM: D. M. LADD
SUBJECT:

Miss O'Donnell in the Attorney General's Office called and said that the Attorney General desired the assistance of the Bureau in sending a message to his son, Ramsey Clark, at the Embassy in Paris. She requested on behalf of the Attorney General that the following message be sent to Telford to be delivered to Ramsey Clark: YOUR PLANS APPEAR TO BE O.K. WITH ME. LETTER FOLLOWS.

There is attached a cable to Telford in accordance with this request.

TOM C. CLARK

Attachment

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 08.18.42 BY W. R. SMITH

RECEIVED IND-C 62-70-74+176

176
ATTORNEY GENERAL PERSONALLY DESIRES BELT SIZE OF FOLLOWING MEN WHO MANNED
THE PLANE THAT TOOK HIM AROUND EUROPE. LIEUTENANT LOWELL G. REED, LIEUTENANT
ROBERT W. MEINZEN, BOTH OF THIRTY-SECOND TRANSPORT CARRIER SQUADRON, FOUR FOUR
ONE GROUP, APO FIFTY-SEVEN, ESCHBORN, GERMANY. LIEUTENANT HOWARD M. CRAIGIE
THREE HUNDRED AND TWENTY-THIRD TRANSPORT CARRIER SQUADRON, APO SEVEN FOUR ONE,
ORKY, FRANCE. SGT. WILLIAM W. ALBAUGH, EIGHT HUNDRED EIGHTY-FOUR ENGINEERS
SQUADRON, FOUR HUNDRED SIXTY-SIX ENGINEERS GROUP, APO 57, ESCHBORN, GERMANY.
SGT. WILLIAM T. CAMPBELL, THIRTY-SECOND SQUADRON, FOUR HUNDRED FORTY-ONE TRANSPORT
CARRIER GROUP, APO 57, ESCHBORN, GERMANY. ENDEAVOR TO SECURE EXPEDITIOUSLY
AND FURNISH BY CABLE.
OFFICE OF THE ATTORNEY GENERAL

LT. LOWELL G. REED
APO 57, Eschborn, Germany

LT. ROBERT W. MEINZEN
APO 57, Eschborn, Germany

LT. HOWARD M. CRAIGHEADE
323rd Tp. Carrier Squad.
APO 741, Orly, France

SGT. WILLIAM W. ABBAU"CH
APO 57, Eschborn, Germany

SGT. WILLIAM T. CAMPBELL
APO 57, Eschborn, Germany

ALL FBI INFORMATION CONTAINED HERETIN IS UNCLASSIFIED
DATE 4/7/43 BY 3P2 M2J

ENCLOSURE
62-75944-177
Sept. 26, 1946

Tom C. Clark

Mr. Ladd:

The Attorney General has asked that I secure for him the belt size of each of the following men, who manned the plane that took him around Europe. I have written asking for this but I am afraid it will take some time for mail to catch up with them. He then suggested that your agent in Paris might be able to get it more quickly if we got word to him right away.

I am attaching a list of names and addresses as they were given him.

Alice O'Donnell

Alice O'Donnell
CONFIDENTIAL

DECLASSIFIED BY SPECIMEN
ON 11/20/93
#971755

A DECODE OF DOUBLE CODE CABLE NUMBER 164 FROM SIS NUMBER 498 DATED OCTOBER 3, 1945 AT PARIS, FRANCE. RECEIVED VIA STATE DEPARTMENT.

REFERENCE YOUR CABLEGRAM NUMBER 170 OF SEPTEMBER 29. BELT SIZES ARE AS FOLLOWS: REED, CRAIGHEAD AND CAMPBELL 32. MEINZEN 34. ALBAUGH 32. (W)

RECEIVED: 10-3-45 (W) 11:51 AM EST \(1/3/46\) (W)

Miss O'Donnell Age's Ejected

PLEASE

CLASSIFIED BY: 5-23-45

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE.

CONFIDENTIAL
Mr. Nichols' Office called that the Attorney General is leaving Washington 1:00 P.M. Saturday. He is going to New York and is staying at the Commodore Hotel. He is returning to Washington, leaving New York 10:30 Sunday morning.
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

San Francisco, California
October 1, 1946

DATE 5-8-46 BY S5-8 STHING

RE: VISIT OF ATTORNEY GENERAL TOM CLARK
TO ALCATRAZ, 10-1-46

I THOUGHT THE DIRECTOR MIGHT BE INTERESTED TO
KNOW THAT DURING THE VISIT OF ATTORNEY GENERAL TOM
CLARK TO ALCATRAZ TODAY, PRIMARILY FOR THE PURPOSE
OF PRESENTING A SCROLL TO THE WIVES OF THE TWO
GUARDS WHO WERE KILLED DURING THE RECENT RIOT, IT
WAS INTERESTING TO NOTE THAT WHILE HE DID NOT TAKE A
TRIP THROUGH THE PENITENTIARY THAT HE DID INTERVIEW
SEVERAL PRISONERS, AMONG WHOM WERE THOMAS H.
ROBINSON OF THE STOLL CASE, A PRISONER NAMED WRIGHT,
WHOM THE GUARDS STATED HAD BEEN FREED AT ONE TIME
ON A WRIT OF HABEAS CORPUS AND WAS SUBSEQUENTLY
PICKED UP AND RETURNED TO ALCATRAZ, AND A BANK
ROBBER NAMED WELLS FROM TEXAS WHO IS SERVING A LONG
TERM FOR BANK ROBBERY. THE PURPOSE OF THESE INTER-
VIEWS IS NOT KNOWN. HOWEVER, THE PRESS WAS PRESENT
AND TOOK PHOTOGRAPHS OF THE ATTORNEY GENERAL CON-
DUCTING THESE INTERVIEWS.

52 OCT 16 1946 EX-19

HMK
SAC HOOD ADVISED LAST NIGHT HE HAD COMMUNICATED WITH BOTH MRS. CLARK AND COLONEL TIMOTHY MC INERNEY, THE ATTORNEY GENERAL'S AIDE. BOTH INFORMED HIM ALL ARRANGEMENTS HAD BEEN MADE TO TAKE CARE OF THE ATTORNEY GENERAL'S DEPARTURE FROM LOS ANGELES, AS WELL AS HIS ARRIVAL AND ITINERARY AT SAN FRANCISCO, AND THAT THE BUREAU NEED NOT BE CONCERNED IN THIS CONNECTION. IN VIEW OF THIS, NO ARRANGEMENTS WERE MADE TO MEET THE ATTORNEY GENERAL HERE NOR TO TAKE CARE OF HIM DURING HIS STAY HERE. HOWEVER, WARDEN JOHNSON OF ALCATRAZ PHONED AT 8:20 THIS MORNING AND STATED THAT, AS HE EXPECTED, THE ATTORNEY GENERAL'S PARTY WAS DEPENDING UPON HIM FOR EVERYTHING AND HE DIDN'T HAVE ANY CARS ON THE MAINLAND. HE SAID HE HAD EXPLAINED HIS PREDICAMENT TO COL. MC INERNEY THIS MORNING AND THE LATTER ASKED HIM TO PHONE THIS OFFICE AND REQUEST TRANSPORTATION TO THE ALCATRAZ DOCK AT 9:15 AND FROM THERE TO THE PALACE HOTEL AT 11:30. THE ATTORNEY GENERAL, MRS. CLARK AND COL. MC INERNEY ARE TO BE IN THE PARTY. IN VIEW OF THE CIRCUMSTANCES A BUREAU AUTOMOBILE AND AN AGENT DRIVER WERE PROVIDED.
Dear Edgar:

Thank you for furnishing me with a copy of the September "Investigator."

The pictures are most interesting. I am sure "The Investigator" is a great morale builder.

Sincerely,

[Signature]
Office Memorandum

TO: MR. TOLSON
FROM: L. B. Nichols

DATE: October 6, 1946

SUBJECT:

Colonel Tim McInerny called and advised Mr. McGuire that he and the Attorney General were to attend the AF of L Convention in Chicago on Friday. They will proceed from Louisville, Kentucky, to Chicago, arriving at the airport in that city at 11:56 A.M. The AG will leave at 3:30 P.M. for Davenport, Iowa, upon completion of his speech.

In the intervening 3½ hours he desires to have a personal interview with Judge Campbell and he does not want to talk to Campbell at the Court House or at the hotel where other people will be present. Accordingly, McInerny asked if we could have McSwain get in touch with Campbell and arrange for him to be in the Bureau car at the airport so that the AG could have his conversation with Campbell while en route to the AF of L Convention.

McInerny stated the full schedule of the trip will be sent around in the next few days. Meanwhile, we will have McSwain instructed to see Judge Campbell and to make appropriate arrangements.

ADDENDUM; JJM: hbm; 10/15/46

Colonel McInerny advised Mr. McGuire the AG and he were leaving by U. S. Army Plane C117, #2558, for Chicago at 11:30 a.m. Friday and were due at the Municipal Airport at 3 p.m. The Chicago Office was advised at 4:15 p.m., October 10.
P.S. I would like to have a copy of your speech to the Legion. It sounded good. I referred to it in my talk of yesterday to them.
Office Memorandum - UNITED STATES GOVERNMENT

TO: Director, FBI

FROM: SAC, Los Angeles

SUBJECT: VISIT OF ATTORNEY GENERAL TOM CLARK TO LOS ANGELES

DATE: October 3, 1946

As the Bureau is aware, Attorney General TOM CLARK has been in Southern California. He spoke before the California State Bar Association convention at San Diego on September 27th. On September 28th he communicated telephonically with ASAC JAMES C. ELLSWORTH from a ship at sea and requested that a Bureau Agent meet him upon his arrival at Wilmington, California, at 2:00 p.m. on that date. He was met and was taken to the Ambassador Hotel with Colonel TIMOTHY McINNERNY of the Department.

Attorneys WILLIAM and EDWARD O'CONNOR, nephews of Judge J. F. T., O'CONNOR, gave a cocktail party on the afternoon of September 28th in honor of the Attorney General and Mrs. CLARK at the Beverly Hills Club. I was invited to this but was unable to accept as I did not return from Mexico City until late that afternoon.

Former U. S. Attorney CHARLES CARR, now President of the Del Mar Race Track, entertained in honor of the Attorney General on Sunday, September 29th, with a cocktail party at his home, 909 Bedford Drive, Beverly Hills. This was a very large gathering, and persons prominent in local Democratic circles, the motion picture industry and the horse racing industry were present. I attended this reception.

On September 30th the Attorney General, accompanied by U. S. Attorney JAMES CARTER and ALBERT DEL GUERCIO of the Immigration Service, came to this office, and the Attorney General looked over our facilities and spoke to the clerical and Special Agent employees with whom he came in contact. A very general discussion was had with reference to the SS "Bunker Hill," which is the gambling ship operated by TOM CORNERO.

I inquired of the Attorney General if there was any assistance that could be rendered to him during his stay in Los Angeles, and he assured me that there was not and he would feel free to call upon me if there was anything that I could do anytime during his stay. I endeavored to communicate with him prior to his departure from the city and to inquire if there was any arrangement that could be made for him in San Francisco. He was not available, but I talked with Mrs. CLARK and also with Colonel McINNERNY, and each of them assured me that complete arrangements had been made in San Francisco.

I understand that the Attorney General was the honored guest at a cocktail party given by EDWIN S. PAULEY on September 30th.

RECORDED 16-17-14-18-3 ACCOUNT
INDEX 132 OCT 16 1346

COPIES DESTROYED 332 DEC 14 1904

57 OCT 23 1046

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 6-8-82 BY T. CRW.
Director, FBI

RE: VISIT OF ATTORNEY GENERAL
TOM CLARK TO LOS ANGELES

October 3, 1946

I am enclosing for the Bureau's information copies of several news items appearing in the Los Angeles papers reflecting the opinion of the Attorney General concerning District Attorney FRED HOWSER of Los Angeles County and HOWSER's opinion of the Attorney General. While in the office Attorney General CLARK stated that he did not know in advance that JAMES ROOSEVELT had advised the press that he would mention the gambling ship; however, the Attorney General did anticipate that the press might ask a question about it. I gathered the impression he did not appreciate ROOSEVELT's statement on this as he believed that it hurt the government's handling of this matter.

RBH:MDL
Encs.
Commenting on U.S. Atty. James Carter's criticism that the county grand jury was not made available during the investigation, Howser asserted that "...they wanted us to go on a fishing expedition with the grand jury..." "...we had done so, under Sections 255 and 302 of the Penal Code we would have had no right to divulge the evidence obtained..." "...any one guilty of violating those Penal Code sections and could be removed from office for that violation..." In my opinion the whole thing reeks of politics...

Roosevelt broke in and thrust his hands on the desk:

"The Democratic party will charge and does charge," Roosevelt said, "that the local District Attorney's handling of the Lucky situation has been indulgent..."

"He waited until the 11th hour to get into the legislative session to ask the Governor to take the matter up - too late," said Roosevelt.

"When I had left Warner, the President Truman urged the government to act and the latter was referred to Clark. When Clark saw that it was from my old friend Earl Warren, he got in touch with Jim Carter..."

"What assistance do we get - from the local District Attorney in getting up some testimony and so forth? We've got to get in touch with the District Attorney..."

He said he got a report from Carter that his office had made contact. "But Howser told Carter's aide, "I'll call it a "no.""

"We have to do that," Clark said, "if we do call the grand jury together they developed considerable interest of the U.S. Attorney's office seemingly on legal grounds..."

"Reeks of Politics"

Howser's Answer

"...Attorney General Tex Clark, that in the District Attorney's office here failed to cooperate in the recent prosecution against Tony Cornejo, operator of the former gambling ship Eastlake..."

"There would be no cooperation ship not there...the first violation of Federal agencies hadn't issued the permit and license. Howser said, "The thing they issued the permit and license they knew very well that the ship was for gambling purposes."

"The whole theory is that the ship has been licensed and equipped and all the swimming and equipment were purchased for the ship under the name of the E.S. Tax..."

"Los Angeles Examiner"

September 29, 1946

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE: 01-08-83 BY 06-06-83

ENCLOSURE

62-72944-18
Howse a reply to Roosevelt

"James Roosevelt's statements about the gambling ship situation are, nothing more than political hogwash and I am amazed at his brazen effrontery," District Attorney Fred H. Howse said last night when informed of the attack made upon him at Attorney General Clark's press conference.

"In the first place, it must be remembered that as early as August 6, Governor Warren wrote to President Truman indicating that local authorities had pledged they would do everything possible to halt the gambling ship.

"Governor Warren pointed out that the ship would be on the high seas outside our jurisdiction and indicated quite clearly we could do nothing in the way of raiding the ship itself.

"Nothing was done, though by the Government until just recently by way of a libel suit.

Tells Action

"But, within hours after the Bunker Hill opened for business, my office began making arrests, filed felony charges against Cornero, which were pending, seized the water taxi, forcing the ship to close down for some time it remained closed until we were ordered by a court to return the taxi.

"There would have been no gambling boat if our protests had been ignored, because weeks before we opened my office asked the coast guard to refuse issuance of a license. Certainly they could read the newspaper, which daily were printing stories about the impending operation. It wasn't a secret.

"As far as the claim we are not cooperating is concerned we presented our evidence to the Federal authorities several weeks ago with the county council.

"At 3:30 in the morning, United States Attorney Carter's office asked us to go on a fishing expedition before the county grand jury.

"Los Angeles Examiner" September 29, 1946

All information contained herein is unclassified date 6/8/43 by 889621w
NEW CRIME WAR SETUP URGED BY TOM CLARK

By a Times Correspondent
CORONADO, Sept. 27—Community responsibility in overcoming conditions leading to crime was emphasized today by Attorney General Tom Clark in an address before delegates to the 19th annual convention of the State Bar of California.

"If each community would look out for matters directly at its doorstep, not only juvenile delinquency, but such issues as civil liberties, oppression, and persecution of minorities and general crime would drop, and the problem on a national scale would become a minor one," the Federal Cabinet member said.

Increase in Crime

Reports from law enforcement agencies disclosed a 13-per cent increase during the first six months of 1946 over the same period last year," Clark said.

"This, many of you say, can be attributed to the disturbed condition of the affairs of mankind after a ghastly war. Excesses of all types seem to develop after war, because disciplined people, all striving to win the war, feel as if the lid has been removed when the fighting stops, and there is a general moral slackening everywhere."

Strikes at Lynchings

"Shocked by a 300-per cent increase in arrests of girls under 21 for morals crimes and a 100 per cent increase in arrests of boys under 16 for drunkenness during the war years, the Attorney General's office has formed a panel on juvenile delinquency, comprising more than one hundred civic leaders who will meet in Washington next month," Clark reported.

"Remedial measures will be recommended to the Federal government, and to the various States and communities," he said. "We cannot build a great America upon a mis-spent youth."

The Attorney General deplored half-hearted prosecutions or no prosecutions at all in lynching cases. He digressed from his prepared text to appeal to the legal profession to use its influence toward stopping such violence. He said that inadequate Federal statutes are hampering the Department of Justice in its prosecution of suspected lynchers. The best law enforcement, he commented, is that which comes from the local communities themselves.

"Los Angeles Times"
September 28, 1946
Office Memorandum  

TO:  Mr. Tolson  

FROM:  L. B. Nichols  

DATE:  October 15, 1946  

SUBJECT:  ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

Harris Walter, St. Louis Times, inquired of Mr. McGuire if we had a copy of the AG's speech in Philadelphia last week made in behalf of Senator Duffy's re-election. Walter stated he understood Clark made the remark that the danger of Communism was not as great in this country as the Republicans are making it appear to be. Walter further stated he felt this was a direct contradiction of the Director's San Francisco speech.

Walter was advised that we did not have any copies of Mr. Clark's speech available, and it was suggested he contact the Department of Justice public relations office. It was also informally suggested that he might want to review Clark's speech before the American Lawyers Guild at Chicago given last month.

Mr. Tolson,  

October 15, 1946
WASHINGTON FROM BOSTON 5 24 2.55 P

DIRECTOR URGENT

ATTN MR. LB NICHOLS

ATTORNEY GENERAL TOM CLARK DEPARTING BOSTON THREE THIRTY PM, FLIGHT FIVE NAUGHT THREE, AMERICAN AIRLINE, ARRIVING WASHINGTON FIVE THIRTY FIVE PM TODAY.

SOUCY

END

BS R 5 WA
At 8:52 P.M. on October 20, 1946, Miss O'Donnell, Secretary to the Attorney General, contacted the writer and stated that the Attorney General was landing at the National Airport from St. Louis at 9 P.M.; that Mrs. Clark and the Attorney General's chauffeur could not be reached, and that Miss O'Donnell desired an Agent proceed to the Airport and pick the Attorney General up.

This information was communicated to the Washington Field Division and it was subsequently determined that an Agent living in nearby Alexandria had proceeded to the Airport in his personal automobile, arriving at approximately 9:20 P.M. He was unable to find the Attorney General who, it is believed, left the Airport by cab. Miss O'Donnell was informed and she stated that she did not desire any further action to be taken by the Bureau in this regard, and that in view of the time allowed everything possible had been done. The WFD determined that the Attorney General's plane actually arrived at 9:08 P.M.
TO: Director, FBI  
FROM: SAC, Cleveland  
SUBJECT: PRESENCE OF ATTORNEY GENERAL TOM CLARK IN AKRON, OHIO, OCTOBER 15, 1946

In accordance with the instructions of Inspector J. J. McGUire of the Bureau, Special Agent CARTHAG D. DeLOACH met the Attorney General and his traveling companion, General McIRNEY, at 5:50 P.M. at the Akron Municipal Airport, Akron, Ohio on October 15, 1946. From that time until Attorney General CLARK's departure for Pittsburgh, Pennsylvania at 3:30 P.M. on October 16, 1946, the usual courtesies were extended to him.

At the time of his departure the Attorney General was high in his praise of the Director and Bureau Personnel and pointed out that on every trip he had made, he was met with the utmost courtesy on the part of Bureau Agents and that he sincerely appreciated everything that has been done for him.

The Attorney General and General McIRNEY departed from Akron, Ohio at 3:30 P.M. on October 16, 1946 in the private plane of Mr. HARVEY S. FIRESTONE, JR. and the Pittsburgh Office was so advised so that they might meet the Attorney General at the Pittsburgh Airport.
October 14, 1946
MEMORANDUM FOR MR. TOLSON

Fred Mullen obtained a copy of Clark's address in Philadelphia last Wednesday wherein he stated that the Republican Party had exaggerated and distorted deliberately the issue of Communism for political purposes. Since Fred had to get the copy back to the Department within a very few minutes, we had the attached photostat made for our records.

Respectfully,

L. B. Nichols

Attachment

This memorandum is for administrative purposes to be destroyed after action is taken and not sent to files.

ALL INFORMATION CONTAINED HEREBIN IS UNCLASSIFIED
DATE 6/18/43 BY 8-88 TQP
ADDRESS
BY
HONORABLE TOM C. CLARK
ATTORNEY GENERAL
OF THE
UNITED STATES

Radio Station WCAU

Wednesday, October 9, 1946
6:30-6:45 P.M.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10/09/46
Good evening, my fellow citizens—

Good citizens of Philadelphia and

Philadelphia:

I am addressing you tonight in behalf of the candidates of the Democratic Party in your Pennsylvania State. I hope to talk to you from Phil but business here prevented this.

As a lifelong Democrat and a person who believes in the liberal form of government, and as a Texas Democrat, I would not presume at any time to tell the voters of the great and prosperous State of Pennsylvania how they should cast their ballots on the Fifth of November.

But upon the invitation of the leaders of the Party and the State, I appreciate the opportunity of discussing with you an issue which has been raised by my opponents and which has been given particular emphasis in Pennsylvania because of the wealth and the
privilege of the Republican Party here.

It is counted good Republican campaign strategy to drive fear into the hearts of the people.

Inasmuch as the country, despite the alarms of the Republican press, is enjoying full prosperity and full employment, they have selected the issue of Communism as the one which will drive good Americans -- through fear -- into the arms of the party of pelf, reaction, privilege and manipulation.

Out of the mighty clamor of all the voices of press and radio which they inspire by their limitless flood of dollars there is not one whisper about what happened when last this same crowd -- these same individuals -- were in power.
I refer to the National Governmental debacle of the Hoover Administration.

The Republican Party is one without a national record in almost fourteen years, and the record before that -- in the interim years after the great War of 1917 and 1918 -- is one of corruption in the Harding Administration, lack of foresight and paper profits in the Coolidge Administration, and panic in the Hoover Administration.

What now do the Republicans offer?
Is it pelf and corruption?
Is it reaction?
Or is it panic?
Let them point to their own record and try to compare it with that of the Party of
the People which has gone forward, in war and in peace, under the banner of Democracy.

It is not regarded as good strategy, politically, to say to you what I am going to say now.

I am going to take up their issue of Communism, and to tell you what sort of an issue it really is.

The chief issue in America today is Peace, and the Democratic Party has always been the Party of Peace, from the days of Woodrow Wilson's Fourteen Points of 1916 to the present battle of your Secretary of State, Jimmy Byrnes, in Paris for a peace that will stick endure.

The issue of Communism has been exaggerated and distorted deliberately by the
Republican Party, for political purposes.
You are well aware of this.
This spurious issue right here in your Home State has been raised by the Republican State Organization and by Republican organizations elsewhere throughout the Nation in an attempt to scare you, to demoralize you, to panic you into giving over your control of the Government to the favored few by electing reactionaries to Congress in November; who will destroy all forward and public-spirited legislation just as it destroyed the peace of 1919, the Housing bill, and other legislation designed to aid our veterans and our people.

attempted to sabotage our defense effort before the war and since our victory has succeeded in
Reading the daily newspapers, one would gather that Communism is the only issue to which those who control the destinies of the Republican Party in Pennsylvania attach any importance.

Those who control the machinery and the mediums of publicity of the Republican Party nationally and in many States would have you believe that the great Democratic Party in Pennsylvania and in the nation -- the Party of Jefferson and Jackson and Wilson and Franklin Roosevelt and Harry Truman -- has surrendered itself to the Communists. That is pure political bunk. They would have you believe that a victory for the Democratic Party would be a victory for the Communists. That is pure political bunk.
In fact, as to end results, it is my opinion that quite the reverse is true.

I am the Attorney General of the United States, and the Chief Law Enforcement Officer of the Federal Government.

It has been my responsibility to investigate and maintain a constant check on all subversive groups in the United States.

I know who the American Communists are; what they are doing; and what they plan to do.

Speaking from first-hand knowledge of Communist activities and designs and ambitions, and from experience and observation, I can declare confidently that what breeds Communism, in this or any other country, is reaction.
What breeds Communism is the avarice and greed of a selfish minority that seeks to deprive the vast majority of men and women of an opportunity to achieve security; of an opportunity to work at a decent job for decent wages under conditions of labor commensurate with human dignity and to enjoy a fair share of the wealth they create.

The oppressions and tyrannies of the Czars were primarily responsible for the seizure of power by Communists in the Soviet Union.

It is so clear to me as to be beyond doubt that we face no danger of Communism in the United States so long as we assure the American people of an opportunity to make
orderly progress toward social goals.

Communism will never make any headway in America so long as we continue to maintain employment at record-breaking levels; so long as wages paid to American workmen and the American workmen's standard of living are higher than anywhere else in the world; so long as the independence of the American farmer is guaranteed by the highest net income in history; the savings of both farmers and industrial workers are at an all-time high; and the balance sheets of business are showing fair profits.

That is the situation today as it exists under the policies and program of President Truman -- policies which the Democratic candi-
date for re-election to the United States Senate, Joseph F. Guffey, and the Democratic Congressional and State-wide candidates are pledged to support. 

Here in America, the Communist party seeks to spread confusion. They expect to capitalize and to grow and thrive on unrest; on discontent and frustration. They are aided, consciously or unconsciously, by the reactionaries.

Reactionaries of the type of , who control the Republican party organization in Pennsylvania and who are financing and supporting the Republican candidates, are helping to encourage and foster the
growth of Communism.

They are doing so by stubborn opposition to all of the social gains achieved by the American people during the past 14 years, by their desire to set back the clock on progress; by their opposition to all measures for the correction of the evils which exist in our society.

The Democratic party in the nation and in Pennsylvania is a liberal, progressive party.

We are opposed to extremists of both the right and the left.

We will not be diverted from our program for orderly progress -- a program conceived by President Roosevelt and being carried forward by President Truman.
We will not be diverted from that program by the attacks of either extreme of political thought.

We will go forward to greater opportunity and security for the vast majority of American citizens under the philosophy of government which has been and will continue to be our greatest insurance against Communism -- a philosophy which finds practical expression in the liberal progressive program of the Democratic Party.
Good evening my fellow citizens:

I am addressing you from Washington tonight in behalf of the candidates of the Democratic Party in your State. I hoped to talk from Philadelphia but pressing business here prevented this.

As a lifelong Democrat and a person who believes in the liberal form of Government, I would not presume at any time to tell the voters of the great and prosperous State of Pennsylvania how they should cast their ballots on the Fifth of November.

But upon the invitation of many of your fellow Pennsylvanians I am doing so in order to avail myself of the opportunity of discussing with you an issue which has been raised and which has been given particular emphasis in Pennsylvania because of the wealth and the privilege of the Republican Party there.

It is counted good Republican campaign strategy to drive fear into the hearts of the people.

Inasmuch as the country, despite the alarms of the Republican press, is enjoying full prosperity and full employment, they have selected the issue of Communism as the one which they hope will drive good Americans -- through fear -- into the arms of their party -- the party of pelf, reaction, privilege and manipulation.

Out of the mighty clamor of all the voices of press and radio which they inspire by their limitless flood of dollars there is not one whisper about what happened when last this same crowd were in power.

I refer to the National Governmental debacle of the Hoover Administration.
The Republican Party is one without an official national record in almost fourteen years, and the record before that — in the interim years after the great War of 1917 and 1918 — is one of corruption in the Harding Administration, lack of foresight and paper profits in the Coolidge Administration, and panic in the Hoover Administration.

What now do the Republicans offer?

Is it self and corruption?

Is it reaction?

Or is it panic?

Let them point to their own record and try to compare it with that of the Party of the People which has gone forward, in war and in peace, under the banner of Democracy.

It is not regarded as good strategy, politically, to say to you what I am going to say now.

I am going to take up their issue of Communism, and to tell you what sort of an issue it really is.

The chief issue in America today is Peace, and the Democratic Party has always been the Party of Peace, from the days of Woodrow Wilson's Fourteen Points of 1916 to the present battle of your Secretary of State, Jimmy Byrnes, in Paris for a peace that will endure.

The issue of Communism has been exaggerated and distorted deliberately by the Republican Party, for political purposes.

You are well aware of this.

This spurious issue right here in your Home State has been raised by the Republican State Organization and by Republican organizations.
elsewhere throughout the Nation in an attempt to scare you, to demoralize you, to panic you into giving over your control of the Government to the favored few by electing reactionaries to Congress in November; reactionaries who will destroy all forward and public-spirited legislation just as it destroyed the peace of 1919, attempted to sabotage our defense effort before the war and since our victory has succeeded in defeating the Housing bill of 1946, and other legislation designed to aid our veterans and our people.

Reading some of the daily newspapers, one would gather that Communism is the only issue to which those who control the destinies of the Republican Party in Pennsylvania attach any importance.

Those who control the machinery and the mediums of publicity of the Republican Party nationally and in many States would have you believe that the great Democratic Party in Pennsylvania and in the nation -- the Party of Jefferson and Jackson and Wilson and Franklin Roosevelt and Harry Truman -- has surrendered itself to the Communists. That is pure political bunk.

They would have you believe that a victory for the Democratic Party would be a victory for the Communists. That is pure political bunk.

In fact, as to end results, quite the reverse is true.

I am the Attorney General of the United States, and the Chief Law Enforcement Officer of the Federal Government.

It has been my responsibility to investigate and maintain a constant check on all subversive groups in the United States.
I know who the American Communists are; what they are doing; and what they plan to do.

Speaking from first-hand knowledge of Communist activities and designs and ambitions, and from experience and observation, I can declare confidently that what breeds Communism, in this or any other country, is reaction.

What breeds Communism is the avarice and greed of a selfish minority that seeks to deprive the vast majority of men and women of an opportunity to achieve security; of an opportunity to work at a decent job for decent wages under conditions of labor commensurate with human dignity and to enjoy a fair share of the wealth they create.

It is so clear to me as to be beyond doubt that we face no danger of Communism in the United States so long as we assure the American people of an opportunity to make orderly progress toward social goals.

Communism will never make any headway in America so long as we continue to maintain employment at record-breaking levels and on an annual basis; so long as wages paid to American workmen and the American workmen's standard of living are higher than anywhere else in the world; so long as the independence of the American farmer is guaranteed by the highest net income in history; so long as the savings of both farmers and industrial workers are at an all-time high; and so long as the balance sheets of business are showing fair profits.

That is the situation today as it exists under the policies and program of President Truman -- policies with the Democratic candidate for re-election to the United States Senate, Joseph F. Guffey,
and the Democratic Congressional and State-wide candidates are pledged
to support.

Here in America, the Republican Party has adopted the tactics
of the Communist Party. They each seek to spread confusion.
Both here in America expect to capitalize and to grow and
thrive on unrest; on discontent and frustration.
In those designs, they are aided, consciously or unconsciously,
by the reactionaries.

Reactionaries of the type who control the Republican party
organization in Pennsylvania and who are financing and supporting the
Republican candidates, are helping to encourage and foster the growth
of Communism.

They are doing so by stubborn opposition to all of the social
gains achieved by the American people during the past 14 years, by
their desire to set back the clock on progress; by their opposition to
all measures for the correction of the evils which exist in our society.

The Democratic party in the nation and in Pennsylvania is a
liberal, progressive party.

We are opposed to extremists of both the right and the left.
We will not be diverted from our program for orderly progress—a
program conceived by President Roosevelt and being carried forward
by President Truman.

He will not be diverted from that program by the attacks of
either extreme of political thought.

We will go forward to greater opportunity and security for
the vast majority of American citizens under the philosophy of government which has been and will continue to be our greatest insurance against Communism -- a philosophy which finds practical expression in the liberal progressive program of the Democratic Party.
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<tr>
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<tr>
<td>Mr. Tolson</td>
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<td>Mr. Harbo</td>
<td>Miss Gandy</td>
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<td>Mr. Hendon</td>
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Miss Beahm
Miss Holmes
Telephone Room

Records Section
Personnel Files
Reading Room

For Your Info.
Note and Return
File
Return With File

Please Initial
See Me
Call Me
Recopy

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DECODE OF DOUBLE CODE CABLE NUMBER 177 FROM SIS NUMBER 498 DATED OCTOBER 25, 1946 AT PARIS, FRANCE. RECEIVED VIA STATE DEPARTMENT.

PLEASE ADVISE ATTORNEY GENERAL THAT RAMSEY CLARK LEFT PARIS VIA ATC AT 4:43 A.M. OCTOBER 25 DUE WASHINGTON ABOUT MIDNIGHT.

(RECEIVED: 10-25-46 8:54 AM EST)


ALL INFORMATION CONTAINED HEREIN IS CLASSIFIED EXCEPT WHERE SHOWN OTHERWISE.

If the intelligence contained in the above message is to be disseminated outside the Bureau, it is suggested that it be suitably paraphrased in order to protect the Bureau's cryptographic systems.
CONFIDENTIAL

DECODE OF DOUBLE CODE CABLE NUMBER 175 FROM SIS NUMBER 498 DATED
OCTOBER 24, 1946 AT PARIS, FRANCE, RECEIVED VIA STATE DEPARTMENT.

FOLLOWING MESSAGE FROM RAMSEY CLARK FOR ATTORNEY GENERAL: QUOTE
AM RETURNING TO THE UNITED STATES ON FIRST AVAILABLE PLANE TRANSPOR-
TATION. NO NEWS AS YET ON SOUTH AMERICA. UNQUOTE WILL ADVISE
DEPARTURE AND ANTICIPATED ARRIVAL (X)(U)

[RECEIVED: 10-24-46 12:07 PM EST] MW (X)

[CLASSIFIED BY SEP 2, 1946]

DECLASSIFIED BY SP 2 OCT 29, 1946

ON 40125

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE.

If the intelligence contained in the above message is to be disseminated
outside the Bureau, it is suggested that it be suitably paraphrased in,
order to protect the Bureau's cryptographic systems. (X)(U)
November 4, 1946

The Attorney General
Director, FBI

Attached is a copy of the November, 1946, issue of the FBI Law Enforcement Bulletin which I thought you might like to have.

Tom Clark

62-72-192

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 9/8/42
BY D.C. 19714
Denver, 2, Colorado
October 21, 1946

PERSONAL AND
CONFIDENTIAL

AIR MAIL - SPECIAL DELIVERY

APPROPRIATE ADDRESSES

APPENDIX ATTACHES

AIR MAIL

Director, FBI

DATE: October 21, 1946

Dear Sir:

In conformity with Bureau instructions this office made an automobile available to the Attorney General while he was in Colorado Springs on October 19 and 20, 1946, to attend the annual meeting of the Colorado Bar Association. Special Agent HAROLD C. COOK, the Resident Agent at Colorado Springs, contacted the Attorney General at the airport upon his arrival and offered his assistance during the Attorney General's visit to this territory. During the course of his stay the Attorney General utilized the Bureau automobile on two occasions and we also arranged the hotel reservations for Colonel McNERNEY and CHARLES SMITH, of the Lands Division, who accompanied the Attorney General but had no hotel accommodations. Special Agent COOK attended the meeting of the Bar Association and also a cocktail party in the hotel room of United States Attorney THOMAS J. MORRISSEY and a breakfast which was given by Mr. SMITH.

I thought you would be interested in knowing that the Attorney General, in speaking before the members of the Colorado Bar Association, apparently spoke extemporaneously for the most part and mentioned you personally on two occasions. In one instance he mentioned that when he became Attorney General "EDGAR" offered to the Attorney General a bulletproof automobile which was the personal car of the Director. The Attorney General stated that he had commented to "EDGAR" that he did not wish to deprive him of his car, whereupon the Director had stated that it was all right for the Attorney General to accept the automobile inasmuch as the Congress had just appropriated money for a new one for the Director. This was mentioned in a humorous manner and the remarks were apparently accepted in that spirit by the audience.

RECORDED

In another instance the Attorney General related that he had installed a suggestion box in his office and had solicited suggestions from Department of Justice employees. He said that he had received one suggestion to the effect that he should refrain from wearing bow ties, as is his custom, and that Mrs. CLARK should get a new hair-do inasmuch as her present hair-styling was not flattering to her. This suggestion was

DECLASSIFIED BY (S-8) 875/110
ON: 01/18/83
unsigned and the Attorney General stated that he had turned the paper over to "EDGAR" and that after making a typewriter examination he had been advised that the note had been written on a typewriter in the Department to which four persons had access. The Attorney General stated that he had requested a fingerprint examination and that through the latent fingerprints the writer had been identified. The Attorney General said that the Director had hesitated to reveal the identity of the person responsible for the suggestion, thinking that Mr. CLARK might take some reprisal against this person. He said that eventually at his insistence and upon his assurance that no measures of reprisal would be taken, the Director had informed him that the note had been written by the Attorney General's son. This again was apparently intended in a humorous vein by the Attorney General, but the wisdom of such statements in public is perhaps questionable. Agent COOK heard several comments by various attorneys at the meeting who seemed to feel that the Attorney General had not been playing fair when he encouraged anonymous suggestions and then resorted to the Bureau facilities to determine the author of one of the communications.

The Attorney General's remarks at the meeting were apparently received in a favorable way although several comments were overheard by Agent COOK to the effect that the speech was "not very heavy," and one individual was heard to comment that had the Director been delivering the speech it would have been a much better speech.

Agent COOK was requested by Colonel McNIERNY to obtain a transcription of the Attorney General's speech which was made by radio station KVOO and forward it to the Attorney General in Washington. Agent COOK gained the impression that Colonel McNIERNY was a little apprehensive as to the effect of the speech and he indicated to Agent COOK that the Attorney General was not aware that his remarks were to be broadcast. The broadcast was a local one but upon checking it was found that the transcription had been forwarded to station KLZ in Denver. Arrangements are being made to obtain this transcription and it will be forwarded to the Bureau for delivery to the Attorney General.

Very truly yours,

R. P. KRAMER
SAC

RPK:10
TO: Mr. D. M. Ladd
FROM: C. A. Evans

DATE: November 2, 1946

Time of Call 9:25 a.m.

SUBJECT: MOVEMENT OF THE ATTORNEY GENERAL

I received a call from Mr. J. P. Brock, Administrative Assistant to the Governor of Maryland, by reference from the Departmental switchboard. Mr. Brock indicated that at the request of the Governor, he was arranging a police escort for the Attorney General and Postmaster General to the Notre Dame-Navy game at Baltimore.

Mr. Brock stated that he had arranged for the Baltimore Police Department to furnish the police escort, beginning at Caton Avenue and Washington Boulevard at 11:30 a.m. Mr. Brock desired to know how the police would be able to identify the Attorney General's car.

ACTION:

After discussion with Mr. McGuire, I telephonically advised Miss Alice O'Donnell of the Attorney General's Office at 9:40 a.m. concerning this matter and she said that she would contact the Attorney General and in turn call back Mr. Brock.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

CAE: IGS DATE 8/8/43 BY 8/8/43

RECORDED

26 Nov 15 1946
October 29, 1946
MEMORANDUM FOR J. Tolson

Late Friday evening, October 25, while in contact with Mr. McInerny of the Department on the Rogge dismissal, Mr. McGuire was advised by Colonel McInerny that the Attorney General had been apparently put on the spot by the New York Herald Tribune Forum of the Air in that Mr. Clark was to speak on this Forum today and had been scheduled between Vincent Sheean and Oliver Harrington. McInerny stated he felt this was a dirty trick to put Clark in between two Reds and that he had been in contact with Miss Helen Hiett the Forum manager for the Herald Tribune to obtain copies of Harrington's as well as Sheean's remarks in order that the AG would be apprised of their statements and could be prepared to defend himself against any attacks. McInerny stated that Miss Hiett had furnished a copy of Harrington's remarks and told him early that evening by telephone that she thought she could get excerpts from Sheean's speech but did not know how to get them down to Clark in time to do him any good today. McInerny told McGuire that he suggested she deliver the excerpts to the FBI Office in New York so that it could be furnished to Washington right away. He explained this to Mr. McGuire but stated if the New York Office could have put the excerpts, which were not expected to be many, on the teletype right away he would have then first thing Saturday and would have Saturday afternoon to prepare Mr. Clark's address.

Since McInerny had already told Miss Hiett to deliver the material to the New York Office, Mr. McGuire immediately called Mr. Belmont and told him to send the data in by teletype and to take no further action. Mr. McInerny also requested Mr. McGuire to advise the Director of the identities of the characters on the program with Mr. Clark. This was done early Saturday morning when Mr. McGuire reported to the Director the completion of our assignment at Spokane Washington, relative to the Rogge matter.

On receipt of the attached teletype from New York, I personally delivered this information to Mr. Cadison Saturday morning who was very grateful in his expressions of thanks for the service. There was nothing further for us to do.
MEMORANDUM FOR L.R. TCLSON

OCTOBER 29, 1946

On Saturday evening Mr. Kaccke on Mr. Ladd's desk called Mr. McQuire at home stating that the New York Office had just advised by phone that the Herald Tribune inquired as to when they were going to get a copy of Mr. Clark's speech. Kaccke was advised to have the New York Office call back the Herald Tribune and inform them to get in touch directly with the Department of Justice, that we had no information relative to Mr. Clark's speech for the Forum of the Air. It is pointed out that Mr. McInerny made no request for us to deliver any material to the Herald Tribune.

Respectfully,

L. E. Nichols

J.J.: hmm
October 28, 1946

MEMORANDUM TO MR. TOLSON
MR. TAMM
MR. LADD
MR. NICHOLS

In order to centralize the requests that frequently arise in connection with the Attorney General's travels, it is desired that should any calls be received from the Attorney General's office either during the day or at night that either Mr. Nichols or Mr. McGuire, whoever is available, be contacted immediately as to the action to be taken.

Very truly yours,

John Edgar Hoover
Director
Miss O'Donnell of the AG's office advised Mr. McGuire telephonically at 1:30 p.m. today that Mr. Clark left in Sam Pryor's private plane for Bangor, Maine, at 11:00 this morning. Pryor, you will recall, is with Pan American Airways and is from Connecticut. Accompanying Clark is John Clifford and the AG's sons, Ramsey and Robert. The party expects to be guests of ex-Governor Brann of Maine and will remain in the vicinity of Bangor hunting for the next few days. Clark expects to return in Pryor's plane on Thursday afternoon.

There is nothing for us to do although SAC Soucy will be advised for his information that Clark is in the vicinity of Bangor in order that the Boston Office may anticipate any services.

JIM:RC

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DATE: 1883 BY 88-8093/00

RECORDED & INDEXED 85

FBI

NOV 27 1946
Office Memorandum

UNITED STATES GOVERNMENT

TO: MR. TAYLOR

FROM: D. M. Ladd

SUBJECT: Tom Clark

DATE: November 20, 1946

At 9:30 this morning a telephone call from Mrs. Stewart was transferred to me from your office. She stated that the Attorney General's Office had received a tip from a newspaper that an ex-convict, who was rather unkempt and decrepit in appearance, was on his way to the building, "to take care of the Attorney General" when he came to the office today. Mrs. Stewart stated that she had alerted the building guards and told them to be careful who they let in the building today but that she thought she should also advise the Bureau. She was not able to furnish any information as to description, name etc.

She subsequently called back and advised that the Attorney General was in the building but was leaving at about 9:50 AM to proceed to the Departmental Auditorium for the opening of the Juvenile Delinquency Conference and that while the building guards had been alerted at the 10th and Constitution Avenue entrance of the building, she wondered whether the Bureau should have a couple of men at that entrance when the Attorney General leaves. I suggested to her that probably the Agents could arrange to be sure that the guards had been properly alerted at that entrance and she said that would be fine. I also suggested to her that she should alert the building guards in the Departmental Auditorium in order that they might be careful of whom they let in to the Juvenile Delinquency Conference so that they might keep out any individual who appeared unkempt and decrepit as she stated. Mrs. Stewart stated she thought this was a good idea and inquired whether she should make the contact with the guards in the Departmental Auditorium. I stated that I thought she should inasmuch as the Attorney General's Office had made the original arrangements for the use of the auditorium today. She stated she would take this action.

Supervisors Halsey Smith and J. N. Ackerman were advised by Guards Myers and Lynch at the 10th and Constitution Avenue entrance that they had been alerted and Myers advised that he had received the original information from the Times Herald. Myers stated that he had understood another newspaper had also called in.

As a matter of interest, the conscientious objector who has been parading at the 10th and Constitution Avenue entrance appeared this morning in what seemed to be a white Army winter uniform on which had been painted black stripes to represent a convict's uniform and it was the opinion of the guards that this was probably the source of the difficulty.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 11/11/46 BY 88-8 CPW

M. Ladd

59 DEC 11 1946
MR. LADD:

FOR WM. RAMSEY CLARK, CARE OF THE AMERICAN EMBASSY:

"IF YOU HAVE TIME, CONTACT JACK DANCIGER, PLAZA HOTEL, ROOM 286, BUENOS AIRES. HE IS GOOD FRIEND OF OURS"

ALL FBI INFORMATION CONTAINED HEREBY IS UNCLASSIFIED

DATE: 12/7/46 BY SYK METELG
#971256

62-72-944-199
ATTORNEY GENERAL TOM CLARK ADVISES HE IS LEAVING MIAMI ABOUT FIVE P.M. WITH MR. JACK FRYE AND EXPECTS TO ARRIVE IN WASHINGTON ABOUT TEN P.M. AT GATE TWELVE AT THE AIRPORT. HE REQUESTED THAT A CALL BE MADE TO MRS. CLARK ADVISING HER OF THE EXPECTED TIME OF HIS ARRIVAL.
CONFIDENTIAL

To: COMMUNICATIONS SECTION.

Transmit the following message to:

LEGAL ATTACHÉ
GUATEMALA CITY, GUATEMALA

DELIVER THE FOLLOWING MESSENGER TO PAUL O. SMITH, STATE DEPARTMENT OFFICER
AND DEPUTY ATTORNEY GENERAL. QUITE HELPLESS, LUDI, AND I WISH YOU THE
HAPPY BIRTHDAY EVER. WE ARE PROUD OF YOU AND YOUR FINE WORK. TAKE
CARE OF YOURSELF. LOVE. (SIGNED) LAP, UNQUOTE

ETHEREAL

DECLASSIFIED BY 5/22/84

CLASSIFIED BY: 5/22/84
Reclassify by: 06/01/84

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED EXCEPT
WHERE SHOWN OTHERWISE.
MEMORANDUM

Eds:

Attached is the birthday message the AG would like sent to Ramsey today at Guatemala.

GMS

---

The Attorney General

Official indicated below by check mark

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<thead>
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<th>Solicitor General</th>
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<td>Assistant to the Attorney General</td>
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<td>Assistant Attorney General, Anti-Trust</td>
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<td>Assistant Attorney General, Tax</td>
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<td>Assistant Attorney General, Lands</td>
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<td>Assistant Solicitor General</td>
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<td>Director, FBI</td>
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<tr>
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<td>Miss Moore</td>
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All FBI information contained herein is unclassified.

Date: 9/1/55

#911255

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162-719441-201

EX - 24

wire to Guatemala City

DVH - 12-18-66
Birthday message to Ramsey Clark:

"Mommie, Mimi and I wish you the happiest birthday ever. We are proud of you and your fine work. Take care of yourself. Love.

(signed) Dad
F.B.I. RADIOGRAM

CONFIDENTIAL

FROM BUENOS AIRES 12-4-46 NR 162 5:02 PM EST

REFERENCE YOUR RADIOGRAM NUMBER 65. MESSAGE FROM ATTORNEY GENERAL DELIVERED TO WILLIAM RAMSEY CLARK WHO ARRIVED BUENOS AIRES DECEMBER

RECEIVED: 12-4-46 5:39 PM EST

RECORDED: 12-29-44 2:02

If the intelligence contained in the above message is to be disseminated outside the Bureau, it is suggested that it be suitably paraphrased in order to protect the Bureau's cryptographic systems.
Lieut. Gasner of the Metropolitan Police Department left the attached card with me on December 25, 1946, at 2:00 AM.

Gasner advised that this card was taken from the conscientious objectors who have been picketing the Department of Justice Bldg.
The proceeds from the sale of these cards will go to the Committee for Amnesty for use in its efforts to secure the release of conscientious objectors.

"Liberty to the Captive..."

From the Christmas leaflet of Emily Lodge, P.E.

For shame, who are we To shut up the lock For shame, who are we To open the door Requiring no more Than the light of a Star.

To break bolt and bar, To break bolt and bar, To break bolt and bar...
TO: Director

Mr. Edward Tamm
Mr. Clegg
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Harbo
Mr. Hendon
Mr. Jones
Mr. Nease
Miss Gandy
Personnel Files Section
Records Section
Mrs. Skillman

See Me For Appropriate Action

Send File Note and Return

ALL INFORMATION CONTAINED HERIN IS UNCLASSIFIED

DATE 6/8/1947

Clyde Tolson
Office Memorandum  •  UNITED STATES GOVERNMENT

TO :  MR. TOLSON
FROM :  L. B. NICHOLS

DATE: 12/31/46

SUBJECT:  

For record purposes, Colonel McInerny called stating that Lowell Mason, Commissioner of the Federal Trade Commission, who is a close personal friend of the Attorney General, had received an old-fashioned revolver for Christmas and he wanted to find out something about the gun. McInerny wanted us to give Mason an explanation. I told McInerny that in view of the variables it would be much better for Commissioner Mason to slip over to the Bureau sometime with the gun and that we would be very happy to have a firearms expert look at it.

Mason did call at the Bureau. Frank Baughman saw him and saw the gun. Mr. Baughman recognized the gun as a Spanish model and recommended that it not be used. Mason stated that he wanted to get a gun and wanted to know how to get it. I told Mr. Baughman it would be satisfactory for him to call Joe Corch. We, of course, will not try to get any special discount for Mason but let him pay the full retail price. We then invited Mr. Mason to come to the Bureau and see our facilities and try the gun out on the range. He expressed his appreciation.

LBN:RC

RECORDED
& INDEXED

1 JAN 1947

ALL INFORMATION CONTAINED HEREAFTER IS UNCLASSIFIED

DATE RECORDED BY RD MCMINTYRE
December 19, 1939

[Address]

[Department of State]

[Name]

Dear [Name]:

Washington has requested this office to forward a cable message received here on December 19, 1939, the text of which is as follows:

[Message text]

He endeavored to deliver the above message to you at the American Embassy in Guatemala, but you had already departed. We hope that it reached you at this late date may still be of some satisfaction to you.

Very truly yours,

[Signature]

[Name]

[Title]

[Note]:

ALL INFORMATION CONTAINED HEREBIN IS UNCLASSIFIED.
OFFICE OF DIRECTOR
BUREAU OF INVESTIGATION
DEPARTMENT OF JUSTICE

Record of Telephone Call or Visitor

The Secretary to the Attorney

Phone No. ______________________

Hour 4:13PM Date January 9 1947

REMARKS

The secretary was informed of the Director's absence from the city and advised that Mr. Tamm was the Acting Director. She said that she would advise the Attorney General.

Addendum: It was ascertained that the Attorney General called Mr. Tamm, who will advise the Director.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 6/8/43 BY 81-8 815100

RE 129 44 -20 6

31 APR 16

07 JAN 28 1947
TO: COMMUNICATIONS SECTION.

Transmit the following message to:

CIVIL ATTACHE
MEXICO CITY, MEXICO D.F.

Henry Chinn, Sec. of AID, a State Department courier, is presently in Mexico City. He needs to get in touch with Theodore Rayner, chief of radio facilities, Harry Austin, Mexico radio station for Dallas News, resident until Peter R., Mexico City; can Juan de Giron, chief assistant, Mexico City and promptly handle messages to comply with section department, presently in Mexico City. Bureau desires you provide every assistance to clarify in locating and contacting these individuals.

cc: SIS Section

12-7-44 207
MEMORANDUM

2-13-47

MISS GANDY:

The Attorney General asks that your lab make up three pictures to be placed in a three-way frame -- each to be 8" x 10".

The one of the Atty. Genl., himself, will have to be printed over again I guess so the white border won't show.

He asks that they have them this afternoon.

Alice O'Donnell
Dear Edgar:

Thank you for sending me a copy of the letter from Mr. M. Hinds, Chief of Detectives, Police Department, Memphis, Tennessee, commenting on an article in the February FBI Law Enforcement Bulletin. It evidences the spirit which I know you strive so earnestly to create among law enforcement agencies everywhere, and I know it is gratifying to you, as it is to me.

I have written Mr. Hinds a note expressing my appreciation.

Sincerely

[Signature]

Honorable J. Edgar Hoover
Director
Federal Bureau of Investigation
February 26, 1947

MEMORANDUM FOR MR. TULSON

Peyton Ford called. He is writing a speech for the Attorney General to deliver on March 10th before the American Society of Bridge Engineers in Chicago. The speech is going to speak on the general functions of the Department and what citizens can do. The speech wanted 3 or 4 pages on the Bureau and Ford wondered if we wouldn't write a section of 3 or 4 pages to be included in the speech so they wanted the references to the Bureau to be entirely accurate.

I told Ford that it would be difficult I knew for somebody to write an insert for a speech but since he was doing the whole speech it would probably be better for him to put in the Bureau's section. I asked him what he was interested in and told him that we could give him the information. He stated he did not know exactly what would be best. I then suggested he get a copy of our annual report which we had sent to Congress on the 21st. He stated he had not seen the Bureau's report and wondered if we had a copy we could loan him. I told him I would see what I could find.

If approved, a memorandum is attached to Peyton Ford, sending him a copy of the annual report.

Respectfully,

G. J. R. 5

[Attachment]

I suggest we send it around without the memo.

[Signature]

[Stamp] ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

This memorandum is for administrative purposes, to be destroyed after action is taken and not sent to files.
TO:

Mr. McCoy
Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Glavin
Mr. Harbo
Mr. Ladd
Mr. Rosen
Mr. Tracy
Mr. Carson
Mr. Cartwright
Mr. Hendon
Mr. Jones
Mr. Leonard

See Me
Send File
Prepare Reply

Note — Lifted from Dir. Speech

This is a terrible speech!

ALL INFORMATION CONTAINED HEREBIN IS UNCLASSIFIED

DATE 2/17/49 BY S&O 8 OBSW

L. B. Nichols
Room 5640, Ext. 691
Address by

TOM C. CLARK
Attorney General of the United States

Before

THE VETERANS OF FOREIGN WARS

Statler Hotel
Washington, D.C.

Saturday, February 22, 1947

9:30 P.M.
growls and the gripes, have been pretty much the same in every war our country has fought.

So much has been said and written about Washington that from this distance down the long road of history, we are sometimes in danger of missing the truth for the cherry trees. But if you dig back into the history of those formative days of our Nation, you will find there the same war frauds, the same profiteers, the same rent gougers, the troubles when the boys came home—counterparts of almost every situation we have faced in the aftermath of this greatest war of all.

I say almost every situation. But this time there is one exception. And it is important—so important that for the world of our children, it means the making or the breaking.

The difference this time is that we have had our last war for civilization. We cannot win another war. If there is a next war, the only winners will be the moles, the bats, and the carrion things that crawl a broken, silent earth.

This we know. We have had it demonstrated to us—most fearfully. And nobody disagrees.

The astonishing thing, the shocking thing, is that with this knowledge before them as clearly and as certainly as night follows day, there can be so many among us who are doing their utmost to bring on just such a war.

History shows us that there are several very effective, tried-and-true ways to bring on war in the world.

One is to crawl into our shell and tell ourselves that the rest of the world can go hang! Every time we have tried that we have found ourselves
Commander Starr, Colonel Hunsicker, and fellow veterans:

The honor I feel on being invited to address you is wholesomely tempered by the knowledge that I am the only no-star "general" present.

I am proud to say, however, that I, too, am a veteran of our country's armed forces, war before last.

More important, I share with you — as only one who has been a top Sergeant himself can share it — the resolve that for our sons and daughters, there will be no next war.

And as we had our problems back in 1918 and '19, the memory of those disturbed times gives us a better understanding and a fuller sympathy with the present generation that has followed us on their long, long trail to battlefields overseas, and home again.

In World War II, you know, there was a bit of advice that gained currency among the boys in the Army. It went like this:

If it moves, salute it.

If it doesn't move, pick it up.

If you can't pick it up, paint it.

Today, with those boys back with their families, new problems confront them, and that advice has been changed to fit the occasion. Now it goes:

If it cries, change it.

If it's on wheels, buy it.

If it's hollow, rent it.

Since the time of George Washington, whose memory we honor on this day, the 215th anniversary of his birth, the domestic problems that grow out of war, the economic upheavals, the difficulties of readjustment, the
faced with Ben Franklin's oft-quoted alternative -- of hanging together or
hanging separately.

Another way to bring on war, also historically tested and found
practically sure-fire, is for a nation to squeeze its neighbors in the vice
of its own greed -- to insist on selling to them without buying from them;
to build tariff walls over which they cannot deliver their product thereby
creating such economic chaos that the whole world becomes engulfed in war.

And a third way -- perhaps the most dangerous way of all to risk a
war -- is to ask for it by being unprepared to fight.

This was as true in the day of Washington as it is now. I can think of
no better authority to cite than the Father of Our Country, George Washington
who said:

"If we desire to avoid insult, we must be able to repel it; if we
desire to secure peace -- one of the powerful instruments of our rising
prosperity -- it must be known that we are at all times ready for war."

Again and again, Washington repeated his warning against the kind of
"economy" that we have been hearing of late.

In his first annual message to Congress, in 1790, he said:

"To be prepared for war is one of the most effectual means of preserv-
ing peace."

Again, in a letter to Elbridge Gerry, Washington said:

"There is nothing so likely to produce peace as to be well prepared to
meet an enemy."

Of course it costs to be well prepared to meet an enemy. Even after
sifting out the gold braid, the frills and the fruit salad from the real
essentials of national defense and cutting to the bone -- the figure is high
-- some 11 billion.

(OVER)
A big sum? Of course it's big. So big that you and I can't see around it in one look. But so is the explosion of an atom bomb big. So big that you and I couldn't even look at it — not twice anyway — for once blinds you.

Little wars aren't fought any more — not when we are drawn into them. We can't come out second. Another Texan, General Ira Eaker put it right when he said — a second best army is like a second best poker hand — and it brings the same results.

Well, some folks have sat themselves down, taken out their pencils, and began to figure. They figured and they figured.

Some seem to think they know better than the men of the high command who had led our armed forces to victory in World War II. They would prove that men like General Eisenhower and General Marshall and Admiral Nimitz and Admiral Leahy didn't know their business — or so they must have believed.

And just to show you how little Eisenhower and Marshall and Nimitz and Leahy knew about it, these people with their little pencils proved that the $11,200,000,000 for our armed forces should be cut to $6,000,000,000. Yes, sir, almost in half! Marshall and Eisenhower and Nimitz and Leahy were off by almost 50 per cent.

Now if you do believe that, then you must agree that we ought to fire Eisenhower, Marshall, Nimitz and Leahy. We ought to combine the armed forces — both tanks, both ships, and all three guns — and make these pencil pushers the Generalissimos. If we are to have any such two-cent army, they deserve the high command, for they certainly exhibit penny wisdom.

The wisdom of George Washington has been proved time and again, but never was it more applicable than at this moment. Secretary of State George Marshall is about to meet the spokesmen for the leading powers that were allied with us in winning the war.
The American people are, at this moment, friends with the world. There is no war in the offing. But friendly nations, engaging in the give-and-take that we call diplomacy, seldom see the world and its problems eye to eye. They seek meeting-grounds somewhere between original viewpoints that may be far apart.

That is the case today. Our secretary of State is undertaking to reach an agreement with the other powers on one of the most important of all post-war problems — the problem of Germany. History, perhaps destiny itself, is in the making in this hour.

But our neighbor nations, peace-seeking though they may be, will deal with us realistically. If we approach them as the most powerful nation on earth, they will deal with us in one way. But make no mistake about this, my friends — if we approach them as a third-rate power, they will deal with us in quite another way.

Yes, we are strong. But our strength as of this moment is not what counts. If we adopt a course now that points in the direction of a third-rate status for America, our neighbors will not be ignorant of that fact. They will know. And they will anticipate. And our spokesmen will very soon discover that America's opinion, America's hope, America's will, has lost weight in the world.

When we contrast the World of Washington's day with the World as we now find it, there is no escaping the fact that the responsibilities and the perils of the United States of America are now immeasurably more vast. You who have served with our forces overseas know that not only is the World today a smaller one in every sense than it was in 1776, but that our stake in peace and prosperity throughout the World is tremendously greater. The oceans on either side of us are, in comparison, but lakes.

(OVER)
And, of course, the pathways of the air not only invite the universal spread of trade and commerce, but are pathways for the new weapons which man has created. Our first emphasis in this new World must be upon extending the benefits of trade and commerce, so that the conditions upon which peace and amicable relationships rest can exist throughout the entire globe.

Yet, at the same time, the responsibilities which the maintenance of peace and security throughout the World impose upon this Nation, and upon the other members of the United Nations, deserve a place of equal prominence. The preservation of peace, through the United Nations, imposes a continuing duty upon us. In the interest of peace itself, we must remain strong.

President Truman is also studying the problem of universal training for the youth of this country. We all know the path which we have followed in the past of preparing for war after war had descended upon us. We all know the disasters and tragedies that have resulted from that policy. In an atomic age we cannot afford to gamble with fate. We must take steps to insure preparedness on the part of the men who will be called upon as citizen-soldiers to share in our defense if war comes — we cannot afford to rely solely upon a small standing army. The details of the President's program are now being formulated. I believe he plans to send a message to the Congress on that subject in the near future. But I am sure that one of the keystones of his view of universal training is the training it will give, not solely in military science, but in the broad factors of character building. By this I mean those factors which will come from emphasis upon citizenship, physical fitness, cooperation and team work.

As you know, I have been greatly concerned for the past two years over the problem of juvenile delinquency. The post-war world is a harsh one. It
has produced a vast number of problems for the youth of America. I have tried to do my part in extending a helping hand to young men and women who have fallen prey to its temptations. I think real progress is being made by the many state and local organizations that are working on this problem. At the same time, I think that one of the great contributions the Federal Government can make along this line is to provide a system of universal training which will provide real and substantial benefits for the young men participating in it.

It was George Washington who, when the war had been won, told the Governors of the States:

"I will speak to your Excellencies the language of freedom and of sincerity without disguise— There are four things which I humbly conceive are essential to the well being, I may even venture to say, to the existence, of the United States, as an independent power:

"First, An indissoluble union of the States under one Federal head.

"Second: A regard to public justice.

"Third: The adoption of a proper peace establishment; and

"Fourth: The prevalence of that pacific and friendly disposition among the people of the United States which will induce them to forget their local prejudices and policies; to make those mutual concessions which are requisite to the general prosperity; and in some instances to sacrifice their individual advantages to the interest of the community."

Indeed we do have an indissoluble union. We gave much of our blood to achieve this in the battle between the States.

As to public justice—Washington's second essential—I have much to do with that. We are making progress.
But we now face two great menaces in America — Fascism and Communism. Both are totalitarian, anti-religious and materialistic. In fact, they wear the same cloak. Both are the opposite to the American way of life. If other folks want Communism, let them have it. But it has no place here with us in America.

You met the Hitler and Mussolini brands of Fascism and defeated them on the battlefield. We must arise and focus the spotlight of public opinion upon Red Fascism and build up barriers of common decency through which it cannot penetrate.

You defeated dictatorship with bullets — and we can defeat Communism with brains. Like crime, we cannot permit America to become infested with its malignant growth. I count on you to help.

And now for the fourth and last essential as outlined by Washington. We must, indeed, cast aside our prejudices and hatreds. There is no place here for intolerance and bigotry. America is made up of all nationalities.

As Washington so aptly put it, we must sacrifice our individual advantages to the interest of the community. Our country cannot be divided by individual greed. We must act and we shall act for the best interest of all the people.

I pray God that in this fateful hour the will and the wisdom of George Washington will prevail.
March 7, 1947

The Attorney General

Director, FBI

Attached is a copy of the March, 1947, issue of the FBI Law Enforcement Bulletin which I thought you might like to have.

Attachment
Dear Sir:

On the above date pursuant to Bureau instruction, the writer met the Attorney General upon his arrival in Charlotte. At a luncheon before the Mecklenburg County Bar Association Mr. CLARK discussed his department's program concerning antitrust matters, portal-to-portal pay suit cases, and the JOHN L. LEWIS case. Off the record he discussed the menace of Communism, keynoting that his investigative wing of the Department was alert to the menace and well posted so that any Federal violations would be reported to him and vigorously prosecuted.

I thought you would be interested in knowing that during a visit to the United States Attorney's Office he asked me to personally show him the Charlotte Field Division. Thereupon, he, Mr. CLARK, Mr. LAMAR CAUDLE, and two Assistant United States Attorneys from the Western District of North Carolina, went through the entire field division. Mr. CLARK was extremely cordial in meeting all of the employees and made a very favorable impression. He lauded the Bureau, yourself, and the agent personnel. Mr. CLARK was most complimentary in his remarks concerning conditions of this office.

Following this visit and after attending two social engagements, he made his principal speech at the annual conference of Christians and Jews at the Hotel Charlotte. His remarks in substance were the same as at the luncheon. In addition, he praised Dr. FRANK GRAHAM, President of the University of North Carolina and recipient of the annual award of the conference of Christians and Jews.
Director, FBI

March 3, 1947

During the course of the day Mr. CLARK and Mr. CAUDLE frequently expressed themselves as interested and pleased on the developments in the civil rights investigation which was conducted in connection with the lynching of the Negro at Pickens, South Carolina.

Very truly yours,

John C. Bills
Special Agent in Charge

JCB:WH
URGENT

To: COMMUNICATIONS SECTION.

Transmit the following message to: SAC MIAMI

THE AG'S OFFICE ADVISES THE AG DESIRES AGENT PICK UP PACKAGE AT THE HOME OF GENERAL SAYLORD, 6675 WINDSOR LANE, LAGORCE ISLAND, MIAMI BEACH, TELEPHONE 6-3822 AND DELIVER TO HIM AT THE HOME OF SA/J PRIOR, 2811 HOBE SOUND, FRIDAY MORNING.

HOOVER

LBN: hbm

NOTE: Miss O'Donnell of the AG's office called and stated the AG had called and asked that a package be sent down to the home of General Saylord and that an Agent be requested to pick it up and deliver it to him tomorrow morning. I told Miss O'Donnell we would see what we could do. She reiterated that this was the AG's instruction.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE: 3/8/47 BY: E. B. COFFEE

COPY DESTROYED

SENT VIA 150 NOV 10 1964
The Attorney General

Director, FBI

April 2, 1947

Attached is a copy of the April, 1947, issue of the FBI Law Enforcement Bulletin which I thought you might like to have.

Attachment
United States Department of Justice
Federal Bureau of Investigation

Post Office Box 4261
Miami 26, Florida
April 2, 1947

Director, FBI

Re: CONTACTS WITH ATTORNEY GENERAL TOM C. CLARK
ON HIS RECENT TRIP TO HOBE SOUND, FLORIDA

Dear Sir:

This is to advise that at 8:30 p.m. on March 14, 1947, Attorney General Tom C. Clark, his wife and daughter, and his host Mr. Sam Pryor, and other guests of Mr. Pryor, arrived at the Stuart, Florida, Airfield on a special Pan American Airways plane. Special Agents Martin A. Manley and William H. Crawford were on hand to meet this plane and drove the party to the winter home of Mr. Sam Pryor at Hobe Sound, Florida.

The Attorney General advised that he did not desire any transportation to Morrison Field, West Palm Beach, Florida, on March 17th, where he was boarding the same plane for New York City for a special engagement. The above mentioned Agents were on hand to assist the Attorney General at Morrison Field. The plane left at 11:45 a.m. on March 17, 1947.

The Agents met the Attorney General at 6:30 a.m. on March 18, 1947, when he arrived alone at Morrison Field via National Airlines plane and drove him to Hobe Sound.

The Agents drove the Attorney General and the above mentioned party to Stuart from Hobe Sound on the morning of March 24th, from where they departed for Washington, D. C., at 9:30 a.m.

I understand that all contacts with the Attorney General were very pleasant and he appeared to appreciate the Bureau's interest and the assistance rendered him.

Very truly yours,

J. E. Thornton,
Special Agent in Charge

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 6/8/32 BY J. E. THORNTON
While interviewing John F. Maragon this morning, he advised me that the President was very angry at Tom Clark. He stated that when Drew Pearson's article came out with reference to Maragon, that the President instructed General Vaughan to supersede the Attorney General in the absence of Tom Clark from the city and to go down to the U. S. Attorney and instruct Mr. Fay to bring criminal proceedings against Drew Pearson; that General Vaughan proceeded to a conference with Fay and Fay explained that he was unable to bring criminal libel charges in view of existing instructions from the Attorney General. Mr. Maragon stated that when the President learned this he was very much incensed and that likewise he was very perturbed when he, the President, found that Tom Clark had returned to the city the following morning before they had been able to get Fay to proceed with the criminal charges.

In this connection, Maragon stated that the President had also referred to the fact that Tom Clark was too close to Drew Pearson and would do nothing except tip Drew Pearson off to what was being done. The President commented with reference to the fact that a short time ago Drew Pearson took some unfounded charges against General Vaughan to Tom Clark, who, according to Maragon, had instructed that you institute an investigation. Maragon stated, however, that "Mr. Hoover was too smart and insisted that Tom Clark put his request in writing"; that thereafter you arranged to have General Vaughan advised of the charges prior to initiating the investigation, and that when General Vaughan advised President Truman of the facts the President became very much incensed at Tom Clark and stated that the least he could have done was to have advised the White House about the charges against a member of the official family. Maragon advised that both the President and General Vaughan instructed that a thorough investigation be made of the allegations furnished by Drew Pearson, and he further stated, "Of course, the investigation showed the charges to be unfounded."

I thought you would be interested in this reaction of the President as far as the Attorney General is concerned.

DML:omw

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 4/2/47 BYJTG 8:19 217
TO: Director, FBI
FROM: SAC, New Orleans

DATE: April 9, 1947

SUBJECT: SPEECH OF ATTORNEY GENERAL TOM CLARK,

I note from a newspaper clipping United States Attorney General
TOM CLARK has accepted an invitation to address the Mississippi
Bar Association at Biloxi, Mississippi, June 26-28. The announce­
ment was made by R. C. STOVALL of Columbus, Mississippi.

It is requested the Bureau advise me of the time of the Attorney
General's arrival and of any courtesies you may wish to have extended.

CEW: tsp

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 4/X/47 BY 2/9/47
Address by

TOM C. CLARK
Attorney General of the United States

At

Joint Ceremonies of
Daughters of the American Revolution
Sons of the American Revolution
Sons of the Revolution
Children of the American Revolution

Memorial Continental Hall
Washington, D.C.

Saturday, February 22, 1947
10:30 A.M.
George Washington had his rendezvous with destiny and today you and
I have ours. He was a frontiersman, a man of solemn information and sound
judgment; a man so persevering that today we have a United States of America.

It was he, who, by the sheer force of his own perseverance and determined
will, held Valley Forge. Twice beaten on the field of battle—once at the
Capital of his own tottering Federation, Philadelphia—with no housing,
little food, and with a straggling Army, actually barefooted, he, and those
who believed in him, faced sure defeat, rout, and disgrace. During that
terrible winter his army had eaten every kind of horse food except hay. He
had forced it across the Delaware on possibly a day such as this. This
campaign was indeed the test of Washington's character and of his heart.
The perseverance that he showed there has never been equalled or excelled
for he had not only to deal with his men, but he had to deal with public
criticism and with legislative meddling. He had to deal with those who were
traitors to his cause. He had to deal with bigots and intolerant would-be
leaders.

But Washington had his reward at Yorktown, for there he brought about
a true American victory. But though the war was over, the battle had not been
won, because dissention, disbelief and recrimination had crept into the minds
and hearts of some of his fellow Americans. As he very aptly stated then,
the policy of the various states would decide whether the Revolution that he
and his comrades had won was a "blessing or a curse". During this period
the Capital was moved from city to city; in fact, a total of eight times from
Philadelphia to Baltimore, to Lancaster to York, to Princeton, to Annapolis,
to Trenton, and to New York. In addition to the economic problems that faced
the Confederation there was a fight over where the Capitol should be. Should
It is a privilege to be here today and join with you in the 215th Anniversary of the birthday of George Washington. Much credit is due the Daughters and Sons of the American Revolution, and today I am highly pleased to see that the Children of the American Revolution not only join in this celebration but are in charge of it. To my mind, this augers well for the future of America. I think more than ever the children of America are God's emissaries, sent forth to us day by day to preach of the hope for America tomorrow; of the love and brotherhood of Americans and, yes, the peace of the entire world. Through them alone can the masses of the world be reached. All you have to do is get the boys and girls of the world started on the right track and the Devil will have to hang a crepe on his own door.

We, who, meet here today are particularly fortunate because we are assembled in the capital of the world, a capital that was planned and the destiny of which was foreseen by the man whose birthday we here commemorate. Washington has become the mightiest name of all throughout the world, for the Washington date line brings fear to those who would trample down the individual rights of the citizens of the world and it brings security and comfort to those who are in distress. To the millions of people who were rendered homeless by the hatred of Hitler the name of Washington brings a cheerfulness that is beyond comprehension.

Yes, the name Washington has come to symbolize the things that the man Washington stood for; the things that go to make up for greatness, honesty, integrity, perseverance and Godliness.
it be at Boston where the first shot was fired -- or at Philadelphia where liberty was proclaimed? Or in Yorktown where it was born?

An interesting story is behind the final selection. The capital was brought where we stand today by an understanding between Hamilton and Jefferson that the debts of the states would be taken over by the Federal Government and that in recompense therefor the capital would be located here.

There are many who think that the frontiers are no longer present; that the opportunities which came to Washington and Jefferson and Hamilton and those who joined together to found this great country of ours are no longer existent. But the frontiers will always be with us. They may not be the territorial frontiers that we had during the early days of our Republic, but the frontiers for doing good and for real accomplishment are with us more so now than ever before.

Whether we take advantage of the opportunities that are afforded us after World War II, just as our forebears took advantage of the opportunity facing them after the revolution depends entirely upon you and me. It is our job to see that advances are made and that the world moves toward peace, rather than World War III. In order to do that we must, of course, strengthen our own position. A statement made by George Washington at one of the first meetings of the Governors of the original states is most appropriate today. He said then:

"I will speak to your Excellencies the language of freedom and of sincerity without disguise. . . . . There are four things, which I humbly conceive are essential to the well being, I may even venture to say, to the existence, of the United States, as an independent power:

(OVER)
"First: An indissoluble union of the States under one Federal head.

"Second: A regard to public justice.

"Third: The adoption of a proper peace establishment; and

"fourth: The prevalence of that pacific and friendly disposition among the people of the United States which will induce them to forget their local prejudices and policies; to make those mutual concessions which are requisite to the general prosperity; and in some instances to sacrifice their individual advantages to the interest of the community."

Today we have an indissoluble union. It is indissoluble in that we have determined that no state can dissolve it. But the problems posed by Washington in the Second, Third, and Fourth Admonitions we still have with us. There is a disrespect creeping into American minds and hearts of public justice. We must dissipate this. In order to do that we must wage an relentless battle against those who would tear down our institutions. Today we also have a class among us which would prevent the establishment of a proper peacetime Army and Navy. As Washington said back in his time, the adoption of a proper peace establishment is necessary to the continued advancement of America. We must not go backward in this regard. We must insist upon having a peace establishment that will cause the world to have respect for our thoughts and for our positions. As Gen. Geo. Marshall goes out in the next few days to attempt to bring about an agreement which we hope will guarantee the future peace of the world we must implement his position by making sure that we are strong.

And, on the Fourth Admonition, we need to do much work at home. For the dissensions that have crept in and among us have prevented that pacific
and friendly disposition that induces people to forget the local prejudices and policies. We must cast aside the intolerant attitude that seems to be cropping out all over this country of ours. We must learn, as Washington said, to make those mutual concessions which are requisite to the general prosperity. We must learn to sacrifice individual advantage to the interest of the community.
April 16, 1947

SAC, New Orleans

Director, FBI

Speech of Attorney General Tom Clark,
Biloxi, Mississippi, June 26-28.

Reurlet April 9, 1947, you will be advised of
any action to be taken by your office in connection
with captioned matter.

FBI: ok
April 18, 1947

MEMORANDUM FOR THE DIRECTOR

I thought you would be interested in knowing that the Attorney General was the main speaker at a banquet held by the Delta Tau Delta College Fraternity on the evening of April 17, 1947, attended by over three hundred individuals, including Senators Baldwin and Jenner, numerous Congressmen, Loy Henderson of the Far Eastern Division of the State Department, and former Ambassador to China Johnson.

Mr. Clark spoke concerning juvenile delinquency using the Bureau's facts and figures to a large extent and making numerous references to the Bureau and to yourself. The Bureau was referred to in a very commendable manner throughout the talk.

The banquet was attended by the following Bureau agents who are members of this Fraternity:

Robert E. Newby
Edward J. Powers
Jerome Garland
Robert A. Collier

Respectfully,

D. M. Ladd
April 25, 1947

Honorable Tom C. Clark
The Attorney General
United States Department of Justice
Washington, D. C.

Dear Tom:

I take pleasure in enclosing two photographs taken following the ceremonies held yesterday. I thought perhaps you might like to have them as a memento of the occasion.

With best wishes and kind regards,

Sincerely yours,

Enclosure

ECK:GO

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 6/8/83 BY 8/1/83
SAC, Kansas City

April 25, 1947

Director, FBI

Visit to Topeka, Kansas, May 23, 1947,
of Attorney General Tor Clark

With reference to your memorandum of April 21, 1947, captioned as above, you are advised that your office will be notified in advance in the event any action is to be taken by you with regard to the Attorney General's forthcoming visit.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 5/25/47 BY MAJ. HN.
Director, FBI

DATE: April 21, 1947

SAC, Kansas City

SUBJECT: VISIT TO TOPEKA, KANSAS, MAY 23, 1947, of ATTORNEY GENERAL TOM CLARK

Attached is a news clipping indicating that Honorable TOM CLARK, U. S. Attorney General, will be in Topeka, Kansas, May 23, 1947, to address a meeting of the Kansas Bar Association.

Should the Attorney General request any assistance of the Bureau on his trip to Topeka, it is kindly requested that I be apprised sufficiently early to make appropriate arrangements in connection therewith.

DB:mjd

Enc.

ENCL 1

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 6/23/44 BY 88 X 675 AS

CITY

FILE DATE BY QI 30/1947
U. S. Attorney General Guest Here May 23

Tom Clark, U. S. attorney general, will be in Topeka May 23 to address a banquet of the Kansas Bar association which will be meeting here, it was reported Tuesday.

Thomas Van Cleave, president of the association and Kansas City attorney, notified Beryl Johnson, Topeka attorney and secretary of the state bar, that Clark would arrive in Kansas City on the morning of May 23 and will come here later in the day.
Attorney General

RECOMMEND

Director, FBI

MRS. BETTY HAEUSLER

Fursuant to a request from your office, I am returning a letter written in German addressed to you by Mrs. Betty Haeusler, Salzburg, Austria, under date of April 13, 1947, together with two copies of the English translation.

Enclosure

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**MEMORANDUM**

For translation

To M. O. Kelly

5/12
Dear Mrs. Clark,

Please forgive me for troubling you with a request today.

Because of your known kindness, I am turning to you today in my desperate plight. As you doubtless know, we Austrians are in a very difficult situation. The chief concern is food.

Thus I should like to direct a request to you, dear madam, to be so kind as to send an S.A.R.E. package to us, a family which is existing only on (ration) cards. Since my husband has been ill for two years and is unable to work as a result of injuries received in the war of 1914-1918, which have grown worse from year to year, and which are not showing any improvement as a result of present conditions, I am taking the liberty of directing my request to you, gracious madam.

If you should open your kind heart and comply with my request, I wish to extend my warmest thanks to you for your gracious and magnanimous contribution.

May God always protect you and your esteemed husband.

Incidentally, I should like to mention that my family is unobjectionable politically.

Respectfully yours,

s/ Mrs. Betty Haeusler

Address: Betty Haeusler
Salzburg
Duckleuthstrasse No. 13, (Riedenburg), Austria.
Dear Edgar:

Thank you for sending me two prints of the pictures taken on the occasion of the administering of the oath of office to Gus Vanech last Thursday. I am very pleased to have them, you may be sure.
Director, FBI

Dear Sir:

Reference is made to the telephone call from Inspector John J. McGuire Friday, April 25, 1947.

The writer personally met the plane of Ambassador Pauley, NC-55414, at the International Airport at 1:40 a.m. Saturday morning as the plane was delayed. Arrangements were made to take Honorable Tom C. Clark, the Attorney General, to the Pauley residence, but just as the writer was about to have his bags placed in the Bureau car, Postmaster General Robert E. Hannegan appeared on the scene in his Cadillac and with a station wagon for the luggage. Ambassador Pauley's car was also there, so there was no need for me to take Mr. Clark to the Pauley residence.

The Attorney General expressed his appreciation and he was informed that this office would be glad to assist him in any way possible during his visit.

Very truly yours,

[Signature]

J. E. Thornton
Special Agent in Charge

32 MAY 5 1947
TO:  
- Director                      Mr. McGuire  
- Mr. Tolson                    Mr. Mohr  
- Mr. E. A. Tamm                Mr. Nease  
- Mr. Clegg                     Mr. Quinn Tamm  
- Mr. Glavin                    Miss Gandy  
- Mr. Harbo                     Mr. English, 5627  
- Mr. Ladd                      Records Section  
- Mr. Rosen                     Pers. Records Sec.  
- Mr. Tracy                     Reading Room  
- Mr. Carson                    Mr. Tolson Mail Room  
- Mr. Cartwright                Miss Cowan  
- Mr. Jones                     Mr. Clegg Miss Middleton  
- Mr. Leonard                   Mr. Clavin Miss Pitts  
- Mr. McCoy                     Mr. Ladd  

See Me For Appropriate Action  
Send File Prepare Reply  

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED  
DATE 6/8/47 BY SE-8 BTJLRU  

L. B. Nichols  
Room 5640, Ext. 691
U.S. NEEDS SCHOOLS INSTEAD OF BASES

Moscow in Czech to Europe, May 15, 1947, 11:30 a.m. EST--L

(Commentary: "Illiteracy in the United States"

(Excerpts)

"Mr. Clark, the U.S. Attorney General, in a speech at the recent national conference on civic questions quoted some most interesting figures. According to official statistics Clark invoked, there are now several million children in the United States who do not attend school, 3 million adults who never went to school, and 10 million who are practically illiterate.

"Mr. Clark, however, drew somewhat strange conclusions from his observation. He called all U.S. citizens who are not enthusiastic about this state of affairs 'subversive elements' and threatened that all such people would be 'liquidated.' This is indeed a promising statement coming from the lips of the Attorney General. It is, however, not quite clear how the liquidation of the progressive elements in the United States is to help in the raising of the cultural level of U.S. citizens who would clearly give preference to the building of schools over that of military bases in the Arctic, China, and the Mediterranean."
May 16, 1947

MR. NICHOLS:

The Attorney General is flying to Detroit today - leaving here in PCA plane - 1:30 Daylight time. Will arrive Detroit 3:20 Standard Time, 4:20 Daylight time. Mr. G. M. Fay, United States Attorney for the Dist. of Columbia, will accompany him. Flight Number is #15.

He will return in private plane, leaving Detroit tomorrow morning.

His reservations are at the Book-Cadillac and he will address the Detroit Bar Assn. at a dinner meeting this evening.

Will you please have someone meet him?
MAY 21, 1947

MR. NICHOLS:

The Attorney General will leave here on PCA Flight #419 – for Cleveland – arriving in Cleveland, Ohio, 4:32 p.m. Eastern Standard Time, today.

Will you please have someone meet the Attorney General?

He will address the National Catholic Welfare Conference at the Allerton Hotel, but his reservations are at the Hotel Carter.
FEDERAL BUREAU OF INVESTIGATION

5/21 1947

TO

Mr. Tolson
Mr. Mohr
Mr. E. M. Tamm
Mr. Nease
Mr. Clegg
Mr. Gunn Tamm
Mr. Glavin
Mr. Ross
Mr. Frank
Mr. Tracy
Mr. Carson
Mr. Carson
Mr. Cartwright
Mr. Jones
Mr. Leonard
Mr. McCoy
Mr. Nease
Miss Gandy

See Me
Send File

Prepare Reply

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 6/18/43 BY 88-885248

L. B. Nichols
Room 5640, Ext. 691
AN ADDRESS

BY

TOM C. CLARK
Attorney General of the United States

PREPARED FOR DELIVERY

Before the

SECOND NATIONAL CONFERENCE ON CITIZENSHIP

Hotel Statler

Boston, Massachusetts

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED SATURDAY, MAY 10, 1947
DATE 05/10/1947 BY 8:30 P.M.

INDEXED

EX-70
I am happy, indeed to be with you and to address this Second National Conference on Citizenship, dedicated to our country's welfare through the active strengthening of the Nation's greatest bulwark, the individual citizen.

A National Conference on Citizenship, meeting annually, is a great dream, the fulfillment of which augers well for the future of America.

Unfolding here is an idea that can become a powerful force for the building of a better America and a better world - a force needed now as never before in our history.

I heartily endorse the worthy objectives of this Conference, especially those that emphasize:

"That the torch of liberty and freedom must be kept burning,

- That the responsibilities of citizenship must be discharged, and

- That the opportunities of citizenship must be appreciated"

Saint Paul, as he admonished the Corinthians, might instead have been writing an Epistle to Americans of 1947, when he said:

"But now there are they many members, yet but one body. And the eye cannot say unto the hand, I have no need of thee: Nor again the head to the feet, I have no need of thee.

Nay, much more then those members of the body, which seem to be more feeble, are necessary: * * *

That there should be no schism in the body, but that the members should have the same care one for another.""

Pearl Harbor, Bataan, Corregidor, Guadalcanal, Iwo Jima, North Africa, Italy, Normandy, the Battle of the Bulge, and all the other far-flung places of World War II, waged that liberty should not perish from the earth, kindled
a great flame of unity and patriotism in America's heart.

That flame must never die out!

But in peace time when the fire flickers low, it needs to be rekindled by "an active, alert, enlightened, conscientious, and progressive citizenry."

All too frequently we go to war to fight the enemy on foreign soil but, when the war is over, disregard the enemies of peace who are within our borders.

We are patriotic and work unselfishly and unceasingly for our country in war time.

We are willing to die for American principles in war, yet we fail to defend, and to live for, these same principles in peace.

The recent world crisis to us Americans was a battle for the soul of man - a fight for the worth and dignity of human personality, a fight for the basic American principle of the right to life, liberty, and the pursuit of happiness.

It was a struggle against a philosophy that recognized no inalienable rights, that made the individual a slave of the sovereign state, that crushed initiative, blocked social and cultural progress, and killed the joy of living.

Although we were conquerors on the field of battle, the fight is not over.

Philosophies, alien to our democratic concept, are still abroad in the world; they can grow into a real threat to our freedom here in America, and to that of the rest of mankind.

We would be untrue to ourselves, and false to mankind, if we minimized this peril.
I have pledged that all elements, subversive to our form of government, shall be eliminated, and I mean just that.

I wish to assure you, however, that there will be no witch hunts. The clock will not be turned back to the time when such activities took place near this historic setting of liberty.

We must ever remember that we have a Bill of Rights—a priceless charter of human liberty—which guarantees to the American citizen that his basic freedoms shall not be invaded.

Implied in our Bill of Rights, is a Bill of Responsibilities. One of my responsibilities is to see that Federal laws are obeyed, and that the individual is protected in his basic rights.

For all of us, there can be no right without a corresponding duty, no privilege without a related responsibility—a responsibility for loyalty to the ideals of American citizenship 365 days in the year.

In the final analysis, our best defense against subversive elements is to make the ideal of democracy a living fact—a way of life such as to enlist the loyalty of the individual in thought, in feeling, and in behavior.

Bringing the American ideal to fruition is a challenge to this Conference and to every citizen of our land.

With all of our glorious history, our country is not perfect. Many inadequacies still exist in the American way of life. Our ideal has never been fully realized.

A good America can become a better America.

Much remains to be done that will add to the happiness of our people and to the strength of the Nation.

We must be concerned with the problem of meeting the basic human needs, spiritual as well as physical.

(OVER)
We must make possible some of the good things of life to those who have too little.

We must provide equality of opportunity to millions now denied it in this land of equal opportunity.

We must do all of these things and more, otherwise we fail democracy and make its name a misnomer.

I observe that the sessions of this Conference on citizenship have been largely devoted to an emphasis upon those traditional institutions of American community life - the home, the church, the school, and related activities that are essential to the normal growth and wholesome living of our citizens. That emphasis is not misplaced.

The home lies at the very foundation of effective American citizenship. Parents are still the most important influence in the lives of their children. Through them, children should experience affection, security and guidance, indispensable elements in child growth.

Everything possible should be done to give vitality to family life.

Through parent education, family counseling service, forums, classes and institutes, the church, the school, and other forces in the communities can strengthen the home to the end that parents may better discharge their responsibilities in preparing youth to meet the problems of tomorrow.

In this connection, it should be pointed out that millions of Americans, especially youths recently returned from the battlefields of freedom, do not have a house in which to begin a home.

And some of our citizens are responsible for that!

The church can help to guide youth in the formation of a scale of values in keeping with the principles of democratic living.
In its spiritual and educational functions, the church can build right attitudes, war against pitfalls, and shape personal character.

One layman suggested a slogan for church effort in these words: "Better to build than rebuild; better to form than reform; better to prevent than repent."

Alert to the principle, "I am my brother’s keeper," the church is a powerful force for good, particularly in helping to free the community of many evils that cause boys and girls to stumble into delinquency and crime.

The School is strategically placed to reach practically all children and many adults.

It reaches children at an early and impressionable age when character is shaped.

It, therefore, plays a vital part in the building of good citizens.

Yet, throughout America, many poverty-stricken and broken-down schools are mocking paradoxes to the idea of equal educational opportunity for all.

In this land where men are born free and equal, millions of our children are denied equal educational opportunities.

They are herded into over-crowded class rooms, which are staffed, in many instances, by teachers who are paid only enough to keep body and soul together, while their task is to build boys and girls for the serious responsibilities of citizenship.

More than 2 million children attend our lowest-average schools, on which only $500.00 a year per class room unit is spent.

Millions of other children are not in school at all.

Three million adults in the United States have never attended any kind of school.
Ten million adults have had so little schooling that they are virtual illiterates.

During the greatest crisis in our history, our Nation lost a vast manpower because of illiteracy.

Five million young men, almost one out of three, were rejected for military service on account of physical, mental and educational deficiencies.

350,000 school teachers have left the schools since 1939, many of them lost forever to the teaching profession.

The national average salary of a school teacher in 1943-44, was $1,728. In 4 States, the state-wide average salary was less than $1,000.

More than 40,000 teachers were paid less than $600.00 per year.

Since 1944, the salary level in some sections has advanced slightly, but the teacher's dollar has shrunk in value.

The incentive to enter teaching is gone when the elevator girl is paid more than the beginning teacher — And I do not mean to convey the idea that the elevator girl does not earn her pay.

The American school teacher today has neither an adequate wage, nor professional security, both of which are essential to a successful teacher.

All our children are citizens of the United States. Children born in poverty-stricken areas are no less American citizens than those born in richer areas. The education of both groups is of vital national concern, for ignorance cannot be quarantined.

Sub-standard schools are a matter for serious consideration of the Nation, regardless of where they are located. Wherever they exist they leave a blight on the future citizens of our country.

As good citizens, then, our first and urgent concern is to eliminate the slums of American education.
The home, the church, the school, and related activities are all a part of the community.

The ideals of this Conference will come to fruition only when they are translated into action in the home community.

For if we do not make democracy work locally, it will not work nationally.

We must, therefore, become community conscious and want wholesome communities in which to live and to bring up our children to do their part in the building of a better America.

If we have given little or nothing toward the development of our home town, we are isolationists of the worst type.

If we are not conscious of the slum situation across the railroad tracks; the growing delinquency problem; the broken-down school system, the recreation problem, and other community problems, we are failing miserably in our responsibility as citizens.

A certain city in the United States, with a population of around 40,000, has over 400 different organized groups, including civic, fraternal, religious, educational, labor, business and patriotic. With an organized membership running into thousands devoted to community welfare, its people have an opportunity to assure living conditions that make for a meaningful, healthy and happy life.

Some of our clubs, I am sorry to say, however, meet only to eat. Occasionally they vote a scholarship to some poor lad, or donate baskets to the Salvation Army for distribution to the poor at Christmas time.

Other clubs, mindful of their civic obligations, study their community's health problem, demand efficient and honest police departments, call for pure
water supply, labor for adequate recreational facilities, urge people to
register and vote, foster town meetings, or other media, for discussion of
public questions, and perform many other duties that help to build their
community.

We are not discharging our responsibilities of citizenship, when 4
million American children have defective eyesight; one million, defective
hearing; when three-fourths of our children need dental care, and hundreds
of thousands of American families can not afford adequate medical care.

We are asleep if we fail to remember that democracy is split assunder
when prejudice and bigotry possess our people in their human relationships.

Sheet-covered breeders, carriers, and spreaders of hate and intolerance
strike at the very heart of the institutions upon which our liberties rest.

Millions of our citizens do not take the trouble to vote in presidential
elections or to cast their ballots in local elections.

It is estimated that 47 percent, or more than 41 million, of the men
and women of voting age failed to cast their ballots in the 1944 Presidential
election.

61 percent, or 57 million, failed to vote in the 1946 elections.

With all of our emphasis upon suffrage, there has been a downward
trend through participation in the ballot.

In 1896, 79.6 percent of those eligible voted.
In 1944, 53 percent cast their ballots.
In 1946, only 39 percent went to the polls, a situation to be con-
sidered seriously when we discuss strengthening American citizenship.

Some of our best citizens from Chambers of Commerce, civic clubs,
patriotic organizations, ministerial bodies, bar and medical associations
and women's clubs still subscribe to the principle that they cannot afford to take part in politics.

They complain of corruption and inefficiency in government, yet miss the precious American opportunity for bettering conditions by their failure to vote.

Politics is nothing more or less than the science of government. Our government, therefore, will be good or bad in the same proportion that our citizens participate in politics.

All of us need to get on more intimate terms with democracy, know its needs, become aware of its meaning and imbued with its spirit.

When we become concerned one for another, there will be no schism in the body about which Saint Paul spoke in the long ago.

Our America - vast, rich, and powerful - living and growing - holds forth a magnificent challenge, not only to our own people, but to liberty-loving peoples everywhere.

An America that sends forth into the world heart-warming rays of happiness and security and good will - and peace for all - must not fail.
WASHINGTON 11 FROM NEWAR 5-19-47 10-58 PM EST JFG

DIRECTOR URGENT ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 6-8-47 BY SS-8 RTJ+WW

ATTORNEY GENERAL TOM CLARK DEPARTED FROM TRENTON NEW JERSEY THIS DATE AT TEN TWENTYNINE PM EDST, OCCUPYING DRAWING ROOM A, CAR FOUR SEVEN NAUGHT, TRAIN NUMBER ONE FOUR SEVEN, DUE TO ARRIVE WASHINGTON AT ONE TWENTYNINE AM EDST MAY TWENTY, FORTYSEVEN.

END ACK PLS  EX-55

NK R 11 WA

 Called the home at home.
Dear Edgar:

Thank you for your memorandum of May 12, and the accompanying editorials on the pending legislation to liberalize the retirement benefits of the FBI. I find them very interesting and heartening, and I feel convinced that we will be able to get it through.

Yours sincerely,

[Signature]

May 16, 1947
FBI CLEVELAND

DIRECTOR

THOMAS C. CLARK, ATTORNEY GENERAL LEFT CLEVELAND EIGHT FIFTEEN PM TONIGHT EST VIA B AND O RR, BEDROOM A, CAR ONE EIGHTY THREE. WILL ARRIVE WASHINGTON D. C. SEVEN TWENTY THREE AM EST MAY TWENTY SECOND. HE REQUESTS MRS CLARK BE ADVISED IMMEDIATELY OF THE ABOVE DEPARTURES.

END

ACK AND HOLD PLS

10-10 PM OK FBI WASHDC L

6/2 MAY 28 1947
To: COMMUNICATIONS SECTION.

Transmit the following message to:

SAC, KANSAS CITY  URGENT

AG EN ROUTE JAYHAWK HOTEL, TOPEKA, KANSAS. ADVISE HIM THERE THAT PRIVATE
PLANE DC3 OWNED BY REYNOLDS METAL COMPANY PILOTED BY CHARLES JOHNSON
WILL BE AT KANSAS CITY, KANSAS, AIRPORT BETWEEN ELEVEN THIRTY AND
TWELVE THIRTY KANSAS CITY TIME TOMORROW TO TAKE HIM BACK TO LOUISVILLE
AND WASHINGTON.

HOOVER

MAY 23, 1947

JJMcG: MP
URGENT

REQUERTEL MAY TWENTYTHIRD. ATTORNEY GENERAL CLARK DEPARTED KANSAS CITY TWO FIFTEEN PM TODAY VIA DC THREE PLANE OWNED BY REYNOLDS METAL COMPANY. WILL ARRIVE LOUISVILLE ABOUT FIVE PM AND PROCEEDING WASHINGTON TONIGHT AFTER SPEECH THERE. LOUISVILLE ADVISED.

ACK AND HOLD PLS
504PM OK FBI WASH DC CCW

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 6/8/43 BY 58-8 9:30 P.M.
Office Memorandum

TO:  D.M. LADD

FROM: K.C. Howe

SUBJECT: Travel of the Attorney General

DATE: 5/26/47  10:20 PM

At the above time Supervisor Driscoll called from New York and advised that Attorney General Clark and Secretary of the Navy Forrestal would leave New York at 12:55 AM EST by train for Washington.

Almost immediately thereafter, Miss O'Donnell of the Attorney General's office called and inquired as to any word concerning the Attorney General's arrival in Washington. I gave her the foregoing, and she said she would check with Union Station as to the arrival time here of the 12:55 out of New York, and would make arrangements to have a chauffeur meet the Attorney General and Secretary Forrestal.

RECORDED 162 - 7:41 - f - 233

cc: Mr. Nichols

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 6/8/83 BY 8-8-83 P.M.
May 27, 1947

Mr. J. Edgar Hoover
Federal Bureau of Investigation
U. S. Department of Justice
Washington, D. C.

Dear Mr. Hoover:

Attorney General Tom Clark arrived at Louisville, Kentucky 5:00 pm, May 24, 1947 to make an address at the Jeffersonian Dinner, which was held at the Seelbach Hotel at 6:30 pm that evening.

I met the Attorney General at the airport and took him and Mr. Gene Worley, Congressman from the State of Texas, to the Seelbach Hotel, where a private suite had been engaged for the General. I had previously arranged for the necessary refreshments. With me was Mr. Leiter Donaldson, Executive Secretary of the Kentucky State Democratic Committee.

I arranged for a press conference for the General, in which he spoke of the recent lynching trial at Atlanta, Georgia. In the course of his remarks, he referred to you and to the Bureau in very highly complimentary terms concerning the thoroughness and completeness of Bureau investigations. In my private conversation with the General, during his stay, he indicated unreservedly his complete satisfaction of Bureau investigations and his high regard for you and the efficiency of the Bureau. He particularly commented that no other agency of the Government, to his knowledge, was so exacting and worked so hard. For that reason, he was desirous of doing everything possible to further the newly proposed pension bill and informed that in his opinion, it would be passed very shortly.

Congressman Worley did not desire to attend the banquet and upon the General's request, I took him out for dinner and spent the evening with him until the General's banquet was over, after which, I stayed with the General for a couple of hours. Congressman Worley, too, made many highly complimentary remarks concerning you, and indicated he would do everything possible to further the pending pension bill.
The following morning, I arranged for breakfast in the Attorney General's suite and drove him and Congressman Worley to the airport where they left on the Reynolds Metals Company plane for Washington, D.C. I, of course, had called the Bureau so that the Attorney General's car would be waiting for him at the airport.

It was a pleasure to have had the opportunity of being of assistance to the General, and I hope that in my humble way, I was able to further the Bureau's interests.

Sincerely yours,

M.W. McFarlin
Special Agent in Charge
MAY 29, 1947

TO: COMMUNICATIONS SECTION.

SAC, DALLAS

TRANSMIT THE FOLLOWING MESSAGE TO:
ATTORNEY GENERAL IS TO ARRIVE DALLAS VIA PRIVATE PLANE OF PAN AMERICAN AIRWAYS AT SEVEN P.M. TOMORROW. DESIRES TO BE MET BY AGENT AND CAR. HANDLE.

HOOVER
TO: D.M. LADD
FROM: K.C. Howe

DATE: June 7, 1947
7:00 PM

SUBJECT: Loss of Attorney General's glasses

At the above time the Attorney General called your desk and stated he had been in Cincinnati today, and apparently had lost his glasses somewhere in that vicinity. He said he had been accompanied while in Cincinnati by SAC Ostholthoff, and he requested that a check be made to see whether his glasses could be located.

The Attorney General said he last recalled having his glasses just before giving a talk before a Conference of Judges of the Sixth Circuit, and that he possibly left them at a desk at which he was sitting during this time. He also mentioned as a possibility that he might have left them in a small ante-room from which he had made several telephone calls, or in the hotel where a banquet was held. He didn't miss them until he was on the plane coming back to Washington.

Pursuant to your instructions I called SAC Ostholthoff, outlined the foregoing to him, and instructed him to have immediate efforts made to locate the Attorney General's glasses.

SAC Ostholthoff called back at 8:30 PM and reported that a complete search of the court room in which the AG spoke had been made with negative results, as well as of the mentioned ante-room and the judge's chambers. The lost and found departments of both the federal building and of the hotel where the banquet was held were also unsuccessfully checked. The custodian of the federal building had not as yet been available, but he will be interviewed as soon as he can be reached to see whether the glasses might have been turned in to him personally. Similarly, a stop has been placed with the assistant manager of the hotel, and with the lost and found departments of the hotel and federal building. The Bureau will be advised of results, promptly.

In the absence of the AG from his home at the time I called subsequent to the foregoing, I informed Mrs. Clark of the unproductiveness of our search to date for the AG's glasses, and told her we were making some further checks as possible, and would advise the AG as to our success.
Transmitted herewith is a pair of eyeglasses belonging to the Attorney General which he lost while in Cincinnati on June 7, 1947.
THIS IS FBI WASHINGTON, D.C.

JUN 12 1947

TELETYPewriter

DIR.  FBI

ROUTINE

ATTORNEY GENERAL. ON INSTANT DATE AUGA HARLOW PEASE, BUTTE, MONTANA ADVISED THIS OFFICE THAT A RUMOR IS CURRENTLY PREVALENT ON THE WEST COAST TO THE EFFECT THAT MR. Tom C. CLARK IS RESIGNING IN THE NEAR FUTURE AND THAT HE MAY BE REPLACED BY SENATOR BURTON K. WHEELER OF THIS STATE. THIS RUMOR IS UNCONFIRMED.

BANISTER

END

12-09 AM OK FBI WASH DC

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
TO: THE DIRECTOR
FROM: D. M. Ladd
SUBJECT: LOSS OF ATTORNEY GENERAL'S GLASSES

The Attorney General called the Night Supervisor Saturday night and advised that he had just returned from Cincinnati and while there he had left his glasses somewhere.

He stated that SAC Ostholthoff had been with him when he gave a talk before a conference of Judges of the Sixth Circuit and that he might have left them in one of the rooms at the court house. He requested that Ostholthoff be contacted and that he endeavor to locate them at the court house.

SAC Ostholthoff was telephonically contacted and later that evening called back and advised that he had been unable to find the glasses in any of the rooms at the court house where the Attorney General had been.

The Attorney General was advised of this on Saturday night and was advised that a continued check would be made. This morning SAC Ostholthoff called and stated he had found the Attorney General's glasses on the floor of the Bureau car in the back seat. I instructed that they be packed carefully and mailed to the Bureau.

I thought that you might desire to call the Attorney General and advise him of the above.

DML:da

G. I. R. 5

ALL INFORMATION CONTAINED, HEREFIN IS UNCLASSIFIED
DATE 6/8/83 BY SF 8 07/120
TO: THE ATTORNEY GENERAL
FROM: DIRECTOR, FBI

DATE: June 19, 1947

SUBJECT: Mr. John Maragon furnished to a Bureau official on June 18, 1947, "an anonymous communication" which he stated he had received on June 17th. Because there are references to you in this communication, I thought I should furnish a copy of it to you and, accordingly, I am attaching a copy of the communication to this memorandum. Mr. Maragon advised that the original of this anonymous communication had been furnished to the President and that General Vaughan was sending for Admiral Mills to question him concerning this matter.

Attachment

DECLASSIFIED BY SC-8 ON 8/28/58
ON 6/8/63

COPY DESTROYED 150 NOV 10 1964
ENCLOSURE #1
Sometimes this spring, 1917, Vice Admiral Hallills received a government subpoena to testify in connection with the Anaconda Copper case. On receiving the subpoena Admiral Hallills called Attorney General Tom Clark on the telephone and advised him that he had received the subpoena. He advised him further that he knew nothing of the matters under investigation involving Anaconda Copper since the contracts being questioned were all Army contracts. Admiral Hallills stated further, however, that if asked on the witness stand what his opinion of Anaconda Copper was, he would be forced to say that Anaconda had done an excellent job for the Navy on all Navy contracts, and that the Navy was completely satisfied. Admiral Hallills told Clark that he wanted him to know what to expect in the event he was used as a witness.

Several days later Leroy Pearson used the telephone conversation between Hallills and Clark in his column giving almost verbatim what was said by both parties. The Pearson column indicated further that Hallills was trying to protect Anaconda Copper.

In seeing the column, Hallills became enraged and called Clark again, accusing him of making known to a newspaper columnist the content of an official telephone conversation. Clark tried to calm Hallills down and suggested that Hallills come over to Justice and have lunch with him that day, indicating that he would explain everything at that time. Hallills consented to go to lunch.

At lunch Clark advised him that Leroy Pearson had been sitting in his office during the telephone conversation with Hallills, and consequently was able to piece together what was said by both parties. Hallills did not call Clark a liar, but he did not believe his story, feeling apparently that Clark had turned the information over to Pearson voluntarily to use as he saw fit.

Further details concerning the above can be obtained from Admiral Hallills.

All information contained herein is unclassified
Mr. John Maragon came in to see me this morning. He stated he received an anonymous communication yesterday, a copy of which is attached. The original was given to the President and General Vaughan is sending for Admiral Mills today to question him concerning the matter.

CT: DSS

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 6/18/47 BY 88-8 LEG

\[
\frac{16 \times -7}{2944 - 240} = \frac{1}{2916} \times \frac{1}{0}
\]
ATTORNEY GENERAL

DIRECTOR, FBI

PERSONAL - STRICTLY CONFIDENTIAL

As of possible interest, there is attached hereto a copy of an anonymous communication, a copy of which was received by the Federal Bureau of Investigation from an outside source.

Enclosure
WASHINGTON 3 FROM CHICAGO 17 10-55 AM
DIRECTOR, FBI
ATTORNEY GENERAL CLARK DEPARTED FROM WASHINGTON, UNITED AIRLINES
FLIGHT SIX TEN AT NINE THIRTY C.D.T. ARRIVING WASHINGTON, D.C. ONE P.M., E.D.T. REQUESTS THAT HIS
SECRETARY BE NOTIFIED OF HIS TIME OF ARRIVAL. ALSO THAT
MR. MC GREGOR BE ADVISED.
MC WSWAIN
END

RECORDED [signature] 1250 PM 16-2-47
EX-30

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 6-8-48 BY SP-8 079424

34 JUL 23 1947
FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE
COMMUNICATIONS SECTION

JUL 17 1947

TELETYPE

FRANKFORT 7-11-47 6:22 PM

McGREGOR, W.L.

C.S. CHICAGO

ATTENTION: ASSISTANT DIRECTOR REGIONS.

ATTORNEY GENERAL CLARK DELEGATED TO PARKER SPRAGUE IN YOUR, WHICH YOU
NAUGHT RIGHT, WATCH ALL LINES, TO MAINTAIN IN CHICAGO BY FEBRUARY 1ST
AN INVESTIGATION INSTANT. THIS WILL REVEAL SHORT OF RECORDING
SHOWED YOU THAT DEPARTMENT IS ASSIGNED TO TELL YOU THE
BILINGUAL INFORMATION THEREFROM AS NECESSARY TO SECURE INFORMATION
RECOMMENDS VALUABLE INFORMATION. 7-3-47

BOLITTY

END ANY ASK.

RECORDER

9-23 JUL 23 1947

EX-30

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 6/18/43 BY 80-8 829760
July 14, 1947

Mr. Nichols

The Attorney General will leave Washington tomorrow, following the itinerary listed below. He will address the Portland Bar Association at a luncheon meeting about noon, and will make the main address at the Elks Convention at the Civil Auditorium, at 2:00 p.m.

7/15
Lv. Washington, D.C. Amm. Airlines 5:00 p.m. EST
   Flight #61.
   Ar. Chicago 6:50 p.m. CST
   Lv. Chicago, United Airlines #135 8:35 p.m.
   Ar. Portland 8:36 a.m. PST

7/16
Lv. Portland United Fl. #508 7:00 p.m. PST
   Ar. Chi.
   Lv. Chi. United #610 8:30 a.m. 12:00 Noon EST
   Ar. Washington 1:00 EDT

His reservation is at the Multnomah Hotel in Portland.

Will you please have someone meet the Attorney General in Portland and Chicago?
AN ADDRESS

BY

TOM C. CLARK

Attorney General of the United States

Prepared for Delivery

At Closing Dinner

of

NATIONAL CONFERENCE ON

CATHOLIC YOUTH WORK

Hotel Allerton

Cleveland, Ohio

Wednesday, May 21, 1947

7:00 P.M.
I am honored to be included as a participant in your Youth Apostolate.

At a time when the major portion of our own generation is preoccupied with the tremendous task of salvaging and rejuvenating the heritage of our culture; it is heartening and gratifying to know that organizations like yours are concerned with problems of the future generations to which that heritage must be transmitted.

I commend you for that concern. For, with you, I am convinced that the perpetuation of our democratic liberties and spiritual freedom depends largely upon the sound indoctrination of our youth with a consciousness of the worth of our American ideals.

Today there is every evidence of failure to recognize the necessity of adequately providing for American youth as a distinct segment of our society.

The American family has become institutionalized. Many homes have become boarding houses, more or less, where parents and children meet only at meals - in the more fortunate homes three times a day.

Family unity and solidarity seem to have disintegrated. Under the influence of parental indifference and diverse outside attractions, we have to a certain extent lost our leadership and control over our children.

Most parents still demand the primary right and obligation to educate. But many dodge their responsibilities in this regard by blaming the schools and educators for the youth failure.

Recreation and entertainment for the family, and also education itself is often not planned or chosen with a view to religious and moral training. It is a hit or miss selection, depending largely on the vagaries of chance.

And while the youth of America suffer from a lack of careful planning, the characteristic adult reaction appears to be a baseless condemnation of "the younger generation."

(OVER)
It is indeed fortunate that there are men and women like yourselves. I would be trespassing upon a province outside my domain if I should presume to tell you the problems of youth and the answers to those problems.

You know both the problem and the solution better than I do.

But, as we lawyers say, there should be a "meeting of the minds" on fundamentals. I agree most heartily with the objective of your Conference as expressed by His Excellency, Archbishop Richard J. Cushing, when he said:

"In the contacts, discussions and experiences of this national conference a unity of purpose and a coordination of efforts will be the common goal."

The Federal Government can do but little of the real work that is necessary. Though the problem is nationwide, the final solution must be found in the cities and communities of America. My hope is to continue to draw the attention of public-spirited citizens and civic groups, as well as State, county and city officials, to the gravity of the problem. The job must be done by working conferences - by committees - and by individuals in the communities all over our great land. We must create juvenile opportunity.

It is vital, I believe, that children be recognized for their own importance. Their position as responsible citizens in their adult life depends on the love and respect we show them now.

Such recognition can be augmented by adequate problems to promote their educational, social, economic, and moral welfare.

These programs must be free from the taint of state paternalism, and their advantages must be furnished to our youth without jeopardizing or usurping the functions of either the home, or the school, or the church.

The traditional institutions of American family and community life - the home, the church, and the school - must be preserved and fostered as
dynamic influences in the lives of our children.

The home lies at the very foundation of effective American citizenship. Parents are still the most important influence in the lives of their children. Through them, children should experience spiritual guidance, affection and security — indispensable elements in child growth.

Sound corrective programs in the field of child welfare and juvenile delinquency are to be commended. But we must have a vigorous, positive program of preventive work designed to eliminate the causes which make correction necessary.

We must do all we can to reform the more than 100,000 juveniles who were convicted of crime last year. We must use all of the techniques and facilities available to bring them back into the fold of good citizenship.

Statistics show, however, that 52 percent of these 100,000 will, in their adult life, become inmates of Federal or State prisons. Of those who committed two offenses in their youth, 61 percent find themselves in prison during their adult years. Third time offenders in youth, statistics show, in 75 out of 100 cases, end up in the penitentiary.

Our job in the Department of Justice is to apprehend and prosecute the bank robber of today. My purpose, likewise, is to lend our good offices and efforts to the prevention of bank robberies by our citizens of tomorrow.

In this effort I ask your continued help — you and the leaders of all of our churches throughout America can do much to strengthen and expand our youth services into a real, continuous, active, positive program of opportunity for youngsters everywhere — a program based on a fundamental recognition of God and of our responsibility to our fellow man.

Each of these ideals must be converted into action, to make it possible for our youth to sustain the added responsibilities of American citizenship
which the new atomic age has made their lot.

Considerable has been done to achieve many of these worthy objectives.

I wish to pay tribute to the tremendous contribution which the Catholic Church has made to the youth of America through these endeavors.

Before a recent gathering of men and women similar to this, I stated that we must be concerned with the problem of meeting the basic human needs, spiritual as well as physical. The Church must play a major role in solving that problem.

In no phase of our activities is this more true than in our dealings with our youth.

All of the marvelous advances in social and psychiatric science - the multiplication of playgrounds and substitutes for broken homes will not help our children if we fail to give them the spiritual and moral training so necessary to help them withstand the rigors of adult life.

All the child welfare agencies and youth movements in the world will not produce a generation of character without the spiritual discipline of the Ten Commandments.

Yet a recent survey of some 50,000 school children in one of our largest cities revealed the startling facts that three-fourths of them did not know the Ten Commandments, and nearly two-thirds of that number had never heard of them!

A mid-depression survey disclosed that 68 percent of our children and youths had either no contact with religion or only nominal church connections.

Statistics released a few years ago, in April of 1943, by the Federal Council of Churches of Christ in America, representing twenty-two major Protestant denominations, revealed a sum total of only 67 million church affiliations among all our people, or roughly, one-half of the population.
Again, in 1943, the International Sunday School Association estimated that more than 25 million, over one-half, of our children were outside of the influence of the church, the Sunday school, and religious classes.

In view of this mass of evidence, the clear inference is that one out of two of our American people, and at least two out of three of our children, are outside the orbit of the effective operation of the moral law, and the salutary influence of religion.

It is imperative that our people and our children return to God and walk in His ways.

Otherwise, our civilization will become a soulless culture, devoid of spirit, and the hope which mankind has reposed in it will be vain.

Recently, our press and educational journals have been filled with articles expressing grave concern over the infiltration of a communist-youth organization into our schools and colleges. American Youth for Democracy made no inroads in any church-sponsored schools, Catholic or otherwise. Need we ask why?

The answer is easy - American Youth for Democracy caused dissention on some American campuses because it followed the lead of the communist line, of capitalizing on any problem, imaginary or otherwise, that would attract the impetuosity of youth. It was controlled by the Young Communist League. It picked the victims carefully. It dared not attempt to enter those colleges where truly positive American programs of dynamic action were sponsored by American youths. The idealism and enthusiasm of American youngsters would not permit it. But where programs offer no hope of solving the individual youth problem - but only serve as frothy, platonic time killers - it is not surprising that some youth turned to the false prophets.

(OVER)
We must have programs of youth, by youth and for youth which channel their enthusiasm and strength into constructive American civil life. America needs it - and youth must have it. It is the surest antidote to communism, fascism and totalitarianism. Such programs bring more democracy to America - more of the good life to every American.

The recent Harvard Report on General Education in A Free Society asserted that "it is important to limit the idea of the good citizen expressly by the ideals of the good man." The vast majority of you here are teachers and exemplars of goodness in both its natural and supernatural senses.

By inculcating the "ideals of the good man" in your charges - by continuing to impress upon them the moral and spiritual values which you hold sacred - and by integrating those ideals and values with our democratic principles, you will add the most beneficial leaven to the bread which is so vital today to the sustenance of our American youth.
AN ADDRESS

BY

TOM C. CLARK

ATTORNEY GENERAL OF THE UNITED STATES

PREPARED FOR DELIVERY

AT

SEVENTY-NINTH ANNUAL MEMORIAL DAY EXERCISES

ARLINGTON MEMORIAL AMPHITHEATRE

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 5/8/43 BY 86-8 675736

WASHINGTON, D. C.

FRIDAY, MAY 30, 1947

12:30 PM EDT

© JUL 8 - 1947
Mr. Chairman, comrades, ladies and gentlemen:

Today, Americans reverently pause once more to observe "Memorial Day". Throughout this great land and under foreign skies where crosses, row on row, rise above consecrated ground, tribute is being paid to our valiant dead who sacrificed that the ideals of our country might live.

In all ages people have paid tribute to their hero dead with flowers and song. Our Memorial Day was instituted by General John A. Logan, when, as Commander-in-Chief of the Grand Army of the Republic in 1868, he had May 30 set aside to honor the memory of departed comrades of the Civil War by decorating their graves.

As time marched on, the honored custom of paying tribute to the hallowed dead of the Civil War has widened to embrace the heroes of all our wars who have answered the roll call of the Eternal Commander-in-Chief.

As we stand amidst the departed whose memory and sacrifices we honor, let us pay heartfelt tribute to those wounded Americans in homes and in hospitals. For them our fervent prayers go. We owe to them a debt of gratitude that humble hands and hearts can never repay.

For us, the living, the Day has come to be regarded as an occasion that should mark our reedification to the principles of the American way of life.

These principles which claimed the loyalty of Americans yesterday, claim the same loyalty from us today, and will claim it from the generation of tomorrow.

We are both trustees of the future, and inheritors of the past. We dream of the future, we live and work in the present, but we learn eternal truths from the past. And so we salute the heroes of yesterday who added

(OVER)
strength to this Nation by spending their own, who gave life to our country by losing theirs. By their service and sacrifice, they left us a spiritual legacy which we must hold eternally in our hearts.

Washington and his shoeless veterans at Valley Forge, and on other battlefields of our War for Independence, helped to establish us as a Nation. The countless dead who have fought on the battlefields of freedom since then have defended the land we love, protected the things we cherish and followed the God we worship.

Our comrades have fought and died for the great values of life.

But these great values must be preserved and cherished. They can be maintained only by constant struggle. The fight for democracy is a continuous one. There is no time out for rest periods.

And thus it has been down through the years. Never has the ideal of democracy and freedom found a safe refuge. Never have its defenders been able to rest from a completed task.

We have much worth defending in America, this majestic and magnificent country where we may travel freely, think our thoughts free from coercion, speak our words without fear, and live unmolested if we live within the law.

The spirit of man through the ages has yearned for personal liberty; but ours was the first nation in the history of mankind to build a way of life on the theory and principle of political equality and individual initiative and freedom.

We recognized that the individual must be either dignified or debased. There is no in-between.

With us individual worth is a reality. The state is organized for the benefit of each of us. We do not exist solely for the state.
After centuries of effort to establish the worth and dignity of
the individual, the rights of mankind were mercilessly attacked by the
forces of tyranny and destruction.

For a century and a half, America's geographic isolation rendered
us safe from attack. Lying between the great Atlantic and the mighty
Pacific, America thought herself secure. In her imagined security,
she was caught asleep and almost brought to ruin by the destructive forces
that wreaked devastation upon the people of Europe.

There is still a clash of ideologies in the world today. However
it may be camouflaged, we cannot hide the fact. When democracy, as we
know and live it, is chained, when thought is rigidly channeled, when
news is suppressed, when misrepresentation supersedes truth, when individual
liberty is dethroned, then aggression, despotism and slavery follow in
their train.

We cannot be indifferent to the tragic problems facing the world today.
That means indifference to the future of America and our own posterity.

The American dream came from the hearts and burdened souls of millions
from all nations. It came from the hopes and aspirations of human beings
throughout the centuries.

America is not perfect, but the democratic ideal has sustained our
Nation since its beginning. In our daily practices we have on many
occasions fallen short of the ideal, but in the long run we have been
moving in the direction of our goal. We must continue to move in that
direction.

During the years following World War I, America, with awesome

(OVER)
responsibility to a torn and expectant world and to her own troubled people, almost lost her way. She followed isolationist by-paths that crippled our position in the world, made us lose the idealistic objectives of World War I, and compelled us to send the sons of the veterans of that War into another conflict in defense of the ideals of mankind.

Yes, America faltered at a crucial time in the history of the world. The ideal of a world organized for peace was abandoned, before it was fully formed, and we broke faith with those who slept in Flanders Field.

We again have the opportunity to hold high the torch and light the way to a better world.

A wearied humanity is looking to America to lead them to a world of peace, and understanding, and happiness among men.

The common people of America and of the world look to this Nation as their hope.

If we fail now as we failed after World War I, civilization may not get another chance.

We have a covenant with the future, sealed with blood and sacrifice, that this time we shall not fail.

Those to whom we pay tribute today showed us the way into the future.

If we lose that way, our tributes to them are but hollow mockery.

And it could be said of us as of some others centuries ago:

"You decorate the graves of the prophets of old, yet your present attitudes prove that you are the spiritual descendants of those who stoned the prophets. You decorate their sepulchres while you desecrate their principles."

The American ideal contains no narrow isolationist's spirit, no national selfishness that would deny universal brotherhood of man,

This time we must not fail.
We will not fail. America is determined that there must be an endur-
ing peace for peoples everywhere.

Here at home, we have a job to do.

In the words of John Ruskin, "That country is the richest which
nourishes the greatest number of noble and happy human beings."

As we review the progress and achievements, the glories and sacrifices
of those who fought and died to preserve and safeguard our principles of
government, vital and undiminished, we realize that it is for us, the living,
to be here dedicated to the unfinished work which they have thus far so
nobly advanced.

We must be constantly alert to stamp out anti-democratic tendencies.

We must watch for dangerous symptoms such as the abandonment of the
concept and practice of equal justice for all, "the placing of some groups
in a perfected class of citizenship at the expense of other groups."

When we express racial prejudice, we are lacking in love for mankind.
We are concerning ourselves with the things that divide, not with those
things that unite.

Think kindly of your neighbor, speak kindly of him and act kindly
toward him, is good advice to follow in our daily human relationships.

In the face of aggression we got together and submerged most of our
minor differences. In the big issues, everybody came through.

You, comrades, did not hesitate to risk your own life for the sake of
a buddy. You didn't know what was his religious faith or whether he was an
industrialist or laborer - or whether he was wealthy or poor.

And it wouldn't have made any difference, anyway.

Such a spirit was in keeping with our great Bill of Rights which came
down to us from our forefathers. We must be ever vigilant to hand on to

(OVER)
succeeding generations that Bill of Rights, not weakened, but deepened and strengthened, through daily recognition and practice of its principles for the protection of every American citizen.

The greatness of America is grounded in enduring principles, not in the transient desires of individuals.

The ways of democracy are not contingent upon any single person. Where one leaves off, another picks up and carries on.

Man exists for a moment, but the principles of our national life go on forever.

Our American heritage is something more than a rich continent lying between two oceans. It is something bigger than a nation with vast resources. It is the American's idea of freedom - freedom of human aspiration. This freedom is the foundation of democracy, of justice, of opportunity, - of everything we hold dear.

Upon us rests the obligation to prove worthy of the heritage that has been handed down to us.

We must make democracy a living reality.

We must protect our country and defend its institutions with the same courage and devotion which our honored dead exemplified in the past.

Their task is ours.

The job must be finished.

We must strive to secure economic freedom for every man and his family, employment for every worker, education for every boy and girl in the land.

New modern homes must be built to wipe out the slums.
We must do many other things that will build and maintain the health, happiness and security of the citizens of this country in the days of peace.

We want a country in which our children and their children will grow up in security, a land of freedom.

We Americans have a real work to do, a peace to achieve, a world to rebuild.

The Voices of Gloom in America sometimes tell us that America is no longer a land of opportunity — that opportunity is dead, that democracy has outlived its usefulness.

Such voices have been heard before — but happily went unheeded.

Here in Washington in 1833, a clerk working in the Patent Office resigned because he thought that he was wasting his time on useless patents, that there was no longer anything important to be invented.

Yet between that date and the present time, more progress has been made in America than was made in all the world throughout the preceding centuries.

America today is still the land where its citizens can get joy out of achievement and thrill out of creative effort, both of which enrich our country.

Americans today have undreamed-of opportunities in this land of freedom which releases the energies of every single human being.

The Nation will grow as its people grow. It will be as great as we, ourselves, are great.
This was true in the beginning of our history. It will be true in our future.

Our nation's strength will be no greater than that given it by the devotion and loyalty of its citizens.

It will grow and realize its wonderful opportunities as long as it has loyalty and patriotic support from the rugged individuals who form its citizenry.

We must have a faith to live and die for, and a faith to live by.

Basic in that faith to live by, is faith in man, and faith in our country, and faith in God.

As a fitting close on this Memorial Day, I want to repeat the last words of our fallen Commander-in-Chief, Franklin D. Roosevelt, written the day before he died, which says:

"The only limit to our realization of tomorrow will be our doubts of today. Let us move forward with strong and active faith."
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AN ADDRESS

By

TOM C. CLARK

Attorney General of the United States

DELIVERED

At The

NATIONAL 4-H CLUB
CITIZENSHIP CEREMONY

Jefferson Memorial
Washington, D.C.
Tuesday, June 17, 1947
2:00 P.M.
I am especially happy to talk to you on this inspiring occasion - the citizenship ceremony of the 4-H Clubs.

The Thomas Jefferson Memorial is a most appropriate setting for this impressive occasion.

This Shrine of Democracy, only recently dedicated, honors the man who nearly 175 years ago, set forth the basic principles of our national life. His expression "inalienable rights to life, liberty and the pursuit of happiness" has stood the test of time - lighting liberty's torch everywhere.

As you pledge your head to clearer thinking, your heart to greater loyalty, your hands to larger service, and your health to better living, for your club, for your community, and for your country, you are subscribing to the principles of Jefferson and to the code of good citizenship.

The 4-H Clubs of America have made an enviable record since their national birth more than 30 years ago.

During World War II, when the liberties of our country were imperiled and the United Nations needs were desperate, the contribution of the 4-H Clubs was miraculous.

In one year during the war, you produced enough food to feed one million fighting men. In the years following Pearl Harbor, you collected millions of pounds of scrap, bought millions of dollars worth of war bonds, and rendered many other services to help our country.

Also there were about 300,000 members and former members of 4-H Clubs doing their part in the armed services.

You are familiar with these contributions to our country's needs, but I am glad to emphasize them at this inspirational moment when we are stressing the worth and meaning - the duties and responsibilities of American citizenship.

(OVER)
Now, in this post-war era, as our Nation and the world grope for a lasting peace, you have set new high goals for achievement.

In your future Club work you are following ten guideposts that lead to good citizenship, as you:

Develop talents for greater usefulness; join with friends for work, fun, and fellowship; learn to live in a changing world; choose a way to earn a living; produce food and fiber for home and market; create better homes for better living; conserve nature's resources for security and happiness; build health for a strong America; share responsibilities for community improvement, and serve as citizens in maintaining world peace.

I wish I had time to talk with you about each of these guideposts that point the way to a mentally, physically and spiritually effective citizenry.

Citizenship in the United States is truly a precious thing.

Throughout its history this Nation has molded a way of life in keeping with the principles and ideals on which it was founded - the American way - a model yearned for by liberty-loving peoples everywhere.

This way of life, that for the rest of the world is not much more than a distant aspiration, has often been taken for granted by some Americans.

At times, our people have even lost sight of how this precious treasure was attained, and what it means. Not having to fight for it nor to defend it, they did not know what it would mean to live without it.

We should always remember that our American Charter of Liberty - a voice in our government, freedom in our speech and in our worship, private enterprise in our business - all the freedoms to which the soul of man aspires did not come into being without pain and price.
It took generations of struggle, suffering and sacrifice to achieve our Freedoms to build our America. We are determined they shall not be destroyed.

Almost forty million immigrants have come here since the Republic was founded. They came from every part of the globe. They settled on our farms, helped to establish our industries and to construct our cities.

But the story of this country is not just a narrative of what our forefathers endured, and of what they accomplished. It is the story of you and me, your neighbors and mine, their parents and ours.

And, most of all, it is the record of how we, the present generation, are dealing with the legacy of democracy.

The maintenance of the American way was not assured by the Founding Fathers. That we ourselves must do.

We must look upon democracy, not as an accomplished fact, but as a matter for continuous concern and action. We must not sleep at the switch.

The tenets of democracy will continue to shape the future of our Nation, if we recognize them — see them — not merely as privileges to be enjoyed, but as trusts to be maintained and defended at all times and all costs; for life without these Freedoms would not be worth the effort to live. That is how true Americans feel about it.

America will be as great as her people are great. She will grow as her people grow.

The bedrock of our democracy lies in the communities of America — in local self-government — in strong local law enforcement. We must not permit our National Government to dominate local government. To do so will destroy our democracy, make slaves of our people and turn our beloved America to totalitarianism.

(OVER)
Our responsibilities are not vague and distant. They are clear, definite, day-by-day things, right before us in our homes, on our farms and in our communities.

They are part of our relationships with our fellow man—members of our family, our neighbors.

To have brotherhood, we must begin at home to show understanding, tolerance and fellowship.

We must, at home, make sure that justice and brotherhood prevail among all races and creeds. We must see that no artificial barriers—social, religious, or economic—deny to fellow citizens the privileges of freedom on which our democracy was founded, on which our Nation was built. We must respect our laws and enforce them vigorously.

Among our many other obligations as citizens, we must each carry our share of responsibility in government. Here we have a voice in the workings of democracy—a precious privilege; indeed.

In this connection, I am reminded of two contrasting incidents that happened in the last year of the late war.

Immediately after the American soldier boys had taken Rome, a king was placed upon the Italian throne.

The people did not get the chance to say whether they wanted a king. But they got him.

It was entirely different in America. Here democracy was at work! An election was held—six months before VE-Day.

Candidates for the Presidency of the United States, and all others running for office throughout the land, waged political campaigns.

The voice of the people was heard on election day. In the greatest world crisis in history, the true principles of our government again prevailed.
Every real American was thrilled at this happening - a working example of democracy that will be recorded as long as history books are written.

Ours is a democracy which functions through a representative form of government. Through the voice of the people, representatives are chosen to speak and act with authority on matters that concern all the people.

Yet, sad to relate, millions of our citizens do not take the trouble to vote in Presidential elections or to cast their ballots in local elections.

With all of our emphasis upon suffrage, they fail to exercise this precious heritage of American citizenship.

In the 1944 Presidential election, only 53 percent of those qualified voted. Forty-one million disenfranchised themselves.

31 percent of the qualified voters did not even know that an election would be held in 1946.

58 percent could not give the names of the United States Senators from their own States who represent them in Congress; and

49 percent could not give the names of the Congressmen from their own Districts.

Some of our prominent citizens, members of Chambers of Commerce, civic clubs, patriotic organizations, ministerial bodies, bar and medical associations, and women's clubs, still refrain from taking part in politics. I trust you will not follow this example. You must take an active part.

Yours is the responsibility to change this picture of the vanishing voter.

May you cherish the principle of suffrage - and keep the ballot box inviolate.

Honest elections, participated in by all eligible voters, will guarantee an enduring democracy.

(OVER)
People like you, the volunteer salesmen of the American way of life, becoming fully aware of the responsibilities in this new era, will assure the country of the guarding of the principles and ideals that inspire this way of life and will make our country greater.

You are, indeed, living in a changing and challenging world.

I feel confident that you will meet this challenge.
Attorney General Has Smile for Elks

Attorney General Tom C. Clark waves a hand of greeting to Elks as he arrives at the Multnomah hotel, flanked by Mayor Earl Riley, left, and Acting Governor Marshall E. Cornett. Clark warned that eternal vigilance is the price of liberty. He also spoke at a luncheon.
Gen. Clark Urges Firm U. S. Policy

BY FRED G. TAYLOR
Staff Writer, The Oregonian

America's best chance to stay out of war rests on a firm foreign policy that tells the world this country is going to remain strong and that nobody is going to take anything from it, Gen. Mark Clark, commander of the 6th army, Wednesday told the grand lodge of Elks, meeting at the public auditorium.

General Clark's address was one of the many features of the day's lodge activities, which also were highlighted by an appeal by Tom Clark, attorney general of the United States, for eternal vigilance in defense of American liberties and for an aroused appreciation of those freedoms.

There was also an impressive memorial ceremony before a candle-lighted altar surmounted by a cross fashioned of white flowers where the lodge paused at 11 A.M. to pay tribute to the 593 members who died during the past year and to hear the pledge that, living or dead, an Elk is never forgotten by his brothers.

The day was marked by last-minute preparations for Thursday's parade which will leave the South Park blocks at 2 P.M. to wind its way through the business streets of the east and west sides.

Policy Discourages War

In his address to the convention, General Clark, commander of the 6th army in Italy during the war, declared America "must be firm, positive and definite in its dealings abroad."

He declared that, contrary to the opinion of many, such a policy "will not bring us closer to war."

"It is our best chance of staying out," he said. "Those people respect only the strong and despise weakness. We should tell the world that we intend to remain strong and that nobody is going to take anything from us."

Attorney General Tom Clark, in his address to the convention, called for an aroused America and for the cleaning out of foreign ideologies from among the people, not in the fashion of a witch hunt, but in a democratic way.

Constant Fight Necessary

"What many of us fail to realize is that these precious liberties must be continuously safeguarded. These freedoms were secured by our pioneering forefathers only after a series of bitter struggles."

"Freedom, once won, is not won forever. No, it must be won again and again. Democracy must be upheld vigorously, sincerely and continuously. It must be earned by every succeeding generation."

"Vigilance must not take a vacation. Our American tradition must be revivified. It is not only our own insurance but the insurance of the world against totalitarianism. Our task is that these truths known to Americans be known everywhere. In this American crusade there is a place for everyone."

Military Strength Required

Pointing out that "our doctrine of good will and peace is growing convincingly clear to oppressed peoples throughout the world," he declared that the scientific age, which was harnessed for war, must now be developed for peace.

"We must develop the strength to meet these trying and complex times—the strength of character and the spirit of understanding to bring good will and peace to the world. Yes, also the military strength that may be necessary to back these cardinal virtues," he said.

Evening Events Listed

The grand ball climaxing the social side of the convention attracted thousands to the Masonic temple Wednesday night. High light of the affair was the presentation to Charles E. Broughton, past grand exalted ruler, of a large portrait of himself.

Presentation of the portrait took place on the stage with Claude Snow, exalted ruler of the Portland lodge, presiding and Mayor Earl Riley making the presentation speech.

Torchlight parades and street corner performances by the Aberdeen, Wash. Elks band and drill team and the Great Falls, Mont. drum and bugle corps in Indian regalia, enlivened downtown streets.
Clark Favors Action Locally

Attorney General Declines U.S. Help

BY PAUL HAUSER
Staff Writer, The Oregonian

Attorney General Thomas C. Clark directed a strong appeal to the Multnomah Bar Association Thursday to take the lead in seeing that local laws are strictly enforced "whenever there is any local breakdown of law enforcement."

The tall, easy-mannered Texan, in Portland to address the national Elks convention, spoke informally at a luncheon meeting of the bar association.

"We of the federal government should not intermeddle and interfere in local problems," the boss of the United States department of justice and, in a way, the nation's No. 1 lawyer, told the Oregon attorneys. He decried the greatly increasing number of requests received by his department to step in, through the FBI, in local law enforcement matters.

"State's Rights" Supported

"I'm a firm believer in what we call state's rights down in Texas," Clark said. "I hope your local prosecuting officers will do all they can to see to it that local laws are strictly enforced. If they aren't it is the duty of this bar association and other bar associations to see that they are.

Clark said that the congress has given the justice department many new jobs, including enforcement of some parts of the Taft-Hartley bill.

"In apparent answer to some speculation that the executive departments might not enforce the new labor bill with spirit because of the president's veto, Clark said, "I want to say right here that we shall enforce the Taft-Hartley bill strictly and I mean just that. We shall not engage in witch hunts, but we will enforce it fairly."

Inquiries Flow In

The bill itself, Clark said, has been "construed, construed and construed again." He said that up to last week the department had received 25,000 inquiries for opinions on the working of various parts of the law.

"I'm for whomever the boss wants as long as it isn't myself. I've got enough problems," Clark said.

Earlier Clark disclaimed to reporters any ambition to be a candidate for vice-president.

Some of the justice department problems are so pressing that the convention trip of Dallas Elk Clark had to be a quick turn-around affair. He hopes to be back in Washington by 1 P.M. Thursday.

Clark Works on Oil Case

Clark brought some "homework" with him. It was a draft of a stipulation which the government is trying to reach with the state of California in the government suit contesting ownership of tideland oil properties.

"We are very anxious to keep production going on the wells in view of the present oil shortage," said the attorney general.

The stipulation would provide for continued operation of the tideland wells by present operators, with an accounting to be made later, and exclude certain bays, rivers, harbors and docks from the government's claim.

Taft Law Adds to Burden

While Clark's tasks are multiple, ranging from investigations under the atomic energy act to keeping a watchful eye on the price of soap and other commodities on which some firms might try illegal price fixing, he shows no strain. He sounds the government official's general concern over appropriations, however.

The justice department expects it will have some investigating to do in connection with enforcement of anti-Communist provisions of the Taft-Hartley bill and is preparing its enforcement of the President's loyalty order, but so far has no extra money for either.

First move in weeding disloyal employees from government jobs in the executive departments will be declaration by Clark, after investigations are made, of what organizations are considered subversive by the government.

"After some argument, I've decided that that list will be made public," Clark said.

Membership in any of the proscribed organizations of any government employee will call for an all-out investigation of the employee.

OR:':::2~'
PORTLAND, OREGON:

JUL 17 1947

RECEIVED
62-72944 -244

ALL INFORMATION CONTAINED HEREBY IS UNCLASSIFIED
DATE 6/18/47 BY 888 909 200
U. S. Attorney General 'Out' as Running Mate

By DICK FAGAN

United States Attorney General Tom C. Clark eliminated himself as a possible running mate for President Truman in the 1948 election when he said in an interview at the Multnomah hotel:

"I'm for whoever the boss wants, so long as it isn't me."

"I predict that President Truman will be nominated two minutes after the convention starts," he stated. "He also will win the election."

Clark, a soft-spoken Texan, said the justice department still is gathering information on organizations to determine whether they are of a subversive nature, prior to weeding out all "subversives" on government payrolls.

The new Taft-Hartley labor bill, he said, will throw some work on the justice department, particularly the section denial collective bargaining rights to unions that have Communist leaders. He said he expected the justice department will have to do the investigating.

About the recent local disagreement between United States Attorney Hess and Federal Judge Fee over the court ruling making the federal attorney sign complaints of all government agencies coming into court, Attorney General Clark said, "I concur 100 per cent with the judges."

He said the practice is not general throughout the country, but said, "Personally I think that every case should at least be under the supervision of the United States attorney. He should know the cases and is acquainted with court procedure."

He believes that Music Czar Petrillo is in "bad shape" in his case in Chicago, and doubts whether he can carry out his threat to have the union itself put out all phonograph records and control all radio music programs.

"It is pretty difficult to form such a co-operative under existing law. I think we can line him up," he smiled.

Aske whether he is investigating lumber prices, he answered that not much has been done, but added, "They tell me in the South lumber is down 50 per cent."

(Also See Story on Page 7)
REPAIR ORDER

FEDERAL BUREAU OF INVESTIGATION

Please make the following repairs on car number _____ Make ____________.
License Number ____________________

1. ______________________________
2. ______________________________
3. ______________________________
4. ______________________________
5. ______________________________
6. ______________________________
7. ______________________________
8. ______________________________
9. ______________________________
10. ______________________________

Date ____________________________  Signed __________________________

Special Agent, FBI

FOLLOW UP ON ABOVE REPAIR ORDER

Car Number _____ was inspected by the undersigned on ____ (date) and it was ascertainment that the above requested repairs had been made:

Exception:

Signed __________________________

Special Agent, FBI

Note: An original and one copy of this form should be prepared. The original should be left with the garage attendant and the copy should be turned in to the Chief Clerk's office.
A third world war, he said, "would be the last, for the devastating effect of the latest scientific development, when aimed at destruction, can wipe civilization from the earth."

He praised the "Freedom Train," in which historic national documents are being exhibited throughout the nation, as an instrument to reawaken the spirit of democracy in the hearts of the people.

SURE OF SUCCESS
He said he is "confident that we shall succeed" in combating insidious propaganda in the international field "through the established channels of diplomacy."

"Our doctrine of good will and peace," he declared, "is growing convincingly clear to oppressed peoples throughout the world."

He called for a strengthening of American character and "the military strength that may be necessary to back these cardinal virtues." He asked re dedication to the principles of American life.

SOME DIFFERENCES
The nation's attorney general gave his opinion that "the men who wrote the Declaration of Independence... did not mean to say that all men are equal in size, equal in color or equal in intellect."

He said that the function of
Office Memorandum  UNITED STATES GOVERNMENT

TO : Director, FBI
FROM : SAC, Portland  Att'n: L. V. NICHOLS

DATE: July 17, 1947

SUBJECT: ATTORNEY GENERAL TOM C. CLARK
NEWSPAPER CLIPPINGS

Enclosed herewith are newspaper clippings pertaining to Attorney General TOM C. CLARK'S appearance in Portland July 16, 1947.

Enclosures - 10

.ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 6/21/43 BY 80-8 6/2/43
The Attorney General

Director, FIC

Newspaper Clippings

July 25, 1947

For your information I am transmitting herewith several newspaper clippings pertaining to your appearance in Portland, Oregon, on July 16, 1947.

Enclosures

HM: mfl
Dear Edgar:

I greatly appreciate your thoughtfulness in furnishing me with the newspaper clippings concerning my speeches in Portland recently.

Attorney General

Hon. J. Edgar Hoover
Director
Federal Bureau of Investigation
Office Memorandum

TO: Director, FBI
FROM: SAC, Butte
SUBJECT: ATTORNEY GENERAL TOM C. CLARK

DATE: July 22, 1947

Attorney General TOM C. CLARK will speak to the Montana Bar Association meeting at Great Falls, Montana, August 15th and 16th, 1947. The Bureau is requested to advise whether this office should make any arrangements to meet Attorney General CLARK.

The writer has received an invitation to attend the Bar Association meeting.

WGB:LB

RECORDED 165-1

ALL INFORMATION CONTAINED HERIN IS UNCLASSIFIED

DATE 6/8/47 BY 88-8

181

32 Aug 1947
The Attorney General

Director, FBI

August 7, 1947

August, 1947, Issue of FBI Law Enforcement Bulletin

There is attached a copy of the August, 1947, issue of the FBI Law Enforcement Bulletin which I thought you might like to have.

Attachment

MAJ:mrh

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 6/8/47 BY 88-8 31200
Office Memorandum

TO: E. A. Tamm
FROM: D. M. Ladd
SUBJECT:

SAC Kramer of Denver telephoned today and advised that he had learned that the Attorney General was coming to Sheridan, Wyoming, to address the State Bar Association on the morning of August 16, 1947. He asked if he should make any special preparations. I advised him that none should be made, that if the Attorney General desired to be met by an Agent he, the Attorney General, would communicate with the Bureau prior to his departure, and that the Denver Office would be advised.

DATE: August 6, 1947
MIN
FBI DALLAS 8-9-47 3-30 PM SRF
DIRECTOR
REURTEL CONCERNING SPEECH MATERIAL FOR ATTORNEY GENERAL. THIS MATERIAL RECEIVED THIS OFFICE THIS DATE.

END
531PM OK FBI WASH DC CCW

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 6-8-93 BY 8-8 RSUO

6-3-47 Mr. McAninley referred to above.

FBI DALLAS 8-9-47 3-30 PM SRF
DIRECTOR

REURTEL CONCERNING SPEECH MATERIAL FOR ATTORNEY GENERAL. THIS MATERIAL RECEIVED THIS OFFICE THIS DATE.

END
531PM OK FBI WASH DC CCW

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 6-8-93 BY 8-8 RSUO

6-3-47 Mr. McAninley referred to above.

FBI DALLAS 8-9-47 3-30 PM SRF
DIRECTOR

REURTEL CONCERNING SPEECH MATERIAL FOR ATTORNEY GENERAL. THIS MATERIAL RECEIVED THIS OFFICE THIS DATE.

END
531PM OK FBI WASH DC CCW

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 6-8-93 BY 8-8 RSUO

6-3-47 Mr. McAninley referred to above.
August 9, 1947

TO: COMMUNICATIONS SECTION.
SAC, DALLAS

Transmit the following message to:

LETTER ADDRESSED SAC WILLOW CONTAINING SPEECH MATERIAL FOR ATTORNEY GENERAL
AIR MAILLED LAST NIGHT. ADVISE RETURN TELETYPE IF RECEIVED.

HOOVER

JJMcGicow

City of Exmore--rücksendung an rechts. Liesten Sie

JHM 6/18/47

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 6/18/47 BY SP-3 SICKEL

COPY DESTROYED 150 NOV 10 1954
SENT VIA _______________________ M Per _________
AN ADDRESS

BY

TOM C. CLARK

Attorney General of the United States

Prepared for Delivery

Before the

21st INTERNATIONAL
SUNDAY SCHOOL CONVENTION

Des Moines, Iowa

Thursday, July 24, 1947

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 6/8/43 BY 88-8 03270

INDEXED 2/12/43 250

EX-25
Mr. Chairman, Ladies and Gentlemen of the 21st International Sunday School Convention:

I must confess to you at the outset that I am attending this Sunday School convention after much less pressure than I attended Sunday School in my youth. I was born an Episcopalian, and I am a Presbyterian by marriage.

Yet I look back on my beginnings with infinite satisfaction because I believe that without the weekly trek to Sunday School I would have been denied today the great inner joys of life. While I should have learned much more there, my attendance record was very good. One year I received the gold award. Frankly, they should have awarded it to my Mother. None of us quite escapes the teachings received at Mother’s knee. We all remember the home and the neighborhood of our child life. Indelibly stamped in our character is the influence of religion. It touches us before we learn the hard facts of life. It remains with us as the greatest moral bulwark of our experience.

The world today vitally needs conferences devoted to religious education. In my opinion no conference is more important, for the world must rest on the solid foundation of religion. Our trouble has been that portions of the world have not rested on such foundation and, in their zeal to extend their violent ideologies, have attempted to destroy our own. You remember the parable which is apropos of our present situation:

"He is like a man which built an house, and digged deep, and laid the foundation on a rock: and when the flood arose, the stream beat vehemently upon that house, and could not shake it: for it was founded upon a rock.

"But he that heareth, and doeth not, is like a man that without a foundation built an house upon the earth; against which the stream did beat vehemently, and immediately it fell; and the ruin of that house was great." Luke 7: 48 and 49.

(Over)
While our way of life remains on the foundation rock of religion, there has been an increasing tendency for other ways of life to rest on an entirely different concept. And so today the clear problem posed before mankind is this: Can the peoples of this earth live in world brotherhood? If they cannot, then the teachings and accomplishments of the last two thousand years will be for naught. Our civilization will disappear in a series of atomic explosions.

Never in the annals of time has the matter been reduced to such terrifying simplicity. It is a choice between God and Mammon.

To put it in the language of our day, we must accept and practice the teachings of the Nazarene — or else!

Before this generation, there was still time left from the arduous duties of life for experiments with doubts, for gropings for solutions. The pulpit sometimes could lose itself in the subtle points of theology; and numerous denominations could afford to engage in stimulating debate with each other on which best implemented the credo of one faith.

We could and we did, as nations, go to war. History at one point was merely a record of one war after another. At one point a nation was recorded as losing this war but perhaps it would win the next. While civilization lowers its standard of living in one decade of mutual destruction, it sometimes raises the standard in the next decade of mutual cooperation. It appears today that we must either live in brotherhood or we do not live. The atomic bomb takes care of that.

What we must do is gird our heritage with all of our spiritual strength. We in America have a great heritage. On first thought one of the most remarkable things about our heritage is that it begins in the community — in the towns and the cities. Old or new, small or large, each
of our towns has its individual character. Even the names of our towns—
English and French—Spanish and Indian—towns named for lords and dukes
and earls—for soldiers, saints and sinners, tell of the American heritage.

Here, the opportunities and challenges of democratic citizenship begin. To foster religious training, provide general education, choose honest, responsible government, and adjust economic and social differences. As a community goes, so goes the nation. The country of honest, responsible, progressive, religious communities cannot fail to be a strong, just, Godfearing Nation. That is what our heritage is based upon.

Christianity and our democracy are synonymous. Without applying Christian ideals to democracy there would be no democracy.

Today we are in a great critical period of human history. Our enemy, whether inside or outside our frontiers, is the enemy of democracy. And the enemy of democracy is the avowed enemy of Christianity.

And so the great task before us now is the most extraordinary challenge to evangelism since the days of Paul of Tarsus. It is the task of making world brotherhood a reality.

To meet this test we must have strength and well-being as individuals, and as a Nation. As a Nation we must have sufficient military strength to command the continued respect of our brother nations. While our national strength has grown through the years, the needs have multiplied many-fold.

We must guard jealously our democratic inheritance at home. We cannot take it for granted. We must cherish and enhance it. We must struggle for it. To successfully share our democracy with the rest of the world, we need to be strong economically and spiritually at home. We must have the heroism of the brave hearts that created this Republic; of the pioneers who extended our boundaries.
Men and women gave their lives to conceive and defend our great heritage.

The American way of life was born by the clashing of army against army—amidst death by the bow and arrow, and swamp fever, and the perils of the wilderness, and all the other hardships incident to the settling of a new country.

Today our fields and forests, our wells and mines, our scientific developments, have contributed to making this country the most prosperous and powerful nation in the world.

As we face the future we must build a generation of young Americans alert to our traditions, conscious of our world responsibilities—aware of the great gap between our scientific and our social development—aware that we must find a way to live in peace with the rest of the world.

It is for us to take up this task in a happy spirit of devout dedication. The teachings of Christianity and democracy should become a part of our everyday life. By Christianity I mean no one particular creed. I mean all creeds.

The statistics are shocking.

Fifty percent of our people belong to no church; in one large city, sixty-eight percent of our children and youths have no contact with religion; three-fourths of them do not know the Ten Commandments, and two-thirds of that number never heard of them.

The future should find every Sunday school teacher a prophet with a mission. We must remember that every step in human progress since the crucifix supplanted the sceptre in Rome, received its ideological impetus from religion.
We have not and we cannot separate the teachings of Christianity from the fundamentals of our form of government.

The words and the spirit of Holy Scripture breathe through every document that has made our Nation great.

Loyalty and patriotism to country receive a strength and permanence that come only from God.

The ominous trends and tendencies which I have mentioned can be changed by men and women of good will, motivated by strong religious faith, who have love of country in their hearts.

In this hour of great need, we must not fail.

History has no record to equal the role of help and succor this Nation is now playing to all the world.

It is my feeling that this attitude of being our brother's keeper came to us in the principles taught us in Sunday school, and we are now merely implementing them. Teach a nation true Christianity, and its statesmen will translate that faith into the words of the Four Freedoms, they will conceive an Atlantic Charter, they will create a United Nations Organization, they will exercise tireless patience to maintain an enduring peace for peoples everywhere.

Good causes need the right kind of leadership and support. All too frequently a good movement fails because its leadership has fallen into wrong hands. Upon the Church rests the responsibility to furnish leaders, and the support of its membership, in causes for the common good — social, political or economic.

I know that the religious leaders of our glorious country will meet the challenge in the future, as they have in the past — and that the home, the
church, the school will help make our America a better and brighter place in which to live, and that they will do their part to spread our blessings throughout the world.

Let us build for the future on the rock of religion.
FROM
THE ATTORNEY GENERAL
TO
Official indicated below by check mark

Solicitor General
Assistant to the Attorney General
Assistant Attorney General, Anti-Trust
Assistant Attorney General, Tax
Assistant Attorney General, Claims
Alien Enemy Control Section
Alien Property Section
Assistant Attorney General, Lands
Assistant Attorney General, Criminal
Assistant Solicitor General
Director, FBI
Director of Prisons
Director, Office of Alien Property
Commissioner, Immigration and Naturalization
Liaison Officer, Immigration and Naturalization
Administrative Assistant
Division of Accounts
Division of Communications and Records
Division of Supplies
Pardon Attorney
Parole Board
Board of Immigration Appeals
Librarian
Director of Public Information

MR. 
Mr. Morrison
Mr. Darsey
Miss Kennedy
Mr. Hyatt
Mr. Coblenz
Mrs. Stewart
Miss O'Donnell
Miss McCarron
Miss Healy
Mrs. Kroll
Miss Adams
Miss Doyle
Miss Dennis
Mrs. Purvis
Mrs. Burke

MEMORANDUM

Mr. Tolman
Mr. P. A. Furr
Mr. Clepp
Mr. Glass
Mr. Lax
Mr. Nicholas
Mr. Knox
Mr. Trave
Mr. Inman
Mr. Curren
Mr. Harbo
Mr. Metz
Mr. Pemberton
Mr. Quinna Tamm
Mr. Nease
Miss Gundy

Miss Noonan
Miss Mooney
Miss McLane
Miss Wilson
Mrs. Moore
Miss Conners
Miss Shaw
Mrs. Miller
Miss Snyder
Mrs. McGuire
The Attorney General

Director, FBI

September 4, 1947

September, 1947, FBI Law Enforcement Bulletin

Attached is a copy of the September, 1947, issue of the FBI Law Enforcement Bulletin which I thought you might like to have.
Office Memorandum

TO: DIRECTOR
FROM: CLYDE TOLSON
SUBJECT:

Mr. Peyton Ford telephoned this morning to Mr. Ladd and requested that a message be gotten to Attorney General Clark at Myrtle Beach, South Carolina, to the effect that Mr. Ford has talked to Mr. McGregor about the Bender report; that the report is in good shape and the Attorney General does not have to come back until he is ready to do so.

Mr. Clark apparently is staying with Mr. Lamar Caudle in care of Mrs. Charles Ingram, Whistling Winds Cottage, Ocean Drive, South Carolina, which is near Myrtle Beach.

I telephoned Assistant SAC Wright at Savannah and instructed him to get this message to Attorney General Clark through the Resident Agent at Myrtle Beach.

CC: DSS

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
The Attorney General

Director, FBI

Uniform Crime Reports

Attached is a copy of the newly released Uniform Crime Reports bulletin which I thought you might like to have.
September 18, 1947

MEMORANDUM FOR MR. NICHOLS

SPECIAL TOUR

Mr. Clegg

Pursuant to your instructions a very special tour was conducted this afternoon for Ramsey Clark, son of the Attorney General, and two friends, Mrs. Claude A. Williams and Regnant Gigg by Robert Guinn.

Mr. Clark and his friends were very interested in the Bureau and appeared to enjoy the tour very much. Both Mr. Clark and Mr. Gigg fired the various weapons on the range and were very grateful for the privilege.

At the conclusion of the tour the party expressed their sincere appreciation for the courtesy that had been shown them.

Respectfully,

D. W. English

Mr. Tamm

Mr. E. A. Tamm

Mr. Clegg

Mr. Glavin

Mr. Ladd

Mr. Nichols

Mr. Rosen

Mr. Tracy

Mr. Carson

Mr. Egan

Mr. Gurnea

Mr. Harbo

Mr. Hendon

Mr. Pennington

Mr. Quinn Tamm

Mr. Nease

Miss Gandy

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 9/18/47 BY 8P-8A

176

THIS MEMORANDUM IS FOR ADMINISTRATIVE PURPOSES TO BE DESTROYED AFTER ACTION IS TAKEN AND NOT SENT TO FILES
September 24, 1947

Honorahle Tom C. Clark
The Attorney General
Washington, D. C.

Dear Tom:

As you know, the graduates of the FBI National Academy of previous years will be in Washington next week for their first retraining program since 1941. Heretofore one of the highlights of the retraining week has been the Annual Banquet of the Associates of the National Academy. This is scheduled for Wednesday evening, 6:30 p.m., October 1st, in the Ballroom of the Mayflower.

I do want to take this opportunity of extending a cordial invitation to Mrs. Clark and you to be my guests on that occasion. We have a program of entertainment planned during the evening including the Chesterfield Supper Club broadcast on NBC which will originate in the Banquet Hall. I do hope that your schedule will permit Mrs. Clark and you to be with us that evening as I would like to have the privilege of introducing you to the assembled guests.

With best wishes and kind regards,

Sincerely yours,

/s/ J. Edgar Hoover

CC - Mr. Clark

CC - Mr. Tracy

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 11-14-43 BY 59-8 CTS CAP
Dear Edgar:

Thanks for the picture. It is very good. I know the U.S. Attorney's will appreciate it.

Yours,

[Signature]

9/22

[Stamp]
Dear Edgar:-

Thanks for the picture. It is very good. I know the U.S. Attorneys will appreciate it.

Yours

Tom
September 16, 1947

Honorable Mr. Clark
The Attorney General
United States Department of Justice
Washington, D. C.

Dear Mr. Clark:

I am enclosing a copy of the photograph which was taken at the United States Attorneys' Conference. As you know we have sent a copy of this photograph to each of the attorneys who attended the conference.

With best wishes and kind regards,

Sincerely yours,

[Signature]

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 8/8/32 BY 8/8/32

RECORDED 7/7/40
Sept. 27, 1947

MEMORANDUM FOR MR. TOLSON

Tom Clark

Miss O'Donnell advised this afternoon that the AG will leave Washington tomorrow, Sunday, at 10:54 a.m. via American Airlines for Cincinnati, arriving there at 2:28 p.m. He desires to be met by an Agent and car to be escorted to the Gibson Hotel. Leo Cadison will accompany the AG.

The AG is to make an address before the National Exchange Clubs Convention and will leave Cincinnati by train tomorrow night at 10:15 p.m. returning to Washington. She specifically asked that the Cincinnati Office advise the Bureau of the departure of the AG tomorrow night and his expected arrival time in order that Mrs. Stewart can be informed and arrange to have him met here in Washington. The Cincinnati Office is being telephonically advised at once.

Respectfully,

L. B. Nichols

JFM: RC

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

RECORDED 19 SEP 1947

EX-65

THIS MEMORANDUM IS FOR ADMINISTRATIVE PURPOSES
TO BE DESTROYED AFTER ACTION IS TAKEN AND NOT SENT TO FILES
THE ATTORNEY GENERAL
WASHINGTON

September 29, 1947

Dear Edgar:

Thank you for your kind note of September 24th.

Mrs. Clark and I will be delighted to attend the Annual Banquet of the Associates of the FBI National Academy on Wednesday evening, 6:30 p.m., October 1st, at the Mayflower Hotel, and expect also to be present at the cocktail party immediately preceding the dinner.

We are both looking forward to the occasion with much pleasure.

With kindest regards,

Sincerely,

Attorney General

Hon. Edgar J. Hoover
Director
Federal Bureau of Investigation
Washington, D.C.
Dear Edgar:

Thank you so much for the birthday remembrance. It came in most handy — and is delicious — as well as most refreshing.

It was thoughtful of you to remember me.

Yours,

/s/ Tom
The Attorney General

Director, FBI

FBI Law Enforcement Bulletin

Attached is a copy of the October, 1947, FBI Law Enforcement Bulletin which I thought you might like to have.

Attachment

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 10/15/47 BY S.P.-86 [EX-47]
THE ATTORNEY GENERAL
WASHINGTON
September 30, 1947

Dear Edgar:

Thank you for the program of the annual retraining course of the FBI National Academy. It seems very comprehensive and interesting, and I am looking forward to the Wednesday night dinner with much pleasure.

With kind regards,

Sincerely,

Attorney General

Hon. John Edgar Hoover
Director
Federal Bureau of Investigation
Washington, D.C.
WASHINGTON FROM BOSTON 1 10-5-47 6-22PM

DIRECTOR ............ URGENT ............

ATTORNEY GENERAL TOM C. CLARK DEPARTED BOSTON BY PRIVATE PLANE WILL ARRIVE SEVEN FORTY FIVE AT WASHINGTON. REQUEST HIS CHAUFFEUR MEET HIM AT QUOTE THE FIRE HOUSE UNQUOTE.

SOUCY

RECORDED

EX-30
Memorandum for the Director
Federal Bureau of Investigation

I have been requested to address the American Municipal Association at New Orleans, on November 5th.

As you probably are aware, it is an association of mayors, councilmen, city managers, and other city officials.

The general theme of their conference is "American Cities Look to the Future". They have suggested as the subject of my address -- "Law Enforcement in the United States of America" from the national angle -- the FBI's effectiveness, their standards, etc., bringing out their encouragement to the law enforcement agencies within the city, and their cooperation with such authorities to reduce crime; crime prevention; the enforcement program of the Department; prosecutions, etc.

I would appreciate it very much if you would have some one on your staff, who is familiar with the entire organizational set-up, prepare some material which I may use at this important meeting, along the lines suggested above.

Tom C. Clark
In accord with your memorandum of October 9, 1947, I am pleased to transmit some data which it is hoped will be of assistance to you in preparing the speech on "Law Enforcement in the United States of America" which you are scheduled to deliver before the American Municipal Association at New Orleans on November 5, 1947.

It is hoped that this material will be helpful to you.

Enclosure

UCR 17-2 and 18-1, Memo re Uniform Crime Reporting, Report for 1947

JMM: mrh
October 13, 1947

MEMORANDUM

Re: Uniform Crime Reporting

The work of collecting uniform crime statistics on a national basis was instituted on January 1, 1930, by the Committee on Uniform Crime Records of the International Association of Chiefs of Police. Effective September 1, 1930, this work was assumed by the Federal Bureau of Investigation. This system of collecting crime statistics is a project whereby law enforcement agencies in all sections of the country regularly submit to the FBI monthly and annual reports on "Offenses Known to the Police."

During the year 1946, 3,005 of the 3,462 cities, or 86.5 per cent of the urban police departments of the United States contributed statistics to the FBI in keeping with this program. At the same time, 2,464 of the 3,070 counties are included in the report, based upon contributions of 80.3 per cent of the sheriffs and other agencies submitting such statistics from rural areas. These statistics are voluntarily submitted by the law enforcement agencies to the FBI as a nationwide, cooperative endeavor and these data are documented by the records existing in the various police agencies of the nation. Their uniformity is established by administrative procedures adopted, their reliability is insured by official inspections, and the uniformity of procedures by police from year to year makes them the most accurate index on a national basis showing the extent, scope, fluctuation and trend of crime, including juvenile delinquency. These records are further supplemented by the FBI which records data from fingerprint cards submitted by law enforcement agencies, and thus each fingerprint card is automatically an official record serving as an official

ALL INFORMATION CONTAINED HEREBIN IS UNCLASSIFIED.
basis for such supplementary data.

The high percentage of contributing agencies is attributable largely to the direct relationship and the friendly cooperation between the individual law enforcement agencies and the agency which collects, compiles and publishes this information.
TO: THE DIRECTOR

FROM: MR. EDW. A. TAMM

DATE: 10-17-47

SUBJECT:

Mrs. Grace Stewart telephoned, stating that the Attorney General had instructed her to contact the Bureau and to point out that he had requested some information relative to crime, criminal trends, and statistics which he might incorporate in a speech to be delivered by him before the American Municipal Association at New Orleans on November 5th. Mrs. Stewart stated that pursuant to this request, the Bureau had furnished to the Attorney General a voluminous annual report of the FBI and that the Attorney General was not satisfied with this. She stated he wanted the Bureau to "pick some of the meat out of the report" and furnish to him some substantive material, rather than to require him to "delve" through the lengthy report.

EAT:ml

Clerk Nichols

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 8403 BY SP-8 655
Pursuant to the request of Mrs. Grace Stewart of your office, on October 17, 1947, I am enclosing data which I trust will assist you in the preparation of a speech to be made before the American Municipal Association at New Orleans on November 5, 1947.

All information contained herein is unclassified.

Date: [ ] By [ ]
The Identification Division presently houses more than 105 million fingerprint cards, at the present time the arrest records of more than 7,500,000 individual criminals or suspects are on file. During the year ending June 30, 1947, more than 54 per cent of all persons who arrested were reflected on cards received were found to have prior records and histories. In excess of 5,000 fugitives from justice are lured each year through the Identification Division. Over 70 per cent of the more than 1,500 sets of fingerprints of unknown deceased persons admitted each year are identified with cards previously on file.

Police Instruction

In 1936 the FBI National Academy was inaugurated to train selected members of law enforcement agencies as police executives and instructors in modern police methods for their local departments. No tuition or fees are charged for the twelve-week training course offered to these selected officers.

The 38th Session of the Academy concluded on October 3, 1947, bringing the number of graduates to 1,748. These graduates represent every state in the Union as well as several foreign countries and territorial possessions. The benefits of their training have been transmitted to an estimated 100,000 fellow police officers.

Statistical Accomplishments of FBI

During the 1947 fiscal year which ended on June 30, 1947, 11,012 convictions resulted in all cases investigated by the FBI. Sentences totaled 27,210 years, 7 months and 18 days. Fines, savings, recoveries and Ransomation Act Claims adjusted in favor of the Government amounted to $35,658,185.00. Convictions resulted in 96.3 per cent of all cases which went to trial. There were 7,192 federal fugitives located and 12,324 automobiles recovered in cases investigated by the FBI. During the 10-year period ending June 30, 1947,
October 18, 1957

MEMORANDUM

Re: The Federal Bureau of Investigation

The FBI Laboratory

On September 1, 1932, the FBI Laboratory was established to provide
criminal crime detection facilities to authorized law enforcement agencies.
Its technicians appear in Federal and state courts to give expert testimony
without cost to local agencies. Experts in ballistics, serology, spectroscopy,
metallurgy, latent fingerprint development, explosives, hair
and fiber analysis and handwriting identification conduct thousands of exami-
nations annually. Their examinations clear the innocent as well as convict
the guilty.

The National Fraudulent Check File maintained in the Laboratory con-
tains approximately 9,000 samples of bad checks contributed by law enforcement
agencies in every state. About 70 per cent of the checks searched through this
file are identified as the work of persons whose operations or identities were
previously known to the FBI.

During the 1947 fiscal year, the Laboratory experts performed
73,758 scientific examinations of 63,386 specimens of evidence. (1947 Annual
Report, page 15)

The Identification Division

On July 1, 1924, a National Fingerprint File was established within
the Federal Bureau of Investigation to provide a central repository of criminal
identification data for the nation's law enforcement authorities. The FBI
also cooperates with 72 foreign countries in the international exchange of
criminal identifying data.
fines, savings and recoveries in cases investigated by the FBI amounted to $343,925,811.00 while the total cost of operating the FBI in those years totaled $275,289,000.00, a dividend for the taxpayers totaling $73,636,811.00.

The close of the 1947 fiscal year brought to 318 the number of cases investigated by the Federal Bureau of Investigation under the Federal Kidnapping Statute since its enactment on June 22, 1932. Of these, 316 have been solved. The remaining two were still under active investigation.

From the date of enactment of the Federal Bank Robbery Act on May 16, 1934, a total of 1,204 cases were investigated resulting in sentences totaling 12,939 years, 11 months and 26 days. In addition there were 2 death sentences and 14 life terms. Fines during this period amounted to $382,350.00.

Eleven hundred ninety-five convictions resulted from violations of the Federal Extortion Act investigated by the Federal Bureau of Investigation since passage of the Act on July 8, 1932. Total sentences of 4,745 years, 11 months and 18 days were imposed.

Uniform Crime Reporting

Collection and dissemination of nationwide statistics relating to crime were undertaken by the Federal Bureau of Investigation on September 1, 1930, at the request of the International Association of Chiefs of Police and under authority of an act of Congress. Reports on offenses committed are received from more than 5,600 law enforcement agencies monthly and annually. These data are tabulated and published semiannually in the Uniform Crime Reports bulletin which is distributed to police administrators and other persons interested in law enforcement work.

Crime figures set forth in the semi-annual bulletin for 1947 show a 7.5 per cent increase in crime in rural areas throughout the nation. At the
same time, however, there was a 2.5 per cent decline in crime in the cities
during the first 6 months of this year as compared with the first half of
1946. It is to be noted that even though there was a slight decline in urban
areas, the figures were still over 12 per cent higher than those in the first
6 months of 1941, a prewar year.

In the various classifications of crime it was noted that burglary
for the first 6 months of 1947 increased 17.1 per cent in the rural areas
and 2.1 per cent in the urban areas as compared with the first 6 months of
1946. Larceny and rape in rural areas both increased approximately 13 per
cent while larceny in urban areas increased 1.1 per cent and rape 3.5 per cent.
Aggravated assaults increased on an average of 2 per cent in both rural and
urban communities. Robbery varied only slightly with a 1.5 per cent increase
in the urban areas and a less than 1 per cent drop in rural areas. The
crimes of negligent manslaughter and murder showed a decrease in both rural
and urban areas with a 6.6 per cent drop in rural areas and a 10.8 per cent
drop in urban areas. Murder showed a decline, the decrease being 7.4 per
cent in rural communities and 6.4 per cent in urban communities. Auto theft
continued to decline, showing a 19 per cent decrease over the first six months
of 1946 in rural areas and 22.3 per cent decrease in urban areas.

During the first half of 1947, age 21 predominated among the male
arrests and age 22 among the female arrests. Thirty per cent of the persons
arrested for robbery, burglary, larceny, auto theft, embezzlement, fraud,
forgery, counterfeiting, receiving stolen property and arson during the first
half of 1947 were less than 21 years of age.
ASAC Blaylock called from Albany at 11:50 p.m. and stated that the Attorney General left Schenectady, New York, at 11:00 p.m. in the private plane of Charles E. Wilson, President of General Electric. They intended to land at La Guardia Field, New York, and let Mr. Wilson out and then proceed to the National Airport. Mr. Blaylock said that the pilot informed him that the earliest time they could arrive at the National Airport would be 12:45 a.m. and possibly later. The plane is a Lockheed Lodestar bearing numerals MC 2020.

I called the switchboard and the operator told me that Mr. McGuire had informed her of the contemplated arrival and instructed her to call Robinson, the Attorney General's chauffeur, and advise him of the Attorney General's arrival. The operator put me in touch with Robinson and I advised him of the above. He said that he was already at the airport and would pick up the Attorney General on his arrival.
FIL: SAINT LOUIS 11-4-47 4-95 P' DCT RX

TELETYPE

Attorney General to J. Clark and W. S. Bressler: Honoring Clancy service.

St. Louis nine thirty a.m. today the Attorney General of the U.S. will attend and several prominent individuals in business. Attorney General and his family attend the service to attend. His family departs St. Louis twelve thirty p.m. November four on Pennsylvania Railroad, train 'Spirit of St. Louis' for Washington. Attorney General departs for Dallas four p.m. November four and scheduled to arrive Dallas approximately eight p.m. on American Airlines flight that seven thirty. He desires that C.A. be advised and that his brother, Robert Clancy, Dallas, Texas, be advised of his intended arrival. The Attorney General will probably depart Dallas tonight or early tomorrow. For the Clancy family to have their own special service scheduled and he desires that C.A. be so advised in this respect.

All information contained herein is unclassified.

Recorded 167-72 39 44 267
Indexed 140
Ex-32

9.7

19.97
TO: MR. E. A. TAMM
FROM: A. ROSEN
DATE: November 15, 1947

Call 11:55 AM

SUBJECT: TELEPHONIC REQUEST FROM MR. JOHN CORE, DANVILLE, KENTUCKY

PER INSTRUCTIONS FROM ATTORNEY GENERAL

Mr. John Core, Danville, Kentucky, telephone number 369, contacted the Bureau after trying unsuccessfully to reach The Attorney General's Secretary, Mrs. Stewart, on instructions from the Attorney General who is making a speech at Danville, Kentucky.

He advised that the Attorney General had a relative named Ephram MacDowell in Danville whom he wanted to visit, but did not know the relationship. Mr. Core advised that the Attorney General wanted Mrs. Stewart to check this for him.

Mr. Core further advised that the Attorney General requested that his secretary have Mr. Peyton Ford, Acting The Assistant to the Attorney General, give to Senator McGrath a copy of the Kansas City Vote Fraud Matter memorandum.

Mr. Core also advised that the Attorney General had tickets for a football game which his daughter intended using and Mr. Core gave the seat numbers so that the Attorney General's daughter might attend the football game even though the Attorney General had the tickets in his possession.

ACTION

Miss O'Donnell of the Attorney General's Office was contacted and advised of the above requests. Miss O'Donnell stated she would handle this matter and call Mr. Core as Mr. Core requested. (Mrs. Stewart could not be reached either at her home or at the office.)
TO: Mr. D. M. Ladd
FROM: F. R. Warner

SUBJECT: Arrival of the Attorney General
       National Airport - 11-19-47

Tom Clark

At 8:23 p.m., Mr. J. A. Roche, ASAC, Indianapolis, Indiana, called and said that the Attorney General had departed from Indianapolis, Indiana, at 6:17 p.m. their time on Flight 568 of the American Airlines and was due in Washington, D. C. at 10:48 p.m. Washington time.

This information was given to Mr. Nichols, who suggested that it be transmitted to Miss Alice O'Donnell, Secretary to the Attorney General. Miss O'Donnell was contacted accordingly and advised of the above information.

FRW: esb

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 6/18/83 BY 12-13-83

EN-180

NOV 28
59
AN ADDRESS
BY
TOM C. CLARK
ATTORNEY GENERAL
OF THE
UNITED STATES

Prepared for Delivery
Before the

INDIANA ASSOCIATION OF
INSURANCE AGENTS

Indianapolis, Indiana
Wednesday, November 19, 1947
12:00 Noon
Mr. Chairman and members of the Indiana Association of Insurance Agents:

I have a double reason for being glad to be with you in Indianapolis today. First because I have the opportunity to participate in your 48th annual convention. And I am also glad because I have this opportunity to meet with many old friends.

I have found my remarks must be most carefully made, and hence I use this manuscript.

A couple of days before the recent elections I had been invited by a local Chamber of Commerce to deliver a patriotic address in connection with the visit of The Freedom Train to a certain city.

In the course of my remarks, I naturally praised our great American form of government. I mentioned that the city in which I was then speaking had a good form of government.

The next day -- in screaming, glaring, half-page advertisements in local newspapers -- in blazing black bold-face type -- there appeared the statement: "You Have Good Government Here," said United States Attorney General Clark. The ads were inserted by enterprising Republicans.

You can envision the excitement on the part of the members of my Party when they read the statement. Probably disgusted, too. But after the vote was counted, the Democrats won.

To top it off, some friend wrote me that all they had to do to elect Democrats was to have Tom Clark endorse the Republicans. Perhaps I need a casualty insurance policy on my speeches.

In this connection, I am reminded of a client I had when in private practice, who talked to me about a casualty policy. I asked him, "Have you ever had any accidents?"

(OVER)
"No," he said. Then he added, in a spirit of helpfulness, "But last summer a mule kicked two of my ribs in, and knocked over the lantern and set fire to the barn."

"And don't you call *those* accidents?"

"Maw," he replied, "the crazy mule meant to do it."

Seriously, however, you in this field and we in the Department of Justice have much in common. We are both engaged in insurance business. You insure people against loss from fire and casualty - providing them with security in these fields - while the Department of Justice provides security in the field of law and order.

We are both trustees for the future. The security that you offer and the security that is offered by law enforcement officers both afford the protection essential to the peace of mind of the American people.

Basically, the nature of insurance is cooperative, and its heart is good faith and the protection of the public interest. Thus, it has properly been made the object of special attention by the people and by Government.

Only those who are impressed with the spirit of public responsibility have a rightful place in the business of insurance.

Upon its integrity rests the fortunes of millions of homes and businesses. It does much to make possible the extension of the credit that keeps this country's industry going.

In a sense you who are engaged in the business of insurance are the very keystone of the American economy. Because of your position you, of necessity, play an important part in the great tasks before us.

We have passed from many troubles of the immediate post-war era into a tougher and more trying period. We are beset on several fronts.
We have the spirit and the economic power to do the task ahead of us.
Certain jobs that some people claimed could not be done during the war were done by industry. They were done by breaking down each job to the components that could be understood and handled. They were done by everyone pitching in and doing his share. Team work - that was the answer.

Even the smallest machine shop was able to handle some part of the most intricate war machine. Then these parts were brought from all the little shops, put together, and they worked. They worked because each one of these places knew what it had to do and did it to the best of its knowledge and ability.

Why should it be such a far cry from this war-time task to our peace-time economic one? We were a united people against a common enemy. We were moving in one direction, because the Nation's life with all of its glorious heritage was at stake. In the country's severest crisis we did not fail.

Then came victory, and the celebration. Then the complacent letdown, followed by the relapse of the patriotic fervor so vitally necessary in wartime.

With the war's end, the American people cast off their singleness of purpose. In true democratic fashion they began to move in many directions - talked and acted as suited their fancy. That is characteristic of democracy. It releases the energies of every human being.

This democratic process places on each of us heavy responsibilities - and one of these responsibilities is to sift out the true from the false. Peddlers of pernicious propaganda take advantage of our right of free speech. They make the welkin ring with false promises and malicious charges.
They would pit class against class, and race against race, in order to destroy in peace-time the unity that characterized this nation in war.

For example, there are some foreign diplomats, and their stooges or satellites, if you prefer, who accuse America of imperialistic designs. They would make our friendly neighbors believe that we would annex them; that we are greedy for more land; that we have a passion to govern more people. As President Truman said, "Such talk is nonsense."

Nonsense is the best word to describe such phoney propaganda. Such bedtime stories will not scare the American people, nor will they disturb our neighbors. Uncle Sam has no chip on his shoulder.

But we must stay alert. Twice in one generation our Nation was lulled into innocent slumber. Both times our country awoke in the midst of the nightmare of war. It must not happen again.

Yet, today, with the lessons of yesterday still burning in our memory, there are some who would put dollars above humanity, who would not come to the rescue of those who are hungry for food and hungry for freedom. They would weight down our ships of friendship with anchors of "ifs" and "butts" and "maybes", and slow up the sailings.

The problems of peace that we face across a front as broad as this land, cannot be done alone by a single individual, by a group of individuals, nor by government. Everyone of us must help - we must close ranks - industry and labor and all the varied groups that go to make up our great Nation.

The free enterprise system, manned by people like you who comprise the Indiana Association of Insurance Agents know your communities and their people, and sparked by the enlightened self-interest of the competitive spirit, should be permitted to play its fullest role. The wonderful thing about this free enterprise system is that it serves both the individual and society.
Democratic government, as we understand it, must operate in an environment of freedom. When men are free to think as they please, to enter a business of their own choosing and to compete fairly in ideas and business, the result is a flexibility that responds to the changing needs of our Nation. It is this flexibility that gives strength and permanence to democratic government and its way of life.

We know - our record tells us so - that the free enterprise system is the best way to encourage and develop new industries, to advance art and science, and to distribute the most goods to the greatest number of people at the lowest cost. It helps to assure the preservation of our form of government, and a highstandard of living. As a group we have never waivered in these beliefs. If the system fails to work at all times, do not blame the principle of free enterprise - some predatory group may have thrown a monkey wrench in the machinery. We in the Department of Justice are determined to keep vibrant this competitive method.

Here are some facts that totalitarians cannot laugh off - or shout down. We in the United States, with only 6 percent of the world's population, use seventy-five percent of all the autos made in the entire world, we have fifty percent of the radios and fifty-four percent of the refrigerators. We consume fifty-two percent of the coffee, we use half or more of the world's production of rubber, and one-third of all the soap, and this is no plug for my good friend Chuck Luckman. Incidentally, he is doing a great job in the nation's food-saving program.

We are the envy of the world with respect to nearly all the materials that people need for health and the enjoyment of life. And we are called upon to save most of the world from collapse.
We should be proud of the role that we are playing in the world drama.

Throughout the earth today America stands as a symbol of hope and inspiration. Wherever our GI's have trod, the Goddess of Liberty has left her mark.

Liberty-loving peoples everywhere beseechingly look to America. There are wicked forces at work all over the world that would snuff out Freedom. And, I am sorry to say, some are here in our own country. Greedy people, as well as those who are careless or complacent, undermine the ideal of democracy.

May I re-emphasize that we shall never reach Freedom's heights by stepping on the backs of the helpless and downtrodden. Our Torch of Freedom must not be dimmed, or its light may flicker out forever. Tyrannical ideologies are abhorrent to us. Yet they flourished in countries which once had a competitive business system.

If we Americans check competitive effort - if we become a people afraid to venture or invest - we shall never build that better world.

Whenever powerful, highly disciplined forces presume to stop progress, to create a fear of new advances, to inhibit competitive endeavor, we must arise with all our might and say, "Stop." Believers in the American tradition must oppose and expose every vicious restraint upon freedom of enterprise. Undemocratic practices can scuttle our way of life. This is presently illustrated by the spiral of prices in some quarters. Wild inflation with its wrecking by-products would wreck our Nation - and make room for a dictator.

The story of individuals and organizations selfishly intent upon privileges for themselves, at whatever cost to others is told in some of the Federal Government's antitrust cases.

For example, let us look at the picture in the hosiery industry where efforts were made to keep low-priced full-fashioned hosiery from reaching
the market. To kill competition, some illegally entrenched companies spent vast sums in the purchase of machinery. Then they deliberately destroyed that machinery.

Now don't think I am complaining about American business in general. I am a champion of American business men.

These men referred to are in the minority - far in the minority. They should not be allowed to operate. Many a football game has been lost by one poor player. On the whole, American business men play the game squarely. They give the other fellow a chance and are willing to pass on a reasonable part of their gains to the public. They believe in and support our antitrust laws. They know the necessity for them.

These antitrust laws give life to the principle that business men shall have the opportunity to compete in an open market without fear of restraint or combination, and be free from reprisal by unlawful monopoly tactics. These laws are our first line of defense against the creation of a privileged class.

There is one fundamental misconception frequently expressed about the antitrust laws. Some fear that they are intended to regulate business. Nothing could be further from the fact. Their purpose is simply to prevent regulation or control by predatory monopoly groups, and to uphold the freedom to compete.

The place of insurance in our free enterprise system was clarified by the decision of the Supreme Court in the South-Eastern Underwriters Case. In that matter, the Court held that the business of insurance is interstate commerce and subject to the Sherman Act.

Public Law 15 followed this decision. As I see it, the moratorium granted by this law has two basic purposes.
First, the moratorium gives the various branches and groups in industry an opportunity to rearrange practices wherever necessary to conform to competitive principles.

Second, certain practices, such as combined rate-making are regarded by some as necessary to the efficient operation of the business. Where the States agree with this concept they are able to assume the responsibility for such practices by regulating them and establishing appropriate public safeguards against any abuse. I think, however, it is reasonable to assume that Congress didn't intend the law to be a device for establishing islands of immunity from the antitrust laws for the furtherance of private group interests. Nor do I believe that you would favor such a result.

Most States, among them your State of Indiana, have adopted regulatory laws for the purpose of complying with Public Law 15.

This process represents the spirit of America in an age of enterprise - especially the atomic age. When industry and the executive branch of the government cannot agree the courts make the final decision. Can you imagine what would happen in our country, and the world, if one company got control of atomic energy? It would mean the death knell to private enterprise, and goodbye to our democratic form of government. That must never happen!

Today, if somewhere in our land an unknown determined Morse, an unknown dreamer Bell, an unknown venturesome Wright, is building the proverbial better mouse-trap, the antitrust laws guarantee him the chance to make the mouse-trap available to the world.

In this critical period of human history, we must write the greatest and most important insurance policy of all time - insurance for world peace and freedom for all peoples everywhere.

The premium comes high, as all premiums of good insurance policies do.
Heretofore, it has been paid in lives. And still the "insurance policy" has not been iron-clad.

Today, we seek to write an unbreakable peace insurance policy - a life policy. And it must not be paid for in blood.

This policy's premium is the Golden Rule. It is penned with the ink of friendliness and helpfulness.

Guarding our heritage, working together in harmony, united in our mission to help a weary world regain its self-reliance, we shall, with God's help, overcome our foes from without, conquer the foes from within, and march on triumphantly to a better and brighter America and a world blessed with peace and happiness. Bless you all.
Office Memorandum

TO: Mr. Ladd
FROM: C. H. Schafer

DATE: December 7, 1947

SUBJECT: TRAVEL OF THE ATTORNEY GENERAL

Special Agent H. W. Kuhrtz of the New York Division called at 3:05 p.m. and advised the writer that the Attorney General was leaving LaGuardia Field at 4:45 p.m. and would arrive in Washington at 6:05 p.m., traveling via American Airlines, Flight 367, and desired to be met at the airport.

The writer communicated with Mr. McGuire and was instructed to contact Alice O'Donnell in the Attorney General's Office or Mrs. Grace Stewart, his secretary. Neither of these individuals could be contacted, however, John F. Clark, supervisor of the Department's chauffeurs, was contacted at 3:20 on the above date and given the above information. He stated he would arrange to have the Attorney General met by a chauffeur at the airport.

All information contained herein is unclassified.
Office Memorandum • UNITED STATES GOVERNMENT

TO: THE DIRECTOR
FROM: MR. EDW. A. TAMM

DATE: 12-6-47

SUBJECT:

On December 5th, after several prior efforts to see Mr. Peyton Ford, I talked to him about the Attorney General's proposed letter to various mayors in Indiana. You will recall that Frank H. McHale, Democratic National Committeeman, had suggested to the Attorney General that he write letters of congratulations to successful Democratic candidates for mayor and that the Attorney General's letter referred to the cooperation of the police departments in those cities with the FBI.

Mr. Ford was advised you did not feel that the references to the FBI should be made, primarily because there was no accurate way of knowing exactly what the internal conditions are in these communities. It was pointed out to Mr. Ford that at any time a political or other type of scandal might occur in one of these communities involving the police department, in which event the Attorney General's letter praising cooperation with the FBI would be immediately utilized in a "white-wash" of the police department.

Mr. Ford stated he agreed completely with your viewpoint and that he would urge the Attorney General to eliminate all references to the FBI in these letters.

EAT: ml

NOTE: The draft of the letter furnished by Mr. Ford and the letter addressed by Mr. Frank H. McHale to The Attorney General were returned to Mr. Ford. EAT:DMG 12-11-47
While talking to Mr. Peyton Ford on another matter, he handed me the attached letter addressed to The Attorney General by Frank M. McHale, Democratic National Committeeman for Indiana, and a draft of a proposed letter which The Attorney General is contemplating sending to the various persons named in McHale’s letter. Ford stated that The Attorney General instructed him to contact you and to ascertain your "personal reaction" to this proposal and to the suggested letter. I told Mr. Ford I would bring the matter to your attention. As I looked over the letter when Ford handed it to me, he stated there was "a lot of gambling going on in this sections of Indiana."

I don’t think The Attorney General should write such letters. There is no accurate way of knowing exactly what the local internal conditions are in these communities and any kind of political or governmental scandal can occur at any time. No doubt The Attorney General’s letter to a Mayor of any of these communities would be national publicity in the event of such a scandal. This would be immediately capitalized upon by political opponents on the Hill and in other places. It would probably result in another resolution to investigate the Department of Justice and The Attorney General. Be that as it may, I don’t know whether you desire to caution him about this situation or to indicate that you believe the matter is entirely one within his own discretion.

I shall be glad, if you desire, to transmit any observation you have to Mr. Ford.

EAT:DMG

Attachments

I think $139 angle should be eliminated for the reason underlined above.
The Attorney General

Director, FBI

January 5, 1948

Attached is a copy of the January, 1948, issue of the FBI Law Enforcement Bulletin which I thought you might like to have.

Attachment
WASH 4 FROM ST. LOUIS 6 820 PM

DIRECTOR

ROBERT HANNEGAN ADVISED THIS OFFICE TODAY THAT ATTORNEY GENERAL TOM CLARK WILL BE HIS GUEST IN ST. LOUIS ON JANUARY THIRTEEN AT WHICH TIME HE WILL ATTEND A TESTIMONIAL DINNER FOR SAMUEL BREADON, FORMER OWNER OF ST. LOUIS CARDINALS.

NORRIS

END AND ACK.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
January 13, 1948

LETRANDER FOR MR. TOLSON

Mr. TOLSON
Mr. L'DD
Mr. NICHOLS

While talking to the Attorney General on another matter he stated that Congressman J. Farrell Thomas, who is the chairman of the House Un-American Activities Committee, is considering calling the Attorney General to appear before the committee which is considering legislation on the Communist Party. The Congressman did not indicate to the Attorney General that Bills were under consideration by the committee, only that the committee is conducting hearings on the Communist Party. The Attorney General requested that I have someone prepare a brief on the Communist Party that he might use should he actually be called to appear before the committee.

The Attorney General suggested that I have someone work with Mr. T. Vincent Quinn on preparing an investigatory brief on the Communist Party with the idea of predating an action against the Party. I told him that I would have someone work with Mr. Quinn on this matter.

Very truly yours,

John Edgar Hoover
Director

JENKINS

cc - Mr. House
Tall Room

76 JAN 16 58

ALL INFORMATION CONTAINED HEREBIN IS UNCLASSIFIED
DATE 1/13/48  BY 84-8 B 8390 W
Office Memorandum · UNITED STATES GOVERNMENT

TO: MR. LADD  
FROM: J. E. Milnes  
SUBJECT: TRAVEL OF ATTORNEY GENERAL  
DATE: January 16, 1948  
Time of Call: 10:00 PM  
1-15-48

SA Lester Wilhelm of New York called. He said that the Attorney General was scheduled to leave New York on Pennsylvania RR Train #103 at 12:55 AM on January 16, 1948. He will occupy Bedroom E in car W130.

I immediately advised Mr. Nichols. He requested that I call the Switchboard and ask the operator to inform Miss O'Donnell of this fact. I did as instructed.

JEM: da

cc - Mr. Nichols

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DATE 01/13/48 BY SS-5 BTS 20

RECEIVED 2/7/1948
Jim Walter of the Times Herald asked me either on or off the record if we were investigating the Attorney General. I asked him where he had picked up such a preposterous thing. He stated that he had no information but that one of the boys at the Times Herald had asked if he had heard anything about an FBI investigation of the AG. Jim promised to secure further details. I, of course, told him that there was nothing to such a rumor.
Office Memorandum • UNITED STATES GOVERNMENT

TO: Mr. D. M. Ladd
FROM: J. D. Donohue

DATE: 2/14/48

SUBJECT: TRAVEL OF ATTORNEY GENERAL

At 12:40 A.M. SA W. J. McNulty of the N.Y. Office called to advise that the Attorney General had departed by train for Washington at 12:30 A.M. and since the A.G. had made arrangements with his chauffeur to meet him on arrival here it would be unnecessary for any action on our part in this regard.

Mr. Nichols was advised of the above by the switchboard at 12:48 A.M.

EX-66 3/1/48 279
31 FEB 6 1948

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATED 1/2/48 BY SRTY 2/14/48
February 4, 1948

Memorandum for the Director
Federal Bureau of Investigation

This will refer to your memorandum of January 30th, entitled - Communist Party, FBI Internal Security - C -, relative to the telegram addressed to the President by certain members of the Communist Party, recommending its dismissal.

I greatly appreciate your taking this information available to me and have advised the White House of its contents.

Tom C. Clark
FOR RELEASE WHEN DELIVERED
Thursday, February 5, 1948

STATEMENT

By

TOM C. CLARK
Attorney General of the United States

Before

Committee on Un-American Activities
House of Representatives

Thursday, February 5, 1948
10 A. M.
Washington, D.C.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE OPENED BY 50-783150U
February 5, 1948

Gentlemen:

I appreciate the opportunity which your invitation affords me to discuss with you your efforts to frame legislation which will assist the American people to meet the menace of subversive organizations seeking to attack our freedom. My views on all forms of totalitarianism, and particularly on Communism, are known to you. I feel sure that they are identical with your own. We are opposed to the American Communists along with their deceit, trickery and lies! We are opposed to that ideology because it would attempt to substitute for our present social freedoms, a dictatorship that would mean the end of all of our freedoms — the freedom of speech — the freedom of the press, and the freedoms of religion and assemblage.

We may say, I think, that you in the Congress and we in the Department of Justice are laboring in neighboring vineyards and that we have the same motives and the same purposes in view. As it is your duty to inquire into the need for legislation and to write onto the statute books the necessary laws, it is mine to interpret and enforce those laws. In this instance I am particularly aware of the difficulties of your task.

The program of this Committee in bringing into the spotlight of publicity the activities of individuals and groups can render real service to the American people. There is no more potent weapon even on the statute books themselves. From your hearings Americans have all become familiar with the charge of "Red baiting" that inevitably follows when the spotlight is placed upon subversive groups. Americans, too, are familiar with the
vitriolic campaigns of innuendo, deceit, and character assassination that
follow in the wake of prosecution against party members. We in the
Department have come to realize that it is part of the job to expect charges
from all sides.

I shall not dwell on party policies or strategy. Suffice it
to say that the American Communist program is a cause for concern. The
numerical strength of the Party itself does not concern us. It is
insignificant. Their claim however, is important, that for every party
member there are 10 others in the shadow ready to fight for the Party.
While I think they are doing a little wishful thinking in this regard, we
must not discount it too heavily for these fellow travelers corrupt
American life. They corrupt it by stealth, by misrepresentation, by pene-
tration and infiltration into many responsible organizations and mediums of
public expression. By association they use honest, progressive movements
to further their cause by capitalizing upon ill-founded charges. theirs is
a campaign of confusion and discontent.

But, Mr. Chairman, I believe the American public is aware of
this. I believe that it is aroused and that the fight against American
Communism is well on its way. Victory is assured by continued vigorous
prosecutions, by identifying and exposing subversive characters as well
as their organizations. If this is done the vaccine of public opinion
will render them impotent.
You requested that I come here to discuss legislation. You have immediately before you several proposed measures which seek to outlaw Communism and the Communist Party. One would make the practice of Communism treasonable; another would make it necessary for members of the Communist Party to register as agents of a foreign principal. There are other numerous proposed measures pending before the Congress which seek to outlaw the Communists as a party or as a way of life.

The Department of Justice has prosecuted and will continue to prosecute with vigor the actions of subversive groups. These prosecutions are the result of intensive investigation and continuous surveillance by the Federal Bureau of Investigation. We are using the deportation statutes to remove from among us those aliens who believe in a foreign ideology — this goes for Fascism as well as Communism. We have in the past few months proceeded in 19 of these cases. In 5 of them deportation has been effected and 14 warrants of arrest have been issued in the others. An example is the case against John Santo. John Santo was a Roumanian, a Veteran of World War II, whose real name was Desideru Hammer. He was an officer of the Transport Workers Union. We apprehended him under the act of November 16, 1918 and were able to establish his deportability on the basis of testimony from approximately 16 witnesses as to his activities in the Communist Party. We are now investigating and preparing for prosecution 68 additional cases. In addition to the deportation statutes we have successfully used Sec. 30 of Title 18 of the United States Code which makes it an offense to file a false statement with a Government agency. An example of this type of prosecution is the Marzani case, recently affirmed by the Court of Appeals here in the District of Columbia. We now
have some additional cases of this type under investigation. The third type of prosecution comes under the contempt statutes with which you are familiar. We have had 6 cases involving 28 persons, in prosecutions here in the District of Columbia. These statutes have proved highly useful in this field. Aside from court proceedings, we are also carrying out the mandate of the President and the Congress with respect to the Loyalty Program in the Government itself. Under its procedure last fall, I certified to the Loyalty Review Board 91 organizations as coming within the terms of the President's Executive Order. The Federal Bureau of Investigation is now investigating certain groups, and attorneys in the Department are studying a supplementary list. It is our purpose to continuously survey this field in order to prevent the listed organizations from using an alias, as well as additional organizations being used for subversive propaganda. In accordance with the Order, the FBI is also checking on Government employees. At this time 330,954 employees have been checked through the files of the FBI. Out of this number it has been necessary to order full field investigations in 350 cases. As of this date 40 of these investigations have been completed. During the course of the investigations 21 employees have resigned and 15 have been cleared of any charge of disloyalty. In 4 cases we are awaiting review from the Civil Service Commission, and employing agencies. Some persons have criticized this program. Let me say that no employee of the Government has a Constitutional right to his job but he does have a constitutional right to fair and impartial action on the part of his Government. He shall get this, but we shall not permit one subversive to be on the Government payroll — one may be too many.
Our responsibilities, of course, are not properly discharged unless these prosecutions and loyalty hearings proceed in an orderly and legal manner with full protection of constitutional guarantees. I am determined that no action will be taken which will impair the protections of our Bill of Rights.

We should always remember that totalitarian doctrines—whether Fascist or Communist—destroy civil liberties. If you will but study the history of those unfortunate countries that have been plagued with this ideology you will find the people, under such governments, are stripped of their civil rights. And along with these rights, the dignity of the individual has been crushed under the foot of a Godless creed. As we cleanse our way of life of those who cling to those alien philosophies, we protect and strengthen our own liberty—we make the more certain a continuance in the hands of the people of those rights that are inalienably theirs. But fairness and justice are not evidences of weakness. They are the signposts of strength.

In your deliberations with regard to legislation you cannot lose sight of the constitutional questions which inevitably arise in attempting to curb the activities of those with whom we disagree and whose actions we deplore. You inquire of me what constitutional questions arise. There are several. Consideration must be given, for instance, to the prohibitions of the First Amendment:

"Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble," etc. * * *

(Over)
In this connection I call your attention to the language of
the Supreme Court in the Schneiderman case. (Schneiderman v. United
States, 320 U.S. 118 (1943). Schneiderman was a naturalized citizen,
whose citizenship we sought to cancel on the ground that he was a member
of the Communist Party. In rejecting the Government's request for
cancellation the Court said (p. 139):

"Whatever attitude we may individually hold

towards persons and organizations that believe

in or advocate, extensive changes in our existing

order, it should be our desire and concern at all
times to uphold the right of free discussion and

free thinking to which we as a people claim

primary attachment. To neglect this duty in a

proceeding in which we are called upon to judge

whether a particular individual has failed to

manifest attachment to the Constitution would

be ironical indeed."

With reference to the matter of affiliation with a political

party or group the Court said (p. 136):

"... under our traditions beliefs are personal and

not a matter of mere association ... men in adhering

to a political party or other organization notorious

do not subscribe unqualifiedly to all of its platforms

or asserted principles. Said to be among those

Communist principles in 1927 are: the abolition of

private property without compensation; the erection

of a new proletarian state upon the ruins of the old

bourgeois state; the creation of a dictatorship of

the proletariat; denial of political rights to others

than members of the Party or of the proletariat; and

the creation of a world union of soviet republics.

Statements that American democracy is a fraud and

that the purposes of the Party are utterly antagonistic
to the purposes for which the American democracy,

so called, was formed, are stressed.

"Those principles and views are not generally

accepted—in fact they are distasteful to most of us—

and they call for considerable change in our present

form of government and society. But we do not think

the Government has carried its burden of proving by
evidence which does not leave the issue in doubt that petitioner was not in fact attached to the principles of the Constitution and well disposed to the good order and happiness of the United States when he was naturalized in 1927."

We are told, therefore, that membership in the Communist Party is not enough. In prosecutions against individuals we have to do more than prove that persons are members of the party. We must have proof of adherence to the principles of the party. In addition, of course, the statutes require proof that the Communist Party is one forbidden by law. In other words, it is necessary to prove that it is a party which advocates overthrow of the Government by force or violence.

In further reference to a consideration of the guarantees of freedom, the Supreme Court has said in West Virginia State Board of Education, et al. v. Barnette, et al, 319 U.S. 624, 642 (1943):

"If there is any fixed star in our constitutional constellation, it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion or force citizens to confess by word or act their faith therein."

Whether or not a proposal will meet the requirements of due process under the Fifth Amendment is another extremely important consideration. A statute which would define the nature and purposes of an organization or group by legislative fiat is likely to run afoul of the due process requirements. The Congress cannot by statute presume a state of facts that is arbitrary or that attempts to prevent proof of true facts. This we call legislative fiat. The Supreme Court has said, for instance, in Manley v. State of Georgia, 279 U.S. 1 (1929) at p. 6:

"... A statute creating a presumption that is arbitrary or that operates to deny a fair opportunity to repel it violates the due process clause. ... More legislative fiat may not take the place of fact in the determination of issues involving life, liberty, or property."

(OVER)
The fact that legislation may be subject to objection as being discriminatory cannot be overlooked. By singling out a political party or group for prohibitive legislation you may be charged with discriminatory action which would be objectionable as special legislation.

In this connection also, the protection against the passage by the Congress of any Bill of Attainder (Art. 1, 9, 3) is a most important consideration. In a very recent decision the Supreme Court has given us a definition of a Bill of Attainder (United States v. Lovett, 328 U.S. 303, 315, 317 (1946):

"... legislative acts, no matter what their form, that apply either to named individuals or to easily ascertainable members of a group in such a way as to inflict punishment on them without a judicial trial are bills of attainder prohibited by the Constitution..."

* * * *

"Those who wrote our Constitution well knew the danger inherent in special legislative acts which take away the life, liberty or property of particular named persons because the legislature thinks them guilty of conduct which deserves punishment. They intend to safeguard the people of this country from punishment without trial by duly constituted courts..."

These principles deserve careful consideration in your study of possible legislation.

One proposal is to bar the Communist Party from the ballot. Communism in the larger sense is not a political party. I think I cannot improve upon the statement made to this Committee in that connection, by the Director of the Federal Bureau of Investigation, when he appeared before you last March. At that time Mr. Hoover said:

"Communism is not a political Party. It is a way of life -- an evil and malignant way of life. It reveals a condition akin to disease that spreads like an epidemic and like an epidemic a quarantine is necessary to keep it from infecting the Nation."

But an organized group, whether you call it political or not, could hardly be barred from the ballot without jeopardizing the constitutional
guarantees of all other political groups and parties.

Another proposal before you would require that the definition of treason be sufficiently inclusive to authorize prosecution of Communists under the treason statutes. I think I need only read you the Constitution. In this regard, Article III, Section 3, provides:

"Treason against the United States shall consist only in levying war against them or in adhering to their enemies, giving them aid or comfort."

These are some of the legal considerations which I consider it essential to observe in attempting to draft new legislation adequate to combat subversive activities.

Turning to the statutes which we now have for use in combating subversive activities, I think it will be helpful to the proceedings of this Committee if those are reviewed briefly at this time.

The so-called Smith Act, passed by the Congress in 1940, contains provisions which prohibit any person from knowingly and wilfully participating either individually or with a group in activities which have for their purpose the overthrow or destruction of "any government in the United States by force or violence." By means of this statute, we are able to prosecute, provided we are able to obtain proof of force or violence.

As you know, this Act is aimed at the individual rather than the group or party. Adequate proof against the individual in this regard is most difficult to adduce. In fact, the dignitaries of the American Communist Party have each denied that they have any aim or purpose to overthrow the Government by force or violence. Because of the shifting program and the character of the party line, which can adjust to suit almost any limitation, we have found it more practical, effective, and speedy to proceed under other statutes.

(CUT)
The Voorhis Act is a registration statute. It is aimed at organizations subject to foreign control or engaged in civilian military or political activity. Each of these terms is defined by the statute. In order to force a registration or to prosecute any organization for failing to register, we must prove in one or more of the combinations described in the act that the purpose or aim or one of the purposes or aims of the organization is to overthrow by force or violence the Government of the United States, or that the organization is engaged in civilian military activity prohibited by the statute, or is subject to foreign control. The fact is that the description of activities which makes it obligatory for an organization to register is enough to brand the organization as subversive. As soon as the Voorhis Act was passed, the Communist Party changed its constitution for the purpose of disaffiliating, as the announcement put it at the time, from the Communist International in order to avoid registering under the "Voorhis-Blacklist Act." Later in 1943 in connection with the dissolution of the Communist International, the Party in the United States became the Communist Political Association. Since the expulsion of the Browder faction in 1945, the official designation has again been the Communist Party of the United States of America. The chameleon character of the organization is shown by its tremendous facility to accommodate itself to changing conditions. You have many examples in your files of how they bury one organization and conceive another one over night.
You have asked me what, in my opinion, is the true character and aim of the Communist Party in the United States. The ultimate question, however, is not what my opinion may be, but what proof exists to successfully prosecute an individual or organization under the above statutes. Although the Voorhis Act has been on the books since 1940, no Attorney General has directed a prosecution under it. Perhaps the fact that the act makes no particular officer of the organization responsible for filing of the registration statement has been as influential as any other in this regard. Moreover, the only effective penalty provided in the act is directed against persons making false statements. The penalty for this offense is much heavier under section 80 of Title 18. Regardless of this or of what the facts may be as to these organizations, we would have several years legal battle before we would be able to force registration. In the event we were successful it would only force the organization underground. In my opinion, under the present verbiage of the act, it would have the same effect as an act outlawing the party. In this connection, I agree with Director Hoover that from a security standpoint it would be best not to outlaw the party by statute. Let me say here that we should not run the risk of turning radicals into martyrs. It should be our effort at all times to expose to the light of public examination the activities of such individuals rather than by means of restrictive legislation to afford them an opportunity to operate underground.

(OVER)
Registrations under the Voorhis Act have been negligible and the statute has proven largely useless. This is true because the definitions in the Act brand any registrant as subversive and in order to escape the necessity of registration the organization changes its appearance so as to obviate disclosure.

We have also the Foreign Agents Registration Act — amended by the Congress in 1942. By the provisions of this act, agents of foreign principals are required to file a registration statement with the Attorney General and to label political propaganda disseminated by them. The terms of the act are sufficiently broad to require registration by members of the Communist Party, provided, of course, that proof is available that they are operating in this country as agents of a foreign principal. This is a difficult task and would get no results, even if successful for the act provides no penalty for the offending organization's continued existence or activity after conviction. It continues on its way.

In addition to the Acts I have discussed there are the treason, conspiracy, sabotage and sedition laws; and the provisions prohibiting the employment by the United States Government of persons who are members of an organization which advocates overthrow of the Government by force or violence.

Our strategic objective must be to isolate subversive movements in this country from effective interference with the body politic. In short, every such movement must be rendered completely ineffective as a Fifth Column.
This objective can be reached by:

1. Continuous investigation and surveillance of all subversive activities.

2. Prompt prosecution in the courts of all offenders against Federal law.

3. Deportation, through established procedure, of all aliens adhering to subversive principles.

4. Education of the public:
   (a) through the Committees of Congress;
   (b) through public meetings organized by Bar Associations and similar groups; and
   (c) through the press and radio.

5. Continuous study and public listing by the Attorney General of subversive organizations under the President's Executive Order.

6. Complete elimination of subversive persons from all government positions.

7. Active work by labor unions to eliminate subversive persons from their membership.

8. A tightening of certain statutes, including the Espionage Act.

In order to carry out these strategic objectives a strengthening of certain laws would be helpful. I think you may wish to consider amendments to existing legislation along the following lines:

1. In the Foreign Agents Registration Act a failure of registration might be made a continuing offense with penalties for continuing failure of compliance or for reorganization under another name to evade the provisions of the Act, together with mandatory dissolution.
2. In the Voorhis act, as I stated, no officer or agent is required to register the organization. Consideration might be given to placing responsibility upon the officers and supervisory personnel for affecting the registration of the association involved. Penalties might be imposed for continuing failure of compliance or for reorganization of the offending organization under another name to evade the provisions of the Act, together with mandatory dissolution.

3. The Smith Act, as I have said, is aimed at individuals rather than organizations. A study should be made of that Act, with relation to proof of individual activity, in the light of present-day techniques of subversive groups. Those techniques, as you know, are designed to conceal evidence as to the participation of the individual.

4. In the field of alien control, there are certain statutory situations in which the government's hand might be strengthened: why aliens, and particularly alien Communists ordered deported, cannot be returned to the country of their nationality because of a passport refusal by their own government. The majority will not let the United States voluntarily to go to some other country willing to receive them, we are, at the present time, doing a tremendous amount of work in cases in which we know we may not be able to deport because of our inability to obtain travel documents. We have roughly thirty-four hundred cases which are in this category. About twenty-one hundred of those aliens are deportable because charges involving subversive activities have been sustained against them.
How long may such aliens properly be held in our custody? The courts have given no definite answer. The length of time during which deportable aliens may be detained has been said to be limited to a "reasonable" time. The period may be four months, or longer depending on the circumstances. Yet, in many cases, aliens who are at large are able to continue activities prejudicial to the interests of the United States — the same activities which often rendered them deportable originally.

It has been suggested that a plan should be established, through legislation, to detain these deportees for a limited time under conditions permitting them complete freedom to negotiate for documents for entry into countries willing to accept them. This would also give us an opportunity to curb their activities. This suggestion is worthy of consideration. Under it judicial review, on the issue of custody, should be provided.

I should like to leave with you one further suggestion in the field of alien control. It has been felt that good results would come from an amendment to the Alien Registration Act which would require all aliens to verify their addresses with the registration authorities once each year. We would then have accurate information on all aliens instead of having to wait, as at present, for investigations. We have just announced proposed new regulations tightening the controls on alien visitors. I think such a plan would be of tremendous aid in our controls generally.

5. The Justice Department and other departments of the Government are now engaged in preparing a recommendation to the Congress for the passage of legislation strengthening the Espionage Act. I mention this not because that legislation will deal with the fundamental problem of Communism, but rather because I think it will strengthen the arm of the Government in dealing with national defense against espionage activities — a matter in which your Committee is no doubt keenly interested.
The amendments which I have suggested will fill in loop-holes and aid us in administering the law. However, I do not want to be understood as offering these suggestions as a complete solution to the problem. What is needed is first of all constant vigilance by all of us, in all branches of the government. I can assure you that the intelligence agencies of your government are very much on the job. The FBI, being charged with the responsibility of internal security, takes the most active interest in this field. It is conducting continuous investigations of subversive activities. Second, this Department will continue vigorous prosecution under every applicable Federal Statute. Third, we must strengthen our own system of government in every way that we can. That is my constant effort. I know that it is yours. A strong America needs have no fear of Communism — nor of any other alien way of life.
AN ADDRESS

BY

TOM C. CLARK
ATTORNEY GENERAL OF THE UNITED STATES

Prepared for Delivery

Before the

FEDERATION FOR RAILWAY PROGRESS

Annual Dinner

Waldorf Hotel
New York City
Tuesday, February 24, 1948
7:30 P. M.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 6/12/43 BY S. E. B.
Where there is no vision the people perish," the Psalmist said. Railway progress demands vision too, or it will perish. It is of tremendous national importance. In fact the complete development of our country requires it and our national defense compels it.

There is no place in the railroad picture for the visionary who is a victim of fright, but for the visionary who pierces the veil of the future with an authentic second sight there is not only a great demand but an absolute necessity. Of course he has to take off his blinders, I know some visionaries who have worn blinders for years.

It used to be supposed that progress was an automatic and inevitable result of the course of human history. Thomas Jefferson spoke of "the progress of liberty" which had begun in the United States with the American Revolution, which would spread to other nations. Later, with the industrial revolution, arose a generation which had faith in the "manifest destiny" which was to result in the peopling and expansion of this nation, and in a tremendous scientific and technological development. Many people believed that the path of man's destiny led upward and onward, regardless of what wisdom and management were employed in the conduct of human concerns. It was believed that progress was inevitable and inescapable.

But now, after our experience with two world wars, we realize that progress is not something which just happens. We know that retrogression is also possible in human experience. We have seen it in Germany. We know now that progress is a plant which must be cultivated in order to produce fruit—good fruit. It is not a weed, which will thrive even on a railroad track.

When we develop that vision with a second sight, progress and accomplishment will follow. To do this we must be alert with all five of our watchful senses.

The price of progress is an exacting one. The record indicates that progress in railroading has been slow. Back in 1884 a few railroads knew of the caboose. At that time the cupola on its top was
indeed "the new look." While these little shanties were in reality the command
cars handling the freight of the nation, the cupola innovation was not even made
available on most roads until the turn of the century. In 1885 a Connecticut
Phelps proposed a communication system for the railroads using the principle of
electrical induction. The powers that be, however, turned him down.

Today we find the same system is being developed and the present-day
shanties or command cars, which we call cabooses, have communication with the
engineer, as well as the station master. Heretofore a man had to have good lungs
and be able to run the gauntlet of freight cars between the caboose and the
engine. So now, some sixty years after Mr. Phelps introduced a communication
system, some of the railroads have finally come around to putting it into effect.
As a result there is no necessity of having a cupola and they are being taken off
of the caboose. If someone of vision had headed Mr. Phelps there would have been
no necessity of putting them on.

Instead we would have had the beautiful bay windows that we see on a few
of the more advanced cabooses over the country. Some at the top acted like our
recent New England thaws. Instead of thawing out at Mr. Phelps' suggestion they
just froze over again, covered their heads and went back to sleep. As a matter
of fact, railroading ran along this way until World War II brought us to the stark
realization that something must be done. One advertisement of an eastern railroad
certainly tells the truth about it. That ad ran in big headlines: "It's a hell of
a way to run a railroad."

Railroading with a vision has picked up some since V-J Day. However,
Business Week says only 1404 new cars, exclusive of freight cars, have been built.
Eight hundred and twenty of these are coaches, and 858 sleepers. There are 2236
cars now on order, of which 1141 are Pullmans. It is estimated that it will take
three more years to build these cars. It is also reported that only twelve rail-
including trucks, were licensed in the United States last year. I fully realize that comparison between an automobile and a railroad car is similar to that of the proverbial rabbit and the elephant, but the figures of new units are likewise enormously one-sided. Pioneering continued in the automobile and trucking business, while in railroading it had been quiescent. The 100-mile trip that each man, woman and child took on the railroads in the United States last year was virtually in the same old coaches and equipment that they have been riding in for many years. Certainly they do not invite more trips. And on the merchandising side, the ten tons of freight that each man, woman and child in the United States shipped for an average of 500 miles over the railroads last year was with the same antiquated equipment and much of the same service that has been in vogue for half a century.

Railroading must keep up with the advancements in science. Each railroad in the country should be a laboratory for experimentation and research. By the use of the laboratories, innovations and improvements would keep this great transportation industry abreast of the times. Improvements when discovered should be made available to other lines, as is generally done in the automobile and airplane industry. The public welfare must be held uppermost. Bottlenecks that have existed in transportation for years must be wiped out. The public also must be brought to the realization that there is more to railroading than rates. Service must be the watchword. They who serve well always sit at the head of the table — and it is the first table, too.

For a generation some in America have forgotten this simple principle. Many of us have concentrated our thoughts largely on what we, as individuals, could claim or hope for, or get, for ourselves from our fellow man, regardless of our own contribution to their interests. Some parents — including me — have devoted
themselves to aiding their children in securing the maximum advantages merely for the children alone. The chief virtue of education, we are often told, is that income is thereby increased. We give little notice and less care to the obligations which each generation must assume to his fellowmen. The ultimate question of late has been "What is best for me?". That is putting it rather bluntly, but it rings true.

Take in your own industry, for example. I read the other day—and I quote:

"Subsidies that give one system of transportation competitive advantages over another are not in keeping with the American system of free enterprise. All the railroads ask is that the principle of free competitive enterprise apply to all; that the service each renders a nation be the measure by which its existence is justified."

The author of this statement must have forgotten that in the original development of the railroad system we have today acts of Congress and of state legislatures granted land and other financial support to the then infant railway industry. I recall one road that received some five million acres of American land—that requires its grantees and lessees to ship exclusively over its road. And further, it requires them to order their purchases sent over this one railroad.

This contract is reminiscent of the tie-in clauses in patent licensing. But it goes them one better. This author also failed to mention that the railroads were also given the right of eminent domain—which is, as you know, the power of sovereignty itself—a power that is very seldom granted to private concerns.

In recent years the Congress and the States have also legislated with regard to the law of torts which has a direct bearing on the liability of the railroads for personal injuries. Likewise, the railway labor laws of the country have established a continuity of operation in the railroads that is known in no other industry. The Congress has also created the Interstate Commerce Commission,
which not only gives protection to shippers and communities engaging in interstate commerce, but also to the railroads. Certainly a thankful people through their federal and state governments have been considerate and ever-helpful to an industry that has been so important in the development of the country.

But the Congress has up to this date made the railroads, as it has all industry, subject to the other laws, particularly the antitrust laws. Nothing is more peculiarly American than the doctrine of free enterprise. I am confident that the railroads can live and prosper under this American system. I am confident they can furnish adequate transportation service to the public. Some in the industry seem to be skeptical about the traditional American method of doing business. They seek to obtain a status of special privilege exempting them from the competitive standards which are so vital to the American business structure.

As you know, at the present time there are two cases pending in the courts alleging restrictive policies on the part of the railroads which impede independence of action and managerial judgment. The Supreme Court took jurisdiction in one case, the so-called Georgia case. Each of these cases point up agreements between some of the roads depriving the individual railroad from effecting lower rates, adjusting schedules, and, in the case at Lincoln, Nebraska, of even installing air conditioning for the comfort of the public.

It is not surprising with this kind of agreement that our railroads are more or less still in the horse and buggy days. But what is surprising to me is that many prominent figures in the industry appear to be desirous of perpetuating this self-imposed burden, in that they advocate and urge the enactment of the so-called 'Bulwinkle Bill. This legislation would confer upon carriers a status of special privilege and exemption from the antitrust laws. It would grant to the railroad organizations power over the industry which would be greater than those enjoyed by the Interstate Commerce Commission itself.
The Bulwinkle Bill would place in the hands of such private organizations an immunity from prosecution on subjects over which the Congress has not seen fit to even entrust the Interstate Commerce Commission. For example, questions relating to equipment, schedules and time of departure and arrival of trains would be beyond the control of the Commission once it approved basic agreements. Likewise in the fixing of rates and charges of transportation, the private organizations of carriers would be given complete immunity from the antitrust laws and would be enabled to engage in an unrestrained program of price fixing.

Doubtless many other industries, besides the railroad industry, would be happy to be the beneficiary of legislation permitting them to engage in price fixing. No industry should be placed above the law. The law should apply equally to all - for equal justice under the law is one of the basic principles of our democratic system.

The fact that railroads are subject to regulation in the public interest, is no justification for such a discrimination in their favor. Regulation merely means that the carriers are subject to certain obligations peculiar to themselves, in addition to the obligations which the law imposes upon all businesses generally. It does not mean that they should be permitted to escape from such general obligations.

One might as well argue that because the railroads are subject to regulation they should be exempted from the payment of taxes. But obviously the fact that they must obey the Interstate Commerce Act is no reason why they should be free to disregard the Internal Revenue Act or the Antitrust Act. Their status as public utilities means that there are more, not less, legal requirements with which they must comply.

It is therefore absurd to claim, as some railroad spokesmen do, that transportation is being placed under two masters. It should have but one master - the
people; and to use the phrase of an old record— it should heed that master's voice more often.

Now that I have tried to be constructive in pointing out some of the weaknesses of the railroads let me say that I have nothing but the kindest feeling for those who operate the railroads and that goes for management and labor. The railroads of the United States have done more than any other single force to bring about the greatest federal union of states that the world has ever seen. The early pioneer railroaders were certainly men of vision and brains and brawn. They forged a band of steel around our country which has bound us together. Truly the railroads are often described as constituting the "backbone" of the nation's transportation system. They are vital to our industrial development. If by magic overnight the railroads of this country were to disappear, the handicap and burden to our industrial life would be indescribable. What I have said regarding the importance of railroads to the nation's economic and industrial life applies with even greater force when the requirements of national defense are kept in mind. During each war they have rendered monumental service. In the last war I am familiar with their operation. I venture to say that we could not have won the war so quickly had it not been for the railroads. Theirs was a service dedicated to the cause of victory.

So it is clearly apparent that both in war and peace the importance of railroads to American national life, to our industrial and military economy, is extremely vital. No wonder then that Government regards "the maintenance and development of an economical and efficient railroad system" as "a matter of primary national concern."

It was because of this outstanding operation under the most difficult conditions that we, who were thinking of the privileges and duties of freedom, turned to the railroads for help. One of the railroads furnished the facilities that
finally resulted in what is known in every community of America as "The Freedom Train." It is fitting that the railroads should be entrusted with the responsibility of carrying to over 300 cities in America the precious documents of our freedoms. It is fitting, because they helped to put life - reality - into those written parchments. In a sense every train is one of freedom, for by affording the facilities of transportation to the people the railroads promote unity, goodwill and brotherhood - and have won a place deep in the hearts of all Americans.
Office Memorandum • UNITED STATES GOVERNMENT

TO: DIRECTOR
FROM: CLYDE TOLSON

DATE: 2/24/48

SUBJECT: OATH, 2/24/48

Mr. Tolson
Mr. E. A. Bea
Mr. Clagg
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Carson
Mr. Egan
Mr. O'Neal
Mr. Harbo
Mr. Mohr
Mr. Pourington
Mr. Quinn Team
Tele. Room
Mr. Nease
Miss Holgers
Miss Candy

SAC Poster at Springfield called at 11:40 AM stating that he had heard that the Attorney General was to speak tonight at Rock Island, Illinois, at a meeting of the Youth Guidance League. He stated that according to his information the Quad City CIO Council declined to participate in sponsoring this meeting but that members of the CIO Council intend to be present and to attempt to embarrass the Attorney General by asking him why the FBI picked up Mrs. Eleanor Johnson and _______ Santos and will cite their war records.

We have no information, according to Mr. McGuire, that the Attorney General is speaking in Rock Island tonight and I, accordingly, doubt that we need take any action in this matter.

CT: DSS

RECORDED & INDEXED

19 FEB 25 1943

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 6/13/43 BY 54-8 015045

62 MAR 6 1948
Office Memorandum

TO: D. H. LADD

FROM: N. R. SCHONFELD

SUBJECT: TRAVEL OF ATTORNEY GENERAL

Special Agent John Hayes on weekend duty - New York - called at 2:55 PM February 29, 1948, to announce that the Attorney General left on Eastern Air Lines, Flight #39, La Guardia Field at 2:45 PM and is due to arrive at Washington 3:55 PM. He was originally scheduled for Eastern Air Line Flight #657, which was cancelled.

The switchboard was notified and appropriate arrangements were made to have the Attorney General met at the airport.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 03/13/48 BY 88-88-89320

5 MAR 1948
February 24, 1948

MEMORANDUM FOR THE DIRECTOR

Mr. Vanech advised me that the Attorney General of Texas whose name is Daniels claimed yesterday afternoon that the FBI was maintaining a surveillance of him. The statement was made by Daniels to four or five people attending the Judiciary Committee hearing with reference to a bill pertaining to title to tidal oil land. Vanech advised Tom Clark of this situation and Clark called Daniels and told him that any such allegation was absolutely untrue. There apparently is some rather bitter feeling between Daniels and Tom Clark.

Respectfully,

Edw. A. Tamm

EAT: DMG

[Stamp] ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
[Stamp] DATE 6/2/1948 BY 88-8 F.3144
[Stamp] RECOMM 6/2/1948
[Stamp] 1948 6/15/1948
[Stamp] INITIALS ON ORIGINAL - LE
Sunday Reception Planned
For Attorney General:
Will Speak Monday Night.

Elaborate plans for the entertainent of United States Attorney General Tom C. Clark, principal speaker at the annual Jackson-Jefferson banquet on Monday night have been
completed and the cabinet member will be accorded a
typical Nevada greeting when he arrives Sunday afternoon.
Berkeley L. Bunker, chairman of the Clark county democratic
central committee, announced today.

Clark, who is scheduled to address a huge crowd of democrats
at the Monday night banquet held in the Rainbow room, a
hotel Last Frontier, will arrive Sunday afternoon by plane from
his office in Washington. He will be met at the airport by a
reception committee from the county central committee and
prominent Nevada democrats including Governor Vail Pittman
and Bunker reported.

From the airport, Clark will be driven directly to the Last Frontier
hotel where he will be quartered in the penthouse.
During the meeting, the government official will be guest of
honor at a dinner reception and then accompanied on a tour of
Las Vegas. Bunker said.

Members of this reception committee include: Attorney General
democratic national committee, Governor Vail Pittman, lieutenant governor
Cliff Jones; Mayor E. W. Graig, Frank Gussweiler, chairman of the county committee, Assembly
Speaker H. L. Harris, State Senator C. D. Baker, State Senator
Marion B. Earl, Harvey Dickerson, Robert Miller, Cliff Jones, A. O. Grant, William
Mike Loux, L. J. Antrim, James Cashman, Paul Hallock,
and John H. Tierney.

Clark's speech is expected to
of national importance and
indicated that the text
widely circulated.

Press associations in ready requests, covered the tangles of the local correspondents and Bunker indicated that
day that it may be carried also
on a national radio hookup.

Enclosure
Packed House Now Seen for Clark Banquet

A capacity crowd will greet United States Attorney General Tom C. Clark as he addresses Nevada democrats at their Jackson-Jefferson anniversary banquet Monday evening in the Ramona Room of Hotel Last Frontier, Berkeley L. Bunker, chairman of the Clark county democratic central committee, reported today.

Bunker said that a complete sell-out for the affair was assured today when additional ticket requests were received from Henderson, Pioche and Ely residents planning to attend.

Bunker announced that Clark's speech will be carried on a nationwide American Broadcasting company hookup originating through station KENO.

The cabinet officer is scheduled to arrive in Las Vegas Sunday afternoon by plane from his office in Washington. He will be met by a delegation of leading Nevada democrats headed by Governor Vail Pittman and escorted to the Last Frontier where he will reside during his two-day visit to southern Nevada.

Sunday evening Clark will be guest of honor at a small informal reception when he is expected to discuss 1948 campaign details with democratic party leaders of the state.

Monday he will be taken to Boulder City and accompanied on a tour of the huge Boulder dam power project. At noon he will be feted at a luncheon in Boulder City and during the afternoon taken on a boat trip on Lake Mead. Arrangements for Clark's tour of the Boulder City area are in charge of Leonard Atkinson.

Prior to the Monday night banquet, a parade will introduce Clark to the residents of Las Vegas, and according to James Cashman, parade chairman, a colorful spectacle is planned.

Bunker reported that because of the radio commitment, the banquet will start promptly at 6:30 p.m.

Large delegations are expected from many Nevada cities including Carson City, Reno, Winnemucca, Elko, Ely, Tonopah, Pioche, Boulder City and Henderson. It will mark the first time in more than ten years that a member of a president's cabinet has appeared in this area.

ENDOWMENT

ALTER INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 12/12/47 BY 31285
I am attaching hereto a news item appearing in the Wilmington "Morning News," Wilmington, Delaware, dated March 15, 1948, pertaining to the address of Attorney General TOM CLARK before the Delaware Bar Association in Wilmington, Delaware, on the night of March 13, 1948.
CLARK DISCUSSES
ANTI-RED DRIVE

Campaign to Oust Aliens
Not Political, He Says
At Dinner of Bar Group

Attorney General Tom Clark says his campaign to get alien Communists out of the country is in no way political.

He made his statement in an address before the Delaware Bar Association at the Wilmington Country Club Saturday night, adding, "Neither I nor any official of our government has any right or inclination to imprison or penalize anyone merely because of his political beliefs, or to deprive him in any way of full opportunity to defend himself."

"Such practices," he said, "may be commonplace in a totalitarian state, but they have no place in a free America."

Among the 175 members, wives and guests attending the dinner meeting was George Morris Fay, United States District Attorney for the District of Columbia, who last week carried through the prosecution of Maj.-Gen. Bennett E. Meyers, Army Air Forces official convicted in Washington on willful tampering charges.

Judge Fee Attends

Judge James A. Fee of the U.S. District Court for Oregon, presiding judge in the famous Johnson case at Scranton, also was present.

John J. Morris, Jr., president of the host group, introduced Attorney General Clark. At the speakers table were members of the Delaware State Supreme Court, Judges Richard S. Rodney and Judge Paul Leahy of the United States District Court, and Judge John Biggs, United States Circuit Court of Appeals.

The committee which received Mr. Clark at his suite in the Hotel DuPont was headed by J. H. Tyler McConnell, assisted by Richard F. Corson and William Marvel.

Mr. Clark, in his talk, referred to the splendid achievements of the F.B.I., declaring their efforts to promote our internal security are being vigorously pushed at this time.

"In a troubled world, the security of our country is of paramount concern to every American," he said. He urged every public official as well as every private citizen to be vigilant in safeguarding that security and be prepared to defend it.

100, Probes Under Way

He revealed that 100 additional investigations are under way by the Department of Justice following deportation proceedings "commenced against 30 alien Communists." These are important cases, he said, and merit the attention of every thinking American.

He outlined the current proceedings against alien Communists, charging them with having violated the Act of October 16, 1918. "That statute," he said, "directs me to deport aliens who are members of or affiliated with organizations which seek to overthrow the Government of the United States by force and violence."

If that charge is sustained by the evidence, the alien respondent has offended our hospitality and he has no right to remain in the United States, Mr. Clark said.

In the deportation proceedings against alien Communists, we are faced with most formidable obstacles, he warned. "A Communist is an unprincipled opportunist," Mr. Clark added. "He will appear in many guises, under various names and seemingly harmless colorations."
Since writing the Bureau March 8 and 10 concerning the Attorney General's visit to Las Vegas, Nevada, some information has been brought to my attention by SA CURTIS O. LYNUM, a Resident Agent at Las Vegas, which I desire to furnish you.

On March 9, 1948 of the Las Vegas Chamber of Commerce, confidentially informed LYNUM that he had heard that the Attorney General was a passenger in a car driven by ANDREW JACK RICKETT, who was arrested in Las Vegas for speeding the early morning of March 9, 1948. STATED that MR. CLARK'S presence in the car at the time RICKETT was arrested was being kept very confidential, did not indicate the source of his information.

The Las Vegas Evening Review-Journal of March 9, 1948, carried the following story concerning RICKETT's arrest:

"SPEEDER NABBED BY CITY POLICE

Andrew Jack Rickett, of Boulder City, early today was arrested for excessive speed in the 1300 block of Charleston boulevard and posted bail of $25 after arriving at police headquarters in custody of Officers William Sweeney and Paul Adams. Police Chief Robert F. Malburg said Rickett was scheduled to appear in city court March 11. Several passengers in the car were released after questioning."

The traffic citation at the Las Vegas Police Department, checked confidentially by Agent LYNUM, reflected that ANDREW JACK RICKETT, age 46, 6', 175 pounds, driving a 1947 Chrysler Sedan, license #713-513, was arrested by Officer WILLIAM F. ADAMS at 4:45 A.M., March 9, for driving 50 miles per hour on West Charleston Boulevard in the City of Las Vegas. His hearing was set for March 10, 1948.

Agent LYNUM has heard no further mention of this matter and, of course, no inquiry is being made by him.

Kind personal regards,

[Signature]
Director, FBI

PERSONAL & CONFIDENTIAL

Attention: Mr. L.B. NICHOLS, Assistant Director

Dear Sir:

This will confirm my telephone conversation with Mr. J. J. McGuire today concerning the visit of Attorney General TOM CLARK and Assistant Attorney General PETER FORD to Las Vegas, Nevada.

On March 7, 1948, SAC RICHARD B. HOOD of the Los Angeles Office telephoned me stating that the Attorney General and Mr. FORD were leaving Los Angeles on Western Air Lines Flight 10 at 5:55 P.M. that day for Las Vegas, where they were to stop at the Last Frontier Hotel. SAC HOOD stated that the Bureau desired that an Agent contact them upon their arrival in Las Vegas and offer the Bureau's services.

Upon instructions from me, SA CURTIS O. LYNUM, one of the Resident Agents at Las Vegas, called on Mr. CLARK and Mr. FORD at the Last Frontier the early evening of March 7. They were occupying the penthouse there. Agent LYNUM offered to be of service to them and they asked that he remain with them throughout the evening. They stated that they were concerned about the possibility of their being photographed with persons of questionable reputation, and asked that Agent LYNUM discretely advise them so that they might move away from any persons of questionable character who might otherwise be photographed with them.

[Handwritten notation: mentioned confidentially to Agent LYNUM that the Bureau had provided them with a memorandum containing an up-to-date word picture of Las Vegas. He inquired how many Bureau Agents were regularly stationed in Las Vegas, and Agent LYNUM informed him that there were three Agents there and that they were very busy. He inquired specifically concerning District Attorney JONES of Clark County, a former Bureau Agent. In explanation, LYNUM stated that he understood that JONES had done very well financially since leaving the Bureau and wondered if JONES might be brought up with the element in charge of the Flamingo Hotel. Agent LYNUM informed him that JONES, in addition to being District Attorney, was a member of a prominent law firm there and that nothing had come to our attention indicating that he was particularly tied up with the criminal element.]

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150 NOV 10 1964

DECLASSIFIED BY 88-887532 ON 6/12/88
Director, FBI

During the evening the Reception Committee provided for the Attorney General arrived at the penthouse. The Committee consisted of Mr. A. C. GRANT, a wealthy businessman of Las Vegas, Mr. A. E. CAULAN, Managing Editor of the Las Vegas Evening Review-Journal, and District Attorney JONES. All these men, of course, are prominent in the Democratic Party. They took the Attorney General and Mr. FORD to dinner at the Last Frontier Hotel and invited Agent LYNUM to accompany them. He respectfully declined and Mr. CLARK stated that he and Mr. FORD were making a tour of Boulder Dam (located approximately 26 miles from Las Vegas) Monday, March 8, and advised that he would appreciate Agent LYNUM's meeting them at the Last Frontier Hotel around 5:00 P.M. following their return from Boulder Dam.

Agent LYNUM has advised me that during the evening of March 7, while he and the others mentioned were visiting the Attorney General at the Last Frontier Hotel, Mr. CLARK related several interesting stories involving investigations conducted by the Bureau. He was very complimentary in his statements concerning the Bureau and stated that he held the Director in the highest esteem.

Informed Agent LYNUM confidentially away from the others that the Attorney General was working very hard in an effort to obtain Congressional approval for the appointment of Assistant Director EDWARD A. TAMI as a Federal Judge in the District of Columbia stated that it was necessary for him to return to Washington, D.C. by Wednesday, March 10, in order to appear at a Congressional hearing on behalf of Mr. TAMI. In addition stated that he believed Bureau officials and Agents, by virtue of their service and ability, should be considered for positions of this type in the Government and therefore he intended to do everything possible to insure Mr. TAMI's appointment, thereby setting the proper precedent.

According to present plans the Attorney General is to address Nevada Democrats at their Jackson-Jefferson Anniversary Banquet at the Last Frontier Hotel in Las Vegas the evening of March 8. BERKELEY L. BUNKER, Chairman of the Clark County Democratic Central Committee and former United States Congressman and Senator from Nevada, is to introduce him. The morning of March 9 he and Mr. FORD intend to return to Los Angeles by Western Air Lines. I shall advise SAC HOOD of the Los Angeles Office telephonically upon their departure from Las Vegas.

I have instructed Agent LYNUM to contact the Attorney General and Mr. FORD upon their return to the Last Frontier Hotel from Boulder Dam about 5:00 P.M., March 8, and be of any possible service to them in a non-political way. Agent LYNUM has been instructed not to attend any political meeting, but to be of any assistance otherwise. I shall advise the Bureau by ASAP, Personal & Confidential letter when these officials have completed their visit to Las Vegas.

Very truly yours,

JCH:FR

ANSD

JAY G. FORD
SAC

-2-
Dear Sir:

Remleyt 3/8/48, concerning the Attorney General's visit to Las Vegas, Nevada.

For the Bureau's information, this is to advise that SA CURTIS O. LYNUM has informed me that in keeping with the Attorney General's request, he met him and Mr. PEYTON FORD at the Last Frontier Hotel at 8:00 A.M., March 8, 1948. Mr. FORD again stated that the Attorney General did not wish to be photographed with undesirable characters and that he would appreciate Agent LYNUM's advising him of the identity of any individuals who tried to get into a picture with him. Mr. FORD also asked that Agent LYNUM be at the Last Frontier Hotel around 4:00 P.M., March 8, when the Attorney General returned from his visit to Boulder Dam.

As requested, Agent LYNUM remained with the Attorney General and Mr. FORD while they were around the Last Frontier Hotel the morning of March 8, and also that evening. Mr. MERLE RICHARDS, a photographer for the Last Frontier Hotel, advised Agent LYNUM that he was designated to take all photographs at the Hotel, not only for the Last Frontier but also for the Las Vegas Evening Review-Journal newspaper. Mr. RICHARDS stated that he intended to take only four pictures of the Attorney General, three of which would be with Governor VAIL LITTLETON of Nevada and one of the Attorney General at the speaker's table during the Jackson-Jefferson Anniversary Banquet the evening of March 8.

Mr. LYNUM, in conformity with the request of Mr. FORD, met with the Attorney General and Mr. FORD in the bookstore at the Last Frontier Hotel following their return from Boulder City and Lake Mead the afternoon of March 8. Mr. CLARK advised that as a guest of Lieutenant Governor CLIFFORD JONES of Nevada, he had been out on Lake Mead in a new boat owned by the Pioneer Club of Las Vegas. Mr. CLARK commented that he was very apprehensive about his visit to Las Vegas, but felt that he could not turn down the request of his old friend, U. S. Senator PAT McCARRAN of Nevada.

Mr. CLARK invited Agent LYNUM to attend the banquet the night of March 8 but he respectfully declined to do so. The Attorney General stated that he would appreciate LYNUM's remaining at the Hotel in order to make certain

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150 NOV 10 1964
that no unwanted persons were around. Agent LYNUM stated that he would
gladly do so, and accordingly he remained at the hotel during the banquet
meeting. Following the banquet the Attorney General and Mr. FORD went on
a tour of Las Vegas with Lieutenant Governor CLIFFORD JONES, and returned
to the hotel about 11:00 P.M.

The morning of March 9, Agent LYNUM drove the Attorney General
and Mr. FORD to the Las Vegas Airport, and they left Las Vegas at 9:15 A.M.
PST with W. A. PORTER of Los Angeles in the latter's private plane.
Mr. J. E. HARRINGTON, an attorney of Los Angeles who was formerly an at-
torney in the Department, accompanied them.

The Attorney General and Mr. FORD expressed their appreciation
to agent LYNUM for the assistance rendered by the Bureau during their visit
to Las Vegas.

During the afternoon of March 8 following the Attorney General's
visit to Boulder Dam and Lake Lead, he asked Agent LYNUM if the "Costello"
gang were entrenched in Las Vegas. Agent LYNUM replied that since BENJAMIN
"Bugs" SIEGEL was killed there was no direct evidence that he personally
knew of that members of the COSTELLO gang were entrenched there. He stated
to the Attorney General, however, that it was his understanding that the
COSTELLO gang operated through legitimate "fronts" and undoubtedly had
various interests over the country. The Attorney General stated that the
Internal Revenue Bureau was endeavoring to work up an income tax evasion
case against various key members of the COSTELLO gang, but he was afraid
that it would take fifteen years for them to get the job done, even though
he felt they had enough evidence right now to make a good case. He commented
that he was toying with the idea of working up an antitrust case against this
gang on the basis of its "Wurlitzer franchises" in the United States, and
that after getting into their books and records they could file other charges
as they did in the KOSANNBERG case. He also stated that several Grand
Juries around the country to investigate simultaneously ramifications of the
COSTELLO gang's activities might also be a good way to proceed against
COSTELLO and his associates. The Attorney General and Mr. FORD discussed
the matter for a few minutes in Agent LYNUM's presence and Mr. CLARK termi-
nated the conversation by instructing Mr. FORD to look into the possibilities
when they returned to Washington.

With reference to their contemplated return to Washington,
Mr. FORD mentioned to Agent LYNUM that the Attorney General had a brief
speech scheduled at the Ambassador Hotel in Los Angeles at noon, March 9,
and that they planned a non-stop Constellation flight to Washington, where
they expected to arrive sometime March 10.
Director, FBI

The information concerning the travel of the Attorney General and Mr. FORD from Las Vegas to Los Angeles the morning of March 9 was immediately telephoned by me to SAC RICHARD B. HOOD of the Los Angeles Office.

Very truly yours,

[Signature]

JAY C. NEWBURY
SAC

JCH:FR

AMSD
Miss O'Donnell, AG's Office, advised Atty. General and Leo Cadison leaving Wash. 2 p.m.


AG has meeting in City Center. Wants car be available take City Center and wait for him which will be about an hour.  

TOM CLARK

Said possibility might go to 140 E. 54th St.
Butte, Montana
April 25, 1948

Directors, FBI

PERSONAL ATTENTION

RS: IDAHO PEACE OFFICERS ASSOCIATION

Dear Sir:

You may be interested in knowing that the Directors of
the Idaho Peace Officers Association have advised that they plan
 to invite Attorney General Tom G. Clark to address the Association
during its convention which assembles at Coeur d'Alene, Idaho, on
June 1, 2 and 3, 1948. They plan to invite him to be the principal
speaker on the night of the annual banquet.

The Attorney General may wish to accept this invitation
for political reasons as Coeur d'Alene is in the northern part of
Idaho, the mining region, where Senator Alan[e]ye is particularly
strong. It is not known how large the gathering will be, of course.
The dining room will cost approximately 100 persons, and it may be
that they will draw a large number from eastern Washington.

Very truly yours,

[Signature]

[Name]

[Position]

[Date]

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 5/18/49 BY 80-890-02

[Signature]
TO: Mr. Ladd
FROM: W. D. Carson
SUBJECT: Itinerary of Attorney General Tom C. Clark

DATE: May 1, 1948

At 5:00 P.M. instant date Special Agent H. V. KENNEDY, of the New York City Office called the writer to advise that Attorney General Tom C. Clark had just left New York on Eastern Air-Lines Flight #693. He advised that a representative of this Bureau was to meet the Attorney General and that the flight was due in Washington at 7:15 P.M. daylight saving time which would be 6:15 P.M. standard time.

ACTION:

Mr. H. B. Fletcher was advised of the above information and he advised he would handle the matter.

ADDENDUM:

The Bureau operator called at 6:10 P.M. to report she was to give the instructions about Attorney General Clark's arrival to a chauffeur when he called but that no one had called. The operator stated she was going to call Mr. Clark's secretary to find out if the matter had been handled.

ADDENDUM:

At 5:10 p.m., Mr. H. B. Fletcher advised Mr. McGuire of Mr. Nichols' office that the Attorney General was going to arrive at 6:15 p.m. Mr. McGuire stated that he would take care of getting instructions to the Attorney General's chauffeur.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 6/14/48 BY SP 8 BTJN W
WASHINGTON FROM PHILA 1 5-29-48 4:37 P
DIRECTOR

TOM O'CLARK

ATTORNEY GENERAL WITH TWO ASSISTANTS LEFT PHILA AT FOUR THIRTY PM ON A DC THREE PLANE NO. N TWO SIX TWO SEVEN. IF NOT ALREADY DONE, PLEASE ARRANGE TO MEET PLANE AT NATIONAL AIRPORT, WASHINGTON, DC.

BOARDMAN

PH R 1 WA

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATED 5/13/48 BY 88-8375-AW

Switchboard advised called Mr. McDonell

150

5/1 JUN 9 1948

called Mr. McQuaid at home

4:45 P.M. 48
May 30, 1948 URGENT

SAC: DALLAS

ATTORNEY GENERAL TO ARRIVE DALLAS MAY THIRTY ONE, FOUR FOURTY FIVE PM ON BRANIFF AIRLINES, FLIGHT FIFTY ONE. ARRANGEMENTS SHOULD BE MADE TO MEET HIM UPON ARRIVAL AND THEREAFTER NOTIFY BUREAU OF HIS SCHEDULED DEPARTURE FOR WASHINGTON, BELIEVED TO BE JUNE FOUR.

Tom CLARK

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 6/13/43 BY 58-7 075 126

FLJ:mb mR

U.S. DENTAL
COMMUNICATION

MAY 30 1943

RECORDED - 60 162-72944-293
29 MAY 1943

EX-13

COPY, DESTROYED 150 NOV 10 1944

52 JUNI 1948

5:20 PM
To: COMMUNICATIONS SECTION

TRANSMIT THE FOLLOWING MESSAGE TO:

SAC, KANSAS CITY

ATTORNEY GENERAL LEAVING WASHINGTON VIA TWA FLIGHT THREE LAUGH ONE
AT YOUR THIRTY P.M. EST. ARRIVING KANSAS CITY ELEVEN LAUGH FIVE P.M.
G.S.T. HAVE AGENT AND CAR AVAILABLE AT AIRPORT.

HOOVER

JJLWJR
Office Memorandum  •  UNITED STATES GOVERNMENT

TO: Mr. D. M. Ladd
FROM: Mr. F. L. Jones

DATE: May 30, 1948

SUBJECT: TRAVEL OF ATTORNEY GENERAL

Time of call: 4:30

The Attorney General's Office advised that the Attorney General would arrive in Dallas, Texas at 4:45 PM on May 31, 1948, via Braniff Airlines, flight 51. It was requested that the Dallas Office meet the Attorney General upon his arrival in Dallas and that the Dallas Office advise the Bureau when the Attorney General would leave Dallas for Washington in order that he could be met upon his arrival. He will probably leave on June 4, 1948.

ACTION: The attached teletype was sent to the Dallas Office immediately concerning the above, in accordance with instructions from Mr. McGuire.
THE ATTORNEY GENERAL WILL LEAVE WN,
SUN. 5/30/48, VIA TWA'S FLIGHT #301,
(5:30 pm Daylight Time)

HE WILL ARRIVE IN KANSAS CITY 11:05 P.M. CST.

WILL YOU PLEASE HAVE SOMEONE MEET HIS PLANE?

Mr. McGuire advised and he will advise Kansas City.

rgk
May 29, 1948

10:00AM

SAC Boardman of the Philadelphia Office was advised of the Attorney General's schedule today from the attached memorandum. He stated that an Agent would meet him upon his arrival and return him to his plane upon the completion of his talk.

Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Glavin
Mr. Ladd
Mr. Nicholls
Mr. Rosen
Mr. Tracy

Mr. Egan
Mr. Gurnea
Mr. Harbo
Mr. Jones
Mr. Mohr
Mr. Pennington
Tele. Room
Mr. Nease
Miss Holmes
Miss Gandy

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 5-29-48 BY SE-8 R.S.

Director advised of the Attorney General's schedule by the switchboard 10:15PM 5-29-48.

rgk

RECORDED: 71JUN141849
OFFICE OF
THE ATTORNEY GENERAL

5-29-48

MR. McGuire:

THE ATTORNEY GENERAL WILL LEAVE HERE
IN PRIVATE PLANE NC2627-a DC-3-
ABOUT 12:15 NOON EDT TODAY.

HE SHOULD ARRIVE AT PHILADELPHIA, PA.,
SOUTHWEST AIRPORT ABOUT 1:00 P.M. EDT.

HE WILL ADDRESS THE POLISH-AMERICAN CONGRESS, INC.
IN THE BROADWOOD HOTEL, AND RETURN IN THE
SAME PLANE, LEAVING PHILA. ABOUT 3:30 P.M. EDT.

HE WILL PROBABLY BE ACCOMPANIED BY MR. LEO
CADISON & MR. G. M. FAY.

WILL YOU PLEASE HAVE SOMEONE MEET THE PLANE?

THANKS.

[Signature]

RECORDED 6-1-1948

[Stamp]
ATTORNEY GENERAL DEPARTING DALLAS, ONE THIRTY AM, JUNE THIRD VIA AMERICAN AIRLINES, FLIGHT ONE FIFTY SIX. ARRIVING WASHINGTON SEVEN TWENTY AM EASTERN STANDARD TIME.

MC CONNELL

END

924PM OK FBI WASH DC JIM

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 6/13/83 BY 8-8 BST

Call Ike The Judge
Attached is an article from the Milwaukee Sunday Journal, June 20, 1948, reflecting that Attorney General Tom C. Clark may speak in Milwaukee at the German-American Relief day celebration at Old Heidelberg Park, N. Port Washington Road, Sunday, June 27, 1948. It is noted that HELLMUTH FALK, a member of the arrangements committee, Governor REMMENBOHM and Secretary of State ZIMMERMAN might attend. The proceeds of the celebration were indicated as for use of needy people in Central Europe.

No action is being taken by the Milwaukee Division except to be alert to the situation.
Tom C. Clark to Speak Here

German-American Day

Att'y Gen. Tom C. Clark is scheduled to speak at the German-American Relief day celebration at Old Heidelberg park, N. Port Washington rd., next Sunday. The celebration will start Saturday.

According to Hellmuth Falk, a member of the arrangements committee, Gov. Rennebohm and Secretary of State Zimmerman have accepted invitations to attend the celebration.

About 40 German societies are cooperating in sponsoring the two day affair. More than 10,000 persons are expected to attend, Falk said.

The program, in addition to talks, will feature folk dances and choral groups. A vaudeville show will be presented Saturday night.

Proceeds of the celebration will be used for needy people of central Europe.
I have your memorandum concerning the annual appearance of The Attorney General before the Judicial Conference of Senior Circuit Judges scheduled for September 27, 1948. You requested any suggestions I might have as to matters to be included in his remarks.

I wanted to inform you that the bureau has no suggestions as to what matters The Attorney General should include in his remarks at the Conference.

62-72944
cc-Mr. Ladd
EHW:DNC
Office Memorandum

TO: J. Edgar Hoover, Director, Federal Bureau of Investigation
FROM: George T. Washington, Assistant Solicitor General

SUBJECT:

On September 27, 1948, the Attorney General is to make his usual annual appearance before the Judicial Conference of Senior Circuit Judges. I would appreciate any suggestions you may have as to matters to be included in his remarks, particularly any observations with reference to the work of the Federal courts.

Please let me hear from you by September 1, 1948.

DATE: February 22, 1948

RECORDED 68
EX-116

COPY DESTROYED 150 NOV 10 1964

ALL INFORMATION CONTAINED HEREBY IS UNCLASSIFIED

DATE 6/13/48 BY JG

FBI
10 BACK RECORDING
August 24, 1948

MEMORANDUM FOR MR. TOLSON

There is attached hereto a draft of the Attorney General's speech prepared for delivery before the Delta Tau Delta annual convention at French Lick Springs, Indiana, on August 21. Mr. Cadison tells me the AG spoke extemporaneously but followed closely the substance of this speech. Cadison stated the speech was not given out in Washington and there was no press coverage at French Lick Springs; therefore, they contemplate using the same speech again on Labor Day, September 7, when the Attorney General speaks before an audience of between 25,000 and 40,000 people at Des Moines, Iowa.

Respectfully,

[Signature]

LBN: hmc

Attachment

RECORDED 91

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 1/18/83 BY SE II

THIS MEMORANDUM IS FOR ADMINISTRATIVE PURPOSES TO BE DESTROYED AFTER ACTION IS TAKEN AND NOT SENT TO FILES
An Address

by

TOM C. CLARK
Attorney General of the United States

Prepared for Delivery

Before the

59th KARNEA ASSEMBLY
DELTA TAU DELTA

FRENCH LICK SPRINGS, INDIANA

SATURDAY
AUGUST 21, 1948

6:30 PM

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 6/13/48 BY SE-8 DELTA

ENCLOSURE
Achievements of fraternity members totally disprove ridiculous claims by some that American fraternities are a detriment to society and that they should be driven from the campuses of our schools.

The fraternity has a very important place in college life. It not only provides a forum for the making of companionships that add to the happiness of college life, but also is an instrument whereby friendships are made that endure for a lifetime. The very ideals that Delta Tau Delta and other fraternities emphasize, such as loyalty, brotherhood, service and leadership -- all on the firm basis of religion -- are fundamental essentials that strengthen college life and help in building a strong citizenry. On such a citizenry America must and does, to a very great extent, depend to maintain her strength.

The American way of life is founded on basic freedoms. We cannot reassert this too often. Today, in the atomic age, more than ever, there is a need for brotherhood among all mankind -- a brotherhood that is founded upon the rock of religion -- a brotherhood that is molded on the college campus in the liberal and progressive traditions of Alexander Campbell of Bethany College and other visionary pioneers of our fraternity.

Yes, the college fraternity has plenty of excellent reasons for existence, particularly in this day and age when our glorious democratic form of government is being attacked from within as well as from without. The members of college fraternities can help maintain our way of life with our free enterprise system -- a business system that has made America grow into one of the most influential and prosperous nations on the face of the earth -- a system whereby the employees of today may become the employer of tomorrow, as many of our great captains of industry have done.
Merely because a few college graduates have failed to learn the historic principles upon which our Republic is founded, or have forgotten these sacred ideals after learning them, some shout that the college curriculum is weak, or obsolete, that these great schools of learning have failed in their mission.

Our colleges have not failed -- education has not failed. It is those who chose to desert the ranks of the loyal and the patriotic -- joining hands with alleged secret agents of foreign interests -- they are the ones who failed -- dismally failed their college -- disgracefully failed their country.

No thinking American will place the blame on the American college for the conduct of self-styled traitors who trade and traffic in their most precious heritance. The very law of the land which they scoffed at, and with their ilk tried to destroy, protects them this very hour.

No, we cannot hold our colleges responsible for nefarious actions of a few graduates, who have strayed from the path of allegiance. As Attorney General, I have had to prosecute on serious Federal criminal charges two members of the House of Representatives who were convicted. It would be just as logical to hold the Congress of the United States to be responsible for the actions of two of its black-sheep members as it would be to blame the college for the action of these self-confessed communist informers.

And the same rule of fair and honest reason applies to the Federal, State, county or city government -- down to the township. No thinking American will condemn the present 2,000,000 loyal employees of the Federal government because of the alleged disloyalty of a handful of workers.
It was the conviction of President Truman that even one Communist was too many to have on the Federal payroll. Therefore, on November 25, 1946, he named an Employee Loyalty Commission. This Commission recommended that the President issue an Executive Order, which he did on March 21, 1947, establishing in the Civil Service Commission a Loyalty Review Board. Congress appropriated the necessary funds for this important activity on July 31, 1947. Under this Presidential Order a check was to be made as to the loyalty of every employee and every new applicant. Remember, this is the first time in our history that this has been done.

Under the order the Federal Bureau of Investigation has completed processing 2,020,000 loyalty forms -- a Herculean task in itself. Out of these 2,000,000 employees the FBI found it necessary to conduct full investigations on only 5,510 individuals -- and this does not mean all of these were disloyal. It means merely that enough information was not available finally to pass on the question.

Of this 5,510, up to the first of this month, the FBI has completed the investigations of 3,177 cases. These have been sent to the local boards of the various departments and to Civil Service Regional Offices. Of this number, the FBI found it was unnecessary to complete investigations on 728 individuals, because 469 were found to be no longer in the service, some had died, and 98 resigned or were separated during the investigation. The local Loyalty Boards have found 54 as unfavorable. Unless reversed on appeal they will be dropped from the payroll. The remainder of the cases are under active consideration by the Boards of the various departments. And all this has happened in the last year.
When one stops to realize that every lead resulting from gossip, anonymous letters, grievances, and excited wild statements is also investigated, it can readily be seen that excellent progress has been made on the Employee Loyalty Program.

Of course, the Loyalty Boards have a dual mission. They must protect the country from any disloyal employee, and they must also protect the interests of any innocent employee who may be accused of disloyalty—therefore necessitating a most careful and exhaustive investigation, not one made in haste due to hysteria or for political expediency.

As you know, I, too, have a duty to protect the innocent as well as to prosecute the guilty. It goes with the oath of the Attorney General. I speak as an American public official to good Americans.

There are some things I would like to make perfectly clear.

First, neither I nor any other official of our government has any right or inclination to imprison or to penalize anyone merely because of his political beliefs or to deprive him of any full opportunity to defend himself. Such practices may be commonplace in a totalitarian state, but they have no place in a free America.

The Department of Justice's current proceedings against both alien and native born subversives and the President's program to rid the government of every disloyal person do not in the slightest degree infringe upon the personal liberties so dear to every American.

Second, we do not intend to stop with mere dismissal where we find that a Federal employee has been disloyal. Whenever possible, we will prosecute that person in the courts. Such action was taken in the Marzani
case, a State Department employee, and he was convicted of filing with a
government agency false statements relating to his association with the
Communist party and went to jail.

At no time in the history of the nation since its creation over
170 years ago has any administration made such an intensive and exhaustive
inquiry as to the loyalty of employees as we have been conducting under
President Truman.

Our activity has not been limited to the Employee program. As far
back as 1945 I was fighting Communism on all American fronts with all the
facilities at the command of the Department of Justice. Since July 1, 1945, 34
individuals have been convicted in Federal courts for contempt in regard to
Communist activity investigations. We used the statutes regarding contempt
because there is no other law under which we can legally secure convictions.
Time and time again I have pointed out weaknesses in some of our security
laws and pleaded that they be strengthened.

Among the best known of those convicted for contempt were Eugene
Dennis, Secretary of the Communist Party; Gerhart Eisler; the seventeen
members of the Board of Directors of the Joint Anti-Fascist Refugee League;
the ten Hollywood defendants. Harold Christoffel, Secretary of the National
Maritime Union, New York, has been convicted of perjury committed before a
grand jury that was investigating his association with the Communist party.
That is not all.

But these convictions are but a part of our fight on Communists.

Recently we have obtained indictments in New York against twelve
top-flight officials of the Governing Board of the Communist party on the
charge of advocating the overthrow of our government by force and violence.

They are: William Z. Foster, party Chairman and several times Communist candidate for President of the United States; Benjamin Davis, New York City Councilman; John Williamson, member of the Communist national board; Eugene Dennis, general secretary of the Communist party; Henry Winston, member of the national board; Jack Stachel, member of the national board; Robert Thompson, member of the national board and chairman of the New York State Communist party; John Gates, editor of The Communist Daily Worker since 1947; Irving Potash, manager of the Furriers' Joint Council of New York, CIO, member of the Communist national board; Gilbert Green, Chicago Communist district chairman; Carl Winter, Detroit, chairman of the Michigan State unit of the Communist party; and Gus Hall, chairman of the Communist party in Ohio.

These are not "small fry" deluded fellow travelers -- they are the "Big boys" -- the top drawer Communists. These are the men who, the indictment charges, would destroy our American way of life.

And this is not all we have done and are doing to "break up" and bring to an end their nefarious plots and plans. Our Immigration and Naturalization Service has ordered the deportation of 74 Communists. Among those are high Communist dignitaries, such as Alexander Bittelman, native of Russia, member of National Committee of the Communist Party; Irving Potash, Manager of the Furrier Joint Council, International Fur and Leather Workers, New York; Charles A. Doyle, Regional Director, Gas Coke and Chemical Workers Union, Niagara Falls, New York; Beatrice Johnson, native of Poland, State Educational Director of the Communist Party; Claudia Jones, British West Indies, member of International Committee, (over)
Communist Party; John Santo, member of Communist Party and organizer of the
Transit Workers Union of New York City; Ferdinand Christopher Smith, native
of British West Indies, Communist Party member, National Secretary of
National Maritime Union; John Williamson, member of National Committee of
Communist Party of the United States.

Warrants of arrest for deportation have been issued for 212 more
and several hundred additional investigations are in progress at this time.

Fifty-seven Nazi enemy aliens were deported a few weeks ago.

Time and time again I have stated that it is the duty of every
citizen who knows of an alien Communist within our midst to give his name
to the local United States Attorney, Director. Hoover, or to me. There
is no room in this country for even one alien Communist, as there is also
no room for any disloyal person in the Federal government service.

And now what about so-called spies? Let me say here that labor
unions as a whole have cooperated with us 100 percent to get rid of this
communist menace. Espionage is a serious problem and has been ever since
George Washington's day. You will remember we carried on some spying then
ourselves. For a number of years -- and particularly since the beginning
of World War II the FBI has been working intensely on subversive matters.

I need not tell you for you realize it -- but the FBI knows its business when it comes to
spies and spying. And I speak authoritatively when I ask, whom can we trust
more to protect our internal security than our FBI?

What is their record?
During World War II not one case of foreign inspired sabotage ever was accomplished. Three groups of saboteurs or spies entered America, one in Florida, another at Long Island, and a third in Maine. All three groups were apprehended -- tried -- and punished. I prosecuted the one at Governors Island in 1945 personally.

As to recent statements on spies and spying, as I previously have stated, the FBI had all those stories and the witnesses -- back in 1945. After intensive investigation, the full testimony was at my direction presented to a Federal Grand Jury in New York City -- and that Grand Jury began to serve over a year ago -- and is still serving.

I am not at liberty under the law to give you the evidence before this Grand Jury -- because, as I said, that Federal Grand Jury is still serving. I believe in our system of government and have faith in this Grand Jury. I know it will perform its duty, for all of its members are good, loyal, every-day Americans.

On July 20th this same Federal Grand Jury returned an indictment charging the twelve top communist leaders -- whose names I mentioned a moment ago -- with violations of Federal law.

While we wait for this final action; remember not one of these accused persons is working for our government.

Delta Tau Delta, throughout its eighty-nine years of existence, has laid heavy stress on these basic essentials:-- Faith in God, loyalty to country, integrity, brotherhood, education, justice. Yes, it is today leaving its excellent imprint on the seventy-five campuses where our student chapters flourish.

(over)
Through more than 39,000 student and alumni members, our fraternity brothers also reach into every one of the communities that make up our nation, promoting the general welfare of all the people.

Brother Branch Rickey here knows that teamwork, integrity, and selflessness are vital to our national sports game -- baseball -- and that no pennant can be won without them -- whether in the field of sport, business, or international diplomacy. As the success on the baseball diamond is only gained through teamwork, so is teamwork among citizens required in the building of a community, state and nation.

In these trying days -- in these atomic days -- this changing world, when civilization, as we know it, may be in peril, only unity and teamwork of the highest kind will save our American way of life, and the rest of the world.

All our problems are a challenge to the present generation -- especially to the college graduate. The challenge calls for vision and courage -- for leadership and sacrifice. The fraternities of America accept this challenge -- they will continue their good fight.

Our first objective must be to remove war, and fear of war, from the peoples of the earth. We must wage the peace with the same zeal we waged the war -- Peace and Democracy move forward hand in hand.

Democracy is not something that you can wrap up in a bundle and lay away in moth balls in a cedar chest. Neither can you lay aside democracy like you would a pair of slippers and put them on occasionally for comfort. You can't hide democracy and then put it on exhibition on
the Fourth of July, or Flag Day, or "I-Am-An-American Day," and expect it to do the job for all the remaining days of the year.

When you return to your respective colleges you can do much to get this job done. You can join in Democracy's crusade for peace and freedom.

Let us all remember that peace and freedom are not won by loafing, but they can be lost that way. Our democratic country is today the only hope of a weary world. For democracy to live, all of us must march—side by side—unselfishly contributing each in his own way, not only to the betterment of our own country, but to the betterment of mankind everywhere. In so doing we will bring permanent peace and happiness to all peoples, as God intended it should be! And with God's help, so shall it be!
September 5, 1948

Frank C. Edgar Hoover
Director
Federal Bureau of Investigation

From: Florence Young

Washington, D.C.

Department of Justice

Received: 9-5-48
Peyton Ford v.
The Assistant to the Attorney General
and
George Morris Fay.
United States Attorney, District of Columbia
request the pleasure of your company
at a reception in honor of
The Attorney General of the United States
Tuesday, September the fourteenth
at five-thirty o'clock
Carlton Room, Carlton Hotel
September 17, 1948

Honorable Tom C. Clark
Department of Justice
Washington, D. C.

Dear Tom:

I want to express to you my deep appreciation for your several statements of commendation concerning me and my administration of the FBI during your talk to the United States Attorneys on Tuesday. Such statements coming from you are doubly appreciated and I wanted to let you know my gratitude for your thoughtfulness.

Sincerely yours,

[Signature]

Edgar
MR. CADISON WANTED YOU TO SEE THIS.
AN ADDRESS

BY

TOM C. CLARK

Attorney General of the United States

Delivered Before the

Des Moines Trades and
Labor Assembly

Des Moines, Iowa

Labor Day

Monday, September 6, 1948
2:15 P.M (CST)
Today the Nation pauses from its normal activities — from its daily routine, to pay homage to Labor. I am honored and privileged to have this opportunity to join my fellow-countrymen in paying high and warm tribute to America's workingmen — the men who have done so much to make this nation the greatest on earth.

The nation has made wonderful strides, particularly during the last sixteen years.

We don't have to go any further than your own great State of Iowa for concrete evidence.

There is little — if any — unemployment here. Earnings have risen five-fold — to some three Billion Dollars a year while the nation's earnings as a whole have jumped four times as high as 1932, the last Republican year.

Only one Iowa farmer in seven had electric lights in 1933 when Franklin Roosevelt entered the White House. Today eight out of every ten farmers have electricity.

And the very people who are singing sweetness and light to labor and to the farmers today were opposed — bitterly opposed — to electrification yesterday.

In 1932, 147 banks failed in Iowa. Not one has closed in recent years.

The cash income of the farmer in this State in 1932 was a little over $280,000,000. Last year it was about five times as much.

Yes, and the same groups that are trying to hug Labor are also trying to embrace the farmer — yet playing one against the other, blaming the cost of living on first one and then the other, depending on what State they are talking in, and to whom.

(OVER)
We all know some of the perplexing problems that confront the nation today. Two of these I would like to talk to you about because our opponents are using them in their political plots to weaken Labor and defeat the Democratic Administration.

The first is the high cost of living. Every well-informed citizen knows of the determined and persistent effort that the President has made to check leaping prices. He appealed to the Republican Congress for aid — calling a special session. Excuses and distortion were the only answer it gave him.

The Republicans even turned down the plea for storage bins for grain, and now grain lies rotting on the ground while prices soar to the skies. They gave the same answer to President Truman's program for labor-management harmony. It was the same "echo" that came to small business — "No." But the Republicans did find time, over the President's objection, to assist the monopolies.

Take the railroads, for example. Since the Republicans passed the Reed Bill over the President's veto, your Attorney General can no longer prosecute the railroads under the antitrust laws.

The President asked for power to control rents. The Republican bosses answered by passing a "shotgun" fifteen percent increase. They called it "voluntary", but in Texas we call it a "hold up." A great victory for the real estate lobby! This same lobby also prevented the President from handling the housing shortage.

And, yes, he asked for some authority to control speculation in grain; but the grain lobby — headed by Roger Slaughter — killed that.
In each of their answers, the Republican clique boasted, "Prices will find their own level." What great prophets they were! And what a level prices have found. They have levelled our savings right into the pockets of the black marketeers!

And to top it all, some of the labor-baiters are attempting to saddle the blame for high prices on Labor. What is the record?

In the past eight years, employees' wages have increased two and one-half times -- from approximately $47 Billion to $127 Billion -- and the cost of living has kept far ahead of it. In that period corporate profits jumped up about five times -- from six and a half billions to 30 billion dollars. And for the first six months 1948 -- up 27% over 1947. The worker cannot raise his wages at will. He is caught between fixed wages and rising prices.

It doesn't take a mathematician to figure out who is getting the lion's share of profits, and who is grossly responsible for the threatened inflation.

Right here let me say that the American wage earner is entitled to more than the bare necessities of life. He is entitled to all the good things that go to make up a happy home.

The Republican bosses have never been much interested in the laboring man -- except during political campaigns. They not only ignored the rising spiral of prices, but also lack of housing facilities, aid to education, the growth of monopolies, the need for reclamation, power and water control projects, and other vital programs that would have immeasurably helped the average American to a more abundant life.

As the day of reckoning approaches -- November 2 -- they have become frantic for something with which to try to confuse the voters. They have decided that what they picked in 1946 paid them off well, so lo and behold -- (OVER)
after two years -- they once more leap on Communism, which we have been fighting vigorously several years. In 1946 they said there was a communist under every government desk, and they fervently pledged they would drive every "Red" from the government. Do you know the name of just one they found and eliminated? No, not a solitary one.

A prominent Republican candidate was quoted a few days ago as saying that cleaning Communists out of Washington is an "urgent and pressing" task.

Now I again challenge the Republican machine to name any communists now in the executive branch of the Federal government. I have been pleading with them to do this for months, but not one name has been given to me. They have spent millions of your money investigating but yet have not uncovered any communist now in the government.

Every loyal American is against communism -- that Godless ideology -- that enemy of democracy. As President Truman has said, even one communist in the Government is too many.

The difference between the Republican high command and us is that they have done nothing about this evil but talk. We have acted -- vigorously and strictly according to law not through hysterical headlines.

Out of 1357 Acts the 80th Republican Congress adopted during the last two years you will find not one substantive domestic law against communism, except in that measure directed against labor -- the Taft-Hartley Act. In fact, Bill Green, Phil Murray, Walter Reuther and other labor leaders had already been working for years to root them out, and were successful. Evidently the Republican high command, a year ago, thought all the Communists were in the labor unions, and nowhere else.
If there were so many Communists in the Government, and the Communist conspiracy had grown to such proportions as they would have you now believe, why did not the Republican Congress pass some laws to handle the situation? They have been in charge of the Congress for two years.

I asked them for some laws. I appeared on February 5, 1948, and asked for amendments to the Foreign Agents Registration Act, the Voorhis Act, the Smith Act and the Alien Registration Law. I also told them I was trying to deport 3,400 undesirable aliens, of whom 2,100 were natives of countries behind the Iron Curtain, and that they were walking the streets of America—not underground, but on the avenues—because there was no law that permitted me, your Attorney General, to keep them in jail pending receipt of travel papers. Some countries, I told them, would not furnish us the papers because they wanted these aliens to stay here and spy on the United States. I asked for such a law.

J. Peters, whom the House un-American Committee describes as "the brains of the entire Communist underground in the United States," is a notorious example.

But the Congress would not adopt this simple law. By refusing, they said no, let J. Peters—this non-born alien Communist whom we had arrested in October last—roam our streets and carry on his sinister Communist activities. And he walks the streets today because the Republican high command refused to give the country this simple law. And now they claim, and howl that they are against Communism! Oh, Mr. Republican Congress, you could have passed such a law in one day—but you did nothing. But I did something. Way back in October, 1947, I had ordered Peters deported. But the Republican Congress' inaction has thus far prevented it.

(Over)
And along with Peters there are today some 2,100 others roving the streets. Among them are such high-ranking Communists as John Santo, organizer for the Communist Party; Michael Obermeier, Jack Stachel, Irving Potash, member of the National Committee and executive board, Alexander Bittleman, member of the Communist National Committee, Gerhardt Eisler, Claudia Jones, Communist State Educational Director, Charles A. Doyle, and Ferdinand C. Smith. And here is another one for the record book:

The Grundy Republican press asks why were these people ever permitted to enter the United States.

Do you know when Peters entered this country? In 1924 during the Coolidge regime. He left and was allowed to return in 1928 under the Hoover administration. Peters is not the only high command communist that the high command Republicans let come into the United States. Claudia Jones entered in 1924; Alexander Bittleman entered in January 1912 when Taft was President and came back again in 1931 under Hoover. Charles A. Doyle entered in 1923 under Harding; John Santo case in 1927 during the Coolidge days; and Jack Stachel, in 1931, when Hoover was President.

Yes, the Republicans let them in the country, and now in a political campaign year are howling for the Democrats to drive them out. And a Democratic administration is driving them out. However, we really ought not complain. The Democrats have always had to clean up the mess left by the Republicans. Remember Teapot Dome -- remember the Republican depression but -- that's not our only attack on these termites. As you know, the FBI has been working intensely on subversive matters. I need not tell you -- for you well know it -- but the FBI knows its business. It knows the Communist business. We have trusted the FBI to protect our internal security, and they have not failed us.
As you read and hear the hysterical outbursts of wishful-thinking Republican politicians, just remember the FBI has this problem well in hand — no one need be alarmed. Remember the FBI record: During World War II there was not one successful attempt at foreign inspired sabotage. Three groups of saboteurs or spies entered America, one in Florida, another at Long Island, and a third in Maine. All were apprehended -- tried -- and punished. I personally prosecuted the one at Governors Island way back in 1945, long, long before the Republican bosses injected themselves in the picture.

As to the stories in the recent hearings on "spies and spying," we had that situation under control long ago — The FBI had all those stories and every one of the witnesses — around which so much mystery has been thrown by the Committees — we had them way back in 1945. In fact some of the allegations were reported to the FBI over nine years ago.

After intensive investigation, covering many months, the full testimony regarding spy activities was at my direction presented to a Federal Grand Jury in New York City. That Grand Jury began to serve over a year ago — and it is still serving.

I am not at liberty under the law to give you the evidence before this Grand Jury, and it would be a sad day, indeed, when we reveal grand jury proceedings for political purposes. As I said, that Grand Jury is still serving. But you may be sure all of the evidence uncovered by the FBI has been presented in detail and anyone violating Federal law will be prosecuted. I believe in our system of government and have faith in this Grand Jury and the courts. I know the members will perform their duty. And remember not one of the persons accused in these republican committee hearings — is working now — or was working for the government when the hearings began. No — not one — we got rid of them fast — without benefit of headlines.

(Over)
On July 20th this same Federal Grand Jury returned an indictment charging twelve top Communist leaders from William Foster down with violations of Federal law. On October 15th they will go to trial.

Whenever the evidence warrants we prosecute these subversives in the courts. But we must have the evidence. We took such action in the Marzani case, a government worker. Also in other cases outside of the District of Columbia.

At no time in the history of the Nation since its creation has any administration made such an intensive and exhaustive inquiry into the loyalty of its employees and subversive activities among others.

Our activity has been far-reaching. We have not blazed it with brass bands and high-powered publicity agents, but we have worked hard and steadily at the job. Since July 1, 1945, we have convicted 34 individuals in Federal courts for contempt as an outcome of Communist intrigue.

These convictions are but a small part of our never-ceasing effort to safeguard the country against subversive influences.

Fifty-seven Nazi enemy aliens were also deported a few weeks ago—and this over the violent protest of a high Republican leader, in fact the Chairman of the Immigration Sub-Committee of the U.S. Senate.

Time and time again I have emphasized that it is the duty of every citizen who knows of an alien communist or other subversive person to give his name to the local United States Attorney, to Director Hoover, or to me. There is no room in this country for even one alien communist.

President Truman did not wait for an election year to act. No, he is honest, forthright, sincere—no demagogue. It has always been his conviction that not one Communist should be on the Government payroll. Therefore, on November 25, 1946, he named an Employee Loyalty Commission. This Commission recommended that the President issue an Executive Order, which he did on March 21, 1947, setting up the machinery to rid the Government of any disloyal employee. The Republican Congress took almost five long months to appropriate
the funds for this vital job. No, that was not an election year.

They were not interested in helping us detect and throw out any Communists in the Government. They wanted to keep it for a political football in 1948. Under the President's Order already a check has been made as to the loyalty of over 2 million employees and new applicants. Remember, this is the first time in our history that this has been done. A herculean task already accomplished. FBI reports on some 3177 have been submitted to loyalty boards and to the Civil Service Commission. Of the latter, 728 cases were closed by the FBI principally because the employee had left the Government. The local loyalty boards found adversely to 54 employees. The remainder of the cases are under active consideration by the loyalty boards in the various departments of the Government.

When one stops to realize that every lead is carefully investigated—and that many are found to result from gossip, anonymous letters, grievances, and excited uncorroborated statements, it can readily be seen that exceptionally speedy progress has been made on the President's Employee Loyalty Program.

Of course, the Loyalty Boards have a dual mission. They must protect the country from any disloyal employee, and they must also protect the innocent employee who may be falsely accused of disloyalty—therefore a decision must not be made in haste due to hysteria or for political expediency.

I have faith in the Loyalty Review Board—a bi-partisan hearing board—appointed by the Civil Service Commission. Headed by the Honorable Seth Richardson, an outstanding Republican lawyer of Washington, it is composed of 23 prominent citizens from every walk of life. It has super-
vision of the entire Loyalty Program. It has done a remarkable efficient job.

As you know, I, too, have a duty to protect the innocent as well as to prosecute the guilty. It goes with the oath of the Attorney General.

The American people can rest assured that our fight against Communists at home will continue with vigor and dispatch, and that the God-given rights of every accused person will be fully protected with equal justice under the law to all.

I congratulate you - Union labor - for your fight that has done so much for working men everywhere and in making ours the most powerful nation on this earth. By working together, Truman and Barkley will TAKE CARE OF TAFT-HARTLEY and - with God's aid - we shall bring the blessings of peace, prosperity and health to all mankind.
From THE ATTORNEY GENERAL to Official indicated below by check mark

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<tr>
<th>Solicitor General</th>
<th>Assistant to the Attorney General</th>
<th>Assistant Attorney General, Anti-Trust</th>
<th>Assistant Attorney General, Tax</th>
<th>Assistant Attorney General, Claims</th>
<th>Alien Enemy Control Section</th>
<th>Alien Property Section</th>
<th>Assistant Attorney General, Lands</th>
<th>Assistant Attorney General, Criminal</th>
<th>Assistant Solicitor General</th>
<th>Director, FBI</th>
<th>Director of Prisons</th>
<th>Director, Office of Alien Property</th>
<th>Commissioner, Immigration and Naturalization</th>
<th>Liaison Officer, Immigration and Naturalization</th>
<th>Administrative Assistant</th>
<th>Division of Accounts</th>
<th>Division of Communications and Records</th>
<th>Division of Supplies</th>
<th>Pardon Attorney</th>
<th>Parole Board</th>
<th>Board of Immigration Appeals</th>
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<td>Miss O'Donnell</td>
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MEMORANDUM

[Signature]

[Signature]
FLY EL PASO 5-23-48 10-36 AM MST

DIRECTOR, FBI

URGENT

PERSONAL AND IMMEDIATE ATTENTION ASST. DIRECTOR L. B. NICHOLS

ARTICLE APPEARING IN EL PASO TIMES TODAY ADVISES ATTORNEY GENERAL TOH

CLARK WILL FLY TO EL PASO FRIDAY, SEPT. TWENTYFOUR, FROM WASHINGTON

WITH DELEGATION OF TEXAS CONGRESSMEN TO JOIN PRESIDENT TRUMAN'S PARTY

ON ST. A. V. PRESIDENT SCHEDULED FOR POLITICAL SPEECH AT EL PASO IN

AM, SEPTEMBER TWENTYFIVE. U. S. SECRET SERVICE AGENT JOSEPH

BROWNLIN ADVISES PASO DEL NORTE HOTEL RECEIVED WINE YESTERDAY FROM

WASHINGTON INFORMING AG CLARK WILL BE IN EL PASO APPROXIMATELY NINE

PM SEPT. TWENTYFOUR AND REQUESTING RESERVATIONS. AS EL PASO OFFICE

HAS RECEIVED NO OFFICIAL NOTICE FROM BUREAU RELATIVE TO ATTORNEY

GENERAL'S VISIT AND IN VIEW OF POLITICAL ACTIVITY, NO ARRANGEMENTS

BEING MADE BY THIS OFFICE TO MEET AG CLARK AT PLANE OR PERFORM OTHER

USUAL COURTESIES. PLEASE SUTHER INSTRUCTIONS IMMEDIATELY.

SUSAN

CORRECTIONS

FIRST WORD IN LINE THREE SHOULD BE WITH

SECOND SIXT WORD IN LINE FOUR SHOULD BE SAT.

END 150 — NOV 1944

HOLD PLS

1-40 P1 OK FBE UA DC SK

ALL INFORMATION CONTAINED

HEREIN IS UNCLASSIFIED

DATE 6/13/43 BY SP-8 815

ac: 11117 76 54
FBI EL PASO 9-23-48 10-38 AM MST FCI

DIRECTOR, FBI

URGENT

PERSONAL AND IMMEDIATE ATTENTION ASST. DIRECTOR L. B. NICHOLS

ARTICLE APPEARING IN EL PASO TIMES TODAY ADVISES ATTORNEY GENERAL TOM CLARK WILL FLY TO EL PASO FRIDAY, SEPT. TWENTYFOUR, FROM WASHINGTON WITH DELEGATION OF TEXAS CONGRESSMEN TO JOIN PRESIDENT TRUMAN'S PARTY ON SAT. A. M. PRESIDENT SCHEDULED FOR POLITICAL SPEECH AT EL PASO IN AM, SEPTEMBER TWENTYFIVE. U. S. SECRET SERVICE AGENT JOSEPH BROWNLOW ADVISES PASO DEL NORTE HOTEL RECEIVED WIRE YESTERDAY FROM WASHINGTON INFORMING AG CLARK WILL BE IN EL PASO APPROXIMATELY NINE PM SEPT. TWENTYFOUR AND REQUESTING RESERVATIONS. AS EL PASO OFFICE HAS RECEIVED NO OFFICIAL NOTICE FROM BUREAU RELATIVE TO ATTORNEY GENERAL'S VISIT AND IN VIEW OF POLITICAL ACTIVITY, NO ARRANGEMENTS BEING MADE BY THIS OFFICE TO MEET AG CLARK AT PLANE OR PERFORM OTHER USUAL COURTESIES. PLEASE SITEL INSTRUCTIONS IMMEDIATELY.

SURAN

CORRECTIONS

FIRST WORD IN LINE THREE SHOULD BE WITH
SECOND SIXTH WORD IN LINE FOUR SHOULD BE SAT.

END

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE: 9/3/48 BY SS-8

1-40 PM OK FBI WA DC SK
To: COMMUNICATIONS SECTION.

Transmit the following message to:

305

SAG, EL PASO

REURTEL SEPTEMBER 23. NO ACTION SHOULD BE TAKEN BY YOUR OFFICE IN
ABSENCE OF SPECIFIC REQUEST FROM ATTORNEY GENERAL CLARK. ANY COURTESIES
HE REQUESTED SHOULD BE GRANTED AND BUREAU PROMPTLY NOTIFIED. IN ANY
INSTRUCTIONS ARE RECEIVED YOU WILL BE ADVISED.

HOOVER

LBN: hmc

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 9/13/62 BY 88-98058

COPY DESTROYED
150 NOV 10 1964
September 29, 1948

Alice O'Donnell in the Attorney General's Office called to advise that the Attorney General had received a telegram from an individual named Louise Davis requesting him to call Telephone No. Lindall 43935 in San Antonio. She stated that the Attorney General was anxious to find out as soon as possible to whom such telephone number was assigned and at what address they lived in San Antonio.

I subsequently advised Miss O'Donnell that this telephone number is listed to William R. Treptow of 404 Bailey Avenue, San Antonio.
Federal Bureau of Investigation
United States Department of Justice
202 U.S. Court House
El Paso, Texas
September 27, 1948

Director, FBI

Re: ATTORNEY GENERAL ROY CLARK
Visit at El Paso September 24 & 25, 1948

Dear Sir:

Remytel 9-23-48 and Butel same date. Reference also telephone conversation on September 24th between Inspector John J. McGuire of the Bureau and F. T. McIntyre.

In compliance with instructions, the El Paso Office met Attorney General Clark upon his arrival at El Paso at 8:45 PM MST, September 24, 1948 via Flight 211, American Airlines, from Dallas, Texas. Mr. Clark was taken by Bureau representatives to the Hotel Paso Del Norte. The following morning Mr. Clark was escorted by Bureau agents from the Hotel at 10:15 AM to the Union Station where he joined the President and his party upon the arrival of the Presidential Train at El Paso at 11:00 AM. In accordance with the specific request of the Attorney General, there were also taken with him to the station former Speaker Sam Rayburn, the Democratic Minority Leader of the House; Mr. Roy Baker, National President of the Young Democrats League, Sherman, Texas; Federal Judge and Mrs. R. E. Thomsen; Mr. Tom White, Warden of the Federal Penitentiary Institution, La Tuna, Texas, and Mrs. White. The agents on this assignment were J. C. F. T. McIntyre, James J. Shepard, Harold H. Boyce, Thomas B. White, Jr., and James P. O'Neil.

Attorney General Clark on several occasions expressed his entire satisfaction with the courtesies extended to him by the El Paso Office; and in this connection, I would like to particularly commend the efficient operation on this assignment of Agents Shepard, Boyce, White, and O'Neil.

The Bureau might be interested in knowing that Mr. Robert L. Miller, Jr., Manager of the Hotel Paso Del Norte, and a very good friend of the El Paso Office, furnished a suite free of charge to the Attorney General and also served voluntarily food and refreshments. The Attorney General indicated to Bureau agents that he was going to write Mr. Miller and express his appreciation. It is suggested that the Bureau may desire to furnish Mr. Clark with the full, complete name of Mr. Miller as above indicated.

Mr. Clark left El Paso with the President and his party at 12:01
Mr. on September 25, 1948, Attorney General Clark indicated to this office that upon the arrival of the train at San Antonio, Texas, he planned to telephonically communicate with the Dallas office. In this connection, he stated that upon arrival of the train at Dallas, he planned to drive via automobile to Conroe, Texas, accompanied by Mr. Ryburn and Mr. Elder. He planned to return by automobile from Conroe to Dallas, taking a plane there on Tuesday, September 28, 1948, for Washington, D. C.

SIC F. T. McIntyre telephonically communicated on September 25, 1948, with both SIC O. E. WEEKS of San Antonio, and SIC H. L. McCOMBELL of Dallas, conveying this information.

Very truly yours,

[Signature]

R. C. SURH, SIC

FTM: CO

cc: SIC, San Antonio

cc: SIC, Dallas
August 17, 1948

Mr. Tolson
Mr. E. A. Tamm
Mr. Clegg
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Egan
Mr. Gurnea
Mr. Harbo
Mr. Jones
Mr. Mohr
Mr. Pennington
Tele. Room
Mr. Nease
Miss Holmes
Miss Gandy

John Maragon asked that the attached clippings be sent to the Director. He said he read them on the train today as he was returning to Washington from Detroit.

hwg
Look what happened when he tried his hand with the Kansas City vote frauds, and the part played in them by Mr. Truman's old pals of the Pendergast machine.

In the present situation he is doing even worse. He's doing so badly, in fact, that he has given America cause for the deepest apprehension. Each day it becomes plainer that the Administration has something embarrassing to hide, and that it isn't at all particular as to its method of hiding it from the voters who will go to the polls next November.

But Clark's bungling efforts at spokesmanship yank aside the veil of secrecy which the Administration is so anxious and obdurate about.

He says, for instance that the Congressional investigation is hurting the Justice Department—which means the FBI—in making a case that will have "a sound basis for prosecution."

That would be correct, if the FBI were being permitted by Clark to run down the facts.

But there is the IF. It would only be true IF the FBI were let in on the job. We think that it is not. We don't believe Clark wants the FBI on this particular job—and if he does, it is not that J. Edgar Hoover's men have no more chance to turn up Communists in government posts than they did to run down the Kansas City political gangsters who rigged an election.

If that sounds ridiculous it is because you haven't read about the Federal grand jury which was convened in New York to unearth subversives—and which wound up without bringing any real indictments.

It now turns out that the FBI was not permitted to know what evidence was being presented. In other words, Clark and his
assistants didn't want the jurymen to hear what expert investigators knew. All it wanted the jury to have before it was that material which the "high level" selected.

Compounding the indignities heaped on the FBI by Mr. Truman and Clark, the President on Aug. 5 said that the Congressmen weren't learning anything not already known to Hoover's organization!

Against the background of the New York grand jury that can only mean the FBI knows so little it is not worth consulting.

* NOT for one second do we believe that of the world's finest police agency. We know it keeps its eye on the ball. What we say is that it is kept hogtied by Clark lest things become known about Red machinations in this Country which would make Mr. Arctiman look still worse in his role as the Nation's chief steward.

Sunday Clark told reporters, in effect, that the inquiry by Congress would tip off the Reds as to how things are going with their spy network. Does Clark really think the Commies have to read it in a newspaper or transcripts of testimony to keep track of their own espionage system?

In that statement Clark attained a new record-in how not to drag a herring. And before there is any more White House talk about red herring dragging, the people ought to have an explanation of how the FBI is going to guard us while the Attorney General is busy drawing an Iron Curtain against the men who know most about what our enemies are doing.

Congress should ask J. Edgar Hoover to testify as to what it is all about.
Office Memorandum - UNITED STATES GOVERNMENT

TO: DIRECTOR, FBI
FROM: SAC, Dallas
SUBJECT: ATTORNEY GENERAL TOM CLARK Visit at Dallas September 24 and 27, 1948
DATE: 9-29-48

ATTENTION: Inspector John J. McG

Pursuant to the telephonic instructions of the Bureau, Attorney General TOM CLARK was met at Love Field, the Dallas Airport, on his arrival by American Airlines from Washington, D.C., and thereafter was accompanied to the airport for his departure from Dallas to El Paso as described in El Paso memo to the Bureau dated 9-27-48.

The Attorney General did not contact the Dallas Office prior to his arrival in Fort Worth at 2:00 P.M. on 9-27-48 aboard the Presidential train.

The Dallas SAC contacted the Attorney General at the railway station and was advised by the latter that he had no requests for assistance to make at that time but requested that he be contacted later in Dallas after President TRUMAN had made his public appearance in that city. The Dallas SAC and the accompanying agents left the Fort Worth railway station immediately thereafter to avoid any complications growing out of their presence in the vicinity of a political gathering arising incident to the President's trip.

The Attorney General was again contacted by the Dallas SAC at the Dallas railway station, and upon advice from the latter that he desired the Dallas SAC to meet him in Bonham, Texas, later that evening, the Dallas SAC did so, thereafter delivering the Attorney General to Perrin Field at Sherman, Texas, where the Attorney General boarded the President's private plane, "The Independence", for his return trip to Washington, D.C.

The Bureau switchboard was telephonically advised of the Attorney General's departure, his method of departure, and his anticipated arrival time in Washington, D.C., with the request that the Bureau switchboard advise the Attorney General's chauffeur and request the latter to meet the Attorney General at the airport.

RECORDED - 112
Federal Bureau of Investigation
United States Department of Justice
Salt Lake City, Utah
October 12, 1948

Director, FBI

Dear Sir:

Mr. CALVIN W. RAWLINGS, a prominent attorney of this city who is a National Committeeman of the Democratic Party, telephoned me today advising, as a matter of information, that he had just conversed telephonically with Attorney General TOM CLARK and that Mr. CLARK is to arrive in Salt Lake City Friday, October 15, to address a Democratic rally at the Hotel Utah Saturday evening, October 16.

Appropriate Agencies

The above is for the Bureau's information.

Very truly yours,

JAY C. NEWMAN
SAC

JCM: PR

AUSD

December 1947

DECLASSIFIED BY SF-VG-TRUS ON 6/13/83
Office Memorandum  

TO: Director, FBI
FROM: SAC, St. Paul
SUBJECT: ATTORNEY GENERAL TOM C. CLARK

DATE: October 14, 1948

At 8:15 AM today, October 14, 1948, United States Attorney JOHN GRAFF called this office from the St. Paul Hotel advising that he was having breakfast with the Attorney General, TOM CLARK, and that he would like to have an automobile and driver furnished by this office to take the Attorney General and Mr. GRAFF to Minneapolis to visit the Federal Judges and thence to the airport for Mr. CLARK's departure.

The Attorney General and Mr. GRAFF called personally at the St. Paul Field Office at 9 AM, and the Attorney General after a short visit wished to be introduced to each employee. He was presented to the Agents in the office, as well as to each of the entire clerical staff. He left with Mr. GRAFF at 9:15 AM for Minneapolis in a Bureau automobile operated by Special Agents EMORY V. BARRICK and G. PARNELL THORNTON.

ENN: EB

Recorded: 3/12/44

12 OCT 21

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 6/12/83 BY SP-8 875 NL
DIRECTOR, FBI

RE: TOM C. CLARK, ATTY. GEN. INFORMATION CONCERNING. INFORMATION RECEIVED ATTORNEY GENERAL SCHEDULED TO ARRIVE TOLEDO, OHIO AFTERNOON TWENTYFIRST INST. TO SPEAK AT THE TOLEDO UNIVERSITY LAW SCHOOL EVENING OF TWENTYFIRST ON SUBJECT DEPARTMENT OF JUSTICE AND INVESTIGATION OF SUBVERSIVE ACTIVITIES. NO OFFICIAL REQUEST MADE OF THIS OFFICE TO EXTEND COURTESIES. NONE WILL BE OFFERED PENDING BUREAU INSTRUCTIONS TO THE CONTRARY.

ABBATICCHIO

ACK AND HOLD

2-03 PM OK FBI WASH DC ELR

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 6/13/43 BY SPT. RTO. M.

cc: MS Nicholls
The Attorney General will be at the Hotel Pennsylvania tomorrow morning some time. I do not know the exact hour as he will be driving down from Middletown, N.Y. either late tonight or early tomorrow.

Will you please have someone contact him at the Penna. Hotel - probably in Room 704-A.

He will address the Natl. Assn. of Postmasters, at the Penna. Hotel, Tues., Oct. 19th, at 11 a.m.

He has a couple broadcasts after that—will probably return to Wn. late tomorrow afternoon.

Thanks.

Alice O'Donnell
WASH FROM BOSTON

DIRECTOR URGENT

ACCOMPANIED ATTORNEY GENERAL TOM CLARK TO AIRPORT, BOSTON, THIS MORNING. HE DEPARTED EIGHT TWENTY AM VIA NEWARK, NEW JERSEY FOR TOLEDO, OHIO, WHERE HE IS SCHEDULED TO SPEAK TONIGHT.

SOUCY

END

BS R 4 WA 4

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 6 OCT 1948 BY 80-9 812140

CC: THW Nichols
Director, FBI

Dear Sir:

This is in reference to my letter of October 12, 1948, concerning Attorney General TOM CLARK's anticipated visit to this city.

On the evening of October 15, 1948, former Assistant United States Attorney JOHN S. BOYDEN, Salt Lake City, who is a good friend of the Bureau, telephoned this office advising that the Attorney General was desirous of meeting Federal Judge TILLMAN D. JOHNSON, of the District of Utah, and a few other Federal officials, including me, the following morning in the Judge's chambers. Inasmuch as I was away from the city, Acting SAC CHARLES H. OLSON called at the Judge's chambers at the appointed time and met Mr. CLARK. Other Federal officials present included, in addition to the Judge, United States Attorney DAN B. SHIELDS and his Assistants. The meeting was entirely informal and not political. The Attorney General, who was very friendly, mentioned your illness and spoke highly of you.

Upon returning to the city on October 16, I conversed telephonically with Mr. CLARK at his hotel and inquired whether there was anything officially I could do for him while he was here. He advised that there was nothing, and thanked me very cordially for calling. He left Salt Lake City by plane at 11:20 P.M., October 16, to return to Washington, D. C.

As of possible interest, I am enclosing newspaper clippings relating to Mr. CLARK's visit and political commitment here.

Very truly yours,

JAY C. NEWMAN
SAC

ATTACHMENT AGENCIES

DATE 11/4/48

RECOMMENDATION

DECLASSIFIED BY JLBS B151965

12-13-1973
Clark Charges GOP Trying 'Wreck' West

The attorney general's speech was the highlight of a major Democratic rally held at the Hotel Utah.

Gov. Herbert B. Mathen and Rep. Walter E. Grainger and Judge Riva Bock Bosson, first and second district congressional candidates respectively, made brief talk to the assembled Democrats.

Mr. Clark paid tribute to Gov. Mathen, characterizing him as "one of the stalwart members of the Democratic party who has contributed to the welfare of the West and who has always had the welfare of the common man at heart."

The president's cabinet member attacked the reclamation policy of the Republican party and particularly Gov. Earl Warren's stand on tidelands oil. Mr. Clark said that if Gov. Warren were elected vice president, the offshore oil deposits of the nation would become the property of the states and private oil companies.

"If Warren is elected," he said, "you can kiss goodbye the enormous revenues you would receive from the billions of barrels of tidelands oil. Gov. Warren would give away these enormous deposits needed for military use, but President Truman will not permit this robbery to take place."

On reclamation, Mr. Clark said: "When President Truman tried to deliver the West from eastern monopolies, the Eighty-first Congress moved in as a wrecking crew to delay action on the Colorado River Project. Thus public power was delayed by crippling actions involving litigation. All of the elements the Eighty-first Congress wants poured in public dams and for public power you can put into your eyes.

"Governor Warren," Mr. Clark continued, "has fought the development of the Colorado River Project. He is opposed to public power. . . except for California. What will happen to Utah, Arizona, Colorado and other western states if he becomes vice president and can name his own Secretary of Interior?"

The attorney general asked.

Mr. Clark said the Eighty-first Congress lacked the courage to repeal legislation of Democratic predecessors. Rather, he said, that Congress attempted to destroy a large part of progressive legislation, rural electrification and reclamation, by cutting appropriations and by backing off Senate requirements.

Chief Justice Roger I. McKenney of the Utah Supreme Court candidate for reelection, introduced Mr. Clark.

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Chief Justice Roger I. McKenney of the Utah Supreme Court candidate for reelection, introduced Mr. Clark.

A. Wally Sandack was rally chairman and state and county candidates were introduced by Grant Macfarlane, state chairman, and Samuel Hines, Salt Lake County chairman.

Earlier in the day, Mr. Clark visited with President George Albert Smith of the Church of Jesus Christ of Latter-day Saints, and Federal Judge Tillman D. Johnson.

He spent most of the afternoon in the Ogden and Weber County area.

Mr. Clark left Salt Lake City by airplane immediately after the rally. He was scheduled to fly directly to Washington, D. C., where he will confer with President Truman Sunday.
DEMOCRATS MEET—Tom Clark, U. S. attorney general, left, is welcomed to Utah by Roger I. McDonough, chief justice, Utah Supreme Court, democratic candidate for re-election. Judge McDonough introduced Mr. Clark at Democratic rally Saturday night.
FOLLOWS PRECEDENT

"Every president since George Washington has consistently refused to release the confidential files of the government," Mr. Clark said in defense of the president's action.

Although the Supreme Court never has ruled on the matter, several circuit court decisions have supported the contention that these confidential files are not subject to subpoena.

Many FBI files, such as personnel records, have been turned over to Congress, Mr. Clark said, but confidential files containing information from anonymous sources and evidence obtained from people who wish obscurity for obvious reasons, has been redacted by the bureau.

"If the FBI were to release these very confidential files the bureau and its services to the national security would be destroyed. To protect the work of this organization and to assure our national protection we should avoid bull in the China Closet tactics practiced by amateurs in such matters," he concluded.

The attorney general's address Saturday night was expected to deal again with Communism in the country, with politics generally and with the "trust-busting" activities of the justice department.

A. Wally Sandack will be chairman of the big rally Saturday night. Grand Marquis, state chairman, will introduce party candidates on the state ticket. Farnell Black, Salt Lake County chairman, will introduce county candidates.

Chief Justice Roger L. McDonough of the Utah Supreme Court, a candidate for reelection, will introduce Mr. Clark.

Short addresses will be given by Gov. Herbert B. Maw, Rep. Walter K. Granger of Utah's First Congressional District, and Judge Eva Beck Bonson, candidate for Congress in the Second District.
Truman Gains in Midwest, Clark Declares in S. L.

Pres. Harry S Truman is picking up fast in the midwestern farm belt. Atty. Gen. Tom Clark said Friday during a brief stop over in Salt Lake City.

The cabinet member, who is stumping the west for the Democratic ticket, paused here enroute from Butte, Mont. to Denver, where he delivered an address Friday night. He will return to Utah Saturday to campaign in Ogden during the afternoon and deliver an address in Hotel Utah at 8 p.m.

Atty. Gen. Clark declared the president is gaining rapidly in the Midwest because of the administration's farm price support program and because of appreciation among farmers as to what might happen to the program under a Republican administration. His appraisal of the midwest trends was given substance by the fact that he frankly admitted that things didn't look good for the president in some other sections.

Palestine Issue

New York, he said, looks bad for the administration because of the low registration in New York City.

"The Palestine question," he commented, "is a troublesome one and the president was sure to lose votes in New York on that issue no matter what he did."

The attorney general had no fear that his home state of Texas would go Republican, no matter how wide the split in the Democratic party there.

"The Republican vote in Texas," he said, "is normally about 100,000 out of 1,600,000. I bet a hat that the other day that they wouldn't pull 100,000 this year, and I think I'll collect."

Excellent Chance

The attorney general said he believes the Democratic party has an excellent chance of picking up five senate seats now held by Republicans and winning control of the senate. The chief he expects to elect Democratic senators to replace Republicans are Wyoming, Iowa, Oklahoma, West Virginia and Minnesota.

The attorney general, who has been criticized by GOP campaigners for not being tough enough with Communists, said there need be no fear about the internal security of the country.

"There are," he said, "about 30,000 card carrying party members in New York and 8000 in California, which is more than enough."

WHERE AM I?

Clark at Home In Any Club

"I'm always at home among Kwanolans," U. S. Atty. Gen. Tom Clark told a Salt Lake club in Hotel Utah Friday.

Silence ensued. Then a chairman whispered in his ear that he was addressing the Exchange club.

"In that case I'm even more at home," said Clark unperturbed. "I was president of Dallas Exchange club in 1949 and more recently asked the national Exchange club to sponsor a 'big brother' program to curb juvenile delinquency."

Boys and girls may sample crime as young as 15 years of age, but if they have an adult who loves and cares for them, they can be helped, said the attorney general.

Mr. Clark recalled he was in Utah in 1949 when he witnessed the moving of Japanese people from the coast. He added:

More recently he had spoken in Utah's domestic affairs, "when he approved, or he disapproved, the pressure groups that at the urging of the Federal Civil Service Commission, sent funds to the Utah State Fair, and I said, 'Mr. Clark, that's why I can't like the deal.'"

He also lauded the exchange club which he said is "a wonderful organization which does a lot of good work since its formation."

-2-
Interviews High U. S. Official

Interviewing Atty. Gen. Tom C. Clark during brief stopover in Salt Lake City Friday is G. N. Malmquist, the Salt Lake Tribune political editor. Clark will give an address in Hotel Utah Saturday at 8 pm.
Clark to Talk Saturday at Rally in S.L.

Tom C. Clark, United States attorney general and one of the leading Democratic stumpers in the current campaign, will address a major party rally Saturday at 8 p.m. in the Hotel Utah, announced Calvin W. Rawlings, Democratic national committeeman from Utah.

The attorney general notified Mr. Rawlings he would speak in Denver Friday and in Salt Lake City Saturday, then return directly to Washington, D.C.

Mr. Clark spent much time in Utah in 1942 when he was coordinator of alien enemy control and chief of civilian staff for Japanese war relocation.

He also served as assistant attorney general in charge of the antitrust division and chief of the war funds unit before he became a member of the cabinet.

"The attorney general has promised us a real talk on matters of vital importance to all Utahns," Mr. Rawlings said. The public is invited to the meeting.

State Democratic leaders will meet Wednesday to complete plans for the Clark rally.
Office Memorandum • UNITED STATES GOVERNMENT

TO: MR. TOLSON
FROM: Mr. D. M. Ladd
SUBJECT: PROPOSED PICKETING OF ATTORNEY GENERAL'S SPEAKING ENGAGEMENT, DENVER, OCTOBER 15, 1948

DATE: October 14, 1948

Reference is made to the attached memorandum from Mr. F. J. Baumgardner to me concerning the request of the Attorney General relayed by Mr. Campbell of the Criminal Division that he be furnished with the complete details surrounding the captioned matter. The Attorney General stated he wanted to be furnished with these details when he arrived at Butte, Montana, at 5:30 PM, today, October 14, 1948.

At 4:10 PM today, October 14, 1948, ASAC Paul Shine of Butte was telephonically advised that the Attorney General would arrive at Butte at 5:30 PM on the Northwest Air Lines, Flight #103. Mr. Shine was furnished with the following information:

"With reference to the pending prosecution of Verne Wesley Howard in Denver, Colorado, under Section 80, Title 18, U. S. Code, information has been received from reliable informants of the Los Angeles Office of FBI as follows: Len Goldsmith, National Director of the Civil Rights Congress, New York, New York, who is presently on a cross-country trip regarding the Civil Rights Congress National campaign to create a mass membership organization and to raise a $250,000 Defense Fund for the twelve indicted Communist Party leaders in New York, recently visited Los Angeles, California. He had proceeded to Los Angeles from Denver, Colorado, and his purpose in Los Angeles was to attend a local Civil Rights Congress Conference and to confer with local Communist Party attorneys regarding the Loyalty prosecutions in Denver. A reliable informant confidentially advised the San Francisco Office of this Bureau that Goldsmith informed the 'People's World' newspaper in San Francisco that the Civil Rights Congress would place a picket line around Northern High School in Denver, Colorado, next Friday night when you make a speech and will present petitions to you calling for the release of Arthur Bary and others recently sentenced in Federal District Court, Denver, Colorado, for contempt of court. According to this informant, the Civil Rights Congress has wired President Truman to demand the release of Bary and has also called for the impeachment of the presiding Judge. In speaking to the 'People's World,' Goldsmith reportedly stated that the sentence imposed upon Bary, Chairman of the Communist Party in Colorado for contempt of court, was, in effect, a life sentence as the Judge sentenced Bary to jail until he answered questions for which he was held in contempt."
The above information was dictated to a Stenographer of the Butte Office, and ASAC Shine was told to have the material incorporated in a blind memorandum with an appropriate caption which was to be furnished to the Attorney General when he steps from the plane at Butte. Mr. Shine was told that it was not necessary to escort the Attorney General but that he should merely see to it that the Attorney General was furnished with the blind memorandum.

With respect to Mr. Campbell's request that the Attorney General be met in Denver by Agents of the FBI, I telephonically advised him that the Bureau could not fulfill this request.
This morning, in accordance with your instructions, I attended a meeting in the office of Assistant Attorney General Alexander Campbell of the Criminal Division. While I was there Mr. Campbell took a telephone call from the Attorney General who is in Minneapolis, Minnesota. The Attorney General was concerned over the report that a demonstration will take place in Denver, Colorado, upon his arrival there on Friday, October 15, 1948. The Attorney General wanted complete details of the reported demonstration teletyped to our Butte Office and delivered to him there at 5:30 p.m. today. He will leave Minneapolis via Northwest Air Lines Plane, Flight #103, at 10:40 a.m. and will arrive at Butte at 5:30 p.m. today. He will be met there by Senator James Murray and the Senator's son, Charlie.

Mr. Campbell also stated that inasmuch as the demonstration will take place at the time of the Attorney General's arrival in Denver, he would suggest that Agents meet the Attorney General at Denver to insure that no harm is done to him by the demonstrators. According to an itinerary furnished to me by Mr. Campbell, the Attorney General will arrive at Denver at 6:05 p.m. on October 15 on United Air Lines Flight #506.

ACTION

I instructed Mr. Wall, Chief of the Loyalty Unit, to immediately prepare a teletype setting forth all the details regarding the proposed demonstration in order that it may be forwarded to the Butte Office with instructions to hand it to the Attorney General upon his arrival there.

In the event you feel Agents should meet the train at Denver, prepared to protect the Attorney General against any possible violence, a teletype or phone call setting forth instructions in this regard will be made to the Denver Office.

There is attached hereto a copy of the Attorney General's itinerary during this pertinent period.

FJB:cmw
WASHINGTON - CHICAGO - ST. PAUL -
HELENA - DENVER - SALT LAKE CITY -
WASHINGTON, D. C.

October 13 - 17 - 1948

WED.
10/13/48  
Lv. Washington via United Airlines Fl. #623  
Ar. Chicago

Tom Sullivan's pilot will meet your plane and take
you to St. Paul. You should arrive there

Remain at St. Paul Wed. night.

THURSDAY
Oct. 14  
Lv. Minneapolis via Northwest Airlines plane Fl. #103  
Ar. Butte, Montana - Sen. James Murray & son Charlie will meet you
Billy Edwards, at Cem., is arranging to have
someone meet you and drive you to Helena (66 mi.)

Meeting at Helena - Sen. Murray making hotel res.

Remain at Helena that night.

FRI.
Oct. 15  
Lv. Helena for Butte. Sen. Murray will drive you to Butte to
catch the plane.
Lv. Butte, Mont., via Western Air. Fl. #5
Ar. Salt Lake City, Utah
Lv. Salt Lake City for Denver via United Air. Fl. #506
Ar. Denver, Colo. - Barney Whatley, Demo. Natl. Committeeman
will meet you.

Reservations: Brown Palace Hotel. Remain Denver that night.

SAT.
Oct. 16  
Lv. Denver via United Air. Fl. #527
Ar. Salt Lake City
Cal Rawlings, Demo. Natl. Committeeman, will meet you.
Reservations: Hotel Utah

Lv. Salt Lake City via United Air, Fl. #510

SUN.
Oct. 17  
Ar. Washington, D. C.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 11/13/43 BY SP-GFDL
Mrs. Belmont at 2:40 p.m. gave me the following itinerary for the AS which SA Hollity had just given him:

The AS and Mr. Cadelon left Lascardia Airport at 2:00 p.m. today via American Airlines Flight 840, arriving at Boston at 5:15 p.m. They will be met by friends and are going to Manchester, N.H. They leave Boston via American Airlines at 8:00 a.m. tomorrow, 10-21-48, arriving at Newark, N.J., at 10:00 a.m. on Flight 507. They leave Newark at 11:45 a.m. tomorrow on Flight 131, United Airlines, for Toledo, arriving at 3:20 p.m. tomorrow. They will be met by friends at Boston, Newark and Toledo and consequently there will be no need for the Bureau to take any further action. Mrs. Belmont did not know of any plans beyond their arrival at Toledo.
TO:

Director
Mr. Mohr
Mr. Nease
Mr. Quinn Tamm
Mr. Tolson
Mr. Clegg
Mr. Waikart
Mr. Fletcher
Mr. Glavin
Miss Gandy
Mr. Harbo
Mr. English, 5627
Mr. Ladd
Records Section
Mr. Rosen
Pers. Records Sec.
Mr. Tracy
Reading Room
Mr. Cartwright
Mail Room
Mr. Jones
Mrs. Chisholm
Mr. Leonard
Miss Lurz
Mr. McCoy
Miss Pitts
Mr. McGuire

See Me
Send File

For Appropriate Action
Prepare Reply

F. Y. T.

Mr. Tolson
Mr. Clegg
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Fagan
Mr. Gurnce
Mr. Haake
Mr. Mohr
Mr. Prompington
Mr. Quinn Tamm
Mr. Nease
Miss Gandy

L. B. Nichols
Room 5640, Ext 691
The Attorney General

Director, FBI

November 4, 1948

I thought you might be interested in the attached photograph, which was taken on the occasion of your appearance on October 15, 1948, in Denver, Colorado, when the Communists organized a picket line.

Enclosure

LBN:hmc
Mr. D. M. Ladd
Assistant Director
Federal Bureau of Investigation
Ninth and Pennsylvania
Washington, D. C.

Dear Micky:

I thought you might be interested in the attached news photo of the Attorney General which was taken at the time he made a political appearance in Denver on October 15. As the Bureau was advised, the meeting was picketed by approximately two hundred pickets, most of whom are connected with either the Communist Party or the Progressive Party. The audience I am told consisted of approximately one hundred and fifty.

The individual slinking up in the background is our estimable United States Attorney MAX BULKELEY.

This photo was given me by the newspaper photographer and I thought I would send it on to you for your own edification and any action that you might feel appropriate.

Enclosure

Very truly yours,

R. P. KRAMER
SAC
United States Department of Justice  
Federal Bureau of Investigation  
914 Johnston Building  
Charlotte 2, North Carolina  
November 4, 1948

PERSONAL AND CONFIDENTIAL

Director, FBI

Re: TOM C. CLARK  
ATTORNEY GENERAL OF THE UNITED STATES

Dear Sirs:

Special Agent ROBERT S. MOORE, a resident agent in Asheville, North Carolina, advised that on November 3, 1948, Mr. CHARLES H. PRICE, United States Marshal, Western District of North Carolina in Asheville, confidentially told him that definite plans are under way for Mr. TOM CLARK, Attorney General of the United States, to be given a judgeship, possibly on the Supreme Court or Circuit Court of Appeals, and for Mr. LAMAR CAHME, Assistant Attorney General, to be designated Attorney General of the United States.

It should further be noted that Mr. J. PAUL THAL, Jr., Chief Deputy Marshal, Western District of North Carolina in Asheville, is head of the United States Deputy Marshals' Organizations in the United States. Therefore, that office is usually well informed on matters of local and national interest within the Department of Justice.

Very truly yours,

Charles W. Brown
Special Agent in Charge

INFORMATION AGENCIES

INDEXED 28
RECORDED 28

Charles W. Brown
Special Agent in Charge
12 NOV 16 1948

DECLASSIFIED BY 45-04-0150
ON 6/13/83
TO: COMMUNICATIONS SECTION.

URGENT
DECEMBER 4, 1948

Transmit the following message to SAC, DALLAS

ADVISE BUREAU SWITCHBOARD BY PHONE ATTORNEY GENERAL'S ARRIVAL TIME
IN WASHINGTON

HOOVER

RFC: ccw.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 6/13/83 BY RP-8R3RAS
The Atty. Genl. has asked me to get a current address on Mr. E. E. Knudson, formerly a Passenger Agent with TWA, at Albuquerque, N. M. I have contacted the Airlines company itself but they say he left their employ July 20, 1944, and they have no record of his present address. I have also written to an address we found in the phone book: 427 No. Hermosa Ave., Albuquerque, N. M., but had no reply from that.

Would you be good enough to ask one of your agents in that vicinity to make a couple calls for us to determine correct address now?

Many thanks.
FEDERAL BUREAU OF INVESTIGATION

Division Four

| Date: 12/4/48 |

| Director, 5633 | Mr. Logue, 5263 |
| Mr. Tolson, 5744 | Mr. Donohue, 4724 |
| Mr. Ladd, 5734 | Fugitive Desk, 5720 |
| Mr. Clegg, 5256 | Lab. Night Sup'r. 7619 |
| Mr. Glavin, 5517 | Movement Section, 5266 |
| Mr. Harbo, 7641 | Leave Clerk, 7623 |
| Mr. Fletcher, 1742 | Reading Room, 5531 |
| Mr. Nichols, 5640 | Mail Room, 5533 |
| Mr. Rosen, 5706 | Coding Unit, 4642 |
| Mr. Tracy, 4130 IB | |
| Mr. McGuire, 5640 | |

Miss Gandy, 5633

Teletype Unit
Room 5644, Ext. 687
FBI EL PASO

ATTN MR CARTWRIGHT

DIRECTOR

12-15-48

7-35 PM MST

URGENT

E.EM. KNUDSON, INFO. CONCERNING, RE TELEPHONE CALL FROM INSPECTOR CARTWRIGHT THIS DATE. KNUDSON PRESENTLY PASSENGER AGENT FOR CONTINENTAL AIRLINE, ALBUQUERQUE, NM, AND RESIDES AT FOUR TWO SEVEN NORTH HERMOSA AVENUE, ALBUQUERQUE.

END

9-38 PM OK FB I WA OVM

BROWN

RECORDED - 135
INDEXED - 135

162-72744-333

37 DEC 31 1948

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATED 12/83 BY SP-887544

T

53 DEC 37 1948
TO:     Mr. Nicholas
FROM:  M. A. Jones
SUBJECT: RAMSEY CLARK
SON OF ATTORNEY GENERAL
SPECIAL TOUR

In accordance with instructions, SA Kemper of this section took Ramsey Clark and two of his young friends on a special tour of the Bureau. The tour covered the Director's reception room, tour rooms, and the laboratory. The party only had 45 minutes as they had another engagement. Mr. Clark was very appreciative and said that he had been in on tour many times but that it became more interesting with each visit.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
RECORDED - 112
INDEXED - 112

DATE 6/13/49 BY 88-8895

EX-109
The program, which is under the heading of "News Makers," is a sustaining one, there being no commercial. The first biographical sketch was given by an announcer by the name of Bob Nichols and dealt with Tom Clark. The second portion was by announcer Robert Lewis and was on the Director.

I. THE DIRECTOR'S SKETCH

Lewis made the following points during the course of the broadcast:

1. That the Director needed no introduction because in five months he will have served in the same job a quarter of a century. Lewis said this was a record in Washington, D.C.

2. The Director was born in Washington, D.C., and he attended school here and upon leaving law school went into the Department of Justice.

3. That the Director advanced very fast and in two years he was Assistant Director of the old Bureau of Investigation.

4. That whatever success the FBI has had has been through Director Hoover's efforts.

5. That at 29 years of age, Director Hoover was appointed by Harlan Fiske Stone as Head of the Bureau of Investigation, which at that time had only about 900 employees. The FBI has grown until at the present time there are 14,000 employees.

6. That the FBI is an investigative organization gathering evidence for the Department of Justice. That it does not have the political power that so many police agencies have in other countries and certainly that there is no fear of its becoming a Gestapo under the Director.

7. That the Director wants nothing to do with a national police and feels that the problem should be handled by cooperation on a local level.

8. That the Director has been criticized and that he was first criticized when he re-organized the old Bureau of Investigation and made advancement depend on achievement rather than the old policy of political appointments.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED.
9. That no great scandal had ever touched the FBI; that nearly every school boy in the country plays G-man and is familiar with Mr. Hoover's theme that crimes does not pay.

10. He stated that the Director knew his Agents first-hand and he gave the dying words of SA Baker, "Tell Mr. Hoover I did my best."

11. That Director Hoover was hard to know personally; that he seldom if ever holds a press conference and that he is never available for further comment.

12. Reporters have come to know him as a permanent fixture here in Washington.

II. SKETCH ON THE ATTORNEY GENERAL

The following comments were made about Attorney General Clark:

1. That he is the easiest member of the cabinet to get on the phone and is a very friendly person.

2. Nichols described how he visited Clark's office; how magnificent it was with red carpets and over-stuffed furniture; how Clark came out to meet him and said, "Hello, Bob," and then proceeded to put his feet on the desk. He said Clark was a genius at making friends and always called people by their first names.

3. He said that Clark uses a private office in the back of his large office to do most of his work and that he generally puts in a 12-hour day. He said that Clark said, "I work long hours because I'm not as smart as other people."

4. He said that Clark had worked hard for President Truman and told Bob Nichols that Truman was "a great little guy." He cited figures on Clark's work in war fraud cases and anti-trust cases and noted the fact that Clark had argued many cases before the Supreme Court.

5. He pointed out that Clark had entered the Department of Justice in 1937 in the Anti-trust Division and that in May of 1945, had succeeded Francois Biddle. He said that big business had initially feared Clark but he had made the statement that there would be no witch-hunting as far as business was concerned.

6. Clark has the democratic view in regard to the racial problem and that he resigned from the Bar Association because they would not accept Negroes.

7. Nichols then discussed the espionage case and said that Clark had said that it was not true that the Department had tried to
prevent indictments in espionage cases to save the administration. He pointed out that Clark likes solid evidence and likes to have the real goods on the birds. Clark told Nichols that Mrs. Bentley had not produced anything of value.

RECOMMENDATION:

It is recommended that the attached letter to Lewis be sent.
MISS GANDY:

THE ATTORNEY GENERAL HAS ASKED ME TO GET A LARGE PICTURE LIKE ATTACHED, SUITABLE FOR FRAMING.

I HAVE TALKED WITH THE PEOPLE AT THE STAR AND THEY TELL ME WE MAY HAVE THE NEGATIVE IN MARCH; RIGHT NOW IT HAS BEEN SUBMITTED IN THE PHOTO CONTEST SO WE CAN'T USE IT.

WILL YOU PLEASE ASK YOUR PHOTOGRAPHER HOW MUCH HE THINKS HE COULD DO IN WAY OF PHOTOGRAPHING THIS PHOTOGRAPH?

Many thanks.

(Alice O'Donnell)
RESPECTS ATTACK ON ATTORNEY GENERAL
I think the naming bomber, re-
ported to have been made by Bas-
com, Globe against Attorney Gen-
eral Tom Clark is about the most
erudignt thing I've heard in a
long time. Calling Clark a traitor
to Texas or his subsiding to the
tide-water case? He should remem-
ber that Tom Clark was appointed
to represent all people of the United
States, not Texas alone. His sugges-
tion that Clark should have re-
signed is another perfidious state-
ment. 

What good would Clark's resid-
ence do Texas? Another attor-
ney general would be appointed in
this place, who would accept the
job in a non-distrustful attitude which
would not be of any appreciable
benefit to the state's cause.

It's probably best that all the
people of the country benefit from
the income-in-the-tide-water stead
of a few oil millionaires in
the various states. I think, for a
long time the Government has
been cutting up all expenses with
in the tide-water area, dredging
the Gulf canal and maintaining the
necessary operations for shipping.
It would not be very long until
some of the State's rights would
be established. The Government
should enter the ports along the coast.
Then the next thing would be that
they would request control of the
area, under the various treaties.

It's time for the courts to get
so many such things clarified and
Congress should add some admenda.
tions to our constitutions. 

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

THE EL PASO TIMES
DEC 29 1948
I, I, I

FEB 3 1949

G.R.R. 7

NOT RECORDED

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

WASHINGTON POST

1/30/49
Government Transportation Request

There is enclosed herewith the carbon copy of Request #F 522,499. This request was issued by SA JAMES L. KIRKLAND on January 10, 1949, for transportation to be furnished Attorney General TOM C. CLARK between Philadelphia and Washington, D.C., on the following day. Mr. CLARK's transportation had been previously arranged in Washington for his return to Washington on January 10th, but due to circumstances beyond his control Mr. CLARK was unable to perform this travel until January 11th. It was therefore necessary that Agent KIRKLAND issue the attached GTR for Mr. CLARK's travel.
From
THE ATTORNEY GENERAL
to
Official indicated below by check mark

MEMORANDUM

May we have 5 glossy prints made of this photograph of Mrs. Clark, with the perforated printing removed, or cut off up to that point. I am attaching a negative which was made from this picture which may be more useful. Would like the head to appear about the size it is on the proof.

S. Doyle
AG's office
Ext. 44, Room 5110

I called Miss Alice O'Donnell of the Attorney General's Office and told her that the photograph and negative which were attached bore the perforated printing "Property of Harris and Ewing, Washington, D. C." and that it was absolutely illegal for anyone to reproduce such a photograph. Miss O'Donnell asked me to return the negative and photograph to her which I have done.
I am transmitting herewith a copy of a communication received from Honorable A. Sam Priest, President of the Board of Police Commissioners, St. Louis, Missouri, which I thought you might be interested in reading.

Enclosure
Attached is a copy of an editorial entitled "The Loyalty Check," appearing in the Ohio State Journal on February 7, 1949, which I thought you might like to read.

Attachment
ADDRESS

By

TOM C. CLARK

Attorney General of the United States

Prepared for Delivery at

A WASHINGTON'S BIRTHDAY PATRIOTIC RALLY

Under the Auspices of

THE CIVILIAN MILITARY MANPOWER COMMITTEE

14th Regiment Armory
Brooklyn, New York
8:00 P.M.
February 21, 1949
It is entirely fitting and proper that this vast outpouring of Americans be here assembled in a noble and patriotic cause. It demonstrates that democracy's arsenals — of which this 14th Regiment Armory is one — serve as peaceful, friendly meeting houses where our problems can be freely discussed.

We know what is taking place today in some parts of the world, but here in America it is, indeed, heartwarming, satisfying and reassuring that we can carry on such great gatherings under the auspices of Civilian Committees. It is tremendously significant that our security rests not alone upon the military forces, but also upon loyal civilian activity.

This stirring manifestation of loyalty is appropriately placed on the eve of George Washington's birthday, and during the observance of Brotherhood Week, as well as National Security Week.

The immortal Washington was well aware that this Nation — only an infant among nations in his time — would become the Father of the World. Upon relinquishing the Presidency he uttered these prophetic words:

"With God's help I have lived to see the United States as one great whole — a nation which may bid defiance in a just cause to any power on earth."

Here we are today of various strains and various faiths, united in a common devotion to keep aflame liberty's torch that he and his comrades lit in our own beloved land.

As we observe his birthday, it is well for us to pause and recall that the Father of our country in his time also faced perplexing, burning problems similar to those which confront us now.
We can all profit by emphasizing that in those early years, enemies both from without and from within beset the new Republic — just as it is happening today. Too true, history in a way is repeating itself.

The powerful nations of the world then stood ready to prey on our commerce, to stifle our economic growth, and to grab our territory.

In a message to both Houses of Congress in 1789, Washington pleaded for an — "EFFECTIVE SYSTEM FOR THE MILITIA OF THE UNITED STATES." In terms that precisely fit our present situation, he said: "It is unnecessary to offer arguments in recommendation of a measure, on which the honor, safety, and well-being of our country so evidently and so essentially depend."

Then it was the militia — soldiers on foot. Today, along with mechanized troops, it is the Navy and the Air Force.

More particularly, Washington urged for unity among his people. Divisive elements tore our land with inward strife. State was jealous of State, faith clashed faith, and race persecuted race. Those were really dark days in the life of the infant Nation.

Like a poisonous fog, intolerance and bigotry pervaded the land. Avaricious men grew fat on the miseries of their fellow men.

A great statesman, as well as a great general, Washington realized that the young Nation could grow in strength and take its place among the other nations only if these destructive elements were conquered.

He feared what was happening; therefore, he admonished his countrymen. He pointed out how small are the differences that form the basis for misunderstandings and conflict. He emphasized that love for and pride in our country must rise above selfish personal interests.
Yes, we Americans do possess this precious heritage that now unites us— a legacy that transcends any political, racial, religious or economic difference. Our heritage secures to us the ideals that mankind has longed and searched for since the dawn of time. Cloaked in that priceless possession, we may travel freely, speak our thoughts, worship in our chosen faiths, select our vocations, start our businesses, choose our friends, own our homes, and live undisturbed under the law.

As we look back on history, we fully realize that our democratic form of government is not a mushroom growth. It didn’t grow on bushes. It is the result of centuries and centuries of study, struggle, sacrifice and prayer.

Referring to the precious documents, such as the Constitution and the Bill of Rights, which guarantee our freedom, President Truman said:

"With those noble charters to guide us, and with faith in our hearts, we shall make our land a happier home for our people, a symbol of hope for all men, and a rock of security in a troubled world."

Churches, schools, labor and industry, fraternal and civic groups, veterans’ organizations, and all other public-spirited organizations and individuals, and particularly such meetings as this, must unceasingly arouse our citizenry to the vital responsibility of maintaining and defending these charters of our liberty.

All of us should become more intimate with democracy, live it, know its needs, learn its meaning and embrace its spirit.

Americans have always had the proud record of being willing and ready in time of war to hasten to their Nation’s defense. But too many of us in peacetime have been in the habit of taking our citizenship too much for granted. We have laid it away like an umbrella to use only in bad weather."
Yet in shielding our liberties from the Godless storms of subversion that hurl themselves against our pillars of government we must be careful — extremely careful — not to slip into the habits and practices of tyrannical governments.

We must turn the spotlight on those who, without the foundation of fact, point the finger of suspicion against fellow Americans, or revile established cherished institutions.

Name-calling is un-American. Those persons who defame individuals, or segments of our citizens, or smear established institutions are playing into the hands of the vicious subversive who seeks to overthrow our government.

Our priceless freedom of expression must be eternally defended. However, intelligent vigilance is needed in presenting truth against error. The hooded order may be vigilant, but it is far from intelligent. Its hidden-hand and hidden-face activities tend to destroy the very things it pretends to protect.

Some of the things we hear, and some of what we read, aim to furnish a rather low opinion of our country and its public officials. Some think that faults alone should be brass-banded.

America is not perfect. All patriotic citizens realize that there is room for improvement in all things that are human. But our country is not standing still. It is on the march forward and continues marching in the direction of peace, liberty and brotherhood under the leadership of that great American, Harry S. Truman. Yes, it has been going forward ever since the first pioneer began hewing a nation out of a wilderness — and the hopes of a war-weary world rest on that continued forward march.

Let your mind's eye — like that of a motion picture camera — scan the history of our country from the days of Washington to the present. Picture
the challenges that we have met and the crises that we have overcome — panics, depressions, internal strife, wars — and world wars. Today we continue to forge ahead — not like a flash in the pan — but steadily advancing the cause of individual freedom and human dignity. And this, not for ourselves alone, but for peoples everywhere.

America remains a land of unlimited horizons.

Its people have boundless frontiers.

Over a hundred years ago a clerk in the Patent Office in Washington quit his job because he claimed he was wasting his time on a dead art. He was convinced that all the important things had already been invented.

As you know, between that date and the present time more progress has been made in America than was made in all the preceding centuries from the dawn of time. I wonder what that fellow would say if he were alive today, and saw atomic energy in action, or even airplanes zooming in the sky.

No, opportunity is not dead and democracy has not outlived its usefulness. Far, far from it. Our country is the people's democracy — we must keep it so! And we will keep it so!

In the words of another:

"We must keep it wide and vigorous, alive to need of whatever kind, always remembering:
That it is the needs of the spirit that in the end prevail,
that caring counts;
that where there is no vision the people perish;
that hope and faith count,
that without charity, there can be nothing good;
that believing in the inherent goodness of man we may meet the call 'to strive forward into the unknown with growing confidence.'"
Yes, we have been making progress — surely, even though sometimes it seems slow — toward that ideal of justice, liberty, and opportunity for all.

Under the Fatherhood of God, the Creator of us all, we can move steadily toward the goal of universal brotherhood. What we need to remember is the Golden Rule, which is inscribed, not in the law books, but in the hearts of men.

This infinite rule of conduct is really the basis of every outstanding world religion.

As we study history, we all learn the significant fact that whenever and as long as a people practice this Divine-like principle, they are happy and survive. When they cease to make it the guide of both their private and public lives, they perish.

An Anti-God totalitarianism is the opposite of the Golden Rule. It does not care what religious faith it persecutes.

So we have learned that when peoples in other parts of the globe are prohibited to read, write, speak, preach or pray without the consent of a Godless pagan state, basic human rights for humanity everywhere, including the United States, are threatened.

Science has made today's world one neighborhood. Our future is entwined with that of all peoples. The infamous rape of liberty and justice anywhere, whether it be in a Hungarian court or in a hamlet of our own country, is ultimately felt in the capitals of nations, and drags down the people in its evil purpose. In our outrage against Cardinal Mindszenty's trial, we must make certain that we shall never have a Mindszenty trial on our soil. Religious forces will never surrender to tyrannical-armed forces.
The aim of good government is the happiness of all. Justice, therefore, is the concern of all of us.

We long, yes, we pray for peace.

But this must be a peace where individual rights, human dignity and holy aspirations are recognized and protected. That is what all Americans under the leadership of our President are striving to achieve; and with God’s help may that bright day dawn in our day and time for all the peoples everywhere on the face of the earth.
Office Memorandum

TO: MR. H. B. FLETCHER

FROM: J. E. MILNES

DATE: March 1, 1949

SUBJECT: TRAVEL OF ATTORNEY GENERAL

MISCELLANEOUS - INFORMATION CONCERNING
(Time of call 8:53 PM)

Night Supervisor Albert G. McGrath of the New York Office called. He said that Mr. Leo Cadison of the Department of Justice had called them and informed them that he and the Attorney General were leaving Syracuse, New York, tonight at 11:35 on the New York Central Railroad. They were scheduled to arrive in New York City at 6:10 AM on March 2, 1949. Upon their arrival in New York City they were scheduled to depart at 8:25 AM via American Airlines and would arrive in Washington, D. C. at or about 9:30 A.M. Mr. Cadison was asked if their families were to be advised and he said "no".

I informed Mr. McGuire of the above and at his instructions I attempted to reach Miss Alice O'Donnel of the Attorney General's Office. She called me at 11:05 and I informed her of the above.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 6-13-49 BY 50-38-5000 RECORDED 62-44-74-7 3-31

F B 23 MAR 7 1949

63MAR141949.0
AN ADDRESS
BY
TOM C. CLARK
ATTORNEY GENERAL OF THE UNITED STATES

Prepared for Delivery
before
THE JEWISH LABOR COMMITTEE CONVENTION

PRESIDENT HOTEL
ATLANTIC CITY, N. J.
FRIDAY, FEBRUARY 25, 1949
6:30 P. M.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 6/12/49 BY SP-8 BTS/PW

5/3/1949 876
It is a pleasure to participate in this second post-war National Convention of the Jewish Labor Committee which is devoting its energies to the happiness of mankind.

Since the dawn of history man has been constantly struggling upward toward the peak of individual liberty.

In the Book of Genesis we read that "the Lord God formed man of the dust of the ground, and breathed into his nostrils the breath of life, and man became a living soul."

This unbreakable link with the Divine has inspired freedom-searching peoples of all creeds and all races throughout the centuries in their ceaseless quest for freedom. Out of the longings, the sufferings, the hopes of the ages, a nation, dedicated to the principle of individual freedom was born and established 170 years ago on this Continent.

When this glorious country -- this haven of liberty -- was being formed, the founding fathers sought to secure once and for all a firm and enduring basis for human liberty. They wanted and demanded guarantees for the sacredness of human personality against the hand of dictatorship and tyranny -- they wanted most of all and demanded guarantees of religious liberty, the right to worship God -- and to worship Him as they pleased.

First the founding fathers looked to England for their model of individual freedom. In that nation, rights were rooted in Parliament. They rejected the English concept because if a Parliament could grant liberties and rights, then, likewise, a Parliament could take them away at will. The guarantee was worthless.

Next they looked to France where the rights of man rested on the will
of the majority. They rejected the French theory of government, because if
rights are the gift of the majority, then that majority can take away the
rights of the minority -- and this guarantee, too, was worthless.

After surveying the different systems of government, our founding
fathers realized that the rights of man stem only from Almighty God -- not
from any human power.

And thus with their recognition of this great truth, the sacredness
of human personality -- the inherent, inalienable rights to life, liberty
and the pursuit of human happiness became a fundamental part of the basic
law of the land.

Originating in the Divine, it shall never be taken away by any
human power -- here at home or abroad.

Since our beginnings as a Nation, Americans have worked, prayed,
fought, and died to attain and maintain her ideals. We Americans today
stand steadfast in our determination not to swerve one inch from this
noble course.

It is difficult to realize that within only one generation we have
fought two world wars that we might pass on to our children and our children's
children the freedom we have enjoyed. And also to hold high the torch of
liberty to light the way for peoples in darkened areas of the earth.

Natives of all the world have landed here in their search for liberty.

One such citizen, through whose efforts the dignity and worth of
labor has received more fully the recognition it deserved, came from
Great Britain. The spirit of that dauntless champion of the rights of
man in the world of labor is here with us tonight -- it is the spirit
of SAMUEL GOMPERS!

It is comforting to all of us to know that William Green, Philip Murray, David Dubinsky, Matthew Woll, and a host of other labor leaders, backed by millions of workers, are holding high the banner for those who toil -- and are fighting and defeating evil forces that would destroy the very things upon which the worth and dignity of labor depend and prosper.

It is especially encouraging and heartwarming to meet with organizations such as the Jewish Labor Committee. Your organization gives aid to Jewish and non-Jewish labor institutions overseas. It assists the democratic labor movement in Europe, provides relief for victims of oppression and persecution, and combats racial and religious intolerance here and abroad. Dedicated to these worthy purposes you recognize the inter-dependence of peoples, and the need to keep liberty's flame burning all over the globe. All of us have learned that if the flame is snuffed out in one place, the lights can go out in other places.

We live, move and have our being under the Eternal God whose fatherhood doth encompass us all. We share joy and sorrow, prosperity and poverty. Together we rejoice in the blessings of liberty, or suffer the burdens of slavery. We in this world are all brothers under God.

Labor's educational program, both here and in Europe, to alert its members against every totalitarian ideology, together with your efforts to promote racial understanding and good will, furnish a patriotic example for all of us to follow -- here at home as well as in foreign lands. Yes, the totalitarian would destroy everything dear to us. In essence -- this vicious ideology would, if it could, smash our precious American heritage.
Our democratic form of government, functioning in the spirit of the Declaration of Independence, and of the Constitution with its Bill of Rights, has made it possible for our Republic to achieve the highest standard of living known to civilized man, and to become the wealthiest and most powerful nation on the face of the earth. In saying this, we do not point it out in a spirit of exaltation -- or braggadocio, or in an attempt to overlord other peoples and other nations.

Yet, day and night, subversives are circulating over the earth's surface, attacking the liberty of the people.

It is appropriate, therefore, since we are celebrating Brotherhood Week and National Security Week, as well as the birthday of the father of our country -- that we stress the need for a strong citizenship that will make us safe on all fronts.

In his day, Washington recommended such defenses.

Today, with the same thought, President Truman, our great human rights President, says:

"We can fulfill our obligation of service in the cause of peace only by maintaining our strength. The will for peace without the strength for peace is of no avail."

The time of this great meeting also comes close upon the birthdays of Thomas Jefferson and Andrew Jackson, those two famous exponents of democracy and brotherhood. The efforts which you are making to promote racial understanding and good will would, I believe, have brought heartwarming satisfaction to our first President as well as to his successors, Jefferson and Jackson.

By written and spoken word, the father of our country missed no opportunity to contribute to the preservation of THE CIVIL AND RELIGIOUS LIBERTIES OF THE AMERICAN PEOPLE.
To the Hebrew congregation at Newport, Rhode Island, he sent a message which, ever since that time, has seemed like a benediction, and a protection. Included in the ever-living words were these:

"THE GOVERNMENT OF THE UNITED STATES - GIVES TO BIGOTRY NO SANCTION, TO PERSECUTION NO ASSISTANCE."

This bears emphasizing today, especially when we consider our displaced persons program. Some advancement has been made in this humanitarian cause, but much better results must be and will be achieved. It is regretted that up to now only a few thousand displaced men, women and children have landed in the United States. But it is a start. That is a far cry from the 200,000 that are permitted to enter under the law and a much farther cry from the 400,000 that we hope will find a haven on our soil.

Labor is to be commended for the aggressive fight it has made in behalf of those needy persons who were innocent victims of dictators' tyranny. And Mr. Dubinsky and the garment industry deserve high praise for furnishing employment to over 100 skilled workers who were among the first arrivals. I understand the industry seriously needs more of such skilled workers and about 1,000 others are now being processed for this employment.

Labor organizations make the best answer to the distorted anti-American propaganda abroad to belittle the notable achievements of great American trade unions. The communist falsehoods cannot take hold among the peoples of Europe because your magnificent deeds expose and refute their claims.

American labor's support of the Marshall Plan was proof to the worker in Western Europe that communist propaganda was all wrong. Your
establishment of an orphanage in Palermo and a vocational school in Paris, the loaning of generous funds to the Dutch transport workers so that they could re-equip themselves, your contribution to the Labor League for Human Rights, all have combined to bring hope to a forlorn world. Your help has been spiritual as well as material, and your good-neighbor influence has been felt all over Europe. Your answer to communism is better than bombs and bullets.

As we seek to help the displaced persons we must also be unceasing in our efforts to safeguard the civil rights of individuals in our own country. Thus far, we have had to rely upon only a thin thread of statutory authority, consisting of the scattered remnants of civil rights legislation of the post-Civil War period. This law is so vaguely worded that the courts have frequently been reluctant to see it applied to specific situations. Notwithstanding the legal and constitutional difficulties which have confronted the Department, to say nothing of the force of local prejudice when prosecutions have been undertaken, the Department has on many occasions sought to obtain for these statutes, through the courts, both in matters pertaining to individual rights and the rights of labor as a group, a broad interpretation of their application.

The report of the President's Committee on Civil Rights, based upon an exhaustive case-by-case review of the work of the Civil Rights Section, has emphasized the weak statutory tools with which, in this field, the Department has had to work. It recommended, as you know, clarifying and enlarging enactments in respect to the coverage of the civil rights statutes and the machinery for their enforcement, the more important of which have been urged upon Congress by President Truman in his State of the Union Messages to the 80th and 81st Congresses.
Some of you present at this Convention have fought recently on the battle fields of freedom. There you learned that no artificial barriers separated men on the fighting front.

You fought to advance the cause of universal brotherhood and to extend the spirit of the good neighbor to all mankind.

You proclaimed America to the world as an example of what a free society can do for the individual and for a nation.

Never in the history of our country has it been so important that we live up to that example, and point the way to a better world — one filled with understanding and friendship among men.

In peacetime or war time, the Godless termites of democracy must find no hiding place in the hearts of our citizens. Our citizens want to send forth into the world rays of good will and happiness for all.

When the liberty and dignity of the individual are everywhere respected and protected, then we will have approached universal brotherhood.

In ancient days, gallant souls in noble succession were unjustly accused, and suffered for their faith. Today, in 1949, not in the distant past, freedom weeps as falsely accused individuals stand before courts -- courts supposed to be tribunals of justice -- from which they receive no justice -- only brutal injustice.

May God grant us the courage and the wisdom to combat these menacing Godless trends and to lead the stricken peoples of the world to justice and lasting peace.

The members of our armed services, who went forth to battle tyranny during the recent world conflict, came from all walks of life.

They were free men fighting for freedom.
We thought they won that fight.

But no, the battle is not ended! All of us must be determined to remain free. Religious faiths, without armaments, will never be supplanted by tyrannical forces bearing arms.

We must never allow communism, or any other subversive activity which makes criminal mockery of individual rights, to get authority over our liberties. Should we do so, freedom would vanish from the earth. And that will never happen as long as free men guard freedom's ramparts.

Yes, we are living in the most tense time in world history.

But we also are living in the most dynamic period of human experience.

History's pages are filled with accounts of nations crumbling in the dust. They took the lower road -- the route that detoured them from God.

We must take the Upper Road -- the high Road that leads to a more abundant life for all mankind -- that road leads to God.

In following the right way, we will reach an era of personal security and abundance such as mankind has never witnessed. We will also have international peace and world happiness.

The technology of this modern age -- this wonderful challenging age -- must advance and serve humanity, not wreck it. Your officials in Washington are determined that atomic energy shall be used for humanity's sake, and hope and pray that it shall never have to be used otherwise.

Builders, not destroyers, Americans will not fail a world yearning for harmony and peace.

With God's help, we will make the land in which we live better and more beautiful because we have been in it. We will make a growing America,
full of golden opportunities, become a country in which those opportunities are realized.

I, too, pray and urge: "Let us 'keep America the refuge of the oppressed, the hope of the despairing, the land of justice and opportunity for all.'"
From
THE ATTORNEY GENERAL

To
Official indicated below by check mark

Solicitor General
Assistant to the Attorney General
Executive Assistant to the Attorney General
Assistant Attorney General, Anti-Trust
Assistant Attorney General, Tax
Assistant Attorney General, Claims
   Alien Enemy Control Section
   Alien Property Section
Assistant Attorney General, Lands
Assistant Attorney General, Criminal
Assistant Solicitor General
Director, FBI
Director of Prisons
Director, Office of Alien Property
Commissioner, Immigration and Naturalization
   Liaison Officer, Immigration and Naturalization
Administrative Assistant
   Division of Accounts
   Division of Communications and Records
   Division of Supplies
Pardon Attorney
Parole Board
Board of Immigration Appeals
Librarian
Director of Public Information

Mr. Brown
Col. Naramore
Mr. Hyatt
Mr. Coblenz
Miss O'Donnell
Miss Healy
Mrs. Kroll
Miss Adams
Miss Doyle
Mrs. Willey
Mrs. Burke
Mrs. Kelly
In the "Houston Post" on Sunday, March 13, 1949, an announcement appeared that the Attorney General would be in Houston on Saturday, April 9, 1949, where he will be the principal speaker at the Founders Day Dinner of the University of Texas Chapter of Delta Tau Delta, national social fraternity.

This will be the first appearance of the Attorney General in Houston other than his appearance here in October, 1945.

In the absence of instructions to the contrary from the Bureau, this office will undertake no action to escort or assist the Attorney General in the absence, of course, of any requests he or his staff may make of me while in Houston.

GNW: NK
Enclosed is the copy of an editorial entitled "Dealing With Juvenile Crime The Swift Way" which appeared in the San Antonio Express on February 13, 1949. I am forwarding it as I thought the cases cited and the observations of the editor might be of some interest to you.

Enclosure

To: O. CLARK

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE: 2/13/49 BY 33-94 RAGAN

U.S. DEPT. OF JUSTICE

FBI

FEB 23 954

5

58 APR 6 1949
OFFICE MEMORANDUM

TO: The Director, FBI
FROM: GUY HOTTEL, SAC, Washington Field
SUBJECT: JAHAM

March 31, 1949

While contacting [redacted] in connection with an official matter on March 31, 1949, I advised an agent of this office that he had received information to the effect that Attorney General TOM CLARK had informed the newspapers that WHITTAKER CHAMBERS "is a pervert". I said that on March 23, 1949, newspapermen whose identity he did not disclose, approached Congressman NIXON, VELEDE, and MUNDT of the HCUA, and asked them about the statement made by the Attorney General.

[redacted] stated that the three Congressmen are incensed, angry, and quite agitated over this matter. They feel that the Department of Justice is going out of its way to discredit and embarrass the Committee. These three Congressmen feel that the Attorney General is deliberately passing this information to the press in order that it will reach the attorneys for ALGER HISS. The Committee feels that the Attorney General should and could be impeached for this action.

The foregoing is submitted for the information of the Bureau, and [redacted] name should be protected as the source of this information.

CJJ:cl
74-94

Directors notation
(Another leak from the Dept. H.)

DECLLASSIFIED BY 58-X CRITCAL ON 6/1/83
RECORDED - 42 \62-72944\ 334
FBI
73 APR 7 1949

INITIALS ON ORIGINAL - 8

60 APR 23 1949
Office of the Attorney General
Washington, D.C.

April 6, 1949

MR. NICHOLS:

The Attorney General, Mrs. Clark, Cong. John Lyle and Mrs. Lyle, will leave Washington on Eastern Airlines Fl. #503 at 9:20 a.m. Thursday, April 7th.

THURS. 7th
They will arrive Houston, Texas, 2:10 p.m.
Will you please have someone meet the plane in Houston.

THURS. 7th
They are having a large private plane meet them at Houston. Pilot's name is "Reg" Robin--don't have number of plane.

THURS. 7th
They will land at Austin between 3:00 p.m. and 3:30 p.m.
to take on three additional passengers.

Same plane will take off for Corpus Christi immediately, arriving Corpus Christi around 5 or 5:30 p.m.

7th - 8th
Remain Corpus Thurs. and Fri.

SAT. 9th
Sat. leave for Houston in private plane.
Res. Shamrock Hotel, Houston.

SUN. 10th
Lv. Houston Sunday morning for Dallas. Time unknown yet.

MON. 11th
Lv. Dallas Mon. or Tuesday for Chicago.

TUES. 12th
Lv. Chicago Tuesday after he addresses Natl. Assn. of Broadcasters at Luncheon Meeting.

Ar. Washington Tuesday night.

WILL YOU PLEASE ASK THAT SOMEONE MEET THE ATTORNEY GENERAL AT EACH OF THESE CITIES.
WHERE TIME IS YET INDEFINITE, PLEASE ASK THE AGENT LEAVING THE ATTY. GENL. TO NOTIFY THE NEXT CITY. We would also like to have the General's arrival time in Washington Tuesday.

Many thanks.
4-6-49
3:05 p.m.

Miss O'Donnell called to advise the AG will leave at 9:20 a.m. tomorrow via Eastern Airlines, flight 503. He will arrive in Houston, Texas at 2:10 p.m. He will have Cong. John Lyle with him, a party of 4 altogether. He would like to have someone meet him.

hmc

4/6/49 - 4:15 p.m.
ASAP Shrum advised and will handle

[Signature]
TO Director, FBI

DATE: April 15, 1949

SUBJECT: ATTORNEY GENERAL TOM CLARK

Attorney General TOM CLARK arrived in Austin, Texas from Houston, Texas at approximately 12:00 noon on Sunday, April 10, 1949 and was met at the Austin Municipal Airport by SAS GEORGE W. H. CARLSON and CLYDE B. JOHNSON. At that time Mr. CLARK had in his party Mrs. CLARK, his brother Mr. ROBERT CLARK, his son RAMSEY and several of RAMSEY's fraternity brothers at the University of Texas. Mr. CLARK and his family were taken to the Stephen F. Austin Hotel by the Agents. Every courtesy possible was extended to the Attorney General and his family. Mr. CLARK and his brother departed from Austin at approximately 9:00 p.m. on the same evening for Dallas, Texas via Braniff Airlines. The Attorney General expressed his sincere appreciation for the way the Bureau had assisted him during his visit at Austin.
Office Memorandum

TO: Mr. Fletcher
FROM: J. E. Milnes

SUBJECT: TRAVEL BY ATTORNEY GENERAL CLARK
MI$$ICELL$$NEOUS INFORMATION CONCERNING

SA Orville N. Thomas of the Chicago Division called. He informed me that the Attorney General is scheduled to leave Chicago at 6:00 p.m., Central Standard Time, aboard the Capital Airlines, flight 902, and is scheduled to arrive in Washington, D.C., at 9:55 p.m., Eastern Standard Time. The Attorney General desired his office notified in order that someone would meet him. I immediately informed Mr. R. F. Cartwright in Mr. Nichols Office of the above information.

cc: Mr. Nichols

cc: Mr. Tamm

message left for Miss O'Donnell

16-3-72 7:26

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 6/13/82 BY 86-9 816111
DIRECTOR, FBI URGENT
ATTENTION MR. L. B. NICHOLS

RESERVATIONS MADE FOR ATTORNEY GENERAL, HIS WIFE AND DAUGHTER, TO
LEAVE HOUSTON FOUR PM, CST, APRIL SEVENTEEN VIA E. A. L. CONSTELLATION
FLIGHT FIVE NAUGHT TWO, ARRIVING WASH, D. C. EIGHT FIFTYTWO PM, EST
SAME DATE. A. G. AND PARTY BEING CARED FOR CORPUS CHRISTI AND HERE.
SHOULD THERE BE ANY CHANGE IN HIS TRAVEL PLANS AND WHEN HE WILL ARRIVE
WASHINGTON, THE BUREAU WILL BE ADVISED BY TELEPHONE.

WILLIS

END ACK 58 APR 27 1949
607PM OK FBI WASH DC CCW
I am enclosing a copy of a communication from Mr. William C. Brady, Jr., Chairman of the Board, The National City Bank of New York, New York, New York, dated April 18, 1949, as I thought Mr. Brady's most commendatory remarks might be of some interest to you.

Enclosure
Memorandum • UNITED STATES GOVERNMENT

TO: Director, FBI
FROM: SAC, Houston
SUBJECT: ATTORNEY GENERAL, TOM CLARK

DATE: April 15, 1949

Reference is made to the telephone instructions of Assistant Director, Nichols from the Bureau on April 7, 1949 concerning the proposed visit to Texas by Honorable Tom Clark, the Attorney General.

For the Bureau's information, the Attorney General was met upon his arrival in Houston by ASAC, Carl B. Sherman, Special Agent M. A. Ruebright, and the writer. This was on the afternoon of April 7. He thereafter departed for Austin, Texas where he was met by the resident agents of the San Antonio office, assigned at Austin. He thereafter flew to Corpus Christi, where he was met by two resident agents of this office assigned at Corpus Christi. He remained there until the morning of April 9, when he returned to Houston. While here, he stayed at the Shamrock Hotel and addressed the National Convention Meeting of Delta Tau Delta Fraternity.

Of interest to the Bureau, the Houston office, through our informant coverage, learned that members of the Communist Party, under the auspices of the Civil Rights Congress, planned to picket the Shamrock Hotel on the evening of Saturday, April 9 during the time that the U.S. Attorney General would be giving his address. This information was recited telephonically to Supervisor George Erwin at the Bureau at 3:05 PM, April 9, 1949. Mr. Erwin was informed that unless advised to the contrary, I intended to confidentially inform the Attorney General of this reported action by the Communist Party. This the writer did at 4:00 PM and true to predictions, there were approximately fifteen individuals who paraded up and down before the hotel from approximately 6:00 to 8:00 PM, carrying placards relating to wire tapping and civil rights matters. The Attorney General appeared most appreciative for being informed of this picketing.

The Attorney General and his party left Houston on Sunday, April 10 at 11:20 AM, proceeding to Austin, thereafter to Dallas, and later to Chicago. The San Antonio and Dallas offices were appropriately notified telephonically to insure their meeting and assisting the General and his party. The Chicago office will advise the Bureau as to the exact time of the Attorney General's arrival in Washington.

There were no difficulties experienced in any of our assistance rendered the Attorney General, and he appeared most friendly and cooperative throughout all of our contacts with him.

There are attached hereon newspaper clippings from Houston and Corpus Christi papers, relating to the Attorney General’s addresses.

ENCLOSURES

COPY DESTROYED

CC: San Antonio, Dallas

ALL INFORMATION CONTAINED HERIN IS UNCLASSIFIED

DATE 6/13/49 BY 48-8 CP

[Signatures and additional notes present on document]
U. S. Atty. Gen. Tom Clark last night contradicted broad talk of another depression with figures on new records in employment and the highest corporate profits in history.

Speaking to nearly 600 at the Jefferson-Jackson Victory Dinner at the Robert Driscoll Hotel he placed "clouds of economic blues" in the same category as politics.

One hundred thousand more persons were employed in January 1949 than in any other January in our country's history, he said. In February, seasonal month of cold and wintry weather, there were over 30,000 more persons employed than in February last year.

Spokes Of Foreign Policy

Clark spoke of President Truman's foreign policy, saying it is designed to avert war and achieve permanent peace.

Warren Phillips, general chairman of the field railway dinner committee, said some $33,000 was added to the party's war chest, augmenting $44,000 raised in Austin.

The dinner attracted Democrats from distant state points. Among them were National Committee man Wright Morrow of Houston and Mrs. Henry Weinert of Seguin, national committeewoman from Texas.

Other speakers at the dinner defunded Clark's stand on the sidelines question and offered some blunt political advice. Woodville J. Rogers, San Antonio, and County Judge M. J. Raymond of Laredo, said it is Clark's duty to prosecute cases filed by the federal government.

Clark and Mrs. Clark who arrived here Thursday departed this morning for Houston.

Judge Raymond's Remarks

Judge Raymond, who called himself "one of the 'little Democrats,' that do the party legwork, offered these ideas:"

1. Cut out the squabbling and jockeying for personal advantage, settle differences quietly, present a united front like Democrats of South Texas; 2. Don't make Clark "the ghost" in the leadership fight, "Just because he happens to be the old counsel for the United States Government in an issue, let the courts of Congress will settle anyway.

Raymond said the high command of the party in Texas "should devote more time to uniting the party instead of tearing it to pieces."

"It is high time for them to come to their senses and patch up their differences," he said. "We, the little fellows, the ones who actually do the leg work, who take the delegate to the convention and convince them to vote right, who see that the voter goes to the polls and votes, we, the little fellows, are beginning to get fed up with the attitude of the leadership of the Democratic Party in Texas."

Rogers, one of the original Texas DEMOCRATS, HEAR

Clark Hit Talk
Of Depression

Others at $25,000
Banquet Here Hand
Feuders Blunt Advice

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1949 BY E3-8 6-23

ENCLOSURE
(Continued From Page One.)

Truman Democrats, also said he was "sick and tired" of hearing Clark criticized by Democrats for representing the federal government in the tidelands row. He said Clark was just doing his duty.

"I want to see Texas retain title to the tidelands but I want the attorney general of the United States to do his duty," said Rogers.

All South-Texas Show

The function was an all-South Texas affair. An honored guest at the head table was Mrs. Archie Parr, widow of the late political chieftain. Also at the head table was active in organizing the function George M. kter of San Diego.

Clark made no direct reference to the tidelands issue in his speech. He did say this — whenever he hears vilification of himself he is reminded of the ditty that goes, "so those who talk and talk this motto should appear: the steam that blows the whistle never turns the wheel."

Judge Raymond made his appeal to and biography in introducing National Committeeman Wright Morrow of Houston. He urged "all good Democrats to let bygones be bygones, and in the good old American way, have enough sportsmanship to get behind the duty elected committee."

Morrow's removal as national committeeman on charges of party disloyalty was urged by the State committee, which recommended Byron Eklund of Temple for the post. Eklund has not been recognized by the national committee.
DEMOCRATIC DINNER GUESTS—Hours before the Jefferson-Jackson Victory Dinner tonight, Democrats from the far corners of Texas gathered here in hotel lobbies to talk informally about party matters. In one group early this morning were Judge C. S. Slatton, Dallas, former Supreme Court judge and now general counsel for the Bell Telephone Co., at left; Courtney Hunt, Haskell, 24th district committee man; Arch Underwood, Lubbock; John Calhoun, Corsicana, chairman of the Texas Democratic Executive Committee, and Mat Davis, Gilmer, a member of the reception committee for the dinner tonight.

LEADING DEMOCRATS GATHER FOR VICTORY DINNER TONIGHT

By HOYT HAGER

The Texas Democratic clan has begun to gather in Corpus Christi this morning for the Jefferson-Jackson Victory Dinner tonight. This hotel, at the Robert Driscoll Hotel, Clark and Kyle Tales Walk.

For some gregarious party men it is the second this season, and by no means the last. They attended the Austin conclave recently and plan to be on hand for the next one.

Ally, Gen. Tom Clark came to Corpus Christi by plane yesterday, along with Mrs. Clark, and Rep. and Mrs. John E. Lyte. The attorney general disclaimed credit for stimulating much interest in the dinner tonight that 600 tickets were sold a week ago and hundreds have been turned away since, Clark is principal speaker tonight.

All information contained here is unclassified.

Date: 12/18/49 By: 8887321

Out at an early hour this morning, the attorney general and Lyte went for a "two-mile" walk along the bayfront and downtown Corpus Christi.

By the time they returned to the Robert Driscoll Hotel, others were up and about, removing acquaintances and billing politics. Some were "building fences" for future political races, others had "prospectus" to show the party. They all had one thing in common—hearty appreciation of the party's good fortune in the recent general election.

Among the early arrivals were: John Calhoun, Corsicana, chairman of the State Democratic Executive Committee, Courtney Hunt, Haskell, 24th district committeeman; Arch Underwood, Lubbock, and Judge C. S. Slatton, Dallas, former Supreme Court justice, and now general counsel for the Southwestern Bell Telephone Co.

Recogedn Before Dinner

Loyal party members tonight are paying $2 a plate for the dinner. Many who could not acquire tickets have made contributions to the Democratic Party war chest.

Warren Phillips, general chairman of the dinner, said a booklet, showing who contributes to the party fund, will be published after the dinner. The booklet will include the guest list and a list of subscribers, he said.

A reception for Clark is scheduled at 9:30 a.m. today in the main dining room of the Driscoll Hotel. His address to the dinner group will be broadcast at 9:30 on the Texas Quality Network, carried locally by Station KRIS.
Clark Scoffs at Talk Of 'Panic Provokers'

DEMOCRATIC VICTORY DINNER SMILES—U. S. Atty. Gen. Tom Clark (right) and Judge M. J. Raymond of Laredo, flashed big smiles here last night as South Texas Democrats staged their victory feast to augment the party war chest. Clark was principal speaker at the victory celebration. Judge Raymond, in a brief address, warmly defended Clark’s stand favoring federal ownership of the rich offshore tidelands. (Caller Staff Photo).

About 600 Attend Celebration Here

BY BRUCE PATTON

Scare talk of another depression belongs in the same category as the pollsters’ predictions of the last presidential election, Tom Clark, U. S. attorney general told almost 600 persons attending the $35-a-plate Texas Jefferson-Jackson Victory Dinner last night at the Robert DeZiel Hotel.

Clark praised President Truman’s role in reducing the nation’s foreign policy. He said that policy was designed to avert war and achieve permanent peace.

"The singer of economic blues and the predictors of dire things are merely short-sighted if they think Texans scare easily,” Clark said. "All these panic provokers had to do in order to get the truth about our national economy was to make a simple inquiry."

More than 20,000 persons were employed in January, 1948, more than in any other January in our country’s history, he said. In February, seasonal month of cold and windy weather, there were over 39,000 more persons employed than in February, 1948.

"And last month,” he said, “the number of employed increased 479,000.”

Clark was principal speaker at the Democratic fund raising dinner, second to be held in Texas. Austin held a similar dinner last month. The third is to be held later this month in Lubbock.

Warren Phillips, general chair-

Clark’s Role In Tidelands Row Defended

U. S. Atty. Gen. Tom Clark was warmly defended for his stand favoring federal ownership of tidelands by two speakers at the Jefferson-Jackson Day victory dinner here last night.

Judge M. J. Raymond of Laredo. Rogers said he was tired of seeing so-called Democrats try to steal the party machinery. Then he added: ‘I am also getting sick of the Democrats criticizing the attorney general of the United States for representing the United States in situations. If he has cause of action against Texas it is his duty to prosecute it."

"I want to see Texas retain title to the tidelands. But I want to see the attorney general of the United States do his duty.”

Raymond spoke in the same vein about Clark. The Laredo County Judge also introduced Texas National Committeeman Wright Morrow.

In the introduction he said: “It is high time that the leadership of the Democratic Party of Texas stopped this kicking; that they stop their squabbling and that they stop their jockeying for personal..."
Clark praised President Truman's role in resetting the nation's foreign policy. He said that policy was designed to avert war and achieve permanent peace.

"The singers of economic blight and the producers of this thing are surely shortsighted if they think Texas is an easy country," Clark said. "All these palsie prophets had to do in order to get the truth about our national economy was to make a simple impurity."

"More than 100,000 persons were employed in January, 1945, more than in any other January in our country's history," he said. "Wide, seasonal month of cold and wintry weather, there were over 30,000 more persons employed than in February, 1944."

"And last month," he said, "the number of employed increased 479,000."

Clark was principal speaker at the Democratic fund raising dinner, second to be held in Texas. Austin held a similar dinner last month. The third is to be held later this month in Lubbock.

Warren Phillips, general chairman of the fund raising committee, estimated the dinner would add $25,000 to the party's war chest, bringing the $41,000 netted at the Austin dinner.

Democrats were here from as far distant state points as Odessa, Lubbock, Beaumont and Amarillo, but it was primarily a Southwestern political show.

Finishing the affair were National Committeeman Wright Morrow of Houston and Alex H. W. Weinert of Seguin, national committeemen from Texas.

Ben Connally of Houston; the son of Sen. Tom Connally was among those attending.

A telegram from President Truman, read at the dinner, said:

"Our attorney general is thoroughly representative of the kind of public servant Texas sends to Washington when she does her best," the message said in part.

I give cheers for Jefferson and Jackson, and three more for Tom Clark."

Clark said that the Democratic platform is the blueprint for government in this country.

"The Democratic platform has not been filed away in the cabinet of forgotten political pledges," he declared.

"Our great leaders, Texans and others, are shaping into a living, dynamic reality the progressive plan and program adopted last fall in Philadelphia."
Other speakers at the dinner were Sam E. Wilson, local oil operator; Mrs. E. A. McDaniels, committeewoman of the 27th senatorial district, and E. C. Lloyd Jr., of Alice, committeeman for the same district.

County Judge M. J. Raymond of Laredo gave a short address, followed by Lyle who introduced Clark. The Most Rev. M. S. Garvigs, D. D., L.L.D., bishop of Corpus Christi, led the invocation.

Wright Morrow, national committeeman, also spoke briefly.

Toastmasters at the dinner were Warren Phillips and Woodville J. Rogers.


class

have assistance in expanding your port into a bustling, greater gateway to the world.

Clark praised Senators Tom Connally and Lyndon Johnson. He described Rep. John E. Lyle, who introduced him at the dinner, as "young, courageous and friendly," and "as making his influence felt in the highest councils of the Democratic Party."

Texas today has opportunity above all else, he said. "Today there is no limit on what that opportunity can mean to you, to Texas, to the nation and to all the nations which rim that Gulf, the doorstep of Corpus Christi. Your city, little more than an outpost 10 years ago, is representative of Texas progress."

Every time in the nation's history, Clark said, when a crisis developed, "the people rose up and made a Democrat their President."

Critics of the Democratic Party say the party does too much planning, Clark pointed out. "They imply that we aren't practical. They fail to recognize that planning is a business man's word. Show me a good businessman and I'll show you a man who plans for the future. The Democratic Party is the only party which has recognized this and adapted the principles of good business to the affairs of government."

"When our critics scoff at us or shout alarms about us because we are planning for the future, they ignore the fact that the only occasions when we have been plunged into chaos have been those occasions when the government had made no preparation for the future but was operating day to day."

Clark quoted Speak of the House Sam Rayburn as saying: "I don't know whether there will be a recession in 1949, but I know there is nothing in our fundamental economy except fear to bring about a depression."

"Democrats and Republicans alike," Clark said, "particularly you businessmen, should consider that remark soberly."

Praise Congress

The Democratic party may be justly proud of the 81st Congress, he said. "We can talk about our party's accomplishment, for today it has progressed further in the adoption of its program than any Congress in history."

He pointed out that by April 30, all appropriation bills but one will have passed the House.

"The economic recovery appropriation will be on the statute books, the rent control act will be in full operation, and the creation of a Department of Defense, with a full complement of under-
Fraternities In Colleges Praised By Tom Clark

Attorney General Talks to Delta Tau Delta; Introduced by Jesse Jones.

Fraternity life in American colleges was upheld as a good influence on its members by United States Attorney General Tom Clark of Dallas, in his address Saturday night at the state-wide Founder's Day banquet of Delta Tau Delta at the Shamrock Hotel. This was the first time the annual affair has been held outside of Austin, where the fraternity's only chapter is located at the University of Texas.

"Delta Tau Delta, I think, has taken the lead among American college fraternities in the matter of liberalizing its views along lines that have heretofore resulted in certain discriminations that have done fraternities no good," said Mr. Clark.

"It has been my observation that fraternity life bestows great benefits upon its participants, this from the standpoint of brotherhood, individual freedom and human dignity."

Praised by Jones

Jesse H. Jones, in introducing Mr. Clark, referred to him as "a very good administrator, one who believes in our way of life and our system of government, one who does not want to remake the world, one who wants legislation to effectively deal with Communism and one under whose administration we have had few complaints about business bailings."

Mr. Jones, only non-member of the fraternity present, referred to the attorney general's job as "more difficult and requiring more tight rope walking than that of any other member of the cabinet."

Maj. Gen. Albert Sidney Johnston of Dallas, who served as toastmaster, was presented the fraternity's Distinguished Service Chapter certificate by John W. Gilhols of Oklahoma City, president of Delta Tau Delta's Western District.

(See FRATERNITIES, Page 32)
Clark Visits State and U. T. Officials

AUSTIN, April 10.—United days at the university, he
States Attorney General and shook hands and chatted with
Mrs. Tom C. Clark visited socially and guests. They included Governor
with state and University officials and Mrs. Beauford H. Jester, and
Texas officials and wives here—vice president and Mrs. T. S.
Sunday. Painter and others.
At a reception at the Delta. Earlier, Clark had been honored
Phi Delta fraternity, of which he a buffet dinner by the fraternity
Clark was president in his student days

There were no speeches, no business scheduled. Clark was a student at the univer-
He received a bachelor of arts degree in 1921 and a law degree
in 1922. The attorney general arrived in Dallas about 9 p.m. They will
leave there Monday for Chicago and return to Washington Tuesday.

The Clarks planned to fly to

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 4/10/73 BY \% F. G. G. ADAMS

EXPOSURE
Fraternities In Colleges Praised
By Tom Clark

(Continued from Page 1)

division and member of the fraternity's governing body.

Other Awards

John Fry of Anson, Texas, chapter president, presented the
annual athletic award to John J. Robertson of Buffalo, N. Y., uni-
versity team manager. The "best pledge" award went to Billy Penn
of Austin, with the presentation being made by the attorney gen-
eral's son, Ramsey Clark, who last year won this award. The attor-
ney general was president of the Delta Tau Delta chapter in 1922,
and his son is active in it now.

The scholarship award was pre-

sented to Robert Franklin of Gal-

veston; the Big Brother Award
was given to Stephen Mobley of
Dallas and the Arthur Ray Mem-
orial Award for the outstanding
fraternity member of the year was
presented to Silas Ragsdale, Jr.,
of Houston.

Maurice T. Angly, who with
Ralph A. Johnston headed the
local arrangements committee,
presented a bouquet of red roses
to the Delta house mother, Mrs.
Sophia D'Neeroff.

350 Attend

About 350 members attended
the banquet, some 60 of them from
the active chapter at Austin.

Among those at the head table,
other than the participants in the
program, were Dr. H. T. Parlin,
dean of the college of arts and
sciences, University of Texas; Ed-
ward Angly, noted newspaper and
magazine writer of New York; Hirs
tuffield, president of the
Howard alumni; and George A.
Butler, Houston attorney.

In an interview Saturday after-
noon, Attorney General Clark said
that "whatever Congress does
about the tidelands will be quite
all right with me."

He said that in filing suit for
federal ownership of the mar-
ginal sea area he was carrying out
his duty as a lawyer for the 48
states and the president in an ef-
tort to make the coastal state
access to the Supreme Court rul-
ning in the California case in 1941
giving the federal government
"paramount rights" in the mar-
ginal sea.

THE GENTLEMAN WITH THE BROAD GRIN is United States Attorney Tom Clark. He apparently was greatly amused at some incident which Jesse H. Jones is pointing out when the photog-
rapher took the picture. The occasion was the state-wide Founder's Day banquet of the Delta Tau Delta at the Shamrock Hotel Saturday night.
Beef-Eating Party Chiefs Hear Clark Praise Democrats

CORPUS CHRISTI, April 8—

The national Democrat platform has not been filed away
in the cabinet of "forgotten political pledges." Attorney General
Tom Clark told Texas party leaders Friday night in their second
Jefferson-Jackson Day dinner.

WARREN PHILLIPS of Corpus Christi, general chairman of
the fund-raising tour, estimated it would add $25,000 to the
party treasury. He said $41,000 was netted at the first dinner
in Austin.

Texas Clark was the honor guest and chief speaker.

"A telegram from President

Truman to Phillips praised Clark. ell"r"r", or tho astral
were CLARK UID not TIlCnton the waS to make a simple InqUIry."
Clark To Arrive Today
For Fraternity Talk
United States Attorney General Tom Clark will arrive in
Houston late Saturday morning.
He will speak Saturday night
to the Delta Tau Delta fraternity
at the Shamrock hotel. Jesse
Jones will introduce him.
Hotel Picketed As Tom Clark Speaks

Members of the Civil Rights Congress, from "over the state" picketed United States Attorney General Tom Clark during his speech at the Shamrock Hotel here Saturday night.

Sam Barbaria, Dallas attorney and Civil Rights Congress member, said "about 25 or 30 pickets, men and women, were stationed opposite the Shamrock entrance from 6:45 p.m. to 8 p.m." Some of their signs read: "Investigate the peonage system in Texas," "Investigate the Trenton Case," and "Free the Twelve."

Mr. Barbaria said the latter sign referred to the 12 Communists on trial in New York. "We feel that the attorney general and the Department of Justice are violating the constitution in persecuting a political minority party and aliens in this country, and we object to Mr. Clark's department jailing people simply for refusing to answer questions about their political beliefs," Mr. Barbaria said.

A Shamrock Hotel official said there were only about 10 pickets stationed in front of the hotel, and that there was no trouble.
Civil Rights Group
Pickets Tom Clark

By JIM BRYANT

The Shamrock hotel was picketed by members of the Civil Rights Congress of Texas Saturday night because the attorney general of the United States, Tom Clark, was there.

THE PICKETS were in front of the hotel, across the street from the entrance, a little more than an hour.

Mr. Clark had a suite in the hotel, having come here to speak to the Delta Tau Delta social fraternity, of which he is a member, in the hotel Saturday night.

SAB BARBARIA, a Dallas attorney who said he represents the Dallas branch of the Civil Rights Congress, said the picket line was formed as a demonstration of opposition to Mr. Clark's policies as attorney general.

The Civil Rights Congress is on the attorney general's list of subversive organizations, Mr. Barbara said. "We're opposed to the persecution of minority political parties such as the Communist party in New York. We're opposed to any violations of the Bill of Rights." We think he ought to investigate the pogrom system here in Texas." THE PICKETS formed about 6:30 p.m. and remained in front of the hotel with their signs until about 8 p.m.

Mr. Barbara said they did not have a list of the names of the attorneys here.

See TIDELANDS Page 15, Column 1
Tidelands 'Deal' O. K. With Clark

(Continued from Page 1.)
see Mr. Clark. A spokesman for the hotel said he did not think Mr. Clark, who could not be reached for comment, saw the pickets, either.

Mr. Barbara said the pickets included persons from Houston, Dallas, San Antonio and Austin.

THE DELTA TAU DELTA meeting Mr. Clark attended was an informal, closed one, but he talked to reporters at a press conference earlier in the day.

He said that whatever compromise Congress reaches in the tidelands dispute will be all right with him, and he has told the lawmakers that.

Naturally, as a Texan, he did not like filing a suit against his home state and Louisiana on the tidelands issue, Mr. Clark said.

ME ADDED, however, that since the supreme court decision in the California case it has been the opinion of all the lawyers in the justice department that the overall rights to the off shore lands belonged to the federal government.

After that court decision, Mr. Clark said, there was drilling off the Louisiana coast and the lease of land, with bonuses paid, off the Texas coast.

THEREFORE, it was his duty as attorney general to file the suit.

"Texans," said Mr. Clark, "never shirk their duty." He said a motion on the suit had been set for hearing on April 30, but Louisiana had asked for a delay and he understood Texas would ask for one. If there is a delay, he said, the motion will probably not be heard until October.

Mr. CLARK declined to give his personal opinion on the merits of the tidelands dispute. He repeated his remarks at the Jefferson-Jackson Day dinner at Corpus Christi Friday night that the Truman administration will put its program through.

"In a general sort of way," Mr. Clark said.

If he is sure the Democrats will continue to control Congress if the present Congress is ineffective, and he is sure it will be.

Mr. Clark was asked about civil rights.

HE SAID he was confident Congress would adopt some sort of civil rights program, although not necessarily the complete one recommended by the administration.

The attorney general believes there will be anti-rollback tax and anti-bunching legislation.

"I think Texas will repeal the roll tax," he said. "I think it has already repealed it."

AND, HE SAID, he thinks there will be some sort of fair employment practices legislation, he does not believe Congress will adopt "what we in Texas think is F. E. P. C." He foresees a probable study of the issue.

Mr. Clark said the present civil rights legislation goes back to just after the Civil War and should be tightened up.

He was high in his praise of advances made in his home state.

"I THINK the South and particularly Texas are making more progress on the Civil War problem than is being made anywhere else," he said.

KIND WORDS—Jesse H. Jones praised Attorney General Tom Clark, left, Saturday night as a good administrator who believes in "our way of life and system of government." Mr. Jones, incidentally the only non-member present—introduced the attorney general at the Delta Tau Delta fraternity founders day banquet at the Shamrock hotel.
HE SAID he was certain Congress would adopt some sort of civil rights program, although not necessarily the complete one recommended by the administration.

The attorney general believes there will be anti-poison tax and anti-pollution tax laws. He does not believe Congress will adopt "what we see is P. E. P. C." He foresees a probable study of the issue.

Mr. Clark said the present civil rights legislation goes back to just after the Civil War and should be tightened up.

He was high in his praise of advances made in his state.

"I THINK THE South and particularly Texas are making more progress with this problem than is being made anywhere else," he said.

The attorney general said he had dropped wire-tapping provisions from recommendations for a tightened espionage law because of the furor about it.

HOWEVER, he believes that wire tapping is justified in cases involving sabotage, espionage or subversive activities. Under the present law, information revealed by wire tapping cannot be divulged.

But it can be used to furnish leads and he will continue to have the F.E.P. use it for that purpose in the three cases mentioned, Mr. Clark said.

He laughed at talk that he would resign in July, quoting Mark Twain on reports of the writer's death: "Highly exaggerated."

"SOMEBODY MAY be doing a little wishful thinking," he said.

If Mr. Clark continues in office until the end of Mr. Truman's present term, he will have been an attorney general for nearly eight years—longer than anybody else ever was.

He wants to set that record.

APPROXIMATELY 250 persons attended the Saturday night dinner at the Shamrock. The occasion was the first state-wide observance of Founders' Day by the Delta Tau Delta fraternity.

Jessie H. Jones introduced Mr. Clark. He called him: "...a very good administrator, one who believes in our way of life and our system of government. One who believes in the world, one who wants to remain the world, one who wants legislation to effectively deal with communism and one under whose administration we have had few complaints about business failure."

THOSE FRATERNITY AWARDS were made:

Athlete, John J. Robertson of Buffalo, N. Y., and the University of Texas; best pledge, Billy Pensh of Galveston; big brother, Stephen Mobley of Dallas; scholarship, Robert Franklin of Galveston; Arthur Ray Memorial award for the outstanding "Dee" of the year, Sikes Ragsdale Jr. of Houston; Stan Ragsdale Jr. of Houston.
Tom Clark to Talk
In Houston Tonight

Attorney General Tom Clark who spoke Friday night at Texas Democrats' Jackson Day dinner at Corpus Christi, was in Houston Saturday for an all-day visit.

The cabinet member, former Dallas United States district attorney, will be guest at a luncheon given by Attorney Charles L. Frands at the Bayou Club at 1 p.m., at which a number of distinguished Houstonians will gather.

Attorney General Clark will speak tonight at a meeting of Delta Tau Delta fraternity at the Shamrock Hotel. Jesse H. Jones will introduce Mr. Clark at the fraternity dinner.
Tom Clark Lauds U. S. Foreign Policy

Demo Diners Hear Attorney General

(Futation on Page 1)

CORPUS CHRISTI, April 9—U. S. Attorney General Tom Clark last night laughed at talk about a coming depression, and praised President Truman's work in reshaping the nation's foreign policy.

Clark, feature speaker at a Jefferson-Jackson Day dinner attended by 600, said the Truman policy was designed to avert war and achieve permanent peace.

Clark blasted "singers of economic blues and the predictors of dire things." They were, he said, "in the same boat with the politicians."

Morrow Speaks

Among other speakers at the Democratic party fund-raising dinner was Wright Morrow of Houston, national Democratic committeeman from Texas, who warned against a paternalistic government.

Woodville Rogers of San Antonio, leader of the pro-Truman forces in Texas, chided the Democrats for their criticism of Clark on the tidelands issue.

"Doing His Duty."

Rogers had told the Democrats that Clark, as attorney general, was only doing his duty and the U. S. Supreme Court should decide who owns the rich offshore tidelands.

In his speech, the attorney general made no mention of the tidelands issue, or his stand for federal ownership of the rich offshore properties.

Texas party members paid $25 a plate for roast sirloin of beef and rich redfish, contributing $25,000 more to the Democratic cash register.

Clark was expected to arrive in Houston this morning.)
ATTY. GEN. TOM CLARK

The United States attorney general plans to stop briefly in Houston today on his return trip to Washington after addressing a Jefferson-Jackson Day dinner in Corpus Christi last night. He didn’t mention the tidelands controversy. (Other details on Page 3.)
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Liss Gandy:

May we please have 25 prints of the attached photograph of the Attorney General? Thank you.

3rdie J. Doyle
Est. 44

recorded - 121
April 18, 1949

Mr. Peter E. Brown
Special Assistant to the
Attorney General
United States Department of Justice
Washington, D. C.

Dear Peter:

I have received your note of April 12, 1949, and I want to thank you for sending me the newspaper article by John Crosson which you enclosed. It was indeed thoughtful of you to contact me in this connection.

With kindest personal regards,

Sincerely,

J. Edgar Hoover

WN:rlc
Honorable J. Edgar Hoover

Here is the column which I mentioned to you.

Kindest regards

Tom CLARK

62 + 72 = 4  4 APR 26 1949
CITY HALL

By JOHN CROSSON

It's a sore point with a number of touchy Tammany leaders that Mayor O'Dwyer, head of the Democratic party in New York City, has been invited to be a guest of honor at the Wigwam's $50-a-plate annual dinner May 2 at the Waldorf.

Not that the leaders object to showing with His Honor. They'd be happy to have him on the dais—even if his free plate cost the organization more than $50. What they're afraid of is that the banquet's invitation committee has stuck out Tammany's already bleeding chin for a fresh whack from belligerent Bill O'Dwyer.

"They've just given him another chance to take a smack at us," reported one of the displeased group. "You know darned well he'll ignore the bid, It gives him a fresh opportunity to show that he won't do anything to Tammany now."

Things were different back in '45 when O'Dwyer was a candidate for his present job. A speaker recalled. He continued:

"O'Dwyer wouldn't have received his Democratic indorsement then if it hadn't been for the Hall. Was Ed Flynn for O'Dwyer in '45? He wasn't, but he's the Bronx boss who's been getting most of the patronage since. Even Frank J. O'Dwyer's late leader of O'Dwyer's home borough of Brooklyn, was against Bill.

"But we went along like a pack of chumps—and now all we get is abuse. It's high time we stopped letting him use Tammany as a whipping boy. Let's let O'Dwyer learn that he can lose more votes than he can gain by following his present course toward us."

Representative Dean Pack Taylor of Troy is still under pressure from O'Dwyer to take over as GOP state chairman. It is reported that Dewey saw Taylor several times last week, but that Taylor was reluctant. If Taylor can't be persuaded, some observers expect Dewey to let the 62 county chairmen pick the successor to Glen Bedenich.

District Attorney Hogan, already assured of a Democratic indorsement for a third term, will get the Republican indorsement too, if Gov.-Dewey's wishes can swing it. It is believed the Liberal Party will go for Hogan. But the American Labor Party will be wasting its breath if it offers Hogan support. He wants no part of that Communist-steered group.

Though U.S. Attorney General Tom Clark has denied he will resign, local Democratic chiefs claim Clark's withdrawal is in the works. And that New York's Democratic State Chairman Paul E. Fitzpatrick will make every effort to get the Attorney Generalship for U.S. Attorney John F. X. McGlohey of New York's Southern District. McGlohey now is busy with the big job of prosecuting Moscow's top stooges in the U.S., and he would have to complete that trial before going to Washington. Fitzpatrick's claim to the job is based on the fact that New York has no representative in President Truman's Cabinet.

Hugo Rogers, who can't seem to get to first base with the Mayor on jobs, has been on safari to Washington and even Chicago is trying to dig up some patronage for his faltering flock.

Enclosure
Pursuant to your conversation with Special Agent William J. McNulty in New York last week, Mr. McNulty cancelled your train reservations for the evening of April 22, 1949.

Pursuant to your request, the tickets are being returned herewith.

Enclosure

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 4/27/49 BY 8F1749
New York, New York
April 22, 1949

Mr. L. B. Nichols:

In accordance with telephone conversation, the enclosed railroad tickets, also cancelled Pullman tickets, are to be turned over to the Attorney General.

William J. McNulty

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 6/23/47 BY SP-8879/20
Honorable Tom C. Clark  
The Attorney General  
Department of Justice  
Washington, D.C.

Dear Tom:

On March 15, 1949 Collector of Internal Revenue Joseph T. McDonald, Scranton, Pennsylvania, advised Special Agent George R. Tucker of our Philadelphia Office that he had learned from various persons at the Lackawanna County Court House in Scranton that one Edward Lavellie was exhibiting a personal letter which he had received from you. This letter referred to the fact that Lavellie had been in Washington at the time of the inauguration of President Harry S. Truman and on that occasion had danced with Mrs. Clark. That letter also extended the sympathies of your wife and you to Lavellie on the loss of his mother and invited him to be your personal guest in Washington at his convenience.

Mr. McDonald states that because of his high regard for you he thought possibly Lavellie's background should be made available for your information. He characterized Lavellie as "at least eccentric, if he is not a crack pot." He observed that some years ago Lavellie was indicted in Lackawanna County for assault and battery and fled from the area. While away he wrote a personal letter to the then District Attorney and now Orphans' Court Judge James Brady requesting that the charges against him be dropped. Brady wrote him a personal letter in his own handwriting on the District Attorney's stationery advising that he would pigeon-hole the indictment. On receiving that communication Lavellie returned to Scranton, photostated the letter and offered it to Attorney Edward Murphy, the Republican candidate for District Attorney against Brady. Attorney Murphy declined to stoop to Lavellie's level and refused to use that communication in his campaign.

Thereafter, Lavellie was employed as a clerk in the United States Internal Revenue Bureau at Scranton. While employed by the Government, according to Mr. McDonald, Lavellie...
was a constant trouble-maker and about 1947 his employment was terminated. For many months after being discharged he harassed the Collector of Internal Revenue with phone calls, letters and threats. He would follow McDonald and make himself obnoxious in public places, surveil his home, and generally cause great mental anguish to McDonald and his family, particularly Mrs. McDonald who was pregnant at the time. As a result Mr. McDonald had Lavelle arrested and confined to the Lackawanna County Jail for a short period of time.

Mr. McDonald stated that Lavelle presently resides at 376 Main Street, Archbald, Pennsylvania, and is unemployed. McDonald is afraid that Lavelle will become a constant source of annoyance to you and should you desire further information concerning Lavelle's character you may wish to contact United States District Court Judge John W. Murphy, Scranton, Pennsylvania and United States Senator Francis Myers of Philadelphia, Pennsylvania.

Sincerely yours,

Note: A check of our files fails to reflect any identifiable information concerning Lavelle.

WN: rms

Mr. Toleman
Mr. Clegg
Mr. Oslin
Mr. Land
Mr. Noble
Mr. Reen
Mr. Tracy
Mr. Keal
Mr. Curtis
Mr. Harbo
Mr. Mohr
Mr. Pottington
Mr. Quinn Tanm
Mail, Rose
Mr. Nease
Mrs. Doody
Office Memorandum  •  UNITED STATES GOVERNMENT

TO : Director, FBI
FROM : SAC, Philadelphia
SUBJECT: EDWARD LAVELLE

DATE: March 21, 1949

On March 15, 1949, Collector of Internal Revenue JOSEPH T. McDONALD, Scranton, Pennsylvania, advised Special Agent GEORGE R. TUCKER that he had learned from various persons at the Lackawanna County Court House, Scranton, Pa., that EDWARD LAVELLE was exhibiting a personal letter which he received from Attorney General TOM CLARK. This letter referred to the fact that LAVELLE had been in Washington at the time of the inauguration of President HARRY S. TRUMAN and had on that occasion danced with Mrs. CLARK. The letter extended the sympathies of the CLARKS to LAVELLE on the loss of his mother and invited him to be their personal guest in Washington at his convenience.

Mr. McDONALD stated that because of his high regard for the Attorney General, he thought possibly LAVELLE'S background should be brought to the attention of the Attorney General.

He stated that LAVELLE is considered to be at least eccentric, if he is not a crack pot. Some years ago LAVELLE was indicted in Lackawanna County for assault and battery and fled from the area. While he was away, he wrote a personal letter to the then District Attorney and now Orphans' Court Judge JAMES BRADY, requesting that the charges against him be dropped. Thereafter, BRADY wrote him a personal letter in his own handwriting on the District Attorney's stationery advising him that he would pigeon-hole the indictment. Thereafter, LAVELLE returned to Scranton, photostated the letter, and offered the letter to Attorney EDWARD MURPHY, Republican candidate against BRADY for District Attorney. McDONALD stated that Attorney MURPHY declined to stoop to LAVELLE'S level and refused to use the letter.

Thereafter, LAVELLE was employed as a clerk in the U. S. Internal Revenue Bureau at Scranton, Pa. At the time of his employment, he exhibited a letter of recommendation from WILLIAM LYNBET (now deceased) of the "Scranton Times." While employed by the Government, he was a constant trouble-maker and, about 1947, his employment was terminated. For many months after the termination of his employment, he harrassed the Collector of Internal Revenue.
McDONALD, with telephone calls, letters and threats, claiming that
McDONALD had stolen his letter from WILLIAM LYNETT. During this
period of time, LAVELLE would follow McDONALD and make himself ob-
noxious in public places, surveil his home, and generally cause
great mental anguish to McDONALD and his family, and particularly
to Mrs. McDONALD who was pregnant at that time. Finally, Mr. McDONALD
had LAVELLE arrested and confined to the Lackawanna County Jail for
a short period of time.

Mr. McDONALD stated that LAVELLE presently resides at 378 Main
Street, Archbald, Pa., and is presently unemployed. Mr. McDONALD
pointed out that it is because he is afraid that LAVELLE will become
a constant source of annoyance to the Attorney General that he is
furnishing this information. He stated that the following reput-
able individuals know the type of person LAVELLE is: U. S. District
Court Judge JOHN W. MURPHY, Scranton, Pa., and United States Senator
FRANCIS MYERS, Philadelphia, Pa.

The above information is being transmitted to the Bureau for
whatever action is deemed advisable.
Reference is made to your recent communication advising that Special Agent George R. Tucker had been given information by Collector of Internal Revenue Joseph T. McDonald concerning captioned individual who had a personal letter from Attorney General Tom C. Clark. The background information with reference to Lavelle has been furnished to Mr. Clark and by letter of April 1 he expressed his appreciation for this data and asked that his thanks be forwarded to Special Agent Tucker and to Mr. McDonald for their thoughtfulness in making such data available to him. Please advise Special Agent Tucker that Attorney General Clark appreciates receiving that information and also convey his thanks to Mr. McDonald.
April 1, 1949

Dear Edgar:

Thank you so much for your letter of March 30th, relative to Edward Lavelle.

This man introduced himself to me at the Inaugural Ball. He had come up to Mrs. Clark on the dance floor at the Ball and asked her for a dance, saying he had met her. She thought he was one of the many I had presented to her, but when I came up Mr. Lavelle flushed and apologized. There was no dancing.

He is obviously a peculiar character, as I have received several letters from him since, which are becoming something of a nuisance. Today he approached me at the Kronheim induction ceremonies, again introducing himself. I did not place him but upon finding out his identity was able to "shake him off".

Please thank the agent and Mr. McDonald for the information furnished concerning Lavelle. I greatly appreciate knowing of his background.

With kind wishes,

Sincerely,

12 APR 1949

Attorney General

Hon. J. Edgar Hoover
Director
Federal Bureau of Investigation
New York, New York  
April 29, 1949

Mr. Hoover:

As you know there was recent publicity to the effect that the Attorney General was going to leave the Cabinet effective July 1, 1949. This publicity was followed several days later by a statement from the Attorney General that he did not contemplate leaving the Cabinet.

The column of John Crosson in the New York "Daily News" dated Sunday, April 10, 1949, a copy of which is attached hereto, pursued the line that the Attorney General was going to resign and that United States Attorney John F. X. McGohey would replace him.

Agents of this office who are working with the United States Attorney on the trial of the Communist Party leaders have heard that Mr. McGohey was very much disturbed over Crosson's article, and immediately upon being advised of it on the Sunday the article appeared, attempted to reach the Attorney General, and upon his failure to do so, he forwarded a letter to the Attorney General enclosing the article and disclaiming any knowledge whatsoever of a move to appoint him to this position. It is understood that Mr. McGohey further stated in his letter that he was entirely...
out of sympathy with the tone of Crosson's article, and that he had in no way been consulted relative to the article or the proposed action. It is understood that Mr. McGohey was doubly disturbed in view of the fact that the Attorney General had publicly denied any plan to leave his position.

EDWARD SCHEIDT
Moscow, April 9 (U.P.).—An atomic expert and a cosmic-ray researcher stood high on the list of 191 Russian scientists who shared in this year's $3,000,000 Stalin Prize. It was announced that a 200,000 ruble ($40,000) first prize went to Georgi Flerov and Lyutshov "for experimental searches in the sphere of atomic nucleus." Another top award was won by Moscow University Prof. Ser. ...
It's a nose dive with a number of noisy Tammany leaders that Mayor O'Dwyer, head of the Democratic party in New York City, has been invited to be a guest of honor at the Wife's of a battle annual dinner May 2 at the Waldorf.

Not that the leaders object to the Mayor's presence, they're too happy to have him on the dais—even if his feet plates the organization more than $50. What they're afraid of is that the banquet's invitation committee has stuck to Tammany already bleeding thin for a fresh suck from the bosom of O'Dwyer.

"Mostly a fine given him another chance to take a look at the upset crowd," one aside-guest whispered. "You know how well he'll beRefreshed after the job. If given his a fresh opportunity to show that he wants something to do with Tammany now.

Things were different back in...' when O'Dwyer was a candidate for his seat, the speaker recalled. "He denied.

"O'Dwyer wouldn't have received his Democratic endorsement if he hadn't been for the bill. It was Ed Flynn for O'Dwyer in '67. He wasn't. But it hasn't been getting most of the national graft. Even Frank J. Kelly, the leader of O'Dwyer's group of Democrats in the Senate, was against it.

"But we went along like a pack of chumps—just now we see to it. He's big time now. We started letting him use Tammany as a whipping boy. Let's let O'Dwyer learn that he can lose more votes than he can gain by following his present course toward us."

Representative David Hays, Taylor of Troy is still under pressure from O'Dwyer to take over as GOP state chairman. It is reported that Dwyer will challenge Hays for the post, but that Taylor was not consulted. If Taylor isn't revived, some observers expect Hays to be nominated chairman pick the successor to John H. A. Perkin, who is retiring.

District Attorney Hickey, already prepared with a Democratic ticket in mind, will resist all efforts to get Attorney General Clark to take over as GOP state chairman. It is reported that New York's Democratic State Chairman Paul F. Fitzpatrick will make every effort to get the Attorney Generalship for New York's Solicitor General.

McKee and the other big shots would prefer that Hickey stick around. Hickey is not busy with the big job in prospect because he has the backing of the Legislature. The fact that New York has no representative in President Truman's Cabinet.

Hugo Rogers, who isn't used to get his feet out of Washington and never Chicago is trying to dig up some patronage for his Tattinger store.

Hugo Explodes Dirk Need of Jobs.

While the Republican-leaning Tammany leader continued the Democratic National Committee, visited Attorney General Clark and called a meeting Monday, expressing his organization's interest in the job. He asked a number of prominent business men if they were interested in the job. He asked a number of prominent business men if they would be interested in the job. He asked a number of prominent business men if they would be interested in the job.

As might have been expected, this combination quickly drifted into a session of mutual complaints. Attorney General Clark has been able to swing every federal job either, he's still deep in the deepness of his pre-election pains at President Truman's request. Rogers' appeal to Washington, of course, went this year to the President's Office, where offices Washington and never Chicago is trying to dig up some patronage for his Tattinger store.

Thousands of young workers in the Brown's Benefit Association were deeply disappointed with the Bureau when they were denied a referendum on the issue of making all or part of their permanent salary. Mr. Chapman called the Bureau on Sunday to the Waldorf-Astoria for dinner in the press room, which was rented by the Tammany headquarters.

A few days later, however, they have been surprised Hugo's way in the past by Fitzpatrick, who dislikes the reformer Tammany leader city slightly less than does O'Dwyer.

All possible Democratic candidates for governor and lieutenant governor of New York in 1950 will be on hand April 21 when the Democratic State Committee hears the 50th-anniversary dinner at the Waldorf-Astoria in honor of Vice President Alben W. Barkley.

The idea of the state conventions that Senator from New York is the Senate who should get a look at the gubernatorial candidates. Those who will be interested in the state who will be including the following: James A. Farley, Mayor O'Dwyer, Oscar H. Rivington, Mayor Reiley—Brooklyn Borough President John O'Keeffe and Mayor Marcus O'Bryan. Invitations are that the tickets will be the biggest in the convention history.
OFFICE OF DIRECTOR, FEDERAL BUREAU OF INVESTIGATION

TO

OFFICIAL INDICATED BELOW BY CHECK MARK

Mr. Tolson
Mr. Clegg
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Gurnea
Mr. Harbo
Mr. Mohr
Mr. Nease
Miss Gandy

See Me
Note and Return
For Your Recommendation
What are the facts?

Remarks:

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 6/13/83 BY SE-88 7120
TO: The Attorney General
FROM: Director, FBI
SUBJECT: Tom Clark

DATE: April 22, 1949

I am enclosing a copy of a communication from Mr. William G. Brady, Jr., Chairman of the Board, The National City Bank of New York, New York, New York, dated April 18, 1949, as I thought Mr. Brady’s most commendatory remarks might be of some interest to you.

Enclosure

KEEP IN F.B.I. FILES
5/4/49 6875.
From THE ATTORNEY GENERAL to Official indicated below by check mark

| Solicitor General | Assistant to the Attorney General | Executive Assistant to the Attorney General | Assistant Attorney General, Anti-Trust | Assistant Attorney General, Tax | Assistant Attorney General, Claims | Alien Enemy Control Section | Alien Property Section | Assistant Attorney General, Lands | Assistant Attorney General, Criminal | Assistant Solicitor General | Director, FBI | Director of Prisons | Director, Office of Alien Property | Commissioner, Immigration and Naturalization | Liaison Officer, Immigration and Naturalization | Administrative Assistant | Division of Accounts | Division of Communications and Records | Division of Supplies | Pardon Attorney | Parole Board | Board of Immigration Appeals | Librarian | Director of Public Information |
|-----------------|----------------------------------|-------------------------------------------|----------------------------------|----------------------------------|----------------------------------|---------------------------------|-------------------------------|--------------------------------|--------------------------------|-------------------------------|-----------------|----------------|--------------------------|--------------------------------|--------------------------------|------------------------|--------------------------|--------------------------------|--------------------------------|--------------------------------|-----------------|------------------|---------------------------|

Mr. Brown
Col. Naramore
Mr. Hyatt
Mr. Coblenz
Miss O'Donnell
Miss Healy
Mrs. Kroll
Miss Adams
Miss Doyle
Mrs. Willey
Mrs. Burke
Mrs. Kelly

MEMORANDUM

| Mr. Tolson |
| Mr. Clegg |
| Mr. Glavin |
| Mr. Ladd |
| Mr. Nielson |
| Mr. Essex |
| Mr. Tracy |
| Mr. Dunn |
| Mr. Gurica |
| Mr. Harbo |
| Mr. Hohr |
| Mr. Peckington |
| Mr. Quinn Tamp |
| Mr. Nance |
| Miss Cundy |

The notation on the attached reads:

"Very fine Edgar - The boys did a great job, as usual."
AN ADDRESS

BY

TOM C. CLARK

Attorney General of the United States

Prepared for Delivery

Before

YMCA - YMCA Banquet

Skirvin Tower Hotel

Oklahoma City, Oklahoma

Thursday, May 5, 1949

6:30 P. M.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED.

DATE 6/3/49 BY 6-20-49.

L.R. 7
To be in Oklahoma is almost as good as to be in Texas. In fact, Oklahoma -- geographically -- is almost in Texas.

For his part in making it possible for me to be here I thank Senator Bob Kerr, whose smile and handclasp are as contagious as good cheer.

You in Oklahoma have gotten the habit of placing in high office people of integrity, capacity and dependability. Your great Governor, Roy Turner, and Bob Kerr, and Elmer Thomas, your senior United States Senator, are examples of the wisdom of your people.

It is always a treat to speak in behalf of Young America -- especially when it concerns a project so important and timely as that of building America's future.

Oklahoma has contributed much to that building since its entry, in 1907, into the Union of States.

Your State and my State of Texas have much in common. We are both blessed with rich and diversified resources -- agricultural, mineral and industrial.

However, our most precious asset is the youth of our respective communities. For without our children our wealth would dissipate like snow before the sun. Our country would soon crumble like the Empires that made gold and power their God.

This gathering here tonight of leading citizens -- men and women workers in the Young Men's and Young Women's Christian Associations -- volunteer recruits in God's work -- is striking evidence that Oklahoma City intends to and shall protect and develop this blessed resource.

And, what is even more important, you realize the responsibility of good citizenship. We can't make the world a world of freedom for all mankind -- a
world of justice and opportunity for all -- unless we in America have made our own country strong and secure.

We must have the assurance that youngsters now growing into maturity, and the oncoming generations, will have a safe and secure nation in which to live, just as our parents and grandparents found and left for us.

The thought of what you are trying to do here in this fund-raising campaign is heart warming. It is an encouraging sign, and I hope your accomplishments will echo and re-echo throughout the country -- from the smallest hamlet to the largest city in this land of ours. I know how badly is needed the additional $1,250,000 which you have set as your goal. You will surpass even that high ambition. I appreciate fully how vitally necessary are the homes and recreational centers you plan to construct in these modern days and scientific times. In this fast-moving universe, we must train our children to be ready to take hold of the reins in the tomorrow.

As your Attorney General I am sorry to have to tell you that the present picture of crime in the United States is far from good. In fact, I would say it is shocking -- particularly so in regard to the percentage of juveniles involved in law-breaking. As you know, youths running afoul of the Federal law are placed by the judges in the care of the Attorney General.

In a recent FBI report by Director J. Edgar Hoover it is estimated that in 1948 the total number of major crimes reached 1,686,670. This was an increase of 1.3 percent over the 1947 crime statistics.

The arrests numbered 759,698, the highest figure ever recorded in one year. Among these were 115,940 males and females under 21 years of age, or more than 15 percent of the total.

Last year a serious crime was committed, on the average, every 18.7 seconds. At this rate, during my brief talk here about 50 crimes will have
been committed in scattered sections of the country by youths.

In 1948, on the average, 36 persons were murdered each passing day, 255 persons were victims of assault or rape, there were 150 robberies, 436 automobiles were stolen, 1,032 places were burglarized, and in addition there were 2,672 miscellaneous larcenies.

When I assumed my present post in 1945, I visited our National Training School for Boys in Washington. There I found over 600 lads, wards of mine as Attorney General, ranging in age from 12 to 19 years -- all fine-looking fellows. How did they get there? Most of them came from broken homes, slums, underprivileged parents, bad communities, and criminally-crazed gangs. The vast majority of them had started out in life with two strikes against them.

Today, it is comforting to note, there are less than 250 in that institution. This is attributed by those working in this field to the fact that the local communities are awakened to the deplorable situation and are creating wholesome opportunities for growing youth.

On that visit to the Training School, I talked to the boys. One young fellow told me he was to be given parole. He pleaded, "Don't send me back home."

Surprised, I asked, "Why?"

His reply was astounding. He said that his mother ran a house of ill repute and had used him as a chamber maid.

What chance had a boy like that?

I placed him with a service club in another community, and he is making good.
Yes, you would meet all types of youngsters there—and girls, too, at our institution in West Virginia.

In a case at the latter institution, the girl's home life was a fertile field in which the seed of human wreckage could flourish. It represented a sordid travesty on the type of a home that produces healthy, normal children.

The home had been broken by divorce. The mother had remarried, but the stepfather was so disagreeable to the child that the problem was aggravated rather than cured. The result: a social outcast at 16; a bank robber at 17; and a sentence of 10 years in Federal prison.

Needless to say, she was not a member of the Y. W. C. A.

If every citizen could go through one of these institutions, he would become a crusader for youth opportunity—just as you are doing here. You recognize the needs of the time, and you are doing the job to meet those needs.

Now, what do you think it costs to maintain one juvenile offender in one of our training schools? It costs $1,000 a year to keep one boy there. And the statistics on reformation show that about 52 percent of first-time juvenile offenders return to the penitentiary in their adult years.

Two-time teen-age offenders return to prison in later years, in 61 percent of the cases. And 72 percent of the three-time offenders land in prison in later life. Remember, it costs a 'thousand dollars a year to keep a boy or a girl for a year in an institution.

Here in this big city of approximately 300,000, there are about 40,000 children ranging in age from 8 to 20. It doesn't take a wizard like Einstein to figure out that your goal of $1,250,000, divided among all the children of this area, amounts to only $30.00 per child—merely a pittance to invest
in our youth and in future mothers and fathers of America.

Then divide that $30.00 by 20 years, the likely life of the buildings, and the investment is only $1.50 per child.

All we need in the fight on delinquency is an expansion of youth opportunity.

Attempting to lead youths into rich and purposeful living after they are delinquents is not an easy task. It is not only difficult, but more costly and, most of the time, too late.

If every community strengthened the traditional institutions of American life — the home, the church, the school, and related activities: A YMCA — a YWCA — some boys or girls clubs — summer camps — medical clinics — then there would be few juvenile problems.

Our trouble is ourselves. We are too busy with our own affairs, particularly accumulating money.

It was Socrates who said: "What mean ye, fellow citizens, that ye turn every stone to scrape wealth together, and take so little care of your children, to whom ye must one day relinquish all."

That was many centuries ago, and still we are faced with the same problem — the neglect of parents — of communities.

Congratulations to Oklahoma City and the patriotic citizens who are making these splendid buildings possible. Under the new plans they will be most serviceable.

It is fitting and proper that this service be founded on religion. Bring up our children to be religious and they will translate that faith into the words of the Four Freedoms. They will conceive a United Nations — an Atlantic Charter — yes, they will break a blockade.
I am sure Senator Kerr and Governor Turner will agree with me that no legislation is necessary to bring out the spiritual and idealistic qualities in Americans. You cannot legislate morals. But institutions like the "Y" can instill it in the very bones of children.

We can well be proud of our American youth. Only the smallest fraction of the millions of youngsters have fallen from the path of honesty and righteousness. Ours is the opportunity to see that this small fraction is wiped out.

I am happy to say that your program is both a preventative and a cure for such deficiencies. All youth asks of us is our affection, our guidance, and, in our modern, complicated and fast-moving civilization, the meeting of the basic necessity for healthy living, wholesome recreation, good association and surroundings. These cardinal needs of youth will be met in the "Y's" of Oklahoma City.

Let us all put our shoulders to the wheel, and on Victory Day, May 23, we can join together in singing that famed Oklahoma song:

"Oh What A Beautiful Morning!
Oh What A Beautiful Day!"
AN ADDRESS

By

TOM C. CLARK

Attorney General of the United States

Prepared for Delivery

Before the

PRESBYTERIAN SOCIAL UNION

Southern Hotel

Baltimore, Maryland

Wednesday, May 4, 1949

7:00 P. M.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 7/13/83 BY 1S-8 875400
I am, indeed, happy to be with you tonight. That pleasure is increased because your invitation came from Dr. Earle Hawkins — one who has fought the paralyzing of religion in human affairs and governmental relationships, and thereby is contributing much to the future of his country and the good of his fellow men.

It has given me genuine satisfaction to be associated with him for several years. He has taught me the application of the Einstein Theory — not of relativity, but of success in life. If A is success in life, then the formula, according to Dr. Hawkins, is: A equals X plus Y plus Z. X is work, Y is play, and Z is keeping your mouth shut. I don't have enough Z.

It is heart warming to talk before this Presbyterian Social Union — a body of clergymen and laymen dedicated to the promotion of a better acquaintance among the Presbyterian men of Maryland and to the development of a strong Christian fellowship among the churches. Your achievement in this noble work is a cause for gratitude and rejoicing. The world could use more of such friendship among men and churches.

Your first President, Dr. Daniel C. Gilman, who was a leader in spiritual understanding and academic education, was also the first head of Johns Hopkins University. It has been my good fortune to be one of the thousands of beneficiaries of that venerable institution. From Dr. Gilman's time to the present, your record of sixty years has been notable and impressive. At all times you have unceasingly stressed the verities of life.

Not many years ago, Woodrow Wilson — a devout Presbyterian and an illustrious President of the United States — addressed your group. He then hoped for a day when wars would be no more and the world would be safe for
democracy. He realized that humanity is indivisible and that we are all brothers under God. This humanitarian leader emphasized again and again the brotherhood of man — a cardinal principle basic to the peace and happiness of our own people and to that of peoples all over the globe.

In the history of civilization, first one nation and then another has risen above its contemporaries to leadership in the world. The Assyrian, the Babylonian, the Ancient Greek, the Roman, and others rose to power only to decay and then be superseded by a new and stronger force.

The clock of history winds up tight in periods of world crisis, then it unwinds more slowly — and finally runs down between times. Today we are at the highest tension before alarm. We seek to prevent it from sounding.

As we study the nations of the past, we find that each bore the torch of civilization along some peculiar path of its own and contributed to the world's culture and learning. Each had its ideal of power and its separate notion of progress. But each was directed by a central authority which was sustained only by armed force. Depending for security only on military might, each was ultimately overthrown by a stronger military power.

How different with the United States of America!

Our Nation was founded on religion — not on lust for power.

Our people recognize that the true source of our strength is faith — faith in God, and faith in the future.

Faith in God is the basis of religion; faith in order is the basis of science; faith in each other is the basis of brotherhood. Without these faiths there can be no warless world — the crying need of today's people.

When our Founding Fathers drafted the Constitution, our basic document of human rights, they recognized in a democracy the possibilities of greatness
in ordinary people. To prosper, history teaches us, a State must be built on moral and religious character. The depth of this foundation will be the measure of its strength, and the only guaranty of its prosperity, permanence and peace.

These forefathers knew that it was not the number of texts you read, not the sermons you hear, nor the amount of religious conversation you participate in; but it is the earnestness in which you accept the truth of religion and make it a part of your being — of your moral code — that ensures your growth, and the prosperous growth of the Nation.

They therefore rejected the old theory of government by force.

Unerringly they reached the conclusion that the inalienable rights of man are rooted, not in the State, not in a legislature, not in a majority, not in a dictator, nor other human power. The framers of our Constitution were convinced that these rights stemmed from Almighty God.

And thus the American system has its roots of liberty and opportunity in something deep and permanent. The divine rights of man were indelibly recorded in our sacred documents. They became not merely a concept of government, but the foundation upon which our government was established and upon which it rests. These rights are as inseparable from our democracy as is the heart of man from his body.

We have not separated, and we cannot separate religious principles from our form of government. And we must never neglect their practice.

The words and the spirit of the Holy Scriptures breathe through every document that has helped to make our Nation great.

Our Nation has always turned to those who draw their strength from religion — from their belief in the God of all the people.
A study of the early laws of New England reveals how closely the pioneers followed basic beliefs. The Ten Commandments became the cornerstone of their jurisprudence. The Book of Psalms became their book of hymns.

With us, religion and democracy are synonymous. Without the application of spiritual ideals to democracy there would be no democracy. It just could not endure. Now, more than any time in our Nation's history, we need to continue in the faith of our fathers.

Religion and prayer must find more, and still more place in the arena of public affairs. In the words of the late Reverend Peter Marshall, Chaplain of the United States Senate, who was a member of the Attorney General's Advisory Committee on Citizenship: "There should be no politics in prayer, but lots of prayer in politics."

Bring up a people to be religious and their statesmen will translate that faith into the words of the Four Freedoms. They will conceive an Atlantic Charter. They will create a United Nations Organization. They will work, as our great American leaders are doing, patiently and tirelessly, to bring about enduring peace for peoples everywhere.

Religion is not something for Sunday observance -- for one day a week only -- or something to be used for special occasions. It is the whole of life -- with Truth in it and with God in it -- every day, every hour, every moment. It must be applied to every part of human existence -- to local affairs, to national, to world affairs.

The civilized world recognizes that the outcomes of the recent world wars have catapulted this Nation into a new and challenging position. The United States is now not only one of the leading world powers, but actually the foremost for the restoration of peace and economic security.
In these crucial days of world history, it is imperative that American institutions, particularly the church and the school, produce an ever-replenishing stream of conscientious, intelligent, and capable leadership—a leadership that is conscious of our traditions and well schooled in national affairs. Even more important today, we need a people thoroughly grounded in the affairs and problems of the world, and alert to our world responsibilities.

It is particularly essential that each of us know the history of our country and its basic institutions. Today more than any time in our Nation’s existence, every citizen should have an understanding of our democracy and its way of life. Our first effective defense against destructive ideologies is an inventory of the valuables we have in our house—then we will know these possessions are worth defending.

We should not only emphasize the teaching of history in American schools and colleges, but also should insist that the teachers infuse into the lessons its excitement, its romance, and its drama. Far too much of this gripping story is gathering dust on library shelves.

In the study of national and world history we readily recognize the need for friendly relationship, not only to fellow Americans, but to all mankind.

Every day it dawns on us, more and more, that the world is a single neighborhood. Distance is no longer a barrier between people. Time and space have been dwarfed by science.

I drove to this meeting tonight in less than a hour. By flying I could have done it in less than ten minutes. Yet, in the beginning of our Republic a Presidential party enroute to the Capital became lost in the forest between Baltimore and Washington.
In these crucial days of world history, it is imperative that American institutions, particularly the church and the school, produce an ever-replenishing stream of conscientious, intelligent, and capable leadership—a leadership that is conscious of our traditions and well schooled in national affairs. Even more important today, we need a people thoroughly grounded in the affairs and problems of the world, and alert to our world responsibilities.

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Yes, today the lives of our liberty-loving people are entwined with those of peoples all over the globe. Anything that affects their welfare sooner or later affects our general welfare. Two terrible world wars in one generation taught us that unforgettable lesson.

It is not only important to know peoples of other lands, but it is of greater importance to know how to work with them. You may own a priceless patent, but unless you have the "know how" the patent is worthless. Knowing peoples and how to work well with them helps to bring about understanding and cooperation among nations. And an indispensable instrument to bring about such necessary understanding is the United Nations.

The Charter of the United Nations sets forth its fundamental purpose in these words:

"To achieve international cooperation in solving international problems of an economic, social, cultural, or humanitarian character, and in promoting and encouraging respect for human rights and for fundamental freedoms for all without distinction as to race, sex, language, or religion."

This is a statement of a noble mission. But we know all too well that this noble purpose of the Charter can become a living reality when, and only when, the leaders and their peoples everywhere clearly understand its purpose and what its fulfilment will mean to an anxious war-weary world.

I feel sure that the vast majority of the people in all countries share our own hatred of war. We want a lasting peace, contentment and security for our children and our children's children. This is also their great yearning.
Here in the United States we have the convincing and inspiring example of how people of every race and creed can live and work together in harmony.

We are a people from all the countries of the world — originating from over 120 nationalities. We have been fused into one nation by our common faith in the principles upon which this country was founded. The great truth of people living together has been thoroughly tested in the laboratory of America.

Here we have the Irish, the British, the French, the Germans, the Russians, and the Poles. We have the Czechs, the Bulgars, the Greeks, and the Italians. We have the Turks, the Scandinavians, the Belgians, and the Spaniards. We have Negroes, Orientals, and others from all parts of the globe. All live side by side and in perfect peace. Thousands of words — volume after volume — could be written to substantiate this. But all one needs to see how democracy functions is to go to a baseball game in Washington.

Yes, if all these live together in one country, why can't all nationalities live together in one world? And there is where education must play its determining part in world affairs, as it played it in the building of our Nation from the days of Hopkins — the Mark Hopkins who envisioned the school of tomorrow as he sat on one end of a log with a knowledge-hungry youth on the other end, and only the heavens as a roof for their improvised school.

I believe the time is nearing, if it has not already arrived, when there should be established a world university to which would come outstanding students of all the countries, to be educated in an atmosphere of truth and freedom.
I often surmise what would be the effect on future generations if enlightened men and women, upon returning home from such a university, would assume active public roles. Who knows what untold good for the world would result!

It may be that the world needs to share a set of enduring principles, just as simple and as truthful as those upon which our own glorious country was founded. Well could the world presently use the close association through which comes understanding of one another.

As we seek the idealistic goal of universal peace and brotherhood, we must remain active and vigilant in defense of our heritage. So long as there is even one nation on the rampage, led by evil men who recognize nothing but brute force, our country must keep strong — yes, safely fortified.

We must never forget the example of our pioneer fathers. They went to worship with the Bible in one hand and a rifle in the other! Without the rifle, there might have been no pioneer! And without the pioneer, no nation!

But democracy cannot build itself on military might alone, and we do not intend to do so. Its noble role must be established on the broad basis of world friendship — achieved through intellectual and spiritual understanding.

May we all toil together to acquire such a happy state and to dispel ignorance and fear — hate and bigotry.

Achievement and faith have built us into the strongest peace-loving nation of all time, guided by courageous leaders of the past, and today by President Harry S. Truman, who lives, works and prays for peace.

United as a people, and trusting in the strength that comes from faith in God and faith in each other, let us join in this prayer:
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United as a people, and trusting in the strength that comes from faith in God and faith in each other, let us join in this prayer:
"Lord, make us an instrument of Thy peace; where there is hatred, let us sow love; where there is doubt, faith; where there is despair, hope; where there is darkness, light; and where there is sadness, joy. Grant that we may not so much seek to be consoled as to console; to be understood, as to understand; to be loved, as to love; for it is in giving that we receive, it is in pardoning that we are pardoned, and it is in dying that we are born to eternal life."

With Divine help, we will continue to travel the Upper Highway toward the goal of Peace and Happiness for all mankind — for that is the Road our Nation has chosen.
Honorable J. Edgar Hoover --

Here is the column which I mentioned to you.

Kindest regards,

Peter

(Peter Brown)
SAVE A CHILD FOUNDATION
INFORMATION CONCERNING

Reference is made to the telephonic request of Mrs. Katherine G. Tubridy of your office, on May 12, 1949, for any information available concerning the captioned organization.

The files of this Bureau contain no reference to the "Save a Child Foundation".
OFFICE OF DIRECTOR
FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

May 12, 1949

Mrs. Tubridy in the Attorney General's Office called to state that Mrs. Stewart had asked her to call to have the Bureau check to see if we had anything on "Save A Child Foundation." She said she believed the address was 113 West 4th Street, New York City.

TOM CLARK

mrm

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE: 6-12-49.

RECORDED - 116
INDEXED -
Office Memorandum

TO: MR. H. B. FLETCHER
FROM: MR. J. E. MILNES
DATE: May 16, 1949
TIME OF CALL: 8:37 P.M.
SUBJECT: TRAVEL OF THE ATTORNEY GENERAL

Night Supervisor Albert G. McGrath of the New York Division called. He said that the Attorney General departed from NYC on American Airlines Flight No. 11 at 8:35 EDST and was scheduled to arrive in Washington, D.C. at 11:15 EDST. He desired to be met by his car.

I immediately advised Miss Alice O'Donnell of the Attorney General's Office concerning this. I also advised Mr. Nichols while talking to him later.
FBI OKLAHOMA CITY 5-6-49 8-40 AM CST

DIRECTOR .......... U R G E N T

ATTENTION. MR. NICHOLS

RE ATTORNEY GENERAL TOM CLARK. REMYTEL MAY FIVE LAST, WHICH ERRONEOUSLY STATED MR. CLARK WOULD ARRIVE WASHINGTON, D. C., APRIL SIXTH. MR. CLARK REQUESTED HIS AUTOMOBILE MEET HIM AT FIRE STATION, NATIONAL AIRPORT, WASHINGTON, D. C., BETWEEN THREE AND THREE THIRTY PM MAY SIXTH, FORTY NINE.

BRYCE

END

10-44 AM OK FBI WA MMV

RECORDED 129 6-2-72444-349

12 MAY 10 1949

EX-9

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
RE-ATTORNEY GENERAL TOM CLARK. MR. CLARK REQUESTED THAT HIS SECRETARY MRS. GRACE STEWART BE NOTIFIED TO HAVE HIS AUTOMOBILE MEET HIM AT THE FIRE STATION AT NATIONAL AIRPORT WASHINGTON D. C. BETWEEN THREE AND THREE THIRTY PM APRIL SIX, FORTY-NINE. MR. CLARK WILL NOT GO TO DALLAS BUT WILL RETURN TO WASHINGTON FROM OKLA. CITY.

BRYCE

END ACK

8-56PM OK FBI WASH DC SKR

All information contained herein is unclassified.
TO: Director, FBI

FROM: SAC, Indianapolis

SUBJECT: ATTORNEY GENERAL TOM C. CLARK
Speaking Engagement, South Bend, Indiana 5-13-49

I have just been advised that the Honorable TOM C. CLARK, Attorney General, will speak at a banquet at South Bend, Indiana on Friday, May 13, 1949 at 6:30 PM. I would appreciate being advised if there is any action I should take concerning this.

HGF/hmr

RECORDED - 135

COMMUNICATIONS SECTION
MAIL 4
MAY 9, 1949 P.M.

FBI
23 MAY 17 1949

EX.19

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 6-12-83 BY SP-8 87565
Office Memorandum • UNITED STATES GOVERNMENT

TO : H. B. FLETHER
FROM : J. E. MILNES

SUBJECT: TRAVEL OF THE ATTORNEY GENERAL

DATE: June 4, 1949

Special Agent E. J. Neafsey of the Chicago Division called. He said that the Attorney General and his party departed from Chicago at 7:30 PM CDST and were scheduled to arrive in Washington about 11 PM EDT. He said that Peyton Ford asked that Mr. Ray Whearty be advised not to wait at the office for them, but that Mr. Ford would call Mr. Whearty when he arrived.

Pursuant to my conversation early in the evening with Mr. McGuire I advised Dean Schedler of the Department of the arrival time and also informed Mr. Whearty of Mr. Ford's message. I also informed Miss O'Donnell of the Attorney General's secretary of the arrival time.

At 9:25 PM, a Sgt. Bury called from the Airport and said that the plane carrying the Attorney General and his party was scheduled to arrive at the National Airport at 10:30 PM. I immediately advised Miss O'Donnell of the foregoing and when I finally reached Mr. Schedler at 9:45 PM I informed him.
FBI JUSTICE

NOTIFY IMMEDIATELY ATTORNEY GENERALS OFFICE THAT ATTORNEY GENERAL CLARK EXPECTED TO ARRIVE VIA PRIVATE AIRPLANE AT FIRE STATION, NATIONAL AIRPORT, WASHINGTON DC 330PM EDST THIS DATE

RICHARDSON

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 6/13/83 BY MA-8 RTAND RECORDED 142 12 JUN 3 1949

330PM EDST.
TO:        MR. H. B. FLETCHER
FROM:      E. H. Mossburg
SUBJECT: ARRIVAL OF ATTORNEY GENERAL

At 9:10 P.M. Special Agent R. L. Walters of the Chicago Office advised me that United Airlines, Chicago, Illinois, had informed the Chicago Office that the Attorney General had departed Chicago via Flight 612 at 6:00 P.M. Standard Time, which was expected to arrive in Washington, D.C. at 9:45 P.M. Standard Time. Special Agent Walters stated further that the Chicago Office had not been advised that the Attorney General had been in that area.

I immediately contacted Assistant Director L. B. Nichols and informed him of the above. He advised that he had already secured this information and that it was taken care of.

cc: Mr. L. B. Nichols

RECORDED 62-72141 - 357

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 6/13/63 BY SP 832 O.C.
informed me confidentially that Jack Frye, who was very close to the Attorney General and who has been put on the Board of a number of companies being operated by the Alien Property Custodian, such as the General Aniline Company and others, has been obtaining about $97,000 a year from this source. Further, that Mr. Frye apparently acting as intermediary for Attorney General Tom Clark had contacted Mr. Rosenbaum of the D. C. Tax Firm Goodwin - Rosenbaum and Meacham and had indicated that the Attorney General would be available for affiliation with that firm at once if he was guaranteed $100,000 a year, that Rosenbaum was inclined to accept this suggestion and make such an offer to the Attorney General when his, Rosenbaum's, father pointed out to him that the concern was functioning very well and making money at the present time and that he thought it would be bad for them to bring politics into their business by employing the Attorney General, as a result of which the matter was dropped.
June 21, 1949

Attached are two copies of the Topeka Daily Capital newspaper of June 12, 1949, containing articles with reference to your recent appearance in Topeka.

These are being forwarded to you in accordance with your request.

RECORDERED - 118
Attachment

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 6/12/49 BY 58-8 F.B.I.

June 21, 1949
TO: Director, FBI
FROM: SAC, Kansas City
SUBJECT: NEWSPAPERS FOR THE ATTORNEY GENERAL

DATE: June 15, 1949

Transmitted herewith are two copies of the Topeka Daily Capital, Topeka, Kansas, newspaper of June 12, 1949, requested by Attorney General Tom Clark concerning his recent appearance at Topeka. Please deliver to the Attorney General.

DB:B
Encs. 2

INDEXED - 118 61-72944-356
RECORD - 118 3 Jun 22 1949

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 8/12/49 BY 823 C-07420
The Attorney General called regarding the various allegations and accusations that have been made as a result of the disclosure of the contents of our files in the Coplon case and he asked specifically if I had heard anything further concerning the Condon matter. I stated that I had heard nothing new except that he is going to appear in the Coplon case; that I believe he had arranged with the Defense Counsel for him and his wife to appear. The Attorney General then stated it didn't mean he would testify but I commented that I believed it did, that it looked like everything goes now.

I commented that this had just about ruined us, stating that last week I had told him we had lost seven informants but that now it has gone up to thirteen. The Attorney General then asked me if I did not think this was a whole lot better than to let the Coplon Girl off and I replied that I thought it would have been much better to have let her off. The Attorney General stated he thought it would have been worse as would have had to dismiss EX Gabitchey also. I indicated that I would have been very willing to do that rather than disclose all of these confidential informants and all of our techniques, stating that all of these reports, while they have not been read in court, have been admitted to the record and EX various newspapers throughout the country are carrying daily stories on them. I further stated that the real trouble was the reaction to the disclosure of all of this material on our various informants throughout the country.

The Attorney General then stated that this was a tough decision to make. I replied that as I had stated last week, I felt each case should be decided upon in its own merit. I then referred to the Atomic Energy Commission cases which were not prosecuted because the Atomic Energy Commission did not want to disclose their information, and that I thought the public reaction would have been perfectly all right if he had just indicated Miss Coplon could not be prosecuted because of the ruling of the Judge in making confidential reports public. In answer to the Attorney General's query relating the Condon material I stated that this would never have got in but the prosecution attorneys introduced the wrong report; that the slip she had referred to and report that didn't even mention the Condon. The Attorney General then stated it was in the group that they gave him as he had gone through every one of them. I stated that the report they had down in Court was not the one referred to in the slip and if the right report had been presented the Condon matter would never have been mentioned since it was not in the report Miss Coplon had. The Attorney General then asked who slipped up on this and I stated I believed the prosecuting attorney did; that they got all the...
reports from the Department. I stated that I was just as much as I was over this development as I also had read all the reports and was nothing on the Conduct. I further commented that I believed it would have passed unobserved had it not been for the publicity Dr. Copley gave it; that he had started issuing statements and demanded an apology. I stated that I had issued instructions that should there be any inquiries I should make no comment. The Attorney General commented if we made a statement on one we would have to make a statement on all. I commented further that I felt we could not make a statement while the trial was still going on, and that in addition I felt the Doctor was looking for publicity; that at no time had he denied the statements made in the report, but rather his and continued it and I believed he was trying to get out the source of our information.

I commented that my greatest distress was over the loss of our informants. The Attorney General then indicated if the Copley report is corrected it would be well worth it but I stated that I doubted we would be convicted and even if we were it wasn't worth the money paid. He felt there right to other persons employed by the Government who were doing the same thing as the Copley report and if the Government did not prosecute it would be practically telling them to go ahead. I told him I realized I had to make a decision on this matter, but that very definitely I did not choose that if we had secured this information ourselves but if our informants were going to be destroyed we would not be able to protect ourselves as we will not have the sources from which to get our information and we would know what is going on.

I advised the Attorney General further that I sat in the paper the other morning that several Senators and a Congressman are going to contact him about making the report available on the Scintist A. Case. The Attorney General stated that was a different problem, that in the Copley case the case of the Government itself is being used to prosecute and after we had been overruled in our protests we had asked him to clear the courtroom which he at first said he would do. I interrupted him there and stated I thought we should have gone a step further and taken a citation for contempt to a court of appeals and secured a mandamus. The Attorney General was in the impression the judge would have dismissed the case in that event. I stated that if he was looking at it from an all-over viewpoint and I would have been perfectly willing to have taken the blame publicly myself, that he could have stated that I received to do, because I felt this was tragic thing which had set us back many years in work and had practically liquidated the Bureau. The Attorney General felt we would not be able to secure other informants. I told him it was not as easy as that.

The Attorney General ended our conversation by saying he was sorry and stating the next time he would just have to be more careful about his press release and that he deeply regretted this development. He asked if there was anything we could do to lessen the burden to let him know. I told him I was capable of carrying my own burdens.

Very truly yours,

John Edgar Hoover
Director

cc - Mr. House
Responsive to Bureau letter of June 14, 1949, you are advised that the full name of the Night Manager of the Hotel Muehlebach, Kansas City, Missouri, on duty at the time the Attorney General was here is FRED HATTON.
TO:  MR. FLETCHER  
FROM:  ANDREW DINSHORE  

SUBJECT: MOVEMENT OF THE ATTORNEY GENERAL  

DATE: June 25, 1949  

Time of call: 2:50 p.m.  
6/25/49  

At 2:50 p.m. Griffith A. Grill of the Chicago Division called and stated that the Bureau had said that the Attorney General is supposed to come into Chicago, Sunday morning, June 26 and that since they had no further word as to the exact hour, etc., he desired to know if there was any additional information in this regard.

I called Mr. McGuire who said that the Attorney General was tentatively scheduled to arrive in Chicago at approximately 11 or 11:30 a.m., Sunday morning, June 26 from St. Louis and that he was traveling in a Lockheed Lodestar NC 86559, which was a private plane. Mr. McGuire said that Chicago should be requested to call the St. Louis Office from which point the Attorney General was to depart for Chicago and obtain all the details relative to his travel.

At 3:50 p.m., this message was conveyed to ASAC Jack Roche of the Chicago Division.
Office Memorandum

TO : "R. H. B. FLETCHER"

FROM : "R. D. L. LAND"

SUBJECT: MISCELLANEOUS INFORMATION, FURNISHED BY JAMEI E. TOMPKINS

DATE: June 20, 1949

With reference to the attached memorandum from Agent John to Mr. Fletcher and the attached teletype from New York, regarding James E. Tompkins, I desire to advise that on Saturday, June 15, 1949, I telephonically advised the Attorney General of the contents of this wire and the Attorney General stated that he saw no reason to take any action with reference to interviewing Tompkins. He stated that he had met John Porter Monroe at the Red House or K Street in Washington, D.C. a number of years ago when he attended a party there in the company of Senator Bridges and Secretary and that the whole matter had been in the newspapers and that he saw no reason to do anything further on this at this time.

Attachment

ALL INFORMATION CONTAINED HEREOF IS UNCLASSIFIED

DATE 12:00 AM 30 JUN 1949
RECORDED - 104
INDEXED - 104
3 JUN 22 1949
EX-104

53 JUL 13 1949
Office Memorandum

TO: Mr. Fletcher

FROM: Mr. Jahn

SUBJECT: MISCELLANEOUS INFORMATION FURNISHED BY JAMES E. TOMPKINS

DATE: June 18, 1949

At 8:50 a.m. this date SA Edward F. Stiles, week-end supervisor, New York office telephonically advised that James E. Tompkins, 50th Bayview, New Rochelle, New York, telephoned the New York office this date stating that it may become necessary for him to relate some embarrassing information concerning Attorney General Tom Clark during a trial next Monday, June 20, 1949.

The trial is to take place in the Supreme Court, Kings County, Brooklyn, New York, and concerns a charge made by Harry E. Alberts charging Tompkins with conversion of a chattel mortgage and obtaining money under false pretenses.

The embarrassing information concerning the Attorney General is the fact that Tompkins met with Attorney General Clark in June or July, 1943, in the well-known infamous house, Little Red House on K Street in Washington, D.C. On this occasion he was introduced to Attorney General Clark by John Monroe. Monroe is believed by the New York office to be possibly John Porter Monroe convicted in New York on black market activities in the textile industry three years ago. It was known that John Porter Monroe visited the Little Red House, Washington, D.C.

Tompkins would not advise the New York office why he believed it may be necessary for him to relate this embarrassing information during the trial mentioned but did state he would give the details if interviewed. In order to reveal how well he knew Tom Clark, Tompkins stated that in 1943, Attorney General Clark's telephone extension at the Department of Justice Building was 92. He further related that his attorneys, Leon Wagman and Louis Ginsburg, 500 5th Avenue, New York, were not aware of the fact that he, Tompkins, was calling the New York office.

During this telephonic conversation with the New York office Tompkins advised that in 1943 or 44 he gave a signed statement to an agent from the New York office when he resided at 225 Broadway, New York City.

SA Stiles advised that they had several references on James E. Tompkins but it was not ascertaining readily if they were identical to instant Tompkins. Stiles further advised that they were primarily interested in whether or not they should interview Tompkins to obtain the details as to why it may become necessary for Tompkins to relate information mentioned above at the time of the trial.

Assistant to the Director, D. M. Ladd, was contacted by writer and upon his instructions SA Edward F. Stiles was telephoned not to interview Tompkins.
Please have someone meet the Attorney General at Oklahoma City, Oklahoma, today. While they are still uncertain of their arrival time, they say it will take approximately 6 flying hours. They left here about 12:20 p.m. Eastern Daylight Time.

He will be accompanied by Peyton Ford, Dean Schedler, and Senator Robt. Kerr.

While exact airport is unknown, it will probably be Municipal Airport. It is Phillips Oil Co. plane - Agent could check with operations office in Okla. City.

From: Clark Jammison

Oklahoma City

Rolles to cool

Clark own is

Recorded: 135

162-7294-

5 MAY 24 1949

Tom Clark

MAY 5, 1949

Mr. Nichols

Tom Clark

Miss Goody

Mr. Mohr

Mr. Pennnington

Mr. Quinn Tamm

Mr. Harbo

Mr. Tracy

Mr. Cancel

Mr. Resen

Mr. Kerr

Mr. Neece

Mr. Nichols
The Bureau desires to be advised by return mail as to the full name of the United Airlines official at Des Moines, Iowa, who assisted Special Agents Doe and Beards in arranging for the Attorney General's reservations back to Washington on Sunday, June 12, 1949.

The Kansas City Office, to whom a copy of this communication is being sent, is requested to advise by return mail the full name of the night manager at the Hotel Muchback, Kansas City, Missouri.

CC - Kansas City
JUNE 13, 1949

Mr. Nichols

Tom Clark

The Attorney General is asking for full names and addresses on the following:

- Mr. Dowd - with FBI in Des Moines
- Mr. Meadows

The United Airlines man in Des Moines who assisted with reservations.

Night Manager's name at Hotel Muehlbach in Kansas City, Kansas, Missouri.

Many thanks.
Office Memorandum - United States Government

TO: DIRECTOR, FBI
FROM: SAC, OMAHA

DATE: June 26, 1949
AIR MAIL

SUBJECT: Visit of Attorney General to Des Moines, Iowa, June 12, 1949.

ReButt June 14, 1949.

Set out below is the full name of the United Airlines official at Des Moines, Iowa, who assisted Special Agents Dowd and Meadows in arranging for the Attorney General's reservations back to Washington, June 12, 1949.

SET OUT BELOW IS THE FULL NAME OF THE UNITED AIRLINES OFFICIAL AT DES MOINES, IOWA, WHO ASSISTED SPECIAL AGENTS DOWD AND MEADOWS IN ARRANGING FOR THE ATTORNEY GENERAL'S RESERVATIONS BACK TO WASHINGTON, JUNE 12, 1949.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 6/26/49 RECEIVED 6/30/49

ALLEN E. TOINE
Traffic and Sales Manager
United Air Lines, Inc.
917 Des Moines Building
Des Moines, Iowa

RECORDED - 102

X-76
The Attorney General

Director, FBI

July 6, 1949

Attached is a copy of the July, 1949, issue of the FBI Law Enforcement Bulletin which I thought you might like to have.

Attachment
WASHINGTON FROM NEW YORK 2 18 9-56 AM
DIRECTOR U R G E N T

JAMES E. TOMPKINS, MISCELLANEOUS, INFORMATION CONCERNING. ON NIGHT OF JUNE SEVENTEENTH, JAMES E. TOMPKINS OF FIFTY BAY VIEW AVENUE, NEW ROCHELLE, NY, TELEPHONICALLY ADVISED THIS OFFICE THAT ON NEXT MONDAY, JUNE TWENTY, HE GOES ON TRIAL IN SUPREME COURT, KING'S COUNTY, CHARGED BY HARRY B. ALBERT WITH THE CONVERSION OF CHATTEL MORTGAGE AND OBTAINING MONEY UNDER FALSE PRETENSES. TOMPKINS STATED THAT IN JUNE OR JULY OF NINETEEN FORTY THREE, HE WAS INTRODUCED TO ATTORNEY GENERAL CLARK BY JOHN MUNROE IN A QUOTE LITTLE RED HOUSE ON K STREET IN WASHINGTON, DC, UNQUOTE. AT THAT TIME, ATTORNEY GENERAL CLARK'S PHONE NUMBER AT THE DEPARTMENT OF JUSTICE WAS NINETY TWO. TOMPKINS ADVISED THAT HE MAY HAVE TO BRING THIS INFORMATION OUT AT HIS COMING TRIAL AND IT MAY PROVE EMBARRASSING. TOMPKINS DECLINED TO STATE HOW THE FOREGOING WOULD ARISE AT THE TRIAL ON MONDAY, STATING THAT HE DID NOT DESIRE TO DISCUSS IT OVER THE TELEPHONE, BUT WOULD DISCUSS SAME FREELY IF AN AGENT CALLED ON HIM PERSONALLY ON THIS DATE. TOMPKINS REQUESTED THAT AN AGENT CONTACT HIM WITH A VIEW TO DETERMINING

END OF PAGE ONE 150  NOV 10 1964

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1  13  49
13  JUN 24 1949

62-7944-363
PAGE TWO

HOW HE MAY AVOID BRINGING THIS INFORMATION OUT ON EITHER DIRECT OR CROSS EXAMINATION AT THE TIME OF HIS TRIAL. TOMPKINS EXPLAINED THAT HIS ATTORNEYS, LEON WAGMAN AND LEWIS GINSBERG, OF FIVE HUNDRED FIFTH AVENUE, NYC, WERE NOT AWARE OF TOMPKINS CALL TO THIS OFFICE. IT IS TO BE NOTED THAT THE JOHN MUNROE MENTIONED BY TOMPKINS MAY BE IDENTICAL WITH THE JOHN PORTER MUNROE KNOWN TO THE BUREAU. BUREAU IS REQUESTED TO ADVISE AS TO ADVISABILITY OF HAVING TWO AGENTS INTERVIEW TOMPKINS TODAY.

SCHIJD

END

NY R 2 WA
MEMORANDUM FOR MR. TOLSON

Tom C. Clark

I am attaching hereto a 39-page memorandum which was released on Thursday, June 30, summarizing the four years of the Attorney General's being in office.

This has evoked considerable comment and I have been informed that the House Committee on Executive Expenditures contemplates asking some questions about the issuance of a press release of 39 pages consisting of self praise.

The reference to the Bureau appears on Page 26. The release states that the record of the Bureau is a source of pride not only to the Attorney General but to citizens everywhere.

Respectfully,

B. B. Nichols

Attachment

LBN: FML

July 5, 1949

EX-141

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

THIS MEMORANDUM IS FOR ADMINISTRATIVE PURPOSES
TO BE DESTROYED AFTER ACTION IS TAKEN AND NOT SENT TO FILES
Tom C. Clark today marks his fourth year in office as the Attorney General of the United States.

He is the 59th Attorney General. The Department of Justice, which he heads, has more than 26,000 persons in its employ throughout the nation and its territories.

During Mr. Clark's four years as Attorney General, the scope of Departmental activities and responsibilities has broadened considerably.

To attempt to set out in detail all of the important changes made, and matters handled, in the Department of Justice in the past four years would be a formidable undertaking.

However, the general scope and nature of the work done during this period under the supervision and direction of Attorney General Clark, may be gathered from a brief description of the more important highlights of the work of the various organizational units of the Department of Justice.

Office of the Solicitor General: The Solicitor General, J. Howard McGrath (1945-1947) Philip B. Perlman (1947-), the second-ranking official of the Department, is directly in charge of all Government litigation in the Supreme Court.

During the 1945 and 1946 terms, two-thirds of the cases argued were Government cases. The proportion for the last two terms has been slightly less. Approximately 40 percent of all cases filed in that Court, most of which are not argued, are Government cases.
During the past four terms, the Solicitor General's office has reviewed petitions for certiorari and briefs in opposition in from 367 to 473 cases, and briefs on the merits in from 88 to 134 cases.

In the two years immediately following the war, when a considerable amount of O.P.A. and Selective Service litigation reached the Supreme Court, the number of Government cases was the highest in recent years, except for the preceding year 1944. From 1945 to 1949, the Solicitor General has passed upon from 445 to 581 appeals to lower courts per term.

During the past four Supreme Court terms, the Government has won an average of 76 percent of its cases in that tribunal, as compared to an average of 75 percent won during the preceding seven terms.

During the same period the percentage of Government petitions for certiorari granted has averaged 74.5, or the exact average achieved during the preceding ten years. The number granted at the term just ended has been 82 percent.

Among the more important cases won during the past four years have been the appeals of the Japanese war criminals, In re Yamashita, 327 U.S. 1, and Hirota, et al. v. MacArthur, 335 U.S. 876; the treason case of Haupt v. United States, 330 U.S. 631; Shelley v. Kraemer, 334 U.S. 1, which involved racial restrictive covenants; Ludecke v. Watkins, 335 U.S. 160 which sustained the validity of removals, by the executive branch of the Government, of dangerous alien enemies; Marzani v. United States, 336 U.S. 922 which upheld the conviction of one who falsely represented to the Government that he was not a Communist; Josephson v. United States, 333 U.S. 838, and Lawson v. United States, 335 U.S. 861, which involved two alleged Communists who were found guilty of contempt of Congress; United States v. California.
332 U.S. 19, which established the Government’s title to the rich natural resources of oil underlying the coastal areas of the United States, between low water mark and the three mile limit; United States v. United Mine Workers, 330 U.S. 258, which upheld the punishment, including imposition of a heavy fine, against the United Mine Workers and John L. Lewis for contempt of an injunction against a coal strike; United States v. Interstate Commerce Commission, which equalized railroad rates in the South and West with those in the Northeastern section of the country; and National Mutual Insurance Co. v. Tidewater Transfer Co., decided June 20, 1949, which established the right of District of Columbia residents to sue in the District Courts in the states.

Office of the Assistant to the Attorney General: The Assistant to the Attorney General, James P. McGranery (1945-1946), Douglas McGregor (1946-1947), Peyton Ford (1947-), the third-ranking officer of the Department, has, under the Attorney General, direct supervision of the Department, both in the field and at the seat of Government.

During the years 1945 to 1949, the amount of proposed and pending legislation handled by this office increased tremendously. Because of the general nature of the work carried on by this office, however, the successful conclusion of the many projects handled cannot be reflected in figures, but is evidenced in the harmonious working relationships which characterize not only the internal affairs of the Department but its contacts with other Governmental agencies as well.
Office of The Assistant Solicitor General: The Office of the Assistant Solicitor General [Harold W. Judson (1945-1946), George Thomas Washington (1946-)] prepares the formal opinions of the Attorney General; renders informal opinions and legal advice to the various governmental agencies; assists the Attorney General in the performance of his functions as legal adviser to the President and as a member of and legal adviser to the Cabinet.

During the period 1945-1949, this Office participated in the accomplishment of such major achievements as enactment of the Administrative Procedure Act; publication of the Attorney General's Manual on the Administrative Procedure Act; formulation of plans for the orderly conversion of the economy of the country and the machinery of the Government from a war-time to a peace-time basis, the termination of war agencies, and the orderly termination of the great bulk of war powers; resolution of many important constitutional and other legal questions involved in the organization and operation of the United Nations; organization of a national movement for the prevention and control of juvenile delinquency; and exhibition aboard the Freedom Train, in every State in the Union, of the historic documents which form the basis of American democracy.

The Office of Alien Property: The Office of Alien Property, headed by an Assistant Attorney General, [Donald C. Cook (1946-1947); David L. Bazelon (1947-)] established by Attorney General Clark on October 15, 1946, deals primarily with the vesting, administration, and disposition of enemy property in the United States.
Since October 1, 1948, it has had jurisdiction over blocked foreign assets in the United States formerly controlled by the Treasury Department.

At the present time, blocked enemy assets amounting to approximately $40,000,000 remain to be vested.

Since the Department of Justice has assumed administration of the program, the value of blocked assets has been reduced from approximately one billion dollars to approximately $300,000,000.

Since its establishment by General Clark, on October 15, 1946, up to the present time, approximately 5,500 vesting orders have been issued by this office and the net value of assets vested during the period was $76,000,000.

The net value of property held by the Office as of the present date, including income and appreciation, is $362,000,000 as compared with $277,000,000 as of October 15, 1946.

Included among the vested properties under the control of the Office are business enterprises, securities, patents, copyrights, trademarks, estates and trusts, bank accounts, and various other types of personal property.

At the direction of the Attorney General the sale or liquidation of vested property is being carried out at an accelerated pace, and since October 15, 1946, proceeds from sale or liquidation amounted to $100,000,000, of which $55,000,000 was obtained during the fiscal year 1949.

At present, this Office administers 55 active business enterprises in the United States and Hawaii, and has 216 enterprises in various stages of liquidation. Vested interests in active enterprises are sold to American citizens at public sale where possible, and as rapidly as possible,
However, the sale of some of the largest enterprises controlled, as for example, General Aniline & Film Corporation, has been delayed, since vested property cannot be sold when a suit for return is pending.

Since October 15, 1946, 10 enterprises have been sold for $33,500,000. A total of 122 business enterprises have been completely liquidated to date, of which 76, or over 60 percent, were completed under the direction of the Attorney General.

Over 30,000 enemy patents have been vested and are generally being made available to American industry on a non-exclusive, royalty-free basis.

Since October 15, 1946, more than 500 licenses, covering over 1,100 patents, have been granted by this Office.

The Attorney General has coordinated the policies of the Office of Alien Property with those of the Antitrust Division for the purpose of eliminating illegal patent contracts and making the patents covered by them available for licensing.

Over 5,000 patents are controlled indirectly by this Office through the vesting of enemy interests in American manufacturing enterprises.

Approximately 45,000 administrative claims have been filed with the Office of Alien Property of which 11,000 involve title claims for the return of vested property and 34,000 relate to debt claims.
against the former owners of vested property. The greater part of vested property represents interests of nationals of Germany and Japan.

The net proceeds available after completion of administration of German and Japanese property are to be covered into the Treasury where they will constitute a War Claims Fund from which will be paid some classes of claims arising out of World War II, including those of American internees and prisoners of war maltreated by the enemy during their imprisonment.


Under the direction of Attorney General Clark, from July 1, 1945 to May 31, 1949 more than 150,000 office cases or matters were handled by the Criminal Division.

During the same period, up to April 30, 1949, according to statistics submitted by the United States Attorneys, 129,263 criminal cases involving 158,685 defendants were filed in the United States district courts and 133,149 cases involving 165,596 defendants were terminated. A total of 134,786 defendants were convicted, and fines
totaling $27,061,458.25 were imposed, of which amount, $20,666,429.92, or 71.6 percent was collected.

During Mr. Clark's tenure as Attorney General, the record achieved by the Criminal Division in the field of internal security has been an impressive one.

Among the outstanding treason prosecutions conducted during this time were those of Douglas Chandler and Robert Henry Best, Mildred Sisk, known as "Axis Sally," Herbert John Burgman, and an indictment of Iva Toguri D'Aquino, known as "Tokyo Rose," all of which involved treasonable broadcasts from enemy countries; Tomoya Kawakita, for atrocities committed against American prisoners of war; and Anthony Cramer and Hans Max Haupt, for giving aid to German saboteurs. In addition 44 persons were convicted for aiding in the escape of prisoners of war and interned enemy aliens.

The most outstanding prosecution arising out of the Employee Loyalty Program was that of Carl Aldo Marzani. However, four indictments of this type have been obtained and 27 cases involving contempt for failure to answer questions relating to loyalty have been handled.

Among the important cases either involving contempt of Congress or arising out of Congressional investigations were those of Dr. Edward K. Barsky, Chairman, and 16 members of the Executive Board of the Joint Anti-Fascist Refugee Committee; Leon Josephson, New York lawyer and alleged member of the Russian Secret Police; Francis X. Waldron, alias "Eugene Dennis," General Secretary of the Communist Party, U. S. A.;
and John Howard Lawson and Dalton Trumbo, film writers.

The Atomic Energy Act was the source of five prosecutions for unlawful possession of restricted material, against Alexander von der Luft, Ernest Dineen Wallace, Arnold Frederick Kivi, George W. Thompson, and Ernest J. Paporello.

Outstanding cases involving internal security which are now being tried include those of William Z. Foster and 11 other members of the National Board of the Communist Party, U.S.A., Alger Hiss, Judith Coplon, and Valentine A. Gubitchev, for conspiracy to defraud the United States of the unbiased services of Miss Coplon, and violation of the Espionage Act.

In addition, Judith Coplon is being separately tried for violation of the Espionage Act and with wilfully concealing, removing, and having custody of certain official records.

Under Tom C. Clark as Attorney General, numerous and vigorous investigations were conducted into black markets in various rationed commodities and those in short supply. As a result thereof, a number of indictments were obtained, most outstanding of which was that of Monroe Kaplan, alias John Porter Monroe, for violation of ceiling prices in sales of textiles.

On June 1, 1947, approximately 6,500 civil matters of various types were transferred from OPA to the Criminal Division. About 5,650 of these have been disposed of, and, as of May 12, 1949, illegal profits in the amount of $1,566,318.84 had been collected.

Since Mr. Clark's induction into office, 2,226 war frauds complaints have been received and 1,506 investigations instituted, 263 indictments were returned against 426 individuals and 32 corporations, with the resultant
conviction of 413 persons and 59 corporations. Since the inauguration of the war frauds program in February, 1942, to May 31, 1949, 9,476 complaints have been received, 7,098 investigations instituted, 1,240 indictments obtained against 1,404 individuals and 107 corporations, of which, 950 individuals and 80 corporations were convicted.

Among the most important war frauds cases were those of United States v. Nye & Nissen, Inc., et al., in which defendants switched Government inspection tags and delivered large quantities of spoiled eggs, butter, and cheese to the armed services, with a resulting fraud upon the Government of more than one million dollars; Thomas Joseph McGuire, who falsely represented the value of a ship owned by him and sold to the Government and who was forced to repay over $540,000 to the Government; and Andrew J. May, former Chairman of the House Military Affairs Committee, who, with the Garsson brothers and Joseph F. Freeman, was indicted for conspiracy to defraud the United States by interfering with honest and impartial transaction of official War Department business, and with bribery.

Among the most important mail fraud cases have been those of United States v. Stanley P. Hough, a real estate operator who defrauded veterans of over $42,000 with false promises of available houses; United States v. Mathew H. Coleman and Ruth W. Coleman, who received over $200,000 as a result of a fraudulent fund-raising campaign for an orphanage and vocational school operated by them; and United States v. Tucker, et al., in which defendants received approximately $29,000,000 from the sale of stock, dealerships and accessories, for the manufacture of the Tucker car.

Antitrust Division: This Division headed by an Assistant Attorney General (Wendell Berge (1945-1947), John F. Sonnett (1947-1948), Herbert
A. Bergson (1948- ), handles all matters relating to enforcement of Federal antitrust laws, and kindred statutes, and passes upon the relation to the antitrust laws of proposed disposition of surplus property.

At the instance of Attorney General Clark in 1947, a program aimed at conspiracies to maintain or increase prices in the food, clothing and housing fields, was launched and is being aggressively continued.

Since the passage of the Sherman Act in 1890, there have been 21 Attorneys General, and the average number of cases filed by each has been 42. Since Attorney General Clark has been in office, 160 such cases have been instituted. To date 986 antitrust cases have been filed. At the rate of antitrust activity under the present program it is expected that the thousandth antitrust case will be filed during Mr. Clark's tenure.

Among the important antitrust cases successfully litigated during this period were those against the Owens-Illinois Glass Company for restraints of trade involving vacuum closing machinery; the American Can Company for price fixing; the A. B. Dick Company for price fixing, allocation of territories and other violations; and the American Optical Company for acceptance of rebates. Other cases which have been successfully terminated include the flat glass case involving Libbey-Owens-Ford, which required the royalty-free licensing at reasonable royalties of over 700 patents.

As a result of the enforcement programs promulgated and carried out under the direction of the Attorney General during the past four years, the antitrust laws have been clarified, in large part, and many of the cases decided by the United States Supreme Court during this period have been of a nation-wide importance.
These include the International Salt case which held that to require leased patented machines to be used only with the unpatented products of the machines' owner is a violation per se; the Gypsum and Line Material cases which involved the unlawful use of patents and which resulted in clarifying the law and ending far reaching patent abuses; and the American Tobacco case involving the "Big Three" of the tobacco industry, and which held that, where each of the companies used substantially similar practices cumulatively to their common interest and detrimental to their competitors and to competition in the industry, there was power and intent to exclude competitors to such a substantial extent as to violate the Sherman Act.

For the 1947 term of the Supreme Court the record in antitrust cases was 15 won and 1 lost. This litigation included the successful argument of Attorney General Clark in the Paramount case which involved the five largest motion picture producers, and which seeks to restore competition to the exhibition phase of the motion picture industry by separating production and distribution from exhibition.

After the Attorney General's successful argument before the United States Supreme Court two of the large motion picture producers have entered into consent judgments which require the separation of certain theatres from production and distribution.

For the fiscal year starting July 1, 1948, the Antitrust Division received the largest appropriation in its history, which represented an increase of approximately one million dollars over the prior fiscal year.
Accordingly, the field offices of the Antitrust Division have been expanded and new field offices opened in Philadelphia, Jacksonville, Kansas City and Detroit, each of which field offices was directed to assign personnel to assist small businessmen and to secure for them, wherever possible, full opportunity and free competition.

Some of the antitrust cases now pending in the courts are the Investment Banking case which seeks to restrain an investment banking association and its members from interfering with the rights of issuers and investors in freely choosing their investment methods; the Meat case, in which the Government asks that the four major meat companies be divided into fourteen separate and competing companies; the duPont case, in which divestiture of some of the defendant's cellophane manufacturing plants is sought in order to establish competitive productive units within that industry; the Western Electric - A.T. & T. case in which the Government seeks to separate the two defendant companies in order to restore competition to the telephone equipment field; and the United Shoe Machinery case, in which the Government has charged an unlawful monopoly in the manufacture of shoe machinery, machinery parts and supplies, while Aluminum Company of America was declared a monopoly in 1945, the relief of divesting it of such plants as necessary for the re-establishment of competitive conditions in the industry was postponed by the court until termination of the war. However, such divestiture is now being sought in the court.
Claims Division: This Division, headed by an Assistant Attorney General (John F. Sonnett (1945-1947); Peyton Ford (1947); H. Graham McRison (1948) handles all civil litigation, exclusive of that otherwise assigned, relating to patents and copyrights, admiralty and shipping matters, veterans affairs, contract renegotiation, Federal Tort Claims Act cases, and related matters.

Under the direction of the Attorney General the Claims Division succeeded in defeating all attacks upon the constitutionality of the Renegotiation Act, and in having such constitutionality upheld in all suits of this type, most important of which was Lichter v. United States.

In addition to this litigation, the Claims Division has represented the Government in over 850 suits brought in the Tax Court for redetermination of excessive profits, over 400 of which have already been disposed of, and in the vast majority of which, the prior determinations of the renegotiating agencies were left intact.

During the past four years, the Division has collected over $18,500,000 in excessive profits.

In the field of Federal Tort Claims litigation, the volume of cases handled since enactment of the Act has been impressive. Among the largest groups of cases in this category are those relating to the explosion at Texas City, Texas, on April 16-17, 1947. More than 300 separate actions have been brought against the Government by more than 3,000 plaintiffs seeking in excess of $300,000,000 in damages.
Another multiple-suit situation exists in connection with the flooding of the City of Vanport, Oregon, on May 30, 1948. Approximately 500 suits against the Government have already been filed and it is expected that the number will reach 5,000 before the time for filing suit expires.

Perhaps the most unusual work done in connection with patent litigation during Tom C. Clark's incumbency as Attorney General was the investigation conducted by the Department, at the request of the Court of Appeals for the Third Circuit, into the cases of Universal Oil Products Company v. Root Refining Company and American Safety Table Company v. Singer Sewing Machine Company. Commenced in June 1947, this investigation took 12 months and uncovered the facts concerning the alleged corruption of a former judge of that Court who participated in opinions favorable to both plaintiffs.

A trial, based on the facts uncovered, was had before a specially constituted court and resulted in a decision that both plaintiffs had been guilty of attempts to corrupt the judicial process, that one of them, Universal, had bribed the late Judge J. Warren Davis, and that the corruption had occurred through the machinations of one Morgan S. Kaufman, a Pennsylvania lawyer, now disbarred.

The Attorney General's keen interest in veterans affairs is reflected in the number of such cases handled by the Department.
Among the most important of these were *Fishgold v. Sullivan Drydock*, which held that in computing seniority, a veteran was entitled to credit for time spent in military service but that in private employment he did not have priority over a non-veteran employee with greater seniority; and *United States v. Zazove*, which held that the proceeds of a National Service Life Insurance policy should be used to purchase an annuity for the beneficiary and that the payments should be calculated in accordance with such beneficiary's life expectancy.

The admiralty and war, shipping litigation carried on by the Department during Mr. Clark's term as Attorney General was largely concerned with war-related matters.

One of the highest salvage awards ever filed in the United States was that rendered in the case of the *ODENWALD*. This ship, which appeared to be an American vessel, and which was aided by Navy vessels, later turned out to be an abandoned and booby-trapped German blockade runner which was mortgaged to the Swiss Bank Corporation.

A large number of admiralty claims have been settled under the Knock-for-Knock Agreements entered into with other countries, which provided for mutual legal assistance in the handling of such claims.

Recently the prize cases involving German ships taken by American armed forces, were successfully concluded and the vessels appropriated to the Government.
Among the other outstanding cases handled by the Claims Division during the past four years were the Mt. Clemens Pottery Company case, which established the work time which employees were entitled to have included in the computation of their work week for overtime compensation purposes; the Lovett, Watson & Dodd case in which certain Appropriations Acts which sought to cut off salaries of certain Government officials and to permanently bar them from Government service, were declared unconstitutional as bills of attainder; the Southern Pacific cases, in which the Government won lower transportation rates on rail shipments of Lend Lease supplies and supplies to War Relocation Centers; the Clark case which held that Federal judges who resigned to enter military service are not entitled to recovery of their judicial positions upon termination of such military service; the Taze Hamrich Gibson case which held that members of local Selective Service Boards were not liable in damages to persons whom they had classified in good faith; the Loyalty Program cases, which included suits by organizations labeled by the Attorney General as subversive for removal of their names from the subversive list, and suits by individual Government employees, attacking the validity of their removals under Public Law 808 or Executive Order 9835; the Walter Reuther case, which involved an attempt to enjoin the Attorney General from prosecuting a union and its president for violation of the Taft-Hartley Act, in using union funds for political purposes; the Air Terminal Services case, which established the application of Federal law prohibiting segregation at the Washington National
Airport, the United Mine Workers case, which related to bituminous coal strikes in 1946 and 1948; the Longshoreman's cases, which involved the enjoining of a shipping strike; a number of False Claims cases, involving the making of false book entries and records in connection with Government contracts; the Meat Subsidy cases, in which substantial sums in subsidy have been claimed by the meat industry, in spite of evidence of non-compliance with price controls.

Lands Division: This Division, headed by an Assistant Attorney General, David L. Bazelon (1946-47); A. Devitt Vanech (1947- ). handles legal matters arising in connection with the acquisition of real property, condemnation, Indians, and the ownership, possession, or use of real property, including the public domain, housing, and water rights, supervises litigation relating to those matters; and passes upon the validity of title to real property which the United States proposes to acquire.

Since the cessation of hostilities, which occurred shortly after Mr. Clark's entry into office as Attorney General, the type of land acquisition has changed from acquisitions primarily for defense purposes to acquisitions for dam and reservoir purposes, including both flood control projects in the East and Middle West and reclamation projects in the West and arid regions.

Among the flood control projects which have recently received the most attention are the Garrison Dam in North Dakota, Randall Dam in South Dakota, Harlan Dam in Nebraska and Kansas, Center Hill Project in Tennessee, Wolf Creek Project in Kentucky, Grenada and Enid Dams in Mississippi, Clark Hill and Altoona Dams in Georgia, and Buggs Island Project in Virginia and North Carolina, to name but a few.
Some defense programs are still in existence and are being enlarged in order to accommodate the developments being made by the armed forces in air power and ordnance. One project in New Mexico, which is being taken on a temporary basis, is used for a testing station for the new type of projectiles used in modern warfare and consists of an area of approximately three and a half million acres, approximately 80% of which is public domain land.

From June 29, 1945, to the present time, a total of 12,696 new requests for title opinions were received, and 9,352 preliminary opinions and 7,104 final opinions were rendered, involving 793,309.09 acres.

During the same period 2,124 new condemnation cases were filed, involving 6,707,700 acres; 9,843 final opinions were written and 5,190 cases, involving 1,836,226.73 acres, were closed.

At the beginning of the 1946 fiscal year, funds in connection with condemnation proceedings were on deposit in court registries in the amount of $56,020,989.30.

From that date until the present, additional funds totaling $120,897,245.27 have been deposited and $142,569,548.34 has been distributed to landowners, leaving a balance on deposit of $34,348,686.23.

Among the important land cases handled, under the direction of Attorney General Clark, was that of United States v. California, involving the right of the United States to control the development of petroleum and other mineral resources underlying the Pacific Ocean adjacent to that state, and which was personally argued by the Attorney General before the Supreme Court on March 13, 1947.
On June 23, of that year, the Court rendered its decision in favor of the United States, holding that California had no title to or property interest in such resources.

On December 21, 1948, the Attorney General instituted proceedings in the Supreme Court against the States of Louisiana and Texas to obtain similar adjudications with respect to mineral resources underlying the Gulf of Mexico.

Important and complicated litigation is now being handled involving Western irrigation water rights. On June 10, 1949, one of the most significant of this type of case was filed in the Federal District Court at Denver, Colorado, to adjudicate the rights and have determined the responsibilities of the United States in connection with the Colorado-Big Thompson Reclamation Project.

That project, which will cost approximately $145,000,000, has as its primary objective the diversion of Colorado River water to supplement existing supplies of irrigation water for 615,000 acres of land in Eastern Colorado. To accomplish the trans-basin diversion there has been constructed the 13-mile Alva B. Adams Tunnel through the Continental Divide.

Pursuant to the act approved by the President on August 13, 1946, which created the Indian Claims Commission, 46 actions against the Government have been filed, claiming a total of approximately five billion dollars.
As of July 1, 1945, there were pending 2,040 general litigation matters. Since that date 18,763 new cases have been received and 18,421 cases closed, leaving a balance pending as of June 17, 1949, of 2,382.

During the 1946, 1947, and 1948 fiscal years, 115 cases were decided by appellate courts. Approximately 78% of the decisions were in favor of the Government, approximately 6% were partially favorable to the Government and 16% were rendered against the Government. During the period from July 1, 1945, to June 17, 1949, a total of 4,035 office matters relating to public lands have been handled.

As Attorney General, Mr. Clark has been consistent in his policy of enforcing the statutes relating to the public domain and has vigorously opposed all efforts, legislative or otherwise, to remove from the Department of Justice the responsibility for handling litigation and approving titles to land acquired by the Government.

Tax Division: The Tax Division, headed by an Assistant Attorney General, Samuel O. Clark (1945); Sewall Key (Acting) (1946 Part); Douglas W. McGregor (1946); Sewall Key (Acting) (1946-1947 Part); T. Lamar Cradle (1947 - ), is the Government's tax lawyer in all of the courts of the country and prosecutes and defends all civil and criminal cases, except liquor tax violations, arising under the internal revenue laws. It is the principal revenue producer in the Department of Justice.
It handles annually, under the supervision and direction of the Attorney General, about 4,000 cases, 80% of which are civil suits, the greatest proportion of which are suits brought by taxpayers for judicial determination of tax liability.

Since July 1, 1945, the Division has handled over 8,100 civil cases and has closed out approximately 5,300 of these cases or 65% of those handled. It has worked on a total of 1,900 criminal cases and has closed out 55% or approximately 1,100 cases. During the four-year period it has received annually about 1,500 new civil cases and approximately 450 new criminal cases. The latter number is better than 400% greater than the average number of cases that were received prior to June 30, 1945.

The Government has prevailed in 70% of over 1,800 civil tax cases decided by the courts in the last four years and in those cases the work of the Division has collected or saved to the Government the total of $76,291,000, or an average of $19,000,000 each year.

Under Attorney General Clark's direction, the Government's drive against tax evaders has reached unprecedented heights in both the number and importance of criminal cases successfully prosecuted in the courts since July 1, 1945. Prosecutions have been had against 744 defendants and convictions have been obtained against 719 or 96.6%. The sentences imposed in cases in which convictions were had total in excess of 722 years and fines of more than $2,000,000.
During the past four years many important civil cases have been brought to successful conclusion by the Tax Division, among which, two of the most important, from the standpoint of revenue to the Government, were the so-called "family partnership" cases, namely, Commissioner v. Tower, 327 U. S. 280, and Lusthaus v. Commissioner, 327 U. S. 293. In these cases, the Supreme Court held that the partnerships there involved between husbands and wives, though valid under state law, were without substance and that the entire income of the partnership was taxable to the husband. No less than 90 family partnership cases are now pending in the District Courts, the trial which is made particularly difficult by the fact that the family members or their close business associates are usually the only ones having knowledge of the composition of the firm and the Government's evidence is often limited to cross-examination and the documents filed by the parties.

Commissioner v. Estate of Church, 335 U. S. 632, and Estate of Spiegel v. Commissioner, 335 U. S. 701, both recently decided are landmark cases in the estate tax field. Both cases involved the includibility of the corpus of a trust in decedent's gross estate, and the Church case overruled a 17-year precedent. The three consolidated cases of Universal Oil Products Co. v. Campbell, Collector, United States of America, Intervenor (DC ND Ill.), involving disputed income taxes for the years 1944, 1945, exceeding $4,000,000, which are now pending on appeal, are of tremendous importance to the Treasury Department. The point at issue is whether the taxpayer
is exempt from income tax, as an eleemosynary trust since 1944. Their importance is heightened by reason of the increasing efforts of regular business corporations actively engaged in competition with other business concerns to escape income taxation by having their stock transferred to a tax exempt corporation or trust.

One of the most important income tax criminal prosecutions which received widespread public attention was the Lustig case which involved the owners of the Longchamps Restaurant chain in New York City, who were charged with evading approximately $2,800,000 in taxes. All were convicted after a trial that lasted approximately five weeks, and prison terms up to four years were imposed together with fines totalling $115,000.

Another case reminiscent of prohibition days, was that of Michael Potson, known as "Mike the Greek", a gambler, racketeer and former associate of Capone, who was convicted of failing to pay income taxes of $168,000 during the years 1940 to 1943, and who was sentenced to two years' imprisonment.

The prosecution of former Senator George L. Berry, the president of the International Printing Pressmen and Assistants Union and of the International Playing Card and Label Company, also received nationwide attention. He was sentenced to pay a fine of $10,000, and given a suspended sentence of a year and a day in prison, and placed on probation for four years.
Eugene B. Casey, former Presidential aide, was sentenced to serve six months in jail on his plea of nolo contendere to charges of evading taxes for the years 1941 to 1943 in the amount of $70,000 and was also fined $30,000. At the direction and instance of Attorney General Tom C. Clark, during the four-year period since June 30, 1945, the Tax Division has prosecuted a large number of black market operators for income tax violations.

**Administrative Division:** This Division is headed by the Administrative Assistant to the Attorney General, [Salvador A. Andretta (1945- )] who is the budget officer of the Department.

He handles all administrative matters, including those relating to United States Attorneys, Marshals, and other field officers.

Attorney General Clark's continuing interest in the improvement of Departmental administrative techniques is evidenced by the many important procedural and forwarding looking changes achieved in organization, methods and materials equipment, during his incumbency.

Administrative surveys of the Departmental branches covering record-keeping, accounting and fiscal procedures have increased the operating efficiency and reduced personnel, in one case as much as fifty percent.

During these years the ledger, personnel and payroll work has been modernized through installation of a punch card electrical accounting system, which method permits the furnishing of data in a fraction of the time heretofore required.
Surveys of the offices of the United States Marshals and United States Attorneys have been conducted and the personnel classification of their employees completed. During this time, 18,000 requests for loyalty reports have been processed.

**Federal Bureau of Investigation:** The Federal Bureau of Investigation, which is headed by a Director, J. Edgar Hoover (1924- J), is charged with the duty of investigating violations of the laws of the United States, excluding those relating to narcotics, customs, the Coast Guard, or immigration matters; collecting evidence in cases in which the United States is or may be a party in interest; collecting, classifying, preserving and exchanging criminal identification records with law enforcement officials; conducting investigations regarding official matters as may be directed by the Attorney General or Assistants to the Attorney General; and performing other duties imposed upon it by law.

The splendid record achieved by the Bureau throughout the war period in maintaining the internal security of this country is a source of deep pride not only to Attorney General Clark, but to all citizens everywhere. Through the Bureau's vigilant efforts, the country has also continued to enjoy such security during the postwar period.
Following the conclusion of World War II, the postwar volume of FBI work has exceeded the work load carried during the peak war years. During its 1948 fiscal year the Bureau received and handled 547,523 investigative matters, an increase of 78 percent over the previous fiscal year and the highest work load in the Bureau's history up to that time. More than ninety additional public laws enacted during the past ten years have materially contributed to this heavy increase.

On January 1, 1949, 63,820 investigative matters were pending. Investigative matters pending July 1, 1939, a prewar year, totaled 16,847. The increase over the prewar figure is 279 percent. Convictions in FBI cases brought to trial have averaged about 97 percent since June 30, 1945.

The very nature of the work performed by the Federal Bureau of Investigation precludes any lengthy or detailed description of its achievements during the past four years. Since its efforts are directed to prevention through preparedness, rather than prosecution of breaches of security, the best index to its success in this field is to be found in the freedom from national danger of this type which has prevailed during this period.

Since July 1, 1945, five major treason cases investigated by the FBI have been brought to trial, those of Douglas Chandler, Robert Henry Best, Tomoya Kawakita, Martin James Monti, and Mildred Gillars, known as "Axis Sally."
On March 24, 1946, a major bank robbery investigation which had occupied the FBI for more than a year and which resulted in recovery of all but about $4,000 of the $111,300 taken from messengers of the Hollywood, California, State Bank on July 30, 1945, was concluded.

Ultraviolet light brought out on the cellophane cover of an airplane company identification badge, in which a false employee number had been inserted, the true original number of the badge which had been impressed upon the cellophane cover although the ink particles were not visible to the naked eye. The badge, worn during the robbery, led directly to the robber's identification and apprehension.

An attempted resurgence of gang activity was brought to an abrupt halt by the combined efforts of the FBI and local Kentucky authorities with the smashing, late in 1946, of the Rayborn gang which had been increasing rapidly in size and boldness for several months.

Among their depredations were the masked robbery of a night club, in the course of which, sub-machine guns were fired and tear gas charges exploded and the armed robbery of several check cashiers. As a result of the Bureau's work, the head of the gang was apprehended and sentenced to 30 years imprisonment.

From about 97½ million on June 30, 1945, the number of sets of fingerprints in FBI Identification Files has grown to approximately 112,000,000 four years later.
Under the Loyalty Program more than $2\frac{1}{2}$ million sets of prints had been received through December 1948. Of the persons printed 5.5 percent were found to have previous police records.

On March 21, 1947, the President signed Executive Order No. 9835 outlining procedures for the Federal Employees' Loyalty Program. This order was implemented by Congressional enactment on July 24, 1947, setting aside funds for the FBI to discharge its responsibilities under the order beginning August 1, 1947.

Under the order the FBI is required to search through its files the names and fingerprints of all employees and applicants for positions in the executive branch of the Government and to report any information indicating disloyalty. As in its other assignments, the FBI does not evaluate the information. It collects the facts and reports them without recommendation. Since instigation of the program the FBI has processed more than $2\frac{1}{2}$ million loyalty forms and has returned about 99.6 percent of them to the Civil Service Commission marked "No Disloyal Data." Processing forms on new Government applicants and employees continues as these forms are received.

**Immigration and Naturalization Service:** This Service, which is headed by a Commissioner, [Ugo Carusi (1945-1947), Watson B. Miller (1947- )] who reports directly to the Attorney General, has general charge of all matters of immigration and naturalization.
During the postwar period, under the direction of Attorney General Clark, the work of liquidating the war-related activity of the Service has been expedited in order that the tremendously increased peacetime program might be facilitated.

Detained alien enemies, which at one time numbered 10,000, have been reduced to one and ten internment camps for housing these people have been closed.

During the past four years the United States through the Attorney General and the Immigration and Naturalization Service has welcomed for permanent residence 120,000 war brides, 73,000 displaced persons, and 425,000 other immigrants.

A million and a half visitors, transits, government officials, students, and officials to international assemblies also came to the United States during this period.

Each year some 40 million aliens and 40 million citizens crossed at land borders as commuters or entered the United States at border ports such as Buffalo, New York; Calais, Maine; Detroit, Michigan; El Paso and Laredo, Texas; Calexico and San Ysidro, California.

The Attorney General gave his active effort and support to tightening the administration of immigration laws and regulations in order to better control aliens in the country as a security measure. To this end documentation of visitors, transits, and other nonimmigrants has been simplified and streamlined to more efficiently record alien migrations.
Even greater emphasis has been placed upon the enforcement of those provisions of law which relate to the exclusion and deportation of subversive and similar persons. Never in the history of the Service have so many aliens illegally in the United States been expelled.

During the four years that Mr. Clark has been Attorney General the officers of the Immigration and Naturalization Service have deported or permitted to depart some 830,000 deportable aliens.

By contrast the whole recorded total of deportable aliens expelled in the fifty years prior to the summer of 1945 equaled only 575,000.

A number of the persons deported were widely known through newspaper publicity, such as Gebert, a communist who is now an official of the Polish government, Santos and Lucky Lucianno, noted gangsters, and Hans and Louisa Eisler, to name but a few.

Much credit has accrued to the Service and the Department of Justice through the efforts of the border patrol, which has patrolled approximately 39 million miles and interrogated approximately 200,000 persons in each of the past four years as compared with 35,000 in 1929 which is considered to be the peak year for illegal entries between 1924 and 1945.

In 1948 one of the largest smuggling rings in the history of the Service, operating between Cuba and New York by air, was broken up.
While the Attorney General has carried on the fight against subversive elements in the alien population, he has been equally alert to the value of education in the meaning of democracy as practiced in these United States, and to this end has particularly sponsored education for citizenship.

For the past year each immigrant has received a letter from the Commissioner of Immigration and Naturalization welcoming him to the United States and suggesting that he search out the places where he may help prepare himself adequately for citizenship.

In the past four years 700,000 citizenship textbooks have been distributed for use in public schools for the education of potential citizens. An average of 100,000 persons have been naturalized each year. A number of important court decisions relating to the work of the Service have been rendered in the past four years, among which were

United States ex rel Johnson v. Shaughnessy, which held that a board of special inquiry is bound to accept as final a certificate that an alien is a mental defective of a class excluded from admission to the United States where such certificate has been issued by a medical board after a fair hearing in conformity with pertinent statutes and regulations; Fong Haw Tan v. Phelan which settled definitely the interpretation to be placed
upon the words "sentenced more than once" to a term of imprisonment for crime as those words appear in the statute; Delgadillo v. Carmichael which held that an alien who left the United States as a seaman, with no expectation of entering a foreign port or place during his absence, had not made an "entry" within the meaning of the immigration laws when his ship was torpedoed and he was rescued and taken to Cuba and thereafter entered the United States from that country.

More legislation relating to Immigration has been passed in the last four years than in any similar period for many years. The "war brides" Act and the "fiancées" Act were designed to ease the problems of members of the armed forces who married or became engaged to nationals of foreign countries.

The repeal of the Chinese exclusion laws, and the establishment of quotas for aliens indigenous to the countries of China, India, and the Philippines, were steps looking toward the elimination of racial discrimination in immigration laws.

The Act of May 25, 1948, amends the Act of October 16, 1918, to provide for the exclusion and deportation of aliens who, the Attorney General knows or has reason to believe, seek to enter the United States for the purpose of engaging in activities which will endanger the public safety of the United States. Procedures for these and numerous other laws and amendments to existing laws have been established and put into practice in the past four years.
Bureau of Prisons: This Bureau is headed by a Director [James V. Bennett (1937 - )], who reports directly to the Attorney General and who has general supervision and direction of Federal penal institutions and prisoners, including prison industries and control of Federal prisoners in non-Federal institutions.

Among Mr. Clark's greatest contributions as Attorney General has been his deep and personal interest in, and accomplishments with, juveniles. One of the most serious phenomena of the postwar period was the increasing number of juveniles committed to Federal institutions. To counteract this situation, Mr. Clark, in November, 1946, held a National Conference on the Prevention and Control of Juvenile Delinquency—a distinct innovation in the long struggle against this critical social problem. Nothing of its kind had ever been attempted, and its outstanding success was due in no small measure to his generous support and determined leadership.

At the National Training School for Boys, Mr. Clark has initiated a Sponsorship Program, under which responsible citizens, working closely with the staff at the School, become personally acquainted with individual boys and give them guidance, help, and friendship, both during their stay at the School and following their return to the community. The Attorney General frequently visits with and talks to the boys, and has spent several hours there every Christmas morning, since he took office as Attorney General.
Under the direction of the Attorney General the prison industries have been converted from full scale war production to an active peace-time program of manufacturing needed items for the various Government agencies. With the Attorney General's approval, all recruitment of new employees for penal institutions has been among veterans, and the Civil Service examination for Correctional Officer, was limited to veterans.

The Attorney General's interest in veterans and in facilitating their return to normal living has been an important factor in enabling the Bureau of Prisons to put into effect a low-cost housing program at a number of institutions. Some 112 housing units, consisting of small homes and apartments, have been built for men who left their work to go into the armed forces, and who faced grave difficulties in re-establishing their families upon their return to civilian life.

The consideration and review of the cases of Selective Service Act violators still held in Federal institutions, presented a serious postwar problem but, through the efforts of Attorney General Clark, an impartial Amnesty Board was appointed which performed this task in an outstanding manner and granted amnesty to a large number of these men.

The Meritorious Good Time Law, which has proved so potent a morale factor in Federal penal and correctional institutions, has had Mr. Clark's full interest and support, as has the new retirement law under which individuals whose duties require them to work with and supervise criminals may retire at age 50, with 20 years of service.
Attorney General Clark has been keenly interested in
Bureau assistance to the States in the inspection of their prisons
and in making recommendations for improvement and modernization.

Under his guidance during the past four years facilities for
vocational training of prisoners have been increased, admission and
other procedures have been perfected, and pre-release units have
been established to function as a bridge between institutional life
and the return of the offender to the community.

**Customs Division:** The Assistant Attorney General, Division
of Customs, New York, New York, in charge of the Customs Division;
[Paul Rao (1941-1948); David N. Edelstein (1948 - )], protects the
interest of the Government in all litigated matters of reappraisal and
classification of imported goods. He represents the Government in all
proceedings brought by importers in the United States Customs Court,
including the briefing and argument of cases on appeal in the United
States Court of Customs and Patent Appeals.

The activities of the Department of Justice in the subversive
field may be summarized as follows:

1. **11 top-flight Communists,** all members of the Communist
   National Board, the Party's high policy-making politbureau, are
   now on trial in New York.

2. **34 alleged Communists have been convicted in Washington for**
   contempt of Congress.
16 alleged Communists have been convicted in California of civil contempt for refusal to testify before a Federal Grand Jury.

7 alleged Communists have been convicted in Colorado on the same grounds as above.

Pursuant to the President’s Employee Loyalty Program, the FBI checked over 2,471,000 incumbent and appointee forms. Of these, 8,708, or one-third of one percent, were set aside for full field investigations because of derogatory information, 5,459 being incumbents and 3,249 appointees. 2,462,013 employee loyalty forms marked “No Disloyal Data” have been returned by the FBI to the Civil Service Commission for transmittal to the employing agencies.

7 Federal employees have been convicted or indicted in connection with the Loyalty Program.

Harry Bridges and two others have been indicted in California for false testimony concerning, and denial of, Bridges’ membership in the Communist Party.

Deportation proceedings have been instituted against numerous aliens of subversive tendencies.

As of April 15, 1949, there were 3,278 undesirable aliens in the United States, most of them Communists who cannot be deported to the countries of their nationality because of passport refusals of their own government. Of this number 2,147 are deportable to countries behind the Iron Curtain. Of the latter group 2,079 entered the United
States prior to 1933. All of the top-notch Communists entered the United States before the first administration of Franklin Delano Roosevelt, arriving during the Harding, Coolidge or Hoover periods. Under President Truman they are being shipped back as fast as law and visa conditions permit.

Sixty-eight undesirables entered between 1933 and 1945; and none has entered since Attorney General Clark assumed his post. In addition to the deportation cases as of March 31, 1949, Attorney General Clark had under investigation the cases of 389 naturalized citizens for the purpose of determining whether steps should be taken to cancel or revoke such citizenship because of suspected subversive activities.

At the present time the Attorney General has under investigation through the immigration service looking to deportation or under actual deportation proceedings the cases of 833 aliens who, *prima facie*, are deportable under the Act of October 16, 1918; as amended.

On February 5, 1948; the Attorney General recommended legislation to the House Un-American Activities Committee so that deportable aliens might be detained in custody while they negotiate for documents for entree into countries willing to receive them. He also asked for amendments to the Foreign Agents Registration Act; the Voorhis Act, The Smith Act and the Alien Registration Law. However, the 80th Congress failed to act. There is now before the 81st Congress a bill which, if enacted into law, would go far to correct this situation.
Attorney General Clark advised the Committee that such a plan would also give the Department of Justice an opportunity to curb their activities.

Among the notorious deportees and others obliged to leave the country were: William Bigelow, a Canadian, March 30, 1948; Emil Gardos, a Rumanian, April 1948; Badrig Selian, a Russian, May 18, 1948; Hans Eisler and Sem Carr departed on March 26, 1948 and February 11, 1949, respectively; John Santo of the Transport Workers Union, June 10, 1949. Other communists ordered to leave the country and who are scheduled to depart in a few days are: Ferdinand T. Smith of Jamaica; Cando Dimitroff, a Bulgarian; and Gustav Johnson of Sweden.

In addition the Attorney General, under the provision of the Executive Order establishing the Loyalty Program, and after an exhaustive and thorough investigation, has listed a total of 159 organizations in the United States as coming within the purview of that Order.
MEMORANDUM

From
THE ATTORNEY GENERAL

to

Official indicated below by check mark

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Memorandum

TO: Mr. Casper

FROM: H. L. Sloan

DATE: December 2, 1966

SUBJECT: HONORABLE TOM CLARK ASSOCIATE JUSTICE U. S. SUPREME COURT

This is to advise that the writer received a telephone call from Tom Clark yesterday soliciting my assistance in obtaining two shotguns that the Justice wants to present as Christmas gifts. I have ordered two Model 1100 Autoloading Shotguns from Remington Arms Company, and I have been assured that the delivery will be made before Christmas for Justice Clark.

ACTION:

None ... Informative.

All information contained herein is unclassified

DATE 6.2-72-94-1443

[Signature]

[Reg: 25]
April 19, 1967

Honorable Tom C. Clark
Associate Justice of the
Supreme Court of the United States
Washington, D. C. 20543

Dear Tom:

The American Bar Association could not have picked a better man for the position of chairman of its special committee on the evaluation of disciplinary enforcement, and I want to extend my very best wishes to you for every success.

With kindest personal regards,

Sincerely,

Edgar

1 - Mr. Casper - Enclosure
Attention Inspector H. Lynn Edwards

NOTE: Associate Justice Clark is known to the Director on a first-name basis and is on the Special Correspondents' List.
Supreme Court Justice Tom C. Clark will direct the most far-reaching study ever undertaken of disciplinary procedures in the legal profession, the American Bar Association announced yesterday.

Clark disclosed in March that he would soon relinquish his post on the Court because of the appointment of his son, Ramsey Clark, Attorney General.

The Justice will be chairman of a newly created ABA special committee on evaluation of disciplinary enforcement. The group was established by the ABA's policymaking House of Delegates in February. It will work with local and state bar associations.
FBI
Date: 2/10/67

TO: DIRECTOR, FBI
FROM: SAC, WFO (9-New)

EXTORTION - THREATS AGAINST THE PRESIDENT

Enclosed for the Bureau are three original letters from and four copies of an LHM. Enclosed for Indianapolis are two copies of an LHM. (U)

On 2/9/67, U. S. District Judge GEORGE L. HART, U. S. District Court, Washington, D.C., made available a letter addressed to him from Terre Haute, Indiana, 47808. This letter made threats to kill the President, Vice President, and Chief Justice. (U)

On 2/10/67, Mr. MARSHAL, U. S. Supreme Court, made available one letter dated 2/5/67, from to Chief Justice EEARL WARREN. This letter threatened to kill the President, Vice President, and Chief Justice WARREN. (U)
LIPPITT made available a letter dated 2/7/67, from to Honorable TOM CLARK in which he threatened to kill the President, Vice President, EARL WARREN, WILLIAM BRENNAN, and GEORGE L. HART, as well as Justice TOM CLARK. This letter also requested arrangement to get seven million dollars in cash sent to Toronto, Canada, in care of

Information in the threatening letters was furnished at 3:45 p.m. on 2/9 and 10/67, to Protective Division, U. S. Secret Service; Special Investigations Squad, Metropolitan Police Department, (MPD), and information in the first letter to Marshal, U. S. Supreme Court. (U)

FBI Laboratory is requested to examine the enclosed original letters before preparing them for dissemination to Secret Service Headquarters. (U)

WFO indices reveal prior investigation by the Bureau in 1962 of ITSP; ITSMV. (U)

Indianapolis is the designated Office of Origin as subject is incarcerated in that division in Terre Haute, Indiana. Conduct appropriate investigation and present to USA. (U)

ADDENDUM

At 5:00 p.m. 2/10/67, Protective Division, U. S. Secret Service advised subject was transferred from U. S. Penitentiary, Terre Haute, Indiana, to custody of U. S. Marshal to be transported to Milwaukee, Wisconsin, where subject was to appear on a three count indictment by U. S. Secret Service for threats against the President and Vice-President. Indianapolis advised Milwaukee as SA stated USA Indianapolis desired subject not to be interviewed. (U)
Director
United States Secret Service
Department of the Treasury
Washington, D.C. 20220

Dear Sir:

The information furnished herewith concerns an individual who is believed to be covered by the agreement between the FBI and Secret Service concerning Presidential protection, and to fall within the category or categories checked.

1. ☑ Has attempted or threatened bodily harm to any government official or employee, including foreign government officials residing in or planning an imminent visit to the U.S., because of his official status.

2. ☐ Has attempted or threatened to redress a grievance against any public official by other than legal means.

3. ☐ Because of background is potentially dangerous; or has been identified as member or participant in communist movement; or has been under active investigation as member of other group or organization inimical to U.S.

4. ☐ U.S. citizens or residents who defect from the U.S. to countries in the Soviet or Chinese Communist blocs and return.

5. ☐ Subversives, ultrarightists, racists and fascists who meet one or more of the following criteria:
   (a) ☑ Evidence of emotional instability (including unstable residence and employment record) or irrational or suicidal behavior;
   (b) ☐ Expressions of strong or violent anti-U.S. sentiment;
   (c) ☐ Prior acts (including arrests or convictions) or conduct or statements indicating a propensity for violence and antipathy toward good order and government.

6. ☐ Individuals involved in illegal bombing or illegal bomb-making.

Photograph ☐ has been furnished ☐ enclosed ☐ is not available
☐ may be available through __________________________

Very truly yours,

[Signature]

John Edgar Hoover
Director

[Stamp: ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED]

[Stamp: DATE 6/20/67 BY 8/8/67]

(Upon removal of classified enclosures, if any, this transmittal form becomes UNCLASSIFIED.)
ROBERT ARTHUR MEUNIER

EXTORTION - THREATS AGAINST THE PRESIDENT

On February 9, 1967, United States District Court Judge George L. Hart made available a letter received by him February 9, 1967, which read as follows:

"February 6, 1967"

"Hon. George L. Hart
U. S. District Judge
Federal Bldg
Washington, D.C."

"Judge Hart:"

"In a few short days the United States will lose a president and a vice president along with its Chief Justice for I am going to kill all 3 of them personally and no measures of security can protect them."

"This is not a prank - I assure you these 3 bastards are as good as dead. I alone know and have the means to assassinate them and die at my hands they will."

"Only a few days left now in fact less then 15 days."

/s/ Terre Haute, Ind 47808"

On February 9, 1967, at 3:45 p.m., Special Agent Gibbon E. Mc Neely of the Federal Bureau of Investigation (FBI) furnished information in the above letter to Protective Division, United States Secret Service; Special Investigations Squad, Metropolitan Police Department (MPD), and Marshal, United States Supreme Court. (U)

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

ENVELOPE

DATE 6/20/82 BY 89-3
On February 10, 1967, Mr. Marshal, United States Supreme Court, made available two letters received February 9, 1967, by the Office of the Clerk, United States Supreme Court. The letters read as follows:

"Feb 5, 1967"

"Chief Justice
Earl Warren
Supreme Court of the United States
Washington, D.C."

"Honorable Sir:"

"Because of personal aggressions by the United States government against me, I pledge I will shortly kill The president of the United States."

"Also I will kill the vice president and kill you also."

"This will teach your government I am master of me and not your government."

"I hope you don't think this letter to be a prank. I personally assure you it is not."

"All three of you have a short time to live."

/s
Terre Haute, Ind. 47808"

"Feb. 7, 1967"

"Hon. Tom Clark, Justice
Supreme Court of U.S.A.
Washington, D.C."

"If you value the life of the President of the United States, the life of the Vice President - also Earl Warren, William Brennan and George L. Hart as well as your own you will follow the following instructions:"
ROBERT ARTHUR MEUNIER

"You will arrange to get $7,000,000 all in cash - in denominations of twenties to five hundred dollar bills unmarked - pack in a box and send Special Delivery to [_____] - Toronto, Canada, c/o [_____] This money can save your six lives by February 20, 1967."

"If you fail or notify police I personally will kill all six of you. No protective measures of security can protect Johnson-Humphrey or the rest of you I promise. I am not alone. I have enough help."

"So don't smirk on this as a prank. You have an oath from me this is no prank."

"So pay us seven (7) million dollars or die."

/s/ [_____]

Terre Haute, Ind. 47808"

The above three letters were transmitted from Mr. C. E. Fenton, Chief, Classification-Parole, United States Penitentiary, Terre Haute, Indiana, 47808, to the recipients. (U)

On February 10, 1967, information in the above two letters was furnished by Special Agent Mc Neely of the FBI to Special Investigations Squad, MPD, and Protective Division, United States Secret Service. (U)
Supreme Court Justice Tom C. Clark called me today to tell me how much he had enjoyed his trip to Quantico. He commented on what an outstanding job SAC Henry L. Sloan was doing and mentioned that he had shot a perfect score that day. I told Justice Clark that Sloan was busy supervising the Academy and really did not get too much practice. He also commented on Special Agent George Zeiss and said he thought he was such a good shot and that he enjoyed his trick shooting. (u)

Justice Clark said that he also wanted to tell me how happy everyone is about the increase in the National Academy. I told him that this was something that we have needed for a long time; that I was a little hesitant about bringing this to the President's attention, but that he was most enthusiastic about it. Justice Clark said he has heard from police all over the country and they are very pleased and interested in the FBI increasing the accommodations at the Academy and he told them that he thought the answer to a great deal of the problems facing them today would be in the training they received. He said he was most enthusiastic when Mr. Sloan showed him the plans for the new building. I stated that I thought it would be a very fine setup. I told Justice Clark that at present we were graduating approximately 50 men in each National Academy class, but that when we get the new accommodations we will be able to handle approximately 1,200 men a year. I stated that when the new building was completed all training would be done at Quantico. (u)

I commented to Justice Clark that what was really needed in law enforcement was more proficient training of officers. Justice Clark said the Bureau had already done so much in this regard. I agreed that law enforcement officers as a whole were much better trained today than they have been in years past. (u)

I mentioned to Justice Clark that you hear so much these days in regard to the limitations placed on police officers, but that we have had very few limitations for years; that it is through investigative work that we solve cases. (u)
Justice Clark advised me that he had recently spoken at the Bohemian Grove and talked on law enforcement. He said he had repeated my feelings on the limitations placed on law enforcement as a result of the new rulings. He said that he has received over 200 letters from people who were complaining about the new rulings and also about Justice Douglas and his recent marriage. Justice Clark said that he has told all of them that the fact that the Bureau is increasing the facilities for training will be a big help to law enforcement.

I advised Justice Clark that the Bureau's new training school would be the West Point of law enforcement. I commented that the building would not be ready until next year. I told him that eight men were being sent to schools throughout the country to get their master's degree so that our men would have the finest backgrounds available; they will be on the faculty and we will have the top faculty in this field. Justice Clark stated that there was no question about it -- that the Bureau had the top staff. I stated that we have been trying to keep it that way. I mentioned that we had a waiting list of men interested in becoming agents, but that we were having trouble hiring Negro Agents. I stated that the average Negro when he gets his degree can make more money practicing law than he can get by coming into the FBI. I stated that I had contacted Judges and District Attorneys throughout the country and they could not recommend anyone. I stated that in addition to being able to make more money practicing law, the Negro was fearful of getting into law enforcement work. Justice Clark inquired how the Negro Agents on our staff were working out and I advised him that some that we have at present are very fine and had done an excellent job. I also commented about the number of Negro clerks working at the Bureau and how this had worked out so well; that we had encountered no problems and that we had more Negro employees in the Bureau than the Department had in any of their other Divisions. I mentioned that we have for sometime been taking men into the National Academy from Europe, Africa, and Asia; that they get along fine with everyone and that it showed that it could be done if everyone was willing to go halfway.

Justice Clark again thanked me for the trip to Quantico. I told him not to hesitate to go down there at any time. He said that possibly the Chief and he would go down in the Fall.

Very truly yours,

J. E. H.

John Edgar Hoover
Director

SIGNED FROM D. O.
TIME 9:30 AM
DATE 10/31/66
BY
May 3, 1967

Honorable Tom C. Clark
Associate Justice of the
Supreme Court of the United States
Washington, D. C. 20543

Dear Tom:

Thank you for sending me a copy of your itinerary. I am today alerting my representatives in Honolulu, Tokyo, Hong Kong, and Rome to your proposed visits and am instructing them to be of help to your wife and you.

With personal regards and best wishes for a most enjoyable trip.

Sincerely,

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 6/12/67 BY SB-5

1 - Honolulu - Enclosure
1 - Tokyo - Enclosure
1 - Hong Kong - Enclosure
1 - Rome - Enclosure

Attention SAC and Legal Attaches: Enclosed is a copy of the itinerary to be followed by Associate Justice Clark and his wife on their trip around the world. Every courtesy should be extended to them during their stay in your respective areas.

1 - Mr. Beaver - Enclosures (2)
1 - Foreign Liaison Unit - Enclosures (2)

NOTE: By letter dated 4-19-67 the Director complimented Associate Justice Clark on his being chosen as Chairman of the American Bar Association's special committee on the evaluation of disciplinary enforcement. Justice Clark acknowledged this communication and then indicated he and his wife plan to take a trip around the world. By letter dated 4-21-67 the Director...
Honorable Tom C. Clark

extended best wishes for the trip and indicated that if Justice Clark would let the Director know of his specific itinerary, Mr. Hoover would make arrangements so that our representatives would have an opportunity to be of assistance.
April 30, 1967

Dear Edgar:

While we probably won't need any assistance, it is always good to know some of your men are available, and from a glance at the schedule the State Department has set up we are wondering if we can keep to it. A copy is enclosed.

Mary and I both appreciate your writing and especially your good wishes. We hope to see you on our return, if not before.

Sincerely,

Honorable J. Edgar Hoover
Director, Federal Bureau of Investigation
Washington, D. C.
PROPOSED ITINERARY FOR JUSTICE CLARK

<table>
<thead>
<tr>
<th>Date</th>
<th>Departure</th>
<th>Arrival</th>
<th>Flight Details</th>
</tr>
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<tbody>
<tr>
<td>Wed. June 14</td>
<td>Lv. Washington</td>
<td>13:00 UA 59</td>
<td>(Dulles)</td>
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<tr>
<td></td>
<td>Ar. Los Angeles</td>
<td>15:20</td>
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<tr>
<td></td>
<td>Lv. Los Angeles</td>
<td>17:00 PA 323</td>
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<tr>
<td></td>
<td>Ar. Honolulu</td>
<td>20:20</td>
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<td>Thurs. June 15</td>
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<tr>
<td>Fri. June 16</td>
<td>Lv. Honolulu</td>
<td>12:30 PA 1</td>
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<tr>
<td>Sat. June 17</td>
<td>Ar. Tokyo</td>
<td>15:20</td>
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<tr>
<td>Sun. June 18</td>
<td>Lv. Tokyo</td>
<td>17:30 PA 1</td>
<td>(daily flight)</td>
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<tr>
<td>Mon. June 19</td>
<td>Ar. Hong Kong</td>
<td>21:30</td>
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<tr>
<td>Wed. June 20</td>
<td>Lv. Hong Kong</td>
<td>12:50 ML 635</td>
<td></td>
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<tr>
<td></td>
<td>Ar. Singapore</td>
<td>16:25</td>
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<tr>
<td>Wed. June 21</td>
<td>Lv. Hong Kong</td>
<td>18:00 ML 128</td>
<td>(daily flight)</td>
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<tr>
<td></td>
<td>Ar. Kuala Lumpur</td>
<td>18:45</td>
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<td>Thurs. June 22</td>
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<td>Sat. June 24</td>
<td>Ar. Singapore</td>
<td>20:00</td>
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<tr>
<td>Sun. June 25</td>
<td>Lv. Sydney</td>
<td>21:00 QF 742</td>
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<tr>
<td>Mon. June 26</td>
<td>Ar. Auckland</td>
<td>07:05</td>
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<td>Tues. June 27</td>
<td>Lv. Singapore</td>
<td>10:00 QF 852</td>
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<tr>
<td>Wed. June 28</td>
<td>Ar. Kuala Lumpur</td>
<td>14:45</td>
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<td>Thurs. June 29</td>
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<td>Sat. July 1</td>
<td>Ar. Singapore</td>
<td>20:00</td>
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<tr>
<td>Sun. July 2</td>
<td>Lv. Singapore</td>
<td>21:00 QF 742</td>
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<td>Mon. July 3</td>
<td>Ar. Sydney</td>
<td>07:05</td>
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<td>Tues. July 4</td>
<td>Lv. Sydney</td>
<td>10:00 QF 852</td>
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<tr>
<td>Wed. July 5</td>
<td>Ar. Auckland</td>
<td>14:45</td>
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ALL INFORMATION CONTAINED HERECIN IS UNCLASSIFIED

DATE 6-30-83 BY 5" 6" 8"
Wed. July 12  
Lv. Wellington  
Ar. Melbourne  
Lv. Melbourne  
Ar. Adelaide  
08:30 QF 313  
11:25  
14:00 AN 204 (1st class only)  
15:20

Thurs. July 13  
Fri. July 14  
Sat. July 15  
Sun. July 16  
Mon. July 17  
Tues. July 18  
Wed. July 19  

Convention of Law Council of Australia

Thurs. July 20  
Fri. July 21  
Sat. July 22  
Sun. July 23  
Mon. July 24  
Tues. July 25  
Wed. July 26  
Thurs. July 27

Fri. July 28  
Lv. Sydney  
Ar. Djakarta  
12:00 QF 739  
16:50

Sat. July 29  
Sun. July 30  
Mon. July 31  
Tues. Aug. 1

Wed. Aug. 2  
Lv. Djakarta  
Ar. Bangkok  
08:50 TG 404  
13:15

Thurs. Aug. 3  
Fri. Aug. 4  
Sat. Aug. 5  
Sun. Aug. 6  
Mon. Aug. 7  
Lv. Bangkok  
Ar. New Delhi  
00:30 PA 1  
02:45

(only these two flights on Monday)

OR

Lv. Bangkok  
Ar. New Delhi  
19:10 JL 461  
21:25

OR

Lv. Bangkok  
Ar. Calcutta  
19:20 AI 109  
20:10
<table>
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<th>Events</th>
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<td>Wed. Aug. 9</td>
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<tr>
<td>Fri. Aug. 11</td>
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<td>Sat. Aug. 12</td>
<td>Rest Day</td>
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<td>Tues. Aug. 22</td>
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<td>Wed. Aug. 23</td>
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<tr>
<td>FRI. AUG. 25</td>
<td>Lv. New Delhi 8 a.m. on British Airways #781</td>
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<tr>
<td></td>
<td>Ar. Beirut</td>
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<tr>
<td></td>
<td>11:40 am</td>
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<tr>
<td>SAT. Aug. 26</td>
<td>Rest Day</td>
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<tr>
<td>Sun., Aug. 27</td>
<td>Lv. Beirut, Lebanon, 9 a.m. Royal Jordanian Airlines #405</td>
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<tr>
<td></td>
<td>Arrive Amman, Jordan 9:40 a.m.</td>
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<td>Mon., Aug. 28</td>
<td>They will program something for you; i.e., lecture or speech, after you approve this revision.</td>
</tr>
<tr>
<td>Tues. Aug. 29</td>
<td>Ditto</td>
</tr>
<tr>
<td>Wed. Aug. 30</td>
<td>Lv. Amman for Jerusalem via automobile (1 hr drive)</td>
</tr>
<tr>
<td>Thurs., Aug. 31</td>
<td>In Jerusalem</td>
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<tr>
<td>Fri. Sept. 1</td>
<td>Lv. Jerusalem 9:10 a.m. on M.E. #311 (Middle East Airlines)</td>
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<td>Arrive Beirut 10:10 am</td>
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<td>Lv. Beirut via M.E. #267 13:45</td>
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<td></td>
<td>Ar. Ankara 15:10</td>
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<tr>
<td>Sat. Sept. 2</td>
<td>Rest Day - In Ankara</td>
</tr>
<tr>
<td>Sun. Sept. 3</td>
<td>Rest Day - &quot;</td>
</tr>
<tr>
<td>Sept. 4-11</td>
<td>During this week they will schedule something for you in Ankara or Istanbul or both; both cities in Turkey. This is done by the Embassy.</td>
</tr>
<tr>
<td>Mon., Sept. 11</td>
<td>Lv. Istanbul 10:30 a.m. BE #267</td>
</tr>
</tbody>
</table>
Fri., Sept. 15  Lv. Athens  TWA #801  10:30 am
Ar. Rome  12:15 pm
Sat. Sept. 16  Rest Days
Sun. Sept. 17  Rest Days
In this file skipped during serialization.

5/22/70
M H

All information contained herein is unclassified.

Date 6/26/83 by [Signature]
TO LEGAT HONG KONG FROM DIRECTOR FBI
VISIT OF SUPREME COURT JUSTICE TOM C. CLARK TO HONG KONG.

REURCAB JUNE TWELVE LAST
DINNER INVITATION WAS PREVIOUSLY EXTENDED AND ACCEPTED THROUGH STATE DEPARTMENT CHANNELS. CLARK WILL ALSO ACCEPT LUNCHEON INVITATION.

BE PREPARED TO ADVISE CLARK IMMEDIATELY UPON ARRIVAL WHETHER HOGAN LUNCHEON IS STAG OR INCLUDES MRS. CLARK.

WPD: HC

1-Foreign Liaison Unit (Detached)

NOTE:

Associate Supreme Court Justice Tom Clark and his wife plan to leave on around-the-world trip 6/14/67. Clark furnished itinerary to Bureau and the Director instructed Legal Attaches to extend any help possible. Sir Michael Hogan, Chief Justice, Supreme Court, Hong Kong, through Legat extended invitation to Justice Clark to a luncheon on Wednesday, 6/21, and Legat requested that it be determined if he would accept the invitation.

Mr. Sterling Donahoe determined from Miss that the Justice would accept the invitation.
Domestic Intelligence Division

INFORMATIVE NOTE

Date: 6-12-67

Associate Supreme Court Justice Tom Clark and his wife plan to take a trip around the world during June - September, 1967. Clark furnished the Director his itinerary. The Director thanked him and told him he was making the itinerary available to our Legal Attaches with instructions to extend any help possible. U.S. Consul General in Hong Kong and Chief Justice, Supreme Court, Hong Kong, proposed dinner and lunch respectively for Clark. Legal Attache requests that we ascertain if Clark will accept these invitations. If approved, Liaison will determine this.

WPD: mh

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 6/20/67 BY 88-88130160
STATE 01

URGENT 6-12-67

TO DIRECTOR

FROM HONG KONG NO. 50

ATTENTION: LIAISON SECTION.

VISIT OF SUPREME COURT JUSTICE TOM C. CLARK TO HONG KONG. (U)

CONSUL GENERAL RICE HAS EXTENDED INVITATION TO JUSTICE AND MRS. CLARK TO BLACK TIE DINNER AT HIS RESIDENCE ON THURSDAY, JUNE 22, AT 8 PM. SIR MICHAEL HOGAN, CHIEF JUSTICE, SUPREME COURT, HONG KONG, HAS EXTENDED INVITATION THROUGH LEGAT TO JUSTICE CLARK TO A LUNCHEON ON WEDNESDAY, JUNE 21. THESE ARE ONLY SOCIAL ACTIVITIES SLATED FOR JUSTICE CLARK IN HONG KONG PER HIS INDICATED DESIRE FOR MINIMUM SOCIAL ACTIVITY. NEW TERRITORIES TOUR WHICH INCLUDES STOP OVERLOOKING CHINESE COMMUNIST BORDER IN PRIVATE CAR IS ALSO AVAILABLE FOR SATURDAY, JUNE 24, SHOULD JUSTICE CLARK DESIRE. BUREAU IS REQUESTED TO CONTACT JUSTICE CLARK'S OFFICE TO ASCERTAIN WHETHER HE ACCEPTS.

ALL INFORMATION CONTAINED HERIN IS UNCLASSIFIED
CONSUL GENERAL'S AND CHIEF JUSTICE'S INVITATIONS. NEW TERRITORY TRIP CAN BE DISCUSSED AFTER CLARK ARRIVES IN HONG KONG. PLEASE SUBMIT CABLE (U)

RECEIVED: 5:20 AM LRC (U)

3RD CC: MR. BRENNAN

If the intelligence contained in the above message is to be disseminated outside the Bureau, it is suggested that it be suitably paraphrased in order to protect the Bureau's cryptographic systems.
Memorandum

TO: MR. DeLOACH

FROM: S. B. DONAHOE

DATE: June 12, 1967

SUBJECT: VISIT OF SUPREME COURT JUSTICE TOM CO CLARK TO HONG KONG

The Legal Attache at Hong Kong, by cable today, relayed two invitations for Justice Clark while he is visiting Hong Kong. Consul General Rice has extended an invitation to Justice and Mrs. Clark for a dinner on June 22, and Sir Michael Hogan, Chief Justice, Supreme Court, Hong Kong, has extended an invitation through the Legal Attache for a luncheon on Wednesday, June 21. The Legal Attache requested the invitations be relayed to Justice Clark and a cable reply be sent.

Since Justice Clark will be leaving the country June 14, and since time was of the essence, I contacted Alice O'Donnell, his secretary. She advised that the invitation for dinner from Consul General Rice had been extended and accepted through the State Department. She was not previously aware of the invitation of Sir Michael Hogan and stated she will relay it to Justice Clark. She indicated she will advise us when a decision is reached.

ACTION:

The Domestic Intelligence Division will advise the Legal Attache, Hong Kong, of the action taken.
TO: MR. DELOACH

FROM: S. B. DONAHOE

SUBJECT: VISIT OF SUPREME COURT JUSTICE TOM C. CLARK TO HONG KONG

DATE: June 13, 1967

Miss [redacted], secretary to Justice Clark, called at 4:30 p.m. today. She advised that Justice Clark desires to accept the invitation for a luncheon on Wednesday, June 21, extended by Sir Michael Hogan, Chief Justice, Supreme Court, Hong Kong. This invitation had been extended through our Legal Attache. [redacted]

I told Miss [redacted] that we would notify the Legal Attache of the acceptance. She asked that Justice Clark be notified upon his arrival in Hong Kong whether the luncheon is "stag" or whether Mrs. Clark is also included. The Legal Attache will also handle this matter. [redacted]

ACTION:

Domestic Intelligence Division is appropriately notifying the Legal Attache at Hong Kong. [redacted]

SBD: Hmm

[372x132]JUN 15 1967

ALL INFORMATION CONTAINED HEREBIN IS UNCLASSIFIED

DATE: 6/21/67 BY: OSY
WASHINGTON 01
DEFERRED 6-16-67 3-40 PM PLB
TO DIRECTOR
FROM HONOLULU

ATT. ADMINISTRATIVE DIVISION (u)
HONORABLE TOM C. CLARK, ASSOCIATE JUSTICE, U.S. SUPREME COURT. (u)

INFORMATION CONCERNING. (u)
JUSTICE TOM C. CLARK AND MRS. CLARK MET BY SAC, HONOLULU, AND OTHERS ON ARRIVAL PAN AMERICAN AIRLINES FLIGHT EIGHT TWO FIVE AT EIGHT TWENTY P.M., JUNE FOURTEEN LAST. ARRANGEMENTS HANDLED IN GETTING THEM SETTLED IN HILTON HAWAIIAN VILLAGE, WHERE THEY HAD ACCOMMODATIONS. (u)

ALL COURTESIES AFFORDED JUSTICE AND MRS. CLARK AND ASSISTANCE RENDERED ON THEIR DEPARTURE VIA PAN AMERICAN AIRLINES FLIGHT NUMBER ONE, LEAVING HONOLULU TWELVE THIRTY P.M. HONOLULU TIME JUNE SIXTEEN INSTANT. THEY ARE SCHEDULED TO ARRIVE TOKYO THREE TWENTYFIVE P.M. TOKYO TIME JUNE SEVENTEEN NEXT, WHICH IS AN EIGHT-HOUR FLIGHT NONSTOP. BOTH VERY APPRECIATIVE. (u)

END
XJRL
FBI, WASH DC

FOR DIRECTOR

- Mr Tolson

INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
TO: DIRECTOR, FBI
FROM: LEGAT, HONG KONG (80-11)(RUC)
SUBJECT: VISIT OF JUSTICE TOM C. CLARK
U. S. SUPREME COURT, RETIRED, TO HONG KONG

DATE: 6/30/67

Re Director's let to Mr. Justice CLARK dated 5/3/67.

Justice and Mrs. CLARK departed from Hong Kong 6/25/67 for Singapore. They were met at the airport and taken to the airport for departure by Legat and were extended every courtesy possible while in Hong Kong. The CLARKs were luncheon guests of Hong Kong Supreme Court Chief Justice Sir MICHAEL HOGAN and Justice CLARK sat on the Supreme Court bench briefly as Sir MICHAEL's guest, an honor he very much appreciated.

Justice and Mrs. CLARK were also guests of the Consul General and Mrs. ______ at the ______ residence. Both Justice and Mrs. Clark expressed their gratitude for the hotel accommodations in a very peaceful location which allowed them to get considerable rest for future stops in which Mr. CLARK's schedule is very demanding physically.

Justice CLARK was also interviewed by two Hong Kong English language radio stations and was extremely complimentary of the Director and the Bureau with particular emphasis on the Bureau's adherence to the requirements of the law in fulfilling its responsibilities.

Justice and Mrs. CLARK both expressed strong appreciation for the courtesy afforded them while in Hong Kong.
Memorandum

TO: Director, FBI

DATE: 7/7/67

FROM: Legat, Tokyo (80-2) (RUC)


Enclosed for interest of Bureau are copies of pertinent State Department correspondence preparatory to current trip of Justice CLARK, and copy of personal note to Legat from Justice CLARK, expressing appreciation for courtesies.

3 - Bureau (Encs. 6)
(1 - Liaison Section)
1 - Tokyo

HLC: fo (4)

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE REVIEWED: 02 MAY 1967

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan
Dear Patty & Bess: - This we are
with. A letter (callow friend in the war
Please) and most comfortable (always
Your, Bess). We had such a nice week end.
The lovely flowers - the Jack Daniel
of Johnny Walker made it so.
And we have enjoyed this company-
can always these have the finest
prints? (Hope that I can write it?)

We see sailing on seeing you in Wash-
ington - hope we will not be there until
late September (present plans) - but want
time to see 4 here in winter.
Meanwhile if you need anything in
Washington or the USA let us know.
With appreciation & best wishes

Promptly your,

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 6 Jan 85 BY 8p-8 B-T-4N/20
SCHEDULE FOR JUSTICE T. H. C. CLARK

June 17 (Saturday)
3:25 PM
Arrive Tokyo International Airport via Pan American Flight #1.
Proceed to Hotel Sukura.

June 18 (Sunday)
8:25 AM
Leave Hotel Sukura by car for Asakusa Station.
9:00 AM
Leave Asakusa for Nikko via Tobu Railway
10:45 AM
Arrive Nikko

Afternoon
Sightseeing
Stay overnight at Kanaya Hotel

June 19 (Monday)
Morning
Sightseeing
12:15 PM
Leave Nikko via Tobu Railway
2:15 PM
Arrive Asakusa Station
4:30 PM
Meeting with Chief Justice Yokota at the Supreme Court of Japan
6:00 PM
Dinner hosted by Chief Justice Yokota and other Supreme Court officials

June 20 (Tuesday)
10:20 AM
Justice Clark: Visit to the Legal Training and Research Institute of Japan. Roundtable meeting with faculty members of the Institute.

12:00 noon
Mrs. Clark: Luncheon with Mrs. Johnson at the Residence (Tentative)

12:00 noon
Justice Clark: Luncheon with Judge Suzuki, President of the Institute.

3:00 PM
Justice Clark: Visit with Ambassador Johnson (Tentative).

4:00 PM
Leave Hotel for Tokyo International Airport.

5:30 PM
Leave Japan for Hong Kong via Pan American Flight #1.
Memorandum

TO: The Director

FROM: N. P. Callahan

DATE: July 12, 1967

SUBJECT: The Congressional Record

Pages S9357-S9359. Senator Yarborough, (D) Texas, spoke concerning the retirement of Supreme Court Justice Tom Clark and stated "our regret at Justice Tom Clark's leaving the Supreme Court is only partly mitigated by our pleasure in having Ramsey Clark as Attorney General and Justice Thurgood Marshall on the Court." Mr. Yarborough placed in the Record the remarks of the Honorable Orison Marden, president of the American Bar Association, made at the dinner honoring Justice Clark on June 12, 1967.

All information contained herein is Unclassified.

July 14, 1967
Memorandum

TO: MR. TOLSON  
FROM: R. R. BEAVER  
SUBJECT: FORMER SUPREME COURT JUSTICE TOM C. CLARK  

Former Justice Clark has been on a trip around the world which commenced in early June. He became ill in Bangkok, Thailand, and our Honolulu Office was in touch with State Department Officials in Bangkok on behalf of Attorney General Ramsey Clark who is in Honolulu. United Press releases today state that Justice Clark has a severe case of infectious hepatitis and he is being flown to the United States by the Air Force. A check with Air Force officials reveals the plane is scheduled to arrive at Andrews Air Force Base at 6:00 a.m., 8-10-67. (U)

Accordingly, I instructed SAC, Baltimore, to have agents on hand when the plane arrives in order to provide any assistance or courtesies needed. The Director's personal telegram was previously sent to Justice Clark in Bangkok. (U)

RECOMMENDATION:

Submitted for information. (U)

RRB: crt.

(2) ALL INFORMATION CONTAINED HERIN IS UNCLASSIFIED

DATE: 8-9-67  BY: RG  EX-113

62-72944-453

EX-113  3 AUG 16 1367

56 AUG 22 1967
August 21, 1967

Dear Mr. Hoover:

Mr. Justice Clark is still at Bethesda Naval Hospital, but asked me to let you know he had your letter and appreciated your writing him. He was pleased, of course, to have the American Judicature Society award and especially glad his son could be in attendance to receive it for him.

It appears the Justice contracted hepatitis somewhere during the time he was out of the country and though progress is good the doctors say he will be required to rest for some time yet.

Sincerely,

Honorable John Edgar Hoover
Director
Federal Bureau of Investigation
Washington, D.C.
TELEGRAM

HONORABLE TOM C. CLARK
C/O COMMANDING OFFICER
5TH FIELD HOSPITAL
APO SAN FRANCISCO

URGENT

I CERTAINLY WAS SORRY TO LEARN IT WAS NECESSARY FOR YOU TO BE HOSPITALIZED AND HOPE YOU ARE RESTING COMFORTABLY. YOU MAY BE SURE MY THOUGHTS ARE WITH YOU. WE ARE KEEPING INFORMED AND WILL BE PLEASED TO BE OF ANY POSSIBLE ASSISTANCE.

JOHN EDGAR HOOVER

NOTE: Mr. Clark is on the Special Correspondents' List and is known to the Director on a first-name basis. Liaison determined through military that above address is correct and commercial telegram is proper means of communication.
Memorandum

TO: Director, FBI
FROM: Legat, Rome (80-117) (P)

DATE: September 15, 1967

SUBJECT: HONORABLE TOM C. CLARK
ASSOCIATE JUSTICE OF THE SUPREME COURT
OF THE UNITED STATES
RESEARCH (CORRESPONDENCE AND TOURS)


Associate Justice CLARK and Mrs. CLARK did not arrive in Rome, Italy, from Athens, Greece, aboard TWA flight 801 on September 15, 1967, in keeping with the itinerary furnished by the Bureau with reference letter. Inquiries made at the American Embassy, Athens, Greece, revealed that Justice and Mrs. CLARK were not known to have visited Athens as planned.

It would be appreciated if the Bureau could advise of any known changes in the travel plans of Justice and Mrs. CLARK and if they may be expected to visit Rome at a later date.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
Memorandum

TO: Mr. Mohr

FROM: J. J. Casper

DATE: November 3, 1967

SUBJECT: HONORABLE TOM C. CLARK
ASSOCIATE JUSTICE, SUPREME COURT
(RETIR ED)
VISIT TO QUANTICO 11/3/67

SAC Sloan telephoned from Quantico, Virginia, advising of receipt of call from Mr. Clark who wants to take his grandson, (son of the Attorney General) dove hunting on the Marine Corps Reservation. Sloan ascertained that dove hunting is very poor on the Reservation as the birds have been pretty well shot out, but through Major Wildlife Manager, Marine Corps Schools, arrangements were made for Mr. Clark and to hunt on the Willis Farm near Culpeper, Virginia, on Saturday afternoon, 11/4/67, to be accompanied by Forestry Officer, Marine Corps Base. Hunting is reported to be very good in that area.

SAC Sloan was very appreciative of the arrangements and told SAC Sloan that he might drop by the Academy this afternoon to have his shotguns checked.

I instructed SAC Sloan to show Mr. Clark every courtesy.

ACTION:

None. Information.

1. Mr. DeLoach
1. Mr. Bishop
HLS/hcv

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

EX-113 TWO 62-2-2944-457

NOV 8 1967

COPY MADE FOR MR. TOLSON

55NOV 16 1967
October 26, 1967

Honorable Tom C. Clark
2101 Connecticut Avenue, N.W.
Washington, D.C. 20008

Dear Tom:

I was indeed sorry to learn of the passing of your brother and want to express my heartfelt sympathy to you. If there is any way in which we can be of assistance, please let us know.

Sincerely,

[Signature]

Edgar

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

NOT RECORDED

62-72745

NOTE: See W. C. Sullivan to Mr. DeLoach memo dated 10-25-67 captioned "Sam W. Clark, Information Concerning." JAS:jas. Bureau file 161-14 reflects Clark was a brother to Tom C. Clark and that he had lived in Monterrey, Mexico, for many years. (u)
TO: SAC,

TO LEGAT:

RE: HONORABLE TOM C. CLARK
ASSOCIATE JUSTICE OF THE SUPREME COURT
OF THE UNITED STATES
RESEARCH (CORRESPONDENCE AND TOURS)

Former Associate Justice Clark became ill
in Bangkok, Thailand, while on his trip in early August,
1967, and was flown back to the United States and hospital-
ized at Walter Reed Army Hospital, Washington, D. C.
Bureau is not aware of any plans which he may have to
tavel further or visit Rome at some later time.

1 - Foreign Liaison

Enc.
Buffile (62-72994)
Urfile (80-117)
PDW:rf (5)
Memorandum

TO: Mr. Casper
FROM: H. L. Sloan

DATE: December 14, 1967

SUBJECT: HONORABLE TOM C. CLARK ASSOCIATE JUSTICE SUPREME COURT (RETIRED) VISIT TO QUANTICO, 12/28 - 29/67

The writer today received a telephone call from Miss [_____], Secretary of Honorable Tom C. Clark, Associate Justice Supreme Court (Retired), (Code 1207, Extension 472) advising that Justice Clark is in Texas and will return home on 12/27 and that he would like to bring his grandson, [_____] (son of the Attorney General) to Quantico to hunt deer and turkey on 12/28 and 29/67. The writer advised Miss [_____] that turkey season is closed but that deer hunting has been rather good on the reservation.

Miss [_____] stated that Mr. Clark had been in conversation with General Greene at the recent wedding at the White House and General Greene suggested that he bring his grandson to Quantico to hunt deer. The writer contacted Major [______], Wild Life Manager, and arrangements will be worked out for them to hunt on the reservation on the desired dates. (u)

ACTION:

None . . . Informative. I will follow and make sure that the arrangements are completed for this hunt.

HLS:les 3
(3)

ALL INFORMATION CONTAINED HEREBIN IS UNCLASSIFIED
DATE 12-19-66 BY 80-7 DR1.5

SENT DIRECTOR
12-15-67

29 JAN 1968
Reference is made to my memorandum of December 14, 1967 advising of Mr. Clark's proposed visit to Quantico on December 28 and 29, with grandson to hunt deer. Although neither were successful in getting a deer they enjoyed the hunt and visit to the Academy.

While at the Academy Justice Clark observed and fired the Crosman carbon dioxide powered .22 caliber revolver we use in our firearms training and requested the writer to obtain two of them for presentation as gifts.

This is to advise that the revolvers arrived today and will be delivered to Mr. Clark tomorrow.

ACTION:

None...Informative.
March 5, 1968

Honorable Tom C. Clark
2101 Connecticut Avenue, N. W.
Washington, D. C. 20008

Dear Tom:

I was very pleased to learn you have been named Director of the Federal Judicial Center. You have certainly served your country well and deserve a rest; however, you are always ready to answer the call when needed. You will bring honor, dignity, ability and experience to this position and I want to extend my heartiest congratulations.

With best wishes for every success,

Sincerely,

Edgar

NOTE: Mr. Clark is on the Special Correspondents List and is known to the Director on a first name basis.

DCM:lmf
(3)
EX-114

62-7-2:114-460
18 MAR 6 1968
Tom C. Clark Will Head U.S. Judicial Center

Retired Supreme Court Justice Tom C. Clark will become director of the new Federal Judicial Center established by Congress last November, Chief Justice Earl Warren announced today.

The center is to seek ways to solve case backlogs and administrative problems in the federal courts and will conduct educational and training programs for federal judicial personnel.

Clark was selected for the post by the center's board of federal judges. Clark, who retired from the court last June when his son, Ramsey, was named U.S. attorney general, will not receive additional pay order his $28,500 retirement salary.

The Washington Post
Times Herald
The Washington Daily News
The Evening Star (Washington)
The Sunday Star (Washington)
The Washington Daily News (New York)
The New York Post
Sunday News (New York)
The New York Times
The Sun (Baltimore)
The Worker
The New Leader
The Wall Street Journal
The National Observer
People's World

Date MAR 4 1959
Dear Edgar:

Thank you for your kind letter of the 19th regarding The National Conference on Citizenship—They say, it was the best conference yet—

I do think there is great potential in this group to inculcate honesty, sobriety and respect in our youth. It could be a potent instrument in the fight on juvenile crime—It is miserably financed and, therefore, greatly neglected.

I shall talk to Inspector Herington whose liaison duties will be most helpful to us—We welcome him in the work—

With appreciation and best wishes—

Sincerely

Tom Clark

COPY:hc

EXP. PROC.
SEP 23 1968 37

ENCLOSURE

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 12 26 68 BY 3RD CORR
Supreme Court of the United States
Washington, D. C. 20543

27 SEP 68

Reminding
Only you can
PREVENT
FOREST FIRES

Mr. J. Edgar Hoover
Director, Federal Bureau of Investigation
Department of Justice
Washington D.C.

125 DIRECTOR
25 SEP 23 '68
potent instrument in the fight in juvenile crime. It is miserably financed and, therefore, greatly neglected.

I shall talk to Inspector Herington whose liaison duties will be most helpful to us. We welcome him to the work with appreciation and best wishes.

Sincerely,

[Signature]
Dear Edgar:—Thank you for your kind letter of the 18th regarding the National Conference on Citizenship. They say, it was the best conference yet.

I do think there is great potential in this group to inculcate honesty, sobriety, and respect in our youth. It could be a
TO: Mr. Casper
FROM: H. L. Sloan
SUBJECT: TOM C. CLARK
ASSOCIATE JUSTICE
SUPREME COURT
(RETIRED)

DATE: November 5, 1968

I received a telephone call this afternoon from Mr. Clark inviting me to join him on a hunting trip 11/29/68. During the course of the conversation Mr. Clark asked about the progress on our new Academy and I advised him the construction funds are presently frozen and I did not know when the President will authorize the Budget Bureau to release the money.

He stated that it is a shame that such an important project is being delayed and that he will make some calls to see what he can do to get it started.

He also stated that he wanted to bring his grandson, (son of the Attorney General) to Quantico for a deer hunt when the season opens (11/18/68). You will recall that he did so a couple of times last year. I told him that I would be glad to make the necessary arrangements whenever he desires.

ACTION:

None...Informative.
Memorandum

TO:             Mr. Casper                DATE:       5/7/69
FROM:          H. L. Sloan

SUBJECT: JUSTICE TOM C. CLARK
            U. S. SUPREME COURT (RETIRED)

This is to advise that I have had several telephone conversations this week with Mr. Justice Clark, who solicited my assistance in obtaining a Winchester Model 21, 16 gauge double barrel custom grade shotgun (retail price $1200) for presentation to Mr. Earl Warren at a retirement dinner June 5, 1969, given by the members of the Supreme Court.

Through Mr. Special Representative for Law Enforcement - Winchester - Western Division, Olin Industries, New Haven, Connecticut, an order has been placed, but as this is to be a custom built gun, it will take six to nine months for completion. The factory, however, will provide a substitute for presentation at the dinner. Mr. Clark seemed pleased with this arrangement.

For your information, the shotgun will be delivered to Mr. Justice Clark through a local dealer in Washington. These arrangements are being made by the company officials in view of the recent firearms legislation pertaining to interstate transportation of firearms.

ACTION:

None . . . informative.

HLS:les (£)

(3)

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 6/20/69 BY 13-8 5/12 1969

MAY 12 1969

MAY 13 1969

MAY 21 1969

62-73 74 - 463
Memorandum

TO: MR. HOOVER

FROM: SAC MILNES

DATE: 7/22/69

SUBJECT: MR. JUSTICE TOM CLARK

I thought you would be interested in knowing that Justice Tom Clark has been in Seattle since July 15, 1969, attending the Ninth Circuit Judicial Conference.

He has addressed the Conference on several occasions, particularly concerning the Federal Judicial Center and the New Magistrates Bill.

I had Special Agent Kenneth C. Howe, who knows Justice Clark from his previous service as the Attorney General, meet him at the Seattle-Tacoma Airport on his arrival and take him to the Olympic Hotel.

On July 19, 1969, I had Special Agent Joseph G. Walters take Justice Clark and Mrs. Clark to the Seattle-Tacoma Airport for return to Washington, D. C.

I had occasion to see him a number of times and had lunch with him one day while he was here. Justice Clark is extremely friendly and accommodating, and is most appreciative of the courtesies extended to him.
6/10/69

AIRTEL

TO: DIRECTOR, FBI
ATTN: IDENTIFICATION DIVISION

FROM: SAC, DETROIT (62-0)

BAIL BOND SURVEY
FEDERAL JUDICIAL CENTER
IDENTIFICATION DIVISION MATTER

The Bureau is advised that former U.S. Supreme Court Justice TOM CLARK telephoned the Detroit Office, advising that in his present position with the Federal Judicial Center he is heading up a survey of bail bond practices throughout the U.S. to determine, in part, if there are any abuses in the existing system. Judge CLARK pointed out that representing him in the survey being conducted at Detroit is a Law Professor at Wayne State University (WSU). Judge CLARK commented that perhaps the Detroit Office could be of some service to him in connection with his research and Judge CLARK inquired if it would be permissible for Mr. to contact the office. Judge CLARK was advised that Mr. as his representative, would be most welcome.

Thereupon, called the office and appeared 6/10/69. He identified himself as a former prosecutor in Los Angeles, a former Law Professor at the University of Michigan at Ann Arbor, and currently a Professor of Criminal Law at WSU. Mr. explained that on behalf of the Federal Judicial Center, a survey of bail bond practices was being conducted independently in five cities, Omaha, Miami, Detroit, Los Angeles and Baltimore. He did not know the extent or the status of surveys being conducted outside Detroit.

3 - Bureau
1 - Detroit
TJN/cfe

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE(82) 8.3 BY 59 271969

59JUL 15 1969
Mr. explained that his survey encompassed some 1,000 Federal criminal cases in District Court, Detroit, of all Federal investigative agencies. He mentioned that he had discussed the survey with the Chief Judge RALPH M. FREEMAN and with U.S. ATTORNEY ROBERT J. GRACE, and he has been unable to determine what people were arrested while free on bail arising out of an earlier charge. He said this was the object of his survey to determine weaknesses and possible abuses in bail practices, giving persons who had been arrested an opportunity to commit additional criminal activity while free on bail awaiting trial for pending appeal.

Mr. explained also that the people arrested were not available to him except through FBI identification records. On behalf of Judge CLARK, he inquired if it was possible for him to check the names of the people in the survey through the Identification Division to get up-to-date identification records. He mentioned that there was some urgency to his request in that it is his understanding Congress intends, perhaps in July, to review existing legislation.

Mr. concluded that if weaknesses exist and if persons free on bail commit other crimes, quite obviously some immediate action should be taken. He mentioned also at his disposal he has a number of law students who could, no doubt, prepare any descriptive data necessary to facilitate the search of Identification Division records.

The purposes of the Identification Division to serve law enforcement, together with the volume of work in the Identification Division, was tactfully pointed out to Mr. and no commitment was made to him regarding the availability of Identification Division records for his survey.

In view of Judge CLARK's interest, together with the possibility of disclosing abuses in bail bond practices, Mr.'s inquiry is being brought to the Bureau's attention, and the Bureau's advice is requested as to the response that is to be made to Mr.
Memorandum

TO : DIRECTOR, FBI
FROM : SAC, SEATTLE
SUBJECT: JUSTICE TOM C. CLARK

DATE: 7/25/69

There is attached a copy of a letter dated 7/21/69 from Justice CLARK, which is self-explanatory. He was in Seattle to attend the Ninth Circuit Judicial Conference. (u)

The speech he refers to is that given by SA DWIGHT DALBNEY, of the Training Division, before the District Court Judges on 7/18/69 at Seattle. I have acknowledged Justice CLARK's letter. A copy of my acknowledgment is attached. (u)

ENCLOSED

2 - Bureau (Encl.-2)  
1 - Seattle  
JEM: eon

(u)

EX-116  
REC-75

ALL INFORMATION CONTAINED HERIN IS UNCLASSIFIED

DATE: 6/21/69  
BY: [Handwritten]
July 21, 1969

Dear Mr. Milnes:

I appreciate very much the many courtesies extended to me while I was in Seattle. I especially enjoyed the lunch with you and your brother agents.

I thought the address by Agent Dalby was especially good. I heard several favorable comments from the other judges concerning it.

When you are this way, please drop by to see me.

With best wishes.

Sincerely,

TOM C. CLARK
Director

Mr. J. E. Milnes
Special Agent In Charge
Federal Bureau of Investigation
1015 Second Avenue
Seattle, Washington 98104
July 25, 1969

Hon. Tom C. Clark
Director
The Federal Judicial Center
Dolley Madison House
1520 H Street NW
Washington, D.C. 20005

Dear Justice Clark:

It was certainly good to see you while you were in Seattle and I enjoyed the association very much.

I am particularly delighted to get your remarks about Special Agent Dalbey's speech and have taken the liberty of forwarding your comments to him.

With best wishes, I am

Sincerely yours,

J. L. MILNES
Special Agent in Charge

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 6/29/69 BY RB-R9960A

-7-15/4/69-1-
November 13, 1970

Honorable Tom C. Clark
2101 Connecticut Avenue, Northwest
Washington, D. C. 20008

Dear Tom:

Special Agent of our Miami Office has advised me of the very kind remarks you made about the FBI during the recent meeting of Senior Metropolitan Judges. I am deeply appreciative of your generous comments about my associates and my administration of this Bureau and you may be sure your staunch support means a great deal to all of us in the FBI.

Sincerely,

Edgar

NOTE: Honorable Tom C. Clark is on the Special Correspondents List and is known to the Director on a first-name basis. SA is assigned to the Miami Office.

1 - Miami (80-1257)
Reurlet 11-4-70.

MSR:mb (4)

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
Memorandum

TO: Director, FBI

FROM: SAC, Miami (80-1257)

DATE: 11/4/70

SUBJECT: HONORABLE TOM C. CLARK
U.S. SUPREME COURT - RETIRED

During the course of a recent annual meeting of the National President of the Senior Metropolitan Judges of the United States, the Honorable TOM C. CLARK was in attendance. During this convention, Mr. CLARK came in contact with the Legal Officer, SA_____ of the Miami Division, and upon learning that the latter was an Agent of the FBI, made several very generous favorable comments concerning Mr. HOOVER and the work of the FBI. In front of several other of the Judges who were in attendance, Justice CLARK stated that in his opinion Mr. HOOVER's contributions through the FBI to the entire country have been the most varied and most significant of the century. He stated not only has the FBI served as an example to all local law enforcement agencies but that they have led the way in bringing about greater knowledge of the court decisions.

He specifically mentioned Inspector DWIGHT J. DALBEY who is assigned to Headquarters as a man of great insight and a scholar in Criminal Law. Justice CLARK stated he had heard Inspector DALBEY lecture on a number of occasions and that all the Judges in the audience were very favorably impressed by DALBEY's insight and broad knowledge of the Federal Criminal Law. Justice CLARK used DALBEY's lectures as an example of how Mr. HOOVER had foreseen problems that would face the Bureau and law enforcement and had anticipated the need.

Justice CLARK was thanked by SA for his very fine comments concerning Mr. HOOVER and Inspector DALBEY.

This information is being brought to the attention of the Bureau for the Director's information.
Mr. J. Edgar Hoover, Director  
Federal Bureau of Investigation  
U. S. Department of Justice  
Washington, D. C. 20535

Dear Mr. Hoover:

Hearty congratulations on your reply to the unfounded, malicious remarks of one Ramsey Clark about you in connection with the launching of his book, as reported in the press on November 16.

Everything you said in your reply as carried in the press on November 17, made sense to me, except what you said about Ramsey's father, Tom C. Clark.

How you can say that Tom C. Clark was a "good, strong man", I cannot understand! Have you forgotten: 1) the attempted investigation of the 1946 election frauds in Kansas City, Missouri?, 2) the interference in the investigation of the paroles granted in 1947 to such underworld characters as Louis "Little New York" Campagna, Paul "The Waiter" DeLucia, Philip D'Andrea and Charles "Cherry Nose" Gioe, whose activities, in spite of the then absence of today's laws, you saw we kept abreast of?, 3) the peculiar manner in which prosecution of certain New York Office cases, requiring specific Justice Department approval, was turned down during the period, 1945-48?, etc., etc., etc. It would require pages and pages to itemize the "etc.'s", as you well know. So, why say that Tom C. Clark was a "good, strong man"?

If you were speaking relatively, I could perhaps understand, but you were not quoted as so speaking.

Sincerely yours,

GDH-JC
TO: Mr. Bishop
FROM: M. A. Jones
DATE: 4-20-70

SUBJECT: MEET THE PRESS
NBC TELEVISION PROGRAM FEATURING
FORMER ASSOCIATE JUSTICE OF THE
SUPREME COURT, TOM CLARK AND FORMER
ATTORNEY GENERAL RAMSEY CLARK
APRIL 19, 1970

Above-captioned program was monitored by SA.

There was no specific mention of the FBI except in regard to the Uniform Crime Reports. A question was directed to Ramsey Clark regarding the psychological significance of a law and order administration due to the fact that the crime reports showed a decrease in the rise of crime under the Nixon Administration. Clark replied that the administration might have a psychological effect but warned against reading too much from crime statistics inasmuch as most crime is never reported to the police. He went on to say that our concern should not be limited to whether crime is increasing or decreasing but rather the vastness that crime plays in our total social fabric.

A synopsis of the responses to the principal matters discussed follows: The former Justice stated that the rise in crime was partially due to inequities in our society but another reason was the failure to detect crimes that are committed. He stated only 20 percent of crimes committed are actually detected and prosecution occurs, and that of that 20 percent some are found not guilty. He felt that this fact could encourage crime rather than court decisions which have been criticized for the encouragement of crime. The former Attorney General Ramsey Clark mentioned that to reduce crime our society must look to the mental and physical health of our people. The criminal justice system cannot deter society from crime alone. He stated that probably fewer than one in fifty serious crimes committed resulted in a conviction.

The former Justice remarked that in his opinion there was nothing to warrant the present impeachment discussion regarding Justice William Douglas. He described Justice Douglas as industrious, knowledgable and one of the most capable on the court. Ramsey Clark stated that in regard to the desegregation of the Nation's schools the supreme law of the land must be fulfilled, and integration could only be fulfilled if the citizenry really wanted to see it accomplished.
M. A. Jones to Bishop Memo
RE: MEET THE PRESS

former Attorney General also said, regarding the allegation that he had been a cream puff in fighting crime, that crime control can only be achieved through the professionalization of the police, the modernization of the courts, and the rehabilitation of those convicted of crime. (u)

Regarding wiretapping, Ramsey Clark based his refusal to use the authorization given by Congress on his belief that wiretapping undermines the confidence of the people in the Government, demeans human dignity in the long run, and escalates the level of violence. He stated he had requested methods from the Congress to fight crime, for instance gun control. He stated that neither President Nixon nor the Congress had given this type of control and that this is one of the ways that crime is controlled. He further added that the Attorney General cannot alone reduce crime as his opportunities are terribly limited. He stated that crime control is a local responsibility. The role of the Attorney General is in the image he gives to the purpose of crime control. That is, one of fairness. (u)

Regarding the use of violence to achieve a goal, Ramsey Clark stated he is against violence of any sort and that violence is no longer acceptable as a problem solver either nationally or internationally. He stated dissent is the principal ingredient in the quest for truth and has been throughout all society. (u)

Ramsey Clark’s response to the query as to what he would have testified to at the trial of the Chicago 7 was simply that the defense and the prosecution know what his testimony would have been, and that it is proper for a man of the law to limit his remarks to that which was allowed in court. (u)

The former Justice attributed the defeat of Haynesworth and Carswell nominations to a combination of unfortunate circumstances that arose rather than to bias against a southern appointee who is a strict constructionist. (u)

Regarding the effect of the Miranda decision, Ramsey Clark stated that powerless people must be treated the same as wealthy, powerful individuals. He thought the Miranda decision would cause the police to professionalize. The former Justice stated he agreed to the result achieved in Miranda but felt it was going too far too quickly. He stated he based his agreement on the results on the due process clause, that is, taking the whole circumstances of each case to determine if a fair interrogation or proceeding did take place. In response to the question, what is the most serious problem connected with the administration of justice, the former Justice stated the inequities in the system and the delay and backlog of cases. (u)

Ramsey Clark also mentioned that he did not have presidential ambitions. (u)

RECOMMENDATION: None. For information. (u)
Memorandum

TO: MR. W. C. SULLIVAN

FROM: S. B. DONAHOE

DATE: May 25, 1971

SUBJECT: FORMER ASSOCIATE JUSTICE TOM CLARK

secretary to Justice Clark, called from the Supreme Court this morning. She said that Justice Clark had asked if the FBI could be of any help to him in determining some figure as to the number of police officers in the United States.

I referred her to the latest figures available to us which appear in the publication "Public Employment" put out by the Bureau of Census. The latest figures are as of October, 1969, and show 377,000 local and state law enforcement officers and 431,000 local and state law enforcement personnel (including civilians).

Miss said she knew the Justice would be most appreciative.

ACTION: For information.

SBD: chs (3)

1 - Mr. Sullivan
1 - Mr. Bishop
December 9, 1970

Honorable John A. Montgomery
Editor
The Columbia Record
Post Office Box 1333
Columbia, South Carolina 29202

Dear Mr. Montgomery:

I have had an opportunity to read the editorial, "The Clarks And Hoover," which appeared in the November 24th edition of your newspaper.

It was indeed good of you to comment as you did regarding my direction of the FBI and your support means a great deal to me. It is hoped my endeavors will continue to merit your approval.

Sincerely yours,

J. Edgar Hoover

1 - Columbia

NOTE: Mr. Montgomery is on the Special Correspondents List; address per mailing list.
The Clarks And Hoover

Former attorney general and retired Supreme Court Justice Tom Clark has criticized FBI Director J. Edgar Hoover and bowed that he had some trouble with Mr. Hoover, as did his son Ramsey when he (like Pop Clark) was attorney general.

Well. One must assume that Clark's memory goes back to an August 1946 election when Enos Axtell, backed by Boss Tom Pendergast, was nominated over incumbent Congressman Roger Slaughter.

A Jackson County grand jury investigated the election and reported that Slaughter had been "deprived of the nomination by fraudulent miscount of votes and other types of fraud." The Kansas City Star demanded a Federal investigation.

Mr. Axtell lost the election but President Harry Truman moved Clark on to the Supreme Court.

There is also a matter of a parole to four extortionists by Clark's Board of Parole under the Department of Justice in 1947, but let us not exhume skeletons. Let us simply attest that we have heard the Clarks, and we have listened to Hoover. The Clarks are politicians; Hoover, a dogged and rugged civil servant who has withstood terrific political pressure in the past ... and in the present.
June 21, 1971

The attached letter was sent to the Director from an anonymous source in Henderson, Texas.
Hon. J. Edgar Hoover,
Director, Federal Bureau of Investigation,
Washington, D. C.

Dear Sir:

As one of your admirers who should have furnished you with this bit of ancient information years ago but for my personal inability to prove the allegations although I am convinced of their authenticity.

During the year 1939 I was in the office of Marvin H. McMurrey, President of McMurrey Refining Company, Tyler, Texas, with whom I had had business relations for several years; and a person whose truthfulness I believed in fully suddenly blurted out the following for no reason I could think of then or now, other than that he was angry and that he knew I was not a talebearer:

"You know Bill McCraw (then Texas Attorney General) has been giving us Hell over oil proration violations, and he would 'lay off' if we would send $100,000.00 to Tom Clark in Dallas for transmittal to him. Well, we sent the $100,000.00 to Tom Clark in cash as instructed, by a trusted messenger, now McCraw says Tom Clark claims we only sent $50,000.00, and he is now demanding we send the other $50,000.00."

The wording of the foregoing quotation is not verbatim for 32 years has elapsed, but the substance is correct.

He further stated that he knew $100,000.00 was delivered to Tom Clark.

Bill McCraw and Marvin McMurrey are both deceased, but

and I believe also was, at the time of the above related incident, an accountant in the office of McMurrey, still resides in Tyler and may be in position to shed more light on this.

I understand Tom Clark and Bill McCraw were law partners in Dallas before McCraw was elected Texas Attorney General.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 1/28/33 BY S. B. E.
October 31, 1973

Honorable Tom C. Clark
United States Supreme Court
Washington, D. C. 20543

Dear Justice Clark:

It is with great pleasure that I invite you to address the members of the 95th Session of the FBI National Academy, their families, and friends at graduation exercises to be held for their class on December 6, 1973, at the FBI Academy, Quantico, Virginia. The formal exercises will begin at 10:30 a.m. and will culminate 12 weeks of intensive study on the part of 250 law enforcement officers representing every state in the United States, Puerto Rico, the Virgin Islands, and 11 foreign countries.

Members of the class represent practically every level of law enforcement in this country. Their curriculum is designed to enhance the ability of the student as an administrator in law enforcement. I know they would be extremely proud and pleased if you could honor them with some words of encouragement as they prepare to return to their own departments.

If you can be with us, I will be happy to furnish an escort to and from the FBI Academy. I will also furnish you with additional information concerning the Academy if you desire. Please let me know if you can participate in the graduation exercises on December 6.

Sincerely,

Clarence

MAILED 9

NOV. 1 1973

FBI

Sincerely,

Clarence

MAILED 9

NOV. 1 1973

FBI

Sincerely,

Clarence

MAILED 9

NOV. 1 1973

FBI
Dear Clarence:

Thanks very much for your kind invitation to take part in the Graduation Exercises at the Academy in December. I wish it were possible for me to attend; however, I am slated to preside on the Federal District Court in New York during that week.

I appreciate your asking me and hope that my schedule will prove to be more adaptable for one of your future programs.

With my best wishes.

Sincerely,

TOM C. CLARK

Honorable Clarence M. Kelley
Director
Federal Bureau of Investigation
United States Department of Justice
Washington, D. C. 20535

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 12/21/83 BY 88-885100
Review conducted of Liquor Industry and Schineland circuit theatre case files. Departmental attorneys handling Liquor and Schineland case interviewed. ALFONS B. LANDA, Attorney representing Joseph Seagram Company, Washington, D.C., informs of conference with ERNEST L. BRANHAM, Antitrust Division Attorney, Department of Justice, in late 1948 concerning alleged contributions by LOUIS ROSENSTIEL, President of Schenley Industries. LANDA denies making statement that TOM CLARK, former Attorney General, Department of Justice, had given ROSENSTIEL assurances that there would never be any suit of any nature against the Liquor Industry; denies any knowledge of misconduct or mishandling of Liquor case by TOM CLARK. Review of personnel files of THOMAS C. CLARK and HIRBERT A. BERGSON set out.
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This investigation was initiated upon the instruction of Attorney General JAMES P. McGRANER, who desired a full investigation be conducted concerning allegations that TOM CCLAIR improperly handled an Antitrust investigation of the Liquor Industry, and that a full investigation be conducted concerning the allegations that TOM C. CLARK and HERBERT BERGSON improperly handled the Schine Circuit Antitrust case.

ARMANDO di JEROLAMO, Chief, Records Administration Branch, and CHARLES B. PARKER, Administrative Assistant, Antitrust Division, Department of Justice, made available the following files pertaining to the Antitrust investigation of the Liquor Industry. These files were reviewed by Special Agents ALFONSE F. CALABRESE, WILLIAM E. FENIMORE, WILLIAM T. FORSYTH, GUSTAVE SARIDAKIS, EUGENE D. THOMPSON and ROBERT N. WINGARD:

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File 60-257-0 contains the file copy of a letter dated May 13, 1952, from PHILIP E. PEHLAM, Acting Attorney General, to STEPHEN A. MITCHELL, General Counsel, Special Subcommittee to Investigate the Department of Justice, House of Representatives, Washington, D.C., which read in part:

"Reference is made to the Subcommittee's request concerning the antitrust investigations conducted by this Department involving the Schenley, Seagram, National and Hiram Walker liquor interests.

"As you know, these files were made available to Mr. COLLIER of your staff and, after he had examined them and discussed their contents with the members of the staff of the Antitrust Division concerned, Mr. COLLIER asked that a memorandum be prepared and submitted to the subcommittee reviewing the entire matter and covering not only the material he had examined, but also that discussed by him with the Antitrust Division staff."
"The requested memorandum has been prepared. It contains a digest of all the pertinent evidence gathered in two extensive investigations, the proposed procedures and the prospective theories of any case which this Department might conceivably bring against any segment of the liquor industry.

"Although no civil or criminal antitrust proceedings were instituted against these major companies, because of the lack of evidence to support any such action, the liquor industry, by reason of its impact upon large consumer interests, is one which is always under consideration and surveillance by the Antitrust Division of this Department. Thus to this extent the matter remains open.

"As in all other industries in the Nation, major changes in the liquor industry could occur swiftly and so alter the situation found to exist in prior years as to require prompt action by the Government under the antitrust laws. In view of this, I would be genuinely concerned if this memorandum, or a copy thereof, through inadvertence or otherwise, were to get into the possession of the liquor industry.

"If this should happen, irreparable damage might be done to the public interest in any subsequent legal action which this Department might take on the basis of a change in the facts. I am most reluctant, therefore, to permit this memorandum to go out of the Department, although I sincerely desire that the Subcommittee be fully and completely advised of all the facts.

"As already mentioned, Mr. COLLIER of your staff has had access to the Department's files on this matter and has discussed all of its aspects with the staff of the Antitrust Division concerned. In order that the confidential nature of the memorandum in question may be safeguarded and at the same time permit the purposes of your investigation to be served, I suggest that the memorandum be made the subject of conference, inspection and perusal between you and me and any member of the Subcommittee designated for this purpose. I would assume you would also wish Mr. COLLIER of your staff to attend this conference."

The requested memorandum to which PERLMAN makes reference is:

"MEMORANDUM RE NATIONAL INVESTIGATIONS OF LIQUOR INDUSTRY BY ANTITRUST DIVISION FROM 1943 TO DATE"

"In 1943 the Judiciary Committee of the Senate initiated an investigation of the liquor distilling industry. Shortly after that investigation was instituted, the Committee requested the assistance of the
Antitrust Division in gathering information concerning the activities of the major distillers. In conformity with this request and after an extensive preliminary investigation by members of the Antitrust Division staff, a grand jury was authorized in November 1943 and convened in the District of Columbia in December 1943 for the purpose of determining whether certain members of the liquor industry were violating the antitrust law.

"Subpoenas were served on the four largest distilling companies, namely, Schenley, Seagram, National, and Hiram Walker, and subsequently upon a number of smaller independent distillers, calling for the production of documents concerning liquor stocks, acquisitions, assets, sales, prices, marketing policies and banking affiliations. Representatives of the Department conducted extensive file searches in the offices of some of the companies under subpoena to assist such companies in compliance with the subpoenas. In addition to serving subpoenas, questionnaires were sent to numerous rectifiers and bottlers of spirits, small distillers, and others requesting information pertinent to the investigation. Information also was obtained from a number of government agencies in connection with the distilled spirits industry, as well as from certain banking corporations.

"At the conclusion of the extensive grand jury investigation in 1943 and 1944, the staff assigned to the investigation concluded: (1) that there was no evidence of common ownership or control in the industry; (2) that the acquisitions of the Big Four were not made pursuant to any conspiracy; (3) that the distillers had no common connections with banking interests; and (4) that there was no collusion among the major distillers with respect to marketing and distribution practices. However, the staff found that there was a high degree of concentration in the hands of the Big Four and that competition in the industry as between the Big Four and the independents had been steadily lessening.

"Upon the basis of the facts outlined in the paragraph above, the investigation was officially closed in late 1944. However, the subject remained open in the sense that the staff felt that in the post-war period, with the removal of governmental wartime regulations in the liquor industry, evidence might subsequently be found of collusion or conspiracy among the Big Four or that one of the Big Four would emerge as the leader to such an extent as to require a further examination of the developing facts.

"During the course of the investigation members of the Antitrust Division staff kept constantly in touch with members of the Judiciary Committee of the Senate and its Chief Counsel. Before closing the investigation the following matters were informally discussed with the Committee for Committee consideration and action: (a) restrict-
ing domestic distillers of spirit beverages from engaging in the manufacture, processing and sale of wines and beers; (b) restricting domestic distillers of spirit beverages from importing and selling foreign distilled spirits and wines; (c) requiring distillers to bottle their spirits under prewar brand names in somewhat the same ratio as existed prior to the emergency; and (d) requiring the distillers to package their bottled goods in quarts instead of fifths.

"Upon the termination of the grand jury investigation in 1944, one fact was clear and that was that there was a high degree of concentration in this industry, even though there was a lack of evidence of conspiracy among the major liquor companies. In the light of this fact, it was determined that the Antitrust Division would maintain an active watch over the industry in the belief that, upon the end of wartime restrictions upon the manufacture of distilled spirits, any intention by members of the Big Four to monopolize would soon appear. Although the war ended in the last part of 1945, allocation of grain for the production of spirits was under government regulation well into 1948 because of the demands for grain in the devastated areas of Europe. It was not until 1949 that this industry was entirely free of government restrictions on production.

"By 1949 no evidence had come to the Department's attention that any one of the Big Four had reached such a position of dominance as to be able to direct the course of action of the other major distillers in the industry. Furthermore, the Division had received no complaints of monopoly or conspiracy during the five-year post-war period. In order to re-evaluate conditions, as this industry was now free from emergency regulations, a completely new staff was appointed in the Spring of 1949 to reappraise the 1943-1944 grand jury investigation in the liquor industry. At the same time the staff was directed to conduct a complete survey of the industry from every available source within the government and to determine if a field investigation of the industry was justified.

"In the Spring of 1949 the staff began the re-examination and re-evaluation of the prior grand jury evidence and the collection and compilation of information from the Federal Trade Commission, Securities and Exchange Commission, Treasury Department, Department of Agriculture, and other government agencies. This examination was completed by September of 1949, and the staff prepared a detailed and comprehensive summary of its findings. The conclusions reached by this staff were almost identical to those reached in the 1944 investigation. The staff found that all phases of the liquor industry were heavily concentrated in the hands of four major companies, that there was a total absence of evidence of conspiracy or collusion among these companies that there had been no significant complaints from independent distillers.
in the industry, and that in fact there were certain indications of competition among the Big Four themselves in the acquisition of properties and in distribution policies. Furthermore, Publicker, a relatively insignificant distiller, was able to take the leadership in production of whiskey away from the Big Four during the years 1945 and 1946.

"The staff suggested several courses of action for consideration by the Division. One was to suspend the matter in view of the fact that there was no evidence to sustain a charge under the Sherman Act. The second course suggested for consideration was the possibility of a complaint against the major distillers charging an oligopoly, non-conspiratorial in nature but based upon a common course of action as had been previously suggested at the end of the 1944 investigation. The third alternative was to initiate a limited F.B.I. investigation by interviewing independent distillers in order to obtain evidences of an illegal conspiracy among the Big Four.

"In December 1949 a summary of the September 1949 memorandum was prepared together with a draft of a memorandum to the F.B.I. for a limited investigation if it were determined to initiate such an investigation.

"After discussion among the staff it was felt that the matter should not be closed because of the high degree of concentration found in the hands of the major distillers and because of the possibility that some evidence might at a future time be disclosed showing collusion or conspiracy. The staff also felt that the liquor industry did not offer the appropriate opportunity to attempt to expand the law to cover oligopoly, because of the extensive local, state and federal governmental control over the industry, because of the express declarations of social policy in the liquor laws of many of the states directed against the sale of cheap whiskey, and because of the competitive aspects which existed in certain parts of the industry. In the light of these considerations and the necessities of the Antitrust program in other areas where substantive violations of the antitrust laws claimed the resources of the Antitrust Division, it was felt that the suggested field investigation was not warranted on the basis of the facts.

"The suggested courses of action were not resolved, but the matter was left open to await developments in the industry or the development of an appropriate legal theory which would justify further action by the Antitrust Division. Since May of 1950 this matter has remained in an inactive status pending the receipt of complaints from independent distillers, evidence of conspiracy or collusion among the Big Four, or evidence of the dominance of one of the Big Four sufficient to direct the course of the others along a common pattern in violation of the antitrust laws."
With reference to the 1944 grand jury investigation mentioned above, file 60-257-21 contains a file copy of a memorandum dated June 1, 1944, entitled "Liquor Investigation" from WILLIAM B. BUTZ to WENDELL BERGE and HOLMES BALDRIDGE. Photostatic copies of this memorandum, which summarizes the liquor investigation, together with the exhibits mentioned therein, are enclosed with this report as Exhibit DJL-100.

File 60-257-21 also contains a memorandum for the files by MARGARET H. BRASS, Special Attorney, dated August 7, 1944, which reads:

"The grand jury investigation into the liquor industry begun in January, 1944 was permitted to expire on July 1, 1944, due to the inadvisability of holding the grand jury during the summer months and in view of the proposed filing of a civil suit against the major distilling companies. For the past two weeks I have been engaged in a search of the files of the Distilled Spirits Institute, National Press Building, Washington, D. C. for the purpose of obtaining information which may be helpful in the preparation of a civil case.

"On August 4, 1944, Mr. HOWARD T. JONES, Secretary and Counsel of the Institute, inquired whether the grand jury had expired on July 1, 1944, and if so, as to the nature and status of our investigation. He was informed that the term of the grand jury had expired and that we had not felt justified in seeking an extension of the term of the grand jury during the summer in view of the fact that several members of the jury had requested permission to leave the city. Mr. JONES remarked that it would be necessary to call another grand jury in the fall, to which I made no comment. No mention was made of the filing of a civil suit."

The summary memorandum mentioned above identifies the following individuals as members of the staff of the Antitrust Division familiar with the 1943 - 1944 investigation:

"WENDELL BERGE, then Assistant Attorney General in charge of the Antitrust Division, and now in the private practice of law with offices in the Ring Building, Washington, D. C.

"JOHN HENRY LEWIN, then Assistant to the Assistant Attorney General in charge of the Antitrust Division, and now in the private practice of law with offices at 1409 Mercantile Trust Building, Baltimore, Maryland."
"HOLMES BALDRIDGE, then Chief of the General Litigation Section of the Antitrust Division, and now Assistant Attorney General in charge of the Claims Division, Department of Justice.

"GEORGE COMER, Chief of the Economics Section, Antitrust Division.

"WILLIAM B. BUTZ, then attorney immediately in charge of the liquor investigation, and now in the private practice of law with offices in the Colonial Building, Allentown, Pa.

"ELMO D. FLYNT, economist, Antitrust Division.

"MARGARET GRASS, attorney, Antitrust Division.

"ERNEST L. BRANHAM, attorney, Antitrust Division.

"M. REYNOLDS SANDS, then attorney in the Antitrust Division, and now employed by the War Department.

"GEORGE ALT, attorney, deceased, December 30, 1948."

With reference to the December, 1949 memorandum mentioned in the summary above, file 60-257-0 contains a memorandum dated December 20, 1949, entitled "Liquor" from W. WALLACE KIRKPATRICK to EDWARD P. HODGES. Photostatic copies of this memorandum are enclosed with this report as Exhibit DJL-101.

Attached to this memorandum is a routing slip initialled by EDWARD P. HODGES dated December 28, 1949, which transmits the memorandum to BORKLAND. A second routing slip, which is undated, is from BORKLAND to HODGES and reads:

"ED,

I have read attached and will discuss with you whenever you wish.

/s/ HB"

A third attachment reads:

"FROM MR. BORKLAND

"TO MR. HODGES

"Re: Liquor
"The monopoly of the Big Four could be broken if they were prohibited from using brand names on bottles containing any liquor which differs from the product originally sold under that label, or traditionally sold under that label. The theory would be that they had achieved and are maintaining a dominant position through consumer deception. There is no doubt about the fact that the same label is used to describe a multitude of different kinds of liquor. Unfortunately, there is also no question about the fact that the Federal Alcohol Administration which, by statute, is charged with the duty of preventing consumer deception, has permitted this practice to continue.

"Let's give some thought to figuring out an approach which will leave the Federal Alcohol Administration out of it if possible."

/s/ HB

"May 26, 1950"

The summary memorandum mentioned above identifies the following individuals as members of the staff of the Antitrust Division familiar with the 1949 - 1950 survey:

"HERBERT A. BERGSON, then Assistant Attorney General in charge of the Antitrust Division, and now in the private practice of law with offices in the World Center Building, Washington, D. C.

"HERBERT BORKLAND, then Second Assistant to the Assistant Attorney General in charge of the Antitrust Division, and now in the private practice of law with offices in the World Center Building, Washington, D. C.

"EDWARD P. HODGES, then Chief of the Trial Section of the Antitrust Division, and now Second Assistant to the Assistant Attorney General in charge of the Antitrust Division.

"W. WALLACE KIRKPATRICK, then attorney immediately in charge of the survey, and now in a key position with the Allied Military Government with offices in Berlin, Germany.

"BADDIA J. RASHID, attorney, Antitrust Division.

"JOHN J. BEVINGTON, then an attorney in the Antitrust Division, and now in the private practice of law.

"LEONARD M. BERKE, economist, Antitrust Division."
The 60-257-0 file contains the file copy of a memorandum dated March 24, 1949, entitled "Big Four Liquor Companies" from E. L. BRANHAM to HERBERT A. BERGSON. After noting an investigation of the so-called "Big Four" liquor companies had been made by members of the Antitrust staff in 1944, BRANHAM discusses the individual status of the National Distilleries Products Corporation; Schenley Distillers Corporation; Joseph E. Seagrams and Sons Distillers Company, Limited; and Hiram Walker-Gooderham and Wertz, Limited; their collective growth and their uniform action in advertising, fixing resale prices and other activities. BRANHAM concludes with the following:

"RECOMMENDATION"

"It is my recommendation that the Federal Bureau of Investigation be instructed to gather material and information from the time of repeal in 1933 to the present time. We know their monopolistic position and we can then determine the type of suit that can be brought and also as to whether or not we should have a Grand Jury investigation. The civil suit, I think, should cover:

"(1) Divestiture of competing units lawfully acquired by the "Big Four" either jointly or individually.

"(2) Reestablishment of the bourbon cooperage industry as an independent industry in order to deprive the "Big Four" of the power to destroy small independent liquor distillers and the independent cooperers by cut throat price competition.

"(3) Injunction against each of the "Big Four" to prevent them from fair trading liquor sales until defendants can prove that their products are sold in free and open competition.

"(4) Injunctions against further acquisitions of anyone engaged in the manufacture of liquor or in businesses supplying that business, and

"(5) Miscellaneous injunctions against interlocking directorates, horizontal and vertical price fixing, etc."

File 60-72-0 contains a memorandum from BRANHAM to HODGES entitled "Liquor Industry" dated May 7, 1952, a portion of which is quoted below:

"I received a telephone call from your office on Wednesday, May 7, 1952, from Mrs. MENEFEEL in which she stated that you would
"like for me to meet with you in your office on that date at 10:00 A.M. She did not state, and I did not ask, for what purpose you wished to see me. When I arrived, I found Mr. ELMO FLINT, Investigator, Mr. GEORGE COMER, Chief of the Economic Section and Miss MARGARET BRASS, Attorney, awaiting also to see you at the suggested hour.

"When we entered your office and took our seats, you stated that the conference was relative to an investigation by the Congressional Committee, and that certain members of the staff, other than myself, had prepared a memorandum covering the 1944 Liquor Investigation. You suggested that we remain and read the memorandum, and if we approved to initial same, and if we disapprove to see Mr. BALDRIDGE, who was in charge of the General Litigation Section of the Antitrust Division at the time of the 1944 Investigation. After others had stated their views concerning the substance of the memorandum, I stated to you that I did not feel disposed to initial it, for the reason that I did not agree with the substance or the conclusions.

"I regret that you took occasion, in the presence of the people above-mentioned to criticize me by saying 'You have done a great deal of talking about there being a case, but you have never stated that in writing. I suggest that you put your views in writing for Mr. BALDRIDGE.' I attempted to emphasize that I had written a great deal of memoranda in the past, including the period which I worked under Mr. BALDRIDGE and also under you. I should like to say now that the memoranda I have written have either not been read or are not in the files.

"In conformity with your directive this memorandum is written to confirm all of my memoranda of record regarding the Investigation of 1944 up-to-date.

"After the group meeting in your office on Wednesday, May 7th, I showed you a memorandum prepared by me to Mr. BORKLAND, dated November 18, 1948, which clearly expressed my views. This summary contains my conclusions at the end of the 1944 Investigation, and, also, my experiences with the liquor industry until a recent date. Apparently, there are those who are not aware of some of the matters that I have handled in recent years. I quote my memorandum of November 18, 1948."
Thereafter, BRANHAM discussed the activity of the "Big Four" and makes the same recommendation as indicated in the March 24, 1949 memorandum quoted above. BRANHAM also quotes conclusions drawn by WILLIAM B. BUTZ after the 1944 Investigation. This memorandum is enclosed with this report as Exhibit DJL-102.

A memorandum dated May 9, 1952, from BRANHAM to HOLMES BALDRIDGE entitled "Liquor Industry" is enclosed with this report as Exhibit DJL-103. In this memorandum, BRANHAM, paragraph by paragraph, sets forth his differences with the "Memorandum Re National Investigations of Liquor Industry by Antitrust Division from 1943 to date", set out above. In this May 9, 1952 memorandum, BRANHAM comments principally as to whether he has information which would justify a conclusion to the accuracy or inaccuracy of the summary memorandum, restates his position and recommendation as indicated previously. He concludes the text of his memorandum states his reasons why he feels he is unable to approve the substance of the summary memorandum.

60-257-0 contains the following news releases on teletype paper indicating it had been received on the Department of Justice wire news teletype:

"Liquor Probe (Tops 79)

"Washington--a spokesman for one of the big four of the liquor industry today denied that his company prevents its distributors from handling the product of competitors.

"FRED J. LIND, Resident Counsel for Joseph E. Seagram & Sons, Inc., told house investigators the firm's sales work is carried on by a subsidiary, Seagram Distillers Corp.

"And its contracts, he testified, only requires wholesale to list the brand names of liquors already being handled at the time and not add other lines without giving Seagrams 90 days notice in writing.

"LIND, in response to questions by committee counsel, STEPHEN A. MITCHELL, recited the Anti-Trust cases in which Seagrams have been involved in recent years.

"He said he has never met 'any past or present' Attorney General or any of his assistants.

"LIND said he had met ERNEST L. BRANHAM, an Anti-Trust Division Lawyer, who repeatedly had advocated an all-out Anti-Trust Probe of the liquor business. He did not discuss his relations with BRANHAM.

"In reply to another question, LIND said he had never met HERBERT A. BERGSON, who was Assistant Attorney General in charge of
"He said he had made contributions to both the Democratic and Republican Parties during the 1948 Presidential Race."

"Did you make them along with associates in your company," he was asked.

"Pressed for a figure, he answered about $100 to each Party."

MITCHELL then asked if there had been any effort to get Seagrams wholesalers and jobbers to raise a campaign kitty for either party.

"'No,' replied LINN, 'There was none of that.'"

FRIEL couldn't remember who handled the actual collections, but he said he delivered the money personally to representatives of both Parties.

"He said he gave the $30,000 to J. HOWARD MCGRATH, then a U. S. Senator and Democratic National Chairman, during a 'casual little talk' at Democratic headquarters in New York's Biltmore Hotel.

"There was no mention of the $20,000 earmarked for the GOP, he said.

FRIEL said the GOP contribution, also in a sealed envelope, was handed to TALBOT 'in the hallway outside my office' in the Chrysler Building.

"As asked if there was any 'differences' between this meeting and the one with MCGRATH, FRIEL replied:

"'One was just quicker than the other. And I was allowed to sit down with the Democrats.'"

"HAROLD R. WALTON, President of Hiram Walker, another of the 'Big Four', told the subcommittee that he always has followed a 'firm policy' of not contributing anything to any political party at any time.

"He said that he, too, was aware of the impending anti-trust investigation.

"LANDA testified that LEWIS ROSENSTEEL, President of Schenley, contributed to the campaign of Gov. THOMAS E. DEWEY before the election. He added that he 'heard rumors' that ROSENSTEEL helped make up the Democratic deficit the following spring, but he said he could not confirm this because he gave up his finance committee post when the campaign was over.

"LANDA told the subcommittee he was surprised to find when space was allocated for President TRUMAN's inaugural that ROSENSTEEL had been given 'quite a favorite spot...in a front row of the stands facing the President.'

"He said he protested that ROSENSTEEL had contributed to DEWEY's campaign 'and I think he was shifted to another seat.'"
Liquor Price Fixing in New York Area

Department of Justice file 60-257-0, Section 5, reveals 2/20/50 memorandum from JOHN A JORDAN to MELVILLE C. WILLIAMS, Chief, New York Office Antitrust Division, wherein Mr. JORDAN states in part:

"I recommend the obtaining of grand jury authority in order to investigate and possibly to obtain the indictment of various trade associations and their officials operating in the Metropolitan-New York area, together with a number of liquor distilling companies and their officials. The names of the trade associations are the Metropolitan Package Goods Stores Assn. and the Veteran & Affiliated Package Stores Assn. Subsequent development may indicate that various wholesale associations and distributor associations will be involved. The names of the distilling companies involved at the present time are Joseph E. Seagram & Sons, Schenley Distributors, National Distillers, Park & Triford, Calvert-Carstairs, Frankfort Distillers, Brown-Forman Distillers, Glenmore Distillers, Fleischman Distilling, Continental Distilling, Southern Comfort, Hopper-Morson, Jas. Barclay & Co., Gooderam and Worts, Hiram-Walker, Melrose & Co., Kinsey Distilling, American Distilling Co., and Jardine Liquor Corp. together with various officials of these companies.

"It is my opinion that this case may develop into one of the most popular antitrust actions from the public consumer viewpoint which has been brought in recent years. It would certainly appear at this time to have the 100% cooperation of all consumers and it is my recommendation that the matter be started at once in view of certain time element features which will be developed later in this memorandum."

This memorandum which is nine pages in length deals in detail with the question of liquor price fixing in the State of New York and concludes with Mr. JORDAN'S opinion that from the information in the Antitrust Division of the New York Office, it appeared that there
was a clear violation of the antitrust laws and therefore immediate action should be taken. A photostatic copy of this memorandum has been obtained and is being forwarded to the Bureau as an enclosure to this report. (Exhibit DJ-L-200)

By memorandum dated February 23, 1950, Mr. WILLIAMS, hereinabove mentioned, advised HERBERT A. BERGSON, Assistant Attorney General, Antitrust Division, as follows:

"Attention: Rodolfo A. Correa, Esq.

"It is recommended that grand jury authority be issued for JOHN A. JORDAN, JOHN DRENKENHILL, and myself to investigate price fixing of wines and liquors in New York State and the New York City metropolitan area. It is also recommended that this authority be issued as promptly as possible, so that our investigation can get under way before the New York Legislature enacts a mandatory liquor fair trade statute that is now pending before it. The proposed legislation has resulted from a conspiracy among retailers, wholesalers, and distillers.

"As far as we now know, the participants in the conspiracy consist of major distillers, possibly wholesalers, and two associations of retailers in New York City. The distillers believed to be involved are Seagram, Schenley, National, Park & Tilford, Calvert, Frankfort, Brown-Forman, Glenmore, Fleischman, Continental, Southern Comfort, Jas. Barclay & Co., Gooderam and Worts, Hiram-Walker, Melrose & Co., Kinsey Distilling, and American Distilling Co. The associations involved are Metropolitan Package Goods Stores Association and Veteran & Affiliated Package Stores Association. We do not presently know what wholesalers or wholesaler-associations might be in the conspiracy.

"The New York mandatory fair trade law fixing liquor prices was declared unconstitutional by the Appellate Division on May 10, 1949. The case went to the Court of Appeals which sustained the Appellate Division
on February 23, 1950. The judgment of the Appellate Division was not stayed during pendency of the appeal. The conspiracy which we recommend be investigated has been directed to maintaining fixed prices for liquor since the end of the mandatory law on May 10.

"The conspiracy is much like that involved in the Interstate Circuit case. Associations of retail dealers who were primarily interested in maintaining fixed retail prices, demanded that distillers enforce fair trade prices. The distillers, knowing that concerted action among themselves was necessary to the success of the price-fixing plan, did enforce their fair trade prices. In addition, the retail associations acted as policing agents of the distillers. Members of the associations reported violations of the fair trade prices to the associations which then brought pressure upon distillers to enforce fair trade contracts.

"As a result of the conspiracy, the prices of liquor have been maintained at the same level as existed prior to May 10, 1949. A comparison of liquor prices in New York City and the District of Columbia shows that retail prices here on whiskies are approximately 20 to 25 per cent higher than in the District.

"In order to present this request to you promptly, I have not prepared a draft of a memorandum to the Attorney General requesting grand jury authority. Perhaps you can revise this memorandum to serve that purpose.

"A memorandum, dated February 20, 1950, by JOHN JORDAN, which gives further details concerning the conspiracy, is attached.

"I have instructed JORDAN to prepare drafts of subpoenas duces tecum to the distillers and the retail trade associations, so that we shall be able to move promptly as soon as we have grand jury authority."
By memorandum dated March 1, 1950, Mr. BERGSON advised Mr. EDWARD P. HODGES of the Antitrust Division, that the memorandum of Mr. WILLIAMS, dated February 23, 1950, was being sent to him. Further, that it was the contention of the New York Office of the Antitrust Division that the major distillers and others fixed prices from May 10, 1949, when the Appellate Division, First Department, State of New York, declared the Mitchell Act, under which a form of price fixing was authorized, unconstitutional. Mr. BERGSON advised that this decision was affirmed by the Court of Appeals on February 23, 1950. In addition Mr. BERGSON advised:

"An article appearing in the New York Times of February 28, 1950, at page 43, indicates that major distillers in the absence of the Mitchell Act are seeking to maintain retail prices of liquor in New York and that three suits have been brought for an injunction to restrain price cutting under the Feld-Crawford Act. Although Mel Williams is anxious to move quickly with respect to this matter, please determine the effects of the Feld-Crawford Act and the finding of the Appellate Division of May 10, 1949, that the Mitchell Act was unconstitutional upon any proposed case."

By memorandum dated March 3, 1950, Mr. HODGES wrote Mr. BERGSON as follows:

"Mel Williams' memorandum to you of February 23, 1950, recommends grand jury authority for a liquor investigation in New York City. He contemplates that the investigation would cover primarily activities of the retail dealers associations and the distillers in that area that have occurred subsequent to the decision of the Appellate Division on May 10, 1949, which held unconstitutional the mandatory Mitchell Act. The basis of the decision was that the Act involved an unlawful delegation of authority to the State Liquor Authority to require mandatory fair trading by manufacturers of liquor. However, the decision leaves entirely unimpaired the Feld-Crawford Act of New York State whereby manufacturers acting independently may elect to fair trade their products and fix minimum resale prices and enjoy the immunity from the Sherman Act granted by the Miller-Tydings Act."
The decision of the Court of Appeals was rendered on February 23, 1950, sustaining the decision of the Appellate Division with respect to the unconstitutionality of the delegation of power to the Liquor Authority to impose mandatory fair trading. During the period of May 10, 1949, to February 23, 1950, while the question was on appeal, officials of the State Liquor Authority stated that the regulation requiring mandatory fair trading was still in effect, and apparently therefore, it was still being enforced until the decision of the Court of Appeals on February 23, 1950. While the Liquor Authority may have acted illegally in endeavoring to continue in effect a regulation held unconstitutional by the Appellate Division, nevertheless mandatory fair trading did have color of authority as a result of the action of the Liquor Authority until the decision of the Court of Appeals on February 23. I doubt that a successful criminal prosecution could be based on conduct countenanced by the Liquor Authority from May 10, 1949, to February 23, 1950.

I am inclined to the view that Williams' recommendation for grand jury authority should be held in abeyance until the New York Legislature adjourns in March. Thus we can determine whether the State Legislature as a matter of policy will reenact mandatory fair trading of liquor in that state. As noted above it was the unlawful delegation of authority to require fair trading that was held unconstitutional in the decision of the Appellate Division. The State Legislature, by its own act, may now decide to impose mandatory fair trading. It seems to me that if the Department as a matter of policy wishes to oppose mandatory fair trading liquor products we should consider making a direct attack on the proposed legislation by presenting our views to the State Legislature. However, the right to regulate liquor granted to the states under the Twenty-First Amendment definitely puts the liquor industry in a special category because of the social purposes of the states' regulation.

In the middle paragraph of page 4 of Jordan's memorandum to Williams there is reference to a horizontal price-fixing agreement among the distillers. Of course, if, such
an agreement exists it should be prosecuted without regard to any of the above considerations. The evidence of the agreement is not set forth in Jordan's memorandum, and it is believed that this evidence should be submitted in detail by Jordan and examined by us to determine whether it should form the basis of a local price-fixing case against the distillers in New York or should be part of a contemplated national investigation of the distillers the advisability of which is now being considered by the Division."

It will be noted that on the first page of this two page memorandum was the notation "I concur HAB."

By memorandum dated March 8, 1950, from BERGSON to WILLIAMS the latter was advised that with relation to their recent conversation concerning the question of liquor price fixing that he, BERGSON, would appreciate Mr. WILLIAMS forwarding a memorandum concerning the possibilities of a liquor price fixing case with the conspiracy dating from February 21. Mr. WILLIAMS was also requested to outline the effects of the Feld-Crawford Act upon the conspiracy. It will be noted that the individual who dictated this memorandum was R. A. CORREA.

By memorandum dated March 9, 1950, Mr. WILLIAMS advised Mr. BERGSON as follows:

"Attached is the March 1950 Metropolitan Edition of the 'Beverage Media'. Please return it when you are through with it. Pages 35 to 58 show the attitude of the liquor industry towards using the fair trade law as a means to price fix. Page 35 states that the market 'held firm' as the distillers and retailers associations 'joined in the erection of powerful props against the disintegration of the price structure.' At the bottom of page 37, an editorial urges retailers to boycott brands of liquor that are not fair-traded.

"An investigation of this industry will undoubtedly show a situation going far beyond the activities permitted under the Feld-Crawford Act and Miller-
Tydings amendment. The case will in some respects be like that of Frankfort Distillers.

"As shown in the editorial on page 37 of the 'Beverage Media', the industry laid plans in advance of the opinion of the Court of Appeals of February 23, to police the industry and maintain prices.

"It is recommended that grand jury authority be issued at least with respect to a conspiracy directed at maintaining prices subsequent to the Court of Appeals decision. It is not necessary to the case that there be any unlawful price maintenance between May 10 opinion of the Appellate Division and the February 23 opinion of the Court of Appeals. Prompt action is desirable, however, because of the pending bill before the State Legislature which would reinstate mandatory fair trade price fixing.

"It seems to me that grand jury authority should be issued regardless of what happens to the pending legislation. Even if the bill should be passed, it probably would not be signed and become effective for several weeks. The conspirators should not escape punishment for their illegal acts resulting in price fixing during the interim period. The industry is very large and economic effects of the illegal price fixing are substantial."

By memorandum dated March 10, 1950, Mr. WILLIAMS advised Mr. BERGSON in part as follows:

"Apparently your memorandum to me dated March 8, requesting a memorandum concerning the possibilities of a liquor price-fixing case with the conspiracy dating from February 24 and the effects of the Feld-Crawford Act upon such conspiracy, crossed in the mails with my memorandum of March 9 addressed, attention of Mr. HODGES."

Further, that with respect to the effect of the Feld-Crawford Act on such a conspiracy he, Mr. WILLIAMS, believed that it afforded no protection to the conspirators. He advised that
since the Feld-Crawford Act permits only individual contracts and agreements between buyers and sellers in which the retail price of the commodity sold might be fixed and by express language prohibits any price fixing contracts of a horizontal nature, the type of case in which distillers, wholesalers and retailers of liquor had apparently engaged in since February 24 was directly in violation of Section One of the Sherman Act. Mr. WILLIAMS advised therefore that he recommended that they proceed promptly to investigate the situation through the use of the grand jury in New York.

A photostatic copy of this memorandum is transmitted to the Bureau as an enclosure to this report. (Exhibit DJ-L-201).

By memorandum dated March 15, 1950, Mr. HODGES wrote Mr. WILLIAMS in which he acknowledged Mr. WILLIAMS memorandum of March 9. Mr. HODGES stated that Mr. BERGSON had decided to hold the request for grand jury authority in abeyance until the New York Legislature adjourned sometime that month. He advised that when the Legislature had adjourned he would promptly bring the matter to Mr. BERGSON'S attention for his consideration again.

By memorandum dated March 28, 1950, RODOLFO A. CORREA wrote Mr. WILLIAMS as follows:

"Please advise whether the State Legislature, which has recently adjourned, took action concerning the proposed bills for mandatory price fixing of liquor. This information is needed in connection with the suggested investigation of liquor price fixing in the New York area."

By memorandum dated April 3, 1950, Mr. WILLIAMS wrote to Mr. BERGSON for attention of Mr. CORREA in response to Mr. CORREA'S memorandum of March 28, 1950. Mr. WILLIAMS advised in part as follows:

"1. The Legislature enacted a mandatory price-fixing law March 22, 1950.

"2. The Governor has 30 days from that date to veto or sign the measure, but it is expected that he will sign it."
"It is recommended that we seek an indictment of the liquor retailer associations and distillers for their activities during the interim period from February 24, 1950, to the effective date of the new legislation. From the evidence in our possession, it seems that there is a clear violation of the Sherman Act. The industry is a large one and the profit resulting from the illegal actions will be substantial for the one to one and a half-month period involved. An indictment would point up the deleterious influence of fair trade laws on consumers not only as to liquor, but as to other fair-traded products as well."

On April 11, 1950, a memorandum from Mr. BERGSON to Mr. WILLIAMS advised the latter that his memorandum of April 3, 1950, was being acknowledged in which it was stated that the New York State Legislature enacted a mandatory price-fixing law on March 22, 1950. Mr. BERGSON stated that in view of this fact the Department of Justice did not desire to conduct an investigation of price fixing of liquor for the short period in which there was no price fixing statute in effect.

This memorandum was obtained from Department of Justice file 60-257-0, Section 6.
The Department of Justice files 60-72-0, Sections 2, 3, and 4, which contained the records of the Anti-Trust Division of the Department on the Cooperage investigation from January 5, 1935 to date were reviewed and the results set out as follows.

The files reflect a memorandum from ROY COOK, Attorney, Justice Department to JOHN R. MITCHELL and ERNEST L. BRANHAM dated August 29, 1946. This memorandum sets forth a condensation of the information collected by the Department reflecting the acquisition of Cooperage companies by the large distilleries. MR. COOK states that he believed that several of the independent Cooperage manufacturers should be interviewed in reference to this acquisition. Photostatic copies of this memorandum are being furnished as Exhibit DJL 300 with this report.

The Department of Justice by memorandum to the Director of the FBI dated November 21, 1946, which memorandum was prepared by B. KRAMER over the signature of WENDELL BERGE, Assistant Attorney General, requested the FBI to investigate the Cooperage industry.

MR. G. HEYWARD SELFRIDGE, by memorandum to EDWARD P. HODGES dated April 19, 1949, set out a review of the Department's files concerning the Cooperage investigation. This memorandum sets forth the information that the FBI investigation apparently did not reveal evidence of joint action on the part of major distilleries to eliminate competition from the smaller distilleries. Photostatic copies of this memorandum are being furnished as Exhibit DJL 301 with this report.

MR. W. WALLACE KIRKPATRICK, by memorandum to EDWARD P. HODGES dated November 1, 1949, sets out the information that he is convinced that there is nothing in the Department of Justice files to justify even concerning a Cooperage case. He suggested that the Federal Trade Commission should be given access to the Department's Cooperage files in order that they might proceed with a Cooperage case which they had suspended years before.

Photostatic copies of this memorandum are being furnished as Exhibit DJL302 of this report.
Mr. Lfonald M. Berke, in a memorandum to Allen A. Dobey
dated February 20, 1950, sets forth a summary of the Cooperage
industry. Contained in this memorandum is the following information.

"Distillers faced with a shortage of bourbon barrels toward
the end of the war overcame this bottleneck by utilizing their
financial resources to gain entrance into the Cooperage industry.
This dominance in the Cooperage field by the distillers does not
appear to have been brought about by any concert of action or design
on the part of the distillers but rather by a desire to provide a
vital raw material to their distilling operations.

Photostatic copies of this memorandum are being furnished
as Exhibit DJL 303 with this report.

A review of this file failed to note any irregularities
on the part of Tom C. Clark or Herbert A. Bergson. The file did not
reflect any discretion of the part of either of these individuals
concerning the handling in the Department of Justice of the Cooperage
investigation.
COLORADO LIQUOR CASE

A review of the U.S. Department of Justice file number 16-257-2, volumes 2 through 8 inclusive, covering the period from September 14, 1934, to the present, was made by Special Agents WILLIAM T. FORSYTH and EUGENE D. THOMPSON on September 25, 1952.

This file pertains to the case of the United States versus Colorado Wholesale Wine and Liquor Dealers Association, Incorporated, et al. The file indicated that the Colorado Wholesale Wine and Liquor Dealers Association and individual defendants were indicted on March 12, 1942, for violation of the Sherman Act. The file reflected that a decision favorable to the Government was made by the District Court imposing fines totaling $87,550.

This file further contained a report dated June 20, 1945, from Denver, Colorado, which reflects that the Supreme Court confirmed the judgment of the District Court in the Colorado Liquor Cases and this report reflects that in May, 1945, two associations, ten producer corporations and thirty-five individuals pled nolo contendere and were fined $88,300. This report further indicated that the case was dismissed against two producer corporations and fifteen individuals. It further indicated that fines were raised in several instances.

A review of this file disclosed no information to indicate that TOM CLARK was in any way involved in any decision made in the handling of this case. It was noted during the review of this file that this case was handled principally by the following attorneys: GEORGE B. HADDOK, GERALD MCAULIFFE, and HARRY SWERDLow, all of whom were at that time assigned to the Denver Branch of the Antitrust Division of the Department of Justice.
GREATER NEW YORK WHOLESALERS ASSOCIATION

A review of file #60-257-23, U. S. Department of Justice, was made by Special Agent WILLIAM T. FORSYTH on September 24, 1952. This file pertains to liquor wholesalers in the New York City area.

This file reflected that the case was instituted in New York City during December of 1947 and, on December 6, 1947, the Department of Justice requested the Federal Bureau of Investigation to investigate the activities of the Greater New York Wholesalers Association under the Anti-Trust Laws. The allegation was that twenty-one liquor wholesalers, members of the Greater New York Wholesalers Association, simultaneously withdrew, in September, 1947, a 1 per cent cash discount, which had previously been given to the retailers.

By letter dated March 5, 1948, Mr. J. FRANCIS HAYDEN, Chief of the New York Branch Office of the Anti-Trust Division, requested the Department of Justice to give him authority to continue the investigation in this matter by use of a grand jury.

By letter dated April 8, 1948, over the signature of HOLMES BALDRIDGE, Mr. HAYDEN was advised that authority for use of the grand jury type investigation was being prepared, but Mr. BALDRIDGE stated, "I don't think this matter is one on which we should spend much time."

On April 16, 1948, letter addressed to Mr. BALDRIDGE, of the Department of Justice, from WALTER K. BENNETT, of the New York City Branch Office of the Anti-Trust Division, summarized the case and recommended that grand jury action be opened on the matter. This letter was received by ERNEST BRANHAM at the Department of Justice and, with a cover memorandum, was transmitted to Mr. HAMMILL and Mr. KRAMER, of the Department of Justice. This memorandum contained the statement, "It appears to me to be the time for the Department of Justice to take some steps to break up the liquor racket." This memorandum contained a pencilled notation as follows:

"Noted. I agree." (Along with the initials "C.H.", believed to be the initials of Mr. HAMMILL).
By letter dated February 18, 1949, Mr. WALTER K. BENNETT, of the New York Branch Office of the Anti-Trust Division, advised Mr. HOLMES BALDRI SCHE that the aforementioned 1% discount practice had been restored and, therefore, he was making the recommendation that no criminal action be taken in this matter. In response to this letter, a letter dated April 1, 1949, was directed to Mr. J. FRANCIS HAYDEN, Chief of the New York Branch Office of the Anti-Trust Division, by Mr. R. A. CORREA, instructing the New York Office to close the investigation as it was doubtful whether they could "make a case" and stated that if they did make a case, the time required would "be out of proportion to the results anticipated."

By letter dated April 4, 1949, J. FRANCIS HAYDEN advised the Department of Justice that this case had been closed.

There is no information in this file to indicate TOM CLARK had any connection with the case or had made any decision in regard to the case.

A review of this file indicates that this case was handled principally by Mr. J. FRANCIS HAYDEN and WALTER K. BENNETT, both of whom were assigned to the New York Branch Office of the Anti-Trust Division.

**OTHER MISCELLANEOUS LIQUOR FILES**

The following Department of Justice files concerning the liquor industry were reviewed on September 25, 1952, by Special Agents WILLIAM T. FORSYTH and EUGENE D. THOMPSON:

60-257-4
60-257-5
60-257-6
60-257-7
60-257-8
60-257-9
60-257-10
60-257-12
60-257-16
60-257-17
60-257-18
60-257-19
60-257-20
60-257-22
60-257-25
60-257-26

These files pertained to various and sundry complaints and other matters concerning the liquor industry."

The files disclose no information pertinent to this investigation and fail to reflect any indication that TOM CLARK took an active part in any of these matters.
SIGNED STATEMENT OF ERNEST L. BRANHAM

ERNEST L. BRANHAM, Trial Attorney, Small Business Unit, AntiTrust Division, furnished the following signed statement on August 13, 1952.

"August 13, 1952
Washington, D. C.

I, ERNEST L. BRANHAM, voluntarily make the following signed statement under oath to GUSTAVE SARIDAKIS and WILLIAM A. ROYER, who have identified themselves to me as Special Agents of the Federal Bureau of Investigation. I have been advised that anything I say can be used against me in a court of law. No promises, duress, or coercion, have been used to obtain this statement.

"My address is 5600 Overlea Road, Washington 16, D. C. I entered on duty with the AntiTrust Division of the Department of Justice on February 2, 1944, and my present position is Trial Attorney in the AntiTrust Division.

"Immediately after my entrance on duty I was assigned to the Cement case. That case was developed in the Washington Office and was filed in Denver, Colorado, on the 28th of June, 1945. The case is still pending trial.

"Shortly after my entrance on duty Mr. HOLMES BALDRIDGE, presently Assistant Attorney General in charge of the Claims Division, called me in and said that he would have to take me off the Cement case temporarily in connection with a Grand Jury investigation of the liquor industry; that he wanted me to go to New York and take charge of the liquor investigation of Seagrams of the big four; namely, Seagrams, Schenleys, National, and Hiram Walker, in the early part of March, 1944. I remained there for approximately two weeks where I examined the files of the Seagrams Company, and had sent to Washington numerous types of memoranda, advertisements, and other documentary evidence. Numerous acquisitions had been made by the big four in the years immediately preceding 1944 which indicated to me that it was the purpose of the big four to eliminate from the industry all of the
independent distillers, and ultimately there would be competition only among the big four. They had acquired numerous independent distilleries in the United States, apparently for the purpose of eliminating competition.

"This Grand Jury investigation was under the immediate supervision of Mr. WILLIAM BUTZ, who at the present time is in private law practice in Allentown, Pennsylvania. I consulted with Mr. BUTZ periodically after my return from New York in the preparation of his final report on the liquor investigation. I was told by Mr. WILLIAM BUTZ and Mr. HOLMES BALDRIDGE when I entered the liquor investigation that a Grand Jury was sitting in the city of Washington. I was also told that this Grand Jury was dismissed approximately the middle of 1944. I never appeared before that Grand Jury, and I do not know to what extent it went into the liquor monopoly. I was told, however, in recent weeks by Mr. STEPHEN A. MITCHELL, at that time Counsel for the Chief Subcommittee of the House Judiciary Committee, that his investigation indicated that not one single witness was heard by that Grand Jury. I was at a loss then, and I am still at a loss, as to what grounds that Grand Jury was dismissed without making a thorough investigation of the complaints against the big four for its obvious attempted monopoly of the industry at that time.

"I continued to work on the Cement case until it was filed in Denver in 1945, and in 1946 numerous complaints were coming into the Division concerning the acquisitions by the big four of the Cooperage Industry (barrels), and I was asked by Mr. EDWARD P. HODGES, who was my superior at that time, if I would take charge of the Cooperage investigation. I was quite busy at that time and felt that I could not handle it, but I was told later that I would have to take the Cooperage investigation over, which I did. I made a draft of a memorandum to the Director of the Federal Bureau of Investigation, which was later revamped, I understand, by Mr. VICTOR KRAMER, assistant to Mr. HODGES, who at that time was in charge of the Complaints and Small Business Section which was later named the Trial Section.

"The FBI made a thorough investigation of the Cooperage industry, and it was found that the big four, or big six, including Brown-Forman, and Publicker ('Continental',

30...
Philadelphia), owned and controlled approximately ninety-five per cent of the Cooperage manufacturing facilities and the White Oak lands throughout the United States. There were only two or three tight cooper's remaining in the country. Complaints continued to come in from the independent distillers due to the fact that they could not buy tight cooperage for the purpose of aging their whiskies except at a very high price, and in most instances they were required to pay to the big four, or the big six, a liquor bonus for the privilege of buying barrels; or in many instances were required to turn over to the big four, or the big six, fifty per cent of their grain allocation by the Secretary of Agriculture. I think this was verified in recent testimony before the Chelf Committee.

"It was also about this time that the Secretary of Agriculture was alleged to have issued a regulation authorizing grain allocations on a capacity basis rather than on a historical basis, the result of which was putting all independents, including Pabst (continental) and Brown-Foreman out of business. The Pabst officials had consultations in the Department of Justice (I believe with Mr. CHALMERS HAMILL and Mr. GORDON GRANT). In any event, I understand suit was filed by Publicker in the District Court of the United States for the District of Columbia to enjoin the Secretary of Agriculture from enforcing this capacity regulation. I have been informed by Messrs. HAMILL and GORDON GRANT that this matter was settled before Judge HENRY A. SCHWEINHOUT affixed his signature to the order of injunction.

"At the conclusion of the Cooperage investigation a meeting was held with Mr. JOHN F. SONNETT, Assistant Attorney General in charge of AntiTrust Division, in about the middle of 1947 with Messrs. EDWARD P. HODGES, VICTOR KRAMER, and myself, present, at which I was required to do most of the talking with Mr. SONNETT concerning our findings in the Cooperage investigation. I recommended to Mr. SONNETT that suit not be filed against the big four, or the big six, on the Cooperage monopoly alone, indicating to him that I had previously recommended to Mr. BUTZ that the investigation should be pursued further concerning the whiskey monopoly, or that some action be taken, and that I felt that the Cooperage monopoly was merely auxiliary to the liquor monopoly,"
and that the two industries should be prosecuted jointly. Mr. SONNETT listened, but said practically nothing, and upon my leaving he said that he would let me know in about a week or ten days as to his position in the matter. I have not seen nor heard of Mr. SONNETT since that time in that connection, nor have I received any instructions from any of his successors, or Mr. HODGES, as to what disposition should be made of the Cooperage end of the industry. Mr. ED.KINNEY testified before the Chelf Committee that he had charge of the Cooperage investigation. I thought I did. Mr. KINNY was not present in the conference with Mr. SONNETT.

"During this time I was working in the Small Business Unit under Mr. CHALMERS HAMIL, which was a subsection of the Complaints and Small Business Section, headed by Mr. EDWARD P. FODGES. We received numerous complaints from all parts of the country from dealers and the few remaining independent cooperers concerning the practices of the big four, such as price maintenance requirements, tie-in sales, advertising - namely, the big four did not want dealers to advertise their products. We have been told that the big four would approach newspapers and tell them if they carried advertisements of local dealers at cut prices they would no longer get national advertising by the big four distillers. This information was verified by Mr. FERRY PATTERSON, an associate in the law firm of KIRKLAND, FLEMING, GREEN, MARTIN, and ELLIS; (Chicago firm with local office in the World Center Building). Mr. PATTERSON is the attorney for the 'Times Herald'. This was also verified by the Advertising Manager for the 'Daily News', the Scripps Howard paper for Washington. This situation continued all through 1918, which was a matter of great concern to both Mr. HAMILL and me, and in spite of the fact that I had made several recommendations that the investigation of the liquor monopoly be pursued further and ignored, I wrote a recommendation on November 18, 1918, wherein I recommended a Grand Jury investigation and a civil suit of divestiture, a copy of which I have turned over to the FBI. That recommendation should be in the file and should speak for itself.

"Prior to 1947 I did not keep copies of my memoranda, but since that time I have tried to keep copies."
"After the Presidential election of November, 1948, I had lunch one day with Mr. ALDONB LANDA of the law firm of DAVIES, RICHERB, TYDINGS, BEEBE and LANDA, in the Wire Building, Washington, D.C. (Mr. LANDA is Washington Counsel for Seagrams), and during the luncheon we were talking about the political campaign, and Mr. LANDA knew of my efforts to have the investigation of the liquor industry pursued further, and he said to me that Mr. LEWIS ROSENSTIEL, President of Schenley industries, was telling it around New York that he had received the issuance from Attorney General TOM CLARK that there would never be any suit of any nature against the liquor industry, but if such became inevitable he was assured that BRANHAM would have nothing to do with it.

"During this luncheon Mr. LANDA was telling me about his activities as a member of the Finance Committee of the Democratic National Committee during the 1948 Democratic Presidential campaign. He stated to me that he had raised a great deal of money for the Democratic Party during that campaign; for example, he said that he telephoned Mr. JAMES FRIEL, Executive Vice President of Seagrams, for a contribution. Mr. FRIEL's immediate reaction was 'I don't understand why we should make a contribution to the Democratic Party, the Republicans have control of Congress, and DEWEY will very likely be elected.' Mr. LANDA informed him that the Republicans had a small margin in the Senate, and it was possible that the Democrats would gain control of the Senate, and a contribution might help. 'Well, how much should we give?' Mr. LANDA indicated he suggested $30,000. As I can recall, Mr. LEWIS JOHNSON, Chairman of the Democratic Finance Committee, was to pick up from Mr. FRIEL the $30,000 on a later set day, at a set hour, but Mr. LEWIS JOHNSON could not appear. In lieu thereof, the money was turned over to Mr. J. HOWARD McGRATH, who at that time was Chairman of the Democratic National Committee and Senator from the State of Rhode Island, and later became Attorney General of the United States. Mr. LANDA also stated to me that National Distillers had contributed $50,000; that Schenleys had contributed $25,000 quite reluctantly, and Hiram Walker had contributed $25,000. If Mr. LANDA had any part in the three latter contributions I do not know. Schenley, in the meantime, I understand, had purchased a yacht to take Mr. DEWEY on a 'honeymoon' after the election, but
Mr. DEWEY was not elected. Mr. ROSENSTIEL, President of Schenleys, then got quite enthusiastic and pledged $100,000 for the ensuing four years, so I was told.

"I was not too disturbed concerning the contributions, but I was disturbed over the statement that Attorney General TOM CLARK was purported to have said to Mr. ROSENSTIEL concerning no prosecution. I was not disturbed over the fact that BRANHAM would have no part in it. My main concern was that the investigation be pursued by honest and competent individuals. I was disturbed to the point that I felt the necessity of talking with someone about it. I informed Mr. HAMILL, my superior, when I returned to the office, and I also informed Mr. LeROY McCauley, the administrative officer for the Antitrust Division. Mr. McCauley said that sounds like a matter you should report to Mr. BERGSON. I said, 'it will be impossible for me to see Mr. BERGSON because he will not see me.' He said, 'I will get you in.' I returned to my office and dictated a memorandum to Mr. BERGSON wherein I set forth all of the facts that I had gathered at luncheon that day. About the time my secretary had typed up the statement I received a call to come to Mr. BERGSON's office, and I handed him the statement which I had prepared. Reading it, he said, 'You infer that the Attorney General is a crook and a co-conspirator with the liquor officials.' He said, 'I suggest that you destroy this memorandum; I don't want such in the files.' I took the memorandum back to my office and destroyed it and did not even keep a copy. It was not my purpose to criticize the Attorney General, but I felt that if such statements were made concerning him, and were not true he should know about it.

"My recommendation of November 18, 1948, was in the hands of Mr. HERBERT BORKLAND, second assistant to Mr. BERGSON. The matter rocked on until early 1949 when Mr. BORKLAND called me into his office and said that he felt that my recommendations were a little drastic and he asked me if I would agree to recommend an FBI investigation in lieu of the recommended Grand Jury investigation and the civil suit of divestiture. I stated to him that it was immaterial to me what type of investigation was made so long as a thorough investigation was actually made.
My memorandum recommending an FBI investigation is dated March 24, 1949, and on that same day I handed in a memorandum to the FBI in which I instructed the FBI to make a thorough investigation of the industry. A copy of my memorandum of March 24, 1949, addressed to Mr. BERGSON, and a copy of my memorandum to the director of the FBI, which was undated, but handed in on March 24, 1949, was turned over to the FBI.

In the latter part of March, 1949, I received a telephone call from Mr. EDWARD P. HODGES, head of the Trial Section in which he stated that he had instructions from Mr. BERGSON for him to take over the liquor files, and for me to send him everything I had concerning liquor and cooperage. Mr. HODGES also called me in to brief him concerning my experiences in the industry. I understood from Mr. HODGES at the time that he was going to pursue the investigation, which pleased me very much.

A few weeks later Mr. KIRKPATRICK, a former employee of the AntiTrust Division, came to see me and spent only about twenty minutes, and during Mr. KIRKPATRICK's conversation with me I had the feeling that he was not interested particularly in developing a case, but I said nothing to anyone about it other than to Mr. CHARLES HAMILL. I believe I did make some discouraging remark to Mr. HAMILL about it.

In Mr. HODGES' testimony before the Shelf Committee he indicated Mr. KIRKPATRICK had spoken critically of me concerning my knowledge of the liquor industry.

Numerous complaints continued to come in to the Small Business Unit for my attention, and I continued to handle them to the best of my ability. Some of the complaints were against three D. C. liquor dealer groups; namely, the Thrifty group, and the Key group. I called in the attorneys for the various groups—Mr. WILLIAM E. BINEMAN was attorney for the Thrifty group, headed by Mr. BERGROSE; the attorney for the Value group was Mr. BINEMAN; and I do not recall the name of the attorney for the Key group, which was the smallest of the three groups. These groups would list six or eight products on an entire page of a newspaper, and on the right
hand edge of the newspaper would be listed twenty-five or thirty dealer members of the respective groups which made it clear that each member of this group subscribed to the price set forth under the product described on the page of the newspaper - in other words, a clear price fixing scheme which is a crime under the AntiTrust laws. The attorneys and officials who came in were informed by me that they must discontinue such practices or there would be no choice but that I recommend criminal action. I did not say I would put them in jail.

"Around April 17, 1949, about 10:00 o'clock in the morning, I received a call to come to Mr. BERGSON's office. As I entered his office he was on the telephone, and over at the other wall sat Mr. WILLIAM A. UNDERHILL, his first assistant. I took a chair and waited until Mr. BERGSON was off the telephone, and his first remark was: 'BRANHAM, I understand that you are going to fill up the District Jail.' I said: 'Well, has anyone accused me of that?' He said: 'Yes,' and I said, 'Will you tell me who it is?' He said, 'No,' except he would say my accusers were the liquor people. I said to him I would be very glad to confront any of my accusers in his presence. By this I meant it to be a denial of such a charge. Mr. BERGSON said to me, 'You have got to go easy on these liquor people.' I said to Mr. BERGSON I would be very glad if he would take me off of these miscellaneous liquor complaints inasmuch as Mr. HODGES had taken over the investigation. Mr. BERGSON said, 'No, I will not take you off of anything.' I made a general statement in the presence of Mr. BERGSON and Mr. UNDERHILL that I had threatened no one; that I had made a firm statement to those who were obviously violating the law in which it was my duty to inform them that unless they discontinued such practices there would be no choice but that I recommend that action be taken. I never knew who my accusers were until the morning of June 23, 1952, which was the first day of the open hearings before the Chief Committee, at which time Mr. BERGSON injected himself into the hearing by rising to his feet and demanding of the Chairman that he be heard then, and stated that unless he was heard at that time he had a prepared statement to issue the press. The Chairman of the Committee informed him that he would be heard on the following Friday, the 27th of June, 1952. Mr. BERGSON then issued his statement to the press wherein he
identified my accuser of 1949 as being Mr. BINDEMAN, attorney for the Value group, and that he would not assign me to the so-called survey of 1949 conducted by Mr. EDWARD P. HODGES for the reason that I had discussed employment with several of the liquor companies.

"Mr. BERGSON took the stand on Friday afternoon of June 27, and was asked the question by Mr. MITCHELL, Counsel for the Chelf Committee:

"You stated in your release to the press on Monday that Mr. BRANHAM had sought employment with several of the liquor companies."

"He explained, 'Well, all I know about that is that Mr. BRANHAM told me.'

"Well, is there anything wrong in discussing employment with anybody?'

'Oh no, he has a right to discuss employment with anybody he chooses.'

'Well, you stated in your release to the press that you did not consider him a fit subject to assign to the survey of 1949. Now explain that.'

'Well, I consider a man who has worked in the Department and has the know-how of the industry, and has discussed employment with members of that industry - I do not consider him a fit subject to participate in a confidential survey."

"The above quotes are substantially the interrogations of Mr. MITCHELL and answers by Mr. BERGSON. (Suggest transcript be checked for accuracy; this statement of mine is qualified to that extent.)

"I state that I have never discussed employment with any officials of the liquor industry. I have perhaps indicated in my numerous conversations with some of them that some day I hoped to make a change from my present position, but I have never discussed employment with any member of that industry. I learned that this was the attack that was going
to be made against me by the present regime in the AntiTrust Division and Mr. BERGSON on the outside in open hearings before the Chelf Committee. (See testimony of Liquor Officials concerning the above).

"I was sent word by Mr. WILLIAM A. UNDERHILL, a few weeks ago, at that time Assistant Attorney General in charge of the Lands Division, through Mr. C. ROBERT HATHIS that this crowd in the AntiTrust Division was out to get me at any cost, and I had better be prepared to fight back, or words to that effect. They did attempt, beginning with Mr. HODGES, followed up by Mr. BERGSON, Mr. ED KENNY, presently of the AntiTrust Division, and Mr. RASHID, presently of the AntiTrust Division, in an attempt to discredit me in every conceivable way, and when they could not get anywhere with the Committee on the employment angle, or the putting in jail angle, they then attacked my efficiency. My efficiency record has been shown to Agents of the Federal Bureau of Investigation, and will be available for anyone who wishes to see it.

"During Mr. BERGSON's attack on me, after which he was taken over the coals for his conduct in representing liquor companies and receiving large fees for his services and other industries who have been in trouble with the AntiTrust Division, he stated to Mr. MITCHELL that he thought his line of questioning was quite unfair. Mr. MITCHELL replied, Perhaps-so, or words to that effect, but it appears that you are going to be made the subject of a separate inquiry by this Committee.

"Chairman CHELF spoke up and said, 'Mr. BERGSON you were not asked to inject yourself into this Committee investigation. You injected yourself voluntarily.'

"Mr. BERGSON said, 'Well, I thought I knew more about the liquor industry than anybody else.'

"Chairman CHELF spoke up and said, 'You have not convinced this committee that you know anything about it.'

"Mr. BERGSON was taken to task as above indicated for his representation of clients, who at one time or other had been in litigation with the AntiTrust Division. It is
my understanding that Mr. BERGSON, Mr. FORD, and Mr. BORKLAND, all three are now the subject of a pending inquiry by the Chelf Committee, and I think rightfully so.

"I think it pertinent to make a statement concerning my experiences which lead up to my appearance before the CHELF Committee on Wednesday, May 14, and June 23, 1952.

"During the week prior to May 1, 1952, I received a call from Mr. EDWARD P. HODGES to come to his office. As I entered his office he said:

"'Would you repeat to me your several previous statements to me concerning contributions by the liquor companies to the Democratic Party?'

"I reiterated to Mr. HODGES what I have heretofore stated to the FBI and to the Chelf Committee. After I told Mr. HODGES the facts he said:

"'ERNEST you did not work on the liquor case very long did you?'

"I said, 'Yes, I have wrestled with it for several years.'

"He expressed disbelief at my statement. He then said, 'That is all.'

"I said, 'What's the interest?'

"He said, 'I don't know.'

"Around May 1, 1952, I received a call from Mr. MORISON's secretary to come to Mr. MORISON's office. As I entered the office I found Mr. MORISON, Mr. EDWARD P. HODGES, Mr. DOBEY, and Mr. RASHID. Mr. MORISON stated, We are interested in liquor. He was quite friendly, and asked me a few questions concerning the 1944 liquor investigation. I attempted to go into some detail, and he said:

"'Wait a minute ERMEST, I will get back to you in a minute.'
But he never did get back to me. The meeting was terminated without my knowing what the purpose of the meeting was. The Chelf Committee was not mentioned, nor did anyone else mention to me the purpose of the meeting. As I left Mr. MORISON's office I saw Mr. BERGSON sitting in the reception room who greeted my quite coldly.

"Mr. RASHID in his testimony before the Chelf Committee testified that the purpose of the meeting was stated to me. This is false. Mr. RASHID's testimony will probably be corroborated at the appropriate time. I have no corroboration of my statement, but the truth is the purpose of the meeting was not stated to me.

"I returned to my office, and on the morning of May 7, 1952, I received a call from Mr. HODGES' secretary in which she said that Mr. HODGES would like for me to come to his office at ten o'clock that morning. As I entered Mr. HODGES' office I found Mr. GEORGE COMER, ELMO FLYNT, and Miss MARGARET BRASS. We took our seats, and Mr. HODGES had a memorandum in his hand, and stated this meeting is in connection with the Chelf Congressional investigation. I have a memorandum which has been prepared by Mr. FLYNT and Mr. RASFID covering the 1944 investigation and the 1949 survey. I want you to read it and sign it. If you disagree see Mr. BALDRIDGE. Mr. COMER completed reading the memorandum before I did, and indicated some dissension to Mr. HODGES. I then spoke up and said that I also disagreed. I do not agree with the substance or conclusions of the memorandum. No mention is made of my experiences with the industry. Mr. HODGES said:

"'ERNEST you have been doing a lot of talking over the years about there being a case, but you have never put your views in writing. I suggest now that you put your views in writing for Mr. BALDRIDGE.' I said: 'That is not true. I have written numerous memoranda over the years, wherein I have recommended the investigation be pursued, or that some action be taken, and I will be very glad to supply Mr. BALDRIDGE with what memoranda I have.'

"He said to each member present, 'Let me have these copies back.' He would not let us taken them out of the office. I then returned to my office and dictated a memorandum to Mr.
HODGES wherein I reaffirmed my position over the years that some action should be taken, and I expressed regret to Mr. HODGES that he took the occasion of that meeting in the presence of those above mentioned to criticize me for taking the position which I did.

"On the morning of May 8, 1952, I received a call from Mr. HODGES to come to his office. As I entered the door he did not greet me with a 'good-morning', but said in an angry tone:

"'I have read your memorandum, and I resent your insinuations and your disobedience of my instructions to write a memorandum to Mr. BALDRIDGE.'

"And I said:

"'Well, you can give Mr. BALDRIDGE a copy of that memorandum which expresses my views completely.'

"Mr. HODGES indicated to me that he did not want anyone around him who did not obey orders. The inference that I gathered was that I would be fired if I did not write a separate memorandum to Mr. BALDRIDGE, and it looked as though I would be fired regardless of what amendments I attempted to make.

"I said to Mr. HODGES:

"'It is impossible for me to write a memorandum to Mr. BALDRIDGE and set forth wherein I differ from the substance of that memorandum when I was not allowed to take a copy out of the office.'

"He reluctantly consented for me to take a copy to my office for that specific purpose.

"I went to my office, and shortly thereafter received a call from Mr. HODGES, in which he stated:

"You have stated in your memorandum that you could not change your views. You know that is a serious
charge. Has anyone in the Division tried to compel you to change your views?

"I stated to Mr. Hodges in a terrified mental state that I have charged no one with anything. But my unexpressed feeling, however, was his treatment of me was certainly an attempt to persuade me to change my views. I do not know what other purpose he had in mind. This is the substance of the conversation as I recall it.

"I dictated a memorandum to Mr. Baldridge, but I was greatly disturbed. I attempted to see Mr. LeRoy C. McCauley, our Administrative Official, on that date, but he was not available.

"On the morning of the 9th, May, 1952, I handed my memorandum to Mr. Baldridge's secretary. As I returned to my office I got a call from Mr. McCauley to come to his office, and I stated to him the experiences which I had had with Mr. Hodges. Mr. McCauley listened sympathetically, but said substantially nothing. In the meantime I had telephoned my Senator, Olin D. Johnson, of South Carolina, to meet with him at 12:15 P.M. on that date. As I returned to my office from delivering the memo to Mr. Baldridge, I received a telephone call from Mr. Hodges' secretary, and she requested that I send the copy of the memorandum which Mr. Hodges had turned over to me on the morning of the 8th to Mr. Clapp immediately. My secretary took it to Mr. Clapp's secretary.

"I met with Senator Johnson at 12:15 P.M. in the reception room at the Capitol and explained to him my experiences. He manifested considerable disturbance, and said that he was going to telephone Mr. Morison immediately and find out what it is all about. The Senator telephoned me later that afternoon and informed me that he had talked with Mr. Morison, and Mr. Morison denied any idea of firing me, and stated that they were merely attempting to get the different views of the various members of the staff, or words to that effect.

"I also talked with Congressman Pat Sutton of Tennessee, a personal friend, and in some way the information
got to the Chelf Committee. On the afternoon of May 13, 1952. I received a call to come to Mr. CLAPP's office. He handed me a memorandum similar to the one I had refused to sign as stated before, but with a few changes. He asked me if it represented my views. I stated, No. He said, I just wanted to get your view, and thanked me for coming to his office.

On the morning of May 14, 1952, at exactly 7 minutes of 10:00 o'clock by the clock in my office I received a call from Mr. MORISON's secretary in which she said Mr. MORISON would like for me to come to his office immediately to leave for the Hill and that he would have to be there at 10:00 o'clock. I had my program arranged for the day, and stated to her that I did not know what it was all about, and that I could not possibly leave at that time, but to tell Mr. MORISON I would meet him on the Hill. She said: Wait a minute. She came back and said Mr. CLAPP said for you to get yourself down here; that he prefers that you go with them. I said, tell Mr. CLAPP I will see him.

"I walked to Mr. MORISON's office and found several people with their hats on, apparently ready to go some place. I asked Mr. CLAPP what this was all about. He said:

"We are leaving for the Hill.
I said:
I had no notice of this
He said:
Neither did I.
I said:
I can't leave just now; I will join you later.
Mr. CLAPP spoke up in an angry and brutal tone; Get yourself out here. We are leaving now.
I said:
I cannot leave now.
Get yourself out here in this car, we are leaving now.
He said that two or three times, and I just looked at him and walked off, and he said:
Aw, nuts.
I was informed by Mr. MITCHELL the department was notified the day before to have all present at 10 O'clock on the 14th."
"I returned to my office, straightened out some matters that were pending for the day, got my hat and walked to the Capitol where I waited until 12:30 before being called to the hearing room. As I entered the room I was handed a subpoena by Mr. MITCHELL, the Committee Counsel. I was sworn and asked to return at 2:30 P.M. I returned at 2:30 P.M. and testified for four hours. My testimony before that committee was substantially the same as I have stated in this statement.

"On the 16th day of May, 1952, I received a call from Mr. PHILIP PERLMAN, Acting Attorney General. I went to his office, and he asked me about a charge of intimidation. I stated to Mr. PERLMAN that I had not made any charge against anyone of intimidation; that I had stated the facts as they occurred. The Committee Counsel is apparently the one who stated to the Acting Attorney General that there had been intimidation. I had never used that terminology as such in stating what had occurred. He requested a memo of facts and copies of any memos on liquors. They were supplied.

"That afternoon as I arrived at my home the telephone was constantly ringing with calls from newspaper men, reading the statement issued by the Committee to the press, in which it was stated that I had been mentally horse-whipped, and as usual, they asked me for a comment which I refused to make. This continued for about 48 hours; I think the bigger newspapers of the country had some contact with me concerning the matter to the point I had to refuse to answer the telephone.

"On the 21st of May, 1952, I received a memorandum from the Acting Attorney General in which he requested that I write a memorandum supplemental to the previous one and state the questions that were asked me before the committee and my answers to the questions. This, of course, was physically impossible after four hours of testimony before that committee, and I had been instructed by the committee as I left the room that my testimony was confidential and I should not divulge the substance or nature of it to anyone. I telephoned the Committee that I received such a memorandum from the Acting Attorney General and as to what its position was under the circumstances. I received instructions through the Chairman
that the committee reaffirmed its previous instructions to me—
not to divulge the substance or nature of my testimony to
anyone.

"That afternoon the Chairman made a statement to
the press in which he stated that I had been contacted by the
Acting Attorney General, and that I had been instructed to
refuse to divulge the substance of the testimony to the Acting
Attorney General, and that the committee had also been asked
for a transcript of my testimony, and the committee had like-
wise refused to turn a transcript over to the Acting Attorney
General. And, also that Assistant Attorney General MORISON
had demanded the right to sit in and hear my testimony in
Executive Session, but was refused. The matter was in
abeyance until June 23, 1952, which was the date of the
beginning of the open hearings, and all during that period
from May 21, 1952, I had gathered rumors here and there of
statements made concerning me by the top men in the Anti-
Trust Division. Mr. UNDERHILL, as an example, sent me word through
Mr. MATHIS as above mentioned that it was their purpose to
put an end to me once and for all in these open hear-
ings. The Committee Counsel very ably handled this situation as above
indicated.

"During the hearings before the Chalf Committee, I
believe I recall being told that Mr. EDWARD HODGES testified
that between the closing of the 1944 investigation of the
Liquor Industry and the beginning of his so-called survey of
1949, not one single complaint against the Liquor Industry
was brought to the attention of the Antitrust Division. As
I recall I was told that by the Committee Counsel. Whoever
made such a statement under oath I should like to contradict
it by giving to the FBI the following examples:

During this period a complaint was received from
Webb's City, Inc., a corporation which retailed, among other
things, liquor products in the State of Florida. Attention
is called to the case of Hiram Walker, Inc., a corporation,
plaintiff, vs. Webb's City, Inc., a corporation, defendant,
Case Number 1383, Civil-T; and the case of JAMES BARCLAY
Company, Ltd., a corporation, plaintiff, vs. Webb's City,
Inc., a corporation, defendant, Case Number 1389, Civil-T,
filed in the United States District Court for the Southern District of Florida, Tampa Division, in which the liquor companies had enjoined defendant from selling liquor products below the suggested retail price. A petition was filed to set aside the injunction, and the Department of Justice was notified of these facts and was asked by Whitaker Brothers, Attorneys for Webb's City, Inc., Tampa, to intercede amicus curiae. I prepared a brief of intercedence and asked that the injunction against Webb's City be set aside for the reasons set forth in my brief. Pending the petition to set aside the temporary injunction in the United States Court, Webb's City had filed a suit in the State Court attacking the constitutionality of the Florida State Fair Trade Law. Webb's City was successful in that suit and the State Supreme Court later held the Florida Fair Trade Law unconstitutional, which, of course, effected the remedy sought by Webb's City in the United States District Court. This is one case of vital interest in the State of Florida, as far as price maintenance is concerned, not just in the Liquor Industry, but in all industries in that state as well. The SCHWEGMANN Case, which originated in the State of Louisiana, and was later concluded by the Supreme Court of the United States, is another example which the Antitrust Division ignored as far as initial litigation is concerned. We also had many other complaints which are recorded in the Division.

"In late 1948, as I recall, I received a telephone call from Mr. WENDELL BERGE, Attorney for Milstone's Acme Liquor Store on the 900 Block of Pennsylvania Avenue, N. W., Washington, D. C., (Mr. BERGE's address is the Ring Building, Washington, D. C.), in which Mr. BERGE complained to me that Middle Atlantic Distributors, distributors for Hiram Walker Liquor Products, had discontinued selling Hiram Walker products to Milstone for the reason that his client did not adhere to suggested resale prices of Hiram Walker products and would like for me to see if the situation could be corrected. I called into my office Mr. PAUL H. LAUGHLIN and Mr. MURDOCK J. FINLAYSON and Mr. WM K. LICHTENBERG, Secretary and Counsel for Middle Atlantic Distributors, Inc., and explained to them that there was no Fair Trade Law in the District of Columbia and that manufacturers and distributors had no right to compel retailers to adhere to suggested resale prices. There was
considerable heated argument, and Mr. LICHTENBERG requested the privilege of returning at a later date to discuss the matter further. He came in a few days later with an armful of law books and based his further argument on the Colgate Decision of the Supreme Court. The Colgate Decision, of course, has always been a stumbling block in many arguments which I have had with industrial officials concerning price maintenance, but I have never regarded it as justification for price maintenance in non-Fair Trade areas like the District of Columbia, the State of Texas, the State of Missouri, and the State of Vermont.

"Knowing Mr. BERGSON's attitude concerning me in regard to my efforts to bring this liquor question to a head, I was very frank to tell Mr. BERGE that it was impossible for me to settle the matter by negotiation. Apparently, he then complained to the Federal Trade Commission, because shortly thereafter Mr. MC INTYRE, Assistant Chief Counsel of the Federal Trade Commission, and Mr. DIXON, one of its attorneys, called on me for a discussion of my experiences with Middle Atlantic Distributors Inc. I suggested to Mr. McINTYRE and he agreed, that suit should be instituted against Middle Atlantic, and the Federal Trade Commission did file suit against this distributor shortly thereafter and a Cease and Desist Order was issued against Middle Atlantic in December, 1951. During the period of appeal, Mr. LICHTENBERG appealed to the Court of Appeals for the District of Columbia from the Cease and Desist Order issued by the Commission. During the month of April, 1952, Mr. LICHTENBERG called on Mr. W. T. KELLY, Chief Counsel for the Federal Trade Commission, and asked Mr. KELLY to join him, Mr. LICHTENBERG, in petitioning the Court of Appeals to dismiss Middle Atlantic's appeal from the Commission's Cease and Desist Order, and stated to Mr. KELLY, 'We realize we don't have a leg to stand on.' Mr. KELLY did join with Mr. LICHTENBERG in asking that the appeal be dismissed, which it was, and it looks as though the Cease and Desist Order by the Federal Trade Commission against the Middle Atlantic Distributors will 'stick.' I was informed of the above facts by Mr. DIXON of the Federal Trade Commission.

"About the same time the Federal Trade Commission filed its suit against Middle Atlantic, Mr. WENDELL BERGE,
in behalf of Milstone, filed a Civil Suit for treble damages in the United States District Court for the District of Columbia, and I was told by Mr. BERGE that during the month of April that this Civil Suit had been settled to the satisfaction of all concerned. I have no knowledge as to the figure of settlement.

"During the Congressional Campaign of 1950, I had lunch with Mr. ALFONS B. LANDA and the question of liquor came up, (Mr. LANDA is the Washington Counsel for Seagrams), and he stated to me that Mr. WILLIAM BOYLE, at that time Chairman of the Democratic National Committee, was quite persistent in his demands for additional contributions by the liquor companies and had asked him to get $25,000. from Seagrams. As I recall, at that time it was not definitely determined whether or not Seagrams would make this additional contribution, inasmuch as it had already made a $30,000 contribution to the Democratic Party in the 1948 election.

"Mr. MILTON KRONHEIM, distributor for National Distillers Products Corporations in Washington, D. C., and, I believe, Baltimore, Maryland, testified before the Chief Committee and admitted that he was on the Finance Committee of the Democratic National Committee during the 1948 campaign and he sent out word to the various dealers of his products that he wished for them to make a contribution to the Democratic Party. According to Mr. KRONHEIM's testimony, the reaction to this request was quite substantial. Mr. KRONHEIM said that the Committee liked his work.

"In view of my conversation with Mr. ALFONS B. LANDA and others around Washington, it is my assumption that National Distillers made its contribution through Mr. KRONHEIM. This would seem quite logical inasmuch as he was on the Finance Committee and is also the distributor for National's products. Mr. KRONHEIM is quite influential in public affairs in the city of Washington. A few years back I was a candidate for the Municipal Court and was told by numerous individuals that it would not be possible for me to secure an appointment of that type without the approval of Mr. KRONHEIM. I stated then, and I state now; that if it is necessary for me to secure the approval of any special interests for any appointment of any
type, I thank God that I have never received such an appointment. Mr. KRONHEIM's son, WILTON, Jr., at the present time, occupies a position on the Municipal Court for the District of Columbia, and his law partner, Mr. DONOHUE is President of the Board of Commissions for the District of Columbia. I have also received complaints to the effect that prospective dealers of whiskey in the District of Columbia cannot secure licenses from the Alcohol Beverage Control Board without the approval of Mr. KRONHEIM. One recent complaint I received from a lawyer by the name of LUBAR, in the Woodward Building, Washington, D. C., was to the effect that his client wanted to open a liquor store; as I recall, on MacArthur Boulevard, and it was suggested that he see Mr. KRONHEIM, and Mr. KRONHEIM did not appear interested unless he employed Mr. KAUFMAN, who is the surviving partner of his son, and Mr. DONOHUE. As to whether Mr. LUBAR would verify this story, I would not know. These are the facts as he gave them to me.

"I have read this statement consisting of this page and 30 other pages and I swear under oath that it is true and correct to the best of my knowledge.

/s/ "ERNEST L. BRANHAM
"Aug 15, 1952,

"Sworn to and subscribed before me on August 15, 1952.

"William A. Royer
Special Agent, FBI
(Washington Field Office)

"Witnessed by:

"Gustave Saridakis
Special Agent, FBI
(Washington Field Office)
August 15, 1952"
On September 29, 1952, Special Agents GUSTAVE SARIDAKIS and ALPHONSE P. CALABRESE interviewed BADDIA J. RASHID, Trial Attorney, General Litigations Section, Antitrust Division, Department of Justice, in his office.

Mr. RASHID advised he entered on duty with the Department of Justice in the month of March 1945 and was assigned to the Complaints Section, now known as the Trial Section, up until 1951, at which time he was transferred to the General Litigations Section.

With relation to this investigation, Mr. RASHID advised the agents that he had testified on two occasions before the Chief Committee approximately three months ago, one time at an executive conference of the committee and another time at an open hearing. Mr. RASHID explained that his part in the matter at hand came when Mr. HODGES assigned him to a staff in the Department of Justice which was to make a general liquor survey on a national scale with relation to the big four of the liquor industry. He advised that in addition to himself the other Department of Justice attorneys working on the survey were W. WALLACE KIRKPATRICK, JOHN J. BEVINGTON and LEONARD BERKE. He stated that this survey began in early Spring of 1949 and that the survey was completed in approximately September of 1949. Mr. RASHID advised that the aim of the survey was to re-evaluate and to examine the findings of the investigation of the big four in the liquor industry which had taken place in 1944.

Mr. RASHID stated that after the survey had been completed a memorandum was prepared and that the findings in this memorandum were essentially the same as the findings in the 1944 investigation. This memorandum is dated December 20, 1949 from W. WALLACE KIRKPATRICK to EDWARD P. HODGES, which memorandum has been referred to in another portion of this report.

He advised that the staff made certain conclusions and recommendations as a result of this survey.
He advised that he himself felt that the investigation of the big four in the liquor industry should be closed by the Department of Justice since he felt there was no evidence of any violations of the Anti-Trust Laws.

Mr. RASHID advised that he had no further connection with the liquor industry investigation after January of 1950 up until the time when the Chelf Committee began making their investigation into that industry. He advised that some time after the Chelf Committee came to the Department of Justice to investigate the liquor industry, a conference was held in the Department of Justice, at which the following were present - Mr. ERNEST BRANHAM, Mr. EDWARD P. HODGES, Mr. H. GRAHAM MORRISON and himself, Mr. RASHID. He stated the purpose of this conference was to bring Mr. MORRISON up to date with relation to the investigations made by the Anti Trust Division concerning the big four of the liquor industry. He advised that at this meeting Mr. BRANHAM advised that he had heard a rumor to the effect that a certain liquor representative had stated that the liquor people had nothing to fear from the Anti Trust Division because of their campaign contributions.

Some time later the Chelf Committee, according to Mr. RASHID, requested a summary of all the investigation done by the Anti Trust Division of the Department of Justice concerning the big four of the liquor industry.

Mr. RASHID stated that it was decided to have a person in the Department who was most familiar with the 1944 investigation and the person most familiar with the 1949 investigation to help prepare the summary which the Chelf Committee had requested. He advised that he was chosen as the one to prepare the 1949 phase of it and that Mr. ELMO FLINT was assigned to prepare the 1944 phase of it. He stated that after this summary had been written it was sent to Mr. HODGES and Mr. MORRISON for their examination and approval.

In this connection he advised that the memorandum finally sent up to the Chelf Committee was approved by everyone having to do with the investigation of the big four in the liquor industry, with the exception of Mr. BRANHAM, who
refused to sign it on the basis that he, Mr. BRANHAM, had not agreed with the conclusions as set forth in the 1944 investigation. Mr. RASHID advised that he learned that Mr. BRANHAM actually worked only three weeks on the 1944 investigation and that he did not participate at all in the 1949 investigation of the liquor industry. Mr. RASHID explained that this memorandum was written for the purpose of advising the Chief Committee as to a true factual history of the action taken by the Department of Justice in investigations of the liquor industry and that the summary was not meant to be a discussion of the merits of the action taken during the investigations of the liquor industry.

Mr. RASHID stated that at no time were any instructions given to him to "quash" investigation of the big four of the liquor industry, nor had he ever heard of any attempt by anyone to influence the investigation of the big four liquor industry.

INTERVIEW WITH ROY C. COOK

ROY C. COOK, Industrial Economist, Economic Section, Anti Trust Division, was interviewed at the Department of Justice building on September 29, 1952 by Special Agents GUSTAVE SAHIDAKIS and ALPFONSE F. CALABRESE.

Mr. COOK informed that Mr. ERNEST BRANHAM had re-contacted him and asked him to prepare a report of the economic conditions in the cooperage industry. He stated that he had compiled this report on August 29, 1946 and had routed it to Mr. BRANHAM. He went on further to relate that his work in the Department of Justice is doing research in the field of economics with relation to matters of interest to the Anti Trust Division of the Department of Justice. He went on further to relate he entered on duty at the Justice Department as an Economist on August 2, 1938 and is presently holding the same position. He concluded by stating that he had never heard of anyone attempting to influence Department of Justice attorneys in "soft-pedaling" the investigation of the big four in the liquor industry.
INTERVIEW WITH H. GRAHAM MORISON:

H. GRAHAM MORISON, Attorney, 200 Hill Building, 839 17th Street, North West, was interviewed September 30, 1952, in his Office at the above address by Special Agents L. RUSSELL WHARRY and EUGENE D. THOMPSON.

Mr. MORISON stated he was formerly employed in the Department of Justice as Assistant Attorney General in Charge of the Antitrust Division from February, 1951, to July, 1952. Prior to this he was employed in the Claims Division, Department of Justice.

He stated that he was not in the Antitrust Division at the time of the investigation of the liquor industry in 1943 - 1944, and 1949. He stated that his only connection with the liquor case was in 1952, when he was contacted by representatives of the Chief Committee in regard to the liquor case. He stated that the Chief Committee was interested in the liquor case because a charge had been made that his (MORISON'S) predecessor had made an investigation of the liquor industry and nothing came of this investigation because of substantial contributions made to the Democratic National Committee by the liquor industry.

Mr. MORISON reviewed the history of the liquor investigation which was conducted in 1943 - 1944, and in 1949, by the Antitrust Division. He stated that it was the opinion of the staff who handled the investigation in 1949, that there was not sufficient evidence to prove a violation of the Antitrust Laws.

At the conclusion of the investigation in 1949 a complete summary was made of the findings and the staff recommended three possible courses of action which could be taken as follows:

1. That no violation existed and that the case be closed.

2. Conduct a limited investigation by contacting smaller producers to determine if they had any complaints against the major producers.
3. Conduct a complete investigation.

MORISON stated that it was his firm belief that the investigation revealed absolutely no basis for an institution of an Antitrust prosecution.

He further stated that as a result of the Chelf Committee inquiry that he directed everyone who had anything to do with the investigation of the liquor industry to set forth, in writing, his agreement or disagreement with the findings made in 1949, for the purpose of submitting the various reactions to the Chelf Committee and at the same time specified that any disagreements with the findings of the 1949 investigation be pointed out. He said that everyone who had worked on the liquor case agreed substantially with the findings made in 1949, except one person, ERNEST BRANHAM who refused to sign the general over-all report which was furnished the Chelf Committee, indicating he found no fault with the findings of fact of the 1949 investigation, but disagreed with the conclusions and recommendations. He stated, however, that BRANHAM failed to submit any memorandum to him as to why BRANHAM felt that he could not sign the report even though he, (MORISON) was committed to furnish the report to the Chelf Committee.

MORISON stated the only connection that BRANHAM had with the liquor investigation was in the 1943-1944 investigation when BRANHAM proceeded to New York and reviewed the records of two small distillery companies.

MORISON stated there was absolutely no improper pressure or undue influence exerted upon him by TOM CLARK or anyone else concerning any case in which he participated. He further stated that he knew of no one who had been the recipient of any such influence or pressure concerning any case in the Department of Justice. He concluded by saying he knew of no irregularities on the part of anyone in the Department of Justice.
INTERVIEW WITH GORDON GRANT:

Mr. GORDON GRANT, Business Economist, Legislative and Clearance Section, Antitrust Division, Department of Justice, since January, 1952, and who had formerly served in the Small Business Unit, Antitrust Division, Justice Department, since January, 1943, was interviewed September 30, 1952, at the Justice Department by Special Agents EUGENE D. THOMPSON and L. RUSSELL WHARRY.

GRANT stated he had some contact with the liquor investigation in that he investigated some price fixing complaints at a local level, which information was turned over to the Federal Trade Commission as the agency having jurisdiction in these matters, and conducted some special investigation requested by his superior regarding the gathering of information and evidence in this case which included the acquisition by the large liquor interests of the Cooperage facilities. GRANT stated further that his connection with this activity was curtailed in 1947 to the point where he no longer actively participated in the case.

At one time during an investigation of the Cooperage situation GRANT discussed with WENDELL BERGE, former Head of the Antitrust Division, the possibility of bringing an Antitrust suit against the big liquor interests and BERGE informed GRANT that the public would not stand for a suit against the liquor interests at that time when there were so many other Antitrust cases which should be prosecuted. BERGE also told GRANT that "the Department was keeping an eye on the industry for any possible violation of the Antitrust Laws."

GRANT stated he thought BERGE was a man of the highest integrity and he had no knowledge of any improper pressure or undue influence exerted upon BERGE and in turn knew of no instance where anyone had been subject to any pressure from BERGE to omit or commit any action that person deemed just and proper.

GRANT concluded by stating that TOM CLARK exerted absolutely no pressure on him and he knew of no instance where CLARK had used undue influence or improper pressure on anyone else.
INTERVIEW WITH EDWARD R. KENNEY

MR. EDWARD R. KENNEY, Attorney, Trial Section, Anti-Trust Division, Department of Justice, was interviewed September 26, 1952, at his office in the Department of Justice Building by Special Agents WILLIAM T. FLYST and EUGENE D. THOMPSON. He stated that he was employed in the Anti-Trust Division, Department of Justice, from April 1, 1940, to March, 1943, at which time he went on military leave. He advised that he returned from military leave in March, 1946, and has been employed in the above capacity since that time.

MR. KENNEY stated that he knew TOM CLARK, former Attorney General, personally, as he had worked directly under CLARK in the War Frauds Unit prior to the time that he (KENNEY) went in the military service in 1943. He stated that during his employment in the Department of Justice, TOM CLARK never "interfered" in any matter or case which he (KENNEY) was handling. He further stated that he never heard of TOM CLARK taking any action to halt or obstruct the investigation of liquor industry or any other investigation which was handled by the Department of Justice.

He further advised that he never heard anything about the investigation of the major liquor distillers until the Chelf Committee Hearing of this year. He advised that he had the following connections with the liquor investigation. The first one was in regard to the Cooperage Industry which is related to the liquor industry. He advised that he took over the Cooperage Investigation from ERNEST BRANAHM upon his (KENNEY) return from the military service in 1946. He stated that he knew of no irregularities on the part of anyone in the handling of the Cooperage Case.

He stated that the only other connection he had with the liquor industry was a local case in Washington, D.C., wherein the complaint was received regarding a price fixing scheme by wholesalers in Washington, D.C. He advised that in this particular case it was learned that the Federal Trade Commission was conducting an inquiry into the same matter and, therefore, the Department of Justice case was closed and the information in the Department of Justice file was forwarded to the Federal Trade Commission.

In conclusion, MR. KENNEY stated that he has testified before the Chelf Committee concerning his knowledge of the liquor industry.

INTERVIEW WITH CHARLES H. WESTON

MR. CHARLES H. WESTON, Chief of the Appellate Section, Anti-Trust Division, Department of Justice, was interviewed September 26, 1952, at his office.
in the Department of Justice Building by Special Agents WILLIAM T. FORSYTH and EUGENE D. THOMPSON. He stated that he never had anything to do with any case in the Department of Justice unless the case was appealed to a higher court after being tried in a trial court.

He stated that he did have something to do with the Colorado Liquor Case as the decision in this case was appealed and eventually was presented in the Supreme Court for decision. He stated that he recommended that the Colorado Liquor Case be appealed to the higher courts. He also advised that he wrote the brief on which the appeal was based in this particular case.

He stated that neither TOM CLARK, former Attorney General, nor anyone else exerted any undue influence or pressure on him in an effort to prevent the Colorado Liquor Case from being prosecuted. He stated that he knew of no irregularities on the part of anyone in the Department of Justice concerning the handling of the Colorado Liquor Case or of the handling of any other case in the Department of Justice.

INTERVIEW WITH ROBERT L. STERN

MR. ROBERT L. STERN, Attorney, Office of the Solicitor General, Department of Justice, was interviewed September 26, 1952, at his office in the Department of Justice Building, by Special Agents WILLIAM T. FORSYTH and EUGENE D. THOMPSON. He stated that he has been employed in the Office of the Solicitor General since 1941 and prior to 1941 he was employed in the Anti-Trust Division. He stated that during the time he was in the Anti-Trust Division, he did not handle any case concerning the liquor industry. He stated that he could not furnish any information regarding any liquor case handled in the Anti-Trust Division. He further stated that in his present position he does not have anything to do with Anti-Trust cases unless these cases are appealed to the Supreme Court. He stated that when the cases are appealed to the Supreme Court, it is the duty of his office to prepare the briefs on these particular cases. He advised that during the period of his employment in the Department of Justice, he has no knowledge of improper pressure being exerted on anyone handling cases in the Department of Justice and further that he knew of no irregularities on the part of any person in the Department of Justice. He advised that he had no knowledge of TOM CLARK exerting any undue pressure or influence on anyone that was handling the liquor case or any other case in the Department of Justice. He pointed out that technically the Attorney General did have to approve any case which would be brought to
trial; however, as a matter of practice, the Attorney General does not see or take an active part in the handling of the cases. He stated that he has never discussed with TOM CLARK or any other Attorney General any case which was being handled by his office.

INTERVIEW WITH JOHNSTON AVERY

MR. JOHNSTON AVERY, Assistant Administrator, Technical Cooperation Administration, Department of State, was interviewed by Special Agents WILLIAM T. FORSYTH and EUGENE D. THOMPSON on September 26, 1952, at his office in the McShain Building, 333 3rd Street, Northwest. He advised that he was employed in the Department of Justice from 1935 to October, 1946, as Executive Assistant in the Anti-Trust Division. He stated that he did not handle any cases in the Anti-Trust Division as his job was that of an administrator.

He stated that he had no knowledge of any irregularities on the part of anyone in the Department of Justice during the time of his employment. Neither does he know of any irregularities on the part of anyone since his employment in the Department of Justice. He pointed out that he has not in any way been associated with the Department of Justice since October, 1946, and consequently, would have no knowledge concerning the operation of the Department of Justice since that time. He stated that to his knowledge the only errors that may have been made in the Department of Justice during the time he was employed there would have been errors in judgement on the part of persons handling particular cases or matters.

MR. AVERY stated that he hired TOM CLARK in the Department of Justice and CLARK was sent out to Los Angeles, California, to take charge of the Anti-Trust Office in that city. He advised that CLARK later returned to the Department of Justice at Washington, D. C., as a First Assistant to THURMAN ARNOLD, former Assistant Attorney General, Anti-Trust Division, and CLARK later became Assistant Attorney General, Anti-Trust Division, for a short time and was then made Assistant Attorney General in charge of the Criminal Division and WENDELL BERGE became Assistant Attorney General in charge of the Anti-Trust Division.

He advised that TOM CLARK was the most ambitious man that he had ever encountered in his twenty years in the government service. He stated that TOM CLARK was "on the make," was intensely ambitious and that he bestowed lavish gifts on his superiors. He stated that he never saw any act in the Anti-Trust Division that suggested a "fix" or yielding to more than normal pressure.
on the part of anyone as a result of any action taken by TOM CLARK or anyone else. He did state, however, that he always felt that TOM CLARK was partial to Texas delegations who had an interest in matters which the Department of Justice was handling but he had no information to substantiate this feeling.

INTERVIEW WITH EDWARD P. HODGES

MR. EDWARD P. HODGES, First Assistant in the Anti-Trust Division, United States Department of Justice, was interviewed at his home, 2222 Q Street, Northwest, Washington, D. C., on September 27, 1952, by Special Agents WILLIAM T. FORSYTH and EUGENE D. THOMPSON. MR. HODGES advised that he recalled TOM CLARK as an extremely ambitious individual who at one time was Chief of the Anti-Trust Office on the West Coast. He stated that TOM CLARK came from the West Coast to take charge as Chief of the War Frauds Section in 1942 and later was made First Assistant to THURMAN ARNOLD, Assistant Attorney General in charge of the Anti-Trust Division. MR. HODGES stated that it was often mentioned around the Department of Justice that he got this position because he was a "diplomat." His next position was as Assistant Attorney General in charge of the Criminal Division and, thereafter, in 1949 he was appointed Attorney General. MR. HODGES pointed out that during the 1943-1944 liquor investigation, TOM CLARK was in the Criminal Division and the liquor investigation was handled under the supervision of HOLMES BALDRIDGE and the Anti-Trust Division. He explained that he did not believe TOM CLARK could have had anything to do with the 1943-1944 inquiry concerning the liquor industry.

MR. HODGES advised that on February 1, 1949, the Anti-Trust Division was reorganized and the liquor case was taken out of the supervision of MR. BALDRIDGE and left unassigned. In the spring of 1949, HERBERT A. BERGSON, then Assistant Attorney General in charge of the Anti-Trust Division, assigned the case to the Litigations Section and asked him, MR. HODGES, to see that the case be reviewed to ascertain what should be done about it. MR. HODGES advised that as a result of this request, he assigned the case to W. WALLACE KIRKPATRICK and BADDIA J. RASHID. They worked on the case, using only material available in the Department of Justice files, from the spring of 1949 until December, 1949, and during December, 1949, KIRKPATRICK submitted a fifty page summary of the case against the major liquor industry. In December, 1949, this summary was submitted to HERBERT BORKLAND, Assistant to HERBERT A. BERGSON. MR. HODGES advised that BORKLAND requested him to have this memorandum further summarized and recommendations included as to what action should be taken in this case.
MR. HODGES said that as a result of this request, KIRKPATRICK prepared a nine page memorandum briefly summarizing his previously submitted fifty page memorandum. He stated that his memorandum contained KIRKPATRICK's and RASHID's recommendations which outlined three possible calls of action. These recommendations were, as nearly as MR. HODGES could recall, as follows:

1. Bring the case before the Grand Jury as was done in 1943; or
2. Kill it completely; or
3. Have a limited Federal Bureau of Investigation investigation in which the FBI would be instructed to contact all of the competing small distillers to see if there were any complaints on which the Department of Justice could open a full investigation.

MR. HODGES said that in fairness to MR. BERGSON, he would have to point out that there has been no complaint filed with the Department of Justice by any of the small competing distilling companies regarding the activity of the "Big Four in the Liquor Industry." He further pointed out that the inquiry suggested for the FBI would have been a "fishing expedition."

MR. HODGES advised that he presented this summary to all members of the staff for their approval or any changes that they desired to make. He further advised that all of the staff agreed to the memorandum with the exception of ERNEST BRANHAM who objected to the conclusions. He advised that he requested MR. BRANHAM to prepare a memorandum for MR. BERGSON stating his opinions in the case. MR. HODGES stated that the afore-mentioned summary of information was sent to MR. BERGSON during December, 1949, and that nothing more was done on the case. He advised that MR. BERGSON had never discussed the case with him and that his section was never given a "green light" to go ahead with the case. MR. HODGES advised that to his knowledge, TCN CLARK, at no time, had any connection or made any decision regarding the liquor case. He went on to say that if TCN CLARK had anything to do with the decision made by MR. BERGSON regarding this case, this matter had never been brought to his (MR. HODGES) attention.

MR. HODGES advised that he recalled that ERNEST BRANHAM had told him that he had heard that LEWIS ROSENSTEEL of the Shenley Distillers had been telling around New York City that "if there was to be a liquor investigation, TCN CLARK had said that ERNEST BRANHAM would not be in charge of it." MR. HODGES could furnish no further information regarding this statement.
INTERVIEW WITH GEORGE P. HADDOCK:

GEORGE P. HADDOCK, Chief of the Trial Section Antitrust Division, Department of Justice, was interviewed September 29, 1952, in his Office in the Department of Justice Building by Special Agents WILLIAM T. FORSYTH and EUGENE D. THOMPSON.

He advised that he was formerly in Charge of the Denver Office of the Antitrust Division from 1943 to 1945, and was later assigned to the Chicago, Illinois Office. He stated that in August, 1946, he was assigned to the General Litigation Section as Assistant Chief and served in this capacity until April, 1949. He advised that after that he was transferred to the Trial Section and since January 1, 1951, he has been Chief of the Trial Section.

He stated that he handled the Colorado liquor case which concerned the Colorado Wholesale Wine and Liquor Dealers Association, Incorporated, Et Al. He said this case involved violations of price fixing by distributors and wholesalers in Colorado. He stated the case went to the Supreme Court and was successfully prosecuted. He advised that as a result of investigation conducted in the Colorado case, he suggested to HOLMES BALDRIDGE, of the Antitrust Division, that it might be well for the Department of Justice to make a study of the major liquor producers. He advised that in the event an investigation was made by the Department of Justice, he suggested that it be made to determine if any agreement had been reached by the major liquor producers concerning the acquisition of the smaller producers. He advised that he made this suggestion because the large companies seemed to follow a pattern in which first one large company would purchase smaller concerns in a certain area and then another large concern would make a purchase of smaller concerns in another area and so on. He advised that it was his opinion that this procedure would possibly indicate that some type of agreement had been reached by the major liquor producers in the purchasing of the smaller concerns.

He stated that an investigation was conducted concerning the major liquor producers and as of 1946, when he was assigned to the General Litigation Section in Washington, D. C., the investigation had failed to produce sufficient evidence of violation of Antitrust Laws which would warrant prosecution.
He further advised that he heard that a review of the liquor investigation was made about 1949 by the General Litigation Section which was headed by EDWARD P. HODGES. He stated that he could furnish no other information concerning this matter as he had nothing to do with the liquor case at that time.

Mr. HADDOCK stated that to his knowledge there were no irregularities on the part of anyone in the handling of the liquor investigation. He stated that no undue pressure or influence was exerted on him by anyone concerning any case which he had handled. He stated that to his knowledge TOM CLARK nor anyone else exerted any improper pressure or undue influence in an effort to halt or hinder the liquor investigation. In conclusion he stated that he never had any fear that any Attorney General or anyone else would block or stop any case which he was handling. He said if there was any error in judgment in the handling of cases by the Department of Justice, it would be in presenting too many weak cases for prosecution rather than not presenting cases for prosecution.
INTERVIEW WITH RODOLFO A. CORREA:

RODOLFO A. CORREA, General Counsel, Office of Defense Mobilization, was interviewed at his Office in the Old State Department Building, on September 29, 1952, by Special Agents WILLIAM C. HIGGINS and WILLIAM E. FENIMORE.

CORREA advised he had served in the Antitrust Division of the Department of Justice between May, 1947, and January, 1951, as Special Assistant and Field Office Coordinator. CORREA explained it was his duty to review all complaints coming into the Antitrust Division, giving them preliminary consideration as to whether they needed further attention. If it was felt by CORREA that further attention was required, he made such recommendation to HERBERT A. BERGSON, Assistant Attorney General in Charge of the Antitrust Division. If no action was felt necessary, CORREA had the complaint filed. If the incoming complaint pertained to a matter in which the Antitrust Division was already interested, it would be routed to the individual handling the case. In this manner, CORREA relates, it was possible he had some connection with the Liquor Industry case, but he does not specifically recall any particular connection with it.

CORREA recalls he was aware the Antitrust Division was interested in the Liquor Industry and this interest was being handled by Mr. KIRKPATRICK, under the direction of EDWARD P. HODGES.

CORREA also recalls KIRKPATRICK prepared a memorandum concerning the Liquor Industry survey about 1949, but does not recall that he ever read this memorandum nor does he recall ever having discussed it with either HERBERT BERGSON, HERBERT BORKLAND or TOM CLARK. At this point CORREA noted his principal concern was with incoming complaints rather than in the recommendations made by the attorneys after the complaint has been given necessary attention.

CORREA said that he has read in recent newspaper's concerning the allegation that TOM CLARK said there would be no prosecution in the Liquor Industry case and if it were necessary to have some action, BRANHAM would have nothing to do with it.
He states this allegation came as a complete surprise to him for he recalls nothing which occurred in the Antitrust Division while he was there which would indicate there was any basis for this allegation. He further states he does not know what action was taken by BERGSON upon KIRKPATRICK's memorandum. He points out it was necessary to give serious consideration concerning the utilization of available manpower and funds when determining whether a large scale investigation tying up several individuals was concerned. It was always necessary to consider whether the result desired and obtainable was in the best interest of the public and would better serve the public need than some other investigation.

He further stated he was unaware of any facts or information which might indicate TOM CLARK misused his Office as Attorney General or that a matter was mishandled by TOM CLARK or HERBERT BERGSON while they were with the Department of Justice.

INTERVIEW WITH M. REYNOLDS SANDS:

M. REYNOLDS SANDS, Office of the Assistant Chief of Staff, G-4, Legislative Branch, was interviewed at his office in the Pentagon by Special Agents WILLIAM C. HIGGINS and WILLIAM E. FENIMORE, on September 29, 1952.

SANDS stated he had served as a Special Attorney in the Antitrust Division of the Department of Justice between August, 1941, and July, 1944.

One of his assignments while with the Antitrust Division in 1944 was to review the files of Seagrams in New York City. SANDS recalls both he and ERNEST BRANHAM reviewed these files in New York City.

The liquor case at that time was being handled by WILLIAM B. BUTZ in Washington, D. C. SANDS states both he and BRANHAM located such material in the Seagrams files that both felt further investigation was desirable.

SANDS also states his assignment to the liquor case ceased upon his return to Washington, D. C., and he had nothing to do with the presentation of the material to the Grand Jury in 1944. SANDS feels it is possible there was not enough evidence to present to the Grand Jury at that time in order to enable them to return an indictment but feels there was enough available evidence to indicate a full investigation was most desirable.
SANDS related he has been reading in recent newspapers concerning the handling of the liquor investigation by the Department of Justice and has always felt the case was assigned to WILLIAM BUTZ in 1944 because those who made the assignments knew BUTZ was not as capable as some others and, therefore, was aware no positive action would result from this assignment. SANDS explained he cannot recall anything which would substantiate this feeling of his, but, nevertheless, the impression has always been his.

It is noted the result of SANDS review of Seagram files is set forth in his memoranda to BUTZ dated April 7, 1944, and April 18, 1944, and which are included in Exhibit DJL-100 with this report.

INTERVIEW OF WILLIAM AMORY UNDERHILL:

WILLIAM AMORY UNDERHILL, who served as First Assistant to HERBERT A. BERGSON, Assistant Attorney General, between June, 1948, and October, 1950, was interviewed at the Washington Field Office on September 30, 1952, by Special Agents WILLIAM C. HIGGINS and WILLIAM E. FENIMORE.

UNDERHILL stated he has no knowledge concerning the Liquor Industry matter other than knowing the Department was interested in this matter.
INTERVIEW WITH ELMO D. FLYNT

Mr. ELMO D. FLYNT, Trial Attorney, Antitrust Division, Department of Justice, was interviewed on September 29, 1952, in his office in the Justice Department by Special Agents WILLIAM C. HIGGINS and ROBERT N. WINGARD. He stated that he had worked as a Trial Attorney in the Antitrust Division on an investigation of the Liquor Industry during 1943 and 1944. He commented that during this period of time the interest in the Department in the liquor investigation was centered on whether the large distillers in buying up the small distilleries were attempting to fix prices and restrain trade. Further, whether the large distillers were forcing the wholesalers to buy their products on what is known as "full line forcing." He pointed out that this meant that the distillers were attempting to force the wholesalers to take all of their products in order to get a few which they wanted.

He stated that in this investigation he had been designated to go to the Schenley Company, Seagrams Company, and small distillers in an effort to ascertain the financial setup of these organizations, as well as their business policies.

Mr. FLYNT advised that it was decided by the Department to have a Grand Jury set in Washington, D.C. and subpoena the records of the distillers. He commented that after this was done, and inasmuch as the results failed to contain any evidence at all on which to base further investigation, a decision was made by the Department not to request further Grand Jury action and no witnesses were summoned to appear before this Grand Jury. He pointed out that the Grand Jury was permitted to "whither and die on the vine."

Mr. FLYNT pointed out that this was his last contact with the liquor investigations and that he had not been aware of the 1948-49 investigation under the direction of W. WALLACE KIRKPATRICK until May of this year. He stated that in May, Mr. MORISON, then Assistant Attorney General in charge of Antitrust, called him to his office and advised the Chelf Committee was interested in the liquor investigation as conducted by the Department. He advised that he prepared a memorandum at the direction of Mr. MORISON on the 1943-44 investigation, and it was, at this time, that he learned that an investigation had been conducted in 1948-49. Mr. FLYNT stated that he had prepared the requested memorandum, and it was his understanding that this, together with a memorandum prepared on the later investigation by Mr. BADDIA J. RASHID, was the basis of the memorandum which was later submitted by the Department to the Chelf Committee.
Mr. FLYNT advised that he was not cognizant that any of the Attorney Generals ever had any undue interest in the liquor investigation, and further, that he was positive that there had been no irregularities in the first investigation. He pointed out legally this first investigation failed to uncover any evidence on which to make a case. He advised that everyone connected with the first investigation had been very interested in attempting to make a strong case against the Liquor Industry due to their knowledge of the many "dirty deals" which were pulled by the distillers. He stated that as an example of some of these "dirty deals" was the fact that after an OPA ceiling was placed on a certain brand of whiskey which sold at a nominal sum, the distiller would then change the brand name and under this label sell the liquor at a very high price.

Mr. FLYNT commented that during the period from 1938, to date, that he has been employed by the Justice Department, he did not know of any irregularities or mishandling of cases on the part of anyone employed by the Department of Justice.

INTERVIEW WITH GEORGE P. COMER

Mr. GEORGE P. COMER, Economic Adviser, Antitrust Division, was interviewed at his office at the Justice Department by Special Agents WILLIAM C. HIGGINS and ROBERT N. WINGARD on September 29, 1952.

Mr. COMER advised that he had worked on the first liquor investigation by the Department of Justice in 1943-44. He pointed out that he had been called upon at the outset of this investigation to formulate the economic aspects of the investigation that would lead to uncover any restrain of trade, price fixing, monopolies, or so forth, by the large distillers. He pointed out that as Economic Adviser in the days of this investigation he had worked much closer with the actual case than did Economists in the Department today. He stated that he had gone to New York, and visited the offices of the large distillers, studying their economic setup, their production, wealth, and so forth.

He advised that one of the problems that he was most interested in was whether the large distillers were selling whiskey of the same contents at the same prices. He pointed out that he had found that investigating this possibility was impractical, inasmuch as each of these companies sold liquor with the same contents at different prices, depending on the labels. He stated that it was impossible to classify trade names into classes for comparison between distillers as to any violation of price fixing.
He commented that as an Economist he was convinced that there was no evidence uncovered in the first liquor investigation reflecting on price fixing or restraining of trade. He stated further that the economic investigation, although it showed a concentration of the liquor industry among the "Big Four," the competition between these companies was very competitive and there was no substantiation of "parallel action."

Mr. COMER advised that the above views would not constitute a legal opinion and that he had no knowledge of the legal merits of the investigation. He stated, instead, these views represented only his results from an Economist's standpoint.

He explained that he was not personally acquainted with the second liquor investigation conducted by the Justice Department and could not comment in regard to this investigation.

Mr. COMER explained that the first investigation was conducted by individuals in the Justice Department who were highly interested in conducting a good investigation, and that he was positive that no irregularities had taken place by anyone concerning this investigation. He stated further that in his many years in the Department of Justice, he did not know of any irregularities, malfeasance or mishandling of cases by anyone.
INTERVIEW WITH ALLEN A. DOBEY

Mr. ALLEN A. DOBEY, Trial Attorney, Antitrust Division, Department of Justice, was interviewed on September 26, 1952, in his office at the Justice Department by Special Agents WILLIAM E. FENIMORE and ROBERT N. WINGARD.

Mr. DOBEY advised that his first contact with the liquor industry came after the investigation was assigned to him at the time Mr. W. WALLACE KIRKPATRICK left the Department of Justice to accept a position with the State Department. He explained that this investigation had been assigned to Mr. KIRKPATRICK; and, prior to his leaving the Department, he prepared a memorandum in which he summarized the investigation which had been completed and also set out investigation which he thought should be undertaken in regard to this case. Mr. DOBEY explained that he had not read this memorandum and was not acquainted with the contents of same. He commented that, although this liquor case was assigned to him and that all the files in the case were sent to his office, he did not believe that he had ever looked at them and was positive that he had not studied and become cognizant of the contents of these files.

Mr. DOBEY stated it was his opinion that the memorandum which Mr. KIRKPATRICK prepared was forwarded to the "front office" where it remained for a period of approximately six months. He pointed out that, in regard to the front office, this memorandum would have been read and a decision reached by either Mr. BERGSAN, Mr. BORKLAND, or TOM CLARK. He advised that he did not know who had reached the decision in regard to this memorandum and was not cognizant as to whether TOM CLARK had even been advised of the memorandum. He advised that he was in Mr. EDWARD HODGES' office on one occasion when the above-mentioned memorandum was returned to Mr. HODGES' office and at that time the memorandum had an attachment to it from Mr. BORKLAND which stated, "If the 'Big Four' could be prevented from changing the content of a particular brand of liquor without changing the label, I think the liquor monopoly might be broken. However, this would have to be with the approval of the Federal Alcohol Administration." Mr. DOBEY stated that he had never been able to construe what Mr. BORKLAND meant by his remarks and did not believe that he had ever heard of anyone else in the Antitrust Division who was cognizant of what was meant by these remarks. He stated that it was his opinion, as well as the opinion of his superior, Mr. HODGES, that the return of Mr. KIRKPATRICK's memorandum meant that there would be no further investigation in the liquor industry.

Mr. DOBEY explained that, during the entire period that he was in charge of the liquor investigation, he had taken no active part in this
investigation and had merely initialled correspondence for the file which had been routed through his office. He pointed out that, at the time the case was assigned to him, it was with the understanding that if the above-mentioned memorandum of Mr. KIRKPATRICK was returned to the Antitrust Division for additional investigation, he would be in charge of such investigation. He stated that, when the memorandum came back to Mr. HODGES' office with the understanding that no additional investigation would be undertaken, it was his belief that from that date to the present time no one had undertaken any active investigation in the Justice Department.

Mr. DOBEY explained that he had always felt, although he was cognizant of the material in the liquor file, Mr. KIRKPATRICK did not believe the liquor investigation was too promising because the industry was so well regulated by many Government agencies and the previous liquor survey by the Antitrust Division in 1946 and 1947 had been unproductive.

He stated that he knew of no unusual interest in this case by Attorney General TOM CLARK and that the only thing that he was aware of that might be unusual in the case was the fact that Mr. KIRKPATRICK's memorandum, which he had submitted to the "front office," apparently stayed in the front office for a period of approximately six months. He stated that he did not believe that this was unusual under the BERGSON regime but would have been under the regime of anyone else.

He stated that he had testified as to his part in the liquor investigation at a hearing held by the Chelf Committee during May of this year. He advised that, shortly before he had been called upon to testify, he had attended a conference in the office of Mr. MORISON at which time Mr. BRANHAM, who was also present, advised that a friend of his, an outside attorney, had made the statement to him that Mr. CLARK had told LEWIS ROSENSTIEL, Vice President of Schenley's Distilleries, that there would be no liquor investigation and that if there was such an investigation Mr. BRANHAM would not handle this investigation. Mr. DOBEY stated he believed that Mr. BRANHAM stated this information had been furnished prior to the 1948 election. Mr. DOBEY stated that Mr. MORISON had commented at the time that Mr. CLARK would never have made such a statement and further that he himself believed that Mr. TOM CLARK was too much of a politician to ever make such a statement. He stated that this was the first time that he had ever heard any remarks which would reflect that the Attorney General had had any interest in the liquor investigation. He stated that he did not know of any influence by anyone in the Department upon any attorney in the Antitrust Division who had been concerned with this investigation and further did not know of any influence which was brought about on the Department by political pressure.
Mr. DOBEY noted the "Flat Glass Case" had been settled in the "front office" and that the "Rubber Case" was also settled there. Both these settlements, DOBEY related, were handled by the law firm of CAHILL and MATT CORREA, both of whom were former United States attorneys and friends of TOM CLARK. It was DOBEY's understanding that neither of these gentlemen was a particularly close friend of BERGSON. He then noted that, after the settlement of these two cases, it was the opinion of many in the Department that CAHILL and CORREA could settle any case they wanted with CLARK. He noted that in neither of these cases was there any attempt by the law firm of CAHILL and CORREA to arrange negotiations or settlement with the trial attorneys which handled the cases. He stated this was not in accordance with the established policy in the Department of Justice. DOBEY pointed out that MATT CORREA's brother was in the Antitrust Division during this period and was BERGSON's right-hand man, and had the final say as to whether all complaints on antitrust matters would receive any investigation by the Justice Department. He pointed out that, at the time Mr. BERGSON left the Department of Justice and went to the Office of Defense Mobilization, he (BERGSON) took RUDY CORREA with him as his assistant.

DOBEY stated he was not acquainted with, nor did he work on, the Schine Circuit Case and was not aware of any irregularities which had taken place in conjunction with these cases.
INTERVIEW WITH WENDELL BERGE


Mr. BERGE advised that he left the Department of Justice in May, 1949, and has had very little contact with anyone in the Department of Justice since that time. He stated, however, that as Assistant Attorney General, he recalled several investigations involving the liquor industry. He stated that the investigation into the activities of the "Big Four" distilleries occurred about the middle of his tenure as Assistant Attorney General in charge of the Anti-Trust Division. Mr. BERGE advised that the Department of Justice's concern in this industry was as to what was causing the disappearance of small distilleries and the coinciding growth of the "Big Four". He stated that, percentage-wise, the figure on the holdings of the "Big Four" was very impressive, and he recalled that they were, at that time, producing far more than 50% of the total liquor produced. He pointed out that the problem involved was to make a monopoly case involving four large companies. Mr. BERGE further advised that the Departmental staff felt that the situation was bad economically, but they did not have any supporting cases that would uphold the Department of Justice's position and, as a result, they did not think the case was strong enough on which to proceed.

Mr. BERGE advised that insofar as he knew, there was no indication of any outside pressure, any mishandling or any irregularity in the handling of the liquor case. He further advised that he had no knowledge of TOM CLARK having anything to do with the handling of the liquor case. He stated that after he (Mr. BERGE) became head of the Anti-Trust Division, TOM CLARK had no part in any case being handled in the Anti-Trust Division.

Mr. BERGE volunteered the information that he had read the testimony of ERNEST BRANHAM and said that he considered BRANHAM to be an ambitious man, who had the courage of his convictions, but not a person he would consider "as one of his outstanding men". He stated that he recalled BRANHAM as a person who was always dissatisfied with his lot and thought his promotion rate was too small. Mr. BERGE advised that he felt BRANHAM was "frustrated" and went on to relate that the story around town is that ERNEST BRANHAM wanted a judgeship and was passed over when MILTON KRONHEIM, son of a local liquor distributor, had gotten the appointment that BRANHAM had expected. As a result, BRANHAM felt a great
deal of bitterness toward the liquor industry. Mr. BERGE stated that this may be the cause of BRANHAM's charges concerning the handling of the liquor case. Mr. BERGE pointed out that this was all hearsay, and that he had no information to corroborate this statement.

In conclusion, Mr. BERGE advised that, from his experience in the Department of Justice and his association with persons in the Department of Justice, he believed the Department of Justice to be as clean as a "hound's tooth". He stated that the only incident he could recall in regard to any possible irregularities on the part of Department of Justice employees concerned an incident involving TOM CLARK.

Mr. BERGE went on to state that, shortly after he had become Assistant Attorney in charge of the Anti-Trust Division and TOM CLARK had been made Assistant Attorney General in charge of the Criminal Division, an incident occurred which caused a heated argument in Attorney General FRANCIS BIDDLE's office. Mr. BERGE advised that a Congressman from New Jersey had approached TOM CLARK, who was in charge of the Criminal Division, regarding an Anti-Trust case involving the control and use of harbors in the New Jersey area. Mr. BERGE advised that he could not recall who the Congressman was or the name of the case involved. He stated, however, that TOM CLARK was supposed to have made an agreement with the Congressman to have the pending Anti-Trust matter dropped. Mr. BERGE pointed out that the individual involved was a New Jersey political figure in the "Hague Machine". Mr. BERGE advised that just after New Year's Day, 1945, the Congressman from New Jersey went to the then Attorney General, FRANCIS BIDDLE, about the fact that he had an agreement with TOM CLARK that there would be no prosecution in this case. According to Mr. BERGE, the Congressman was extremely "mad" because the case had been prosecuted. A heated discussion took place in the Attorney General's office as to what right TOM CLARK had to make any decisions regarding cases pending in the Anti-Trust Division.

Mr. BERGE stated that TOM CLARK had not come to him to attempt to reach a settlement of the case, but had approached the section head, HOLMES BALDRIDGE. Mr. BALDRIDGE had told CLARK that the Department of Justice would go on with their plan to prosecute. BALDRIDGE advised Mr. BERGE that he didn't report this to him because he did not attach any significance to the discussion as it was a case that had been pending before the change of division heads and, further, that TOM CLARK's views had not altered the handling of the case.
Mr. BERGE advised that the Attorney General, FRANCIS BIDDLE, told him that when he learned that he was to be replaced by TOM CLARK, he attempted to see the President for two days prior to the announcement in order to advise the President of this incident. Mr. BERGE stated that FRANCIS BIDDLE told him he was unable to see the President until after the announcement of the appointment, but that when he did see the President, he advised him that "TOM CLARK was a fixer and would cause him trouble."

Mr. BERGE stated that the aforementioned case was handled in the New York Branch Office of the Anti-Trust Division, and he did not recall the name of the case, the name of the Congressman, or the name of the New Jersey political figure involved in the incident. He further advised that he did not recall the outcome of the prosecution of this case.

Mr. BERGE declined to make a sworn statement concerning the aforementioned incident stating, "I would like to be helpful, but, for professional reasons, I will have to decline." He stated that most of the information he had was hearsay and, in addition, he pointed out the fact that he appeared before the Supreme Court once or twice a year, and did not think he should become involved in any charges in this matter.
INTERVIEW WITH LEO H. KUHN

Mr. LEO H. KUHN, Liaison Officer, Anti-Trust Division, Department of Justice, was interviewed in his office on September 26, 1952, by SAs WILLIAM E. FENIMORE and ROBERT N. WINGARD.

Mr. KUHN advised that his position in the Justice Department involved the Liaison work of the Anti-Trust Division in its contacts with the Federal Trade Commission. He stated that in this regard he represented Mr. NEWELL CLAPP. He commented that he had never worked on the Liquor Industry or any auxiliary investigation to the Liquor Industry, but had in 1949 handled the liaison contacts with the Federal Trade Commission involving the Cooperage Industry. He explained that in his liaison work the Federal Trade Commission had requested in July of 1949, for him to check with the Anti-Trust Division to ascertain if that division had an investigation involving the Cooperage Industry. He pointed out that the FTC wanted authority to go ahead with a Cooperage investigation which they had suspended several years previously. He commented that after conveying this information to the Anti-Trust Division he was informed, and in turn informed the FTC, that the Cooperage Industry was under investigation by the Anti-Trust Division as part of the over-all investigation of the Liquor Industry. He stated that in December, 1949, he had been informed by the Anti-Trust Division that the FTC could have access to the department's records on the Cooperage Industry. Mr. KUHN added that this was the only contact that he had with the Liquor Industry, and could furnish no information as to the handling of this investigation in the Department of Justice.

INTERVIEW WITH LEONARD M. BERKE

LEONARD M. BERKE was interviewed at the Department of Justice on September 26, 1952, by SAs WILLIAM E. FENIMORE and ROBERT N. WINGARD.

BERKE explained in connection with his employment as an Economist in the Anti-Trust Division, he had been assigned to work under the supervision of W. WALLACE KIRKPATRICK on the Liquor Industry investigation between the early spring of 1950 and October, 1950. His duties were to obtain factual information which would reflect the economic picture of the Industry on the basis of public information and that made available by other government agencies,
particularly the Alcohol Tax Unit. At the outset of his assignment BERKE attended hearings being held by Alcohol Tax Unit regarding the reuse of Cooperage by distillers. His objective was to learn information which might be pertinent to the main Liquor Industry investigation.

KIRKPATRICK was of the opinion that successful prosecution might be entertained. His views were accurately summed up in a memorandum which he submitted prior to the time he left the Department of Justice in 1948. When KIRKPATRICK left the department, BERKE relates, the Liquor Industry investigation was dormant since KIRKPATRICK's memorandum had been furnished the "front office" and was awaiting action there. Since KIRKPATRICK was leaving the department the case was reassigned to ALLEN A. DOBEY who was to handle the matter if anything was to be done.

BERKE remarked he has never heard any comment that the Liquor Industry investigation was mis-handled by anyone in the department nor has he heard any influence was ever brought to bear by anyone in the department or on anyone in the department. In addition, BERKE stated he was not aware that the Attorney General, TOM CLARK, had ever taken any interest in the Liquor investigation, in fact he could not recall that he had ever heard that the Attorney General even knew that this investigation ever existed in the department.

INTERVIEW WITH VICTOR H. KRAMER

VICTOR H. KRAMER, Chief, General Litigation Section, Antitrust Division, Department of Justice, was interviewed by SAs WILLIAM E. FENILHOL and ROBERT N. WINGARD on September 26, 1952.

Mr. KRAMER advised that it was his opinion that the history of the Liquor investigation in the Department of Justice was divided into three phases. He pointed out that these phases were (1) investigation during 1943 and 44 of the Liquor Industries handled by the General Litigation Section under the direction of WILLIAM B. BUTZ, (2) investigation of the Bourbon Cooperage industry, 1946 to 1949, handled by VICTOR KRAMER, (3) investigation of the Liquor Industry as such, 1948 to 1950, under the direction of W. WALLACE KIRKPATRICK.

Mr. KRAMER advised that he was not directly acquainted with the first and third phase of this investigation, and that all information that he has concerning these phases were strictly hearsay or opinions of his.
He commented in regard to the Cooperage investigation, in March of 1946, while he was Assistant Chief of the Complaint Section, he was advised by Mr. CHALMERS HAMMILL, of the Small Business Complaint Section, that numerous complaints had been referred to Mr. HAMMILL by the minor distilleries to the effect that the major distilleries were acquiring all of the Cooperage Companies, and the minor distilleries could not get necessary Cooperages that they needed. He stated that under his direction Mr. ERNEST BRANHAM prepared a memorandum requesting the Federal Bureau of Investigation to conduct necessary investigation into the Cooperage Industry. He commented that when he received this memorandum he found that it needed revision, and that he requested Mr. EDWARD KENNY to help BRANHAM revise memorandum, and at the same time had instructed Mr. KENNY to supervise BRANHAM in regard to handling the Cooperage investigation at the Department of Justice. He pointed out that he had given these instructions to KENNY, inasmuch as he did not consider BRANHAM to be a very capable Attorney.

He pointed out, in regard to the above mentioned appointment of Mr. KENNY, he did not believe that Mr. BRANHAM had ever been aware of this appointment. He stated that after the Federal Bureau of Investigation had conducted their investigation as requested by the department, that there was no evidence in our judgement to warrant further investigation of the Cooperage Industry.

Mr. KRAMER advised that he had conferred with Mr. KENNY, and that both felt that the problems involved in the Cooperage Industry might be solved by a change in the Alcohol Tax Unit regulations, prohibiting distillers from using used white oak barrels. He commented that he made such recommendations to the Alcohol Tax Unit, but that during the course of hearings held by that division, Mr. JOHN SONNET was appointed to the position of Assistant Attorney General, and shortly after this appointment had telephonically contacted him in regard to the negotiations with the Alcohol Tax Unit, at which time Mr. SONNET had stated that he did not think the department should get mixed up with the Alcohol Tax Unit in this matter, and was of the opinion that the Department of Justice should either prosecute or drop the Cooperage investigation.

Mr. KRAMER pointed out that this investigation had been dropped, inasmuch as he did not think that there was sufficient evidence to prosecute. He stated that when this case was dropped by his division that all information which had been collected was placed in the Liquor Survey file, and that from this point on he had no active participation in the Liquor investigation.
In regard to phase three, Mr. KRAMER outlined above, he stated that Mr. HODGES, then Chief of the Trial Section, Anti-Trust Division, has assigned Mr. W. WALLACE KIRKPATRICK and B. JAHANGID to conduct a Liquor survey. He pointed out that on several occasions during this survey, Mr. KIRKPATRICK had come to his, KRAMER's, office and asked for advice concerning problems which he had encountered on this Liquor survey. Mr. KRAMER stated that he could not recall any advice which he had given Mr. KIRKPATRICK, and pointed out that he was not too interested in getting involved, due to the pressure of his other work. Mr. KRAMER stated that on one occasion while he was in Mr. HODGES' office he was advised by Mr. HODGES that either Mr. BERGSON or BORKLAND had made the decision that no full investigation would be instituted in the Liquor investigation because the available facts did not warrant such an investigation. He stated that Mr. HODGES concurred in this opinion, and advised that this case would be "kept alive but not fed."

Mr. KRAMER advised that the next contact he had with the Liquor Industry was in October, 1950, at which time he succeeded Mr. HODGES as Chief of the Trial Section, Anti-Trust Division. He advised that upon being appointed to this position he immediately prepared a list of pending cases for the Attorney General and in this regard noted that the Liquor investigation had never been closed or actively converted to a pending investigation. He pointed out that he decided to let this investigation stand as it was, and that it was still in this category in December, 1950, when he was transferred to Chief of the General Litigation Section.

Mr. KRAMER pointed out that neither Mr. HODGES or himself had been very enthusiastic about the Liquor investigation, partly because both Mr. HODGES and himself did not believe that the Liquor Industry was important enough to the general public to warrant the necessary manpower or the spending of necessary appropriations to conduct a full investigation. He advised that possibly their opinions in regard to this were tempered by the fact that neither he or Mr. HODGES indulged in alcoholic beverages to any extent and were more interested in prosecuting basic industries in violations of Anti-Trust laws such as the Steel Industry.

In discussing the Liquor Industry investigation, KRAMER stated he was aware KIRKPATRICK had summarized the investigation in a memorandum which had been furnished to the "front office" through regular channels. He was also aware the memorandum had not been immediately acted upon, but felt this was not highly unusual because of the complex problem involved. The decision as to whether a full investigation would be instituted had to be made by either BERGSON, his righthand man, BORKLAND, or Attorney General, TOM CLARK, himself. KRAMER stated he had no
knowledge as to who actually made the final decision and did not know whether CLARK had even been consulted.

KRAMER stated he had heard ERNEST BRANHAM testify before the Chelf Committee. He then pointed out he was of the opinion that BRANHAM's main goal in life was to become a judge on the Municipal Bench in the District of Columbia, and had made these desires known to such an extent that he was mentioned as a candidate to a recent vacancy on the bench. However, this vacancy was filled by Judge KRONHEIM, the son of a large liquor distributor. KRAMER considers this the reason BRANHAM is so insistant on prosecuting the Liquor Industry.

In conclusion, Mr. KRAMER stated that he had no knowledge of the mishandling of the Liquor investigation by any Attorney in the department, nor did he have any knowledge of any influence which TOM CLARK, as Attorney General, exercised in regard to this investigation.

Interview with Mr. LEROY McCauley

Special Agents HARRY J. MORGAN and ROBERT N. WINGARD interviewed Mr. LEROY McCauley, Administrative Assistant, Administrative Division, Anti-Trust Division, Department of Justice, on October 1, 1952. Mr. McCauley advised that he had no active part in the liquor investigation.

He advised further that Mr. ERNEST L. BRANHAM expressed to him in approximately 1948 that he had heard about a $200,000 payment from the liquor industry to the Democratic Party. McCauley advised that BRANHAM told him about it first and had not discussed it with anyone else. Immediately thereafter Mr. McCauley told BRANHAM not to spread his heresay around and further advised him that he would make an appointment for BRANHAM to see Mr. BERSON, the Assistant Attorney General in charge of the Anti-Trust Division. According to McCauley, BRANHAM made no allegation against TOM CLARK, nor did he mention TOM CLARK's name or anything that he had heard concerning Mr. CLARK.

McCauley also advised that he made a statement to the Chelf Committee, which is a matter of record of the Chelf Committee. McCauley did not say what the statement was.

According to McCauley, he never heard of any misconduct or any pressure or influence exerted on the part of any Department official or employee of the Justice Department regarding the liquor case, nor did he ever hear of any misconduct, pressure, or influence exerted by any official or employee of the Department of Justice regarding any matter whatsoever in which the Department of Justice would have jurisdiction.
Mr. HOLMES BALDRIDGE, Assistant Attorney General in charge of the Claims Division, U. S. Department of Justice, was interviewed in his office in the Justice Building by Special Agents WILLIAM T. FORSYTH and EUGENE D. THOMPSON on September 29, 1952.

Mr. BALDRIDGE advised that he had been in the General Litigation Section of the Anti-Trust Division for approximately twelve years. He further advised that, in 1943 and 1944, when the liquor case against the "Big Four" was under investigation, he was Chief of the General Litigation Division and, as such, had supervision of the liquor case. Mr. BALDRIDGE stated that the purpose of the investigation was to prove or disprove whether a compromise or agreement existed among the "Big Four" to monopolize the liquor industry and, thus, to control prices and the production of liquor. Mr. BALDRIDGE pointed out that this case was instituted as a result of the findings in the Department of Justice case against the Colorado Wholesale Wine and Liquor Association. He indicated that Anti-Trust cases were instituted in two ways: (1) On the basis of complaints received from the public; and (2) On the initiative of the Department of Justice. Mr. BALDRIDGE stated that the liquor case concerning the "Big Four" was started on the initiative of the Department of Justice. He pointed out the Department of Justice had received complaints regarding distribution and sales of a local level, but had no complaints against the major distillers.

Mr. BALDRIDGE advised that their studies of the industry in 1943 and 1944 indicated that the "Big Four" owned approximately 75% of the production facilities. The Department of Justice investigation disclosed no evidence of a compromise or cooperative activities on the part of the "Big Four" in violation of the Anti-Trust Laws. Mr. BALDRIDGE advised that there was a rumor that the "Big Four" of the liquor industry was financed by a New York investment bank and, thereby, controlled the liquor industry. He pointed out that, in following this angle of the investigation, he caused a check to be made of the bank records of the major distillers. According to Mr. BALDRIDGE, this review of the bank records failed to establish any connection between the members of the "Big Four". Mr. BALDRIDGE stated that, after a year and a half study of this case, it was presented to a Grand Jury, primarily for the purpose of obtaining the right to subpoena the records of the liquor companies involved. He further pointed out that only a few witnesses were called by the Grand Jury and, after a review of the records, it was found that the Department of Justice did not have sufficient information on which to prosecute.
Mr. BALDRIDGE advised that the case was reopened in 1948, at which time it was under the supervision of Mr. EDWARD P. HODGES, then Chief of the General Litigation Section. He further pointed out that he had nothing to do with the case after it was reopened, and that he did not know if it was reopened because of new complaints or for some other reason.

Mr. BALDRIDGE advised that he did not know of any irregularity on the part of anyone involved in handling the case. He further advised that he did not know of TOM CLARK having anything to do with the case or making any decision concerning the case.

In conclusion, he advised that he believed the Department of Justice was "clean as a whistle", and he did not know of any irregularities in the handling of any case in the Department of Justice.

INTERVIEW WITH J. RIDLEY MITCHELL

On September 30, 1952, Mr. J. RIDLEY MITCHELL, who resides at the Dorchester House, 2480 16th Street, Northwest, was interviewed at the Raleigh Hotel by Special Agents GUSTAVE SARIDAKIS and ALPHONSE F. CALABRESE. Mr. MITCHELL advised that in the fall of 1944 or 1945 he was made Special Assistant to the Attorney General and was assigned to the Small Business Section, Antitrust Division, Department of Justice. He stated that he occupied a room which was shared by Mr. ERNEST L. BRANHAM and that anything he knew about the investigation of the Big Four Liquor Industry was purely hearsay since he, Mr. MITCHELL, had no active participation in this investigation. He advised that he remained as Special Assistant to the Attorney General in the Small Business Section until August 1951, when he was assigned to the Immigration and Naturalization Service. Mr. MITCHELL pointed out that during the entire period that he was in the Small Business Section he never personally knew nor had he ever heard of anyone attempting to place pressure upon the Department of Justice Attorneys in an attempt to have them quash the investigation.

INTERVIEW WITH ERNEST L. BRANHAM

ERNEST L. BRANHAM, Trial Attorney in the Small Business and Procurement Unit of the Antitrust Division, U. S. Department of Justice, was interviewed by Special Agents EDGAR L. CARTER and ROBERT K. LEWIS on October 1, 1952.

Mr. BRANHAM informed that he is unable to furnish any additional information relative to his participation in the liquor industry case, in addition to that previously furnished Bureau Agents.
INTERVIEW WITH CLINCH HEYWARD BEISER

Mr. G. HEYWARD BEISER, Attorney, Transportation Building, was inter-
viewed at his home at 6510 Ridgewood Street, Chevy Chase, Maryland, on Septem-
ber 27, 1952, by Special Agents WILLIAM E. FENIMORE and ROBERT N. WINGARD.

Mr. BEISER advised that from February of 1948 until October of 1949 he had been employed as a Trial Attorney in the Antitrust Division of the Department of Justice. He commented that some time during this period of time he had been assigned to do some work on the Cooperage investigation concerning the possible re-use of barrels by the distillery industry. He commented that he had worked on this investigation for some period of time, after which he came to the conclusion, as did his superiors, that there was no violation present in this investigation inasmuch as it was apparent that the large distillers could not corner the white oak market, which oak was used in the manufacturing of cooperages, due to the large supply of white oak available in this country.

Mr. BEISER stated that he had been a close personal friend of W. WALLACE KIRKPATRICK and that Mr. KIRKPATRICK had been in charge of the liquor survey which was being conducted by the Justice Department during the late 1940's. He stated that he had engaged in many conversations with Mr. KIRKPATRICK with regard to the liquor survey and although he had never been officially assigned to this case, they had exchanged views on the legality of the case. He commented that both Mr. KIRKPATRICK and he had held to the same philosophy concerning this investigation. This was to the effect that this type of industry did not have sufficient public appeal. He explained this by pointing out that the general public believed there was too much drinking of liquor in this country and that to lower prices would merely increase the amount of liquor consumed. He further advised that KIRKPATRICK had told him on several occasions that he could not get any concrete evidence in the investigation and felt that the Justice Department was not interested in spending their appropriations on a full scale investigation in an attempt to lower prices of liquor. He commented that Mr. KIRKPATRICK had told him on several occasions that he was fed up with the liquor case and believed that this investigation was what was commonly referred to in the Department as an "old dog." Mr. BEISER further commented that he believed that inasmuch as Mr. KIRKPATRICK did not seem to be able to get rid of this investigation, this was one of the reasons he had left the Department of Justice. Mr. BEISER commented that from his knowledge of the liquor investigation, he did not believe that it would be possible for the Department of Justice to develop a theory which would hold up in court.

He commented that he had left the Department prior to the time Mr. KIRKPATRICK prepared his memorandum summarizing the liquor survey and was not acquainted with the recommendations that KIRKPATRICK had made in this
memorandum, but felt that unless KIRKPATRICK had discovered additional information, he did not believe the memorandum would have contained any strong recommendations for further investigation.

Mr. BELSER advised that he had never been assigned to the Schine Circuit case, nor was he acquainted with this investigation. He advised that on several occasions he had heard PHILIP MARCUS and several of the other attorneys in the Department discussing this case, but stated that inasmuch as he did not have background concerning the investigation had not paid any attention to these investigations.

He commented that he had never heard that any cases were mis-handled by the Justice Department during the period that he was employed as an attorney with the Department. He commented that he had never heard that former Attorney General TOM CLARK had any interest in the liquor investigation and did not believe that he had ever heard anyone mention that CLARK was interested in the Schine case. He commented in this regard that Mr. KIRKPATRICK was a very close personal friend of his and felt that if there had been any pressure exerted as far as the liquor investigation was concerned, Mr. KIRKPATRICK would have advised him of the fact.

ATTEMPT TO INTERVIEW GEORGE ALT

It was determined by SA WILLIAM E. FENIMORE from a review of GEORGE ALT's Personnel File maintained at the Department of Justice, that he had died on December 30, 1948.

ATTEMPT TO INTERVIEW JOHN A. JORDAN

It was determined by SA WILLIAM E. FENIMORE from a review of JOHN A. JORDAN's Personnel File maintained at the Department of Justice, that he had died on April 5, 1952.
INTERVIEW WITH ALFONS B. LANDA

On October 1, 1952, Mr. ALFONS B. LANDA was interviewed at his office, Suite 1100, Wire Building, 1000 Vermont Avenue, N. W., by SAS GUSTAVE SARIDAKIS and ALPHONSE F. CALABRESE, and he furnished the following sworn statement which was signed on the following day, October 2, 1952:

"Wire Building
Washington, D. C.
October 1, 1952

"I, ALFONS B. LANDA, make the following true and voluntary sworn statement to GUSTAVE SARIDAKIS and ALPHONSE F. CALABRESE, whom I know to be Special Agents of the Federal Bureau of Investigation. I know that I do not have to make this statement and that anything that I say may be used in a court of law. No threats nor promises have been made to me to induce me to make this voluntary statement.

"I am a member of the law firm of Davies, Richberg, Tydings, Beebe, and Landa, which law firm has had various partnership changes over the years but is presently constituted as stated.

"I have for a number of years represented Seagram-Distillers Corp. in Washington. Some years ago, probably in the year 1948, ERNEST BRANHAM, employed in the Department of Justice, knowing my representation of Seagrams, telephoned me to ask me to provide him with a list of the officers of the company, also the full names and addresses of Counsel for the company. I told Mr. BRANHAM we would be glad to cooperate with him. It is my recollection that I advised JAMES E. FRIEL, and it was requested that Mr. BRANHAM make the request in writing directly of the company. JAMES E. FRIEL, I believe, is Vice President of Seagram-Distillers Corp. When this request came, I gathered that there was to be some antitrust activity on behalf of the Department of Justice because this is usually the nature of the information required when action is about to be filed. After that, when I was in the Department of Justice in connection with the business of my clients, I would drop in once in a while to see Mr. BRANHAM and ask what the progress of the case was. From these conversations I learned from Mr. BRANHAM that he was working on an investigation of the liquor
industry. Mr. BRANHAM would on some of these occasions state to me that action should be had against the liquor industry for its monopolistic practices and I at no time attempted to dissuade Mr. BRANHAM. My answer invariably was, "Well go ahead. Antitrust is our business." To the best of my recollection, I have never had any contact with any other official in the Department of Justice with relation to the liquor industry investigation.

"For about twenty years I have on the occasion of national elections assisted the Democratic National Committee in the raising of funds. Sometime during the 1948 campaign I, as Vice Chairman of the Finance Committee, telephoned JAMES E. FRIEL to ask if he could raise among his fellow-workers who were interested in the Democratic Party a substantial sum to aid the Committee. There was no discussion at that time in connection with anything but raising funds. Subsequently, to the best of my recollection, he advised me that he and his associates would be willing to contribute $35,000. I so advised LOUIS JOHNSON, Chairman of the Finance Committee.

"In the course of my law practice I had occasion to visit Mr. BRANHAM probably three or four times a year. I had other matters other than the liquor industry that were in the knowledge of his Department. On one occasion, and my best recollection is that it was late in the year 1948, there was a conversation between Mr. BRANHAM and myself, probably at the Department of Justice, concerning an alleged large contribution by Mr. LEWIS ROSENSTIEL, who was president of Schenley Industries. The conversation was concerning a rumor that I had heard and that Mr. BRANHAM had heard that the large contribution was made and would effect future action against the distilling and liquor industry. The rumor as I recall it also included the fact that present persons handling the liquor industry problems in the Department would be changed. I use the word problems rather than investigations since my recollection at the time that I asked FRIEL and some of his associates to make contribution is that an inquiry had been made by JOSEPH B. KEENAN as to whether there was anything pending against the liquor distilling industry in the Department and he had been advised by the Department there wasn't. I cannot say for certainty whether Mr. BRANHAM or myself originated the talk about the rumor. I do not know Mr. ROSENSTIEL personally and to my best recollection do not believe I have ever met him since Seagram and Schenley are vigorous competitors in the liquor industry. I have no personal knowledge of any facet of the authenticity of this rumor. At this particular time my recollection is that I heard the rumor from two or
"three sources that I am unable to identify or recollect at this time. I wish to state that to the best of my recollection I never have made any statement to the effect that "Mr. ROSENSTIEL, former President of Schenley Industries, had stated around New York that he had received the assurance from Attorney General TOM CLARK that there would never be any suit of any nature against the liquor industry and that if such became inevitable he, Mr. ROSENSTIEL, was assured that a certain member of the Department of Justice would have nothing to do with it," with the exception of certain parts of the above statement which have been discussed previously in this statement. With relation to the information concerning former Attorney General TOM CLARK I did hear the rumor that Mr. ROSENSTIEL had a meeting with TOM CLARK and that Mr. ROSENSTIEL stated that there would be no trouble for the liquor industry. This rumor, I believe, was heard by me subsequent to the ROSENSTIEL rumor spoken of in the previous conversation with Mr. BRANHAM. My best recollection is that I heard this rumor from Mr. BRANHAM.

"I have never had any contact with Mr. CLARK with reference to the liquor antitrust problems nor do I know, of my own knowledge, of anyone who approached Mr. CLARK concerning the liquor industry antitrust anti-monopoly investigations. Mr. BOYLE, Chairman of the Democratic National Committee, sometime during the 1950 campaign asked me if I could get a campaign contribution from Mr. FRIEL. My recollection is that I replied to take it up with Mr. FRIEL directly. I'll let him know but you take it up with him. We did not discuss any investigations or proposed prosecutions of the liquor distilling industry.

"To the best of my knowledge there was no connection between the contribution which I solicited as a member of the Finance Committee of the Democratic Party and any action of any Government Department against any of the liquor distilling industry.

"I have read the foregoing sworn statement consisting of five typewritten pages and state that to the best of my knowledge and recollection, this is a true statement. I have initialed each page and each correction.

"/S/ ALFONS B. LANDA

"Sworn and subscribed to before me on 10/2/52
"A.F. Calabrese, Special Agent, FBI, Washington, D. C. 10/2/52
"Witness:

Gustave Saridakis
Special Agent, FBI
October 2, 1952."

In addition, Mr. LANDA advised during the interview that he had testified on two occasions, once in Executive Session, and once in open hearing before the Chief Committee in the recent past. He advised that much of the information in the sworn statement was already a matter of record with the Chief Committee.

Mr. LANDA advised that JOSEPH KEENAN, mentioned in the sworn statement, was in 1948 on the Finance Committee of the National Democratic Party.

Mr. LANDA advised that although he had contacted officers of Seagram-Distillers Corporation for contributions in 1948, as set forth in the above sworn statement, he, as a member of the Finance Committee of the National Democratic Party, had made no contact with the above individuals in the election campaign of 1944.

Mr. LANDA stated that after he had advised LOUIS JOHNSON, Chairman of the Finance Committee of the National Democratic Party in 1948, that FRIEL and his associates would be willing to contribute $35,000, he, Mr. LANDA, had no further direct knowledge of that matter. He informed that he had learned since, at the Chief Committee hearing, that LOUIS JOHNSON had intended to go up to New York to see FRIEL with relation to the contribution but that he actually did not go but, instead, JOSEPH KEENAN went. He stated further that KEENAN had made arrangements for the collection of the $35,000 and that FRIEL handed the money to Mr. J. HOWARD McGrath who, at the time, was the United States Senator from Rhode Island and Chairman of the National Democratic Party.

He advised this contribution was from the employees of Seagram-Distillers Corporation who, in his opinion, were Democrats and who were grateful to the Democratic Party for sponsoring the repeal of prohibition, thereby enabling them to make a very profitable living in the sale of liquor.

He stated further that in his capacity with the Finance Committee of the National Democratic Party he contacted
JIM FRIEL of the Seagram-Distillers Corporation, and that it was his opinion that one NAT LICHTBLAU, who was also on the Finance Committee, contacted the other "liquor people."

It will be noted that on October 2, 1952, before the above-mentioned statement was read by Mr. LANDA, he called his partner, Mr. RAYMOND N. BEEBE, and the statement was read aloud to Mr. BEEBE by Mr. LANDA. During the reading of this statement, Mr. LANDA asked Mr. BEEBE if he had ever made a contact with Attorney General CLARK with relation to the liquor anti-trust investigation, and Mr. BEEBE replied that he knew of no investigation by the Department of Justice of the liquor industry other than the contact and request of Mr. BRANHAM for Mr. LANDA to provide him with a list of the officers of the Seagram-Distillers Corporation. Mr. BEEBE also stated that he, to the best of his knowledge, had never contacted Mr. CLARK with relation to any matter.

At the time that Mr. LANDA read the statement, he requested of the Agents a copy of said statement, which was furnished to him on that date.
The review of the Department file 60-6-30-33-10, consisting of 40 sections, was made by Special Agents EDGAR L. CARTER, ANDREW J. SHANNON, LESLIE B. CHISHOLM, JR., L. RUSSELL WHARRY, ROBERT K. LEWIS and CHARLES H. SCHAFER on September 25 and 26, 1952. A review of the file contained the following pertinent information in connection with the investigation of this matter:

The background with regard to the Schine Chain Theatres case was set forth in a memorandum dated September 15, 1948, from HERBERT A. BERGSON to the Attorney General. This memorandum states in the beginning that:

"It is recommended that civil and criminal contempt proceedings be instituted against the defendants in the Schine Chain Theatres case, and also against other persons who, although not parties to the original suit, have knowingly made possible and participated in the contempts."

The background as set forth in this memorandum is as follows:

"The Schine case is one of the four motion picture suits filed in 1938 and 1939. The present status of the case is that it is on remand from the Supreme Court to the trial court for consideration by that court of findings of fact and judgment provisions in addition to those approved by the Supreme Court. The judgment provisions violated by the contempts are among those expressly approved by the Supreme Court. They are:

"Each of the defendants is hereby enjoined and restrained:

"1. From monopolizing the supply of major first run films in any situation where there is a competing theatre suitable for first run exhibition thereof and from monopolizing the supply of second run films in any situation where there is a suitable theatre for second run exhibition thereof. (Amend. Judg. Section II)

"3. From conditioning the licensing of films in any competitive situation outside of Buffalo, New York, upon the licensing of films in any other situation and from entering into any film franchise. (Amend. Judg. Section II)

"4. From selling or acquiring any theatre interest pending the further order of this Court. (Amend. Judg. Section II)"
7. From continuing any contract, conspiracy or combination with each other or with any other person which has the purpose or effect of maintaining the exhibition or theatre monopolies of the defendants or of preventing any other theatre or exhibitor from competing with the defendants or any of them, and from entering into any similar contract, conspiracy, or combination for the purpose or with the effect of restraining or monopolizing trade and commerce between the States. (Amend. Judy. Section II)

No defendant shall acquire a financial interest in any additional theatres except after an affirmative showing that such acquisition will not unreasonably restrain competition. Such showing shall be made before this court upon reasonable notice to the Attorney General at Washington, D. C. No defendant shall buy or book films for any theatre other than those in which the defendant owns a financial interest. (Order of July 5, 1946, Section III)

Proposals by the Government for new findings of fact and new judgment provisions are to be filed by October 15, 1948, and it is believed that the facts disclosed in the contempt petitions will be considered by the court in determining what judgment should be entered.

The Schine circuit is the largest independent circuit in the country. It is believed that the records of none of the other motion picture cases compares with the Schine record in the variety and ruthlessness of the means used to eliminate competition. The defendants have never acknowledged any wrongdoing, and since the filing of the suit they have consistently tried to avoid the consequences of their transgressions.

The Schine defendants are five Schine corporations, J. MYER SCHINE, LOUIS SCHINE, and JOHNWAY. All were adjudged to have violated Sections 1 and 2 of the Sherman Act.

In 1942, a temporary consent order was entered into postponing trial for three years. Under this order, the Schine defendants were required to divest themselves of their interest in 16 motion picture theatres they had acquired after commencement of the suit. Schine, according to reports defendants filed in court, purported to dispose of three of the theatres of which it was required to divest itself by the 1942 order. The Government filed a motion to compel Schine to divest itself of the other theatres and to have a trustee
appointed for that purpose. The Court, although it denied the Government's motion, required the defendants to make further efforts to sell these theatres, on pain of a trustee's being appointed for that purpose. To avoid carrying out the decrees of the court, Schine has not been loath to resort to any means available. Schine reported to the court that six of the theatres it was required to sell had been optioned to one Schaeffer, who, after some time, had declined to take any of them. Schaeffer, as we have learned, has been a very close associate of Schine's and has been in Schine's employ.

"After the trial of the case, the court found defendants guilty of violating both Sections 1 and 2 of the Sherman Act and of having conspired with all major distributors for this purpose. It entered a judgment on November 1, 1945, amended March 11, 1946, which provided, among other things, that Schine should not monopolize first or second runs in competitive towns, should not acquire or sell theatres without the approval of the Court and should not engage in any conspiracy, combination, or contract to monopolize or restrict competition in any exhibition of motion pictures. The court provided in this judgment that both sides submit plans for divestiture or dissolution. The Government submitted a plan of divestiture. For some time, the defendants refused to submit any plan asserting such plan was impossible. Finally they submitted a plan for dissolution of the Schine circuit into family-held regional circuits. The court rejected the defendants' proposal, observing that such divestiture would merely result in recreation of the status and practices for which the suit was brought.

"The court made a number of modifications of its own in adopting the Government's plan of divestiture as part of the divestiture plan; it prohibited the defendants from acquiring any further theatre interests or from buying and booking for theatres in which it did not have a financial interest. The divestiture plan was stayed pending appeal to the Supreme Court. On appeal to the Supreme Court, the court for the most part affirmed the judgment of the lower court, rejected the divestiture plan, but approved the buying and booking ban and prohibition against acquiring additional theatres without court consent.

"Contempts"

"1. During the course of the trial in 1944, an independent exhibitor who had been forced out of business by Schine sought to re-acquire three of the theatres Schine was required to sell under the consent judgment of May, 1942. Thereupon, Schine announced that it had a better offer from one CHARLES HAYHAK. The Department had some
reason to believe that the relationship between Mr. HAYMAN and Mr. SCHINE was rather close and suspected the bona fide of this proposed sale. A hearing was had before Judge KNIGHT at which the counsel for SCHINE assured the court that there was no connection between SCHINE and HAYMAN and that the transaction was bona fide.

The Government made no independent investigation of its own at that time, and upon that assurance a purported sale was made to HAYMAN of SCHINE's interest in theatres in Appalachia, Va. and Corbin and Pikeville, Ky. In 1947, we received a letter from an independent exhibitor, who had been a witness at the trial, complaining that SCHINE had violated and was continuing to violate the judgment of the court and to flout our efforts to create a competitive situation. He referred to a number of towns in which he alleged violations were occurring. An F.B.I. investigation was thereupon initiated. In brief, the following facts were disclosed by the F.B.I. investigation.

"Despite the purported sale to HAYMAN, SCHINE continued to buy and book pictures for these theatres and a Schine employee managed them. Upon HAYMAN's death, the theatres were sold to the Hildemart Corporation, which the son of the deceased CHARLES HAYMAN stated to an F.B.I. agent he assumed was a Schine corporation. The president of that corporation is the wife of MYER SCHINE and the vice-president is an executive in the Schine organization. Subsequently, there appears to be a transfer of these theatres to the Darnell Theatres, Inc., the president of which is a son of LOUIS SCHINE, one of the defendants. In three of the corporations created by HAYMAN before his death, through which the theatres derived from Schine were held, the wife of LOUIS SCHINE and the son of LOUIS SCHINE are officers. These corporations still appear to carry on certain activities with respect to these theatres. We have some evidence indicating that people who have always been connected with the Schine organization have been active also in various aspects of the operation of these theatres.

"2. The Memorial Theatre in Mt. Vernon, Ohio was one of the theatres required to be sold under the 1942 judgment. Schine has the other theatres in this town. During the course of the trial and subsequently, Schine's counsel told the court that its lease on the theatre was shortly to expire. When an independent exhibited an interest in acquiring the lease of the Memorial, the manager of Schine's two other theatres in Mt. Vernon acquired the lease on the theatre and continued to hold it while still acting as Schine's manager. Subsequently, the lease appears to have been acquired by the Union Theatre Company, the principal officers of which were the attorney representing Schine's interests in Ohio and SOLL SCHAEFFER, a Schine associate. The theatre was managed for a considerable time by a person who told the F.B.I. agent that he took his orders from a Schine
supervisor. Recently, control of the theatre appears to have been placed in the hands of the Darnell Theatre Company, with the result that there is no chance of competition in Mt. Vernon.

"3. In Scotia, New York, Schine reported to the court that it had disposed of its interests in the Edsol Corporation. Our investigation reveals that the theatre interest was first conveyed to SOL SCHAEFFER and then by him to the Edsol Corporation, which was controlled by SOL SCHAEFFER and Schine's attorney in Syracuse, New York. The theatre was thereafter managed by an employee of the B. and F. Confectionery Company, which has its main offices in the same building as the Schines have their office, has the same phone number, and is composed of members of the Schine family. In July of this year, that theatre was disposed to a third party.

"4. In Massena, New York, Schine, until recently, had one theatre, and there was an independent theatre in opposition. A third independent theatre of small size now appears to be operating in that town. Quite recently, Darnell Theatres, Inc. took over the other large independent theatre in Massena.

"5. In Cumberland, Maryland, Schine acquired two of the first run theatres after the commencement of the suit. This year, Darnell Theatres, Inc., with the assistance of Schine's general counsel, WILLARD MCKAY, secured the other first run theatre in Cumberland, thus effectively eliminating competition between first run theatres in Cumberland.

"6. The trial court's and the Government's knowledge of Schine's theatre holdings rests upon answers to interrogatories filed by the defendants and offered in evidence. The defendants did not reveal their interest in theatres in three Kentucky towns, Benham, Cumberland, and Whitesburg, although they entered into contracts to control the operations of theatres in those towns at least once before filing the answers, and at least once prior to the time they were offered in evidence. In frequent proceedings in 1945 and 1946 (and even in briefs to the Supreme Court) had with respect to findings of fact and divestiture plans, Schine continued to conceal its interest in these theatres. The trial court's findings of fact and its judgment does not reflect Schine's interest in theatres in these towns. In 1947, Congressman MEADE of Kentucky complained to us that an application to the Housing Expeditor for construction of a theatre in Whitesburg, under the name of one ISAACS, was actually being filed for Schine. An F.B.I. investigation revealed the above stated facts, and also that within the past two years control over theatres in these towns has been acquired by Hildemart Corporation and Darnell Theatres, Inc.
"7. The judgment of the trial court, as affirmed by the Supreme Court, prohibits the Schine defendants from conditioning the licensing of films in competitive situations upon licensing of films in any other situation. We have in our possession a Schine deal with Warner made in 1945, which, in our opinion, violates this section.

"All of the above instances of violations of the decree were discovered by the Government after complaint by third persons or by pure chance. Their number and variety suggests a recalcitrance to obey a judgment against them, which only prompt resort to contempt proceedings can overcome.

"Since discovery proceedings are contemplated and there is a Statute of Limitations problem as to some of the violations, it is recommended that separate civil and criminal suits be brought in contemplation that they will be consolidated for hearing purposes."

The files reflect that on June 24, 1949, an additional consent decree was entered in the District Court for the Western District of New York which contained certain modifications to the consent decree of 1942. This consent decree of 1949 also required that the Schine Theatre group dispose of certain of its theatres or theatre leases. The files reflect that the Schine group has as yet not fully complied with the provisions of the consent decree and has requested and been granted additional extensions of time in which to dispose of its holdings. This case at present is in an active status in the Department of Justice.

The file contains a statement for Senator JAMES E. MURRAY dated April 12, 1944, received by Senator MURRAY from L. N. Rosenbaum and Son, Financial -- Industrial Advisors and Negotiators, 9 East 46th-Street, New York, with respect to the antitrust case against the Schine Chain Theatres, Incorporated. Senator MURRAY forwarded this statement to WENDELL BERGE, Assistant Attorney General, Antitrust Division of the Department. This statement begins "The question for Senator MURRAY is whether the big fellows shall be permitted by consent decree of the Department of Justice to get bigger, while the little fellow is harassed by the Department and forced to sell out?" Further information in this statement reflects that L. N. Rosenbaum and Son discussed the problem of the Schine circuit with Honorable TOM C. CLARK, Assistant Attorney General, in charge of these cases, with the objective of getting the same treatment as the "so called big 5" which were Paramount, Loew, Fox, RKO and Warner Brothers. The statement continues that Mr. CLARK was throughout eminently fair and stated that it was his desire to work out a solution of the whole situation wherein all would be afforded the same fair treatment. Further data is set forth in this statement, but is not being set forth in detail in this report. A photostatic copy has been made of this statement and it has been designated as Exhibit DJS-100.
Contained in the file is a letter dated April 26, 1944, to Honorable JAMES E. MURRAY, United States Senate, from WENDELL BERGE, Assistant Attorney General, wherein the facts regarding the Schine case and the Department's motion picture policy were set forth. A photostatic copy has been made of this letter and is designated as Exhibit DJS=101.

There was also contained in the file letters dated May 1, 1944, and May 6, 1944, to U.S. Senator ALBERT B. CHANDLER from L. N. Rosenbaum and Son mentioned above with regard to the above case. Photostatic copies have been made of these letters and are designated respectively as DJS=102 and 103.

The file also contains a letter from L. N. Rosenbaum and Son, previously mentioned, dated May 4, 1944, to WENDELL BERGE concerning the Schine Chain Theatres, Incorporated. A photostat copy of this letter has been made and is designated as Exhibit DJS=104.

Also contained in the file was a letter from L. N. Rosenbaum and Son dated March 27, 1944, to Honorable CHARLES FAHY, Solicitor General, Department of Justice, wherein it is stated as follows: "Hereto I am attaching page 7 of the Film Daily, February 16, 1944, wherein it is stated that you filed a brief in the Supreme Court of the United States in the Crescent Amusement case in which you emphasized "experience under the temporary order in the Schine case and the consent decree in the Paramount case has demonstrated that the problem of widespread elimination of independent theatre competition by the large circuits cannot be solved by action taken after the acquisitions occur." The letter continues "I am quite certain that Hon. TOM C. CLARK, Chief of the Government Forces against us in the Schine case is not responsible for the mis-information furnished to the Solicitor General as a basis for his statement above referred to." A photostatic copy has been made of this letter and has been designated as Exhibit DJS=105.

In the file was a copy of a letter on which was a pencil notation "not sent" dated April 5, 1944, to L. N. Rosenbaum from CHARLES FAHY. A photostatic copy of this letter has been made and is designated as Exhibit DJS=106.

Also contained in the file is a memorandum from CHARLES FAHY, Solicitor General, to Assistant Attorney General TOM C. CLARK dated May 6, 1944, which is as follows:

"Sometime ago MAXWELL RABB who was and perhaps still is Secretary to Senator LODGE, called me on the telephone and said that in the Schine case I had signed papers filed with the court which the opposing parties thought contained mis-statements and that he assumed I had wanted the matter called to my attention. I told him that of course
I would be glad to have pointed out to me any incorrect statement which I had made. The result was the attached letter of March 27, 1944, to me from L. N. Rosenbaum. I did not reply although I had intended to do so. Now comes another letter from Mr. ROSENBAUM dated May 1 also attached.

"I would be glad to have your suggestions."

(Signed) "CHARLES FAHY"

The attached letter referred to in the memorandum has been photostated and is designated as DJS-107.

The file contains a letter dated June 19, 1944, to the Department of Justice which stated that the Schine Chain Theatres, Incorporated, et al, have authorized MICHAEL FRANCIS DOYLE, Girard Trust Company Building, Philadelphia, Pennsylvania, and EDMUND H. McCARTHY, 70 Pine Street, New York City, New York, to exclusively represent them in all negotiations in regard to the above entitled "proceeding." The letter stated no other attorneys "are authorized to represent the defendants in the above entitled proceeding in any negotiations with the Department of Justice." The letter was signed by J. M. SCHINE, President.

The file also contains a letter dated July 28, 1944, from MICHAEL FRANCIS DOYLE, 1500 Girard Trust Building, Broad and South Penn Square, Philadelphia, Pennsylvania, attorney for Schine Theatres, to Honorable FRANCIS BIDDE, Department of Justice, which in brief stated that DOYLE was asking the Department to agree to the postponement of the case against Schine and Company which was listed in Buffalo on August 16, 1944. One of the reasons set forth for such a request was as follows: "because the Department apparently does not have an established policy on the various moving picture trials. TOM CLARK has a different idea from the other group under Mr. BERGE's jurisdiction." The letter further states "Senator MEAD is interested in the case and has already discussed the matter with officials of your Department."
Under date of November 15, 1948, WILLIAM AMORY UNDERHILL, Acting Assistant Attorney General of the Department, wrote to Honorable JOHN KNIGHT, U. S. District Court, Buffalo, New York, the following communication which is thought to pertain to the contempt proceedings:

"Your Honor may recall that the Government stated it would inform you on November 15 as to whether it desired to offer additional evidence in support of the proposed findings and judgment submitted to your Honor. It is our present thought that in order to expedite the proceedings, we will not offer any additional evidence. However, we have not yet received the information the defendants have been ordered to furnish the plaintiff. We would wish, therefore, to reserve a final determination in this matter until we have received the defendants' information and have had an opportunity to consider the defendants' proposals or objections when they are filed with the Court.

"In the absence of the Government's submitting additional evidence, the following changes would be required in our proposed findings and proposed judgment.

"In our proposed Finding 5, the statement, 'In addition to its theatrical and realty operations, Schine has booked and bought for and supervised 49 theatres since 1931, and when this suit was brought, there were 30 for which it so acted', should be changed to read '37 and 27 theatres respectively', which corresponds with amended Finding 3.

"In Paragraph 14 of the proposed judgment, the reference to the Memorial Theatre should be deleted, because, according to the record, Schine's lease on this theatre was purportedly terminated several years ago. The reference to the Viv Theatre in this same paragraph should be deleted, because, according to the record, Schine purportedly has disposed of this theatre to Mr. Hayman.

"The reference to the Liberty Theatre in Pikeville, Ky, in this paragraph should be deleted, because, according to the record, Schine purportedly has
disposed of this theatre. This is true also of the reference to the Appalachian and State Theatres listed in Paragraph 14 of the proposed judgment; similarly, with respect to the reference to the Viv and Memorial Theatres in Paragraph 15 of the proposed judgment; the reference to the Viv, Memorial, and Liberty Theatres in Paragraph 17 of the judgment; and the Viv and Memorial in Paragraph 20 of the proposed judgment."

It is noted that the departmental file contained a telegram dated November 29, 1948, directed to HERBERT BERGSON, same being directed by IRVING R. KAUFMAN. Instant telegram reflects effort on KAUFMAN'S part to arrange conference with BERGSON the following Thursday and penned notation on same reflects Mr. KAUFMAN called the Department on Wednesday, December 1, and that appointment was confirmed for two thirty Thursday, December 2.

On December 2, 1948, the following memorandum pertaining to instant case was directed to HERBERT A. BERGSON by departmental attorney PHILIP MARCUS. It is noted that instant letter deals with an extension of time in the SCHINE case and is quoted herein full:

"There is one point which was not raised at the conference with Mr. KAUFMAN which I think you might wish to have in mind. Mr. McKay has told me that he is contemplating asking the court for leave to introduce additional evidence and that in that event he will ask the court for additional time to file defendants' proposals, until the court has acted upon such additional evidence. It was the intention of the writer to oppose on Dec. 13 any such reopening of the case with the consequent delay which might make the case carry on indefinitely.

"As I understand your statement to Mr. KAUFMAN, we would consent to a 45 day extension in which defendants might file their objections and proposals, on condition that defendants would ask the court for no further extensions of time within which to file their objections and proposals. I would interpret that to mean that the defendants would not at the end of that 45 days ask the court for an extension of time to file their proposals until such time as the defendants have put in additional evidence. I am not at all certain that the defendants have such interpretation, and it
is my feeling that it should be understood that at the end of the 45 days defendants will not make a motion of the type Mr. McKay stated they were intending to make returnable on Dec. 13."

Under date of December 8, 1948, Mr. IRVING KAUFMAN directed the following communication to Mr. HERBERT BERGSON:

"I enclose herewith a proposed stipulation re the extension of Schine to file objections to the government's proposals, and the filing of our own proposed findings of fact. I still am of the belief that in view of the definite possibility of settling this litigation, which, in the event that it comes to pass, would be of great benefit to the government as well as the defendant, future court proceedings should be held in abeyance. My additional reason for this statement is that the negotiations between the government and Paramount, etc. re settlement, as well as the proceedings pending in that case, should probably be disposed of prior to the completion of our court proceedings. I say this because the Supreme Court has stated in the Paramount case that parity of treatment of the unaffiliated and affiliated circuits require the same approach. Furthermore, you will recall that Judge Learned Hand said during the proceeding in the Paramount case that you cannot rush these cases. (S.M. 349-A).

"I want to impress upon you the fact that we are not seeking any delays in this case for purposes of procrastination. The case has progressed too far for any of that. We do, however, feel that the difficulties surrounding a settlement should not be further complicated by submitting something to the court for a ruling, which might subsequently come again before the court for approval on a consent decree.

"With respect to the possible contention that your consent to the annexed stipulation would involve delay, my answer is so long as this case keeps pace with the other cases, the delay would be chargeable only to the delay in the other cases, for which we would not be responsible and that the desideratum of ultimate justice
should be considered as of much greater importance than haste. On this score, may I call your attention to the fact that at the time the Griffith case was commenced, the Department of Justice in a release dated April 28, 1939, stated that the cases involving local circuits were intended to be complementary to the case already pending against the major distributor-exhibitor chains.

"I am advised that the Griffith case will be adjourned until January 24th; the Paramount case has been adjourned until December 20th. I have no doubt but that the progress of our case will be at least as rapid as that in the other two cases. In these other two cases, the government appealed from the inadequacy of the relief granted and was sustained by the Supreme Court. In our case, we were the only appellant and, therefore, to the extent to which the District Court judgment was vacated, we were the successful party. It seems only fair to me that the courts dealing with the unaffiliated circuits should have the benefit of the determinations arrived at in the Paramount case, which, I understand, was commenced about a year prior to the institution of the suits against the unaffiliated circuits. The Paramount case is supposed to be the keystone of all the motion picture anti-trust litigation and I do not believe it would be wise to attempt to dispose of the subsidiary and complementary cases before a determination is reached in the major case.

"I have already pointed out to you in our conferences that in the Crescent case, orders made by the Court with the consent, or at least without opposition by the Department of Justice, have permitted the several companies which formerly were part of the Crescent circuit, to construct a respectable number of new theatres, with the result that all, or most of the component parts of the former circuits, are now larger than they were at the time the Crescent case was instituted. Furthermore, no divestiture was sought in that case of any particular theatre and the Court ordered a separation of corporations, with a son-in-law of the principal stockholder in control of one of these companies after the separation."
"Again, I call to your attention the opening statement to the Court on November 8, 1948, by your very capable assistant, Mr. Wright, who stated (S.M.9-10)

'These remedies require changes in the existing corporate structure of each of the remaining major defendants. (Meaning, of course, divorcement of distribution from exhibition). They do not require the sale by any corporation now owning it of any particular theatre. I emphasize this distinction because the defendants' memoranda that have been filed have all tended to obscure it. ***'

"The Paramount case and our case have been presented to the two courts upon these rehearings upon entirely different theories. In Paramount, the government is willing to allow the theatre circuits to remain intact (save for joint ownerships), provided that these circuits are divorced from distribution. Each of these circuits is much larger and more important than the Schine circuit. In our case the government is urging the fact that we used the same trade practices that were used by the majority of exhibitors, including the affiliated circuits, as a basis for individual divestiture of theatres. It should be remembered that we voluntarily agreed to void all franchises and make no more, and to refrain from the combination of open and closed towns in picture buying, before there had been a holding by any court that either of these practices was illegal.

"Indeed, at the opening of the trial in 1944, Mr. Wright indicated that we were living up to our agreement in that respect (S.M.487).

'Mr. McKay: I am not sure whether I understand you, Mr. Wright. You mean that they stopped with the entry of the order on May 19, 1942?

'Mr. Wright: I presume so. The purpose of the order was of course to preserve the status quo pending the continuance of that suit and I assume that the order was obeyed. As it was the continuance of the conspiracies was not permitted by the order, of course and I assume it didn't occur. But the evidence which we will offer will not go beyond that day* * * *'.

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"If participation in franchises, acceptances of clearance of the type and scope received by the Schine theatres and the other trade practices complained of are to be accepted as the basis for the divestiture of individual theatres, there is probably not a theatre among all those owned by the various defendants in the various anti-trust cases, which could not be subjected to the same claim which the government is making in the Schine case. Yet, I know of no such claim having been made by the government anywhere, except in our case.

"With respect to the language of the Supreme Court, that divestiture must take account of the present and future conditions in the industry, I don't believe that in a desire to expedite the proceedings, you would close the door to us to attempt to meet that language, in the event that an extension was consented to until February 1st. You will agree that on that phase of the case, it is particularly relevant that we submit to the court proof of changing conditions by reason of your action against the big five and others, the advent of the drive-in theatres, etc. Likewise, I don't feel that the door should be closed to the government to submit evidence on present and future conditions in the industry, by way of rebuttal. This does not mean that we intend to present new evidence that goes to the merits of the case and we feel that the government should agree to the same position. For that purpose we can agree the case is closed. Ours is not in the nature of new evidence; whatever might be presented to the court merely attempts to meet the formula laid down by the Supreme Court in ruling upon the Schine case and perhaps the Paramount insofar as parity is concerned. I also want to assure you that the evidence on this score will be quite brief and not at all protracted.

"I also believe that if by February 1st the Paramount case is still before the court, or your discussions for settlement in that case are still continuing, and we have not yet come to some final decision with respect to our negotiations for settlement, that no serious difficulty should arise with respect to a further adjournment, which would not extend beyond the termination of the Paramount litigation."
"Again let me express my gratitude to you for the courtesies extended to me."

Mr. HERBERT A. BERGSON on December 10, 1948, wrote the following memorandum for the file reflecting a conversation which he had engaged in with Mr. WILLARD McKay:

"I talked to Mr. WILLARD McKay, counsel for Schine, today. It was agreed that the defendant's motions which had been noticed for argument for December 13, would not be argued on that date but would be continued until December 20; that at such time we would advise the Court that we have no objection to extending to January 15 the time for filing the material which was originally due to be filed by the defendant on December 13."

Mr. HOLMES BALDRIDGE, Departmental Counsel, wrote the following three page memorandum to the then Assistant Attorney General BERGSON, dated December 15, 1948. It is noted that the following letter contains Mr. BALDRIDGE'S advice re settlement of instant case short of substantial divestiture:

"I feel rather strongly that the Schine case should not be settled short of substantial divestiture. While I have not been invited to participate in any of the discussions to date relating to settlement, I have read Kaufman's incoming correspondence with reference to settlement without any divestiture.

"I think substantial divestiture is essential for the following reasons:

"(1) Abuses of circuit-buying power can be eliminated effectively only by confining it to such a size as to preclude the temptation for abuse.

"(2) The Supreme Court, in this case, has indicated that divestiture is the remedy provided findings are made (supported by the evidence) which indicate abuses of the type alleged in the Complaint. Since the proof is persuasive that such abuses do exist, if we fail to seek the logical relief of divestiture, we have wasted our time and that of
the Court, which may redound to our disadvantage in future cases.

"(3) There is no reason why this case, or any other independent-circuit case, should ride the coat-tails of the ultimate decision in the Paramount case. It is a separate suit, dealing with a specific situation in particular towns. I do think our job in Paramount is only half done if we divest exhibition from production and distribution. We should seek further relief by insisting upon a dissolution of the exhibitor chains broken off. To argue that because we haven't yet broken up the big chains (which will have tremendous buying power even after separation from production) we shouldn't break up the smaller ones which have been abused would be the same as condoning one law violation because others similar in nature had been committed by others which are larger.

"(5) The only semblance of an argument advanced by Kaufman which I have seen is his statement that the new drive-in theatres supply effective competition. Such theatres, even if they existed in sufficient numbers, afford no real competition since they can be operated only three or four months in the year. (Schine’s theatres are located in cold country.)

"I concur in Marcus' views as expressed in the attached memorandum.

"AHR

"TO: Herbert A. Bergson
FROM: Philip Marcus
SUBJECT: Importance of the Schine case to the General Work of This Division

"In this Division, as I suppose in general practice, we never get the classic case, where we have such a strong set of facts, such sound basis of law, and so sympathetic a court as to insure us of a result equivalent to the full extent of what we desired in bringing suit. We do have, however, from time
to time, cases which for good or bad go far in determining the extent to which we may go in enforcing the antitrust laws; the factors of strength of the facts, strength of the law, and the attitude of the court necessarily are persuasive factors in our determination when to try to use a case for a precedent. When we so decide, the precedent value of the case should be considered in determining how to treat negotiations for settlement.

"The writer has at your request outlined what he considers the minimum relief the Division could accept without giving away the fruits of a long and arduous litigation, without being remiss in our obligation to the public and the independent exhibitors, and to some extent to our obligation to the Supreme Court to carry out its mandate in the Schine case.

"The writer is still prepared to recommend such settlement if and when the Schine defendants would make such offer. However, because of the factors hereinafter stated, it is believed that the Division, even if such offer is made, should consider whether to accept it. At any rate, it is my earnest belief that we should not delay a determination of the court of what judgment should be entered because of pending negotiations with Schine.

"We have everything to loose and nothing to gain by such delays. This is all the more so since in the long history of this litigation there has been no time, even up to the present, when the Schine defendants have come forward with a proposed judgment which could be considered made in good faith.

"The Schine case is not the classic case but it is as close to the classic case as this Division is likely to get for a long time to come. In the case, we already have an opinion of the Supreme Court, which is a definite landmark on the question of divestiture relief. The full reach of that opinion will undoubtedly not be realized until further cases come to the Supreme Court in which we or the other parties ask to make use of the opinion with respect to the type of divestiture relief granted or denied by a lower court. We are now in the very process of finding out the reach of the Supreme Court's opinion by pending proceedings in the Schine case.

"In the Schine case, we do have a hard core of facts which are incontrovertible with respect to the extent and nature
of the defendants' violation of the Sherman Act. We have proposed to the trial court a set of findings of fact which are as far-reaching and persuasive in support of our proposed judgment as is true of only a very few cases which the Division has been in a position to present to a court in the past, and this is likely to be true of only an occasional case in the future. For what it is worth, and without attempting any prophesy, the trial court has already indicated to the writer his inclination to go along with our proposed findings of fact.

"Any judgment entered in this case will have far-reaching effects as a precedent in future divestiture cases, and a precedent which is created through the course of judicial decision is likely to be of much more value than a precedent created by the process of negotiation.

"The judgment proposed in the Schine case attempts to translate the Supreme Court's opinion in that case and in the Paramount case into provisions of a judgment, and this is true not only with respect to divestiture provisions, but with respect to injunctive provisions. We have a court which although not given to drastic measures is, on the whole, sympathetic to antitrust enforcement, and has never shown sympathy with the defendants when they have repeatedly charged the Government with persecution, unfairness, and confiscation. The trial court went so far towards adopting the Government's proposed judgment before the Supreme Court appeal, that the Government did not feel warranted to take an appeal from the judgment, despite the fact that it did not go so far as the Government proposed. We cannot predict what Judge Knight will do. We can say that in all likelihood, on the basis of his past actions, his past attitude, his familiarity with the record, and his apparent sympathy with the Government's findings of fact, we are likely to procure a judgment from him considerably more in line with the facts and equities in the case than one we are likely to secure from Schine by negotiations. If we submit it to the court, a not inconsiderable factor to be taken into account is that we avoid the criticism that is otherwise bound to be made by the independent exhibitors who have suffered at Schine's hands and who appeared in such great numbers at the trial of the case.
"A litigated decree would undoubtedly include a provision for a trustee similar to that which Judge Knight originally decreed, and, for what it is worth, I think we - certainly the writer - would feel more at ease with a litigated decree than with a consent decree, in the light of our knowledge that Schine has quite flagrantly violated past decrees.

"As earlier stated, the writer is still willing to stand by the minimum divestiture proposals submitted to you as a basis for settlement along with the injunctive provisions of our proposed decree, but it is his belief that in considering settlement in this case we should keep in mind how much we stand to lose by not having a litigated judgment."

On December 29, 1948, Mr. IRVING KAUFMAN directed the following communication to Mr. HERBERT BERGSON in which Mr. KAUFMAN makes reference to the reason for the delay in the further submission of the case to Judge KNIGHT and also discusses Mr. SCHINE'S reasons for consideration of a settlement.

"You will recall that in my previous correspondence I suggested that the reason for the delay in the further submission of the case to Judge Knight was to avoid his passing upon something that may subsequently come before him in the form of a Consent Decree. I have been examining the RKO Consent Decree and the following paragraph is particularly relevant in our situation:

'The RKO defendants having consented to the entry of this decree before the taking of any testimony upon the issues and matters open upon the remand of this cause, and without any findings of fact upon such issues and matters, and upon condition that neither such consent, nor this decree, nor the entry of this decree, nor any statement, provision or requirement contained in this decree, shall be or shall be construed as being an admission or adjudication or evidence that the allegations of the Petition or of the Amended and Supplemental Complaint, or any of them, are or is true in so far as they relate to the issues and matters so open, or that the RKO defendants, or any one or more of them, have or has violated or are or is violating any statute or law with respect to the issues and matters so
open; and the United States of America by its counsel having consented to the entry of this decree, and to each and every provision thereof; and the Court having considered the matter."

"One vital reason why Mr. Schine would consider a settlement is the fact that it would serve to eliminate the threat of contemplated civil suits. However, I believe you will agree with me that any advantage which might be gained by reason of consenting to a Decree would be lost if, before the Decree is entered, additional testimony shall have been taken on the question of divestiture. I have reference to Section 16 of Title 15 of USCA, which provides that a judgment in favor of the Government shall be prima facie evidence against a defendant in any other suit or proceeding brought by any other party. It further provides that the section, however, shall not apply to Consent Decrees entered before any testimony has been taken. In this connection I am mindful of the fact that under the terms of Judge Knight's order, we are required to proceed with the presentation of additional testimony on January 18th. It would be harsh, it seems to me, to require the defendants to proceed to offer whatever evidence they feel admissible under the Supreme Court opinion and then subsequently to enter into a settlement before the Court has had an opportunity to make any further rulings. The taking of the testimony would remove the immunity granted to the defendant under Section 16 with respect to the prima facie evidence phase. It seems to me, in fairness to Schine, that if the case is not settled by January 18th and it appears as if there is a likelihood of it being settled, that the taking of the testimony should be adjourned and the Court advised that this is being done because of the provision referred to above in Section 16. Otherwise the objective to be gained by settlement will be completely dissipated."

Under date of January 6, 1949, Mr. KAUFMAN further wrote to Mr. HERBERT A. BERGSON with regard to a counter-offer of settlement in instant case. Mr. KAUFMAN'S letter is being quoted as follows:

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"I have your letter of January 3rd and hasten to reply to it."

"Your letter seems to indicate that you are waiting for a further offer of settlement on our part. I call your attention to the fact that several months ago we made an offer and after discussion with you, we were advised that the Government would make a counter-offer of settlement. This counter-offer has been awaiting a conference which we are to have at your office on Monday, January 10th. At that time we intend to present to you, as suggested by you, certain facts concerning competition. In this connection we have prepared, at great expense, charts which will show at a glance the condition in the locality and state in which Schine operates theatres. We intend to leave these charts with you until you have an opportunity to digest the material contained thereon and to deliberate over them. It is my understanding that after that the Government will then advise us of their counter-offer.

"Again let me assure you of my appreciation for the courteous manner in which you have received us."
A memorandum dated February 3, 1949, from PHILIP MARCUS to BERGSON, subject, U.S. v. Schine Chain Theatres, Incorporated, ET AL, referred to BERGSON'S advice to MARCUS on February 2, 1949, that if, at a forthcoming court hearing, the Schine defendants made a motion for a continuance MARCUS was not to object to the motion. MARCUS also set forth that on February 2, 1949, he had contacted Mr. McKAY, as suggested by BERGSON, relative to the preliminary motions at which time they also discussed the question of their filing and serving their proposals. McKAY said he would contact Mr. KAUFMAN, associate defense counsel for the Schine case, who would get in touch with BERGSON. MARCUS called attention to the fact that on January 17, 1949, Judge KNIGHT had made it a condition for granting an adjournment requested by defendants that they file their proposals and objections by February 17, 1949. MARCUS observed that for the government to fail to object to defendants not filing and serving their proposals and objections on that day would repudiate the position taken by the government in court on the seventeenth of January, and would create an unfavorable impression with Judge KNIGHT.

A letter dated February 4, 1949, from BERGSON to Judge KNIGHT sets out that the Department had concluded that the desirability of expedition in the entry of judgments and findings in the long drawn out case overbalanced the desirability of submitting further evidence and that this conclusion was made on the assumption that the case would be considered closed and a judgment and findings made on the existing record. This letter has been photostated and is designated as Exhibit DJS-108.

A memorandum dated February 7, 1949, from MARCUS to BERGSON points to the rapidity with which settlement negotiations had taken place and "the fact that they had taken place on a level considerably higher than the writer's." MARCUS reviewed the various steps taken and omitted by the defendants and the court's actions and rulings since the 1942 consent decree and made reference to a list of Schine Theatres of which Schine should be divested to have competition, which list he had prepared at the request of BERGSON and which list MARCUS understood had been refined by BERGSON to represent the minimum the Justice Department would be willing to accept in a settlement negotiation. MARCUS stated the refined list left Schine with more theatres than the Circuit had been left under the trial court's original judgment. MARCUS objected to this refinement on the basis that Schine had failed to comply with the prior consent judgment and that the government would now be taking the position of not requiring a single theatre be divested because it was illegally acquired. This memorandum has been photostated and is designated as Justice Exhibit DJS-109.
The file contained a letter dated February 14, 1949, from Judge Knight to Bergson wherein Knight calls attention to his action of expressly postponing the hearing in this case because McKay indicated to Knight that there might be some settlement between the parties. Knight stated that inasmuch as the government did not oppose the postponement such action confirmed his belief in McKay's representations. Knight said the case had dragged on for a considerable length of time and that he could permit no further adjournment unless for unusual reasons. He noted Bergson's request of February 9, 1949, for permission to enter additional evidence and raised the question as to what the prospects were for a settlement.

A letter dated February 18, 1949, from Bergson to Judge Knight in reply to the above letter reflects that regarding a possible settlement, negotiations were still being carried on but he was unable to say then whether such negotiations would result in a settlement of the case. Bergson said he did not object to the defendant's motion and agreed to a continuance only after Mr. Kaufman, associate of McKay's, agreed that no further delay would be requested by the defendants. Reference was also made to a letter dated February 16, 1949, written by McKay to Judge Knight wherein McKay had severely criticized the actions of Mr. Marcus in his handling of this case which Bergson regretted as a wholly unwarranted attack upon Marcus.

The above McKay correspondence to Judge Knight referred to by Bergson was a personal letter dated February 16, 1949, from Willard S. McKay, Attorney for Schine, addressed to Judge Knight, regarding the Schine case. In this letter McKay refers to Mr. Marcus' letter of February 9, 1949, to Judge Knight, and stated that its contents left him amazed and outraged. McKay stated that in a previous conference with Bergson the latter said he did not believe it proper at that point for the government to attempt to prejudice the court against the defendants by contempt proceedings or to offer evidence, the purpose of which would be to bring down the wrath of the court upon the heads of the defendants, and McKay accepted Bergson's assurances in the spirit in which they were obviously given. McKay continued by saying that everytime Bergson and Kaufman made an agreement Marcus tried to upset the agreement. McKay accused Marcus of taking an obstructive position and said that one of the conditions of a future discussion among Bergson, Kaufman and McKay, scheduled for February 24, 1949, was that Marcus would have no part in the ultimate decision "which will be made solely by Mr. Bergson, and, of course, by the Attorney General." This letter has been photostated and is designated as Exhibit DJS-110.
A memorandum dated February 24, 1949, from MARCUS to BERGSON, subject, Schine case, reviewed information which MARCUS had taken from the correspondence files and set forth that in 1943, Mr. L. N. ROSENBAUM was hired by Schine to negotiate a settlement with the Department and was unsuccessful. ROSENBAUM wrote a long letter to Senator LODGE's secretary condemning the attitude of the men in the Department of Justice handling the Schine case as arbitrary, threatening and intimidating in that they would only consent to an adjournment of the trial on condition that the Schines agree to sell all theatres they had acquired since the suit started.

This memorandum continues by stating that in April, 1944, ROSENBAUM wrote Senator MURRAY that the Department of Justice had a block of assistants who hounded the Schine people mercilessly and that the oppressive tactics of the underlings in the Department made it impossible for Schine to prepare for trial. ROSENBAUM stated these underlings were led by ROBERT LAWRIGHT whose conduct was described as that which would glorify the Nazi tortures which they had employed against the smaller chains like Schine. Mr. CLARK was specifically exempted from this group of underlings and was characterized as eminately fair and as a man who had repeatedly stated his desire to work out a solution of the whole situation wherein everyone would be afforded the same fair treatment.

In March, 1944, according to MARCUS' memorandum, ROSENBAUM wrote to Solicitor General CHARLES FAHY, wherein ROSENBAUM is reported as having stated:

"It is one thing to be a faithful prosecutor of alleged wrongs but it is another thing to engage in persecution and witch hunting as some of your subordinates in their conduct of this case seem to delight in, and when I say this, I am prepared to make a very thorough showing of act after act by your subordinates which amply warrant such conclusions."
The files disclosed a letter from IRVING R. KAUFMAN, of the law firm, Noonan, Kaufman, and Eagan, 48 Wall Street, New York City, to HERBERT A. BERGSON, Assistant Attorney General, Department of Justice, dated March 1, 1949, in regard to the United States v. Schine Chain Theaters, Inc., et al. The letter stated in part as follows:

"This will confirm the fact that Mr. Schine's representatives and I will be at your office on Monday, March 7th, at 2:30 P.M. I know it is an imposition upon you, but we do hope you will be able to give us such concentrated time, so that there may be a disposition of our settlement negotiations one way or the other. What I have in mind is that it would be preferable to have continuous sessions, if necessary during Monday evening, and to continue the following day or days."

The letter further stated: "On the matter of the Darnell Theatres, I told you at my last visit that Mr. Schine and his representatives felt very strongly that certain misrepresentations had been made with respect to the alleged intercompany relationship. I know that we will establish to your satisfaction at the early part of our meeting that the aforesaid representations have been incorrect."

The files disclosed a memorandum to the files from Mr. PHILIP MARCUS, Departmental Attorney, dated March 24, 1949, with reference to the Schine Conference. The memorandum reflected the conference was held in Mr. TIMBERG's office, at which were present Messrs. TIMBERG and MARCUS for the Government, and Messrs. KAUFMAN, McKay, and ANTEVIL for the Schine defendants.

The memorandum reflected: "Mr. Timberg asked whether the defendants had anything definite in mind with respect to injunctive relief. Mr. McKay stated that the Schine defendants were satisfied with the judgment as it now stood, except that they desired the elimination of the provision prohibiting Schine from selling theatres without the order of the court. Mr. McKay took the position that that provision never should have been in and that it was inconsistent with the divestiture deal made with Mr. Bergson. Mr. Marcus stated that that provision had been continued by Judge Knight after considerable argument by counsel for the two parties."

The memorandum further reflected: "After some discussion, Mr. Timberg suggested that the defendants address themselves to the injunctive provisions suggested by the Government
"in the proposals filed with the court, that they state in writing their objection to the proposals, and the difficulties the Schine Circuit would have in operating under those provisions. Mr. Timberg said that he was not suggesting these injunctive provisions as the position of the Government with respect to injunctive relief at this time, but that they should serve as a basis for discussion. Mr. Kaufman stated that he was under the impression that on the basis of his conversations with Mr. Bergson, no greater injunctive relief was to be imposed upon Schine than upon the Paramount defendants. Mr. Timberg stated that he believed that any such understanding was confined to the divestiture provisions."

The memorandum further reflected that Mr. MARCUS, at one point, stated that the defendants had continued to violate the judgments already entered and had made "master agreements." The memorandum disclosed that Mr. McKAY denied this and the memorandum reflected no further information with regard to this matter.

The files contained a memorandum from PHILIP MARCUS to SIGMUND TIMBERG dated April 15, 1949, reflecting that on April 13 the proposed judgment was submitted to us on behalf of the Schine defendants. MARCUS indicated that in the memorandum these proposals were analyzed. MARCUS stated that in general the defendants have taken the Paramount decree as their model, omitting, however, certain provisions in that decree which apparently they do not like. Their basic position is stated on pages one and two of their memorandum in support of the proposed judgment as follows:

"In considering this problem, we started with the premise that the injunctive provisions of this decree should not be more severe than those contained in the RKO and Paramount decrees. Assurance on this point was given us by Mr. Bergson during the course of our negotiations upon the divestiture provisions."

The rest of MARCUS' memorandum dealt with the various proposals of the defendants' proposed judgment.

The files also contained a letter dated April 16, 1949, to HERBERT A. BERGSON, Assistant Attorney General, Department of Justice, from WILLARD S. McKAY, attorney for the defendants, who advised BERGSON that he was attaching a letter which he sent to Judge KNIGHT together with the petition in order to
avoid any further delay. The attached letter dated April 16, 1949, to the Honorable JOHN KNIGHT, U. S. District Judge, U. S. Courthouse, Buffalo, New York, from McKAY, reflected that pursuant to their telephone conversation of yesterday, McKAY was enclosing an original and one copy of the petition and order for continuance in the above case. According to McKAY, the original was signed by PHILIP MARCUS as attorney for the plaintiff, and by McKAY and IRVING R. KAUFMAN as attorneys for the defendants. Mr. KAUFMAN's signature having been added by McKAY at the authorization and request of KAUFMAN.

The letter stated that there was one point in the petition that McKAY wanted to call to the judge's attention and which he would have preferred to have discussed with Mr. MARCUS before forwarding these papers but was unable to do so because the Antitrust Division was not open on that date. According to McKAY, the point in the petition involved the agreement with respect to "injunctive provisions and findings of fact." McKAY said that the defendants are doing everything possible to hasten agreement with the Government upon the provisions of a decree.

The files contained a memorandum from PHILIP MARCUS, Departmental Attorney, to SIGMUND TIMBERG dated April 27, 1949, with regard to the summary of evidence of contempt in the Schine case. This memorandum reflected as follows:

"Last year, on the basis of the data in our possession at that time, contempt proceedings were recommended against the Schine defendants and others. Since that time, in preparation for a further hearing in the main case, we have accumulated a great deal of additional data. In the attached memorandum, that data has been summarized, with the sources of statements made footnoted at considerable length.

"It is believed that this certainly clearly shows that Schine defendants have been violating judgments entered against them and that we have on hand the evidence to support contempt charges. It is recommended, therefore, that on the basis of the attached study, criminal and civil petitions for contempt be filed against the Schine defendants and those cooperating with them to violate the orders of the court and to deceive both the court and the Government."

It is to be noted that the summarization of data referred to in the above-mentioned memorandum was not attached.
Also contained in the files was a memorandum dated May 18, 1949, for the Attorney General from IRVING R. KAUFMAN regarding Schine Chain Theaters, Inc. In this memorandum, KAUFMAN advised that negotiations over the consent decree seemed to have broken over one provision which was never contemplated on our part. This provision was known as the guarantee of product provision by which the Government seeks to guarantee to competitors and prospective purchasers that they will have a guarantee of feature films at the expense of Schine. KAUFMAN pointed out that it was impossible to agree to this provision and set forth the reasons why they could not agree to such a provision.

KAUFMAN pointed out that the Government and the defendants have agreed upon practically all of the other provisions with the exception of the language to be employed. KAUFMAN pointed out that they advised TIMBERG the very moment that this provision was brought up that he would have to abandon this provision so that negotiations might continue and be successfully concluded.

There was contained on this memorandum in the upper right-hand corner the inked notation: "Bergson, let's talk about it." There was also contained on page two of the memorandum the following written, inked paragraph:

"Many thanks for your time. Never thought I'd be annoying you on this again. However, it would be a shame to see all our good work go out the window over a provision which was never anticipated and could not under any circumstances be accepted. Respectfully, Irving K."

The aforementioned letter has been photostated and is being submitted as DJS Exhibit 111.

Also contained in the files was a letter dated May 21, 1949, to Hon. TOM C. CLARK, Attorney General of the United States, Department of Justice, Washington, D. C., from IRVING R. KAUFMAN regarding Schine Chain Theaters, Inc. In this letter, KAUFMAN stated: "I dislike exceedingly annoying you with this problem. However, in view of the fact that the settlement negotiations have now reached the crucial point where their success is dependent upon our acceptance of a guarantee of product provision, I am submitting for your consideration what I believe to be a proper compromise of the problem. This will supplement the memorandum I left with you at our conference on Wednesday, May 18th."
In the remainder of the letter, KAUFMAN pointed out why the above-mentioned provision could not be accepted by the defendants. He also pointed out that neither the Paramount or RKO decrees contained any guarantee - of - product provision. Contained on the first page of this two-page letter was the penciled name of Mr. TIMBERG and the inked name of BERGSON.

Also contained in the files was a letter dated May 27, 1949, to Hon. HERBERT A. BERGSON, Assistant Attorney General, Department of Justice, Washington, D. C., from IRVING R. KAUFMAN, stating that he expected to be in Washington on June 2 and would appreciate it if he could confer with him for approximately half an hour on that date. There was contained on this letter the inked notation: "Thursday, 3 p.m."

The files contained a memorandum dated May 28, 1949, to HERBERT BERGSON, Assistant Attorney General, from PHILIP MARCUS, in which MARCUS stated that he understood KAUFMAN has made a new proposal to the effect that Schine is willing to guarantee that the theaters to be divested would continue to get the products they have been getting. MARCUS believed that SIGMUND TIMBERG had this idea some time ago.

MARCUS stated that there were a few members of the Division who have a better mind than SIGMUND has and although he did not regard himself as one of those few, nevertheless the idea seemed to MARCUS to be utterly off base. MARCUS stated that somehow or other the more one has to do with the Schine representatives, the more likely one is to begin to suffer from "occupational or battle fatigue." The remainder of the memorandum pointed out MARCUS' opinion in the matter.

The files disclosed a letter to Mr. HERBERT A. BERGSON from Mr. PHILIP MARCUS dated June 4, 1949, which letter reflected the following:

"At the Schine conferences last Friday the question came up of the product limitation on the better-grossing pictures for three years in competitive towns. From Kaufman came the rather time-worn statement that this was a breaking point. Sig checked with you and I understand you stated we would consider dropping that item if the rest of the proposed decree could be agreed upon.

"As you know, the product limitation proposals are the most important of the proposed injunctive provisions. The
"limitation on monopolization of the better pictures is comple-
mentary to the limitation on monopolization in terms of numbers. 
Competition in the sense we want to bring into the Schine areas 
is not possible if we abandon one half of our proposals."

The letter went on to state: "These negotiations in-
dicate the colossal bluff Schine (or Kaufman) has been pulling. 
At the divestiture stage, you were sure they would break off 
and not consider proposals which I thought were too weak. In 
the negotiations I've sat in on I have often heard the words 
'breaking point'. They have not broken, and I do not think 
they will break on the better picture restriction. If they do 
brake on that point, I think we would all have quieter minds 
and less to worry about than if we abandoned our proposal."

A carbon copy of the above letter was forwarded to 
Mr. BALDRIDGE and Mr. TIMBERG."
ATTORNEYS INVOLVED IN THE SCHINE CHAIN THEATRES, INC., CASE

The Department of Justice files concerning this case reflect that the following Department of Justice attorneys and officials were at various times active in this case:

THURMAN ARKOLO
WENDELL BERGEN
HERBERT BERGSON
ALBERT BOCCELL
HERBERT BORKLAND
JOHN F. CLAGETT
TOM CLARK
SHELBY WITZE
MILTON KALLIS
KENNETH R. KIMBLE
SEYMOUR KRIEGER
H. S. KILEN

ERNEST R. FLATERS
H. GRAHAM MORISON
EDWIN PEZETT
HAROLD L. SCHILZ
MAURICE SILVERMAN
SEYMOUR P. SIMON
C. L. TERRIL
SICHNUND TIMBER
WILLIAM AMORY UNDERHILL
RICHARD WRIGHT
ROBERT L. WRIGHT

The files reflect that the following attorneys participated in this case as representatives of the Schine Chain Theatres. The approximate dates of their participation in this case have been noted beside the attorneys' names and their address have been listed as reflected by the files:

HOWARD ANTWIL (1950 - present)
40 North Main Street
Gloversville, New York

MICHAEL F. DOYLE (1944)
Girard Trust Company Building
Philadelphia, Pennsylvania

ARTHUR G. HAYS (1946)
New York City

CLARENCE N. GOODWIN (1943)
Shoreham Building
Washington, D. C.

HAROLD HORTHWITZ (1951)
1270 Avenue of the Americas
New York City

IRVING R. KAUFMAN (1949)
40 Wall Street,
New York City
The files reflect that this case has been handled in Buffalo, New York, by United States Attorney GEORGE L. GROBE and that hearings on this matter have been before Judge JOHN KNIGHT, United States District Court for the Western District of New York.

INTERVIEWS WITH DEPARTMENT OF JUSTICE ATTORNEYS ON SCHINE CIRCUIT CASE

INTERVIEW WITH MILTON A. KALLIS

On September 27, 1952, SA'S HARRY J. MORGAN and ANDREW J. SHANNON interviewed MILTON A. KALLIS, Trial Attorney, General Litigation Section, Anti-trust Division, Department of Justice, Room 6237, in his office.

KALLIS advised that he first entered the Schine Case as a Trial Attorney, on April 22, 1944. He recalled that trial in the Case was set for May 19, 1944, at Buffalo, New York, and he helped prepare this Case for trial. He advised that on May 19, 1944, the Case was continued, and again was continued until the fall of 1944. He advised that the trial lasted for six weeks, and after the trial, he wrote up various town trial summaries. He advised that he finished all functions with the case by January 1, 1945. He stated that after the judgment in the Case was submitted, he had no official connection with the Case, as he immediately was sent to work on another movie case.

KALLIS recalled that HERBERT A. BERGSON was not in the Anti-trust Division during the trial, stating that BERGSON came into the Case approximately three years after the trial ended. KALLIS stated that BERGSON was in the Department when the Schine Case was decided before the Supreme Court of the United States. According to KALLIS, former Attorney General TOM CLARK was in the Anti-trust Division several years while THURMON ARNOLD was in charge of the Anti-trust Division. KALLIS stated that he believed that when ARNOLD was appointed a Judge, he also believed that TOM CLARK was made Acting Assistant Attorney General of the Anti-trust Division, but then later changed positions with WENDELL BERGE, who was then Head of the Criminal Division. KALLIS stated that he believes that when he, KALLIS, entered the Case, CLARK was Assistant Attorney General in charge of the Criminal Division. KALLIS had some recollection that CLARK had something to do with the supervising of movie cases when he, KALLIS, first entered the Case.

KALLIS stated that he knew of no influence or pressure exerted by TOM CLARK, HERBERT A. BERGSON, or any other official or employee of the Department of Justice in the Schine Case, nor did he know of any misconduct, influence or pressure of any employee or official of the Department of Justice in any matter coming within the jurisdiction of the Department of Justice.
INTERVIEW WITH JOHN F. CIAGETT

Mr. JOHN F. CIAGETT, Attorney, was interviewed in his office at 1424 "K" Street, N. W., on September 29, 1952, by Special Agents CHARLES H. SCHAFER and ROBERT K. LEWIS.

Mr. CIAGETT advised that he had been employed as a Special Assistant to the Attorney General, Antitrust Division, Department of Justice, from October, 1934, until December, 1944, and had participated in the investigation of the Schine chain theatre group from about 1939, until July, 1942, when he entered military service. Mr. CIAGETT advised he was released from military service in May, 1944, in order to try the Schine case in Buffalo, New York. He stated he thought this was a very good case for the Government, and that Judge KNIGHT had followed the Government's position "down the line" and ordered divestiture by the Schine theatre group. He advised that the Supreme Court upheld Judge KNIGHT's decision on May 3, 1948.

Mr. CIAGETT advised that he did not recall ever having any contact regarding this case with HERBERT BERGSON. He stated that in 1944, he conferred with TOM CLARK, who was then head of the Criminal Division, regarding the Schine case, and added that he could not recall why he had seen TOM CLARK since the Schine case was a civil suit. He stated that he had several contacts with PHILIP MARCUS regarding the Schine case and felt that MARCUS was strongly in favor of pushing the case to an ultimate conclusion, and he said he also felt that MARCUS was "damn disgusted" with the manner in which the case was progressing. Mr. CIAGETT stated he knew of no attempted influence or suppression by anyone in regard to this case and had no knowledge of any influence being exerted by anyone. He added that he had no actual knowledge of any contempt proceedings contemplated by the Department of Justice in 1948.

Mr. CIAGETT advised that he could not understand why the Government had not been tough and required a real divestiture based upon the favorable decision of the Supreme Court. He stated the Government should have required Schine to "get rid of the fruits of its illegal conduct," but that, instead, the Government agreed to a very lenient program of divestiture, and actually permitted Schine to select which theatres it would dispose of. He stated the Government has used a "powder puff" in the handling of this case and has "dissipated" its victory. He stated that it is unusual for people to dissipate their victories, and said that if he were on a jury, he would want a full explanation of why the Government did not follow up the Court's decision which it had obtained. Mr. CIAGETT stated that he has been so troubled by the outcome of this case that about two years ago he called the
office of DREW PEARSON and spoke to one of his assistants with regard to the Schine case. He stated that he knew of no action ever being taken on this call, and also said that in April, 1952, he had also brought this case to the attention of the City Editor of the "Washington Daily News." Mr. GIGETT advised that he writes a weekly sports column for the "Daily News," entitled "Outdoors." He added that he knew of no action ever being taken from the information which he furnished the City Editor of the "Daily News."

Mr. GIGETT advised that he has maintained a continuing interest in the Schine case since he now represents as a private attorney two independent theatre owners in New York State who have been directly effected by this litigation and by the operations of the Schine chain theatre group.

INTERVIEW WITH ERNEST L. BRANHAM

ERNEST L. BRANHAM, Trial Attorney in the Small Business and Procurement Unit of the Anti-Trust Division, U. S. Department of Justice, was interviewed by Special Agents EDGAR L. CARTER and ROBERT K. LEWIS on October 1, 1952.

Mr. BRANHAM advised that he had no participation in the Schine Theatre Case from a standpoint of litigation, but had accepted various complaints from independent movie exhibitors in regard to their difficulties in obtaining film for showing in their respective theatres. Mr. BRANHAM commented that, in his position, he deals largely with negotiation rather than litigation. He stated he had no specific knowledge of activity on this case by BERSON or CLARK. He advised that he had heard something about the proposed contempt proceedings in Buffalo in 1948, but had no knowledge of the outcome of these proceedings.

Mr. BRANHAM stated, "I have no proof, but, in my opinion, in all of these cases, there has been a fix and TOM CLARK has been guilty of using BERSON as his tool". Mr. BRANHAM advised that by "all of these cases", he was referring to all the cases concerning the movie and liquor industries. He added that he had no specific knowledge of any mishandling or any attempts to suppress the Schine Case.
INTERVIEW WITH WENDELL BERGE

Mr. WENDELL BERGE, Attorney, was interviewed in his office in the Ring Building, Washington, D. C., on September 30, 1952, by Special Agents WILLIAM T. FORSYTH and ROBERT K. LEWIS.

Mr. BERGE advised that he was familiar with the Schine Chain Theatre Case, since its inception about 1938. He stated that he was Chief of the Antitrust Division, Department of Justice, from August, 1943, to May, 1947, when he left the Department and had no further contact with the case. Mr. BERGE stated that this case was handled, for a long time, by BORKWRIGHT, who vigorously pressed the case and would not be compromised or influenced regarding it. He stated it was his recollection that the Schine Group employed top-notch attorneys and frequently changed their attorneys, apparently for the purpose of delaying the case. Mr. BERGE advised that, while lots of pressure was put on the Department in the "movie cases", he did not recall that there had been any such pressure exerted in the Schine Case. He stated he had no personal knowledge of any contempt proceedings in 1948 regarding this case. He commented that he had no knowledge of any activity on the Schine Case by HERBERT BERGSON and added that BERGSON was a very capable attorney, about whom he had never heard any suggestion of dishonesty. He added that BERGSON did not appear to have as much zeal for enforcement of the Antitrust Laws as did some other officials in the Department of Justice. He stated he knew nothing improper in regard to the Schine Case and had no knowledge of any mishandling or any attempt by anyone to suppress the case.

Mr. BERGE stated that, ever since 1938, the Department of Justice has had continual activity with "movie cases" and said that when TOM CLARK was Attorney General, he was frequently contacted by major movie producers. He stated that TOM CLARK'S appointment as Attorney General had "stunned" the personnel of the Department of Justice, since there was a general feeling in the Department that TOM CLARK was not of sufficient caliber to hold such a position.

He stated that CLARK had not been noted for pushing Antitrust actions, and that when it became known in the Department that CLARK was to become Attorney General, Antitrust cases against the movie industry were accelerated. He stated that the movie industry submitted many compromise offers to CLARK, and that CLARK seemed to favor compromise with the movie producers and thought that divestiture might be impractical. He added, however, that, as Attorney General, CLARK would usually back his staff, and that he finally agreed to trial against the movie producers. Mr. BERGE referred to this as the "big movie case" as
distinguished from the Schine Case and added that he knew of no mishandling of this case.

He stated that BOB WRIGHT also worked on the "big movie case," and that it would have been impossible for anyone working on the case, above or below WRIGHT, to have improperly suppressed any action on the case.

**INTERVIEW WITH H. GRAHAM MORISON:**

H. GRAHAM MORISON, Attorney, 200 Hill Building, 839 17th Street, North West, was interviewed September 30, 1952, in his Office at the above address by Special Agents L. RUSSELL WHARRY and EUGENE D. THOMPSON.

Mr. MORISON stated he was formerly employed in the Department of Justice as Assistant Attorney General in Charge of the Anti-Trust Division from February, 1951, to July 1, 1952. Prior to this he was employed in the Claims Division, Department of Justice.

Mr. MORISON stated that his only contact with the Schine Circuit case was one incident whereby the attorneys for the defendants proposed to lease a theater to some charitable organization in which Schine was to retain the legal title to the theater. He explained that the theater in question was one which Schine was to divest from their holdings as a result of the Court decision. He stated that he advised the attorneys for the defendants that unless the Schine Circuit severed themselves from all legal title to the theater, he would present the matter to the Court. He stated that he had no further connection with this case.

He stated there was absolutely no improper pressure or undue influence exerted upon him by anyone concerning any case in which he participated. He further stated that he knew of no one who had been the recipient of any such improper pressure concerning any case in the Department of Justice. He concluded by saying that he knew of no irregularities on the part of anyone in the Department of Justice.
INTERVIEW WITH HAROLD L. SCHLIZ

Mr. HAROLD L. SCHLIZ, Attorney Adviser, General Counsel's Office, National Production Authority, was interviewed on September 30, 1952, by Special Agents EDGAR L. CARTER and ROBERT N. WINGARD.

Mr. SCHLIZ advised that he had been employed by the Department of Justice in the Antitrust Division for a period of thirteen years prior to March of 1945. He commented that in the spring of 1944, he had been assigned to the Schine Circuit Case as a Staff Trial Attorney. He pointed out that at the time he was assigned to this case, most of the preparation and investigation had already been completed. He pointed out that approximately two months after he became acquainted with this case he was sent to Buffalo, New York, with other members of the Trial Staff. Mr. SCHLIZ stated Mr. STTH RICHARDSON, who was one of the Counsel for the Schine Industries, attempted to secure an extension in this case from Judge KNIGHT who was sitting in Buffalo at the time, but after the government attorneys had presented their reasons for not having an extension granted, Judge KNIGHT ordered the case argued. Mr. SCHLIZ stated that this case was argued for a period of approximately ten days under the direction of ROBERT L. WRIGHT of the Trial Section, Department of Justice, and after which period of time Judge KNIGHT adjourned Court in order that he might meet certain summer obligations.

Mr. SCHLIZ pointed out that during the summer while the court was adjourned, members of the Trial Staff worked on preparing further evidence to be presented in this case and that in the fall the case was again presented in Judge KNIGHT's Court, at the conclusion of which, Judge KNIGHT handed down his opinion in favor of the government. Mr. SCHLIZ commented that he believed that this opinion was a "beautiful decision" as far as the government was concerned. He explained that the decision required the Schine Circuit Company to divest some of their interests and that it was his understanding that the Supreme Court had later sustained the opinion of Judge KNIGHT.

Mr. SCHLIZ stated that he had left the Justice Department shortly after the opinion was handed down in this case and that he had not followed the course of the case after he left the Department of Justice. He stated that he had become interested in the decision as handed down inasmuch as after he left the Department, JOHN CLAGGETT, who had also worked as a Trial Attorney on this case, and he opened a law office in partnership in Washington and had handled two private suits for treble damages against the Schine Company. He stated that these
damages were claimed as a result of the government's case mentioned above. He pointed out that these two clients had been government witnesses at the Buffalo Court action.

"Mr. SCHLIZ advised that up until the time that he left the Department and to the best of his recollection to date, he has always felt that realizing the complexity of Antitrust cases, that the government secured complete satisfaction in the judgment rendered in the Schine Case.

Mr. SCHLIZ stated that he was not acquainted with any irregularities which might have arisen concerning the handling of this matter; in fact, it was his opinion that everyone who was attached to the Staff on this matter was extremely interested in the preparing and handling of the case. He stated further that ROBERT L. WRIGHT, who had been the Chief Trial Attorney, was so thorough and such a high caliber individual that he would not have tolerated any interference or irregularities. He further stated that during the entire period that he was affiliated with the Department of Justice he was not aware of any irregularities, mishandling of cases or malfeasance on the part of any Justice Department employee.

INTERVIEW OF MR. EDWARD R. KENNEY

Mr. EDWARD R. KENNEY, Senior Trial Attorney, Antitrust Division, Department of Justice, was interviewed by Special Agent LOGAR L. CARTER and LESLIE P. CHISHOLM, in connection with the Schine Case.

Mr. KENNEY stated that he could not recall that he had ever been connected with the Schine Case at any time and that though he was acquainted with the fact that the Department did have a case against the Schine Circuit, that he, KENNEY, had never worked on the same and was, therefore, not in a position to comment upon the manner in which it was handled. Mr. KENNEY stated that no irregularities had ever been called to his attention in connection with the Schine Case and that he does not feel that he would have knowledge of any such irregularities if they existed as this case had never been assigned to him nor had his work with the Department ever placed him in a position of working with the same.
INTERVIEW WITH EDWARD P. HODGES

Mr. EDWARD P. HODGES, Second Assistant to the Attorney General, Antitrust Division, was interviewed in his office in the Justice Department on September 30, 1952, by Special Agents EDGAR L. CARTER and ROBERT N. WINGARD.

Mr. HODGES advised that from July, 1938 to August, 1950, he was Chief of the same section which was alternately operated under three different names, the Complaint Section, the Small Business Section and later, the Trial Section, all being sections of the Antitrust Division. From August, 1950 to December, 1950, Mr. HODGES stated that he was Chief of the Department's Legislative Clearance Section and that since December, 1950, he has held his present position as Second Assistant Attorney General. He stated that it was his understanding that the Schine Circuit Case had been in the General Litigation Division in its early stages and that later, after the Courts had handed down their decisions on this case, it was assigned to the Judgment Section of the Antitrust Division. He commented that he had never had any contact with either of these Divisions and, therefore, did not have any first-hand knowledge concerning this investigation.

Mr. HODGES explained it was his understanding that PHILLIP MARCUS had been affiliated with this case during the entire period that it was in the Department and had, in fact, handled the case from his position in the General Litigation Section even after the case was assigned to the Judgment Section.

Mr. HODGES commented that he had never heard of any irregularities concerning the Schine case and that he had not personally ever worked on the case and would not, therefore, be acquainted with any irregularities connected with the same if they had occurred.

Mr. HODGES stated that he knew of no action on the case by former Attorney General TOM CLARK or Mr. HERBERT BERGSON or of any effort on the part of either of them to suppress delay or otherwise impair the investigation of instant case.
INTERVIEW WITH HOUMS BALDRIDGE

Mr. HOUMS BALDRIDGE, Assistant Attorney General in charge of the Claims Division, U. S. Department of Justice, was interviewed in his office in the Justice Building by Special Agents WILLIAM T. FORSYTH and EUGENE D. THOMPSON on September 29, 1952.

Mr. BALDRIDGE advised that there was a case against the eight major motion picture distributing companies, such as RKO, MGM, Warner Brothers, etc., and, in addition, there were cases involving the Schine Circuit, the Griffith Circuit and the Crescent Circuit. He stated the latter three cases concerned distribution of films and involved agreements made with the major distributors as to "runs, price breaks and selection of product". He advised that the Schine Case was the first to be tried, was successfully prosecuted and carried through to the Supreme Court of the United States. As a result of this prosecution, the Schine Circuit was ordered to divest themselves of part of their theatre holdings.

Mr. BALDRIDGE advised that he had supervision of the case in its early stages, but had nothing to do with the case during the latter stages when negotiations were being had with the Schine Circuit officials regarding divestiture. He pointed out that the case was then being handled by the Judgment Section and, as a result of this, he did not participate in any of the negotiation conferences regarding divestiture.

Mr. BALDRIDGE advised that PHILIP MARCUS handled the case and that any agreements reached or concessions made by the Department of Justice with the Schine interests would have been made by PHILIP MARCUS and HERBERT A. BERGSON.

Mr. BALDRIDGE concluded that, during the time he was associated with the case, he knew of no irregularities or any undue pressure or influence being exerted concerning the case. He further pointed out that he had no knowledge of any decision or pressure being exerted by TOM CLARK regarding this matter, and that, to the best of his knowledge, TOM CLARK had never made any decisions or done anything of an irregular nature while associated with the Department of Justice.
INTERVIEW WITH KENNETH L. KIMBLE

On September 29, 1952, Special Agents HARRY J. MORGAN and ANDREY J. SYNOV interviewed KENNETH L. KIMBLE, Attorney, Room 501, Caesaritz Building, 1625 I Street, Northwest.

KIMBLE advised that he came with the Department of Justice Anti Trust Division in the Fall of 1934 as an Attorney. He worked in the Anti Trust Division until 1938 or 1939, at which time he went to the Lands Division where he was employed for approximately one year. He advised that he worked in the Anti Trust Division until October 1943, at which time he went into the Army. He returned to the Anti Trust Division in November of 1945 and was employed there until January 1948. During most of his employment in the Anti Trust Division he was Assistant Chief and later Chief of the Appelate Section, Anti Trust Division. From November 1945 to April 1947, he was first assistant to Attorney General WENDELL BERGE, Head of the Anti Trust Division. From May of 1947 to January 1948, he was not the assistant to Mr. BERGE, but was handling some special work for the Department as JOHN SONFETT succeeded BERGE as head of the anti Trust Division.

KIMBLE stated that he was cognizant that the SCHINE case was in the Department and was in some way related to the Motion Picture Cases, such as the Paramount. KIMBLE stated that so far as he could recall, he never worked on the case for trial and if he had anything at all to do with the case it was in connection with the memoranda of appeal. However, he has no recollection of the matters involved in any such memoranda if there were any. He stated further that he could not ever remember personally participating in the Schine Case, nor ever approving any memorand in the Schine Case, however, his initials may appear in memoranda in the Schine Case as he was First Assistant to Mr. BERGE and a great deal of correspondence passed through his office. He does recall that in writing a brief in the Paramount Case the theory involved in the Schine case matter was brought up, although he could not recall the specific matters discussed.
KIMBLE stated that he had no knowledge of TOM CLARK, HERBERT A. BERGSON or any official in the Department of Justice using influence or pressure in the Schine Case and he had no knowledge of any misconduct in office, influence or pressure on the part of any Justice Department official or employee in connection with any case in the Department of Justice.

INTERVIEW WITH M.R. SHELBY FITZE

On September 29, 1952, Special Agents HARRY J. MORGAN and ANDREW J. SHANNON interviewed Mr. SHELBY FITZE, Attorney at Law, Room 406, Southern Building, 15th and H Streets, Northwest. Mr. FITZE advised that he entered on duty in April, 1937, as Special Attorney in what he believed to be the Bonds and Spirits Division of the Department of Justice. Shortly thereafter he transferred to the Anti Trust Division as a Special Assistant. According to FITZE he drew up the initial petition in the Schine Case. Subsequent thereto FITZE transferred to a section called the Special Defense Unit, which later became the War Division of the Department of Justice. Subsequent to that time he was transferred back to the Anti Trust Division, at which time TOM CLARK was Assistant Attorney General in Charge of the Anti Trust Division. A short while thereafter, he transferred to the Criminal Division, at which time TOM CLARK was Assistant Attorney General in Charge of the Criminal Division. He stated that when TOM CLARK transferred to the Criminal Division he, (CLARK) took the Paramount Motion Picture Case with him to the Criminal Division. FITZE did not know whether CLARK took over all the movie cases to the Criminal Division.

FITZE stated that he knew that CLARK took the Paramount Case to the Criminal Division as he, FITZE, as previously stated, went to work for CLARK in the Criminal Division as he (FITZE) was familiar with the movie cases. It was while in the Criminal Division that FITZE advised that he worked on the Paramount Case.

FITZE advised further that he worked with TOM CLARK in the Criminal Division until March of 1945 when he (FITZE) resigned.

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FITZIE stated that he had no knowledge whatsoever of any influence of pressure ever exerted in any movie matter by TOM CLARK, HERBERT A. BERGSON or any other official or employee in the Department of Justice. He stated that these comments also apply to the Schine Case. FITZIE further asserted that he had no knowledge whatsoever of any misconduct in office, pressure or influence exerted by any official or employee of the Department of Justice in any matters whatsoever. He stated that these comments also apply to TOM CLARK and HERBERT A. BERGSON.

FITZIE did state, however, that he thought it was rather unusual for the Criminal Division to handle Anti-Trust matters. By this he meant that the above mentioned movie matters were within the jurisdiction of the Anti-Trust Division, but when TOM CLARK became Assistant Attorney General in Charge of the Criminal Division, these matters were being handled by the Criminal Division.
INTERVIEW WITH LT. COMMANDER HAROLD S. LARSEN

On September 30, 1952, Special Agents HARRY J. MORGAN and ANDREW J. SHANNON interviewed Lt. Commander HAROLD S. LARSEN, Intelligence Office, Potomac River Naval Command, Office of Naval Intelligence, at Building 52, at the Naval Observatory, 34th and Massachusetts Ave., N. W., Washington, D. C.

Commander LARSEN advised that he was employed in the Antitrust Division, Department of Justice, as a clerk beginning in May 1948. At the time Commander LARSEN went with the Antitrust Division he was just a clerk as he had not passed the Bar. He advised that he was admitted to the Bar in February 1949 and thereafter was an attorney with the Antitrust Division. He stated that he resigned his position with the Department of Justice in October 1950.

Commander LARSEN commented that when he went with the Antitrust Division he worked in the General Litigation Section and shortly after going to this Section, he went to work under PHILIP MARCUS, who was at that time handling the Schine case. While working under MARCUS, Commander LARSEN advised that inasmuch as he was at that time just a clerk he was only doing legal research work for the Schine trial such as compiling memoranda for the motions in the case.

Commander LARSEN advised that he went to Buffalo with MARCUS in the Fall of 1948 at which time they were ready to try one phase of the Schine case which he believed concerned divestiture of the Schine holdings. As he previously disclosed when he went to Buffalo he was still on a clerk status having not passed the Bar. He advised that he did work on small phases of the case that MARCUS would bring up. He stated that he was never in any settlement or policy conferences regarding the case. He stated that the case was handled by MARCUS, HOLMES BALDRIDGE and HERBERT BERNOSON.

While in Buffalo in the Fall of 1948, Commander LARSEN advised that a call was received from the Department of Justice in Washington, D. C., and the case was never tried. As far as he can recollect the reason given was the fact that BRUCE BROMLEY, who was
one of the defense attorneys, was made a judge in New York which had put
the defendants at a disadvantage to argue the matter of divestiture.
Commander LARSEN stated that he did not know whether or not he received
the telephone call from Washington or whether it was given to MARCUS;
however, the effect of the call was that the trial was postponed. He
did not recollect from whom the call was received. Commander LARSEN
recalled that MARCUS was very disturbed over the trial being postponed,
as he was at that time ready to try the case. Commander LARSEN further
advised that MARCUS never discussed with him any troubles that he, MARCUS,
had in the Schine case although he knew that MARCUS did some "ordinary
gripping".

After participating in the above pre-trial matter in Buffalo,
LARSEN advised that he had nothing further to do with the case as he was
then assigned to do work on the Washington Milk case; however, he advised
that he had heard secondhand that a series of conferences were held in
Washington, D. C. between the Department of Justice attorneys and attorney
KAURMAN for the defense who later on came in as one of the defense counsel.
He stated that he does not know who these conferences were between or any
matters that were discussed at them as he stated he had obtained this in-
formation only by hearsay.

Commander LARSEN stated that he has no knowledge that TOM
CLARK, HEINZERT BERGSTON or any other Justice Department official or
employee ever used any influence or pressure in the Schine case. He
also advised that he has no knowledge of any misconduct in office,
influence or pressure on the part of any Justice Department official
or employee regarding any Justice Department case or matter. He did,
however, state that it seemed strange to him that the case was dropped
against the Schine people as the case was a good one in his judgment.
He also stated that it was his impression that MARCUS also felt that
the case against the Schine people was a good case.
INTERVIEW WITH EDWIN PEWEET

On September 27, 1952, SA'S HARRY J. MORGAN and ANDREW J. SHANNON interviewed EDWIN PEWEET, Acting Chief, Judgment and Judgment Enforcement Section, Antitrust Division, United States Department of Justice, Room 3311, in his office.

PEWEET advised that he came with the Antitrust Division July 1, 1939, and was engaged in various investigations in the Department until 1943, when he came with the Patent and Cartel Section at Washington, D. C. In December, 1943, he left the Department, and went on active duty with the Navy. He returned to the Department of Justice in March, 1946, and was employed in the Consent Decree Section, which later became the Enforcement Division, and is now the Judgment and Judgment Enforcement Section. PEWEET advised that he worked under ERNEST S. MEYERS in the Consent Decree Section for about six weeks, at which time MEYERS went into private practice.

PEWEET stated that when he came with the Consent Decree Section, most of his work was with Surplus Property, which at that time was under the Section. He advised that SIGURD TIMBERG handled most of the negotiations regarding consent decrees.

PEWEET advised that ELLIOTT H. MOYER was Assistant Chief of the Consent Decree Section, handling the Surplus Property matters. MOYER resigned in the spring of 1947, and PEWEET at this time took over MOYER's job.

On March 24, 1952, PEWEET advised that he became Acting Chief of the Enforcement Section.

PEWEET advised that after he took over MOYER's job, he assumed that he saw letters regarding the Schine Case. However, he stated that he could not recall the information contained in these letters, as the case was being handled by the General Litigation Section, and this case generally was being handled by ROBERT L. WRIGHT and PHILIP MARCUS. He stated that the Enforcement Division did not have anything directly to do with the case until after final judgment on June 21, 1949. PEWEET advised that officially, the Judgment Section passed on outgoing mail in this matter after June 21, 1949. PEWEET stated that regarding letters pertaining to the Schine matter effecting the judgment, he would pass these on to MARCUS and TIMBERG. MARCUS generally handled the Schine matters and PEWEET, took very little part in the case. TIMBERG, according to PEWEET, had the final say in the judgment matters up to March, 1952. PEWEET also commented
that anything that he would have to say in the Schine Case, he would discuss
with MARCUS or TIMBERG. PEWETT pointed out specifically that he had no part
in negotiations with counsel for the defense.

PEWETT advised that he received second-hand information that TIMBERG
was annoyed with the counsel for defense in the Schine Case. PEWETT does not
remember the periods involved, but stated that it was prior to the consent de-
cree. According to PEWETT, he had heard that TIMBERG had said that during
negotiations with defense counsel in the Schine Case, they would always want to
appeal various points that pertained to the Case to TIMBERG's superior. It was
PEWETT's impression that TIMBERG was referring to HERBERT A. BERGSON, who at
that time was Assistant Attorney General in charge of the Antitrust Division.
PEWETT, however, stated that the defense counsel's appealing to superiors in
matters was not unusual. PEWETT advised that he recollects TIMBERG telling him
that counsel for the defense would go to the Attorney General on most any point
involved in the Case. PEWETT advised that TIMBERG had said that the Attorney
General finally got so annoyed with counsel for defense that he "read the riot
act to them, giving them a liberal education on antitrust matters and procedure."

PEWETT stated that after the judgment in this Schine Case, the En-
forcement Division, now the Judgment and Judgment Enforcement Section, had
over-all supervision of enforcing judgments. PEWETT stated that MARCUS, who
had handled most of the Schine Case, sometimes would send mail in judgment
matters through his own Section, the General Litigation Section, and sometimes
send mail through the Judgment and Judgment Enforcement Section. PEWETT stated
that when MARCUS handled the movie matters, he handled matters after the consent
decree, although such matters were within the sphere of the Enforcement Section.

PEWETT recollects that MARCUS would discuss Schine matters with him,
and PEWETT recalls that MARCUS was at odds with the Schine people. According
to PEWETT, MARCUS indicated that he was not happy with the way that the Schine
people were acting in the Case.

PEWETT also recollects that MARCUS told him that the defendants,
whom he presumed to be the Schine Counsel, would show up in the office of
MARCUS' superior, whom PEWETT recollected was BERGSON, and MARCUS would be
summoned to the meetings. PEWETT advised that MARCUS told him that he, MARCUS,
did not know how to interpret this, that is, being summoned to the office of his superior to meet with the defendants. PEWETT advised that he never recollects MARCUS specifically talking in terms of being pressured or influenced by any one of his superiors, but PEWETT did state that MARCUS was constantly having a running battle with the Schine people. PEWETT stated that MARCUS told him that the defendants were flagrant in disregard of competitors' rights. PEWETT also seemed to remember that MARCUS told him that the defendants indicated on occasions to MARCUS that they had been to the "front office," conferring with MARCUS's superior prior to discussing the Case with MARCUS.

PEWETT also advised that he recollects that MARCUS had stated that he was overruled by his superiors on filing a contempt action against the Schine people in either 1948 or 1949. It was PEWETT's impression at this time that BERGSON was MARCUS's immediate superior, and TOM CLARK was the Attorney General.

PEWETT advised that he has no specific knowledge of any influence or pressure exerted in the Schine Case by either TOM CLARK, HERBERT A. BERGSON, or anyone in the Department, nor does he have any knowledge of any misconduct, pressure or influence in office on the part of any Departmental employee or official in connection with the Schine Case, or any other matters within the jurisdiction of the Department of Justice. However, PEWETT advised that he thinks that any time anyone goes to anyone's superior in the Department repeatedly, as did the counsel for Schine in their Case, it is an indirect way of impressing persons in the lower echelon in the Department. PEWETT also said that the fact that the Department of Justice took a consent judgment in the Schine Case without trusteeship, as recommended by MARCUS, showed that MARCUS was overruled in the Case by his superiors.

PEWETT advised that he as Acting Chief of the Judgment and Judgment Enforcement Section, was now handling the enforcement of the consent decree in the Schine Case. He advised that the Department was now in the process of preparing action against the Schine defendants for not disposing of their theaters. The ultimate goal of the action is the disposal of the theaters. He stated that if the facts warranted, the Department will proceed with criminal action, and at least the Department will want a trusteeship in the Case.
INTERVIEW OF MAURICE SILVERMAN

MAURICE SILVERMAN, Attorney, Antitrust Division, Department of Justice, was interviewed at his office on September 26, 1952, by Special Agents CHARLES H. SCHAFTER and ROBERT K. LEWIS.

Mr. SILVERMAN advised that he first had contact with the Schine Chain Theater case shortly after the consent decree of 1949. He advised that the Schine Corporation had violated the decree in Medina, Ohio, and that he investigated this violation and argued the matter before Judge KNIGHT in Buffalo, New York, and a decision was rendered in favor of the Government. He stated that since that time he has had little contact with the Schine case until June 1, 1952, and has been working on it full time since that date.

Mr. SILVERMAN stated that he was aware that contempt petitions were drawn against the Schine Chain Theaters sometime in 1948 and added that he has seen a memorandum from HERBERT BERGSON to the Attorney General dated December 15, 1948, in which he recommended that contempt action be brought against Schine. Mr. SILVERMAN stated he does not believe this contempt action was ever brought and added he does not know why it was not brought. He advised he was not aware of the relationship between the failure to prosecute this contempt action and the initiation of the action for the consent decree of 1949.

Mr. SILVERMAN stated he never discussed the Schine case with TOM CLARK and recalled that he had discussed the case only once with HERBERT BERGSON and that at that time Mr. BERGSON indicated that Schine "did not graciously obey judgments." He stated he had no knowledge of any pressure exerted by anyone in regard to this case.

INTERVIEW WITH SEYMOUR KRIEGER

Mr. SEYMOUR KRIEGER, Attorney, Wyatt Building, 727 14th Street, N.W., Washington, D.C., was interviewed in his office on September 27, 1952, by Special Agents CHARLES H. SCHAFTER and ROBERT K. LEWIS.

Mr. KRIEGER advised that he entered the Department of Justice as an attorney in the Antitrust Division, Department of Justice, in August, 1938, and terminated his employment with the Department of Justice about October, 1940. He stated that his first assignment in the Department of Justice was to work on the Paramount case and that he subsequently was assigned work on
the Schine case with SHELBY FITZE. He stated that he and Mr. FITZE had conducted certain investigation in New York and Ohio based upon complaints made against the Schine Chain Theaters by independent theater owners. He advised that this investigation was conducted under the supervision of Mr. PAUL WILLIAMS, Department of Justice. Mr. KRIEGER stated that sometime in 1939 Mr. FITZE was replaced by HERBERT BORKLAND. He advised that in the Fall of 1939 he argued the case for a preliminary injunction before Judge KNIGHT in Buffalo, New York, seeking to enjoin the Schine Chain Theaters from any further expansion of theater ownership. He added that Judge KNIGHT did not grant this injunction. He stated that he was then assigned back to the Paramount case and had no further contact with the Schine case.

Mr. KRIEGER stated he had no knowledge of any contempt proceedings against the Schine Theaters in 1940 and commented that he had never heard anything regarding any suppression of this case. Mr. KRIEGER added that the Schine Corporation always employed first-class lawyers and stated it was his impression that Schine has come out of this case very well. He stated that this might be attributed to one of three reasons; namely, "there might possibly have been a fix, the case was not prosecuted by competent lawyers at the Department of Justice, or the Department of Justice had done its very best in a very tough situation." KRIEGER stated he had no information to support his reasons stated above and gave the above as his personal analysis for the success which the Schine Chain Theaters had despite the action taken by the Government.

INTERVIEW OF THURMAN ARNOLD

Judge THURMAN ARNOLD was interviewed in his office in the Ring Building, Washington, D. C., on September 27, 1952, by Special Agents CHARLES H. SCHAFER and ROBERT K. LEWIS.

Judge ARNOLD advised that he was Assistant Attorney General in charge of the Antitrust Division from 1939 until March, 1943, when he left the Department of Justice. He stated he was familiar with the Schine case and was aware of the litigation taken against Schine up until the time of the Supreme Court decision. He added that he had absolutely no knowledge of this case since that time, had no knowledge of any contempt proceedings, and had never heard of any mishandling or suppression of this case by anyone. Judge ARNOLD was unable to furnish any information which was pertinent to the investigation of this matter.
INTERVIEW WITH RODOLFO A. CORREA:

RODOLFO A. CORREA, General Counsel, Office of Defense Mobilization, was interviewed at his office in the Old State Department Building on September 29, 1952, by Special Agents WILLIAM C. HIGGINS and WILLIAM E. FENIMORE.

CORREA stated he had no knowledge of the Schine Circuit Case other than it was handled in the Department by PHILIP MARCUS.

INTERVIEW WITH WILLIAM AMORY UNDERHILL:

WILLIAM AMORY UNDERHILL, who served as First Assistant to HERBERT A. BERGSON, Assistant Attorney General, between June, 1948, and October, 1950, was interviewed at the Washington Field Office on September 30, 1952, by Special Agents WILLIAM C. HIGGINS and WILLIAM E. FENIMORE.

UNDERHILL stated he was aware the Department of Justice had pursued a case against the Schine Circuit for a number of years and that the Supreme Court had decided an appeal in favor of the government and remanded the case to the lower court with the instruction that the lower court work out the details as to how the Schine Circuit would divest itself. Thereafter, the Antitrust Division and representatives of the Schine Circuit negotiated agreements upon the details.

UNDERHILL states he sat in on a few of these conferences, but never actively participated in the Schine Case as such. He recalls PHILIP MARCUS traveled to Buffalo, New York, in connection with the case, but is not aware of the precise purpose in MARCUS' trip. He states he knows nothing regarding the alleged telephone call from the Department to MARCUS, informing him not to object to a postponement motion by the defense.

In conclusion, UNDERHILL reported he knew of nothing done by either HERBERT BERGSON or TOM CLARK in the Department of Justice which might indicate mishandling or misconduct in office.

ATTEMPT TO LOCATE W. WALLACE KIRKPATRICK

Special Agent WILLIAM E. FENIMORE contacted ROSS WHITNEY, Personnel Assistant, German Affairs, Department of State, who informed him that W. WALLACE KIRKPATRICK is presently employed by the State Department in Germany and in all probability will remain in that country until February of 1953. He stated that his Washington address is the University Club, 16th Street.
INTERVIEW WITH PHILIP MARCUS

Mr. PHILIP MARCUS, Special Assistant to the Attorney General, Antitrust Division, was interviewed by Special Agents CHARLES H. SCHAEFER and LESLIE B. CHISHOLM on September 29, 30, and October 1, 1952. On October 1, 1952, Mr. MARCUS executed the following signed statement, the original of which is being maintained in the files of the Washington Field Office:

"October 1, 1952
Washington, D. C.

I, PHILIP MARCUS, make the following voluntary statement under oath to Charles H. Schafer and Leslie B. Chisholm, Jr., who have identified themselves to be Special Agents of the Federal Bureau of Investigation. No threats or promises have been made to obtain this statement from me, and I have been advised that it may be used in any court of law.

"This is a supplementary statement to that of August 13. It is being made at the request of the above named Special Agents of the FBI to fill in and complete any details omitted in my previous statement. In my prior statement I had stated that this did not purport to be a complete statement as to the subject matter in the affidavit.

"I have turned over to the Special Agents a copy of the opinion of the Trial Court in this case filed on October 8, 1945, which has been marked with a No. 1. The opinion has been published in the Federal Supplement Reports. That opinion contains a review of what the Court found that Schine had done, and held that Schine had violated the Sherman Act and that a judgment should be entered against Schine. The Trial Court thereafter entered a judgment containing injunctive provisions against the defendants in March of 1946, and another judgment requiring Schine to divest itself of a number of theatres and requiring the appointment of a trustee to effect that divestiture in July 5, 1946. Copies of these judgments have been turned over to Special Agents and have been marked as Nos. 2 and 3. Thereafter Schine appealed to the Supreme Court of the United States and the judgment was affirmed.
"Court. The Supreme Court in an opinion of May 3, 1948, affirmed the Trial Court's holding that Schine had violated the Sherman Act, but held that the Trial Court had not gone far enough in determining what divestiture was required. It held that before the Trial Court should determine what theatres were necessary to be divested in order to bring competition into towns where Schine had all the theatres or all the theatres playing on a particular run (which was the theory upon which the Lower Court had decreed divestiture), it should be determined what theatres had been illegally acquired by Schine, what theatres were illegally used, and what theatres were the fruits of the conspiracy. In addition, the Supreme Court ordered that a number of findings of fact made by the Trial Court be vacated and other findings substituted and added upon a further review by the Trial Court of the evidence in the case. A copy of that opinion has been turned over to the Special Agents and has been marked as No. 4.

"On October 15, 1948, the Government filed with the District Court in Buffalo, New York, a proposed judgment and proposed findings of fact to accord with what the Supreme Court had said should be done. These proposals carried the name of the undersigned: Herbert A. Bergson and George L. Croce. (The latter name appears as a matter of courtesy and not because of any real connection with the case.) A copy of the proposed judgment has been turned over to the Special Agents and marked as No. 5.

"On June 21, 1949, a consent judgment was entered against Schine. This judgment is quite different from what is contained in the Supreme Court's opinion and from the judgment proposed by the Government in October, 1948. This consent judgment has been turned over to the Special Agents and has been marked with a No. 6. At their request, the writer has summarized the differences between the consent judgment and the judgment proposed by the Government to the Court. That summary, which has been marked with a No. 7, is as follows:

"This is a comparison between the consent judgment in the Schine case entered in June, 1949,
"and the judgment recommended to the District Court in Buffalo by the Department of Justice in August, 1948.

1. The judgment proposed by the Department to the District Court was accompanied by a full set of proposed findings of fact. The judgment entered by consent was accompanied by no findings of fact. The result is that as to many factual matters in the case, there are no findings of fact on record. This is of inestimable benefit to the Schine defendants, since it deprives persons put out of business by Schine or otherwise injured of the opportunity of using such findings of fact in any contemplated suit by them against the Schine circuit. This is to be compared with what occurred in the Paramount case, where even after consent judgments had been entered against RKO and Paramount, the District Court in New York City entered findings of fact against those defendants based upon the trial which had preceded the judgments.

2. The introduction to the judgment recommended to the District Court contained a reference to the defendants having violated the Sherman Act. The consent judgment entered contains no such reference.

3. Paragraph 2 of the judgment recommended to the District Court contained a recital of the violations by the defendants of Sections 1 and 2 of the Sherman Act. There is no similar section in the judgment actually entered.

4. The judgment recommended to the court would have prohibited Schine from licensing more than a certain percentage of the number of feature films for five years in towns where Schine had competition. The judgment entered contained a similar restriction, but only for three years, exempted the prohibition in several named towns, and increased the percentage with respect to the licensing of the better pictures.

5. The recommended judgment prohibited Schine from licensing films in any town where a competitor was not given an opportunity to negotiate for the
picture on the same run. The recommended judgment prohibited Schine from licensing pictures on a selective basis in towns where Schine had competition, unless it received assurances from a distributor that its competitors had a similar opportunity. There is no such provision in the judgment that was entered.

"6. The recommended judgment prohibited Schine from including in its licenses a number of specified privileges given it over its competitors by distributors. No such provision exists in the judgment entered.

"7. The recommended judgment provided that whenever a clearance given Schine was attacked as not legal under the decree, the burden should be upon Schine to sustain its legality. The judgment entered into does not contain such a prohibition. It does provide for a review of the reasonableness of the clearance by the distributors upon a complaint made by an independent exhibitor and for the use of arbitration.

"8. The recommended judgment required Schine generally to conduct negotiations through the branch office having the territory in which there was a Schine theatre. This was the ordinary way in which pictures were licensed to other theatres in the territory. There is no such requirement in the judgment entered against Schine.

"9. The plan of divestiture in the judgment recommended to the court would have substantially dissolved the Schine circuit of theatres and left it with a very few theatres. The judgment entered left the circuit substantially intact and it required divestiture in almost every instance of distinctly inferior theatres to those it permitted Schine to retain.

"10. The divestiture plan recommended by the Government was expressly stated to be based upon the Supreme Court's decision. The divestiture contained
"in the judgment entered is in contravention to the Supreme Court's decision.

"11 The judgment recommended to the court required that unimproved lands available for theatre purposes held by Schine in towns where it had theatres should be divested. There is no such prohibition in the judgment entered.

"12 The recommended judgment provided for a trustee to effect the disposition of theatres required to be sold. The judgment entered contained no provision for the appointment of a trustee. This was considered by the staff as one of the most important provisions, which Judge Knight had clearly indicated he would grant. The judgment entered left the disposition of the theatres up to Schine. As of today, Schine has not disposed of many of the theatres it was required to dispose of under the judgment before this time. No application has been made by the Department to have the judgment amended for the purpose of appointing a trustee to effect the sales of theatres.

"13 The recommended judgment contained a prohibition against the defendants acquiring a financial interest in any additional theatres except after an affirmative showing that such acquisition would not unreasonably restrain competition. This provision was in the original judgment and had been expressly approved by the Supreme Court. The judgment entered substituted for this provision one which was very much more lenient in permitting acquisitions without court approval.

"14 The recommended judgment provided that the Government recover costs which it was entitled to as the prevailing party. The judgment entered contained no provision regarding costs.

I have been asked what I know of the connection of Bruce Bromley to the Schine case. To my knowledge,
"he was hired after the trial of the case to represent Schine before the Supreme Court, which he did. He was a member of the Cravath firm in New York City, and that firm also represented Schine during the greater part of 1948. The best of my knowledge, their representation was confined to court work and I have never known of Bruce Fromley doing any negotiating with respect to possible settlement. I understand he was made a Judge of the Court of Appeals of the State of New York, in 1949.

"The following is a chronology, to the best of the undersigned's recollection, of the facts relating to a proposed contempt proceedings against Schine:

"In 1942, a temporary consent judgment was entered against Schine, requiring them to dispose of their interests in about sixteen theatres. Sometime in 1944, Schine made an application to the court for the court's approval of its selling several of such theatres to Charles Hayman, who, at that time, operated several theatres, one of which was in Niagara Falls. The Government had reason to believe that there was a close relationship between Schine and Hayman, and felt there was a serious question as to the bona fides of this proposed sale. At that time, the Schine case, insofar as the Government was concerned, was under the charge of Robert L. Wright, and in open court, he opposed the approval. This is contained in a transcript of a hearing which was held at that time. The Government was in the process of preparing for trial and, therefore, did not have the time to make any extensive investigation with respect to this proposed sale. Schine's attorneys represented that this was a bona fide transaction and the court approved the proposed sale.

"Some time after the trial of the case we were advised that Schine had an interest in certain theatres in Kentucky, which he had failed to disclose to the court and, therefore, those interests were not covered by the judgment. Investigation into this matter led
"to a comprehensive investigation carried out in part by the office of the SEC and in part by the staff assigned to the Schine case. Very flagrant contempts of prior judgments entered against Schine and attempts to mislead the court and the Government were uncovered which included a disclosure that the purported sale to Hayman was not bona fide. On the part of the Antitrust Division, the investigation was carried on by Allen Baker, Harold Larson and the undersigned. I and the above named members of my staff then drafted a petition for civil contempt and a petition for criminal contempt. These petitions were sent into the Chief of the section in the Antitrust Division to which I was assigned, Holmes Baldridge. They were reviewed by him, and I believe, but am not at this time certain, also by the Assistant Chief of that section.

"In connection with the criminal contempt petition, there was some question respecting statute of limitations. For these and other reasons, Mr. Baldridge felt that we should not file a criminal petition but should file a civil contempt petition. The writer prepared a recommendation to the Attorney General to accompany the proposed petition. Both the recommendation and the proposed petition were approved by Mr. Baldridge, and Sigmund Timberg, the Chief of the Judgment Section of the Antitrust Division. I believe at this time, but I am not certain, that prior to the approval by Mr. Timberg, the contempt petition had been reviewed by a member of that section. I believe the date of that recommendation was October 26, 1948. The recommendation and the petition went into the office of Mr. Bergson on a few occasions thereafter I asked him about it and he told me he had it.

"I do not know, but I believe, that the recommendation and petition went out to the Attorney General, who, at that time, was Tom Clark. In our Division we have an office which has charge of recording incoming and outgoing letters and memoranda. That office is in the charge of Miss Tucker. A few months ago, in response to a question by my secretary, Mrs. Goldstein, Miss Tucker stated she had a copy of the recommendation and that according to her office routine that would mean that it had gone out to the Attorney General at that time."
The other basis of my belief is referred to in my earlier affidavit where I mentioned the remark made to me by counsel for Schine in the office of the U. S. Attorney in Buffalo. I might add that to the best of my knowledge our drafting of a contempt petition had not been made public in any way before or at the time of Mr. McKay's remark.

"I reviewed the documentary evidence we had respecting contempt and prepared a comprehensive summary of that evidence. The contempt petition was not filed. Around the early part of 1949, we were preparing for a hearing before the court in Buffalo to determine what kind of judgment should be entered. In that connection we had advised the court in a letter of February, 1949, that in that connection we proposed to offer evidence to the court showing that the defendants had been violating the Sherman Act and the judgments entered by the court in this case since 1942. That evidence was what had been gathered originally for the purpose of bringing contempt proceedings against Schine.

"After February of 1949, facts were brought to the writer's attention indicating further contempt by Schine, and the writer, in written memorandums to Mr. Parson, recommended that we bring contempt proceedings. No contempt proceedings have ever been brought against Schine. The settling of the case by consent judgment and various postponements had the effect of our not ever presenting any evidence to the court in Buffalo as to alleged violations.

"With respect to one aspect of these violations, when it appeared that we were not going to file contempt proceedings, the undersigned got in touch with a number of distributors of pictures whose contracts were involved in those contempt memorandums of conferences with several of the representatives of these companies were made which indicate that they were in general agreement that Schine had entered into contracts with them which were not proper. One aspect of the contempt involved phony transfers of theatres to persons and corporations closely associated with Schine. One of those corporations was Darnell Theatres, Inc. The consent judgment as finally entered contains a prohibition against Schine disposing of theatres to anyone related to the defendants. This is a unique provision in judgments and the writer believes that it was designed to prevent Schine from selling theatres to Darnell Theatres, Inc. and that that prohibition, itself, was a recognition of the evidence that we had secured showing that Darnell was involved with Schine in contempts. A copy of the proposed contempt petition had been
turned over to the Special Agents. The judgment entered by the trial court contained a provision for the appointment of a trustee to carry out the divestiture provisions of the judgment. No other provision of this sort appears in any of the judgments that have been entered against motion picture defendants in the Paramount case and the other motion picture cases brought by the Government. It is the writer's belief that the reason for the court's insertion of this provision was because of the nature of the evidence in the Schine case showing that Schine had wilfully violated the Sherman Act and had failed to dispose of theatres that they had been required to get rid of under an earlier judgment. After the Supreme Court's decision, upon a hearing on a motion before the court in Buffalo, which motion had to do with a proposed order on the mandate of the Supreme Court, the court itself asked why we were not asking for a trustee. The writer assured the court that what we intended to do when we filed our formal proposed judgment and proposed findings, and in that proposed judgment we did ask for the appointment of a trustee.

"The following is a summary of some of the highlights of the Schine case:

"It was started in 1939. Since its inception, Schine has had some twenty to twenty-five different sets of attorneys. In the case, some of whom have been litigating attorneys in the sense that they appeared in court, and some have been solely negotiating attorneys in making contacts with the Department. One person Schine hired to make contacts with the Department was a man by the name of L. M. Rosenbaum, who, I believe, was some kind of financial adviser rather than an attorney. I believe he had his office in New York. It is my impression that he came to the Department to discuss the case to see whether it could be settled.

"In 1942, a temporary consent judgment was entered into with Schine under which they were required to dispose of their interest in some sixteen theatres. In 1944, it was determined that it was necessary to bring the case to trial. Some time in that year, Tom Clark, after being head of the Antitrust Division for a very short period of time, became head of the Criminal Division and took with him the Schine and Paramount cases. It is my understanding, although I have no definite knowledge, that his taking those cases with him was a condition for his being agreeable to make the shift from being head of the Antitrust Division to being head of the Criminal Division."
In the course of arguing a motion before the court in Buffalo that year, at a time when the Schine counsel was a man by the name of Goodwin, who was a partner in a law firm in Washington, D. C., the latter told the court that I apparently was not aware of conferences he had had with my superior, and it is my best recollection that he specifically mentioned conversations with Tom Clark. I believe that this can be checked by looking at the transcripts of the hearings in the Schine case for 1944, which are in the Department files. After arguing this motion, the undersigned, together with Mr. John Claggett, who was on the staff of the Schine case, went down to speak to Mr. Clark about the situation that had arisen when I was arguing the motion. I have no particular recollection of what Mr. Clark said on that occasion. To the best of my recollection he said very little, and Mr. Claggett and I left the conference with him with a feeling that we did not know where we stood with respect to actions he might take in the case. It is my recollection that he did not deny having dealt with Mr. Goodwin without the knowledge of Mr. Claggett or me, but I cannot recall his expressly confirming that he had made agreements with Mr. Goodwin without our knowledge. Not long after this conference, both the Paramount case and the Schine case came back to the

Antitrust Division.

Until the Fall of 1948, I was unaware that Irving Kaufman had been hired by Schine to attempt to negotiate a settlement. From the correspondence files, however, I believe it is indicated that he came into the case late in the Summer of that year. My first contact with Mr. Kaufman was when Mr. Bergson-called me to his office in the Fall of that year and introduced me to Mr. Kaufman who was present. Mr. Kaufman then stated that his clients had informed him that I was prejudiced against them and that the best thing for the case was for me to withdraw. Mr. Bergson made no comment at that time, but the next morning called me into his office to apologize for what had occurred the previous day. Sometime later, following a letter drafted by me, but which had cleared through Mr. Bergson, written to the court in Buffalo, stating what we had expected to prove at a hearing respecting the kind of judgment to be entered, Willard McKay, General Counsel of Schine, wrote a letter to the court highly critical of the undersigned and claimed that I was acting contrary to Mr. Bergson's wishes and without his knowledge. Mr. Bergson wrote to the court that Mr. McKay's charges against the undersigned were unfounded. The writer had drafted a reply in which it stated it was customary for members of the staff on a case to be called into conference relating to settlement. This was omitted in the letter that was sent out.
"With respect to presenting the consent judgment, Mr. Timberg informed me that Mr. Bergson desired me to present the judgment. I refused because over a long period of time I had built up a relationship of respect and trust with Judge Knight and had filed with him a proposed judgment which I had represented as being in accord with the Supreme Court's direction. I did not want to jeopardize that relationship and to take a position inconsistent with what I had taken by presenting a judgment and supporting it at the time it was presented which departed so much from the judgment which had been proposed. Sometime after filing the proposed judgment I had occasion to be in Judge Knight's chambers in Buffalo, at which time he told me that he was inclined to go along with the proposed findings which the Government had filed accompanying the proposed judgment, and I advised Mr. Bergson of this fact.

"After Mr. Kaufman was made a Judge of the District Court in New York, Schine hired as his negotiating counsel a man by the name of Harold Horowitz. Mr. Horowitz was a close, personal friend of Herbert Bergson and Mr. Ford of this Department. He was president of the Leitz Corporation which had been taken over by the Alien Property Custodian. Mr. Horowitz came to Washington quite often and generally would see Mr. Ford and then come down to see Mr. Clapp, and I would be called into a conference in Mr. Clapp's office. During this period, insofar as the front office was concerned, the Schine matter was being handled by Mr. Clapp, not by Mr. Morison. Schine did not dispose of a number of theatres that it was required to dispose of. The writer desired that we compel Schine to furnish us with information, and if refused, to bring contempt proceedings. Schine was given a considerable number of postponements with respect to its obligation to get rid of theatres. These postponements were generally over the protest of the writer and occurred after Horowitz had discussed the matter with Mr. Clapp and the writer or with Mr. Clapp. On one occasion the writer saw a mention of Mr. Horowitz's name in Drew Pearson's column as a person who was likely to be questioned with respect to a contemplated investigation of the Alien Property Custodian's office. I called this to Mr. Morison's attention and he directed Mr. Clapp not to give Schine a further extension. An amendment to the Schine judgment was worked out and filed with the court. Under this amendment, new time limits were given to Schine to dispose of theatres, and Schine was subjected to some additional injunctive provisions. Around this time a memorandum was placed in the files, endorsed by Mr. Clapp, to the effect that we would not give Schine a further extension. At the time the writer withdraw from the motion picture work in the Division,
Schine had not disposed of any of the theatres he was required to dispose of, and there was about one month left in which to make such disposition. That was the end of May, 1952.

"At the time of the trial of the Schine case, there was general gossip to the effect that Schine substantially contributed to both political parties. Willard McKay for a considerable number of years was general counsel for Schine. As a former executive of Universal, he had been instrumental in having Universal loan monies to Schine. He was an officer in a number of Schine corporations and was very active in the operations of the Schine circuit. The other attorneys who were then counsel for Schine were Saul Rogers, Howard Antevil, Arthur J. Romans, Edmund McCarthy, Edward F. McClennen and Arthur H. Whitmore. Not all of these persons were present during the entire trial. McCarthy had very little to do with the trial. McClennen came into the case after the trial had gone on for a while, and this was true of Whitmore. John Casky and Nickerson were in Buffalo, and at that time were working closely with Schine by representing the distributors who had been charged of being co-conspirators. There was also one other person with Casky whose name I do not recall.

"Either late in 1949, or early in 1950, at the time when Harold Horowitz became attorney for Schine, Mr. Horowitz told the writer that Mr. McKay had been fired by Schine. At the trial of the Schine case, it was gossip among Schine's attorneys that Schine had contributed substantially to the political campaigns for both parties in 1944. Mr. McKay, who was one of Schine's attorneys at that time may have made that remark, but the writer has no definite recollection as to whether it was he who made the remark.

"Sometime after the entry of the Schine judgment, while the writer was in the New York office of the Antitrust Division, Mr. Harold Lasser of that office said that he had heard that Kaufman had raised considerable monies for the democratic political campaign of 1948 and also said that he had heard that at the time the question of confirmation of Kaufman by the Senate as a Judge came up, there was a brief delay in the Kaufman confirmation because of a complaint being made with respect to Kaufman's connection with the Schine case."
"When the writer was through with motion picture work, matters pertaining to motion picture judgment, including the Schine judgment, were turned over to Maurice Silverman, who, in collaboration with Mr. Pewitt and Mr. Kiigore, of the Judgment Section, was supposed to do what the writer had been doing with respect to the motion picture judgments. With respect to other parts of the motion picture work, they were assigned to several different attorneys in the General Litigation Section and new matters in the motion picture field have been assigned to attorneys according to whether or not they were free from other assignments.

"To the best of my knowledge this represents a complete statement as to the writer's knowledge of the history of the Schine case. I know of nothing in connection with any other case in the Division which would give me cause to believe that there was wrongdoing involved."

"I solemnly swear that the above statement is true and correct to the best of my knowledge and belief."

/s/"PHILIP MARCUS
"PHILIP MARCUS"

"Sworn and subscribed to before me on October 1, 1952:

"WITNESSES:

"Leslie R. Chisholm, Jr. Special Agent, FBI
"Charles H. Schofer, Special Agent, P. B. I."
The documents referred to in the above statements, numbers one through seven, are being enclosed to the Bureau for informational purposes together with photostats of proposed contempt proceedings.

In addition to the above statement, Mr. MARCUS stated HERMAN KALINSON, an attorney in the Claims Division, advised him that IRVING KAUFMAN was a close friend of TOM CLARK.

Mr. MARCUS made available his personal file he had maintained with regard to the Schine Theatre case, which was reviewed by the reporting agents and reflected the following documents which were considered pertinent. It is to be noted that each of these documents have been photostated and are being included as DJS exhibits in this case:

DJS exhibit number 112, which is a Department memorandum to HERBERT A. BERGSON from PHILIP MARCUS with regard to the United States versus Schine Chain Theatres dated February 3, 1949, reflects that on February 2, 1949, Mr. BERGSON advised MARCUS that if the Schine defendants made a motion for a continuance, no objection would be offered to this action.

DJS exhibit number 113, which is a memorandum to HERBERT A. BERGSON from PHILIP MARCUS with regard to consideration for final judgment, dated February 7, 1949, reflects Mr. MARCUS felt the rapidity with which the settlement negotiations have taken place and the fact that they have taken place on a level considerably higher than his have made him not only uncertain as to what offer the defendants understand has been made to them but also as to whether his own views were clear to BERGSON. This memorandum explains various steps that have been taken with regard to divestitures in accordance with certain decisions of the courts and discusses the merit of the divestiture proceedings. The memorandum concludes by stating: "The writer has been aware, by the defendant's counsel, that they know that a contempt petition has been drafted and it is believed that if we are on the verge of entering into a consent decree with the defendants they should be made to understand that we reserve entire freedom of action with respect to contempt proceedings whether or not we enter into a judgment with them at this time."
DJS 114, a series of letters, is as follows:

Letter dated February 9, 1949, to Honorable JOHN KNIGHT, Judge of U.S. District Court, Buffalo, New York, from HERBERT A. BERGSON, which included a statement of what the plaintiff intends to show by its evidence.

Letter dated February 16, 1949, to HERBERT A. BERGSON, Assistant Attorney General, Department of Justice, from WILLARD S. MCKAY, wherein Mckay states he attempted to reach BERGSON on the phone to talk to him about the letter which Mr. MARCUS wrote to Judge KNIGHT and which included a letter which he wrote to Judge KNIGHT.

Letter dated February 16, 1949, to Judge KNIGHT which Mr. MARCUS said was the letter MCKAY had enclosed with his letter to BERGSON as stated above wherein it is stated that Mckay was amazed and outraged by Mr. MARCUS's letter of February 9, 1949, to Judge KNIGHT and that the letter, which bore the signature of Mr. BERGSON, was not written by BERGSON and MCKAY believed that the letter did not in any way reflect Mr. BERGSON's views. The letter goes on to explain meetings that MCKAY has had with BERGSON and states: "The plain fact of the matter is that it seems that every time Mr. BERGSON makes an agreement with Mr. KAUFMAN, Mr. MARCUS makes every possible effort to upset the agreement. The result of this is that the conduct of this case by the Government has assumed a Dr. Jekyll and Mr. Hyde character with which it is very difficult for me to cope."

Letter dated February 18, 1949, to Judge KNIGHT from HERBERT A. BERGSON, which stated that it deemed Mr. MCKAY's letter to Judge KNIGHT to be wholly uncalled for in view of the circumstances, and he stated that the Department had no intention of trying out contempt charges if the hearings were resumed on March 25.

Proposed letter of MARCUS to be sent to Judge KNIGHT dated February 18, 1949, through which is marked a large X. Mr. MARCUS explained that this letter was
not sent but that the letter previously mentioned under date of February 18, 1949, from BERGSON to Judge KNIGHT was transmitted in its place.

DJS exhibit number 115 is a copy of page one of a letter to the Attorney General from ABRAM MYERS, Allied States Association of Motion Picture Exhibitors, dated March 29, 1949, which states that Mr. AERAM was astonished and profoundly disturbed to read in the trade papers that an outline of a consent decree had been agreed in the Schine Chain Theatres case, and that all that remained is the working out of the details. The letter went on to say that he was amazed because Schine had been the most knowing, willful, and persistent law violator of all the defendants involved in the several motion picture cases as shown by the original findings of the District Court.

DJS 116 is a copy of a Department of Justice press release dated June 24, 1949, in which Attorney General THOMAS C. CLARK announced the entry in Federal District Court at Buffalo, New York of a final judgment in a civil antitrust suit against Schine. The press release states the final judgment was prepared by Mr. BERGSON with SIGMUND TIMBERG, Chief of Judgments and Judgment Enforcement Section.

DJS 117 is a memorandum from PHILIP MARCUS for the files dated October 17 (year not legible on the memorandum but believed to be 1951). This memorandum relates to a conference on October 15, with Mr. HOROWITZ of Schine Theatres and Messrs. CLAPP and MARCUS. The memorandum states that Mr. HOROWITZ urged that there should be no immediate periods but all the theatres should be left to be disposed of by June 1953, and from time to time it would be reported to the Department on what progress, if any, Schine had made in disposing of theatres. Memorandum states that Mr. CLARK related that he did not feel that the Department should be put in the position of making suggestions as to how to sell theatres, and HOROWITZ also asked whether the Department would consider allowing DARNELL to acquire theatres that were not disposed of.

Exhibit JDS 118 is a memorandum to the files from PHILIP MARCUS with reference to a conference with Messrs.
HOROWITZ and ANTEVIL of Schine, Messrs. CLAPP and MARCUS of the Division on November 9, which memorandum is dated November 14, 1951. The memorandum reflects that Mr. CLAPP stated that it was the Department's position that if they granted Schine an extension of time, no further extension would be given. Mr. CLAPP stated that a memorandum to this effect should be prepared for the files and Mr. HOROWITZ stated that he understood that the Department was taking that position.

DJS 119 is a memorandum from PHILIP MARCUS to the files dated December 13, 1951, which states that HOWARD ANTEVIL requested an extension of time until January 2, 1952, and that MARCUS told him he did not think any further extension could be given and that this was his understanding as to the position taken by Mr. MORISON.

DJS 120 is a communication dated January 15, 1952, from H. G. MORISON to HOWARD ANTEVIL stating Department was unwilling to permit any further delay.

It is to be noted that there was also in the personal file of Mr. MARCUS a memorandum from him dated May 27, 1952, to Assistant Attorney General H. G. MORISON which reported a resume, status, and recommendations respecting motion picture matters. This memorandum stated under heading number one as follows:

"Judgments which do not provide for further proposals by the partners have been entered against all the defendants in the Paramount case, and in the Schine, Griffith, and Crescent cases. A number of judgments and mandatory injunctions requiring various actions to be performed in certain time limits. For most part those time limits are still in the future."

INTERVIEW WITH JUDY GOLDSTEIN

Mrs. JUDY GOLDSTEIN was interviewed by Special Agents CHARLES H. SCHAFER and LESLIE B. CHISHOLM on September 30, 1952.

Mrs. JUDY GOLDSTEIN advised she has been secretary to Mr. MARCUS for approximately seven years. She related
assisted in this case by the following Departmental attorneys: JOHN CLAGETT, MILTON KALLIS, HAROLD SHIELDS, and PHILIP MARCUS. According to Mr. WRIGHT, Schine stalled the case on several occasions by using various sequences of attorneys. He pointed out that Schine apparently had two types of attorneys, those for litigation purposes and those who were politically inclined. He stated on one occasion an individual by the name of ROSENBAUM, who was not an attorney, wrote a letter on behalf of Schine to the Attorney General in which he attempted to discredit the work he, WRIGHT, had been doing on the Schine case in an endeavor to have someone else placed in charge of this case.

Mr. WRIGHT related that he knew of no mishandling or attempts to exert pressure in this case, but he related MARCUS had discussed the case with him subsequent to the time he, WRIGHT, left the Department and had related to him that he was unhappy with the final decree. Mr. WRIGHT related he would not discuss the reasons or the merit of Mr. MARCUS' feelings with regard to the final decree and stated this information would have to be obtained from MARCUS. Mr. WRIGHT advised that during the trial of instant case and throughout his work on the same, he never encountered any efforts on the part of anyone in the Department to suppress his activities or retard the normal prosecution of the case, and that he had no personal knowledge of any mishandling of the case at the time he was connected with the same at the Department of Justice.
REVIEW OF PERSONNEL FILES AT THE DEPARTMENT OF JUSTICE

The following file review was conducted by SA ANDREW J. SHANNON on October 1, 1952:

MISS ETTHL VIXAS-JILL, Attorney, Criminal Division Room 2112, Department of Justice, made available the personnel files of THOMAS C. CLARK (TOM C. CLARK) on October 1, 1952.

THOMAS C. CLARK (TOM C. CLARK)

The files reflected that CLARK filed an application with the Department of Justice under the name of THOMAS C. CLARK for the position of Assistant Attorney General. This application was not dated although it reflected his address as 4437 Livingston Street, Dallas, Texas. His age was listed as thirty-seven and birthplace, Dallas, Texas. The date of birth was not listed on this application.

Another application in the file reflected CLARK's birth date as September 23, 1899. The files also reflected that the majority of correspondence in the file reflected CLARK's name as TOM C. CLARK. The following is a capitation of the positions held by CLARK in the Department of Justice:

<table>
<thead>
<tr>
<th>Date</th>
<th>Position</th>
</tr>
</thead>
<tbody>
<tr>
<td>February 8, 1937</td>
<td>Special Attorney, Bureau of War Risk Litigation, Headquarters: Washington, D.C.</td>
</tr>
<tr>
<td>October 5, 1938</td>
<td>Special Assistant to the Attorney General, Anti-Trust Division, Headquarters: Washington, D.C.</td>
</tr>
</tbody>
</table>

A memorandum in the file dated March 8, 1940 from THURMAN ARNOLD, Assistant Attorney General, to Mr. KEMP, the Assistant to the Attorney General, reflected that CLARK was in charge of the Anti-trust Office in New Orleans since September, 1939.

There was also in the file a memorandum dated October 17, 1940 from THURMAN ARNOLD to Mr. MC GUIRE, the Assistant to the Attorney General, which reflected that under date of April 5, 1940
WFO 62-7197

she made a trip to Buffalo, New York with Messrs. MARCUS, COKER, and LARSEN in January 1949. Mrs. GOLDSTEIN related she understood the reason for the trip was to conduct hearings on the type of final judgment to be entered in the Schine case. According to Mrs. GOLDSTEIN, Mr. MARCUS had in his possession a draft of a petition which she believed to be an order to show cause why the Schine Theatres should not be held in contempt. Mrs. GOLDSTEIN said it was her impression that if Mr. MARCUS failed to obtain the type of judgment he desired at the hearing that he was possibly going to file the contempt proceedings. Mrs. GOLDSTEIN related that while she was in Buffalo, she knew that Mr. MARCUS talked with Washington and that he told her he had been instructed not to object to a postponement of the hearings. Mrs. GOLDSTEIN advised that it was her impression that Mr. BERGSON was the individual who advised Mr. MARCUS not to object to the postponement.

Mrs. GOLDSTEIN related it was her observation from having worked in Mr. MARCUS's office some seven years that the negotiations with regard to the Paramount consent decree were handled on Mr. MARCUS's level, however, that the latter part of Schine negotiations was handled on a level much higher than Mr. MARCUS's and that Mr. MARCUS apparently had little knowledge of exactly what was transpiring with regard to the Schine consent decree. Mrs. GOLDSTEIN was unable to furnish any further pertinent information.

MR. ROBERT L. WRIGHT

Mr. ROBERT L. WRIGHT, presently an attorney in private practice, was interviewed in his office at 777 14th Street, Northwest, by Special Agents LESLIE B. CHISHOLM and EDGAR L. CARTER on September 29, 1952.

Mr. WRIGHT advised that he had formerly been employed by the Department of Justice as an attorney in the Antitrust Division from approximately 1942 to 1949, and in that capacity had been in charge of the government's case against the Schine circuit from approximately 1942 to 1947.

Mr. WRIGHT advised he handled the Schine case before the United States District Court in Buffalo, New York and the Supreme Court of the United States. He related he was principally
CLARK was designated as Regional Director of the Anti-Trust activities on the West Coast and recommended for an increase in salary. There was no official personnel action in the folder for this employment.

November 1, 1940

Special Assistant to the Attorney General, Anti-Trust Division, Headquarters: Los Angeles, California.

January 28, 1942

Coordinator, Alien Enemy Control Program for Western Command, Headquarters: Los Angeles.

This file reflected that he was to serve in the above capacity without compensation other than that received as a Special Assistant to the Attorney General in the Anti-Trust Division. A press release dated January 28, 1942 by Attorney General FRANCIS BIDDLE announced CLARK's appointment as Coordinator, Alien Enemy Control Program for Western Command and reflected that for the past three years CLARK was Regional Director of all anti-trust matters on the west coast with general headquarters at Los Angeles. At the time of the announcement CLARK supervised the offices in Los Angeles, San Francisco, and Seattle. He was to use members of his anti-trust staff in the three cities as a nucleus in the coordinating and expediting of the Alien Enemy Program.

This file contained newspaper editorials from the Los Angeles Times and Herald, both dated May 19, 1942 which reflected that CLARK had been made Head of the War Frauds Bureau of the Department of Justice by Attorney General BIDDLE. His file contained no official personnel action concerning this appointment.
A Department of Justice press release dated September 17, 1942 reflected that CLARK was succeeding THURMAN ARNOLD's former assistant, COX, in the Anti-Trust Division and was also still Chief of the Department's War Frauds Unit. An order from the Office of the Attorney General, Room 3422, Supplement #4, dated October 12, 1942, reflected "effective immediately, Mr. TOM C. CLARK is to act in the absence of Assistant Attorney General, THURMAN ARNOLD, as head of the Anti-Trust Division, with all power and authority which is vested in Mr. ARNOLD. Signed, FRANCIS BIDDLE".

January 1, 1943

Special Assistant to the Attorney General, Anti-Trust Division, Washington, D. C. (Civil Service status acquired)

March 17, 1943

Designated Acting Head, Anti-Trust Division, Headquarters: Washington, D. C.

March 29, 1943

Assistant Attorney General in charge of the Anti-Trust Division, Headquarters, Washington, D. C.

August 29, 1943

Assistant Attorney General, Criminal Division, Headquarters: Washington, D. C.

The War Frauds Unit at this time was also transferred to the Criminal Division.

July 1, 1945

Attorney General of the United States, Washington, D.C.
Terminated position as Attorney General of the United States to accept appointment as Associate Judge, United States Supreme Court.

His file contained a photostatic copy of his appointment as an Associate Judge, U. S. Supreme Court, reflecting that he was appointed by the President of the United States on August 19, 1949.

The following file review was conducted by SA THOMAS J. JENKINS:

Mr. CHARLES B. MURRAY, Special Assistant to the Attorney General, made the personnel file of HERBERT AUGUSTUS BERGSON available for review.

HERBERT AUGUSTUS BERGSON

The file reflected that BERGSON was born on January 14, 1909, at Boston, Massachusetts. From 1933 to March 26, 1934, he practiced law in Boston, Massachusetts. The following is a capitulation of the positions held by BERGSON in the Department of Justice:

<table>
<thead>
<tr>
<th>Dates</th>
<th>Positions</th>
</tr>
</thead>
<tbody>
<tr>
<td>March 26, 1934 - January 16, 1935</td>
<td>Clerk in the Court of Claims Division</td>
</tr>
<tr>
<td>January 16, 1935 - September 1, 1936</td>
<td>Attorney, Claims Division</td>
</tr>
<tr>
<td>September 1, 1936 - July 1, 1938</td>
<td>Special Attorney (Assistant to Attorney General)</td>
</tr>
<tr>
<td>July 1, 1938 - July 1, 1941</td>
<td>Special Attorney, Anti-Trust Division</td>
</tr>
<tr>
<td>July 1, 1941 - September 25, 1942</td>
<td>Principal Attorney (Assistant to Attorney General)</td>
</tr>
</tbody>
</table>
TO THE BUREAU:

There is being enclosed herewith for the Bureau two photostatic copies each of exhibits as previously designated in this report.

A. Re Antitrust Investigation of Liquor Industry.

1. Exhibit No. DJL-100.
   This is a memorandum dated June 1, 1944, from WILLIAM B. BUTZ to WENDELL BERGE and HOLMES BALDRIDGE entitled "Liquor Investigation" and which memorandum contains Department of Justice Exhibits 1 through 16 which were attached thereto, other than Department of Justice Exhibits 10 through 14, inclusive, which are missing.

   This exhibit obtained from DJ File No. 60-257-21.

   This is a memorandum dated December 20, 1949, from W. WALLACE KIRKPATRICK to EDWARD P. HODGES entitled "Liquor" with attachment which is headed "II." which is a draft of a memorandum to the FBI requesting certain Antitrust investigation. It is noted that this December 20, 1949, memorandum contains three routing slips with comments by HOLMES and BORK.

   Exhibit obtained from DJ File No. 60-257-0.

   This is a memorandum dated May 7, 1952, from ERNEST L. BRANHAM to EDWARD P. HODGES entitled "Liquor Industry."

   Exhibit obtained from DJ File No. 60-72-0.

4. Exhibit No. DJL-103.
   This is a memorandum dated May 9, 1952, from ERNEST L. BRANHAM to HOLMES BALDRIDGE, Assistant Attorney General, the Claims Division, and entitled "Liquor Industry."

   Exhibit obtained from DJ File No. 60-72-0.
September 25, 1942 - March 20, 1944

March 20, 1944 - October 22, 1945

January 1, 1946 - September 5, 1946

September 5, 1946 - May 11, 1947

May 11, 1947 - January 11, 1948

January 11, 1948 - June 12, 1948

June 12, 1948 - September 29, 1950

BERGSON resigned from the Department of Justice on September 29, 1950, while holding the position of Assistant Attorney General of the Antitrust Division.
5. Exhibit No. DJL-200.
   This is a memorandum dated February 20, 1950, from JOHN A. JORDAN to MELVILLE C. WILLIAMS, Chief, New York Office, Antitrust Division.

   Exhibit obtained from DJ File No. 60-257-0, Section 5.

   This is a memorandum dated March 10, 1950, from MELVILLE C. WILLIAMS to HERBERT A. BERGSON, Assistant Attorney General. Source of exhibit same as Exhibit No. 5.

7. Exhibit No. DJL-300.
   This is a memorandum dated August 29, 1946, from ROY C. COOK to JOHN R. MITCHELL and ERNEST L. BRANHAM, entitled "Acquisition of Cooperage Companies by the Distillers."

   Exhibit obtained from DJ File No. 60-72-0, Sections 2-4.

8. Exhibit No. DJL-301.
   This is a memorandum dated April 19, 1949, from C. HEYWARD BESLER to EDWARD P. HODGES entitled "Tight Cooperage."

   Exhibit obtained from DJ File No. 60-72-0, Sections 2-4.

   This is a memorandum dated November 1, 1949, from W. WALLACE KIRKPATRICK to EDWARD P. HODGES entitled "Cooperage."

   Exhibit obtained from DJ File No. 60-72-0, Sections 2-4.

    This is a memorandum dated February 20, 1950, from LEONARD N. BERKE to ALLEN A. DOBEY entitled "Distillers in the Cooperage Industry."

    Exhibit obtained from DJ File No. 60-72-0, Sections 2-4.
C. Re Schine Circuit Antitrust Case

11. **Exhibit No. DJS-100**
   This is a copy of a statement dated April 12, 1944, from L. N. ROSENBAUM for Senator MURRAY.

12. **Exhibit No. DJS-101**
   This is a copy of a letter dated April 26, 1944, from WENDELL BERGE, Assistant Attorney General, to the Hon. JAMES E. MURRAY, United States Senate, Washington, D. C.

13. **Exhibit No. DJS-102**
   This is a letter dated May 1, 1944, from L. N. ROSENBAUM to Hon. ALBERT B. CHANDLER, United States Senate, Washington, D. C.

14. **Exhibit No. DJS-103**
   This is a letter dated May 6, 1944, from L. N. ROSENBAUM to Hon. ALBERT B. CHANDLER, United States Senate, Washington, D. C.

15. **Exhibit No. DJS-104**
   This is a letter dated May 1, 1944, from L. N. ROSENBAUM to Hon. WENDELL BERGE, Assistant Attorney General of the United States, Department of Justice, Washington, D. C.

16. **Exhibit No. DJS-105**
   This is a letter dated March 27, 1944, from L. N. ROSENBAUM to Hon. CHARLES FAHY, Solicitor General, Department of Justice Building, Washington, D. C.

17. **Exhibit No. DJS-106**
   This is a copy of a letter dated April 5, 1944, from CHARLES FAHY, Solicitor General, to Mr. L. N. ROSENBAUM, 9 East 46th Street, New York 17, New York.

18. **Exhibit No. DJS-107**
   This is a letter dated May 1, 1944, from L. N. ROSENBAUM to Hon. CHARLES FAHY, Solicitor General, Department of Justice Building, Washington, D. C.
19. Exhibit No. DJS-108
This is a letter dated February 4, 1949, from HERBERT A. BERGSON, Assistant Attorney General, to Honorable JOHN KNIGHT, Judge, U. S. District Court, U. S. Court House, Buffalo, New York.

20. Exhibit No. DJS-109
This is an office memorandum dated February 7, 1949, from PHILIP MARCUS to HERBERT A. BERGSON entitled "Considerations for Schine Judgment".

21. Exhibit No. DJS-110
This consists of three letters entitled "United States v. Schine, et al."
(a) Copy of an unsigned letter dated February 16, 1949, to Hon. JOHN KNIGHT, United States District Judge, United States Court House, Buffalo, New York.
(b) Letter dated February 16, 1949, from WILLARD S. Mc KAY to HERBERT A. BERGSON, Esq., Assistant Attorney General, Department of Justice, Washington, D. C.
(c) Copy of a letter dated February 18, 1949, from HERBERT A. BERGSON, Assistant Attorney General, to WILLARD Mc KAY, Esq., 630 5th Avenue, New York, New York.

22. Exhibit No. DJS-111
This is a memorandum dated May 18, 1949, from IRVING R. KAUFMAN to the Attorney General, entitled "Schine Chain Theatres, Inc."

Exhibits DJS-100 through DJS-111, inclusive, were obtained from DJ file 60-6-30-35-10.

23. Exhibit No. DJS-112
This is a memorandum dated February 3, 1949, from PHILIP MARCUS to HERBERT A. BERGSON, Assistant Attorney General, Antitrust Division, entitled "United States v. Schine Chain Theatres, Inc., et al."

24. Exhibit No. DJS-113
This is a memorandum dated February 7, 1949, from PHILIP MARCUS to HERBERT A. BERGSON entitled "Considerations for Schine Judgment".
25. Exhibit No. DJS-114
   This consists of a series of letters described as follows:
   (a) Copy of a letter dated February 9, 1949, from HERBERT A. BERGSON, Assistant Attorney General, to Honorable JOHN KNIGHT, Judge, United States District Court, United States Court House, Buffalo, New York, entitled "United States v. Schine Chain Theatres, Inc., et al."
   (b) Copy of a letter dated February 16, 1949, from WILLARD S. Mc KAY, to HERBERT A. BERGSON, Esq., Assistant Attorney General, Department of Justice, Washington, D. C.
   (c) Copy of an unsigned letter dated February 16, 1949, to Hon. JOHN KNIGHT, United States District Judge, United States Court House, Brooklyn, New York, entitled "United States v. Schine, et al".
   (d) Copy of a letter dated February 18, 1949, from HERBERT A. BERGSON, Assistant Attorney General, to Honorable JOHN KNIGHT, United States District Judge, United States Court House, Brooklyn, New York, entitled "United States v. Schine, et al".
   (e) Copy of a letter dated February 18, 1949, from HERBERT A. BERGSON, Assistant Attorney General, to Honorable JOHN KNIGHT, United States District Judge, Western District of New York, Buffalo, New York, entitled "United States v. Schine Chain Theatres, Inc., et al".
   (f) Copy of a letter dated February 18, 1949, from HERBERT A. BERGSON, Assistant Attorney General, to Honorable JOHN KNIGHT, United States District Judge, Western District of New York, Brooklyn, New York, entitled "United States v. Schine Chain Theatres, Inc., et al".

26. Exhibit No. DJS-115
   This is a copy of a letter dated March 29, 1949, from Office of the General Counsel and Chairman of the Board to Attorney General entitled "United States v. Schine Chain Theatres, et al".

27. Exhibit No. DJS-116
   This is a copy of a Department of Justice news release dated June 24, 1949.
Exhibit No. DJS-117
This is a memorandum dated October 17 (year not shown), from PHILIP MARCUS to the Files entitled "Conference on October 15 with Mr. HOROWITZ of Schine, Messrs. CLAPP and MARCUS."

Exhibit No. DJS-118
This is a copy of a memorandum dated November 14, 1951, from PHILIP MARCUS to the Files entitled "Conference with Messrs. HOROWITZ and ANTEVIL of Schine, Messrs. CLAPP and MARCUS of the Division, Nov. 9."

Exhibit No. DJS-119
This is a copy of a memorandum dated December 13, 1951, from PHILIP MARCUS to the Files entitled "Telephone Conversation with HOWARD ANTEVIL."

Exhibit No. DJS-120
This is a copy of a communication dated January 15, 1952, from H. G. MORISON, Assistant Attorney General, to HOWARD ANTEVIL, Schine Circuit, Inc., Gloversville, New York.

Exhibits DJS-112 through DJS-120, inclusive, were obtained from the personal files of PHILIP MARCUS.

Re Schine Circuit Antitrust Case.

Also forwarded to the Bureau are seven enclosures, marked Nos. 1 through 7, inclusive, in upper-left corner, and which enclosures are mentioned in the statement by PHILIP MARCUS dated October 1, 1952.

D. Re Schine Circuit Antitrust Case.

Photostats of proposed contempt proceedings referred to in the statement of PHILIP MARCUS dated October 1, 1952.

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Mr. PHILIP MARCUS advised he has been interviewed by investigators with the Chelf Committee and had attended an executive session of the Chelf Committee where he had been questioned. He stated the investigators of the Chelf Committee had obtained from him copies of certain correspondence and other documents which were considered pertinent and that these documents had not been returned to him at the time he was interviewed by agents of the Washington Field Office. Mr. MARCUS was questioned concerning the content of the documents which the Chelf investigators had obtained, but he was unable to recall specific information concerning them.

Mr. MARCUS made available a list of the documents obtained by the Chelf Committee which is as follows:

Memo of September 4, 1951, regarding Schine.
Memo of May 23, 1949, from MARCUS to BERGSON.
Letter of June 4, 1949, from MARCUS to BERGSON.
Memo of May 18, 1949, from KAUFMAN.
Memo of April 8, 1949, from MARCUS to TIMBERG.
Memo of May 24, 1949, regarding Schine conference.
Memo of December 14, 1948, from MARCUS to BERGSON.
Letter of December 2, 1948 (not sent).
Memo of December 1, 1948, from MARCUS to BALDRIDGE. Allied Press release of July 20, 1949.

It is to be noted that the Washington Field Office will obtain these documents as soon as they are returned to Mr. MARCUS.

In connection with the interview with Mr. ROBERT L. WRIGHT, it is noted that he was generally courteous and personable but when questioned concerning the Schine case he repeatedly referred the agents to the Department's files in this connection. He appeared to be extremely reluctant to discuss the case, was evasive in replying to the questions propounded to him, and conveyed a complete lack of desire to generally discuss instant case.
THE NEW YORK OFFICE

AT NEW YORK

Will conduct investigation requested by the Bureau and also set out by the Washington Field Office.

THE WASHINGTON FIELD OFFICE

AT WASHINGTON, D. C.

Will review numerous posting cards obtained from Administrative Division, Antitrust, reflecting assignment of Schine Case to attorneys in an effort to determine whether TOM C. CLARK carried this case with him when he was transferred from the Antitrust Division to the Criminal Division.

Will also interview MARGARET BRASS and MAYELL CLAPP, Antitrust Division relative to Liquor and Schine Cases, respectively.

SYNOPSIS OF FACTS:

Review conducted of Liquor Industry and Schine circuit theatre case files. Departmental Attorneys handling Liquor and Schine case interviewed. ALFONS B. LANDA, Attorney representing Joseph Seagram Company, Washington, D. C., informs of conference with ERNEST L. BRANHAM, Antitrust Division Attorney, Department of Justice, in late 1948 concerning alleged contributions by LOUIS ROSENSTIEL, President of Schenley Industries. LANDA denies making statement that TOM CLARK, former Attorney General, Department of Justice, had given ROSENSTIEL assurances that there would never be any suit of any nature against the Liquor Industry; denies any knowledge of misconduct or mishandling of Liquor case by TOM CLARK. Review of personnel files of THOMAS C. CLARK and HERBERT AUGUSTUS BERGSON set out.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 2-29-52 BY S. S. JAIW

PROPERTY OF FBI - This confidential report and its contents are loaned to you by the FBI and are not to be distributed outside of agency to which loaned.
Office Memorandum

TO: Mr. Ladd
FROM: Mr. Rosen
SUBJECT: CHIEF COMMITTEE INVESTIGATIONS
TOM C. CLARK
BRIEFLY: PAROLE MATTERS

DATE: July 14, 1952

PURPOSE

To advise that an additional memorandum has been received from Robert A. Collier, Chief Investigator, Chief Committee, setting forth information from one Allen Bernard, a free lance writer, to the effect that the then Attorney General, Tom Clark, received $250,000 of an alleged $750,000 payment to effect the paroles of four gangsters: Louis Campagna, Paul Ricca, Charles Cloe and Phil D'Andrea. The Chief Committee has also received an allegation that Tom Clark received $100,000 in settlement of an unidentified tax case and another $100,000 in settlement of a $3,000,000 tax case involving the F. L. Jacobs Company.

BACKGROUND

You will recall that Mr. Collier had previously furnished information to the Bureau concerning the allegation of payoff to Tom Clark in the Campagna Case. The information furnished by Mr. Collier at that time was submitted to the Attorney General by memorandum dated July 8, 1952.

ADDITIONAL DATA SUPPLIED BY MR. COLLIER

A memorandum dated July 10, 1952, has been received from Mr. Collier. This memorandum reflects information received from one Allen Bernard who described himself as a free lance writer, address, 413 East 52nd Street, New York City. This individual contacted the Chief Committee and reported that he had information to prove that the amount of $750,000 was paid to obtain the paroles of the four gangsters. The payoff involved three people representing the gangsters. Then Attorney General Tom Clark, according to Bernard, received $250,000. Another $250,000 went to the "place higher than Clark," which he indicated was someone in the White House. Bernard advised that he could back up his allegations with sworn statements indicating that he...
is presently in touch with two or three people representing the gangsters. He refused to divulge the identity of these individuals.

Bernard mentioned Maury Hughes, an attorney in Dallas, Texas, and reportedly a close friend of Tom Clark, and characterized Hughes' testimony before the Congressional Subcommittee on Expenditures as "fantastic." Bernard claimed that he could verify his allegations with a record of the plane on which the two men brought money from Dallas to Washington, and the name of the hotel where they stayed.

With reference to Bernard's background, according to Mr. Collier's memorandum, he stated he was formerly a reporter-investigator for the New York Journal-American, and then went to Mexico where he edited a magazine. In recent years, he did a series of articles for the New Republic Magazine in which he exposed ship scandals.

Mr. Collier's memorandum further reflected that it had been determined confidentially from Congressman Fred B. Busbey, (R; Ill.) that the Subcommittee which inquired into the parole matters in 1946 had received anonymous telephone calls and information indicating that a large sum of money had changed hands in connection with the parole cases. Bernard, it was indicated, had contacted Busbey but did not furnish him details of the information given to the Chief Committee. Congressman Busbey expressed the opinion that Bernard might possibly be a "syndicate plant" interested in finding out if another investigation is getting under way. Busbey advised Collier confidentially that during the six months his investigation was pending, they had a subpoena for a man they were never able to reach. This key man is probably Ned Bakes who Busbey believed was the arranger in the parole cases, and probably is the man who contacted Maury Hughes, the Dallas attorney. Congressman Busbey informed that there is no apparent incentive for Bakes to talk to anyone and if he does, his life will not be worth a nickel twenty-four hours later.

The Chief Committee has also received an allegation that Tom Clark received $100,000 in a settlement of an unidentified tax case and another $100,000 in a $3,000,000 tax case involving the F. T. Jacobs Company.
INVESTIGATION REGARDING PAROLE OF CAMPAGNA, RICCA, GIOE, D'ANDREA

An extensive investigation was conducted by the Bureau concerning allegations of payoff in connection with the paroles of Campagna and associates. Copies of investigative reports in this case were sent to the Department.

An extensive investigation was also conducted by the subcommittee of the Committee on Expenditures of the 80th Congress.

During the Bureau investigation of the Campagna Case, Congressman Fred R. Busby (R: Ill.) was interviewed. On September 15, 1943, Congressman Busby stated that the sole source of his information in connection with this matter at that time was James Doherty, Chicago Daily Tribune reporter, who had conducted an investigation concerning this matter in Chicago, Illinois; St. Louis, Missouri, and Washington, D. C. Congressman Busby stated that Doherty told him that he was of the opinion that the, "Attorney General is in a better position to give leads in this case than anyone else in the world."

During the investigation of the Campagna Case, then Attorney General Clark advised that he did not have any advance knowledge of these paroles and that he first learned of the fact that they had been paroled through reading the newspaper accounts occasioned by the parole.

F. L. JACOBS COMPANY

Information was received on December 4, 1943, confidentially, from a representative of the United States General Accounting Zone Office by our Detroit Office to the effect that F. L. Jacobs Company was handling Government contracts totaling $135,000,000. This Company was capable of producing $8,000,000 to $10,000,000 of such contracts in its own plants. This Company was realizing excessive profits by reason of profit percentage not only on work actually done by the company, but also on all work done by its subcontractors. This information was submitted to the Department in report form.

- 3 -
By memorandum dated January 18, 1946, entitled "F. L. Jacobs Company vs. War Contracts Price Adjustment Board; Tax Court No. 3619" the Department requested an analysis of the books and records of the F. L. Jacobs Company. This was done and an accounting report was submitted to the Department.

The War Department Price Adjustment Board determined that the F. L. Jacobs Company realized $5,500,000 excessive profits in the 1943 fiscal year. The docket of the United States Tax Court reflected on October 17, 1947, petitioner (F. L. Jacobs Company) requested that the petition in this case be dismissed with prejudice. The Government interposed no objection and the petitioner's motion was granted.

ALLEN BERNARD

The Bureau files reflect that confidential informant whose reliability is unknown, advised in 1943, that Allen Bernard, a newspaper man with former close Communist ties, was in Mexico. Last saw Bernard in 1938, at which time he stated Bernard was very closely tied up with Communists. According to this informant, Bernard was an investigator-reporter on the "Journal" and was extremely smart. Once he managed to get committed to various insane asylums and state hospitals for month after month in order to write a series of documented exposes on the mal-treatment of mental patients. His exposes resulted in wholesale dismissal of doctors, nurses and administrative personnel in such institutions in New York State.

STATUTE OF LIMITATIONS

Campagna, Gioe, D’Andrea, DeLucia (Ricca) and John Roselli were sentenced into United States District Court for the Southern District of New York to ten years in a Federal penitentiary and fined $10,000 on December 31, 1943, for violation of the Anti-Racketeering Statute. All five of these subjects began serving their sentences on March 5, 1944, and all five were released on parole on August 13, 1947.
It would, therefore, appear that any violations of the Bribery Statutes in connection with the granting of their paroles would have occurred prior to August 13, 1947, and prosecution would be barred by the Statute of Limitations.

ACTION

If you approve, a memorandum is attached for forwarding to the Attorney General with a copy for Special Assistant to the Attorney General Charles B. Murray. This memorandum will enclose photostats of material provided by Mr. Collier, and will furnish pertinent data from our files. The Attorney General is requested in this memorandum to advise whether he desires investigation and, if so, specifically what investigation is requested.

[Signature]

[Handwritten note: Follow up promptly]
Re: Tom Clark
From: Robert A. Collier

Who's Who in America, 1952-1953


One of the principal stories that has been circulated over the past several years concerns the paroles of four Chicago gangsters, which paroles were granted in 1947 at the time Tom Clark was Attorney General. Various allegations have been made regarding possible pay-offs in connection with these paroles and also allegations have been made that certain individuals requested and influenced the granting of the paroles. The four Chicago parolees are: Louis Campagna, Paul Ricca, Charles Gioe and Phil D'Andrea.

Various investigations have been made into this matter, including the hearings in the 80th Congress of the Subcommittee of the Committee on Expenditures in the Executive Departments, which contained an "investigation as to the manner in which the United States Board of Parole is operating and as to whether there is a necessity for a change in either the procedure or basic law."
In connection with the parole cases, our Subcommittee has received the following specific complaints:

Allen Bernard -- describing himself as a free-lance writer, address 113 East 52nd Street, New York, New York -- contacted the Subcommittee on June 18, 1952. This individual reported he had information to prove that the amount of $750,000 was paid to obtain the parole of the four gangsters. Bernard stated that the pay-off involved three people representing the gangsters and three individuals who split the $750,000. Attorney General Tom Clark, according to Bernard, received $250,000. Another $250,000 went to a "place higher than Clark", which he indicated was someone in the White House.

Bernard advised that he could back up his allegations by sworn statements and indicated that he is presently in touch with two of the three people representing the gangsters. Bernard categorically refused to divulge the identity of these individuals.

Bernard mentioned Maury Hughes -- an attorney in Dallas, Texas, and reportedly a close friend of Tom Clark -- who, according to prior investigation by the Subcommittee of the Committee on Expenditures, played a small part in obtaining these paroles. Bernard characterized Hughes' testimony before the Congressional Subcommittee on Expenditures as "fantastic" and stated it was obvious that Hughes was lying. Bernard stated that he could verify his allegations with a record of the plane on which the two men brought the money from Dallas to Washington, the name of the hotel where they stayed, etc. He stated that he had already checked these matters out.

Regarding Bernard's background, it is noted that he stated he was formerly a reporter-investigator for the New York Journal-American and then went to Mexico, where he edited a magazine. In recent years he did a series of eight articles for the New Republic Magazine, in which he exposed ship scandals.

In connection with this matter, it has been determined confidentially from Congressman Fred E. Busbey that the Subcommittee which inquired into the parole matters in 1948 had received anonymous telephone calls and other information indicating that a large sum of money had changed hands in connection with parole cases. Bernard, it was indicated, had contacted Busbey but had not told Busbey the details furnished to our Subcommittee. Busbey expressed the opinion that Bernard might possibly be a "syndicate plant", interested in finding out if another investigation is getting under way.
Busbey stated confidentially that, during the six months his investigation was pending, they had a subpoena out for one man they were never able to reach. This man, Busbey believes, is the key man or the arranger in the parole cases and probably is the man who contacted Maury Hughes, the Dallas attorney, to retain him in the case. Hughes, it is noted, gave his contact's name as "Mike Rein", but added that he did not believe this was the man's real name and could identify Rein only as an Italian.

Busbey indicated that this key man is probably Ned Bake or Ned Bakes. Busbey feels that should any word get out that Bakes is under suspicion or investigation, or that anyone connected with an official investigation is interested in him, Bakes will disappear as he did during the time Busbey's Subcommittee was in existence. Bakes is described as a lawyer, not a hoodlum. Busbey has seen him at races, fights, dinners, etc. -- sometimes with hoodlums, sometimes with politicians. He appears to move in both circles, "a talent admirably suited to his suspected role of arranger." He reportedly lives in a beautiful home on Ashland Avenue in Chicago, which house, Busbey claims, is owned by a member of the syndicate.

Busbey confidentially stated that there is no incentive for Bakes to talk to anyone and if he does, his life would not be worth a nickel twenty-four hours later.

It is noted that Mike Rein -- who may be the arranger, Ned Bakes -- told Maury Hughes, "I live in Chicago, but my business is in California and I stay on the Coast most of the time." It is noted that there has been an alleged connection between the Chicago syndicate and the Bugsy Siegel and later Mickey Cohen group in California.

This Subcommittee has also received an allegation that Tom Clark received $100,000 in a tax settlement case, otherwise unidentified.

Another allegation is to the effect that Clark received $100,000 in the F. L. Jacobs Company case, which company had a $3,000,000 tax suit before the Tax Court. It is indicated that this payment may have been made in real estate in St. Louis, Missouri.
July 11, 1952

To: GANGSTER PAROLE CASES
From: Robert A. Collier

A review of the files of the four Chicago gangster parole cases in the office of the United States Board of Parole reflects the following:

DeLucia (Ricca) and Campagna, two of the convicted felons, were confined to the United States Penitentiary at Atlanta, Georgia. There appears in the DeLucia file a handwritten notation, as follows:

"Mr. MeInerney telephoned, said Mr. Tom Clark has asked for transfer of DeLucia and Campagna to Leav. Told him that Circella at Leav. and we were trying to keep him separate from others." FL (Frank Loyeland) 7/13/44

There also appears in the DeLucia file a memorandum, dated May 19, 1945, from Frank Loyeland which reads in part as follows:

"Mr. Paul Dillon, an attorney from St. Louis who stated that he was the former campaign manager for President Truman, was in the office today to see Mr. Bennett but in his absence was referred to me. He stated that he had been requested by an official of the Continental Bank of Chicago to see what he could do to have the above-named prisoners (DeLucia and Campagna) transferred from Atlanta to Leavenworth ..."

"Mr. Dillon was aware of the fact that the request had formerly been made to Mr. McCranervey and that no action had been taken ..."

There is in the file also a teletype, dated July 17, 1945, from Loyeland to Warden Hunter, Leavenworth, which reads as follows:

"Before Mr. Bennett's departure he suggested transfer of Paul DeLucia and Louis Campagna from Atlanta to Leavenworth ..."

In the DeLucia file there appears a letter dated July 21, 1945, from Warden Joseph Sandford, Atlanta, to Frank Loyeland. The following excerpts were taken from this letter:

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

COPY
"It appears that DeLuca and Campagna were recommended for transfer on April 26, 1945, and the recommendation was subsequently disapproved by the Bureau, because of the presence of Circeca at Leavenworth and certain other factors. Mr. Bennett has not discussed with me the advisability of transferring those men to Leavenworth. ....

"From information received it is quite evident that money is being paid to obtain the transfer of these men to Leavenworth, and I do not believe they should be transferred at this time for this reason. ...."

Handwritten notation on the bottom of this letter is as follows:

"Talked to Warden Sanford. -- Has no indication that money has been paid. -- Just said that two attorneys had been very active in these cases - Wm. Scott Stewart and Abe Bradley Eben. Assumed they might be working on transfers. Entire matter discussed with Capt. Conner (A. H. Conner, Associate Commissioner of Prison Industries) who discussed it with Mr. McInerney. Immediate action being taken because bus at Atlanta now and they can be included at no extra expense." Loveland 7/27

File indicates a transfer order July 27, 1945, by Frank Loveland.

There is no other record in the file to show why Attorney General Clark wanted the transfer, nor is there any information in the file regarding the discussion between Conner and McInerney.
The Attorney General. 

July 15, 1952.

PERSONAL AND CONFIDENTIAL

Director, FBI.

CHIEF COMMITTEE INVESTIGATIONS
TOM G. CLARK
BRIBERY, PAROLE MATTERS.

This refers to my memorandum of July 14, 1952, supplying information received from Mr. Robert A. Collier, Chief Investigator of the Senate Committee, concerning an allegation that Justice Tom C. Clark allegedly received $250,000 in connection with the parole of Louis Campagna and his associates.

There is enclosed herewith a copy of a memorandum from Mr. Collier dated July 11, 1952, concerning information in the files of the Office of the United States Board of Parole.

Concerning the information regarding the call by Mr. McNulty indicating that Mr. Tom Clark would like to have Campagna and DeLuca transferred to Leavenworth, this information is set forth in the report of Special Agent John G. Veely dated October 25, 1947, at Washington, D.C., in the case entitled, "Louis Campagna, et al., v. Biery and Parole Matters." A copy of this report was submitted to the Department on October 30, 1947. (66-2000-4-39)

A copy of Mr. Collier's memorandum is being enclosed with a copy of this communication for Special Assistant to the Attorney General Charles B. Murray.

Enclosures:

2 cc: Mr. Charles B. Murray. 
Special Assistant to the Attorney General (with enclosure).
On the morning of July 14, 1952, former Special Agent Robert Collier, now Investigator for the Chelf Committee, supplied the attached memorandum entitled "Gangster Parole Cases" dated July 11, 1952. This memorandum reflects the review of the files concerning the Campagna matter in the office of the U.S. Board of Parole. As it is indicated in the attached memorandum, on July 13, 1952, McInerney, presumably James M. McInerney, called the Bureau of Prisons and said that Mr. Tom Clark had asked for a transfer of DeLucia and Campagna to Leavenworth. In addition, there is set forth in the attached memorandum information pertaining to various people allegedly interested in the transfer of DeLucia and Campagna from Atlanta to Leavenworth Prison.

This memorandum is being studied in the light of information which might appear in the Bureau's files and it will be transmitted to the Attorney General, with copies to Special Assistant to the Attorney General, Mr. Charles B. Murray, at which time reference will be made to the material submitted to the Attorney General and Mr. Murray under date of July 14, 1952, supplying information concerning allegations that Justice Tom Clark allegedly received $250,000 in connection with the parole of Campagna, et al.

This matter is being handled expeditiously.
Re: GANGSTER PAROLE CASES

From: Robert A. Collier

A review of the files of the four Chicago gangster parole cases in the office of the United States Board of Parole reflects the following:

DeLucia (Ricca) and Campagna, two of the convicted felons, were confined to the United States Penitentiary at Atlanta, Georgia. There appears in the DeLucia file a handwritten notation, as follows:

"Mr. McInerney telephoned, said Mr. Tom Clark has asked for transfer of DeLucia and Campagna to Leav. Told him that Circella at Leav. and we were trying to keep him separate from others." (Frank Loveland) 7/13/44

There also appears in the DeLucia file a memorandum, dated May 19, 1945, from Frank Loveland which reads in part as follows:

"Mr. Paul Dillon, an attorney from St. Louis who stated that he was the former campaign manager for President Truman, was in the office today to see Mr. Bennett but in his absence was referred to me. He stated that he had been requested by an official of the Continental Bank of Chicago to see what he could do to have the above-named prisoners (DeLucia and Campagna) transferred from Atlanta to Leavenworth ..."

"Mr. Dillon was aware of the fact that the request had formerly been made to Mr. McGranery and that no action had been taken ..."

There is in the file also a teletype, dated July 17, 1945, from Loveland to Warden Hunter, Leavenworth, which reads as follows:

"Before Mr. Bennett's departure he suggested transfer of Paul DeLucia and Louis Campagna from Atlanta to Leavenworth ..."

In the DeLucia file there appears a letter dated July 21, 1945, from Warden Joseph Sandford, Atlanta, to Frank Loveland. The following excerpts were taken from this letter:

"It appears that DeLucia and Campagna were recommended for transfer on April 26, 1945, and the recommendation was subsequently disapproved.
by the Bureau, because of the presence of Circella at Leavenworth and certain other factors. Mr. Bennett has not discussed with me the advisability of transferring these men to Leavenworth. ....

"From information received it is quite evident that money is being paid to obtain the transfer of these men to Leavenworth, and I do not believe they should be transferred at this time for this reason. ...."

Handwritten notation on the bottom of this letter is as follows:

"Talked to Warden Sandford. -- Has no indication that money has been paid. -- Just said that two attorneys had been very active in these cases - Wm. Scott Stewart and Abe Bradley Ben. Assumed they might be working on transfers. Entire matter discussed with Capt. Conner (A. H. Conner, Associate Commissioner of Prison Industries) who discussed it with Mr. McInerney. Immediate action being taken because bus at Atlanta now and they can be included at no extra expense." Loveland 7/27

File indicates a transfer order July 27, 1945, by Frank Loveland.

There is no other record in the file to show why Attorney General Clark wanted the transfer, nor is there any information in the file regarding the discussion between Conner and McInerney.
offering to my memorandum of July 6, 1952, forwarding to you information furnished by Mr. Robert A. Collier, Chief Investigator of the Chafee Committee, there is enclosed herewith a Photostat of a memorandum from Mr. Collier dated July 10, 1952. A Photostat of this memorandum is also enclosed with a copy of this communication for Special Assistant to the Attorney General Charles B. Kurra.

The files of this Bureau reflect that an extensive investigation was conducted concerning allegations of bribery and payoff in connection with the parole of Louis Campana and his associates. Copies of reports in this matter were submitted to the Department in the case entitled, "Louis Campana, et al., v. United States of America," which is entitled, "Louis Campana, et al., v. United States of America, in habeas corpus proceedings."

Investigation and hearings in the Campana parole case were also conducted by the Subcommittee of the Committee on Expenditures of the 86th Congress.

During the investigation of the Campana case, Congressman Fred B. Busby was interviewed on September 15, 1947, at the time this matter was referred to the Bureau by the Attorney General. Congressman Busby stated that at that time the sole source of his information in connection with this matter was James Doherty, "Chicago Daily Tribune" reporter.

According to Congressman Busby, Doherty stated that he was of the opinion that "the Attorney General is in a better position to live in this case than anyone else in the world."

Attorney General Tom Clark advised that he did not have any advance knowledge concerning these paroles, and that he first learned of the fact that they had been paroled through reading the newspaper accounts.
The Attorney General

With reference to the F. L. Jacobs Company, an investigation was conducted by the Bureau including an analysis of the books and records at the request of the Department. The following reports in this case were submitted to the Department:


Accounting report of Special Agent Dale E. Berglund, dated August 7, 1946, at Detroit, Michigan, in the case entitled "F. L. Jacobs Company vs War Contracts Price Adjustment Board, Tax Court Number 364-R, Renegotiation Act."


(46-6721)
The Attorney General

With reference to Allen Bernard mentioned in the memorandum from Robert A. Collier as the source of the Chief Committee's information, the files of the Bureau reflect that information was received from a confidential informant whose reliability is not known and who will not be available to testify that Bernard, up to 1930 when the informant last saw him, was very much tied up with the Communists. According to this informant, Bernard was in Mexico City at the time this information was furnished in 1942, working as one of the principal editors of "Joy," an illustrated magazine. The informant further advised that Bernard was an investigator reporter on the "Journal" and was extremely smart. Once he managed to get himself committed to various insane asylums and state hospitals for month after month in order to write a series of documented exposes of maltreatment of mental patients. His exposes resulted in wholesale dismissals of doctors, nurses, and administrative personnel in such institutions in New York State. (Informant 61-7566-3722)

With reference to "Miko" Reis mentioned in Mr. Collier's memorandum, you will note from information reflected in reports in the Campagna case that attorney Maury Hughes stated that he received his $14,000 fee from an unidentified person who gave his name as "Miko Ryan."

Regarding Ned Bakes mentioned in Mr. Collier's memorandum, a confidential informant of our Chicago Office advised in 1950, that a quantity of stolen automobile tires was reportedly turned over to Ned Bakes, 1118 South Ashland Avenue, Chicago, Illinois. (Chicago GIPF report, 1-15-51, 62-75147-9-91)

It is requested that you advise whether you desire any investigation of any of the allegations made by the Chief Committee in this matter and, if so, specifically what investigation is desired.

With reference to the inquiry of the Chief Committee regarding securing income tax returns of Justice Tom Clark, you are requested to advise in the event you desire any investigation whether this Bureau should endeavor to obtain the income tax returns of Justice Clark, or whether you will take steps to secure them.

Enclosure

2 cc: Mr. Charles B. Murray PERSONAL AND CONFIDENTIAL Special Assistant to the Attorney General (with enclosure)
To advise that the Bureau's files have been reviewed and contain no information concerning an allegation that Carmon D'Agnostino, a wine company owner, was interested in the Campagna parole case and was very friendly with T. Webber Wilson, who was Chairman of the Board of Parole at the time the paroles were granted. To recommend that the Attorney General be furnished with a copy of the memorandum received from the Chief Committee through former Special Agent Collier, which sets forth this allegation and that he also be advised of the results of the check of our files.

BACKGROUND

A memorandum dated July 16, 1952, has been received from Collier containing information to the effect that Carmon D'Agnostino, a wine company owner, was interested in the Campagna parole case and was very friendly with T. Webber Wilson, who was Chairman of the Board at the time the paroles were granted. Wilson supposedly resigned after the paroles were granted, intending to take a promised job with D'Agnostino's wine company.

D'Agnostino reportedly wired and dined the Wilsons and furnished the drinks at Wilson's farewell party given when he resigned from the Board. When the news of the parole of the Chicago hoodlums broke in the newspapers, it was said that D'Agnostino supposedly severed his association with Wilson. The Chief Committee's source alleged that the job with D'Agnostino did not materialize and the Wilsons, who returned to Coldwater, Mississippi, became very bitter toward D'Agnostino.

It was reported in the information made available by the Chief Committee, that Wilson's secretary Mrs. Harry W. Holmlund (nee Ann Nunnenkamp), who presently resides at Tacoma, Washington, may possibly have information relating to Wilson's reported connections with D'Agnostino. It was mentioned that she has never been interviewed regarding the matter.

Mr. Collier has identified a person as the source of the above information, has requested that his name be kept confidential.

Collier is recommissioned to ascertain whether we can furnish his identity to the Attorney General for his assistance in evaluating the above reports.
REVIEW OF BUREAU FILES

The Bureau files have been reviewed concerning the allegations as to D'Agostino. No information has been located indicating that he was interested in the paroles, or that he was connected or friendly with T. Webber Wilson.

In 1948 D'Agostino was a director and part owner of the Renault Wine Company, Egg Harbor, New Jersey, and resided in Suite 818P, Shoreham Hotel, Washington, D.C. He was prominently mentioned in the local press in October and November, 1951, when stories appeared concerning a visit he and former Assistant U. S. Attorney General Theron Lamar Caudle made to Europe to secure the release of funds supposedly held by Italian banks belonging to D'Agostino's father. (46-13943-33)

The paroles in this case became effective August 14, 1947. Wilson resigned as Chairman of the Parole Board on September 1, 1947. During the Bureau investigation of the matter he was interviewed by Agents at Coldwater, Mississippi, October 6, 1947. He advised that he had resigned due to his health condition and his desire to return to private life in Mississippi. He denied knowing of any irregularities in connection with the paroles and said that his decision to vote for their issuance was based on the termination of the sentences of George Browne and William Boff, the principal subjects in the Anti-Racketeering case in which Campagna and the other subjects of the parole case were convicted; the lack of previous criminal history of the subjects with one exception; removal of detachments by Department; recommendations received from prominent citizens and priests; and the general merits of the case.

The Bureau's inquiry into the affairs of Mr. Wilson in this connection fail to disclose any unusual or suspicious financial transactions or circumstances indicating a bribe. Reports reflecting the results of these inquiries have previously been furnished to the Attorney General.

According to the files Mr. Wilson died at Coldwater, Mississippi on January 30, 1948.

According to the Bureau's files, Ann Runnenkamp was formerly the secretary of Mr. Wilson and occupied this position during the pertinent period in 1947 when the paroles were granted. She was interviewed by Agents in connection with our inquiries concerning Mr. Wilson and furnished information concerning the preparation of a letter to Judge John Bright, U. S. District Court, New York, soliciting his comments concerning the possible parole of D'Andrea, one of the parolees in this case. A report reflecting this interview has previously been furnished to the Department. No information was located indicating that she was interviewed concerning D'Agostino or that she possessed any information concerning him.
ATTACHED FOR APPROVAL IS A MEMORANDUM TO THE ATTORNEY GENERAL FORWARDING A COPY OF THE MEMORANDUM RECEIVED FROM COLLIER CONCERNING D'AGNOSTINO AND A COPY FOR SPECIAL ASSISTANT TO THE ATTORNEY GENERAL CHARLES B. MURRAY. COMMENTS ARE ALSO BEING INCLUDED CONCERNING THE RESULTS OF THE REVIEW OF THE BUREAU FILES IN THIS CONNECTION AND THE ATTENTION OF THE ATTORNEY GENERAL AND MR. MURRAY IS BEING CALLED TO THE REPORTS PREVIOUSLY SUBMITTED TO THE DEPARTMENT AS TO OUR INQUIRIES CONCERNING WILSON.

WE ARE ASKING THE ATTORNEY GENERAL TO ADVISE WHETHER HE DESIRES ANY INVESTIGATION IN THIS MATTER AND IF SO, SPECIFICALLY WHAT INVESTIGATION IS REQUESTED.
Reference is made to my memorandum of July 22, 1952, captioned as above. Accompanying the memorandum of reference was a copy of a memorandum from Mr. Robert A. Collier of the Chief Committee dated July 16, 1952, dealing with allegations concerning Carmen DiAgostino and F. Collier Wilson.

Mr. Collier was requested to furnish the identity of the confidential source mentioned in the July 16, 1952 memorandum; however, he has advised that this person's identity cannot be disclosed at this time. In this regard, however, there is attached a memorandum which has been furnished by Mr. Collier dated August 1, 1952, and entitled "Chicago Parole Cases."

In the absence of a specific request from you, no investigation is being made with regard to this matter.

Attachment

cc: 2-Special Assistant to the Attorney General (Attachment)

Charles B. Murray

The Attorney General

August 4, 1952
MEMORANDUM

August 1, 1952

RE: CHICAGO PAROLE CASES

From: Robert A. Collier
Assistant Counsel

Reference is made to the memorandum of July 16, 1952, concerning information furnished by a confidential source on July 10, 1952, regarding the Chicago Gangster Parole Cases. The identity of this source cannot be disclosed; however, the source advises that the same information can be obtained through interviews with the employees of the Parole Board. This source has stated that [blank] is an exceedingly forthright and honorable man and undoubtedly will furnish to the proper authorities any and all information within his knowledge concerning this subject.
The Attorney General

August 15, 1952

Director, FBI

EX-129

I am enclosing a typewritten copy of a sworn statement, the original copy of which was signed by Mr. Philip Marcus, Special Assistant to the Attorney General, dated August 13, 1952. A typewritten copy of this statement is also being furnished Mr. Charles B. Murray with copies of this memorandum.

Mr. Marcus, in addition to the signed statement, pointed out that when Tom C. Clark was transferred from the Antitrust Division to the Criminal Division, he took two cases with him, the Paramount case and the Schine case to the Criminal Division with him. Mr. Marcus advised this was unprecedented in Departmental history. Mr. Marcus further advised he had additional information concerning the Schine Theater case and other matters, but felt the statement which he furnished fully served the purpose of the present inquiry and if, in the future, further information was desired, he would have to have definite information that a probe was being conducted in the matter.

Mr. Marcus further stated he felt that perhaps no further investigation would be conducted concerning the import of the statement he furnished and was, therefore, reluctant to be placed in the position of voluntarily giving further information. He said, however, that he felt he had given sufficient information to start a probe if such were desired.

In view of the information contained herein, your advice is requested as to what specific investigation is desired in this matter.

Confidential

cc: 2 - Assistant Attorney General
Charles B. Murray [Resig.] (Personal and Confidential)

ECG/Jog/rh

Mailed 20

Declassified by on
Office Memorandum

TO: DIRECTOR, FBI (62-97558)
FROM: SAC, WFO (46-2715)

DATE: August 11, 1952

STRICTLY CONFIDENTIAL

SUBJECT: TOM C. CLARK
Former Attorney General
BRIEGERY; MISCONDUCT IN OFFICE

During the course of an interview with Mr. PHILIP MARCUS; Special Assistant to the Attorney General, Antitrust Division, in the case entitled "FEYTON FORD, et al; FRAUD AGAINST THE GOVERNMENT; MISCONDUCT IN OFFICE," a signed sworn statement was obtained from him by agents of the Washington Field Office. Two copies of this statement, which is self-explanatory, are enclosed to the Bureau. The original of this statement is being maintained in the files of the Washington Field Office.

In addition to this statement, Mr. MARCUS pointed out that TOM C. CLARK was formerly Assistant Attorney General in charge of the Antitrust Division and that when he was transferred from the Antitrust Division to the Criminal Division of the Department, he took two antitrust cases; namely, the Paramount case and the Schine case, over to the Criminal Division with him. Mr. MARCUS stated, to the best of his recollection, the action on the part of CLARK was unprecedented in Departmental history, and he inferred that the Antitrust Division had considerable difficulty in getting these cases back from the Criminal Division.

Mr. MARCUS advised the agents he had additional information concerning the Schine theater case and other matters but that he felt the statement which he furnished fully served the purpose of the present inquiry; and, if in the future, further information was desired by authorities, he would have to have definite information that a probe was being conducted into this matter.

For the information of the Bureau, Mr. MARCUS stated that he felt perhaps no further investigation would be conducted concerning the import of the statement he furnished and was, therefore, reluctant to be placed in the position of voluntarily giving further information. He said, however, that he felt he had given sufficient information to start a probe if such was desired.
Washington, D. C.
Aug. 13, 1952

I, Philip Marcus, make the following voluntary statement under oath to Charles W. Schafer and Leslie S. Chinola, who have identified themselves to be Special Agents of the Federal Bureau of Investigation.

No threats or promises have been made to obtain this statement from me, and I have been advised that it may be used in any court of law.

I have been asked if I had any knowledge concerning any influence or pressure exerted in any case in which Mr. Peyton Ford, Herbert A. Harnan, or Herbert Workland were involved prior to or subsequent to their departure from the Department of Justice. In response to the above inquiry by the Special Agents, I make the following statement.

One of the cases prosecuted by the Antitrust Division in the motion picture theater industry is the Schine Circuit which operates theater circuits in a number of states. The undersigned has been on the Government staff of the Schine case since 1944 as an attorney in the Antitrust Division. From sometime in the summer of 1947 until June of 1952, I had primary charge of the Schine suit. From July, 1947, until June, 1952, the undersigned was in charge of motion picture matters for the Antitrust Division.

In the spring of 1947, the Supreme Court ruled in the Schine case that the trial court should provide for divestiture of theaters in the Schine Circuit, not only on the basis of what was necessary to create competitive conditions but also on the basis of what theaters had been
illegally acquired, that theaters had been illegally used, and what theaters had been "fruits" of the conspiracy. This ruling represented one of the most substantial victories ever won by the Government. It was, and has been, regarded as a landmark case with respect to relief the courts are willing to give the Government in antitrust cases.

In October of 1943, the Department filed with the District Court a document consisting of proposed findings of fact, a proposed judgment, and a supporting brief. The proposed findings and judgment accorded with the Supreme Court's opinion. The proposed judgment provided for extensive divestiture of theaters in the Sabin Circuit based upon the proposed findings. This document had Mr. Roosevelt's name attached to it as well as the writer's.

Sabin, in the summer of 1947, was represented by its General Counsel, Albert A. Maltz, and the New York firm of Gravath, Sabin and Coare. In the late summer of 1947, Sabin hired Irving Kaufman to attempt to negotiate a settlement with the Department of Justice. Kaufman had recently left the Department of Justice after being in charge of enforcing the Lobbying Act. It is my understanding that he was here on a temporary basis, being a partner in a well-established law firm in New York. He was reputed to be quite close to Tom Clark, then the Attorney General. The undersigned has been told that he had been instrumental in raising considerable sums in New York for the political campaign of 1943.
During the early part of 1943, an extensive investigation was carried on by the Department to determine whether Schino was in contempt of court. Very flagrant violations were discovered. In September or October, 1943, a contempt petition against the Schino Circuit defendants was drafted by the undersigned and two members of his staff. This petition was approved by the heads of the Judgment Section and of the General Litigation Section, respectively, in the Antitrust Division. It was sent in to Mr. Dorsey.

A memorandum addressed to the Attorney General dated October 26, 1943, was prepared recommending the filing of the contempt petition with the District Court in Buffalo. I believe the petition and the recommendation were given to the Attorney General.

On November 1 and December 20, 1943, the undersigned argued certain motions in the Schino case before the District Court in Buffalo. Immediately after one of these arguments, the exact one the writer does not now recall, Mr. McKay and the undersigned met in the library of the United States Attorney's office in Buffalo, New York, to prepare an order to accord with the Court's decision made on the particular motion. On that occasion, Mr. McKay said that he understood that a contempt petition was in the Attorney General's office. He went on to say, "Let that it is going to be filed." To the best of my present recollection, he also stated that Mr. Schino had been in to see the Attorney General. The Department never filed a contempt petition.

- 3 -
The trial court set a date for a hearing to be held on the
Government's proposals respecting the proposed findings of fact and the
proposed judgment. In connection with that hearing, the Government
advised the District Court that it intended to offer evidence showing
that the Colhino defendants had violated judgments entered against them.
Several postponements requested by Mr. Kaufman on behalf of the Colhino
defendants were consented to by Mr. Ferguson over the objections of the
undersigned.

In January of 1949, the undersigned and a staff, namely, Allan
Coker, Harold Larsen, and the undersigned's secretary, Judith Goldstein,
went to Buffalo for the hearing which had been set, after several post-
ponements, for a date early in January. One or two days before that
date, Mr. Kevy came into my office and told me that I would get a call
from Mr. Ferguson shortly and would tell me that the hearing was not to
go on. I did receive a call from Mr. Ferguson and was instructed by him
not to object to an application for postponement by the attorneys for
Colhino. A postponement was granted, and no hearing was ever held.

Contrary to customary procedure, Mr. Ferguson himself conducted
the divestiture negotiations with Colhino's counsel, Mr. Kaufman, without
the undersigned or any Section Chief participating in the conferences.
From time to time, Mr. Ferguson would ask the undersigned for information
with respect to the Colhino operations for use by him in the negotiations.
From time to time, he would give me a very adequate idea of the trend
of the negotiations. On numerous occasions, I expressed concern over the
way the negotiations seemed to be going. On several occasions Mr. Bergson
gave me the impression that he was acting under orders from the Attorney
General. On one occasion, he told me that he had to let Mr. Kaufman keep
a foot in the door and that Kaufman was close to the Attorney General and
would generally call on the Attorney General before seeing him. In the
early days of these negotiations when I was expressing concern, Mr. Bergson
attempted to take care of that concern by telling me he was sure that the
Schwe defendants would not consider even the proposals which were being
discussed (which I thought were very weak) and advised me that he felt

certain that the negotiations would break off. The negotiations did
culminate into a consent judgment. The divestiture provisions were con-
considerably less than what the Supreme Court's opinion called for and what
the Government had asked for in the proposed judgment filed with the
District Court. I first refused to sign the judgment which Mr. Bergson
and Mr. Kaufman had agreed upon, then made it a condition for my signing
that it contain additional conjunctive provisions; such provisions were
added. I refused to present the judgment to the Court. Mr. Bergson was
aware of facts making it almost certain that the trial court would have
given us a better judgment than that which was negotiated. In the writer's
opinion, this was not a case of a difference of opinion as to the merits
or as to the likelihood of success. Not long after the entry of the
judgment, Irving Kaufman was made a judge in the District Court for the
Southern District of New York.

- 5 -
This does not purport to be a complete statement as to the subject matter in this affidavit.

I solemnly swear that the above statement is true and correct to the best of my knowledge and belief.

/s/ Philip Marcus

Philip Marcus

Witnesses:

Charles H. Schafer, Sp. Agt., FBI

Leslie B. Chisholm, Sp. Agt., FBI
OFFICE OF DIRECTOR, FEDERAL BUREAU OF INVESTIGATION

TO

OFFICIAL INDICATED BELOW BY CHECK MARK

Mr. Tolson
Mr. Ladd
Mr. Nichols
Mr. Belmont
Mr. Clegg
Mr. Glavin
Mr. Harbo
Mr. Rosen
Mr. Tracy
Mr. Laughlin
Mr. Mohr
Mr. Winterrowd
Mr. Holloman
Miss Gandy

See Me
Note and Return
For Your Recommendation
What are the facts?
Remarks:

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE [INKED]: 8/20/43

[Ink]
40,000-Volt Shock Fails to Kill Workman

S.D. BANDIT CAPTURED

WEATHER

Variable high cloudiness today and tomorrow but mostly sunny days. Continued warm.

CLOTHES CATCH FIRE

40,000-VOLT SHOCK HITS MAN—STILL LIVES

Almost 40,000 volts of electricity struck a construction worker in Mission Valley yesterday—and he miraculously lived.

The electricity ran from a power line down a steel cable on a truck crane and into the Hazard Construction Co. yard on Fitler Rd., at Carillo Freeway, striking John Diegman, 25, of Lakeside. He was standing on a large working platform at the end of the cable.

Diegman’s clothes burst into flames from the shocking hits, but he remained conscious. He was still alive and conscious last night at Mercy Hospital, although a physician said 60 percent of his body was covered with burns. The physician said the outcome for his recovery is poor.

The crane operator said it was not known if the boom touched the 30,000-volt highline passing over the yard or if the current jumped the cable. The crane operator said it was not known if the boom touched the 30,000-volt highline passing over the yard or if the current jumped the cable.

The bolt struck Diegman and the truck was parked in an area with a sound trail. It was not known if the truck operated on rubber tires. A San Diego Gas & Electric Co. spokesman said it was not known if the boom touched the 30,000-volt highline passing over the yard or if the current jumped the cable. The crane operator said it was not known if the boom touched the 30,000-volt highline passing over the yard or if the current jumped the cable.

The company said 60,000 volts, but line-to-ground would be close to 40,000 volts. The highline wire was shattered and will be replaced today.

Navy Seeks Water Suit

Compromise

Secy. Kimball Asks

Santa Margarita Case

Settlement Parley

By The Union’s Washington Bureau

WASHINGTON, Aug. 29—Navy Secy. Dan Kimball tonight offered to discuss settlement of the Santa Margarita water dispute as the Government appeared to have reached the end of the road in its drive to prosecute the controversial suit.

The secretary’s proposal of a settlement with Fallbrook Public Utility District officials here next week came only a few hours after Commissioner G. Lindsey Warren ruled the Navy would pursue the court settlement against thousands of San Diego and Riverside County defendants. Kimball indicated, however, that he would be ready to, or will be ready to, reach a settlement.

FAMED COVER GIRL SERIES IN THE UNION

From the nation’s No. 1 Cover Girl series will come beauty secrets to develop your own beauty.

DEL MAR HANDICAP

By HELEN FISHER
Office—Suspect Nabbed
Gunman Got $380 in East S.D. Holdup, Miss $4000 Haul by Less Than Hour

Two gunmen held up four persons in the East San Diego branch office of the San Diego 6 Electric Co. yesterday afternoon, escaped with $380 and missed their victim, who was being over the counter.

The robbers held up two men and two women at 1419 University Ave. yesterday afternoon, taking all their money and escaping with a stolen car.

A woman was one of the four victims and was held up at gunpoint by one of the men, who was later identified as a suspect.

IN THE UNION TODAY

Ideas Worth Repeating
By W. H. HANSSAN

"I have always been a pro" by work I follow it, and if I follow it I work my way up."

If you are a union member, you are entitled to vote. If you are not, you are entitled to be a union member.

IDEAS WORTH REPEATING
By W. H. HANSSAN

"I have always been a pro" by work I follow it, and if I follow it I work my way up."

No one can say who is pro or who is not, but all of us are entitled to vote if we are union members.

The union has a right to know who is pro and who is not, and we will follow the rules.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE: 6-3-12, BY 1-1-12
ROBERT W. RICHARDS SAYS:

TAFT SUPPLIES EISENHOWER WITH BATTLE SHOT-IN-ARM

By The Union's Special Washington Correspondent

Largest nonelected Chief Justice today saluted President by calling him a "military strategist" and "homely"


Robert A. Taft today supplied shots-in- the arm to D. H. Eisenhower by calling him a "military strategist and homely" man.

The Democratic standard bearer yesterday appeared to state his religion in such a way that his opponent could not find any fault in it.

The Democratic standard bearer yesterday had tried to make it clear that he was not a "military strategist" and "homely" man.

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The Democratic standard bearer yesterday had tried to make it clear that he was not a "military strategist and homely" man.
Over Governor's Stand
NEW ORLEANS, Aug. 29 - Gov. Adolphe Steu
dent's presidential endorsement today
was the keynote of an address at the
Louisiana Democratic State Conven
tion in New Orleans. Steu
declared that he will be
president of the United States in
1960. The convention, which
was held here in New Orleans, voted
unanimously to support Steu
for the presidency.

Dawn of Guided Missile Era in 10 Years
Predicted by Former Air Gen. Ira Eaker
DALLAS, Aug. 29 - A compart
ment official, aircraft
industry leaders and labor
representatives today
disclosed that the United States
may have stationed guided
missiles on the American
continent within 10 years.

The prediction was made by
Ira Eaker, assistant director of
the Air Force's guided missile
program, speaking before a
conference of industry leaders.

Eaker said that the U.S. Air Force
is planning to develop guided
missiles that can be used to
target enemy targets within
300 to 500 miles of the
launching site.

The missiles, he said, will
be capable of reaching their
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and will be able to penetrate
even the most sophisticated
defensive systems.

Eaker said that the guided
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TO:       : J. Edgar Hoover, Director   
FROM:     : Attorney General   
SUBJECT:  : Peyton Ford, et al 
          : Fraud Against the Government 
          : Misconduct in Office   

September 9, 1952

You are instructed to conduct a full investigation 
of the charges described in your memoranda of August 18, September 
5 and September 8, above subject.
DIRECTOR, U.S.

D.C., W.C. (Dec. 15)

FLINT-FIELD et al,

Preliminary in Office

Tom Clark

Attached are transcribed excerpts relating forth information furnished by William J. Kunkle, former Assistant Solicitor General, Department of Justice, during interview by William H. Anderson and St. David J. Hahn on December 11, 1952.

Enclosure 2

DEP 5-66

ALL INFORMATION CONTAINED HEREBIN IS UNCLASSIFIED

DATE 6/28/13 BY SP-5 879/514

66 SEP 03 0:52

NOT RECORDED
71 SEP 16 1952

ORIGINAL FILE IN - 1 (7/28/51)
RE: TOM CLARK  
Former Attorney General  
U.S. Department of Justice  

While interviewing ABRAHAM J. HARRIS, 1026 Woodward Building, Washington, D.C., former Assistant Solicitor General, Department of Justice, on another matter on September 4, 1952, he stated that he had heard a rumor at the time TOM CLARK was appointed Attorney General that CLARK would be a "poor Attorney General," because CLARK had refused to prosecute a war fraud case while he was Head of the Criminal Division, Department of Justice. HARRIS stated that there was no allegation in the rumor that CLARK had been "paid off" or did anything else improper other than failing to prosecute. Mr. HARRIS advised that he did not know the identity of the war fraud case nor the identity of any individuals involved in the matter.
TO : Mr. Ladd  
FROM : Mr. Rosen  
SUBJECT : PEYTON FORD, ET AL  
FRAUD AGAINST THE GOVERNMENT  
MISCONDUCT IN OFFICE  

PURPOSE:
To summarize separately allegations of improper action on the part of Tom C. Clark in handling Antitrust investigation of the liquor industry.

BACKGROUND:
As you know an extensive investigation has been requested by the Attorney General of allegations that members of the Peyton Ford Law Firm, through their official position in the Department, obtained clients. This investigation is being handled as a special and copies of all reports received at the Bureau to date have been furnished to assistant Attorney General Charles B. Murray.

You will recall that in the course of this investigation allegations were made by a Departmental Attorney that the Schine Circuit Antitrust case was improperly handled by Herbert Bergson and Tom C. Clark. Copies of the sworn signed statement incorporating these allegations were furnished to the Attorney General and Assistant Attorney General Charles B. Murray by memorandum dated August 15, 1952. The Attorney General was requested to advise what specific investigation was desired in this matter. No request for investigation has been received to date.

DETAILS:
Ernest R. Branham Department Attorney has been interviewed in connection with instant investigation. Branham under oath signed a lengthy statement which in addition to the information pertinent to instant investigation made allegations concerning Tom C. Clark former Attorney General. The allegations concern the handling of antitrust investigation of the liquor industry.

Branham states that after the presidential election in 1948 he had lunch with Alfonso B. Landa, Washington Counsel for Seagrams Incoporated. At that time Landa told Branham that Lewis Rosenstiel, President of Schenley Industries was telling it around

Attachment: ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DOC: js  DATE 6/23/53  BY snk  com  71 AUG 22, 1952
TO: DIRECTOR, FBI (62-97558)  DATE: August 26, 1952
FROM: SAC, WFO (46-2715)
SUBJECT: PEYTON FORD, ET AL
FRAUD AGAINST THE GOVERNMENT
MISCONDUCT IN OFFICE

On this date while Special Agent BEWARD L. BUSCHER was interviewing Leonard Emmerglick, Departmental, Attorney he was approached by W. B. Watson Snyder, another Departmental Attorney, and who has been previously interviewed by Special Agent BUSCHER, at which time SNYDER mentioned to him that on last Friday he had an hour and a half conference with the Attorney General and that if the Attorney General did all the things he intended to do, that this case would go on indefinitely.

During the course of the conversation, Mr. SNYDER mentioned the name of former Attorney General TOM CLARK and inquired if Special Agent BUSCHER was "on that too."

SNYDER further stated that the Justice Department employees who were to testify before the Chief Committee today had been notified that testimony has been postponed indefinitely, but that they had not been dismissed.

The above is being furnished for the information of the Bureau.

TJJ; PCN

Note: 8-27-52 EHW

To date we have received no request to investigate Justice Clark, although we have submitted allegations concerning him to the Department.
New York that he had received assurances from Attorney General Tom C. Clark that there would never be any suit of any nature against the liquor industry and if there was, Branham would have nothing to do with it.

At the same time Landa discussed his activities as a member of the finance of the Democratic National Committee during the 1948 presidential campaign. In this connection Landa stated Seagram had contributed $30,000, National Distillers had contributed $50,000, Schenley $25,000, and Hiram Walker $25,000 to the Democratic National Committee. He further advised Branham that after the Democratic victory of 1948 Rosenstiel pledged $100,000 to the Democratic Committee for the ensuing four years.

Branham further advised that in March of 1949 Bergson took the liquor case away from Branham and assigned this matter to Edward PI Hodges. Branham also advised that he had prepared a lengthy memorandum requesting investigation by the FBI which memorandum was never sent.

**ACTION:**

There is attached for your approval a memorandum to the Attorney General with copies to Assistant Attorney General Charles B. Murray enclosing the report of Special Agent Thomas J. Jenkins dated August 16, 1952, at Washington, D. C. The memorandum calls attention to the allegations concerning Tom C. Clark former Attorney General and requests advice as to what specific investigation is desired.

The information set out in the report of Special Agent Jenkins concerning instant investigation is being summarized in a separate memorandum.
Office Memorandum - UNITED STATES GOVERNMENT

TO: Mr. Ladd  
FROM: Mr. Rose

SUBJECT: PEYTON FORD, et al
MISCONDUCT IN OFFICE; 
FRAUD AGAINST THE GOVERNMENT

DATE: August 15, 1952

PURPOSE:

To advise investigation has developed allegations of improper activity on the part of Herbert Bergson and Tom C. Clark in handling of the Schine Circuit Antitrust case.

DETAILS:

Philip Marcus, Special Assistant to the Attorney General, in a sworn signed statement dated August 13, 1952, made allegations of improper handling of the Schine Circuit Antitrust case by Herbert Bergson and Tom C. Clark. In 1948, the Supreme Court ruled that the Trial Court should provide for divestiture of theaters in the Schine Circuit. Thereafter, the Department filed with District Court a document of the proposed findings, judgement and supporting brief. The document, which was in accord with the Supreme Court's opinion, carried the names of Bergson and Marcus.

In 1948, Willard S. McKay was General Counsel for Schine and in the late Summer of 1948, Irving Kaufman was hired by Schine to negotiate a settlement with the Department. Marcus stated Kaufman was reputed to be close to Tom Clark, then Assistant Attorney General, and had been instrumental in raising considerable funds in the 1948 political campaign.

In the Fall of 1948, a contempt petition was drafted against the Schine Circuit defendants by Marcus. This petition was approved in the Antitrust Division and was sent to Bergson. It was recommended in a memorandum to the Attorney General that the contempt petition be filed with the District Court in Buffalo.

In November, 1948, McKay approached Marcus and advised Marcus he understood a contempt petition was in the Attorney General's Office. According to Marcus, McKay stated that the petition would not be filed and Marcus believes McKay stated that Schine had been in to see the Attorney General. According to Marcus, the contempt petition was never filed by the Department.
The date for a hearing concerning the government's proposal in this matter, was postponed several times after requests by Mr. Kaufman, and these postponements were consented to by Mr. Bergson over the objections of Marcus.

In January, 1949, Marcus and his staff went to Buffalo for the hearing. A few days before the date of the hearing McKay told Marcus that Bergson would call shortly and that the hearing would not go on. Bergson did call Marcus and instructed him not to object to an application for postponement by the attorneys for Schine. The postponement was granted and no hearing was ever held.

Marcus stated that contrary to customary procedure, Mr. Bergson, himself, conducted the divestiture negotiations with Mr. Kaufman without Marcus or Section Chief's participating in the conferences. Marcus was given the impression by Bergson that Bergson was acting on orders of the Attorney General and on one occasion Bergson told Marcus that he had to let Kaufman keep a foot in the door because Kaufman was close to the Attorney General. The negotiations culminated into a consent judgment. The divestiture provisions were considerably less than called for by the Supreme Court's opinion. Marcus first refused to sign the consent judgment. When other provisions were added, Marcus refused to present the judgment to court. Marcus stated that Bergson was aware of the facts making it almost certain that the Trial Court would have given the Department a better judgment than that which was negotiated. Marcus pointed out that not long after entry of the judgment, Irving Kaufman was made a judge in the Southern District of New York.

In addition to his statement, Marcus pointed out that Tom Clark had been formerly an Assistant Attorney General in charge of the Antitrust Division, and that when he transferred from this division to the Criminal Division, he took two antitrust cases: namely, the Paramount case and the Schine case, to the Criminal Division with him. According to Marcus, to the best of his recollection, Clark's action was unprecedented in Departmental history and he inferred the Antitrust Division had considerable difficulty in getting these cases back from the Criminal Division.

Marcus advised the Special Agents that he had additional information concerning the Schine Theater case and other matters, but that he felt the statement which he furnished fully served the purpose of the present inquiry; and, if in the future further information was desired by authorities, he would have to have definite information that a probe was being conducted into this matter. Marcus stated he felt perhaps no further investigation would be conducted concerning the import of the statement he furnished and was, therefore, reluctant to be placed in the position...
of voluntarily giving information. He said, however, he felt he had given sufficient information to start a probe if such was desired.

**ACTION:**

Inasmuch as Marcus has provided information which gives rise to a new phase and which in turn imputes improper actions to the former Attorney General Tom C. Clark, there is being attached for approval a memorandum to the Attorney General with copies for Assistant Attorney General Murray enclosing a copy of the signed statement given by Marcus and advising specifically what he had to say to the Agents. It is to be noted that in the attached memorandum a request is made for the Bureau to be advised specifically what investigation is desired in this matter.
Office Memorandum - UNITED STATES GOVERNMENT

TO: Mr. LADD
FROM: A. ROSE
SUBJECT: PLYTICK FORD, ET AL
FRAUD AGAINST THE GOVERNMENT
"MISCONDUCT IN OFFICE"

PURPOSE:

To record two matters specifically taken up with
Assistant Attorney General, Murray, in connection with this investi-
gation and in connection with our current investigation involving
Tom C. Clark and his alleged improper handling of the Senate
Theatre Circuit Antitrust case, and the Liquor Industry investi-
gation. To also record a question raised by Mr. Murray as
regards the approximate cost of the investigation of Peyton Ford,
et al. These items are dealt with hereinafter under appropriate
subheadings.

RE: Peyton Ford, et al,
FRAUD AGAINST THE GOVERNMENT
MISCONDUCT IN OFFICE
(Allegations concerning the International
Business Machines Corporation being re-
presented by Bergson)

In our investigation of the Peyton Ford matter, we
received an allegation from J. Francis Hayden, formerly head of the
New York Antitrust Office, that Bergson had been rumored to have
represented recently International Business Machines. Hayden also
alleged that Bergson had not taken action in connection with an
antitrust matter pertaining to this company while he was in the
Department. We advised the Department that we were making inquiry
to determine if there was, in fact, any representation on the
part of Bergson. A review of the Department's files by the New
York Antitrust Office's files has been negative. Furthermore,
attorneys in the Department who have been interviewed had no
information to supply as regards any possible representation.
Robert Wohlforth, who is handling this case in the New York Antitrust
Office, advised that Bergson had, in fact, encouraged action by
the Antitrust Division against IBM. He stated there was no indication
that Bergson or his firm had represented IBM.

There is a pending antitrust matter involving IBM and
the New York Antitrust Office is considering a resolution.

The above data were supplied by Assistant Attorney General
Murray, along with his two assistants.

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HEREIN IS UNCLASSIFIED

DATE 12/23/53 BY P8 8:37:30
Memorandum for Mr. Ladd

Brazwell, at a conference attended in Mr. Murray's Office by Winterrowd and Supervisor E. C. Williams, late in the afternoon of September 29, 1952.

We have a similar situation to the above in connection with information received that the subject law firm inquired as to the status of an antitrust investigation being conducted of Pencil Manufacturers and whether any of the subjects had taken action in the matter while officials in the Department. The question as to whether we should contact the Pencil Companies to determine if they are, in fact, represented by the subjects' law firm has been raised, and followed on several occasions, with Mr. Murray and he is presently awaiting an answer from the Deputy Attorney General's Office as to whether we should make such contact in view of the fact there is a pending antitrust action involving the Pencil Companies.

The same question was presented at the Conference referred to above on September 29th as it applies to the IBM Corporation and whether contact should be made with its officials to determine if, in fact, that company was represented by the subjects' law firm.

Mr. Murray stated that any contact with IBM should be held in abeyance until action is taken in connection with the Pencil Companies' inquiry.

RE: Tom C. Clark
Herbert Bergson
Misconduct in Office

The Washington Field Office has asked the Bureau to arrange for the availability of the personnel file of Tom C. Clark for the following reasons:

1. Verify dates of official positions of Clark.

2. Memoranda or letters showing possible connections with the two cases involved in the allegations, (the Schine Theatre case and the Liquor Industry case).

3. Any records or letters or memoranda by superiors of Clark or by outsiders which might refer to action on the
SAC, Washington Field

Director, FBI

TOM C. CLARK, HERBERT A. BERGSON

MISCONDUCT IN OFFICE

September 22, 1952

The Attorney General by memorandum dated September 9, 1952, has instructed that a full investigation be conducted concerning allegations that Tom C. Clark improperly handled an Antitrust investigation of the Liquor Industry, and that a full investigation be conducted concerning the allegations that Tom C. Clark and Erich Bergson improperly handled the Schine Circuit Antitrust case.

You are instructed to immediately conduct the necessary investigation. Washington Field Office is office of origin. The SAC of each office where there is investigation will personally supervise the investigation and only mature and experienced Agents are to be assigned to this matter. The investigation is to be thorough and complete and will receive top priority. Five copies of all reports will be furnished the Bureau, and three copies to Washington Field Office.

Persons interviewed in this investigation will not be advised that the investigation is being conducted at the request of the Attorney General. In the event the authority of the Bureau is questioned it will be satisfactory to indicate to a person raising such a question that the investigation has been ordered by the Department of Justice. Under no circumstances is that person to be advised which official or which office in the Department is conducting.

In addition to the general instruction specific instructions are set forth in order to clearly outline the course this investigation will follow. These specific instructions are not to be interpreted as limiting the scope of the investigation except where certain interviews are necessarily held in abeyance pending further Bureau instructions.

A. ANTITRUST INVESTIGATION OF THE LIQUOR INDUSTRY

In the report of SA Thomas J. Jenkins, dated August 16, 1952, at Washington, D. C., in the matter captioned "Peyton Ford, Et al. Fraud Against the Government, Misconduct in Office,"
allegations furnished by Ernest L. Branham, of the Department concerning Tom C. Clark are set out. A copy of this report has been furnished to the New York Office. Your particular attention is directed to pages 135 and 136, of SA Jenkins' report setting out a portion of the sworn signed statement of Branham alleging former Attorney General Tom C. Clark improperly handled the Antitrust investigation of the Liquor Industry.

1. Washington Field Office will immediately interview Alphons B. Landa, Washington attorney for Seagrams, Inc. A sworn signed statement should be taken and the Bureau furnished a summary of the information received from Landa.

2. Washington Field and the New York Office will immediately conduct a thorough file search of Antitrust files concerning the Liquor Industry which files may be located both in Washington and the New York Regional Office of the Antitrust Division. All persons, including attorneys and employees of the Department, who have handled this matter, should be noted.

3. All Departmental Attorneys and employees who are indicated to have knowledge of this matter are to be interviewed consistent with the above general instructions.

B. SCHINE CIRCUIT ANTITRUST CASE

The Washington Field Office by letter dated August 14, 1952, forwarded to the Bureau a copy of a sworn signed statement dated August 13, 1952, signed by Philip Marcus, Special Assistant to the Attorney General. A copy of that statement is attached to the copies of this memorandum designated for the New York and Buffalo Offices for background information. It was alleged by Marcus that Tom C. Clark and Herbert A. Bergson improperly handled the Schine Circuit Antitrust case.

1. The Washington Field Office will immediately reinterview Philip Marcus, Departmental Attorney, for all information concerning the subjects in this matter. A summary of the information developed as a result of the reinterview with Marcus should be immediately furnished to the Bureau.

2. The Washington Field Office is instructed to immediately conduct a thorough file review of Department files pertaining to the Schine Antitrust matter. All persons indicated to have handled or to have taken actions in the Schine matter should be identified. The existence of any file in another regional office of the Antitrust Division should be noted and the Bureau immediately notified.
3. The New York Office is instructed to thoroughly review the files of the New York Regional Office of the Antitrust Division, pertaining to the Schine Antitrust case. All persons handling the matter there will be noted.

4. All Departmental attorneys and Departmental employees identified as having knowledge of the Schine Antitrust case are to be immediately interviewed.

The above investigation will be conducted as expeditiously as possible, and all investigation completed by October 3, 1952, will be set forth in reports to reach the Bureau AMSD, attention Assistant Director A. Rosen by the week-end of October 4, 1952.

Interviews with Willard McKay and Irving Kaufman, Counsel for Schine Circuit will be conducted on completion of above investigation and on specific Bureau instructions. The interviews with officials of the Big Four Companies of the Liquor Industry, including Lewis Rosenstiel of Schenley, Inc., will also be held in abeyance pending Bureau instructions. Interviews with the subjects will be conducted only on specific Bureau authority.

Copies of this memorandum are designated for the Buffalo Office inasmuch as investigation may be necessary there.
September 16, 1952

MEMORANDUM FOR MR. TOLSON
MR. LADD
MR. NICHOLS
MR. ROSEN

4:38

The Attorney General called me today and stated that Congressman Claude I. Bakewell was interested in obtaining a so-called dummy file that apparently had some intra-office memoranda in it, and the Attorney General wanted to know what he was referring to. I stated I was merely speculating, but from what Mr. Williams told me, my conclusion was that at the time the Kansas City Case first arose Tom Clark ordered Mr. Ladd, in my absence, to have removed from the files of the Bureau certain intra-office memoranda which carried longhand notes of exchange information between us dealing with the Kansas City Case, wherein there was some indication that the Department was delaying or that we had to make certain that this investigation was indicated as a restricted one. I stated that these notations were written in longhand and these papers were removed. I stated it was an unwise thing for Clark to do because later, when the Department made available the files to the Committee, these documents were missing and since all documents are numerically numbered, it was obvious that the serials had been changed and Senators Ferguson and Kem made quite a point of that and then ordered the Senate investigators to reconstruct the file, having in mind that these papers had been destroyed. I stated that they had not been destroyed as we had kept them under lock and key so they could not be destroyed and the file was reconstructed and the papers were reestablished in existence. The Attorney General stated that since Senators Ferguson and Kem had reviewed those papers, there was no reason why Congressman Bakewell shouldn't and that we should go ahead and make them available to him. I stated that was my reaction, although I wasn't sure this was what Bakewell wanted and I thought someone should make certain what Bakewell was referring to before turning them over, as I saw no reason for turning them over unless they were what he had reference to. The Attorney General stated he would find out from Congressman Bakewell exactly what he did want.

Very truly yours,

John Edgar Hoover
Director

ORIGINAL COPY FILED IN

JEH:mpd

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DATE 9/16/52 BY SS 8 ORIG

75 OCT 3 1952
Office Memorandum • UNITED STATES GOVERNMENT

TO: Director, FBI
FROM: SAC, New York (46-2632)
SUBJECT: TOM C. O'BARK; HERBERT BERGSON; MISCONDUCT IN OFFICE

ReBulet 9/22/52.

Files relative to investigation of the liquor industry by the Antitrust Office at New York have been made available by RICHARD O'DONNELL, Chief of the New York Office. The files furnished by Mr. O'DONNELL are 60-257-0, the general liquor file; 60-257-2; 60-257-15; 60-257-18; 60-257-21; 60-257-23; 60-257-26. These numbers are furnished since HAROLD LASSE, Attorney, New York Antitrust Office, has advised that the field file numbers are identical with the file numbers at the Antitrust Division in Washington and these numbers indicate the files which are available at New York.

Examination of these files reflects that no extensive investigation has been conducted by the New York Antitrust Office in any of the above cases and from this examination it does not appear that these files relate to the case which is the subject matter of this investigation. LASSER has advised that to his knowledge no extensive investigation of the liquor industry has ever been conducted by the Antitrust Division at New York.

It is noted that in his signed statement ERNEST L. BRANHAM advised that he conducted investigation in New York relative to the liquor industry in early March, 1944. It is possible that investigation conducted by BRANHAM was not made a part of the New York file and, therefore, files available for examination here are incomplete.

Since referenced Bureau letter requests that the files of the Antitrust Division be reviewed and that Antitrust personnel be interviewed, Washington Field is requested to furnish New York with the identities of New York Antitrust personnel who worked on the liquor case with BRANHAM.

Through examination of the files of the Antitrust Division at New York relative to the SCHINE chain theaters case and also through interrogation of HAROLD LASSER, it has been determined that this case was handled by attorneys working out of the Washington office of the Antitrust Division. These attorneys were at various times SEYMOUR SIMON, ROBERT L. WRIGHT and PHILIP MARCUS. LASSER has advised that the case was prosecuted in the District Court at Buffalo, New York and the file reflects that LASSER handled some matters of a liaison nature in connection with serving of papers, etc. in New York and he will be interviewed relative to this case.
DIRECTOR, FBI

September 25, 1952

SAC, WFO (62-7197)

TOM C. CLARK

HERBERT A. BERGSON

MISCONDUCT IN OFFICE

ReButlet dated September 22, 1952.

On September 24, 1952, CHARLES PARKER, Administrative Assistant, Antitrust Division, United States Department of Justice, informed that Representatives of the Chief Committee investigating the Department of Justice have been searching files pertaining to the Schine Circuit Antitrust Case in a room provided for them at the Department of Justice. He stated that before files are turned over to the Chief Committee deletions are made of FBI reports and miscellaneous correspondence between Government agencies and the Antitrust Division.

PARKER informed that because of the deletions of files he is most desirous that requests made by this office for files be limited to one or two agents due to the fact that he is fearful of turning over some file to the Chief Committee that has not been deleted.

Mr. PARKER was informed that all requests for files that have been made of his office were by Special Agents THOMAS J. JENKINS and ALPHONSE F. CALABRESE and that in the future all requests would be made by Special Agents EDWARD J. HAYES and ALPHONSE F. CALABRESE.

Mr. LEROY MC CAULEY, Chief of the Administrative Office of the Antitrust Division and CHARLES PARKER's immediate superior, was contacted and apprised that all requests for files would be made by Special Agents HAYES and CALABRESE.

EJH: cbs

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 12/23/52 BY 50-2-55 [illegible]

55 OCT 3 1952
As you know the Attorney General, by memorandum dated September 9, 1952, instructed that a full investigation be conducted of the charges described in the Bureau's memoranda of August 18, September 5, and September 8, 1952, captioned "Peyton Ford, et al Fraud Against the Government, Misconduct in Office."

Our memorandum of August 18, 1952, referred to the Attorney General, allegations of improper activity on the part of former Attorney General Clark in the Antitrust Investigation of the Liquor Industry. Our memorandum of August 18, also referred to a prior memorandum of August 15, in which the Attorney General was advised of allegations of improper activity on the part of Tom Clark and Herbert Bergson in connection with the Antitrust investigation of the Schine Circuit. Our memorandum of September 5, 1952, was a follow up and referred to the allegations incorporated in both the August 15 and August 18 memoranda. Our memorandum of September 8, advised the Attorney General that Louis Lebaron, Associate Justice, Supreme Court Territory of Hawaii, stated he feels and has heard rumors that Chief Justice Edward Armstrong Towse, Supreme Court, Territory of Hawaii, received his appointment as Chief Justice by paying Peyton Ford for it.

The allegations concerning Tom Clark and Herbert Bergson and the instructions to the field are being summarized below. The allegations concerning Chief Justice Towse are being handled in a separate memorandum.

DETAILS:

In the course of the "Peyton Ford, et al" investigation all Departmental attorneys who have been interviewed have been specifically requested to furnish all information that they may have of any Departmental matters wherein improper bullying is indicated. Such collateral allegations received as a result
of these interviews have been immediately called to the attention of the Attorney General and Assistant Attorney General Murray by separate memorandum. The allegations concerning Tom Clark and Herbert Bergson which have been referred to the Attorney General and which the Attorney General now instructs that a full investigation be conducted, are summarized as follows:

1. Allegations of improper activity on the part of Herbert Bergson and Tom Clark in handling the Schine Circuit Antitrust case:

Philip Marcus, Special Assistant to the Attorney General, in a sworn signed statement alleged that Tom Clark, authorized a consent agreement in the Schine Circuit Antitrust case wherein the divestiture provisions were considerably less than called for by a Supreme Court opinion; that hearings in this matter were postponed with the consent of Bergson over the objections of Marcus; and that on one occasion William S. McKay, General Counsel for the Schine Circuit, advised Marcus that Bergson would call him in Buffalo, New York, and instruct him not to object to an application for a postponement. Bergson did call Marcus and did instruct him not to object to an application for a postponement of the Schine matter which was scheduled to be heard in January of 1949, in Buffalo, New York.

Marcus pointed out that Irving Kaufman represented Schine in the negotiation proceedings, which contrary to customary procedure, Bergson, himself, handled without Marcus or other Departmental attorneys who worked on the matter participating in these conferences. Kaufman was made a Federal Judge in New York shortly after the settlement was made.

Mr. Marcus in addition to the signed statement, pointed out that when Tom Clark transferred from the Antitrust Division to the Criminal Division, he took two Antitrust cases with him; namely, the Paramount case and the Schine case. According to Marcus this action was unprecedented in Department history and inferred the Antitrust Division had considerable difficulty in getting these cases back. Marcus advised that he had additional information concerning the Schine case and other matters but felt the statement which he furnished fully served
the purpose of the Peyton Ford investigation and if in the future further information was desired he would have to have definite assurance that a probe was being conducted into the specific matter. Marcus added that he felt that perhaps no further investigation would be conducted concerning the importance of his statement about Clark and Bergson and he was, therefore, reluctant to be placed in a position of voluntarily giving information.

These allegations were referred to the Attorney General and Mr. Murray by memorandum dated August 15, 1952, requesting what specific investigation was desired.

2. Allegations of improper action on the part of Tom C. Clark in handling of Antitrust investigation of the Liquor Industry:

Ernest R. Branham, Department Attorney, under oath signed a lengthy statement incorporating information in connection with the Peyton Ford investigation. In addition Branham's statement sets out allegations of improper handling of an Antitrust investigation of the Liquor Industry by Tom C. Clark.

Branham states that after the Presidential election of 1948, he had lunch with Altona B. Landa, Washington Counsel for Seagram's Inc., at which time Landa told Branham that Lewis Rosenstiel, President of Schenley Industries, was telling around New York that he had received assurances from Attorney General Clark that there would never be any suit of any nature against the Liquor Industry and if there was Branham would have nothing to do with it.

At the same time Landa discussed his activities as a member of the Democratic National Finance Committee during the 1948 Presidential Campaign. In this connection Landa stated Seagram's had contributed $30,000; National Distillers, $50,000; Schenley, $25,000, and Hiram Walker, $25,000 to the Democratic National Committee. He further advised Branham that after the Democratic victory of 1948, Rosenstiel pledged $100,000 to the Democratic Committee for the ensuing four years.

Branham further advised that in March of 1949, he prepared a memorandum to the FBI outlining investigation of the Liquor Industry which he had strongly recommended as an Antitrust Attorney. Branham stated that this memorandum was never sent.
The Liquor case was taken away from him and assigned to Edward P. Hodges and no investigation has ever been conducted of the Liquor Industry.

The above allegations were called to the attention of the Attorney General and Mr. Murray by memorandum dated August 18, 1952, requesting advice as to what specific investigation was desired.

INSTRUCTIONS TO THE FIELD:

The Field is being instructed that this investigation must receive top priority; that a full investigation must be conducted thoroughly and expeditiously; that this investigation is to be supervised personally by the SAC; and that mature and experienced Agents are to be assigned. The Bureau is to be advised immediately of any and all developments in the course of the investigation.

The Field is being instructed that in the event the Bureau's authority is questioned, it will be satisfactory to indicate to a person raising such a question that the investigation has been ordered by the Department, but under no circumstances is that person to be advised who so instructed the investigation be conducted.

All persons who have specific information to supply are to be interviewed under oath and a sworn signed statement taken.

Specific instructions are being issued to the Field to fully develop the preliminary and basic facts and to report these facts to the Bureau to insure that all information has been developed before interviews are conducted with the subjects and persons affiliated with them.

1. Specific Instructions:

In addition to general instructions that a full, complete and thorough investigation is to be conducted, specific instructions are being issued outlining the general course the investigation should take but not limiting the investigation to the specific instructions.

A. The Schine Circuit Antitrust Case:

In this matter Phillip Marcus, the original informant, is to be interviewed in detail concerning all information he may have and the Field is being instructed to take a sworn signed
statement incorporating all information furnished by Marcus.
Thereafter, the files in the Department at Washington and in the
New York Antitrust Office concerning the Schine matter are to be
reviewed, also any files pertaining to the Schine matter which are
indicated to be in another regional office of the Antitrust
Division. All Departmental attorneys and employees who are indi-
cated by the file review to have had any part in the Schine matter
are to be interviewed.

William McKay, Counsel for Schine, and Irvin Kaufman,
also an attorney for Schine and now a Federal Judge, will be
interviewed on Bureau instructions subsequent to analyzing the
results of the above specific investigation at the Bureau.

When the full picture of the allegations is developed
as a result of the above investigation, the Bureau will authorize
interviews with Tom Clark and Herbert Bergson.

B. Liquor Industry Phase:

The Field Offices are being instructed to immediately
thoroughly review all files pertaining to the Antitrust investiga-
tion of the Liquor Industry. That will include files in the Depart-
ment and any known files in Regional Offices of the Antitrust Division.

All Department attorneys and employees who have handled
any matter in connection with the Antitrust investigation or
consideration of the Liquor Industry are to be interviewed.

Alphonse B. Renaud is to be interviewed immediately to
develop all information he may have.

Interviews with officials of the Big Four of Liquor
Industry, including Lewis Rosenstiel, contact with the Democratic
National Committee, and interviews with the subjects will be held
in abeyance pending Bureau instructions.

ACTION:

1. There is attached a memorandum to New York, Washington
Field Office and Buffalo setting forth instructions concerning the
Schine Antitrust case, and instructions in the Liquor Industry
Antitrust case.

2. There is attached a memorandum to the Attorney
General with copies for Assistant Attorney General Murray advising
that the investigation is going forward.
The Attorney General

September 22, 1952

Director, FBI

PERSONAL AND CONFIDENTIAL

TOM C. CLARK
HERBERT A. BERGSON
MISCONDUCT IN OFFICE

This will refer to your memorandum of September 9, 1952, which was captioned "Peyton Ford, et al, Fraud Against the Government; Misconduct in Office," and which referred to the Bureau's prior memoranda of August 18, September 5, and September 8, 1952, captioned in the same manner as your memorandum.

Please be advised that investigation has been ordered into the allegations which have been made to FBI representatives during the investigation involving Peyton Ford, et al. These allegations, you will recall, are in two categories. One set of allegations came from Ernest L. Branham of the Department and were to the effect that former Attorney General Tom C. Clark told an official of a large liquor company there would never be any suit of any nature against the liquor industry, but if such suit became inevitable, Branham would not handle it.

It was additionally alleged that Branham received information from Alfons B. Landa, who served at one time as a member of the Finance Committee of the Democratic National Committee, that Lewis Rosenstiel, President of Schenley Industries, had made statements to the above effect. According to Branham, Landa further alleged that four large liquor concerns contributed many thousands of dollars to the Democratic National Committee.

These particular allegations were set forth in the signed sworn statement of Branham as contained on pages 135 and 136 of the report of Special Agent Thomas Jenkins, dated August 16, 1952, in the Peyton Ford matter.

The other set of allegations, it will be recalled, were forthcoming from Mr. Philip Marcus, Special Assistant to the Attorney General, in which he alleged improper activity on the part of former Attorney General Clark and Herbert Bergson in connection with the handling of the Schine Theatre Circuit Antitrust case. Marcus, it is to be recalled, stated he had

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NOT RECORDED
additional information to supply in this matter but at the
time interviewed he was reluctant to furnish additional
information, feeling perhaps no further investigation would
be conducted concerning the import of his statement.

In our investigation, interviews with the principal
subjects of these allegations will not be conducted until the
charges and allegations are fully inquired into and all persons
having pertinent information to supply are interviewed.

You will be kept currently advised of all pertinent
developments in this matter.

cc: 2 - Assistant Attorney General
Charles B. Murray
(Personal and Confidential)
Office Memorandum - UNITED STATES GOVERNMENT

TO: Mr. Ladd
FROM: Mr. Rosan
SUBJECT: PLYTON FORD, ET AL.
FRAUD AGAINST THE GOVERNMENT
MISCONDUCT IN OFFICE

DATE: September 25, 1952

As you know, in the course of the above investigation we have received a number of collateral allegations. There is attached a memorandum summarizing 17 allegations which have been referred to the Attorney General and Assistant Attorney General Murray with a request as to what investigation should be conducted.

In 4 of the allegations the Attorney General has requested that investigation be conducted. Two of the allegations concern Tom Clark and Herbert Bergson, one allegation concerns Peyton Ford and Federal Judge Edward Armstrong Towsse. The fourth allegation which the Attorney General has requested be investigated concerns allegations of influence in the Claims Division. All of these requests are going forward and are being followed closely to insure they will be completed at the earliest possible date.

ACTION:

We will follow these collateral allegations with the Attorney General and Mr. Murray on September 29, 1952, on an individual basis inasmuch as it has been indicated by Ethel Brazwell, Assistant to Mr. Murray, that replies are being prepared to the various collateral allegations which have been referred. However, Miss Brazwell did not advise which of the collateral allegations will be replied to at this time.

Attachment

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE CLRED BY SE-AD

[Signature]

[Signature]

[Stamp]
Office Memorandum

TO: Mr. Ladd
FROM: Mr. Rosen
SUBJECT: PEYTCH FORD, ET AL
FRAUD AGAINST THE GOVERNMENT
MISCONDUCT IN OFFICE

DATE: September 25, 1952

PURPOSE:

To briefly summarize the collateral allegations received to date and to advise status of those allegations referred to the Attorney General and Assistant Attorney General Murray.

DETAILS:

To date we have received a number of collateral allegations from Departmental attorneys and other sources, all of which have been referred to the Attorney General and Mr. Murray. These collateral allegations are summarized below and where the Attorney General has requested investigation, such request is noted.

1. Allegations of Improper Action on the Part of Tom Clark in Handling the Antitrust Investigation of the Liquor Industry.

Ernest R. Brannham, Department attorney, alleged that Tom C. Clark gave assurances to Lewis Rosenstiel, President of Schenley Industries, that there would never be any suit of any nature against the liquor industry. Brannham also related the large contributions to the Democratic party by the big four in the liquor industry.

This allegation was called to the attention of the Attorney General and Mr. Murray by memorandum dated August 18, 1952. The Attorney General by memorandum dated September 9, 1952, requested a full investigation of these charges. By memorandum dated September 22, 1952, the investigation was ordered and all basic interviews and investigation are to be completed and reported to the Bureau by October 4, 1952, after which the Bureau will authorize interviews with Clark and Bergson and other highly placed persons.

ECW: 62-97558

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED.

DATE 10/25/52 BY SCP. PETERS
2. Allegations of Improper Activity on the Part of Bergson and Clark in Handling of the Schine Theater Circuit Antitrust Case.

Philip Marcus, Department attorney, alleged that Tom Clark and Herbert Bergson negotiated a consent decree wherein the divestiture provisions were considerably less than called for by a Supreme Court opinion. Marcus pointed out that Irving Kaufman represented Schine in the negotiation proceedings and shortly after the settlement Kaufman was made a Federal Judge in New York.

This was called to the attention of the Attorney General on August 15, 1952. By memorandum dated September 9, 1952, the Attorney General requested a full investigation of these charges. This investigation is being conducted in connection with the above allegations that Clark mishandled the Liquor Antitrust investigation.


Judson W. Bowles, Department attorney, advised he received a call from a secretary of a Congressman requesting that a particular case against two men be dropped. Bowles refused to identify the case or the Congressman pending specific authority from the Attorney General that such information was within the scope of the Peyton Ford, et al investigation.

This information was called to the attention of the Attorney General and Mr. Murray on August 26, 1952. To date there has been no request that any investigation be conducted.


Curtis Shears, Department attorney, alleged that he was reluctant to recommend Antitrust action in an anti-racketeering case since he felt such action
would hurt his chance of becoming a Federal Judge in New York because of the interest of labor in the case.

This information was called to the attention of the Attorney General and Mr. Murray on August 29, 1952. No request for investigation has been received to date.

5. Merger of United States Steel and Geneva Steel.

Curtis Shears, Department attorney, stated he believed Mathias Orfield was transferred from the Antitrust Division to the Lands Division because he protested the merger of these two companies but had been overruled by his superiors. Shears stated he believes that Tom Clark played an important part in the merger of these two companies.

The Attorney General and Mr. Murray were advised of the above by memorandum dated September 2, 1952. To date there has been no request to interview Orfield.


Gordon Grant, Department attorney, advised that Paul Hadlick, former Department attorney, while employed as legal counsel for the Gillette Committee investigating the A & P case, received a telephone call from a person who identified himself as "Bergson" and requested exhibits and statistics which had been prepared by the Committee on the A & P case. Hadlick thought the call was from Herbert Bergson where it was actually made by Bergson's brother who was understood at that time to represent the A & P interests. It was not known if the requested material was sent and if so whether it was sent to Herbert Bergson.

The above was furnished to the Attorney General and Mr. Murray on August 29, 1952. To date there has been no request for investigation.

7. T. Lamar Caudle - Tobacco Interests in North Carolina.

Curtis Shears, Department attorney, alleged that T. Lamar Caudle inquired concerning the Antitrust Divisions
intentions in regard to a case involving tobacco companies of North Carolina and suggested that if no action had been taken in these cases Caudle may have been responsible for the cases being closed.

The above was furnished the Attorney General and Mr. Murray on August 29, 1952. To date there has been no request for investigation.


Kenneth R. Lindsay, Department attorney, alleged that the Antitrust investigation of the Milk Industry involving Borden and National Dairy Products, wherein it was developed these two companies had in certain areas attempted to monopolize the business, had been discontinued and suggested the failure to bring action may have been caused by outside influence.

This information was called to the attention of the Attorney General and Mr. Murray on September 4, 1952. No investigation has been requested to date.


Kenneth R. Lindsay, Department attorney, alleged that a number of individuals involved in the Antitrust suit in St. Louis were not indicted because they were influential people and that the attorney who originally intended to indict them was taken off the case. John Skiles, the attorney in question, was told by the Federal Judge handling the case that he could not indict certain people and after a conference with Peter Campbell Brown, First Assistant to the Attorney General, Skiles was taken off the case and replaced. According to Lindsay, this occurred from four to five years ago.

The above information was furnished to the Attorney General and Mr. Murray on September 3, 1952. There has been no request for investigation in this matter to date.

Kenneth R. Lindsay, Department attorney, advised he had handled an Antitrust case against this company wherein it was developed the company controlled 85 per cent of the meter machine business. Lindsay was removed from the case by Victor Kramer, Head of the Section, and Lindsay pointed out that Kramer disqualified himself because of stock ownership in this company. Lindsay added that he knew of no action in this case and suggests Kramer may have been responsible for the matter being dropped.

The above was furnished to the Attorney General and Mr. Murray on September 3, 1952. To date there has been no request for investigation.

11. Reported Influence on Matters Handled in the Claims Division.

Thomas T. McGovern, Department attorney, stated that Julian R. Wilheim, Department attorney in the Claims Division, had cases in which Wilheim thought pressure or influence was involved.

This information was called to the attention of the Attorney General and Mr. Murray on September 3, 1952.

The Attorney General, by memorandum dated September 15, 1952, requested that Wilheim be interviewed for the purpose of securing all information that he has regarding pressure or influence involved in these cases. Oral instructions were given the Washington Field Office on September 16, 1952, to interview Wilheim and these instructions were confirmed by memorandum to Washington Field Office dated September 22, 1952. The results of this interview will be incorporated in an investigative report to be received at the Bureau September 29, 1952, from Washington Field Office.

12. Peyton Ford and Edward Armstrong Towse

Misconduct in Office.

Louis LeBaron, Associate Justice, Supreme Court, Territory of Hawaii, volunteered the information that he felt and has heard rumors that Chief Justice Edward Armstrong Towse received his appointment by paying Peyton Ford.
This information was called to the attention of the Attorney General and Mr. Murray on September 9, 1952. The Attorney General requested that a full investigation be conducted by memorandum dated September 9, 1952.

The investigation is going forward and all basic investigation is to be completed and reported to the Bureau by October 1, 1952, after which the Bureau will authorize interviews with Ford and Towse.


Thomas F. McGovern, Department attorney, furnished a copy of an intra-Departmental memorandum dated January 4, 1952, relating to James G. Mackey, former Secretary of the National Tanker Corporation, and allegations that Mackey filed with the Treasury Department a knowingly false affidavit. Mackey is now United States Attorney for the District of Guam.

It will be recalled that National Tanker is an affiliate of United Tanker Corporation which was a subject of the Tanker investigation the Bureau conducted at the specific requests of the Claims and Criminal Divisions and which investigation is presently completed. In the course of that investigation there was no such false affidavit furnished to the Bureau by the Department and no such false affidavit uncovered as a result of our conducting specific investigation. It will also be recalled that considerable investigation and work had been done on this case by the Maritime Commission and the Department and our investigation in substance supplemented the investigation that had already been conducted.

The above information concerning James G. Mackey was called to the attention of the Attorney General and Mr. Murray on September 22, 1952, and requested what specific investigation was desired.


Thomas F. McGovern, Department attorney, stated he heard there were indications of pressure in a case involving
the Empire Ordnance which case was handled by Department attorney Julian Wilhelm. McGovern further advised that Wilhelm had indicated to him that Frank McKinney, former Democratic National Chairman, had an interest in the case.

It will be recalled that we conducted two limited investigations at the specific request of the Criminal Division concerning the Empire Ordnance Corporation and its President, Frank Cohen. Newspaper publicity in 1951 reported that Frank McKinney, former Democratic National Chairman, and Frank McHale, Democratic National Committeeman from Indiana, each had purchased $1,000 worth of stock in the Empire Ordnance Company and that Cohen had bought the stock back from them paying each $69,000. A summary of the information in the Bureau's files concerning Frank Cohen was furnished to the Criminal Division on January 2, 1952.

The above information was furnished to the Attorney General and Mr. Murray on September 17, 1952. To date there has been no request for investigation in this matter.


Thomas F. McGovern, Department attorney, advised he had heard there was pressure or influence in three patent infringement cases handled by Mr. Barney Wohlfert of the Department. These cases involved Borfors and Oerlikon, Swiss and Swedish companies, of which Antonie Gazda was the owner. These were claims cases involving patent rights on certain types of guns manufactured during World War II. McGovern stated he heard that Gazda rented a home in Rhode Island to former Attorney General McGrath and that McGrath was instrumental in having Gazda become a naturalized American citizen.

As a matter of background, Robert Collier, Counsel for the Chief Committee, has previously advised confidentially that that Committee was interested in the connection of
representatives of General Motors and they proceeded to stop a bid Preston Tucker had made on a surplus steel plant owned by the Republic Steel Company in Cleveland, Ohio. Shortly thereafter Kaiser Motor Company submitted a bid, and the plant was given to Kaiser. Grant continued that after Tucker's bid had been sidetracked criminal proceedings were started against the Tucker Motor Corporation.

In the course of the investigation conducted by the Bureau at the specific request of the Criminal Division in the Tucker matter information was received from Ernest L. Branham in 1948 substantially the same as that furnished by Grant, with the exception that Payton Ford was not named by Branham. At that time these allegations were called to the attention of the Criminal Division and investigation was requested to determine if there had been violations on the part of former War Assets Administration officials in representing Tucker in these negotiations. Investigation developed no such irregularities and the Criminal Division advised no further investigation was necessary. Information was also received that Jess Larson had been offered 30,000 shares of stock in the Tucker Corporation to influence the bid in the Republic Steel surplus plant. Larson denied this allegation which was referred to the Criminal Division. The Criminal Division advised that no investigation was necessary.

The above information furnished by Gordon Grant and the pertinent results of our investigation in the Tucker matter were called to the attention of the Attorney General and Mr. Murray on September 23, 1952, and it was requested what, if any, specific investigation was desired concerning the allegations furnished by Grant.

ACTION:

The Department will be followed on those collateral allegations which have been referred to the Attorney General and Mr. Murray to determine if investigation should be conducted.
To: Director, FBI

From: SAC, Cincinnati (62-1972)

Subject: TOM C. CLARK; HERBERT A. BERGSON

MISCONDUCT IN OFFICE

Re Washington Field Office letter to Bureau dated September 27, 1952, setting out lead for Cincinnati to interview one CHARLES L. TERREL, 3120 North Main Street, Dayton, Ohio, regarding the Schine movie theater circuit anti-trust case.

Inquiry at 3120 North Main Street, Dayton, Ohio, ascertained that TERREL was unknown there. The Dayton credit record for TERREL gave his address as DeGraft, Ohio, according to an inquiry of January, 1947. TERREL was then in business at the Dayton, Ohio, address as Continental Frozen Food, Inc. His age was shown as forty-four, and his wife was listed as MAXINE FANNY TERREL.

Mrs. CHARLES TERREL, P. O. Box 335, DeGraft, Ohio, advised that she is the mother of CHARLES LYNN TERREL, with whom interview is desired. She stated that TERREL re-entered Federal civilian employment in 1948 as an employee of the Economic Cooperation Administration, being assigned to Greece until October, 1951, when he agreed to accept a one-year assignment in Formosa with ECA. His present address is Paipai, Formosa, receiving mail as C. L. TERREL, ECA, Formosa, APO 63, c/o U. S. Postmaster, San Francisco, California. His present duty has something to do with an advisory capacity to the Nationalist Government regarding aircraft being supplied that government by the United States. His mother has no information as to when he will return to the United States.

The Washington Field Office is requested to ascertain at Headquarters, Economic Cooperation Administration, Washington, D. C., as to when ECA plans to return TERREL to the United States, as this may possibly occur in October, 1952, when his stated one-year assignment should expire.

RUC.

AIR MAIL SPECIAL DELIVERY

cc: 2 - Washington Field (62-7197) (AMSD)

CAB: IM

RECORDED: 35

EX # 121
ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE: 10-2-52 BY 80-8 5-5W
TO: DIRECTOR, FBI
FROM: SAC, WEO (62-7197)

SUBJECT: TOM C. CLARK,
HERBERT A. BERGSON
Misconduct in Office

Rebulet dated September 22, 1952

For information of offices not receiving previous instructions in this case, the Attorney General, by memorandum dated September 9, 1952, has instructed that a full investigation be conducted concerning allegations that TOM C. CLARK, former Attorney General, United States Department of Justice, improperly handled an Anti-Trust investigation of the Liquor Industry, and that a full investigation should be conducted concerning the allegations that TOM C. CLARK and HERBERT A. BERGSON, former Assistant Attorney General, improperly handled the Schine Circuit Anti-Trust case.

Relative to this Liquor Industry case, Mr. ERNEST L. BRANHAM, an Attorney in the Anti-Trust Division, United States Department of Justice, has furnished a sworn signed statement alleging that after the Presidential election of November, 1948, he had conferred with ALFONSO B. LANDA of the Law firm of Davies, Richberg, Tydings, Beebe, and Landa in the Wire Building, Washington, D. C., and LANDA told him that Mr. LEWIS ROSENSTIEHL, President of Schenley Industries, was telling it around New York that he had received assurance from Attorney General TOM CLARK, that there would never be any suit of any nature against the Liquor Industry, but if such became inevitable that he, LANDA, Washington counsel for Seagram's liquors, was assured that BRANHAM would have nothing to do with it.

In addition, BRANHAM has advised that LANDA informed him that representatives of the Liquor Industries have contributed large sums of money to the Democratic National Committee, and that ROSENSTIEHL, President of Schenley's, had pledged $100,000. BRANHAM advised that he
reported the above by memorandum to HERBERT BERGSON, and in a subsequent conversation with BERGSON, he, BERGSON, after reading BRANHAM's memorandum commented as follows:

"You infer that the Attorney General is a crook and a co-conspirator with the Liquor officials."

BRANHAM advised that BERGSON suggested to him that he destroy this memorandum, as he did not want it in the files. BRANHAM destroyed instant memorandum.

In 1943, the Judiciary Committee of the Senate initiated an investigation of the Liquor Distilling Industry. Shortly after the investigation was initiated the committee requested the assistance of the Anti-Trust Division in gathering information concerning the activities of the major distillers. In conformity with this request and after an extensive preliminary investigation by members of the Anti-Trust Division Staff, a Grand Jury was authorized in November, 1943, for the purpose of determining whether certain members of the Liquor Industry were violating the Anti-Trust laws. At the conclusion of this extensive Grand Jury investigation in 1944, the staff assigned to the investigation concluded: (1) that there was no evidence of common ownership or control in the industry, (2) that the acquisitions of the Big Four (Schenley, Seagram, National, and Hiram Walker) were not made pursuant to any conspiracy, (3) that the distillers had no common connections with banking interests, and (4) that there was no collusion among the major distillers with respect to marketing and distribution practices. However, the Anti-Trust attorneys handling this investigation found that there was a high degree of concentration in the hands of the Big Four, and that competition in the industry, as by the Big Four and the independents had been steadily lessening.

The investigation of the Liquor Industry was officially closed in late 1944, however, it was felt that in the postwar period with the removal of governmental wartime regulations in the Liquor Industry evidence might subsequently be found of the collusion on conspiracy among the Big Four or that one of the Big Four would emerge as the leader to such an extent as to require a further examination of the developing facts.

In the spring of 1949, the Anti-Trust Division began a re-examination and re-evaluation of prior Grand Jury evidence and the
collection and computation of information from various governmental agencies. The examination of this material was concluded in September of 1949, at which time the Anti-Trust Division prepared a detailed and comprehensive summary of its findings. The conclusions reached by this staff were almost identical to those reached in the 1944 investigation. However, in December, 1949, a summary of the September, 1949, memorandum was prepared together with a draft of a memorandum requesting the Federal Bureau of Investigation to conduct a limited investigation. Since May of 1950, this matter has remained in an inactive status pending the receipt of complaints from the independent distillers, evidence of conspiracy or collusion among the Big Four, or evidence of the dominance of one of the Big Four sufficient to direct the course of others along a common pattern in violation of Anti-Trust laws.

ERNEST L. BRANHAM has advised that while he was employed in the small business unit of the Anti-Trust Division, he had received numerous complaints from all parts of the country, from dealers and from the few remaining independent Coopers concerning the practices of the Big Four contending that they were violating the Anti-Trust laws. BRANHAM has stated that he had recommended to the department that suit should not be filed against the Big Four or the Big Six, which consists of Brown, Forman and Publucker in the Cooperage monopoly alone, and that investigation should be pursued further concerning the whiskey monopoly in this industry. BRANHAM contends that this investigation by the Anti-Trust Division, headed by HERBERT BERSON from June of 1949 until September 29, 1950, has been handled in a dilatory manner.

With reference to the Schine Circuit Anti-Trust Case, the Washington Field Office interviewed a Mr. PHILLIP MARCUS, Attorney, Anti-Trust Division, on August 13, 1952, at which time MARCUS contended that he has worked on the Anti-Trust case concerning the Schine movie theater circuits since 1944. He informed that in the spring of 1948, the Supreme Court ruled in the Schine case that the Trial Court should provide for divestiture of theaters in the Schine Circuit so as to create competitive conditions, and also on the basis of what theaters had been illegally acquired and used by the Schine organization. MARCUS advised that this ruling representing one of the most substantial victories ever won by the government in Anti-Trust cases, and was regarded as a landmark case with respect to relief, the courts are willing to give the government Anti-Trust cases.

MARCUS further advised that in October of 1948, the Department of Justice filed with the District Court a document consisting of proposed findings of fact, a proposed judgment and the supporting brief in accordance with the Supreme Court opinion. The proposed
judgement provided for extensive divestiture of theaters in the Schine Circuit based upon the proposed findings. This document was signed by HERBERT BERGSON and PHILLIP MARCUS.

MARCUS informed that Schine, in the summer of 1948, was represented by its general counsel, WILLARD S. McKAY, and the law firm of Cravath, Swaine and Moore.

In the late summer of 1948, Schine hired IRVING KAUFMAN, now Federal Judge, Southern District of New York, to attempt to negotiate a settlement with the Department of Justice. KAUFMAN had recently left the Department of Justice after being in charge of enforcing the lobbying act.

MARCUS further advised that KAUFMAN was quite close to TOM CLARK, then Attorney General, and that KAUFMAN had been instrumental in raising considerable sums of money in New York for the political campaign in 1948.

During the early part of 1948 an extensive investigation was carried on by the Department of Justice to determine whether Schine was in contempt of court and very flagrant violations were discovered. In September or October, 1948, a contempt petition against the Schine Circuit defendants was prepared by MARCUS and members of his staff. This petition was approved by heads of the Judgement Section and the General Litigation Section in the Antitrust Division. It was forwarded to HERBERT BERGSON with a memorandum recommending the filing of the contempt petition with the District Court in Buffalo, New York. MARCUS advised that he believed the petition and recommendation were given to the Attorney General, TOM CLARK.

He advised that on November 1 and December 20, 1948, he argued certain motions in the Schine case before the District Court in Buffalo, New York, and immediately after one of these arguments, the exact one he does not recall, WILLARD McKAY and he met in the United States Attorney's Office, Buffalo, New York to prepare an order in accord with the court's decision made on a particular motion. On this case McKAY allegedly advised MARCUS that he, McKAY, understood that a contempt petition was in the Attorney General's Office, and advised that Mr. J. MYERSCHINE had been in to see the Attorney General. MARCUS informed that the Department of Justice had never filed this contempt petition.

The Trial Court in Buffalo, New York set a date for a hearing to be held on the government's proposals and in connection with this hearing the government advised the District Court that it intended to offer evidence that the Schine defendants had violated judgements entered against them. Several postponements requested by IRVING KAUFMAN on behalf
of the Schine defendants were consented to by HERBERT BERGSON under the objections of MARCUS.

MARCUS informed that in January of 1949, a hearing had been set in this matter after several postponements. One or two days before the date set for the hearing WILLARD McKay came into his office in Buffalo, New York, and told him that he would get a call from BERGSON shortly, and would be told that the hearing was not to go on. He advised that he received the call from BERGSON and was instructed by BERGSON not to object to an application for postponement by the Attorneys for Schine. A postponement was granted and no hearing was ever held.

He further stated that contrary to customary procedure, BERGSON himself conducted the divestiture negotiations with Schine's counsel, IRVING KAUFMAN, without he, MARCUS, or any section chief of the Anti-Trust Section participating. MARCUS has advised that on numerous occasions he has expressed concern over the way negotiations seemed to be going in this matter, and on several occasions BERGSON gave him the impression that he was acting under orders from the Attorney General. He stated that on one occasion BERGSON told him that he had to let IRVING KAUFMAN keep "a foot in the door," and that KAUFMAN was close to the Attorney General, and would contact the Attorney General before seeing him.

In addition, MARCUS said that the above negotiations culminated into a consent judgment, and that the divestiture provisions were considerably less than what the Supreme Court's opinion calls for, and what the government had asked for in the proposed judgment filed with the District Court. MARCUS concluded that he first refused to sign the judgement which BERGSON and KAUFMAN had agreed on, then made it a condition for his signing that it contained additional conjunctive provisions which were added. He advised that he refused to present the judgement to the court. He also stated that BERGSON was aware of the facts, making it almost certain that Trial Court would have given the government a better judgement than that which was negotiated.

Interviews should be conducted with JOHN HENRY LEWIN, 1409 Mercantile Trust Building, Baltimore, Maryland, by the Baltimore Office, relative to the Liquor Industry case; WILLIAM B. BUTZ, Colonial Building, Allentown, Pennsylvania, by the Philadelphia Office, relative to the Liquor Industry case. The Denver Division should interview GERHARD McAULIFFE, 1281 Corona Street, Denver and DON W. MARSHALL, Colorado National Bank Building, Denver, relative to the Liquor Industry case.
Los Angeles will interview HARRY SWOR DLOW, 1051 Browning Boulevard, Los Angeles, relative to the Liquor Industry case. Chicago will inter-
view EDWARD H. LEVI at the University of Chicago, relative to the Liquor
Industry case, and SEYMOUR SIMON, Attorney, Schredze and Gould Firm,
29 South 1st Sallé Street, Chicago, Illinois, relative to the Schine
Circuit. Cincinnati Division will interview CHARLES L. TERREL, 3120
North Main Street, Dayton, Ohio, relative to the Schine Circuit. San
Antonio will interview ALBERT BOGESS, 620 Herring Avenue, Waco, Texas,
relative to the Schine Circuit. Memphis will interview JOHN J. BEVING-
TON, Apartment C3, Woodmont Terrace Apartments, Nashville, Tennessee,
relative to the Liquor Industry.

Information has been received by this office that CHALMERS
HAM MILL, Attorney in charge of Small Business Unit, Anti-Trust Division,
is confined to room 4739 Saint Mary's Hospital, Rochester, Minnesota.
HAM MILL was BRANHAM's immediate supervisor and took part in numerous
conferences relative to the prosecution of the Liquor Industry, the
Minneapolis Office is requested to determine whether he, HAM MILL, is
able to be interviewed, if so interview HAM MILL.

New York Office will interview J. FRANCIS HAYDEN, former
Chief, New York Anti-Trust Office and now in private business in
New York (address known to New York Office), WALTER K. BENNETT, Anti-
Trust Division, New York, relative to the Liquor Industry. New York
will interview SIGMUND TIMBERG, now a member of the United Nations
and former head of the Consent Decree Anti-Trust Division, relative to
the Schine Circuit case. All of the above Attorneys with the excep-
tion of HAM MILL and BOGESS are former Attorneys in the Anti-Trust
Division. BOGESS and HAM MILL are still so employed.

In the interview to be conducted with the above mentioned
Attorneys, it should be determined what part each Attorney played in
the investigation of the above mentioned cases. It should be de-
termined whether or not he had been instructed by TOM CLARK or HERBERT
BERGON to soft-pedal or purposely mishandle any investigation in
connection with these matters. He should also be questioned relative
to any knowledge he might have concerning the mis-handling of these
cases and whether or not TOM CLARK or HERBERT BERGON were improperly
handling these cases. All persons interviewed should be requested
to furnish a sworn signed statement.

All persons interviewed in this investigation will not be
advised that the investigation is being conducted at the request of
the Attorney General. In the event the authority of the Bureau is
questioned, it will be satisfactory to indicate to a person raising
such a question that the investigation has been ordered by the De-
partment of Justice. Under no circumstances is that person to be ad-
vised which official or which office in the department so instructed.
WFO 62-7197

The Special Agent in Charge of each office where there is an investigation will personally supervise the investigation and only mature and experienced agents are to be assigned to this matter. The investigation is to be thorough and complete and will receive top priority. Five copies of all reports will be furnished the Bureau, and three copies to Washington Field Office. Extreme care should be exercised in the preparation of these reports.

The Bureau has requested that the above investigations being conducted be handled expeditiously as possible, and that all investigations must be completed by October 3, 1952. Reports are to be forwarded to the Bureau Air Mail Special Delivery, attention Assistant Director, A. ROSEN. Washington Field is office of origin.
On September 27, 1952, Special Agents HARRY J. MORGAN and ANDREW J. SHANNON interviewed EDWIN PEWETT, Acting Chief, Judgment and Judgment Enforcement Section, Anti Trust Division, Room 3311, U. S. Department of Justice. At the time of this interview the agents inquired as to the present whereabouts of ERNEST R. MEYERS and were advised by PEWETT that MEYERS was an attorney in a New York law firm. PEWETT advised that he did not know MEYERS' correct address in New York, but that if the agents would call him on Monday he would furnish them MEYERS correct address.

At approximately 9:55 AM on September 29, 1952, Special Agent SHANNON telephonically contacted PEWETT's office and inquired if Mr. PEWETT was in. The girl answering the telephone, whom the agent assumed to be Mr. PEWETT's secretary, immediately said, "Mr. BERGSON?". The agent then advised her that it was not Mr. BERGSON and wanted to know if Mr. PEWETT was in. She apologized to the agent by stating that his voice sounded like Mr. BERGSON's.

She advised the agent that PEWETT was out attending a conference in another office and he would not be back until after 11:00 AM. The agent thanked her for this information and said he would call back later.
SAC, Washington Field (62-7197): October 3, 1952

Director, FBI (62-97557)

TO: TOM C. CLARK
HERBERT A. BERGSON
MISCONDUCT IN OFFICE


All offices receiving copies of this memorandum are instructed to expedite this investigation and submit a report at the earliest possible date. All offices are instructed to advise by AMSD letter, Attention A. Rosen, Assistant Director, to reach the Bureau by October 7, 1952, status of investigation. If investigation is pending, identify outstanding leads, reason not covered and when it is expected the investigation will be completed.

If investigation is completed the Bureau should be so advised and furnished with the date of the report and the name of the Agent submitting.

cc: 1 - Baltimore (AMSD)
1 - Chicago (AMSD)
1 - Cincinnati (AMSD)
1 - Denver (AMSD)
1 - Los Angeles (AMSD)
1 - Memphis (AMSD)
1 - Minneapolis (AMSD)
1 - New York (AMSD)
1 - Philadelphia (AMSD)
1 - Pittsburgh (AMSD)
1 - San Antonio (AMSD)
1 - Savannah (AMSD)
WASHINGTON FROM WASH FIELD

10-2-52

DIRECTOR

URGENT

TOM C. CLARK, HERBERT A. BERGSON, MISCONDUCT IN OFFICE. REBULET SEPTEMBER TWENTY-TWO, INSTANT. PHILIP MARCUS IN SUPPLEMENTAL STATEMENT FURNISHED TO

WFO AGENTS EXPLAINED LEGAL RAMIFICATIONS OF THE SCHINE CIRCUIT CASE AND

SUMMARIZED DIFFERENCES BETWEEN CONSENT JUDGMENT ENTERED IN JUNE, FORTY-NINE, AND THE JUDGMENT PROPOSED BY THE GOVERNMENT TO THE DISTRICT COURT, BUFFALO, NY, IN AUGUST, FORTY-EIGHT. IN SUMMARY FURNISHED BY MARCUS THE RECOMMENDED

JUDGMENT PROVIDED FOR A TRUSTEE TO EFFECT DISPOSITION OF THEATERS; THE

JUDGMENT ENTERED CONTAINED NO PROVISION FOR THE APPOINTMENT OF A TRUSTEE.

THIS WAS CONSIDERED BY HIS STAFF AS BEING ONE OF THE MOST IMPORTANT

PROVISIONS AND ONE WHICH JUDGE JOHN KNIGHT HAD CLEARLY INDICATED HE WOULD

GRANT. THE RECOMMENDED JUDGMENT CONTAINED A PROHIBITION AGAINST THE

DEFENDANT'S ACQUIRING A FINANCIAL INTEREST IN ANY ADDITIONAL THEATERS

EXCEPT AFTER AN AFFIRMATIVE SHOWING THAT SUCH ACQUISITION WOULD NOT

UNREASONABLY RESTRAIN COMPETITION. THE JUDGMENT ENTERED SUBSTITUTED FOR

THIS PROVISION ONE WHICH WAS MUCH MORE LENIENT IN PERMITTING ACQUISITION

WITHOUT COURT APPROVAL. MARCUS STATED HE PREPARED A RECOMMENDATION TO THE

ATTORNEY GENERAL TO ACCOMPANY THE PROPOSED CIVIL CONTEMPT PETITION. BOTH

(2-9 7557-1

CC: New York (AMS)}
THE RECOMMENDATION AND PROPOSED PETITION WERE APPROVED BY HOLMES BALDRIDGE AND SIGMUND TIMBERG OF THE DEPARTMENT. THE RECOMMENDATION AND PETITION WENT INTO HERBERT BERGSON'S OFFICE AND MARCUS BELIEVED THEY QUOTE WENT OUT UNQUOTE TO THE ATTORNEY GENERAL WHO AT THAT TIME WAS TOM CLARK. MARCUS ADDED THAT IN REFERENCE TO THE REMARK MADE BY WILLARD MC KAY, ATTORNEY FOR SCHINE, IN PREVIOUS STATEMENT WITH RESPECT TO THE CONTEMPT PETITION IT HAD NOT BEEN MADE PUBLIC IN ANY WAY BEFORE OR AT THE TIME OF MC KAY'S REMARK. MARCUS FURTHER STATES FACTS INDICATED CONTEMPT BY SCHINE AND HE RECOMMENDED CONTEMPT PROCEEDINGS AGAINST SCHINE TO HERBERT BERGSON, AAG, BUT THAT NO CONTEMPT PROCEEDINGS HAVE EVER BEEN BROUGHT AGAINST SCHINE. MARCUS STATED THAT IT WAS HIS UNDERSTANDING THAT TOM CLARK, WHEN HE BECAME HEAD OF THE CRIMINAL DIVISION, TOOK THE SCHINE AND PARAMOUNT CASES WITH HIM AS A CONDITION FOR HIS BEING AGREABLE TO THE SHIFT FROM THE ANTITRUST DIVISION TO THE CRIMINAL DIVISION IN THE DEPARTMENT OF JUSTICE. MARCUS ALSO STATED HE WAS TOLD BY SCHINE'S COUNSEL, GOODWIN, THAT HE WAS NOT AWARE OF CONFERENCES GOODWIN HAD WITH TOM CLARK. MARCUS SPOKE TO CLARK BUT STATED CLARK DID NOT DENY HAVING DEALT WITH GOODWIN BUT COULD NOT RECALL THAT CLARK HAD OPENLY CONFIRMED THAT HE HAD MADE AGREEMENTS WITH GOODWIN WITHOUT MARCUS' KNOWLEDGE. IRVING KAUFMAN, WHO WAS HIRED BY SCHINE TO NEGOTIATE A SETTLEMENT IN THE FALL OF NINETEEN FORTY-EIGHT, TOLD BERGSON IN MARCUS' PRESENCE THAT MARCUS WAS PREJUDICED AGAINST SCHINE AND THE BEST THEORY FOR THE CASE WAS FOR MARCUS
TO WITHDRAW. BERGSON MADE NO COMMENTS TO THIS BUT APOLOGIZED THE NEXT MORNING TO MARCUS. HE STATED SCHINE HIRED HAROLD HOROWITZ AFTER KAUFMAN WAS MADE FEDERAL JUDGE TO NEGOTIATE THE CASE AND THAT HOROWITZ WAS A CLOSE PERSONAL FRIEND OF BERGSON AND PEYTON FORD. HE STATES HOROWITZ WAS PRESIDENT OF E. LEITZ CORPORATION, NY. MARCUS STATED THERE WAS GENERAL GOSSIP THAT SCHINE SUBSTANTIALLY CONTRIBUTED TO BOTH POLITICAL PARTIES IN NINETEEN FORTYFOUR. HE ADDED THAT HAROLD LASSEI, OF THE NY OFFICE, ANTITRUST DIVISION, TOLD HIM THAT KAUFMAN, MENTIONED ABOVE, HAD RAISED CONSIDERABLE FUNDS FOR THE DEMOCRATIC POLITICAL CAMPAIGN OF NINETEEN FORTYEIGHT AND HEARD THAT WHEN QUESTION OF KAUFMAN'S JUDGESHIP CAME UP THERE WAS A BRIEF DELAY IN THE CONFIRMATION BECAUSE OF A COMPLAINT REGARDING KAUFMAN'S CONNECTION WITH THE SCHINE CASE. NY WILL INTERVIEW LASSER RELATIVE TO HIS PARTICIPATION IN THE SCHINE CIRCUIT CASE AND DETERMINE WHAT PART IRVING KAUFMAN PLAYED AS ATTORNEY FOR SCHINE. ATTEMPT TO VERIFY MARCUS' STATEMENTS SET OUT ABOVE. MARCUS' SWORN STATEMENT WILL BE IN NEXT INVESTIGATIVE REPORT.

HOOD
I am attaching to this memorandum and to the copies designated for Mr. Murray two memoranda dated October 1, 1952, setting forth information furnished by Ernest L. Branham, Department Attorney.

The first attached memorandum is captioned "Identical Bids for Defence Contracts" and the second attached memorandum is captioned "United States versus Wallace and Tiernan Company, Incorporated."

In view of the nonspecific nature of the information furnished by Mr. Branham, no investigation is contemplated by this Bureau, in the absence of a specific request from the Department.

Bureau files reflect no record of any civil action concerning the Wallace and Tiernan Company, Incorporated.
TO: DIRECTOR, FBI
FROM: SAC, VFO (62-7197)

SUBJECT: T21 CLARK
HERBERT A. BERGGSON,
MISCONDUCT IN OFFICE.

Redacted dated September 22, 1952.

Transmitted herewith are two blind memoranda containing information furnished by ERNEST L. RAMSEY when interviewed by Special Agents ROBERT K.
LEWIS and EDGAR L. CARTER on October 1, 1952, concerning this case.

Encls. (10)
RKL:uhl

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 10/22/52 BY 88-8 8 CPRD
Re: U. S. vs WALLACE and TIERNAN COMPANY, INC.

ERNEST L. BRANHAM, Trial Attorney in the Small Business and Procurement Unit of the Anti-Trust Division, U. S. Department of Justice, while being interviewed in connection with another matter on October 1, 1952, advised that he considered there was something improper in the "chlorination case". He stated this case is entitled "U. S. vs. Wallace and Tiernan Company, Inc.", which company was indicted at Providence, Rhode Island, in 1946. He added that a civil suit had been filed against this company in 1947, but that the company has never been brought to trial, either as a result of the indictment or the civil suit. He stated it is his opinion that there has been mishandling or suppression of this case.

He advised that he, only recently, had a phone call from ROY BLAIR EVERTON, 214 West Huron Street, Chicago, Illinois, phone SU 7-3337, in which Mr. EVERTON stated that he had recently submitted the lowest bid on a water purification job for the Veterans Administration in Tennessee. Mr. EVERTON advised BRANHAM that, despite the fact he submitted the lowest bid, the contract for this water purification was awarded to Wallace and Tiernan Company.

Mr. BRANHAM stated that this was the extent of the knowledge which he has of this case, and his feeling that there is something wrong with the same is based solely upon lack of prosecutive attention.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 10/1/52 - BY JOE SMART

COPIES DESTROYED 848 DEC 2 1964
ERNEST L. BRANHAM, Trial Attorney in the Small Business and Procurement Unit of the Anti-Trust Division, U. S. Department of Justice, while being interviewed in connection with another matter on October 1, 1952, advised that certain bids for defense work came to his attention in the Small Business Unit, Department of Justice. He advised that there have been cases of identical bids submitted by different companies for the same job. He advised that where he believes irregularities exist, it is his duty to submit the information, by memorandum, to the Federal Bureau of Investigation, requesting investigation of the irregularity. He advised these memoranda are routed through the Economic Unit, and that, to date, he has been unable to get a single one of his memoranda through to the FBI.

Mr. BRANHAM stated he feels his work in this type of matter is being retarded, and that his memoranda are not cleared for purely "technical reasons".

Mr. BRANHAM could furnish no additional information on this subject.
October 1, 1952

DIRECTOR, FBI
CAC, WFO (62-7197)

TOM C. CLARK,
HERBERT A. BERGSON,
MISCONDUCT IN OFFICE

Rebuttal dated September 22, 1952.

During an interview conducted by Special Agents EDGAR L. CARTER and ROBERT K. LEWIS on October 1, 1952, of ERNEST L. BRANHAM, Trial Attorney in the Small Business and Procurement Unit of the Anti-Trust Division, U. S., Department of Justice relative to his participation in the Schine Circuit Theatre Case, he furnished the following information:

BRANHAM stated that TOM CLARK, former Attorney General of the Department of Justice, was guilty of using HERBERT A. BERGSON as his "tool" in all cases handled in the Department of Justice. He advised that he, BRANHAM, was working in a "lion's den" and "everyone wants to stick a knife in me". He referred to his present position in the Department as "being on ice" and that no one in the Department of Justice would speak with him. In addition, he advised that he has been receiving anonymous telephone calls at home warning him "to stay away from the Chaff Committee".

In addition, BRANHAM informed that Mr. NEWELL CLAPP, Acting Assistant Attorney General in charge of the Anti-Trust Division, has refused to assign him any work. It is noted that Mr. BRANHAM appeared to be depressed mentally in that he advised he had been through extremely trying circumstances since May of instant year, and that persons in the Department refused to talk with him or have anything to do with him.

EJH/DDJ

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE: 70 OCT 28 1952
The Attorney General

October 6, 1952

Director, FBI

I want to call to your attention information which has been furnished by Ernest L. Branham, Attorney, Small Business Unit, Antitrust Division. There is attached to this memorandum and to the copies designated for Mr. Murray a copy of a memorandum from our Washington Field Office dated October 3, 1952, concerning Branham's statements of his position in the Department since testifying before the Chief Committee in open hearing on May 14, 1952.

As you will recall, Branham is the Departmental Attorney who originally furnished information alleging that former Attorney General Tom C. Clark assured Lewis Rosenstiel, President of Schenley Industries, there would be no Antitrust investigation of the Liquor Industry, and if there was the investigation would not be handled by Branham.

In addition to the information set out in the attached memorandum, Mr. Branham has advised that since testifying before the Chief Committee he has received anonymous telephone calls at his home warning him "to stay away from the Chief Committee." Branham states that Acting Assistant Attorney General Newell Clapp has refused to assign him work and since May of this year persons in the Department refused to talk with him or have anything to do with him. He complains further that he is working in a "lion's den," "everyone wants to stick a knife in me" and his present position in the Department is as "being on ice." It is noted in the attachment that Branham states he has been requested by you to inform of "any evidence of repercussion" arising from his testimony before the Chief Committee, further that since no one in the Department speaks to him he has no way of "getting through" to you and since "his Senator" is out of town his only method of appeal is to the Chief Committee and the FBI.

In view of the fact that the information furnished by Branham is of an administrative nature, no further action is contemplated by this Bureau in the absence of instructions to the contrary from you.
BRANHAM advised that he has received two comforting messages from the Attorney General in which the Attorney General requested that BRANHAM keep him advised of "any evidence of repercussion" arising from his testimony before the Chief Committee. BRANHAM stated that the repercussions against him have now taken the form of "administrative action" such as removing his secretary from his office. He stated that since no one in the Department speaks to him, he has no way of "getting through" to the Attorney General and since "his Senator" is out of town, his only method of appeal is to the Chief Committee and the FBI.

The interviewing Agents thanked Mr. BRANHAM for this information and advised him that the facts which he had furnished would be submitted through the proper channels.
Office Memorandum • UNITED STATES GOVERNMENT

TO: DIRECTOR, FBI

FROM: SAC, WFO (62-7197)

SUBJECT: TOM CLARK, ET AL.
MISCONDUCT IN OFFICE

On October 2, 1952, Mr. ERNEST L. BRANHAM, Attorney, Small Business Unit, Antitrust Division, Department of Justice, called Special Agent ROBERT K. LEWIS and advised he wished to talk to him about certain "repercussions" which had occurred on this date. He advised he had already contacted the Chief Committee regarding this matter.

Mr. BRANHAM was subsequently interviewed by Special Agents WILLIAM T. FORSYTH and ROBERT K. LEWIS at his office. Mr. BRANHAM advised that he had first testified before the Chief Committee in open hearing on May 14, 1952, and that beginning May 15, 1952, no one in the Department of Justice has communicated with him either orally or in writing. He stated that the only work he gets is that which pertains to old pending matters or work which comes to him automatically and addressed to him personally. He stated that his superiors have assigned him no work since May 15, 1952. Mr. BRANHAM commented that on July 17, 1952, he was moved out of his office and "squeezed" into the office of CHALMERS HAMILL. Mr. BRANHAM went on to say that the Antitrust Division needs a "shake-up" and added that the Head of the Antitrust Division and EDWARD P. HODGES are "no good."

He stated that on October 2, 1952, Mr. LEON FINN, Assistant Administrative Officer, Antitrust Division, advised his secretary that she was to be transferred into the Steno Pool. Mr. BRANHAM stated that Mr. FINN did not bother to consult him regarding this move. BRANHAM stated that when he heard of the transfer he consulted Mr. LEROY C. McCauley, Chief Administrative Officer, Antitrust Division, and Mr. McCauley advised him that he had made the decision to move BRANHAM's secretary into the Steno Pool because of an urgent need to expand the pool. BRANHAM stated he did not argue with McCauley concerning this move, although he added that the loss of his secretary will "put him out of business." He stated that after the interview with McCauley he immediately called ROBERT COLLIER, Chief Counsel, Chief Committee, and since COLLIER was out he gave the above information to COLLIER's assistant. He then called Representative KENNETH B. KEATING, Chief Committee, and advised him of the transfer of his secretary. He said KEATING informed him that he would take this matter up with the Committee.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE: October 3, 1952

BY: [Signature]

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- IRS
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- Postal Service
- State Dept.
- DOT ( ) Coast Guard
- FAA
- USSS
- VISTA
- Bufiles ( ) Others

__________________________________________

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__________________________________________

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FBI/DOJ
Office Memorandum

TO: DIRECTOR, FBI

FROM: SAC, CHICAGO (62-4885)

SUBJECT: TOM C. CLARK; HERBERT A. BERGSON
MISCONDUCT IN OFFICE

DATE: October 3, 1952

Remylet October 2, 1952.

MELVILLE WILLIAMS contacted today and states he has been
unable to contact WILLIS HOTCHKISS, current head of Antitrust
Office, Chicago, whom he desires to talk with to refresh
recollection on liquor investigation.

Appointment made for October 6, 1952 to interview WILLIAMS
regarding this matter and report will be submitted AMSD same
day.

JHH/glsls

AIR MAIL SPECIAL DELIVERY

cc: Washington Field (62-7197)(AMSD)

RECORDED 62-99557 1-18

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 6/23/52 BY 51 OCT 9 1952

EX. 73
TO: Mr. Ladd
FROM: Mr. Rosen
SUBJECT: Tom C. Clark
Herbert A. Bergson
Misconduct in Office

DATE: October 6, 1952

PURPOSE:
To advise Ernest L. Branham, Department Attorney, claims he has been ignored in the Department and has not been assigned work since testifying before the Chief Committee. Branham claims he has received threats warning him to stay away from the Chief Committee.

BACKGROUND:

Ernest L. Branham, Attorney in the Antitrust Division of the Department, is the original source of the allegations that Tom Clark mishandled the Antitrust investigation of the Liquor Industry. Branham alleged that Clark, when Attorney General, assured Lewis Rosenstiel, President of Schenley's, there would be no investigation of the Liquor Industry and if there was Branham wouldn't handle it. These allegations are being investigated in instant matter pursuant to instructions of the Attorney General.

As a matter of further background on Branham, he has claimed to be close to Senator Olin Johnson (D.-S.C.) and indicates he runs to Johnson with all his complaints. Branham is also one of the three individuals considered to be the source of the allegations causing the investigation of the law firm of Peyton Ford, et al.

DETAILS:

Ernest L. Branham, Department Attorney, advised he first testified before the Chief Committee in open hearing in May 14, 1952, and since that date no one in the Department has communicated with him either orally or in writing. He states no new work has been assigned to him and the only matters he is handling are cases which were pending at the time he testified. Branham states he was recently "squeezed" into another office. His secretary was transferred into the steno pool. Branham states Mr. Leroy C. McCauley, Chief Administrative Officer, Antitrust Division, advised him his secretary was moved because of an urgent need to expand the steno pool. Branham stated the loss of his secretary will "put him out of business."
Branham states he advised Robert Collier's Assistant of these actions and he also advised Representative Kenneth B. Keating (R-N.Y.) of the Chief Committee, who advised he would take the matter up with the Committee.

Branham stated the Antitrust Division needs a "shake up" and the Head of the Antitrust Division (Newell A. Clapp) and Edward R. Hodges are "no good." Branham advised he has received two comforting messages from the Attorney General in which the Attorney General has requested Branham to keep him advised of "any evidence of repercussion" arising from his testimony before the Chief Committee. Branham states the repercussions against him have now taken the form of "administrative action" such as related above and since no one in the Department speaks to him he has no way of "getting through" to the Attorney General. And since his Senator is out of town his only method of appeal is to the Chief Committee and the FBI.

Branham also advised that he was working in a "lion's den" and "everyone wants to stick a knife in me." Branham referred to his present position in the Department as "being on ice."

Branham stated that he has been going through extremely trying circumstances since May of this year when he testified. In addition, he has received anonymous telephone calls at his home warning him "to stay away from the Chief Committee."

Branham advised that Newell A. Clapp, Acting Assistant Attorney General in charge of the Antitrust Division, has refused to assign him any work.

ACTION:

There is attached a memorandum to the Attorney General with copies for Mr. Murray advising of Branham's statements and that no investigation will be conducted by the Bureau.
TO: Mr. Ladd

FROM: Mr. Rosen

SUBJECT: TOM C. CLARK
HERBERT A. BERGSON
MISCONDUCT IN OFFICE

DATE: October 6, 1952

Ernest L. Brannam, Department Attorney, when interviewed in connection with captioned matter furnished information concerning two subject matters.


Branham advised he considered there was something improper in this matter inasmuch as the company was indicted in 1946, a civil suit had been filed but the company was never brought to trial either as a result of the indictment or the civil suit. He stated it was his opinion there has been mishandling or suppression of this case.

Branham advised he recently received a call from one Roy Blair Everson, Chicago, Illinois, in which Everson claimed he had recently submitted the lowest bid on a water purification job for the Veterans Administration in Tennessee, but despite the fact he was the lowest bid, the contract was awarded to Wallace and Tiernan Company. Branham stated this was the extent of his knowledge of the case and his feeling that there is something wrong is based solely upon lack of prosecutive attention.


Branham advised that certain bids for defense work come to his attention in the Small Business Unit in the Department of Justice. He stated there have been cases of identical bids submitted by different companies for the same job and he believes that where irregularities exist, it is his duty to submit the information by memorandum to the FBI requesting investigation. He advised these memoranda are routed through the Economic Unit in the Department and to date he has been unable to get a single one of his memoranda through to the FBI.

Branham states he feels his work in this type of matter is being retarded and that his memoranda are not cleared for purely "technical reasons," Branham was unable to furnish any additional information on this subject.

Attachment

RECORDED: 16-97-557-120
INDICATED: 80, OCT 8 1952

ECW: 12-17 1 Oct 17 1952

EX: -13
ACTION:

There is attached a memorandum to the Attorney General with copies for Mr. Murray enclosing copies of two blind memoranda setting forth the information furnished by Mr. Branham. The Attorney General is advised that in view of the nonspecific nature of this information no investigation is contemplated by this Bureau.
Re Washington Field Office letters to the Bureau dated September 27 and September 30, 1952.

Mr. MELVILLE WILLIAMS, former head of the Chicago and New York Regional Offices of the Antitrust Division, was contacted telephonically on October 2, 1952 at his home. Mr. WILLIAMS was not in his office because of the current elevator strike in the Chicago Loop.

Mr. WILLIAMS advised that he desired to refresh his recollection in regard to any possible part which he may have played in the liquor investigation and is to be recontacted by this office on October 3, 1952.

A report will be submitted on this date if Mr. WILLIAMS is available for interview.

JAH:bjh

AMSD
Office Memorandum • UNITED STATES GOVERNMENT

TO:

DIRECTOR, F.B.I. (62-97557)                     DATE: October 6, 1952

FROM:

SAC, DENVER (62-1024)                         AIR MAIL SPECIAL DELIVERY

SUBJECT:

TOM C. CLARK

HERBERT A. SHAW

MISCONDUCT IN OFFICE

Rebuted to Washington Field October 3, 1952.

Please be advised that instant case has been handled by this office and RUC'd by report of SA ROBERT A. KNOTTLE 10-1-52, at Denver, Colorado.

LDN: ekw

62-1024

EXHIBITE D 1471-01

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE: 10/03/52 BY 8-7-52

RECORD NO: 12-7-57-1022

OCT 141052
Office Memorandum

TO: DIRECTOR, FBI (62-97557)
FROM: SAC, WFO (62-7197)

SUBJECT: THOMAS C. CLARK;
HERBERT AUGUSTUS BERGSON
MISCONDUCT IN OFFICE.

Re report of Special Agent EDWARD JOSEPH HAYES dated October 3, 1952, and Bureau letter of the same date.

This is to advise that all investigation has been completed by this office as of the above date and the report of Special Agent EDWARD JOSEPH HAYES is in dictation and should reach the Bureau by October 8, 1952.

From a review of reports in this case, it is noted that a lead is still outstanding in the New York Division to interview SIGMUND TIMBERG on the Schine Circuit Theatre Cases. In connection with the Timberg interview, the New York Division has advised that TIMBERG is not expected to return to this country until October 15. New York has advised that they will then interview TIMBERG.

In addition, it was also noted that W. WALLACE KIRKPATRICK, former Department of Justice Attorney in the Antitrust Division, an individual who allegedly handled a major portion of the Liquor Case and who assisted on the Schine Case, is presently employed by the Department of State in Germany and in all probability will remain in that country until February of 1953. It is recommended that inasmuch as KIRKPATRICK played a major part in the Liquor Case that efforts be made to have him interviewed in Germany.

It was also determined that CHARLES TERREL, former Department of Justice Antitrust Attorney, who had worked on the Schine Case, is now employed by the Mutual Security Agency as Deputy Chief of their Mission in Formosa. TERREL is not expected back in the United States before October of 1953. Since TERREL handled the Schine Case on a routine assignment and there is no indication that he possesses any special knowledge or information on this case, it is recommended that no further consideration be given to this interview.

In addition, it appears that CHALMERS HAMILL, Attorney in Charge of the Small Business Unit, Antitrust Division, Department of Justice, who is presently confined to St. Mary's Hospital, Rochester, Minnesota, will not be able to be interviewed for approximately three weeks. Interview with HAMILL will necessarily depend upon his physical condition. Further contact will be made with HAMILL in approximately three weeks to determine whether he is able to be interviewed.
OCTOBER 3, 1952

SAC, BUFFALO
WASHINGTON FIELD (BSM)

TOM C. CLARK, HERBERT A. BERGSON, MISCONDUCT IN OFFICE.

RE modern SEPTEMBER TWENTY TWO AND WFO. LET OCTOBER ONE. NO
INTERVIEW IS TO BE CONDUCTED WITH JUDGE JOHN KNIGHT PENDING
FURTHER BUREAU INSTRUCTIONS.

HOOVER

CC: WASHINGTON FIELD (BY SPECIAL MESSENGER)

ECW: 1K

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED.

DATE 6/23/83 BY 8E-8 DFT/W
Rebuted September 22, 1952.

In connection with the investigation in the above matter, Mr. PHILIP MARCUS, Departmental Attorney, advised a "proposed findings, conclusions, judgment and supporting briefs" was prepared by him, approved by HERBERT A. BERGSON, Assistant Attorney General, and filed on October 15, 1948, with Judge JOHN KNIGHT, U. S. District Court, Buffalo, New York, in the case U.S. v. Schine Chain Theatres.

Mr. MARCUS stated that Judge KNIGHT told him in KNIGHT'S chambers, that he would accept the proposed findings filed by the Department. It is to be noted that MARCUS states Judge KNIGHT heard the Schine case in almost its entirety. Mr. MARCUS has stated Judge KNIGHT originally found Schine guilty of violation of the Sherman Act and handed down a decision ordering divestitures. MARCUS explained the Schine Case was then appealed by Schine to the Supreme Court who upheld the lower court's decision but returned it to the lower court ordering more stringent divestitures than had originally been ordered by the U. S. District Court. MARCUS related the proposed findings of the Department, previously referred to, were filed in connection with the Supreme Court's decision. According to MARCUS negotiations in the Schine Case were undertaken after the proposed findings were filed by TOM O. CLARK and HERBERT A. BERGSON for the Department, and IRVING KAUFMAN, Attorney for Schine. He said as a result of the negotiations a consent decree was entered into by the parties, the conditions of which were not as stringent as those set by the District Court and Supreme Court. Mr. MARCUS pointed out that the decree has not been enforced to date.

MARCUS further advised that in the course of the litigations of the Schine Circuit Theatres, the Schine interests had representing them between twenty and twenty-five attorneys, some of whom MARCUS classified as litigating attorneys and others as contact attorneys.
In the interview with Judge KNIGHT the interview should take the following course:

(1) It should be determined from him what conversations he held with PHILIP MARCUS relative to the settling of Schine Case.

(2) Does he have any knowledge of intervention on behalf of Schine by former Attorney General TOM CLARK or HERBERT BERGSON, Assistant Attorney General in charge of antitrusts?

(3) Investigation reflects that there was correspondence exchanged by Judge KNIGHT with WILLARD McKAY, Attorney for the Schine interests, in respect to the position of the Government taken by MARCUS, as well as a reply made by HERBERT BERGSON to Judge KNIGHT in respect to McKAY'S letter to KNIGHT. Judge KNIGHT should be requested to furnish information relative to correspondence between attorneys for the Schine circuit and himself pertaining to the attempts on the part of Schine to settle the case.

(4) It should be determined from Judge KNIGHT whether he has any information which might reflect the mishandling of the Schine Case by TOM CLARK, HERBERT BERGSON, or any other Attorney in the Department of Justice.

Bureau authority is requested to have Judge KNIGHT interviewed by the Buffalo Division. A copy of Washington Field Office report reflecting interview with MARCUS, other attorneys handling the Schine case, and a review of Schine Circuit Antitrust files will be made available to the Buffalo Office upon completion of this investigation.
Office Memorandum  

TO: Director, FBI  
FROM: SAC, WFO (62-7197)  
SUBJECT: TOM C. CLARK; HERBERT H. BERGSON  
MISCONDUCT IN OFFICE  

DATE: October 23, 1952

On this date, Special Agent HUGH H. McGAHEY, now on detached duty working with the Chief Committee investigating the Department of Justice, telephonically contacted Special Agent EDWARD JOSEPH HAYES and advised that he had just returned to Washington after a trip to Nashville, Tennessee. He stated he proceeded to Nashville, Tennessee, on behalf of the Chief Committee, to investigate an allegation that TOM CLARK, former Attorney General of the Department of Justice, allegedly had received money from a GEORGE L. BERRY, Nashville, Tennessee, to fix a tax case.

McGAHEY stated that GEORGE L. BERRY, former President of the International Printers, Pressmen, and Assistants Union, and President of the International Playing Cards and Label Co., of Nashville, Tennessee, had been involved in a criminal tax case with the Bureau of Internal Revenue. BERRY received a sentence of one year and one day, which was suspended and he was placed on probation for a four-year period on January 6, 1948. He stated that BERRY was also fined $10,000.

He further informed that the allegation against TOM CLARK was that CLARK had settled the civil portion of BERRY's tax case involving $400,000 for $200,000, and that CLARK and some other official split the remaining $200,000. He stated that his investigation in Nashville, Tennessee, indicated that the civil case, as yet, has not been settled, although he was unable to locate any concrete information along this line.

In conclusion, McGAHEY remarked that he was unable to locate any information which would indicate misconduct on the part of TOM CLARK in this case, nor could he locate any information which tended to link TOM CLARK with the settlement of the civil suit.

EX-25

EJH: AM: MGP
RECORDED: 62-92557-25
INDEXED: OCT 8 1955
CC: Winters

ALL INFORMATION CONTAINED HERIN IS UNCLASSIFIED
DATE: 6-33-53 BY SP-9 JSW

Oct 17 1953
TO:        DIRECTOR, FBI
FROM:     SAC, WASHINGTON FIELD (62-7197)
SUBJECT: TOM C. CLARK; HERBERT A. BERGSTON
         MISCONDUCT IN OFFICE

Re WFO letter dated October 2, 1952.

On October 3, 1952, Special Agent HUGH R. MCGAHEY, now
on detached duty working with the Chief Committee investigating
Department of Justice, recontacted Special Agent EDWARD JOSEPH
WAYES and furnished the following additional information:

He stated that since his return to Washington from
Nashville, Tennessee, where he had been investigating an
allegation that TOM CLARK allegedly received money from a
GEORGE L. BEERY, Nashville, Tennessee, to fix a tax case,
he has been able to learn that the original information relating
to this case came from New York City. MCGAHEY advised that
ARThUR CROWL, Chief Investigator of the Chief Committee,
visited New York City the weekend of September 21 or 28, 1952,
and learned from an individual (unknown to MCGAHEY), the
information stated in referenced letter.

In addition to information previously furnished on this
matter MCGAHEY informed that Special Agent WADE BRONWELL, also
on detached duty with the Chief Committee, is in Dallas, Texas,
interviewing a Mr. McCRAW, former attorney for GEORGE L. BEERY.

Since giving information on this case to this office,
he has learned that the other official who split the $200,000.00
fee mentioned in referenced letter, with TOM CLARK was JOSEPH
NUMAN of the Bureau of Internal Revenue. In this connection
McCRAW, Attorney for BEERY, allegedly made contact in the
Bureau of Internal Revenue in an effort to settle this case
and was told that he was talking to the wrong man; the man
for him to see was JOSEPH NUMAN.

MCGAHEY informed he would attempt to obtain further
information on this case and would have Special Agent BRONWELL
contact this office upon his return from Dallas, Texas.

EJH:IFM
Memorandum

TO: Mr. Ladd

FROM: Mr. Rosen

SUBJECT: TOM C. CLARK, HERBERT A. BERGSON

The Washington Field Office by letter dated October 2, 1952, advised that Special Agent Hugh R. McGahey, now on detached duty with the Chelf Committee, had been investigating an allegation that Tom Clark allegedly received money from a George L. Berry, Nashville, Tennessee, to fix a case. According to McGahey, Berry was former President of the International Printers, Pressmen and Assistants Union and President of the International Playing Cards and Label Company. Berry received a sentence of one year and one day, suspended, and probation for four years on January 6, 1948, and a fine of $10,000.

According to McGahey, a further allegation was that Clark had settled the civil portion of Berry's tax case, involving $400,000, for $200,000 and that Clark and some other official split the remaining $200,000. McGahey stated his investigation in Nashville indicated the civil case had not been settled although he was unable to locate concrete information along this line. McGahey further informed there was no information indicating Tom Clark was involved in the settlement of the civil suit.

Washington Field by memorandum dated October 3, 1952, advised that McGahey had learned the original information relating to this matter came from New York City and that Arthur Crowl of the Chelf Committee obtained the information from an individual unknown to McGahey. McGahey has additionally learned that the other official alleged to have split the $200,000 fee was Joseph Nunan of the Bureau of Internal Revenue. In this connection, McCraw, attorney for Berry, allegedly made contact in the Bureau of Internal Revenue in an effort to settle this matter and was told he was talking to the wrong man, that he should see Joseph Nunan.

McGahey also informed that he would attempt to obtain further information on this case, and would have Special Agent Wade Bromwell, also on detached duty with the Chelf Committee, report to the Washington Field Office upon his return from Dallas, Texas. He is in Texas interviewing Mr. McCraw, the attorney for Mr. Berry.

ACTION: None. This is for information purposes only.
Office Memorandum • UNITED STATES GOVERNMENT

TO: Director, FBI (62-97557)
FROM: SAC, Philadelphia (62-3064)

DATE: 10/6/52
ATTN: A. ROSEN, ASSISTANT DIRECTOR

SUBJECT: TOM C. CLARK
HERBERT A. BERGSOM
MISCONDUCT IN OFFICE

Rebulet dated 10/3/52.

This is to advise that an RUC report in this matter prepared by SA ROBERT F. MAHLER was submitted to the Bureau on 10/2/52.

CBL: faw

SPECIAL DELIVERY

57 OCT 17 1952
TO: Director, FBI (62-97557)
    Attention: Assistant Director A. ROSENB

FROM: SAC, Pittsburgh (62-2049)

DATE: October 6, 1952

AIR MAIL, SPECIAL DELIVERY

SUBJECT: TOM C. CLARK
    HERBERT A. BERGSON
    MISCONDUCT IN OFFICE

Re WFO let 9/30/52, myamatel 10/1/52, and urlet 10/3/52.

Referenced WFO let set out a lead to interview MARGARET BRASS, an
attorney in the Anti-Trust Division, presumably located at Connellsville,
Pa. By myamatel, the Bureau and WFO were advised that Miss
BRASS would be available for interview by the WFO. No investigation
remains to be conducted within the Pittsburgh Office and this matter
is considered RUC here.

DGF:AOE

cc: Washington Field (62-7197)

X-257
RECORDED:128
INDEXED:128

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE: 5 OCT 17 1952

RECEIVED

[Signature]

All investigation in this division has been completed and was reported in the report of SA LINDIAN J. SWAIM dated October 3, 1952.

LJS:RCK

SPECIAL DELIVERY

EXPEDITED
Office Memorandum

TO: Mr. Rosen
FROM: Mr. Winterrowd
SUBJECT: T. C. CLARK
HERBERT BERGSON
MISCONDUCT IN OFFICE

DATE: October 5, 1952

On the afternoon of October 1, 1952, Miss Ethel Brazwell of the Criminal Division of the Department called the writer to advise that all personnel files concerning Tom C. Clark were available for review by Agents of the Washington Field Office.

This information was made available to SAC Hood.

ACTION:

None: This is submitted for record purposes.

EHW: js
<table>
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<th>Date When Made</th>
<th>Period For Which Made</th>
<th>Report Made By</th>
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<tr>
<td>Denver</td>
<td>10/1/52</td>
<td>9/30/52</td>
<td>Robert A. Knittle</td>
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### Synopsis of Facts:

G. E. McAULIFFE and D. W. MARSHALL, former Attorneys, Anti-Trust Division, Denver, advised only Liquor Industry investigation conducted at Denver resulted in indictment on 3/12/42 of 83 associations, producers, wholesalers and individuals involving price fixing in Colorado. Case appealed to Supreme Court and successfully concluded in May, 1945, with 64 convictions. Neither aware of any mishandling or attempts to influence prosecution.

### Details:

**At Denver, Colorado**

This investigation is a joint inquiry by the writer and SA Edward J. Rodgers, Jr.

Gerald E. McAULIFFE, 1281 Corona Street, and presently Presiding Judge of the Denver Municipal Court, City and County Building, advised that he was employed as an Attorney by the Anti-Trust Division and assigned to the Denver Office, February, 1942. From the summer of 1944 to the summer of 1946, he was Acting Chief of the office and resigned in 1951 because of illness.

Mr. McAULIFFE advised that he conducted no investigations concerning the Liquor Industry during his tenure of employment. However, when he commenced his duties in February, 1942, the Denver staff was completing an
investigation pertaining to a conspiracy to raise, fix and maintain wholesale and retail prices on spirits, liquors, alcoholic beverages and wines shipped into Colorado. As a result of the investigation the Federal Grand Jury at Denver, on March 12, 1942, returned an indictment against two Colorado liquor associations, nineteen producer corporations, eight Colorado wholesale corporations and fifty-four individuals. McAULIFFE recalls that the investigation was conducted under the supervision of JAMES McI. HENDERSON, Special Assistant to the Attorney General and Chief of the Denver Anti-Trust Division. The inquiries were conducted by JAMES R. BROWNING, DONALD W. MARSHALL and JAMES H. PORTER of the Denver Office. He advised that following the indictments, several pleas of nolo contendere were entered with a stipulation that the legal aspects of the case would be appealed to the Circuit Court of Appeals and the Supreme Court if necessary. He advised that in April, 1945, the Supreme Court affirmed the judgment of the Federal District Court, and in May, 1945, nolo contendere pleas were received from the remaining defense. Some sixty-four defendant corporations, associations and individuals were assessed fines of $111,800.00, while the indictment was dismissed against seventeen individuals and two corporations.

McAULIFFE advised that he believed the appeal of this case was handled by GEORGE B. HADDOCK, then in charge of the Denver Office. He advised that after the confirmation by the Supreme Court, he, McAULIFFE, and HARRY SWERDLOW of the Denver Office prepared summaries of the participation by each of the defendants in order that HADDOCK could present the facts to the court at the time of imposition of sentence.

Mr. McAULIFFE advised that this case was the only liquor case handled by the Denver Office of the Anti-Trust Division during his employment. He stated that he is not aware of any instructions, oral or written, passed on to him by his superiors in the Division to soft pedal or purposely mishandle any investigation in connection with this matter or, in fact, in any other matter.

DONALD W. MARSHALL, Attorney, 211 Majestic Building, Denver, related that he joined the Anti-Trust Division in Denver in August, 1941, and remained until September, 1944. During the latter eight months of this employment he was assigned to fraud cases in Kansas City, Missouri. MARSHALL stated that in late 1941 and early 1942 he was assigned to an investigation of the Colorado Wholesale Wine and Liquor Dealers Association, the Colorado Packaged Liquor Association, various distillers, wholesalers and individuals of the association wherein it was alleged that the association and its members had signed agreements to maintain a markup of 30% on the sale of liquor. In the investigation he conducted file searches and interviews and assisted in the Grand Jury presentation.
Mr. MARSHALL recalls Mr. BROWNING and Mr. PORTER were working on the inquiry, with Mr. PORTER more or less directing. He believes that STEVE McNICHOLS was also engaged for a while on the investigation. He stated that after the Grand Jury indicted some eighty-three corporations and individuals in March, 1942, several corporations entered pleas of nolo contendere for the purpose of appealing matters of law. He advised that he and GEORGE B. HADDOCK handled the hearing by the Circuit Court of Appeals in Wichita, Kansas, which was his last connection with the case.

MARSHALL further advised that he knew of no action on the part of any officials of the Anti-Trust Division or Department of Justice to influence the action taken on this case. He pointed out that the case was brought to its successful conclusion through prosecution.

MARSHALL recalled that following the inquiry in this case, GEORGE B. HADDOCK, then in charge of the Denver Office, reviewed the evidence obtained and was of the opinion that there was an indication that the Big Four in the liquor industry were buying up independent and entering the wine business. He understood that HADDOCK prepared a resume of his conclusions which he took back to the Anti-Trust Division in Washington in 1944 and 1945. MARSHALL stated that he was not aware of any action taken on HADDOCK's resume because in the meantime he himself had left the employment of the Anti-Trust.

Both McAULIFFE and MARSHALL believed that HADDOCK is still employed by the Anti-Trust Division either in Chicago or Washington, D. C.; that JAMES R. BROWNING is with the Department of Justice in Washington; and JAMES McI. HENDERSON is the Federal Grant Stabilization Director in Washington, D. C. Neither are aware of the present whereabouts of JAMES H. PORTER.

- RUC -
**SYNOPSIS OF FACTS:**

G. E. McAULIFFE and D. W. MARSHALL, former Attorneys, Anti-Trust Division, Denver, advised only Liquor Industry investigation conducted at Denver resulted in indictment on 3/12/42 of 83 associations, producers, wholesalers and individuals involving price fixing in Colorado. Case appealed to Supreme Court and successfully concluded in May, 1945, with 64 convictions. Neither aware of any mishandling or attempts to influence prosecution.

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**DETAILS:**

This investigation is a joint inquiry by the writer and SA EDWARD J. RODGERS, JR.

GERALD E. McAULIFFE, 1281 Corona Street, and presently Presiding Judge of the Denver Municipal Court, City and County Building, advised that he was employed as an Attorney by the Anti-Trust Division and assigned to the Denver Office, February, 1942. From the summer of 1944 to the summer of 1946, he was Acting Chief of the office and resigned in 1951 because of illness.

Mr. McAULIFFE advised that he conducted no investigations concerning the Liquor Industry during his tenure of employment. However, when he commenced his duties in February, 1942, the Denver staff was completing an
The Attorney General

Director, FBI

TOM C. CLARK
HERBERT A. BERGSEN
DISCONDUCT IN OFFICE

I am attaching to this memorandum and to the copies designated for Mr. Murray the following investigative reports:


This investigation is continuing expeditiously and copies of investigative reports received at the Bureau will be reviewed and immediately forwarded to you and Mr. Murray.
<table>
<thead>
<tr>
<th>REPORT MADE AT</th>
<th>DATE WHEN MADE</th>
<th>PERIOD FOR WHICH MADE</th>
<th>REPORT MADE BY</th>
<th>CHARACTER OF CASE</th>
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<td>CHICAGO, ILLINOIS</td>
<td>10/2/52</td>
<td>9/30;10/1;2/52</td>
<td>JAH:bjh</td>
<td>MISCONDUCT IN OFFICE</td>
</tr>
</tbody>
</table>

**SYNOPSIS OF FACTS:**

Attention: Assistant Director A. ROSEN

EDWARD H. LEVI, Dean, Law School, University of Chicago, Chicago, Illinois, was employed in Antitrust Division, U.S. Department of Justice, from 1940 to 1945, with the exception of period when assigned to War Division of the Department of Justice. LEVI advised he did not know HERBERT A. BERGSON at time he was employed in Antitrust Division and has no knowledge of any activity on part of TOM CLARK in liquor investigation. LEVI provided signed statement in which he states he has little recollection of liquor investigation and no knowledge of anything improper concerning the investigation.

SEYMOUR F. SIMON, Attorney, Chicago, Illinois, was employed by Antitrust Division from Sept., 1938 until December, 1945, but was on active duty in the U.S. Navy from March, 1942 on. Provided signed statement that he has no recollection of ever having met, seen or spoken to HERBERT BERGSON and that he has never spoken to TOM CLARK regarding any aspect of the SCHINE case.

**DETAILS:**

AT CHICAGO, ILLINOIS

Mr. EDWARD H. LEVI, Dean, Law School.
University of Chicago, was interviewed under oath by SA
TOM E. CHAPOTON and the writer on October 1, 1952. Mr.
LEVI advised that he was first employed in the Antitrust
Division in 1940, at which time THURMAN ARNOLD was head
of the Antitrust Division. He stated that he was not
employed in the Antitrust Division during the period that
TOM CLARK was head of the Antitrust Division inasmuch as
he had been transferred to the War Division of the Depart-
ment for that period. He stated that when WENDELL BERG
was put in charge of the Antitrust Division he was trans-
ferred back into the Antitrust Division to act as first
assistant to Mr. BERG.

Mr. LEVI stated that he had no recollection of ever having
met HERBERT BERGSON during this period although he subse-
quently met BERGSON in Washington. He stated that he did
some work with the Cellar Committee a couple of years ago
and that it was at this time that he first met Mr. BERGSON.

Mr. LEVI further stated that he had no knowledge of any
activity on the part of TOM CLARK in the liquor investi-
gation and that he had no recollection of ever having dis-
cussed the case with TOM CLARK.

Mr. LEVI was requested to provide a signed sworn statement;
he, thereupon, personally typed the following statement:

"I am happy to make this statement concerning
any recollection of mine or participation by
me in an alcohol industry investigation when
I was in the antitrust division of the Department
of Justice.

"So far as I can recall I did not actively parti-
cipate in any alcohol investigation. I knew that
one was going on; I undoubtedly had some con-
versations with staff people working on it, and
I can dimly recall the general content of such
conversations, and I assume that these conver-
sations were probably with Holmes Baldridge who
at the time was Chief of the Trial Section, and
"perhaps also with Poesy Kime, an attorney who, I believe was on the investigation although I am not sure. Of course there may have been other conversations and I may have made recommendations based on memoranda supplied to me, but I do not recall them now, and I have no material here with which to refresh my recollection. My recollection is that the Department began its investigation with the knowledge that three or four liquor companies had a major position, that there was some doubt as to the ownership of one of them (I believe I discussed with Baldrige the difficulty of tracing British ownership), but that the Department had been unable to gain any further facts on which to base a case, unless indeed the industry position of the four liquor companies by itself constituted a case. My further recollection is that any contact which I might have had with the case, including what I have stated above, was supervisory, and in the sense that I was not in charge of the investigation. This appears to have taken place when I was the First Assistant in the Division, reporting to the head of the Division. I know that I did not in any sense direct the Alcohol investigation, and in fact I doubt that I had anything to do with it other than receiving reports, or seeing reports, as to how it was getting along.

"I am quite sure that I recall nothing which might be regarded as improper concerning the investigation, and I believe that if I had heard of anything improper at the time, I would remember that now and would have taken steps then to correct it."

"(signed) Edward H. Levi
Edward H. Levi"
Subsequent to the interview noted above, Mr. LEVI contacted the writer by telephone and advised that he recalled that he argued and won the Frankfort Distillers case before the Supreme Court in 1944 or 1945, which was a case involving liquor companies and retailers and was a resale price maintenance matter. He pointed out that because of his activity in this case it might have been mistakenly assumed that he had an active part in the liquor investigation. He stated that this was a case which was separate and apart from the liquor investigation.

Mr. SEYMOUR F. SIMON, Attorney, Board of Trade Building, Chicago, Illinois, was interviewed by SA VERNON P. COYNE and the writer on October 2, 1952. Mr. SIMON provided the following signed statement:

"Oct. 2, 1952

"I make the following signed sworn statement to V. P. Coyne and J. A. Haggerty who have identified themselves as Special Agents of the FBI.

"I was employed as a Special Attorney, Antitrust Division, Department of Justice, from Sept. 1938 until approximately December 1945, although from March 1942 on I was on active duty in the Navy. I actively participated in the Schine case from approximately Nov. 1940 until March 1942. I have no recollection of ever having met, seen or spoken to Herbert Bergson. I have never spoken to Tom Clark regarding any aspect of the Schine case.

"/s/ Seymour Simon

"J A Haggerty, Special Agent FBI Chicago
V. P. Coyne, Special Agent, F.B.I. Chicago
LEADS

THE CHICAGO DIVISION

AT CHICAGO, ILLINOIS

Will interview Mr. MELVILLE WILLIAMS, former head of the Antitrust Division, office in New York city.

REFERENCE: Washington Field letters to the Bureau dated September 27 and September 30, 1952.
To: COMMUNICATIONS SECTION.

Transmit the following message to: 10-9-52 AIR MAIL
SAG NEW YORK WASHINGTON FIELD

TOM C. CLARK, HERBERT A. EISENHOWER, HICCONDUCT IN OFFICE.
RESULT SEPTEMBER TWENTY TWO AND REPORT OF SA EDWARD J.
HAYES OCTOBER THREE, WASHINGTON FIELD. IMMEDIATELY IN-
TERVIEW LEWIS ROSENSTIEEL, PRESIDENT SCHNEIDERS, INC. SUTEL
AND SUREP.

HOOVER

2-GG-WFO (ESM) (INFO)
62-97557
ECW: om

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EX . 13 62-97557-35
OCT 13 1952

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 6/23/52 BY 55-06551

MAILED 6
OCT 9 - 1952
COMM - FBI

57 OCT 17 1952

Per
Office Memorandum • UNITED STATES GOVERNMENT

Director, FBI (62-97557)

FROM: SAC, San Antonio (62-2198)

SUBJECT: TOM C. CLARK;
HERBERT A. BERGSON
MISCONDUCT IN OFFICE

DATE: Oct. 6, 1952

ATTENTION: A. ROSEN
Assistant Director

AIR MAIL SPECIAL DELIVERY

Re: Bullet 10/3/52.

San Antonio was instructed to interview ALBERT A. BOGESS,
620 Herring Avenue, Waco, Texas, relative to the Schine Circuit. It was
ascertained that BOGESS was enroute from Waco, Texas to Washington, D. C.
via auto and was due to arrive in Washington, D. C. on October 6, 1952.
The WFO and Bureau were so advised by radiogram dated 10/3/52.

RUC.

WIR:EE VE:LL PRINT RECORD 55
INDEXED 55
68 O CT 21 1952
TO: Director, FBI (62-97557)  
FROM: SAC, Memphis (62-728)  
SUBJECT: TOM G. CLARK  
HERBERT A. BERGSON  
DISCONDUCT IN OFFICE  

DATE: October 6, 1952  
ATTN: A. RUSN  
ASSISTANT DIRECTOR

Rebulet 10-3-52.

Investigation completed this district and RUC report submitted by SA WINFRED E. HOPTON dated 10-3-52. Report mailed AMSD to Bureau same date.

AIM: MRS

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED.
Office Memorandum

TO: Mr. Ladd
FROM: Mr. Rosen
SUBJECT: TOM C. CLARK
        BRIbery
        PAROLE MATTERS

DATE: October 14, 1952

PURPOSE

To advise that a copy of the report submitted by SA Sorensen, who is on loan to the Chief Committee, has been reviewed.

DETAILS

On the evening of October 8, 1952, SA Sorensen supplied on a very confidential basis a copy of his report to the Chief Committee in this matter which reflects an interview with Allen Bernard, a free-lance writer.

This memorandum has been reviewed and it appears that Bernard is primarily interested in securing from the Chief Committee assurances that his two alleged informants will not be prosecuted if they furnish information. Bernard refused to divulge the identity of his informants. He stated that he has been dickering with a magazine for an article on Tom Clark.

Bernard stated that he has only met one of the informants who allegedly can furnish information regarding the alleged payment of $750,000 to Clark to be distributed three ways. He claims to have talked to a known informant in Dallas, Texas, several months ago about the political situation at which time the informant made a "slip" about a sum of money paid to Clark for the parole of certain individuals. He stated that neither this informant nor his friend got any money out of the alleged deal, but Bernard claimed that he has in his possession the numbers and denominations of the bills paid to Clark. He refused, however, to furnish this information. According to Bernard, Maury Hughes, an attorney in Dallas, Texas, was a front man and the split was made 1/3 to Clark, 1/3 to the President and 1/3 to Hughes.
collection and computation of information from various governmental agencies. The examination of this material was concluded in September of 1949, at which time the Antitrust Division prepared a detailed and comprehensive summary of its findings. The conclusions reached by this staff were almost identical to those reached in the 1944 investigation. However, in December, 1949, a summary of the September, 1949, memorandum was prepared together with a draft of a memorandum requesting the Federal Bureau of Investigation to conduct a limited investigation. Since May of 1950, this matter has remained in an inactive status pending the receipt of complaints from the independent distillers, evidence of conspiracy or collusion among the Big Four, or evidence of the dominance of one of the Big Four sufficient to direct the course of others along a common pattern in violation of antitrust Laws.

ERNEST L. BRANHAM has advised that while he was employed in the small business unit of the Antitrust Division, he had received numerous complaints from all parts of the country, from dealers and from the few remaining independent Coopers concerning the practices of the Big Four contending that they were violating the Antitrust Laws. BRANHAM has stated that he had recommended to the Department that suit should not be filed against the Big Four or the Big Six, which consists of Brown, Forman and Publicker in the Cooperage monopoly alone, and that investigation should be pursued further concerning the whiskey monopoly in this industry. BRANHAM contends that this investigation by the Antitrust Division, headed by HERBERT BERGSTON from June of 1949 until September 29, 1950, has been handled in a dilatory manner.

All individuals mentioned above are to be questioned relative to their participation in the case on which they worked. It should be determined whether or not they were instructed by TOM CLARK or HERBERT BERGSTON to purposely mishandle or soft peddle the case. It should also be determined whether they have any knowledge that the Schine Circuit case and the liquor industry case had been mishandled by HERBERT BERGSTON or TOM CLARK or by any other attorney or employee in the Department of Justice. Signed sworn statements should be obtained.

The above investigation will be conducted as expeditiously as possible and all investigation is to be completed by October 3, 1952, and is to be set forth in reports to reach the Bureau AMSD, to the attention of Assistant Director A. ROSEN.
As you will recall an extensive investigation was conducted by the Bureau concerning the allegations of payoff in connection with the paroles of Campagna and associates and copies of the investigative reports in this case were sent to the Department. A searching investigation was conducted by the Subcommittee of the House Committee on Expenditures of the 80th Congress.

The Bureau files reflect that confidential informant whose reliability is unknown, advised in 1943 that Allen Bernard, a newspaperman with former close Communist ties, was in Mexico. According to this informant, Bernard once managed to get himself committed to various insane asylums and state hospitals for month after month in order to write a series of documented exposes on the maltreatment of mental patients.

It appears that Bernard is attributing his information to two alleged informants and, according to the observations set forth in Sorensen's memorandum, has apparently been reading the record of the previous Committee investigation. None of the information submitted by Bernard has been documented, and it appears that Bernard is concerned with the question of libel in the event he publishes his contemplated articles on Tom Clark.

ACTION

The above is submitted for your information.
Office Memorandum

TO: DIRECTOR, FBI
FROM: SAC, WFO (62-7197)
SUBJECT: TOM C. CLARK; HERBERT BERGSON; MISCONDUCT IN OFFICE

DATE: September 30, 1952

Reference our letter dated September 27, 1952.

For the information of the Savannah and Pittsburgh Offices, after receiving previous information in this case, the Attorney General, by a memorandum dated September 9, 1952, has instructed that a full investigation be conducted concerning allegations that TOM C. CLARK improperly handled antitrust cases of the liquor industry, and that a full investigation be conducted concerning the allegations that TOM C. CLARK and HERBERT BERGSON improperly handled the Schine Circuit Antitrust Case.

In addition to information furnished by referenced letter, it has been determined that certain former attorneys in the Antitrust Division, United States Department of Justice, had participated to some extent in either the liquor industry case or the Schine Circuit case.

The Chicago Division is requested to locate and interview MELVILLE WILLIAMS, former Head of the New York Antitrust Office, now employed as an attorney in the law firm of Pope and Ballard, 120 South LaSalle Street, Chicago, Illinois, concerning his participation in the liquor case.

The Pittsburgh Division is requested to interview MARGARET BRASS, presently employed as an attorney in the Antitrust Division, at 306 East Patterson Avenue, Connellsville, Pennsylvania, concerning her participation in the liquor case. Miss BRASS is away on leave from the Department due to the death of her mother in Connellsville, Pennsylvania. In the event Miss BRASS refuses to be interviewed because of the death in her family, it should be ascertained when she will return to Washington, D. C.

EJH: DJM: EIW

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The New York Division will interview EARNEST R. MEYERS, former Departmental Attorney, at the law firm of Isseks; Meyers and La Porte, New York City, (exact address unknown). MEYERS should be interviewed relative to his participation in the Schine Circuit Theaters Case.

VICTOR KRAMER, Chief of the General Litigation Section, Antitrust Division, presently in New York City, in care of the New York Antitrust Office, should be interviewed relative to his participation in the Schine Circuit Theaters case. KRAMER has already been interviewed by this Office in the liquor industry case.

In addition the New York Office should interview JOHN DRENN HILL, Room 5304 RCA Building, New York City, relative to his participation in the liquor industry case.

The New York Office should also locate and interview JOHN SONNETT, Assistant Attorney General in Charge of the Antitrust Division in 1949. With respect to SONNETT, it is to be noted that in a signed statement of ERNEST L. BRANHAM, he, BRANHAM, informed that JOHN F. SONNETT took an active part in the Cooperage investigation. In addition BRANHAM alleges that he recommended to SONNETT that a suit not be filed against the big four liquor dealers or the big six on the Cooperage monopoly alone and that he indicated to SONNETT that the investigation of the liquor industry should be pursued further concerning the whiskey monopoly. BRANHAM alleged that the Cooperage monopoly was merely auxiliary to the liquor monopoly and that the two industries should be prosecuted jointly.

The Savannah Division should locate and interview ALLAN COKER at the Savannah River Operations Office, Atomic Energy Plant, Post Office Box 4, Augusta, Georgia, relative to his participation in the Schine case. It is to be noted that COKER, a former attorney in the Antitrust Division, aided PHILIP MARCUS in the presentation of the Government's case in Buffalo, New York, against the Schine Circuit.

All of the above persons interviewed will not be advised that the investigation is being conducted at the request
of the Attorney General. In the event the authority of the Bureau is questioned, it will be satisfactory to indicate to the person raising such a question that the investigation has been ordered by the Department of Justice. Under no circumstances is that person to be advised which official or which office in the Department so instructed.

The SAC of each Office where there is investigation will personally supervise the investigation and only mature and experienced agents are to be assigned to this matter. The investigation is to be thorough and complete and will receive top priority. Five copies of all reports will be furnished to the Bureau and three copies will be furnished to the Washington Field Office, the Office of Origin. Extreme care should be exercised in the preparation of these reports.

For further benefit of the Savannah Division, in the interview of ALLAN COKER, PHILIP MARCUS, presently employed as an attorney in the Antitrust Division, United States Department of Justice, has furnished this Office with a signed sworn statement wherein he alleges that in the spring of 1948, the Supreme Court ruled in the Schine Circuit cases that the Trial Court should provide for divestiture of theaters in the Schine Circuit not only on the basis of what was necessary to create competitive conditions, but also on the basis of what theaters had been illegally acquired, what theaters had been illegally used and what theaters had been the "fruits" of the conspiracy. This ruling represented one of the most substantial victories ever won by the Government in an Antitrust case. It was and has been regarded as a landmark case with respect to relief that the Courts are willing to give the Government in Antitrust cases.

MARCUS also alleges that in October of 1948, the Department of Justice filed with the District Court a document consisting of proposed findings of fact, a proposed judgment and a supporting brief in accordance with the Supreme Courts opinion. He stated that the proposed judgment provided for extensive divestiture of theaters in the Schine Circuit based upon the proposed findings.
MARCUS states that Schine in the summer of 1944 was represented by its General Counsel, WILLARD S. MCKAY and the New York firm of Cravath, Swaine and Moore. In the late summer of 1948 Schine hired IRVING E., KAUFMAN, now Federal Judge in the Southern District of New York, to attempt to negotiate a settlement with the Department of Justice. KAUFMAN had recently left the Department of Justice after being in charge of the enforcing of the Lobbying Act.

MARCUS further advised that KAUFMAN was reported to be quite close to TOM CLARK, then Attorney General and that he, KAUFMAN, had been instrumental in raising considerable sums of money in New York for the political campaign of 1948.

During the early part of 1948, extensive investigation was carried on by the Department of Justice to determine whether Schine was in contempt of Court. Very flagrant violations were discovered by the Department of Justice and in September or October of 1948, a contempt petition against the Schine Circuit Defendants was drafted by MARCUS and two members of his staff. This petition was approved by the Heads of the Judgment Section and of the General Litigation Section in the Antitrust Division. It was forwarded to HERBERT BERGSON, the Assistant Attorney General in Charge of the Antitrust Division, and a memorandum was sent to TOM CLARK, Attorney General, dated October 26, 1948, recommending the filing of a contempt petition with the District Court in Buffalo, New York. MARCUS advised that it is his understanding that the petition and recommendation were given to the Attorney General.

He further stated that on November 1 and December 20, 1948, he argued certain motions in the Schine case before the District Court in Buffalo, New York, and immediately after one of these talks, WILLARD MCKAY, Attorney for Schine, and he met in the Library of the United States Attorney's Office in Buffalo, New York, to prepare an order in accord with the Court's decision made on this particular motion. On that occasion MCKAY advised MARCUS that he understood that a contempt petition was in the Attorney General's Office and indicated that it was not going to be filed.
MARCUS stated that to the best of his recollection he believed that Mr. SCHINE had also been in to see the Attorney General on this matter. He stated that the Department of Justice never filed the contempt petition.

MARCUS informed that the Trial Court set a date for a hearing to be held on the Government proposal respecting the proposed findings of fact and the proposed judgment. In connection with that hearing the Government advised the District Court that it intended to offer evidence showing that the Schine Defendants had violated judgments entered against them. Several postponements requested by IRVING KAUFMAN on behalf of the Schine Defendants were consented to by HERBERT BERGSON over the objections of MARCUS.

He further stated that in January of 1949, he, along with ALLAN COKER, HAROLD LARSEN and MARCUS' Secretary, JUDITH GOLDSTEIN, went to Buffalo, New York, for the hearing which had been set in the early part of January. He stated that one or two days before that date McKAY came into his office and told him that he would get a call from HERBERT BERGSON and would be told that the hearing would not go on. He stated that he received the call from BERGSON and was instructed by BERGSON not to object to an application for postponement by the attorneys for Schine. A postponement was granted and no hearing was ever held.

Contrary to customary procedure, MARCUS advised HERBERT BERGSON, himself, conducted the divestiture negotiations with Schine's Counsel, IRVING KAUFMAN, without he, MARCUS, or any Section Chief in the Department participating. He stated that he expressed concern over the way the negotiations seemed to be going and on several occasions BERGSON gave him the impression that he was acting under orders from the Attorney General, TOM CLARK. On one occasion MARCUS stated that BERGSON told him that he had to let IRVING KAUFMAN "keep a foot in the door" because KAUFMAN was close to the Attorney General and would usually call on the Attorney General before seeing him.
In addition MARCUS informs that in the early days of these negotiations when he expressed concern, BERGSON attempted to take care of this concern by telling him that he was sure that the Schine Defendants would not even consider the proposals and that he felt that the negotiations would break off. However, the negotiations culminated into a consent judgment. He stated that the divestiture provisions were considerably less than what the Supreme Court's opinion called for and what the Government had asked for in the proposed judgment filed with the District Court. He stated he first refused to sign the judgment which BERGSON and KAUFMAN had agreed upon and then made it a condition for his signing that it contain additional conjunctive provisions, which were added.

He advised that he refused to present the judgment to the Court and that BERGSON was aware of the facts making it almost certain that the Trial Court would have given the Government a better judgment than that which was negotiated.

Relative to the Liquor Industry case, Mr. ERNEST L. BRANHAM, an Attorney in the Antitrust Division, United States Department of Justice, has furnished a sworn signed statement alleging that after the Presidential election of November, 1948, he had conferred with ALFONS B. LANDA of the Law Firm of Davies, Richberg, Tydings, Beebe, and Landa in the Wire Building, Washington, D. C., and LANDA told him that Mr. LEWIS ROSENSTIEL, President of Schenley Industries, was telling it around New York that he had received assurance from Attorney General TOM CLARK that there will never be any suit of any nature against the Liquor Industry, but if such became inevitable that he, LANDA, Washington counsel for Seagram's liquors, was assured that BRANHAM would have nothing to do with it.

In addition, BRANHAM has advised that LANDA informed him that representatives of the Liquor Industries have contributed large sums of money to the Democratic National Committee, and that ROSENSTIEL, President of Schenley's, had pledged $100,000. BRANHAM advised that he reported the above by memorandum to HERBERT BERGSON, and in a subsequent conversation with BERGSON, he, BERGSON, after reading BRANHAM'S memorandum commented as follows:

- 6 -
"You infer that the Attorney General is a crook and a co-conspirator with the Liquor officials."

BRANHAM advised that BERGSON suggested to him that he destroy this memorandum, as he did not want it in the files. BRANHAM destroyed instant memorandum.

In 1943, the Judiciary Committee of the Senate initiated an investigation of the Liquor Distilling Industry. Shortly after the investigation was initiated the committee requested the assistance of the Antitrust Division in gathering information concerning the activities of the major distilleries. In conformity with this request and after an extensive preliminary investigation by members of the Antitrust Division Staff, a Grand Jury was authorized in November, 1943, for the purpose of determining whether certain members of the Liquor Industry were violating the Antitrust Laws. At the conclusion of this extensive Grand Jury investigation in 1944, the staff assigned to the investigation concluded: (1) that there was no evidence of common ownership or control in the industry, (2) that the acquisitions of the Big Four (Schenley, Seagram, National, and Hiram Walker) were not made pursuant to any conspiracy, (3) that the distillers had no common connections with banking interests, and (4) that there was no collusion among the major distillers with respect to marketing and distribution practices. However, the Antitrust attorneys handling this investigation found that there was a high degree of concentration in the hands of the Big Four, and that competition in the industry, as by the Big Four and the independents had been steadily lessening.

The investigation of the Liquor Industry was officially closed in late 1944, however, it was felt that in the postwar period with the removal of governmental wartime regulations in the Liquor Industry, evidence might subsequently be found of the collusion or conspiracy among the Big Four or that one of the Big Four would emerge as the leader to such an extent as to require a further examination of the developing facts.

In the spring of 1949, the Antitrust Division began a re-examination and re-evaluation of prior Grand Jury evidence and the
TO: DIRECTOR, FBI
FROM: SAC, WFO (62-7197)

SUBJECT: TOM C. CLARK; HERBERT A. BERGSOM
MISCONDUCT IN OFFICE

Enclosed herewith is a Blind Memorandum setting forth information concerning an "Interlocking Directorates Case" furnished by ALLEN A. DOBEEY on September 26, 1952.

WEF: DJM
Enclosure:
While being interviewed on another matter, ALLEN A. DOBEY, Trial Attorney, Antitrust Division, Department of Justice, informed Special Agents WILLIAM E. PENTMORE and ROBERT N. WINGARD that he is now handling this Interlocking Directorates Case, which was filed upon in New York City on September 18, 1952. He states that this investigation first came into the Department and was assigned to RICHARD DECKER, of the Antitrust Division, at the time that Mr. BERGSON was Assistant Attorney General in charge of the Antitrust Division. He commented that it was his opinion that Mr. DECKER had attempted on several occasions to get this case filed but had never succeeded in doing so because BERGSON would not authorize. DOBEY noted that, when Mr. MORISON became Assistant Attorney General in charge of the Antitrust Division, he had authorized filing in this case. He stated that it was his opinion that Mr. BERGSON might have withheld filing, inasmuch as SIDNEY J. WEINBERG was one of CHARLES WILSON's top assistants at the Office of Defense Mobilization and noted that Mr. BERGSON, upon leaving the Department of Justice, took a position as counsel for ODM. He further pointed out it was his understanding that the law firm of BERGSON is presently representing the B. F. Goodrich Company.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 8-25-52 BY 80-8830742

CC TO AD "TRAP""
TO: Director, FBI

FROM: SAC, Minneapolis (62-2062)

SUBJECT: TOM C. CLARK, HERBERT A. BERGSON
MISCONDUCT IN OFFICE

DATE: October 1, 1952

AIR MAIL SPECIAL DELIVERY

Reference Washington Field letter dated September 27, 1952, requesting interview with CHAIRMEN HAMMILL, Attorney in Charge of Small Business Unit, Anti-Trust Division, who is confined to St. Mary's Hospital, Rochester, Minnesota.

Mr. HAMMILL received major surgery for Intestinal Tumor September 24, and his surgeon, Dr. CLAUDE DIXON, discouraged interviewing HAMMILL until he has returned to his home in Washington, D. C. and more fully recovered from his operation. DIXON felt that with average success, Mr. HAMMILL will be at his home in Washington, D. C. within a period of three weeks. RUC.

RLC:DD
cc: I-Washington Field (AMSD)
TO: Director, FBI
FROM: SAC, New York (46-2632)
SUBJECT: TOM C. CLARK;
HERBERT A. BERGSON
MISCONDUCT IN OFFICE.

ReBulet 9/22/52, WFO letters 9/27/52 and 9/30/52 and
Los Angeles Teletype 10/1/52.

Enclosed for the Bureau are five copies of report of

The enclosed report reflects completion of investigation
requested in Bulet of 9/22/52 and WFOlet 9/27/52 except the interview of SIGMUND TIMBERG which will be conducted upon TIMBERG's return to the United States after 10/15/52.

Interviews of VICTOR KRAMER, ERNEST S. MEYERS and JOHN D. HILL have been completed as has the interview of HARRY SWERDLOW. These interviews have been unproductive since the persons interviewed have advised that they did not work on the liquor case or the SCHINE case and, therefore, could furnish no specific information relative to this case.

JOHN SONNETT is out of New York City and a tentative appointment has been made to interview him on Tuesday, 10/7/52. A report reflecting completion of this investigation will be submitted following the interview of SONNETT.

5/19

Encs. (5).

cc: 1 - Washington Field (62-7197)(Encs. 3)

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE UPD. BY 8-8-52
RECORDED-37
INDEXED-37

60 OCT 29 1952
**FEDERAL BUREAU OF INVESTIGATION**

**Form No. 1**

**THIS CASE ORIGINATED AT**

<table>
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<th>REPORT MADE AT</th>
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<td>NEW YORK</td>
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<td>EUGENE W. VAHEY (A)</td>
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**FILE NO.**

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<td>MISCONDUCT IN OFFICE</td>
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**SYNOPSIS OF FACTS:**

Investigation of Schine Chain Theatres, Inc., et al, handled by attorneys assigned to Antitrust Division, Washington, D. C. HAROLD LASSER, Attorney, NY Antitrust Office, handled some liaison work in NY, but neither he nor J. FRANCIS HAYDEN, former Chief, NY Antitrust Office, could furnish any information relative to the proceedings and negotiations leading to the consent decree. SIGMUND TIMBERG is at present out of the United States, and is expected to return after 10/15/52. Investigation of major liquor distilleries not conducted by attorneys assigned to NY Antitrust Division, Washington, D. C. Investigations of certain phases of liquor industry conducted by NY Antitrust Office. Review of files failed to reveal any attempt by TOM C. CLARK, HERBERT A. BERGSON or anyone else in the Dept. of Justice to limit investigation. HOLMES BALDRIDGE, on one instance, indicated by footnote on letter to Mr. HAYDEN that a contemplated investigation relative to the withdrawal of cash discounts by wholesale liquor dealers in NY was not worth much time. WALTER K. BENNETT, HAROLD LASSER, attorneys, NY Antitrust Office, and J. FRANCIS HAYDEN, former Chief of that office, said that they know of no instance in which an investigation in the liquor industry was limited or curtailed in order to favor any of the companies in that industry.
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4. Interview of HAROLD LASER.................. 14
This is a joint report of investigation conducted by SAA JOHN M. DUNAY and the writer. All interviews were conducted by the above agents unless otherwise noted.

The files of the New York Antitrust Office relative to the Schine Chain Theatres investigation and investigations conducted by that office relative to the liquor industry, were made available by RICHARD O'DONNELL, Chief of that office.

SCHINE CHAIN THEATRES, INC., ET AL
ANTITRUST CASE

Review of Files of New York Antitrust Office

A review of the file relative to the above case reflects no investigation by the New York Antitrust Office in connection with this matter.

The file contains only a copy of the decree entered on June 24, 1949 and miscellaneous papers such as letters transmitting documents between the Antitrust Division in Washington, DC and attorneys for the defendants. It appears from the file that HAROLD LASHER, attorney assigned to the New York Antitrust Office, performed functions in the nature of liaison between the Washington Office of the Antitrust Division and attorneys for the defendants in New York.

It is noted that when the New York file was opened as of August 7, 1939, the attorney handling this case for the Antitrust Division was SEYMOUR SIMON. In November 1941 ROBERT L. WRIGHT appears as attorney handling the case and in July 1944 the name of PHILIP MARCUS is noted in the file. The attorneys for the defendants who are mentioned in the file, are as follows:

WILLARD S. MC KAY
630 Fifth Avenue
New York City, representing
Schine Chain Theatres

CHARLES D. PRUTZMAN
1250 Sixth Avenue
New York City, representing
Universal Pictures, Inc.
NY 46-2632

BENJAMIN PEPPER of
O'BRIEN, DRISCOLL and RAFTERY
152 West 42nd Street
New York City representing
United Artists Corporation

IRVING MOROSS, representing
Columbia Pictures Inc.

SCHWARTZ and FROHLICH
1450 Broadway
New York City, who are also
shown as representing
Columbia Pictures

Interview of J. FRANCIS HAYDEN

Mr. HAYDEN was interviewed in his office in Room 730,
350 Fifth Avenue, New York City and advised that he recalls the
Schine Theatres case since it was settled in Buffalo, New York
during the time that he, HAYDEN, was Chief of the New York
Regional Antitrust Office. However, he had nothing to do with
this case since the investigation was not conducted by his office.
He recalls that the settlement of the case was handled by HERBERT
A. BERGSON who was at that time Assistant Attorney General in
Charge of the Antitrust Division.

HAYDEN was not present at any of the negotiations leading
up to the decree or at any of the court sessions relative to this
case and advised that he knew nothing regarding any of these
proceedings and could furnish no information relative to them.

INTERVIEW OF HAROLD LASSER

LASSER advised that the Schine case was handled by
attorneys assigned to the Antitrust Division at Washington, DC
and he recalls specifically that ROBERT L. WRIGHT and PHILIP
MARCUS handled this case. According to LASSER, this case was
handled by the Washington Office probably because it was an out-
growth of the motion picture investigation which was being
handled directly out of the Antitrust Division in Washington. This case started about 1938 when the Antitrust Division had a large motion picture section.

LASSER advised that no investigation was conducted by the New York Office and that this office played no part in the prosecution of the case even though the settlement of the case took place in Buffalo, which is in the territory covered by the New York regional office.

LASSER advised that he probably acted in a liaison capacity in transmitting papers and/or documents between Antitrust attorneys in Washington and attorneys for the defendants in New York, but knows definitely that he never engaged in any discussions or conferences relative to the case and had no part in the prosecution of the case. He could furnish no information relative to any of the proceedings leading up to the settlement of this case.

Attempt to interview SIGMUND TIMBERG

It has been determined that SIGMUND TIMBERG, who is now associated with the United Nations in New York City, is at the present time outside the United States. TIMBERG is expected to return to New York after October 15, 1952.

LIQUOR INDUSTRY INVESTIGATIONS

Review of Files of New York Antitrust Office

For the purpose of identifying the various files examined in connection with this investigation, the numbers in the files in the New York Antitrust Office will be set forth. HAROLD LASSER has advised that the numbers appearing on field files of the Antitrust Division are identical with the numbers on corresponding files at the Antitrust Division in Washington, DC.

60-257-0

This file pertains to the liquor industry in general. A review reflects that several liquor investigations were undertaken by the New York Antitrust Office and were made a part of this file.
In the latter part of 1947 and the early part of 1948 preliminary inquiry was conducted under the supervision of WALTER K. BENNETT. This inquiry was closed by a letter received by the New York Office from HOLMES BALDRIDGE dated January 29, 1948. This inquiry was closed on the basis of information furnished by the New York Office that there was no evidence of price fixing in the liquor industry in New York at the retail level.

Another investigation was opened on February 3, 1948 and involved a possible violation by the New Jersey Institute of Wine and Spirits Distributors, 1060 Broad Street, Newark, New Jersey. This case was assigned to HAROLD LASER on May 5, 1948 and closed on February 4, 1949. The basis for closing this case will be discussed subsequently in this report under the interview of HAROLD LASER.

Under date of February 20, 1950 JOHN A. JORDAN, who was an attorney assigned to the New York Antitrust Office and who is deceased, submitted a memo to MELVILLE C. WILLIAMS who was then Chief of the New York Office. This memo stated that it appeared that there was price fixing in the liquor industry in New York State and recommended that authority be obtained from the Department of Justice to present the case to a grand jury.

By a memo of February 23, 1950 addressed to HERBERT A. BERGSON and sent to the attention of RODOLFO A. CORREA, WILLIAMS requested grand jury authority and attached a copy of JORDAN'S memo.

The file of the New York Office contains a copy of a memo from HERBERT A. BERGSON to EDWARD P. HODGES. This memo requested HODGES to present a determination of the effects on instant investigation of the FIELD-CRAWFORD Act and an Appellate Court decision of May 10, 1949 which held that the MITCHELL Act was unconstitutional.

By a memo dated May 14, 1950 EDWARD P. HODGES advised WILLIAMS that BERGSON was holding the request for grand jury authority in abeyance until the New York State Legislature adjourned. According to the file, the pertinent point was that at that time there was no fair trade law with respect to liquor in effect in New York State.
By a letter dated April 3, 1950, MELVILLE WILLIAMS advised HERBERT BORGSON that the New York Legislature had enacted a mandatory price fixing law on March 22, 1950. This letter pointed out that the Governor had thirty days to veto or sign this law and was expected to sign it. He recommended seeking an indictment of the retail liquor dealers and the distributors for price fixing activities for the period between February 24, 1950 and the date on which the new legislation would become effective.

This authority was denied on April 11, 1950 by HERBERT BORGSON because of the short period during which no fair trade law was in effect in the State of New York.

This file was opened in January 1940, at which time a complaint was received by the New York Antitrust Office that price fixing activities were being carried on by the large retail liquor dealers in New York. There was some correspondence between the New York Office and the Antitrust Division in Washington, D.C., relative to this matter during 1940, and on February 21, 1941, THURMAN ARNOLD, Assistant Attorney General, informed HERBERT A. BERMAN, Chief of the New York Office, that no investigation could be instituted at that time because of a shortage of personnel.

On October 17, 1941, a complaint was received from B. M. MARKSTEIN of the Western Reserve Liquor Company, Cincinnati, Ohio. This complaint stated that the major distilleries were buying up the small independent distilleries, and storing whiskey. The complaint stated that the result of this practice was first, it prevented small companies like Western Reserve from obtaining requirements of bulk whiskey, and secondly, created an artificial scarcity which resulted in unusual rises in whiskey prices.

An additional complaint setting forth substantially the same information, was received from MARKSTEIN on September 11, 1942. However, no further action was taken by the New York Antitrust Office with respect to these complaints.
This file also contains a complaint received from HAROLD K. OLEET, Mt. Vernon, New York, which stated that Park and Tilford, import corporation, had refused to sell liquor to OLEET, who was a retail liquor dealer.

OLEET was interviewed on February 18, 1942 by EMANUEL S. CAHN, Attorney assigned to the New York Antitrust Office, and CAHN reported that there was no apparent conspiracy in this case since no other liquor company had refused to sell merchandise to OLEET. CAHN is deceased.

60-257-15

This investigation did not involve the liquor industry as such, but had as its subject Local Number 20244 of the Wine, Liquor and Distillery Workers Union.

60-257-18

A review of this file reflects that it was opened as a result of the bankruptcy proceedings relative to WILLIAM JAMESON and Company, Incorporated. In 1942, the Jameson Company was a debtor in the process of reorganization, and a report was received by the New York Antitrust Office that the debtor, JAMESON, was to be purchased by Seagrams.

Subsequently on August 26, 1942, the law firm, Karelsen, Karelsen and Rubin informed SAMUEL S. ISSEKS, Chief of the New York Antitrust Office, that they were attorneys for wholesale liquor dealers, who feared that the purchase of the Jameson Company by Seagrams Distilleries would be disadvantageous and a possible violation of the Antitrust Laws. By a letter dated August 31, 1942, THURMAN ARNOLD informed Joseph E. Seagrams and Sons, Incorporated, 405 Lexington Avenue, New York, New York, that the acquisition of smaller distilleries by Seagrams and others might possibly lead to civil and criminal antitrust suits.

By a letter dated September 2, 1942, JAMES E. FRIEL, Vice President and Treasurer of Seagrams, informed Mr. ISSEKS that the Seagrams Company had no intention to violate the Antitrust Laws.
The file reflects that the reorganization of the Jameson Company was dismissed by the Bankruptcy Court on October 15, 1942.

No further action by the Antitrust Division is reflected in this file.

60-257-21

This file was opened by a memorandum of LAWRENCE S. APSEY, Chief of the New York Antitrust Office on December 28, 1945. This memorandum, which was prepared by VICTOR S. AXELROAD, an attorney in the New York Office, related information that it was necessary to buy wine and other products in order to obtain scotch liquor in the New York area.

The information furnished to APSEY was forwarded by him to HOLMES BALDRIDGE in a letter dated December 29, 1945.

By a letter dated January 16, 1946, BALDRIDGE advised APSEY that the general liquor investigation was inactive at that time, and suggested an investigation of instant matter at New York. APSEY subsequently requested files of the general liquor investigation pertinent to tie in sales, and was informed by BALDRIDGE that the files were not organized in a manner which would make pertinent information easily available. BALDRIDGE also informed APSEY that the Alcohol Tax Unit was also investigating the matter of tie in sales in the liquor industry. This case had in the meantime been assigned to HAROLD LASSER, who was to work on it under the supervision of ROBERT WOHLFORTH.

During February and March 1946, requests were sent to various liquor groups and associations requesting such information as copies of the constitution and by-laws of the association, minutes of meetings of stockholders, Boards of Directors, etc., as well as copies of reports submitted to these groups and associations.

By letter dated February 18, 1946, APSEY pointed out to BALDRIDGE that he understands that the Alcohol Tax Unit, and the Office of Price Administration are also conducting investigations relative to tie in sales. He states that the
limits and main avenues of interest to these organizations are not clear to him.

APSEY also stated that he has no knowledge of the previous investigation of the liquor industry conducted by the Antitrust Division, and informed BALDRIDGE that such information would be helpful to him.

By a letter dated March 15, 1946, BALDRIDGE informed APSEY that in view of the general investigation being conducted by the Alcohol Tax Unit, he questioned the advisability of too much work. He stated that two government agencies were investigating the same situation in an attempt to rectify it under their respective authorities. BALDRIDGE stated that he had talked with LASSER with respect to this matter, and felt that the work to be done ought not to conflict with that of A.T.U.

He pointed out that any investigation to be conducted by the Antitrust Division should be vertical, that is, should include the distiller, wholesale dealer, and retail dealer. Mr. BALDRIDGE further pointed out that tie in sales do not violate the Sherman Act unless the product is monopolized.

He further stated that tie in sales violate Section Three of the Clayton Act regardless of whether or not the scarce product is monopolized, but also stated that the Antitrust Division does not bring suits under Section Three of the Clayton Act unless tied in with a violation of the Sherman Act. Mr. BALDRIDGE's letter states that a search of the documents secured on subpoenas from the major distilleries in the course of the nation wide investigation of the liquor industry two years previously, did not prove fruitful, since the Antitrust Division was interested at that time in possible monopolization by the major distilleries of distilling plants and liquor stocks.

The file relative to this investigation reflects that the documents requested from the associations in the New York area were submitted, but no further investigation was conducted.
This investigation involved the withdrawal of a one percent cash discount by the wholesale liquor dealers in the New York area. The case was assigned in the New York Office to WALTER K. BENNETT, and was referred to the Department of Justice for approval of the Antitrust Division on October 14, 1947.

By letter dated October 30, 1947, HOLMES BALDRIDGE suggested to J. FRANCIS HAYDEN, Chief of the New York Office, that he prepared a memorandum requesting Federal Bureau of Investigation investigation.

This memorandum was prepared and submitted to the Antitrust Division, and by letter dated November 24, 1947, BALDRIDGE informed HAYDEN that the memorandum requesting Federal Bureau of Investigation investigation had started through channels. The letter from BALDRIDGE contains the following handwritten footnote: "FRANK: I do not think this particular situation is worth much of our time."

On March 5, 1948, Grand-Jury authority was requested in this case since the Greater New York Wholesalers Association had refused access to its files, and had refused to answer questions. This request was forwarded by HAYDEN to JOHN FORD BAECHER of the Washington Office of the Antitrust Division.

Investigation to date had revealed that members of the association had filed prices with the New York State Liquor Authority on September 10, 1947 to be effective October 1, 1947. Nineteen of the twenty members filing had withdrawn the usual one percent discount, and investigation had disclosed a meeting of the association in August, 1947, when a poll had been taken regarding the question of removing this discount on September 10, 1947. On September 26, 1947, five wholesalers had restored the one percent cash discount, and when prices were filed with the State Liquor Authority on October 10, 1947 to be effective November 1, 1947, the discount was fully restored by all of the members of the association.
Grand Jury authority was granted by acting Attorney General PHILIP B. PERLMAN on March 26, 1948.

Under date of May 10, 1948, HOLMES BALDRIDGE informed HAYDEN that unless a case could be made involving a more substantial part of the retail price than the one percent discount, he did not feel that there was much of a case. He suggested that the case be developed as thoroughly as possible before presenting it to a Grand Jury.

The file contains a memorandum by WALTER BENNETT dated July 9, 1948 relative to a conference between himself and HOLMES BALDRIDGE. BALDRIDGE pointed out that the factors involved in the case would have no effect on consumer prices, and he doubted whether an action should be brought. He suggested that BENNETT determine what the members of the industry had to say about the matter, and prepare a memorandum after a conference had been held with the industry.

By letter dated February 15, 1949 from GEORGE J. FELDMAN, 1435 K Street, N.W., Washington, D.C. reference was made to a conference in BENNETT's office attended by FELDMAN, BENNETT, and MORGES O. ALPRIN of the Greater New York Wholesale-Liquor Association. This letter points out that the one percent discount is a moot point since it was restored in November 1947. BENNETT subsequently requested FELDMAN to furnish additional information.

By letter dated February 18, 1949, BENNETT informed HOLMES BALDRIDGE that criminal action did not appear warranted and stated that action against the association relative to the maintenance of a uniform mark-up should await the requested explanation of FELDMAN.

A letter dated April 1, 1949 from HERBERT A. BERGSON, to J. FRANCIS HAYDEN with a copy for HOLMES BALDRIDGE, states that the case does not warrant further expenditure of time, and recommends that the case be closed. The case was closed by the New York Office on April 4, 1949, and the file reflects the receipt of a letter from FELDMAN on April 11, 1949.

This letter was forwarded to the Antitrust Division in Washington, and is not in the New York file.
On May 28, 1951 MELVILLE C. WILLIAMS requested permission of Assistant Attorney General H. G. MORISON to conduct a preliminary inquiry into the action of Seagrams in setting up warehouses in various states in order to make all shipments intra-state and therefore require compliance with the various state fair trade laws. This authority was granted on June 6, 1951. However, by memorandum dated July 24, 1951, HAROLD LASSER and EDWARD CORCORAN recommended to WILLIAMS that the case be held in abeyance until the situation relative to fair trade laws could be cleared up.

By a memorandum dated August 28, 1952, LASSER recommended to LESTER L. JAY, Acting Chief, New York Antitrust Office, that this case be closed in view of the McGuire Bill which had been signed by President TRUMAN on July 14, 1952. This bill involves compliance with various state fair trade laws.

On August 29, 1952, LESTER JAY advised NEWELL A. CLAPP, that the New York Office was closing its case in this matter.

Interview of WALTER K. BENNETT

WALTER K. BENNETT is an attorney assigned to the New York Antitrust Office, and has advised that his periods of assignment to this office were from May 1941 to April 1942, and from February 1946 to the present. From January to February 1946, he was assigned to the Antitrust Division at Washington, following his return from military service.

Mr. BENNETT advised that he knew nothing of any investigation of the major distilleries in the liquor industry, and further advised that he had handled the investigation of the wholesale liquor industry in New York. This investigation involved the withdrawal by the wholesale liquor industry of the one percent cash discount. He advised that this case was closed on the suggestion of HOLMES BALDRIDGE, who felt that the effect of the one percent discount on retail prices would be insignificant
and also felt that during the post-war period, the Antitrust Division had more important matters on which the investigative time could be spent.

Mr. BENNETT advised that there was never any suggestion to him by anyone in the Department of Justice or by any of the subjects of this case that the investigation should be conducted in any manner which would show special favor to the liquor industry.

Interview of J. FRANCIS HAYDEN

Mr. HAYDEN was interviewed at his office in Room 730, 350 Fifth Avenue, New York, New York, and advised that he was employed in the Claims Division of the Department of Justice until the summer of 1947. He was then transferred to the Antitrust Division, and in August 1947, was assigned as Chief of the New York Office, which position he held until October 1949.

Mr. HAYDEN advises that he can recall no investigation of the liquor industry in New York, other than the one handled by WALTER K. BENNETT in connection with the withdrawal of the one percent cash discount.

He advised that he originated the idea in the Antitrust Division of giving priority to investigations involving food, clothing, and housing because of post-war shortages, and felt that investigations of this type should receive more attention than those involving luxury items such as liquor.

He expressed great admiration for former Attorney General TOM C. CLARK, and stated that he never knew of any attempt or suggestion by anyone to favor the liquor industry in any investigation being handled by the Antitrust Division.

Interview of HAROLD LASSE

HAROLD LASSER, Attorney, New York Antitrust Office, advised that there has never been a general investigation of the
liquor industry by attorneys assigned to the New York Office. LASSER recalls that such an investigation took place about 1944, and was handled by attorneys working out of the Washington Office.

LASSER advised that there had been several investigations in New York relative to various aspects of the liquor industry, and he himself has conducted the investigation on a few of these cases.

According to LASSER, one of these cases involved the New Jersey Institute of Wine and Spirits Distributors. It appeared from news articles relative to this Institute that it violated the Antitrust Laws. LASSER conducted some investigation relative to this Institute, and the investigation was discontinued when the Institute ceased operations.

LASSER advised that he also worked on the case involving tie in sales on liquor, and that this case was closed because an investigation was already being conducted by the Alcohol Tax Unit, and the Antitrust Division was giving priority to cases involving food, clothing and housing.

The third case handled by LASSER was that involving the Seagrams Company, and was opened when the Antitrust Division received information that Seagrams intended to establish warehouses in states having a fair trade law in order to avoid interstate commerce in the handling of its products. LASSER advised that this case was closed as the result of the McGuire Bill.

LASSER stated that he has no recollection of ever discussing any liquor case with any of the officials of the Antitrust Division or the Department of Justice at Washington, D. C. He could not recall his discussion with HOLMES BALDRIDGE mentioned previously in this report, and stated that it must have been mentioned in passing when he and BALDRIDGE were discussing a group of cases on a visit by LASSER to the Antitrust Division in Washington.

LASSER advised that he never received any instructions or suggestions which would indicate to him that any official of the Department of Justice limited or impeded any investigation in the interest of the liquor industry.
NY 46-2632

ADMINISTRATIVE PAGE

LEAD

NEW YORK

At New York, New York

Will interview SIGMUND TIMBERG, care of United Nations, upon his return to the United States after October 15, 1952.

REFERENCE

Bulletin 9/22/52,
NY Let to Bureau and Washington Field, 9/25/52,
Washington Field Let to Bureau, 9/27/52,
With reference to the questions you raised in Mr. Rosen's memorandum of 9-22-52 on the chronology of the Kansas City Case, I wish to submit the following for the purposes of clarification:

1. On page 7 of the memorandum, in reference to Mr. Ladd's conference with Mr. Clark on July 23, 1947, at which time the Attorney General suggested the desirability of removing intra-Bureau memoranda from the files, the background is as follows:

On May 28, 1947, Mr. Ladd appeared before the Senate Judiciary Committee and certain references in this file were read into the record such as the Director's comments, "Here we are restricted" in the scope of the investigation, etc. Mr. Ladd had the first section of the file with him. On July 17, 1947, Senator Ferguson called Mr. Ladd and requested Ladd to bring him the file in the Kansas City Case which he used in testifying before the Executive Committee on May 28, 1947. Mr. Ladd told him he didn't believe this could be done. The Director instructed that a memorandum be sent to the Attorney General. Such a memorandum went to the Attorney General on July 17, 1947. In the meantime at 2:50 P.M., the Attorney General called the Director and in the conversation the Attorney General said to photocopy the file and he would call the Director back about giving it to Senator Ferguson.

On July 18, 1947, a memorandum was sent the Attorney General outlining exactly what information Mr. Ladd had given the Senate Judiciary Committee from the file and pointing out that the files actually had not been given Senator Ferguson. The photocopy of the file Mr. Ladd had when he was before the Committee on May 28, 1947, was never given Senator Ferguson.

On the afternoon of July 25, 1947, Mr. Ladd took the section of the file he had before the Committee, around to the Attorney General. Mr. Ladd's best recollection is the Attorney General called the Director and regretted he brought it.
the file around. It was on this occasion he suggested removing
tales from this section and of subsequent sections. Such
papers were removed from their existing sections of the file
and subsequent memoranda were not put in the main file.
of an administrative nature.

2. When were the administrative papers removed
pursuant to the Attorney General's suggestion first called to
the attention of the Department?

On the late afternoon of May 5, 1947. To elaborate,
when Nichols and Ladd were before the Senate Judiciary Committee
on May 5 and were unable to explain the matters then returned
to the Bureau between 1:30 P.M. and 2:00. Numerous checks
were made. Then Mr. Ladd recalled having Supervisor Lorton
take out administrative papers in line with Tom Clark's
suggestions. Lorton promptly brought two folders to my office
where Mr. Ladd and I were working. We hurriedly thumbed through
the folders, went to Mr. Tolson's Office, then to the Director's
Office and briefly explained the situation to the Director.
Mr. Ladd and I both have a vivid recollection of this conference
because of the Director's displeasure at our inability to
explain the matter before the Judiciary Committee and the
Director's concern to make a full disclosure to the Committee
without further delay.

At the Director's instructions I called Peyton Ford
from the Director's Office to advise of the explanations. At 5 P.M.
Ford was not in and at the Director's instructions, I called
Bill Rogers, the counsel for the Committee and told him
we had the explanation but were awaiting Peyton Ford's return
to the office to get departmental clearance. Mr. Ladd and I
went to Ford's Office and waited until Ford came in and we
exhibited the Sub B folders to Ford and Jansen about 6:00
P.M. The four of us went to the Attorney General's Office about
6:45 or 7:00 P.M. on May 5, 1947. The Attorney General was
tied up and we waited about 15 minutes for him, then explained
briefly the facts. He recalled his conversation with Mr. Ladd
of July 23, 1947, about removing administrative details from
the file. At the Attorney General's instructions we returned
to Ford's Office and met Rogers and trip Flanagan and went
over the first section of the Sub B file, around 7:00 or
7:15 P.M.

-9-
Mr. Ladd's memorandum of July 24, 1947, was in the second section of the Sub B file and was not exhibited to Rogers or Flanagan that night. On returning to the Bureau, the Director and Mr. Tolson had gone to dinner as we recall but returned to the Bureau after dinner and we outlined the evening's happenings. The Director specifically ordered that the Ladd pink memorandum was to be made available the next day, May 6, when Rogers had ordered that we appear before the Committee with Supervisor Larton and the Sub B files, which we had brought back to the Bureau with us. After leaving the Director we had the Sub B files photostated for our own use. Ford and Bergson were not advised of this.

3. When was the Sub B file surrendered to the Department? May 6, 1948.

The Sub B files were taken to the Executive Session of the Judiciary Committee on May 6, 1948, and upon our return were left with Ford and Bergson.

4. When was the Sub B file returned to the Bureau? June 22, 1948.

The Bureau was confronted with the problem of accounting for all serials and reconstructing the file. Carmen Bellino was assigned by the Committee to work in the Laboratory with document examiners. This necessitated having the original papers which Bellino would secure from Bergson in the morning and take them to the Laboratory. These examinations were completed on May 24, 1948.

Prior to the Laboratory examination each page of the Sub B file was numbered in sequence to guard against any papers being removed. The file was in the custody of the Department except for a period on May 10, 1948, when Bergson asked us to photostat the first 6 sections of the main file and the two volumes of the Sub B file. Since Tom Clark was considering actually turning over photostats to the Committee, the file was in our custody from May 10 to May 11, 1948, for photostating.

The main files and the 2 sections of the Sub B files were returned to the Bureau at 6:00 P.M. on June 22, 1948, when Mr. Cartwright and I called at Bergson's office and picked up the files. This was the subject of a memorandum by me dated June 22, 1948, and is serial 1171 in the file. Cartwright subsequently
checked every serial in the file to insure that it was intact and that nothing had been removed from the file while it was out of our custody.

5. Was the Sub B file kept intact?

At the instructions of Perason, the Sub B file was kept intact from the date of its return on June 22, 1947. After several follow-ups to the Department, Tom Clark, by memorandum dated March 8, 1949, advised we could return the serials in the Sub B files to the main file. The serials in the Sub B file were then integrated in the main file on a chronological basis.
Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI

FROM : SAC, WFO (62-7197)

SUBJECT: THOMAS C. CLARK, HERBERT A. BERGSON
MISCONDUCT IN OFFICE

Rebellot September 22, 1952.

Enclosed herewith are five copies of the report of SA EDWARD JOSEPH HAYES, dated October 3, 1952.

This is to advise that attorneys representing the liquor industry and the Sehine Circuit Theater Chain were not interviewed pending further instructions from the Bureau, that is, other than the interview with ALFONS B. LANDA, Attorney for Joseph A. Seagrams Company.

It is to be noted that the New York Office by letter dated September 25, 1952, to the Bureau, advised that through contact with the Antitrust Office, Department of Justice, in New York, file numbers pertaining to the general liquor file in the field would be similar with file numbers in the Antitrust Division in Washington. A check was made of file numbers furnished by the New York Division, and all were located with the exception of File #60-257-15.

Mr. LEROY McCaULEY, Administrative Assistant, Administrative Section, Antitrust Division, United States Department of Justice, has advised that the Washington Office does not have File #60-257-15, but that it is maintained in the New York Antitrust Office. After an examination of his records disclosing whereabouts of files, he informed that this file consists

EJH: tah

Enclosures (5)

2 - New York (46-2632) (SPECIAL DELIVERY)

INDEXED-37

RECORDED-37

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 6/23/52 BY M-8 (DAR)
Office Memorandum • UNITED STATES GOVERNMENT

TO:    Director, FBI (62-97557)  DATE: October 7, 1952
       Attention: Assistant Director A. ROSEN
FROM: SAC, New York (46-2632)
SUBJECT: THOMAS C. CLARK;
          HERBERT AUGUSTUS BERGSON
          MISCONDUCT IN OFFICE


All investigation at New York has been completed with exception of the interview of SIGMUND TIMBERG who will be inter-
viewed upon his return to the United States.

A report of SA(A:) EUGENE W. VAHEY reflecting all investigation completed to date will be submitted to the Bureau on 10/8/52.

AIR MAIL
SPECIAL DELIVERY
cc: 1 - Washington Field (62-7197)
EWV:EMF

ALL INFORMATION CONTAINED HERIN IS UNCLASSIFIED
DATE 6/23/52 BY 82-7879
TO: DIRECTOR, FBI (62-97557)
FROM: SAC, WFO (62-7197)
SUBJECT: THOMAS C. CLARK; HERBERT AUGUSTUS BERGSOM
MISSCONDUCT IN OFFICE

DATE: October 7, 1952

Re: WFOlets 10/2 and 10/3, 1952.

On 10/6/52 SA MADE BROWNECLL, now on detached duty working with the Gelf Committee investigating the Department of Justice, contacted SA EDWARD J. HAYES and furnished the following information:

He stated that relative to his trip to Dallas, Texas, on behalf of the Gelf Committee to interview a Mr. WILLIAM McCRAW, Attorney at Law, 801 Mercantile Bank Building, Dallas, Texas, he was told by McCRAW that he (McCRAW) had no knowledge of TOM CLARK accepting money in connection with the settling of an income tax case. He advised that McCRAW flatly denied ever contacting TOM CLARK in the GEORGE L. BERRY tax case.

SA BROWNECLL was unable to furnish any additional information in this matter.

EJH:how/Im

RECORDED-37

68 OCT 21 1952 INDEXED-37

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 6-28-83 BY 88-8 07320
Office Memorandum • UNITED STATES GOVERNMENT

TO: DIRECTOR, FBI (62-97557)                                      DATE: 10/7/52

FROM: SAC, LOS ANGELES (62-3923)

SUBJECT: TOM C. CLARK
HERBERT A. BERGS PLON
MISCONDUCT IN OFFICE

ATTENTION: A. ROSEN, Assistant Director
Rebuel to Washington Field, 10/3/52.

HARRY B. SWERDLOW, former attorney with Anti-Trust Division,
U.S. Department of Justice, was interviewed by agents of the New
York Office at New York City on 10/2/52, according to information
furnished by SWERDLOW to this office on 10/6/52.

No further leads for Los Angeles Office.

RUC:

2-cc Washington Field (62-7197)

GKH: BKB

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

RECORDED-37
INDEXED-37
14 OCT 1952
68 OCT 21 1952

EX-23
Office Memorandum

TO: Director, FBI

FROM: SAC, New York (46-2632)

SUBJECT: TOM C. CLARK; HERBERT A. BERGSON
MISCONDUCT IN OFFICE

DATE: 10/6/52

Re WFO Let, 9/30/52.

The Office of JOHN E. SONNETT at NY now advises that SONNETT will be in Washington, care of Cahill, Gordon, Zachary, and Reindel, Wire Building, 1000 Vermont Avenue N.W., Washington, D.C., until Wednesday, 10/8/52. SONNETT is staying at the Carlton Hotel. SONNETT will leave Washington on Wednesday for Detroit and will not return to NY until the week of October 13.

WFO is requested to interview SONNETT.

SPECIAL DELIVERY

2 - Washington Field (SPECIAL DELIVERY)
October 9, 1952

MEMORANDUM FOR MR. TOLEIN
MR. LADD
MR. NICHOLS

Today I called Deputy Attorney General Ross L. Malone, Jr. and told him I had just received a call from Mr. Robert Collier indicating that he had conferred with the Attorney General, Mr. Malone, and Congressman Keating of the Chief Committee about the matter of Tom Clark and of their desire to have two Agents of the Bureau present and available in case Allen Bernard does not make a statement. I stated that Mr. Collier indicated that this had been approved; namely, that two Agents be present during Bernard's testimony, and I wondered if this was correct. Mr. Malone stated that the Attorney General said he would approve this procedure. I told Mr. Malone that this would be done.

Very truly yours,

John Edgar Hoover
Director
Office Memorandum

TO: Director, FBI (62-97557)
FROM: SAC, Minneapolis (62-2062)
SUBJECT: TOM C. CLARK
HERBERT A. BERGSON
MISCONDUCT IN OFFICE

DATE: October 6, 1952

Rebulet to WFO dated 10/3/52, cc Minneapolis Office.

An RUC letter concerning the above matter was forwarded to the Bureau from Minneapolis Office on October 1, 1952.

RECRORED-37
EX-23

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 68 OCT 21 1952

EXPIRED 6/24/1954
The Attorney General

October 10, 1952

Director, FBI

PERSONAL AND CONFIDENTIAL

TO: C. CLARK
HERBERT A. BERGSHA
HIC CONDUCT IN OFFICE

I am attaching to this memorandum and to the copies designated for Mr. Murray copies of the reports of Special Agent Edward Joseph Hayes, dated October 3, 1952, and October 8, 1952, at Washington, D. C.

The exhibits mentioned in the reports of Special Agent Hayes are being delivered to Mr. Murray's Office by special messenger in view of the voluminous nature of these exhibits.

Attachment

RECORDED-37 162-97557-50
7 OCT 14 WSP

CC: 2 - Assistant Attorney General (PERSONAL AND CONFIDENTIAL)
Charles B. Murray (Attachment)
The Attorney General

October 10, 1952

Director, FBI

PERSONAL AND CONFIDENTIAL

TOM C. CLARK
HERBERT A. BERGSON
MISCONDUCT IN OFFICE

I am attaching to this memorandum and to the copies designated for Mr. Murray a copy of the following investigative reports:

Report of Special Agent Leon H. Morris dated October 6, 1952, at Savannah, Georgia.


This investigation is going forward expeditiously and investigative reports received at the Bureau will be reviewed and immediately forwarded to you and Mr. Murray.

I am forwarding this memorandum to the Assistant Attorney General (PERSONAL AND CONFIDENTIAL) attached copy to Mr. Murray.

cc: Assistant Attorney General (PERSONAL AND CONFIDENTIAL)

Charles B. Murray (Attachment)

RECORDED 37

162-27557-51

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Clk.

DECLASSIFIED ON 6-23-83

MAILED 11

OCT 29 1952

COMM - FBI

OCT 15 1952

OCT 14 1952
TO: MR. LADD
FROM: A. ROSENSHTEIN
SUBJECT: TOM C. CLARK
BRIEFLY - PAROLE MATTERS

It is to be recalled that SA. Carl Sorensen, presently on loan to the Chief Committee, confidentially advised that he interviewed Allen Bernard, a free lance writer in New York City, with regard to allegations that he has proof that Tom C. Clark received $250,000 as a result of the parole of Chicago gangsters Campagna, et al. He said that he could make available confidentially a copy of his report on this interview.

On the evening of October 8, 1952, SA. Sorensen supplied a copy of his report on this matter, on a very confidential basis. From the copy Sorensen loaned to us, we have, in turn, made copies and returned the one loaned by Sorensen to him. This consists of some five pages and it is attached. This is being reviewed for anything of pertinence which might be identifiable with the investigation the Bureau conducted concerning the parole of these Chicago gangsters. A separate memorandum will be supplied.

Sorensen confidentially advised that he had served a subpoena on Allen Bernard requiring Bernard to appear Friday, October 10, 1952, at 10:00 A.M. before the Committee. He said that Bernard seemed highly nervous. Bernard stated that he was going to get in touch with his attorney immediately with respect to the subpoena. He indicated that he would endeavor to plead the so-called privileged status that a newspaperman has with his informants.

Sorensen advised (and his report of the interview so reflects) that Bernard was vague and refused to give specific information relative to names, dates, places and circumstances. He will not identify his informants. Sorensen has stated that it appears that Bernard has done considerable reading of the Congressional Committee's reports concerning its investigation regarding the circumstances surrounding the release of the four Chicago gangsters. It is to be recalled that Congressman Clare Hoffman (R-Michigan) was Chairman of the Subcommittee in the House of Representatives which investigated this matter.

The attached report is being studied in the light of all information contained herein is unclassified.

ACTION

RECORDED-37, [62-97557-53]

INCREASED-31, [13 Oct 1952]

DATE: [23 JY 1952]

BY 57-885930A.
Memorandum for Mr. Ladd

investigation conducted by the Bureau and a separate memorandum will be submitted.

Agent Sorensen has advised that no one on the Committee knows that he has made this information available to the Bureau and requests that it be treated confidentially.
Reference is made to the memorandum of Associate Counsel, D. J. Kennedy, dated June 25, 1952, and to the memorandum of Robert A. Collier, Chief Counsel, dated July 10, 1952.

Mr. Allen Bernard, a free lance writer, residing on 4th Floor, 113 E. 52nd Street, New York City, telephone Plaza 3-3666, was interviewed on September 24, 1952 for the purpose of determining whether or not he had obtained statements from two informants, whom he alleged have information regarding a payment of $750,000 to Tom Clark, Associate Justice of the Supreme Court, while he was Attorney General of the United States, for the influencing of the parole of four Chicago gangsters, namely, Louis Campagna, Paul Ricca, Charles Gieo and Philip D'Andrea. He was also interviewed to obtain other pertinent information he alleged he had in his possession regarding the record of the plane used by two men to bring the money from Dallas, Texas to payment to Tom Clark, as well as the hotel where they stayed.

Mr. Bernard stated that Mr. Kennedy probably misunderstood him regarding his having in his possession a record of the airplane trip and the name of the hotel the two individuals used while delivering the money to Tom Clark. He explained by saying that he told Mr. Kennedy that after he obtained statements from the two informants, he could probably check the airplane and hotel used by these two men and make this information available.

Mr. Bernard further explained that there are two informants involved who could probably furnish the information regarding the original contact with Tom Clark and the subsequent alleged payment of $750,000 to Clark for distribution three ways. However, under questioning, he said that he knows and met one of the informants but that he has not met the other. He expressed hope that through the intercession of the informant he knows that the other informant will meet him and discuss the information in his possession. He added that the information given about the payment of money to Clark had been relayed to him by his known informant, from information that this informant had gathered from the other informant.
Mr. Bernard claims he knows the identity of both informants but refused to name them. Mr. Bernard said that, as he sees it, there are two propositions involved, namely, the granting of immunity from persecution and prosecution of the two informants, if they would testify in this matter; secondly, that he has been dickering with a magazine for the release of an article regarding Tom Clark, if and when he can obtain the stories from the two informants, and that he would have to be given assurance that he would have an exclusive story. He said that he recognized the possibility of libel on his part as well as that of the magazine if such a story was published, but that he would check into this further. I reiterated to Mr. Bernard the proposition that Mr. Kennedy had proposed to him on a previous occasion that, if and when he obtained statements from the informants, that he write his story and then turn over copies of all documents in order that the necessary people could be subpoenaed and in this way a hearing could be held simultaneously with a release of his article, and in this way he would be assured of an exclusive story. Mr. Bernard refused to divulge the name of the magazine with whom he is dickering for the release of his article. In regard to the first proposition advanced by Mr. Bernard regarding the affording of immunity to the informants, I told Mr. Bernard that I did not believe that immunity could be granted if they were involved to any great extent. However, I informed him that he should not accept this as the final answer and that I would take the matter up with Mr. Kennedy for his opinion and that if Mr. Kennedy differed with what I had told him, that Mr. Kennedy would then get in touch with him.

During the course of my talk with Mr. Bernard, I repeatedly asked him for names, dates, places, and circumstances regarding the information that he had furnished previously to Mr. Kennedy, and the collateral information which will be set forth later, but he was vague and refused to give this information. During the course of my talk with Mr. Bernard, he stated that he questions his own wisdom in coming to Mr. Kennedy in the first instance because he felt that he talked too much and didn't have facts in hand.

With the permission of Mr. Kennedy, I asked Mr. Bernard if he had been in contact with or knows Ned Bake or Ned Bakes. He stated that he had not been in contact with him and does not know him. He expressed curiosity as to whether or not this individual Bake or Bakes was a lead in this case, which I refused to answer.
Mr. Bernard recited substantially the same story that appears in reference memoranda, with variations. At this time, he gave the following additional information which is an embellishment of the information originally given to Mr. Kennedy:

He said that several months ago he was talking to the known informant in Dallas, Texas about the political situation and making anecdotes about Clark, at which time the informant made a "slip" about a sum of money which was paid to Tom Clark for the parole of certain individuals. He said that he followed up on this "slip" by the informant and that he gave him parts of names but could not remember the names of the parolees. At this point, Mr. Bernard at first said the informant could not recall the names and could give no indication, but later added that he gave parts of names of the parolees - Ricca or Gioe.

Mr. Bernard said he returned to New York and checked the newspaper morgue and from the information given by his informant, the facts seemed to fit in with the case of the four Chicago gangsters who were being paroled. He said that he later talked to Cläre Hoffman, Chairman of the Subcommittee of the Committee on Expenditures in the Executive Department, House of Representatives, 80th Congress, regarding the circumstances surrounding the release of the four Chicago gangsters. He claims he did not tell Mr. Hoffman of any of the information he had in his possession and that Mr. Hoffman made available to him a copy of the testimony given in this matter, which Mr. Bernard exhibited to me. Mr. Bernard said that he read this testimony carefully and that the facts given to him by his informant correspond with the facts set forth in the testimony at this hearing.

Mr. Bernard said that the information given by his informant was the fact that in 1947 a friend of his informant contacted him, knowing that his informant knew Tom Clark. This friend wanted his informant to contact Tom Clark to effect the release of four convicts. He said the informant advised that the informant and his friend flew to Washington and talked to Tom Clark in the Department of Justice building. At this time, Clark was offered $300,000 and that Clark laughed at this offer, saying that $750,000 was necessary for a three-way split. The money was to be paid after the release of the prisoners. Clark assured that the prisoners could be released in two weeks. Clark is alleged to have said that he would contact President Truman to be certain that this goes through. Clark is alleged to have gone to the White House to see the President and returned and said the deal was set, if you people can raise the $750,000. Clark told the friend of the informant to relay this information to his principal in Chicago. Mr. Bernard alleges that this conversation took place in the presence of his informant.

Mr. Bernard also
said that his informant and his friend returned to their hotel in Washington, D. C. and telephoned the information given them by Clark to unknown people in Chicago. At this point, Mr. Bernard was asked the dates this conversation is alleged to have taken place, and the hotel in which these two individuals were staying. Mr. Bernard was unable to furnish this information. It is also noteworthy to mention at this time that in speaking of his informant, Mr. Bernard referred to his informant as a "her" but quickly changed this to "his". From that point on, he consistently referred to his informant as a witness.

Mr. Bernard said that his witness, who was not in on the actual payment of money to Tom Clark, told him that his friend informed him that possibly in July of 1947, he is not certain of the date, the friend of his informant and another man was met at the Washington Airport by Tom Clark and that the payment of money to Clark was made in a Department of Justice automobile. Mr. Bernard further stated the information was imparted to him that Clark took the front man and the friend of his witness to the White House in the Department of Justice automobile, and that Clark had $250,000 in a black bag; that Clark entered the White House and came out without the black bag. Mr. Bernard said that he has no proof that the money actually got to the President. At this point, he speculated that Clark could have taken the black bag containing the money into the White House, could have checked it later after leaving the front man and the friend of the informant, returned and picked up this bag, thereby getting $500,000 as his part of the deal.

Bernard said that neither his informant or his friend got any money out of this deal. Mr. Bernard claimed that he has in his possession the numbers and denominations of the bills of money that was paid to Clark. He was asked to furnish this information, but refused to do so. He also said that his informant does not know the identity of the individuals who put up the money. He was asked who the front man was in this deal. At first he said he did not know; later in the conversation he was asked if he knew Maury Hughes, an Attorney in Dallas, Texas - also whether Hughes had any dealings in this matter. At this point, he said that Mr. Hughes was the front man and that his informant told him the split was made - one-third to Clark, one-third to the "big fellow" President Truman, and one-third to Hughes.

Mr. Bernard said that both informants in this case reside in Dallas and that he has contacted his informant at least twelve times, either in person, by telephone, or by mail and that he expects to have a statement in the next two weeks but that if he could be given assurance that neither witness would be persecuted or prosecuted, that he would have a powerful weapon in his hands in order to more
easily obtain the statements. Mr. Bernard was of the opinion that this case has substance and that he gained this opinion from his experience gained in working with several newspapers, namely, the NEW YORK JOURNAL AMERICAN, the CLEVELAND TIMES, and the NEW YORK GRAPHIC.

Action Recommended:

It is recommended that this matter be discussed with Messrs. Collier and Kennedy in order to determine whether or not Mr. Bernard can assure his witness, as well as the friend of his witness, that they will be immune from persecution by the Administration and from prosecution for their part in the matter. Mr. Bernard said that this would be a great lever in his hands in order to obtain the statements. Mr. Bernard was told that unless advised to the contrary, that he could assume that the statement which I made to him that immunity would not be granted would prevail.

It is also suggested that, in view of the national importance attached to this matter and the serious nature of the accusations made by Mr. Bernard, that he be contacted within the next two or three weeks to determine whether or not he has any additional information.
WASHINGTON FROM WASH FIELD 10-1-52

DIRECTOR

TOM C. CLARK, HERBERT A. BERSON, MISCONDUCT IN OFFICE. REBULET SEPTEMBER TWENTY-TWO, NINETEEN FIFTY-TWO. ALFONS B. LANDA, ATTORNEY REPRESENTING JOSEPH SEACRAM COMPANY, WASHINGTON, D. C. INFORMS THAT HE HAD CONFERENCE WITH ERNEST L. BRANHAM, ANTITRUST ATTORNEY, DEPARTMENT OF JUSTICE, IN LATE NINETEEN FORTY-EIGHT CONCERNING ALLEGED LARGE CONTRIBUTIONS BY LOUIS ROSENSTIEEL, PRESIDENT OF SCHENLEY INDUSTRIES. STATES CONVERSATION WAS CONCERNING A RUMOR THAT THE LARGE CONTRIBUTION MADE TO DEMOCRATIC PARTY WOULD AFFECT FUTURE ACTION AGAINST THE DISTILLING AND LIQUOR INDUSTRY. FURTHER THAT PERSONS HANDLING LIQUOR INDUSTRY PROBLEMS IN THE DEPT OF JUSTICE WOULD BE CHANGED. LANDA UNABLE TO STATE WHETHER HE OR BRANHAM ORIGINATED ABOVE RUMOR AND HAS NO KNOWLEDGE AS TO ITS AUTHENTICITY. DENIES MAKING STATEMENT WHICH BRANHAM ATTRIBUTES TO HIM CONCERNING ALLEGATION THAT TOM CLARK AS ATTORNEY GENERAL, DEPT OF JUSTICE, HAD GIVEN ROSENSTIEEL ASSURANCES THAT THERE WOULD NEVER BE A SUIT OF ANY NATURE AGAINST THE LIQUOR INDUSTRY. STATES HE HEARD OF ROSENSTIEEL MEETING WITH TOM CLARK AND THAT ROSENSTIEEL ALLEGEDLY STATED THERE WOULD BE NO TROUBLE FOR THE LIQUOR INDUSTRY. STATES HE HEARD THIS RUMOR FROM BRANHAM. LANDA FURTHER ADVISED THAT DURING NINETEEN FORTY-EIGHT ELECTION CAMPAIGN HE, AS VICE CHAIRMAN OF THE FINANCE COMMITTEE, DEMOCRATIC PARTY, AIDED IN RAISING FUNDS ON BEHALF OF DEMOCRATIC PARTY. DENIES ANY KNOWLEDGE OF MISCONDUCT OR MISHANDLING OF LIQUOR INDUSTRY CASE BY TOM CLARK.

EXHIBIT 7

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
At the request of the Attorney General we are conducting an investigation of allegations that Tom Clark and Herbert A. Bergson improperly handled two Antitrust matters. One matter concerns an investigation of the liquor industry and it is alleged Tom Clark, then Attorney General, assured Lewis Rosenstiel, President of Schenley's, in 1946, that no action would be taken by the Antitrust Division against the liquor industry.

Interviews with Rosenstiel, the subjects and other highly placed officials were held in abeyance to insure full development of the basic facts from a review of the Department files and interviews with Department Attorneys.

Alfonso Brannam, Washington counsel for Seagrams, alleged original source of the allegation, denies making any such statement but admits he heard a rumor to this effect from two or three unrecalled sources, and did discuss this rumor with Ernest Brannam, Brannam is the Department Attorney who is the original complainant in this matter.

The files of the Department show no evidence of pressure or mishandling. Department Attorneys state they have no knowledge of any improper handling of the liquor industry inquiry and all but Brannam state the preliminary inquiry developed no violation of the Antitrust laws or a basis for any investigation.

To fully develop the basic facts prior to posing the question of interviewing the subjects to the Department it is considered necessary to interview Lewis Rosenstiel.

3 You may recall Rosenstiel testified before the Chlef Committee after he was served a subpoena by former Special Agent Arthur Crowell in a somewhat unethical approach. He testified about personal contributions to the Democratic and Republican parties.

There is attached an airmail teletype to the New York office instructing them to immediately interview Rosenstiel.
Form No. 1
THIS CASE ORIGINATED AT WASHINGTON FIELD

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<td>ROBERT F. MAHLER (mjk:mbq)</td>
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CHARACTER OF CASE
MISCONDUCT IN OFFICE

SYNOPSIS OF FACTS:

Attorney WILLIAM B. BUTZ, 601 Hamilton Street, Allentown, Pa., stated he was placed in complete charge of liquor industry investigation in 1943 by WENDELL BERG, then Assistant Attorney General in Charge of the Antitrust Division, to determine whether Antitrust laws had been violated by the Big Four. Investigation lasted approximately two years, but Government decided no monopoly or violation existed, and investigation was discontinued. BUTZ contends he wanted very much to obtain successful Government prosecution, but findings of investigation did not warrant it. BUTZ stated he knows of no mishandling of case by any Department of Justice official, and no monies or considerations were offered. He stated TOM CLARK became Attorney General in latter part of original investigation; that he did not know much about the case, and did not interfere with case. BUTZ declined to furnish sworn signed statement, but admitted under oath the above facts were true to the best of his knowledge.

- RUC -

DETAILS:

At Allentown, Pa.

WILLIAM B. BUTZ, Attorney, 601 Hamilton Street, advised that in approximately 1943 he was appointed a Special Assistant to...
the Attorney General, which position he held until approximately 1946. Sometime in 1943, exact date not recalled, BUTZ was appointed by the then Assistant Attorney General in Charge of the Antitrust Division, WENDELL BERG, to take complete charge of the liquor industry investigation. BUTZ described the investigation as an inquiry on a nationwide basis ordered by the Department of Justice to determine whether a monopoly existed within the Big Four of the liquor industry, namely, Schenley, Seagram, National, and Hiram Walker, and to ascertain whether these companies were acting in violation of the Sherman Antitrust Laws. BUTZ stated he frequently reported to HOLMES BALDRIDGE regarding the inquiry.

According to BUTZ, the entire investigation lasted approximately two years, until 1945 or early 1946. During this period, one of the methods used in the investigation was to subpoena books and records of the Big Four for the purpose of examination. No tangible evidence was developed to indicate a monopoly existed regarding the Big Four, nor could it be proved that the Sherman Antitrust Laws had been violated. The results of the entire investigation were reported by BUTZ and it was decided the Government had no case against the liquor industry. According to BUTZ, a report of the findings was also submitted to a Senate investigating committee over which the former Senator VAN NUYS presided as Chairman. The investigation was thereby closed. Shortly thereafter, BUTZ resigned his position with the Department of Justice, and returned to civilian law practice. He subsequently learned, however, that the investigation was reopened after World War II. He could furnish no information as to results of the subsequent investigation, stating that he had entirely disassociated himself from the Justice Department by that time. Further, he knew of no mishandling of the reopened investigation other than that he was told by ROBERT COLLIER, investigator for the Chief Committee, that the reopened investigation was apparently a "whitewash" of the true facts. BUTZ stated he knew of no details concerning this report.

BUTZ advised that during his appointment as Director of the liquor industry investigation, he was very much interested in the case. It received a considerable amount of publicity. He personally was desirous of a successful investigation, because of the resultant added prestige to his position if the Government could have prosecuted the case. The findings, however, did not warrant prosecution.

BUTZ stated, to the best of his knowledge, there was no mishandling of the case by any official of the Department of Justice. No monies, favors, or considerations were offered. All of those with whom he worked wanted to succeed. To the best of his recollection,
former Attorney General TOM CLARK was appointed to that position during the latter stages of the investigation, and CLARK knew little or nothing concerning the case. BUTZ advised he was not instructed by TOM CLARK or HERBERT BERGSON to soft-pedal or purposely mishandle the investigation and could furnish no information regarding the mishandling of the investigation by any official. He stated he could not say whether TOM CLARK or HERBERT BERGSON was improperly mishandling the case or whether these two had anything to do with the investigation at all. He pointed out, however, that his knowledge of the case is confined to the original investigation, beginning in approximately 1943 and ending in approximately 1945 or 1946.

BUTZ declined to furnish a sworn signed statement, but admitted under oath the information he supplied was true, to the best of his knowledge.
FEDERAL BUREAU OF INVESTIGATION

SYNOPSIS OF FACTS:

JOHN J. BEVINGTON, Nashville, Tenn., states he was employed in the Anti-Trust Division of the Department of Justice from July 1949 through April 1950, and worked on the Liquor Industry Case. He furnished a sworn signed statement that nothing had ever come to his attention which indicated any attempt by Mr. CLARK, Mr. BERGSON or anyone else to interfere with the case or cause it to be mishandled.

- RUG -

DETAILS:

AT NASHVILLE, TENNESSEE

JOHN J. BEVINGTON, Apt. C8, Woodmont Terrace Apartments, upon interview gave the following sworn signed statement:

"Nashville, Tennessee.
October 2, 1952.

"I, John J. Bevington, having first been duly sworn and while under oath do hereby make the following statement to W. E. Hopton, Special Agent, Federal Bureau of Investigation.

"I presently reside at Apartment C8, Woodmont Terrace Apartments, and I am employed in the Credit Department, Third National Bank, both at Nashville, Tennessee."
"I graduated from Vanderbilt University Law School in June 1949, and went to Washington, D. C. to try to make a connection with the Bureau of Internal Revenue. I did not make this connection, but through Senator Kefauver of Tennessee I secured employment with the Department of Justice. I was assigned to the Anti-trust Division to work with W. Wallace Kirkpatrick in the trial section which was headed by Edward Hodges. Mr. Kirkpatrick was handling the liquor case involving the so-called big four concerns in the liquor industry. Others who were working with him at that time were Bud Hashid and Leonard Barkowitz who later had his name changed to Berke. When Kirkpatrick went to Europe about March 1950, the case was re-assigned to Allen Dobey. I left the Department the latter part of April, 1950 to accept a position with the Third National Bank in Nashville.

"Mr. Kirkpatrick told me to try to work out a theory on which the liquor case could be prosecuted under the Sherman Act. We were trying to determine whether the theory under which the case entitled " U. S. vs The American Tobacco Co." had been tried could be extended to fit the liquor case. I had the benefit of facts which had been previously developed in the case such as information contained in the TNEC reports which came out of the congressional committee investigation about 1943. I also saw a copy of the report of investigation by a staff in the anti-trust division. We also had compilations from various governmental units such as the Alcohol Tax Unit, and Security Exchange Commission. I made a survey from the statutes themselves pertaining to the Fair Trade laws on whiskey in all of the states of the U. S. The state laws specified mark-ups all along the line on whiskey.

"I submitted my findings to Mr. Kirkpatrick and he in turn submitted a report to Mr. Hodges. I saw his report and recall some of the conclusions therein. One of these was that the liquor industry had been so closely regulated by the government that they had become educated and in all probability would have their files clear. It was also determined that the public policy of the states in the country was to hold the price of whiskey up, because apparently the states did not want cheap whiskey. It was concluded that the liquor industry did not appear to be the best industry in which to extend the theory followed in the tobacco case, namely the theory of an inferred conspiracy.

"I never discussed the case with anyone above Kirkpatrick except on occasion Mr. Hodges in passing would ask me how I was getting along on the liquor case. I did not at any time receive any instructions or suggestions either direct or by inference from Tom Clark, Herbert Bergson or anyone else to soft-pedal or mis-handle the investigation. Nothing ever came to my attention which would indicate any attempt by anyone to interfere with the case or cause it to be mis-handled. On the contrary I got the impression there was a conscienous effort to see if it could be successfully prosecuted.
"I have read the above statement of two pages and it is true to my best knowledge, recollection and belief.

/s/ John J. Bevington

"Subscribed and sworn to before me, the undersigned at Nashville, Tennessee on the 2nd day of October, 1952.

/s/ W. E. Hopton
Special Agent, F.B.I.
Memphis, Tennessee."

Mr. BEVINGTON stated that during his employment with the Anti-Trust Division of the Department from July 1949 through April 1950, he worked on the Liquor Industry Case constantly for the first three months and from time to time during the balance of his employment. He stated he was admitted to the Tennessee State Bar in March 1949.

ENCLOSURE TO WASHINGTON FIELD (Registered Mail):

Sworn signed statement of JOHN J. BEVINGTON dated 10-2-52.
THE ATTORNEY GENERAL

Director; FBI

PEYTON FORD, ET AL
FRAUD AGAINST THE GOVERNMENT
MISCONDUCT IN OFFICE

October 2, 1952

Reference is made to my memorandum of September, 2, 1952, attaching a copy of a memorandum dated August 26, 1952. The attachment of reference sets out information furnished by Curtis Shears of the Department to the effect that Mathias Orfield, Departmental attorney, believes that former Attorney General Tom Clark played an important part in the merger of the United States Steel and Geneva Steel Companies. According to Shears, Orfield protested this merger and because of his protestations was shunted off to the Lands Division.

Copies of the memorandum of reference were designated for Mr. Murray and it was requested that the Bureau be advised as to what specific investigation should be conducted in this matter.

It would be appreciated if you would advise me of a decision has been reached concerning the information furnished by Mr. Shears.

Appropriate Agencies:

And the offices of:

Assistant Attorney General
Charles B. Murray

cc: 2 - Assistant Attorney General

(EPERSONAL AND CONFIDENTIAL)

Declassified by DTC on 6-29-83

[Signature]

Date 10/3 1952

[Signature]
**FEDERAL BUREAU OF INVESTIGATION**

**THIS CASE ORIGINATED AT:** WASHINGTON FIELD

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**TITLE**
- TOM C. CLARK
- HERBERT A. BERGSON

**CHARACTER OF CASE**
- MISCONDUCT IN OFFICE

**SYNOPSIS OF FACTS:**

JOHN HENRY LEWIN, former First Assistant to Assistant Attorney General in charge of Anti-trust Division, Baltimore, Maryland, advises that he resigned from the Justice Department about March, 1944. LEWIN only vaguely recalls anti-trust investigation of liquor industry and is not certain as to who supervised the investigation. He cannot recall any statement made or action taken by TOM CLARK, or any other Departmental official, which would lead him to believe investigation was being mishandled or obstructed. LEWIN has no knowledge of Departmental activities of HERBERT A. BERGSON inasmuch as LEWIN's resignation was prior to BERGSON's becoming affiliated with the Department.

**DETAILS:**

Mr. JOHN HENRY LEWIN who is presently a member of the law firm of Venable, Baetjer and Howard, 1409 Mercantile Trust Building, Baltimore, Maryland, was interviewed by Special Agent ROBERT E. REISER and the writer on October 2, 1952, at which time Mr. LEWIN advised that he was employed in the Justice Department from the Fall of 1935 to about March, 1944. During the years

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**RECORDED 9/12**

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**1952**

**LOCATED 7/90***

**DECEMBER 3, 1952**

**HEREIN IS UNCLASSIFIED**

**DATE 12/4/53 BY 5-5-53**
1943 and 1944, up to the time of his resignation, he held the position of First Assistant to the Assistant Attorney General in charge of the Anti-trust Division. LEWIN said that he believes that in the early part of 1943 TOM CLARK was transferred from head of the Anti-trust Division to head of the Criminal Division, and that he was succeeded in the Anti-trust Division by HERBERT A. BERGSON. Insofar as Mr. LEWIN can recall, at this time, BERGSON and CLARK headed the Anti-trust and Criminal Divisions, respectively, at the time of his resignation about March, 1944. He pointed out that HERBERT A. BERGSON was not connected with the Justice Department until after he (LEWIN) submitted his resignation and that consequently he is not acquainted with BERGSON's work in the Justice Department.

Mr. LEWIN continued that he only vaguely recalls that an anti-trust investigation of the liquor industry was conducted in the years 1943 and 1944, and could not remember any of its details. He is of the opinion that either he or Mr. JAMES E. BALDRIDGE, at the time head of the Trial Section of the Anti-trust Division, probably supervised this investigation. However, because of his inability to recollect any of the investigative or administrative details, Mr. LEWIN said that he is inclined to think that his participation, if any, was extremely remote and that probably Mr. BALDRIDGE supervised the investigation. He further pointed out the possibility that TOM CLARK could have administered this investigation as head of the Criminal Division. LEWIN has no reason to believe that this was the case other than the fact that such a procedure, at that time, was administratively possible.

Upon being questioned concerning the handling of the liquor industry case, LEWIN advised that he has no reason to believe that any attempt was ever made to suppress this investigation. He cannot recall any statement made or action taken by TOM CLARK, or any other Departmental official, which would lead him to believe that the investigation was mishandled or prosecutive action obstructed. LEWIN feels that if such had been the case, a lasting impression would have been made on his memory.

Mr. LEWIN declined to be questioned under oath or to furnish a signed statement. He explained that he desired to cooperate with the Bureau in every way possible, but that in this instance over eight years have elapsed since he was affiliated with the Department and his memory is extremely vague on details of the liquor industry investigation. For these reasons, he said, he feels justified in declining to furnish a sworn signed statement.

-RUC-

-2-
ADMINISTRATIVE

REFERENCE: Letter from Washington Field Office to the Director dated September 27, 1952.
FEDERAL BUREAU OF INVESTIGATION

Form No. 1
THIS CASE ORIGINATED AT WASHINGTON FIELD

REPORT MADE AT CHICAGO, ILLINOIS 10/6/52
DATE WHEN MADE 10/1-3, 6/52
PERIOD FOR WHICH MADE
REPORT MADE BY JOSEPH A. HAGGERTY JAH/blj

FILE NO.

TOM C. CLARK;
HERBERT BERGSON

CHARACTER OF CASE MISCONDUCT IN OFFICE

SYNOPSIS OF FACTS:

MELVILLE C. WILLIAMS, Attorney, Chicago, Illinois, former head of Antitrust Offices, Chicago and New York, in sworn statement states he never spoke to TOM CLARK about liquor investigation and has no recollection of talking to HERBERT BERGSON about it. Recalls only that Chicago Antitrust Office made preliminary investigation in liquor industry while he was head of that office.

DETAILS:

AT CHICAGO, ILLINOIS

Mr. MELVILLE C. WILLIAMS, Attorney in the law firm of Pope and Ballard, 120 South Salle Street, Chicago, Illinois, was interviewed in the Chicago Division Office on October 6, 1952, at which time he provided the following sworn statement:

"I, Melville C. Williams make the following sworn statement to Joseph A. Haggerty of the Federal Bureau of Investigation.

"I am positive that Tom Clark never spoke to me about the liquor investigation and I have no recollection of ever talking to Herbert Bergson about it.

"As far as I can recall my only contact with the investigation"

APPROVED AND FORWARDED:

SPECIAL AGENT IN CHARGE:

DO NOT WRITE IN THESE SPACES:

INDEXED

RECORDED

ISSUED

PROPERTY OF FBI—THIS CONFIDENTIAL REPORT AND ITS CONTENTS ARE TO BE KEPT IN CONFIDENCE AND NOT TO BE DISTRIBUTED OUTSIDE OF AGENCY TO WHICH LOANED.

55 NOV 12 1952
was when I was in charge of the Chicago office of the Antitrust Division. Willis Hotchkiss, Assistant Chief, secured approval from the Washington office (probably from Holmes/Baldridge) to make a preliminary investigation of the liquor industry for the purpose of determining whether to make a full scale investigation.

"George Seltzer, the economist in the Chicago office, made a survey of the industry looking primarily for evidence of parallel action by the big four distillers. I am not sure what happened to the report. I have a dim recollection that Mr. Baldridge called Hotchkiss and asked that all of our information on the industry be sent to Washington for use in a full scale investigation.

"The files of the Antitrust Division should show this, although I doubt if they will show how the Chicago office happened to become interested in the liquor industry.

"I do not remember when this occurred but doubt if the Chicago office had the manpower to go ahead with any such large investigation at that time. I think that my own reaction to Seltzer's report was that it did not show enough indications of conspiracy to justify the time and expense of a full scale investigation.

/S/ Melville C. Williams

"J A Haggerty, FBI, Chicago, Ill."

A copy of this statement was made available to Mr. WILLIAMS at his request.
REFERENCE: Washington Field letter to the Director dated 9/30/52.
Chicago letters to the Director dated 10/2/52 and 10/3/52.
ALLEN COKER, Assistant General Counsel, AEC, Savannah River Project, assisted MARCUS in the Civil Contempt aspect of the SHINE case. COKER went with MARCUS in January, 1949, to Buffalo, NY, for Civil Contempt hearing before USDG, at which time defendant's lawyer WILLIAM S. MCKAY, obtained a continuance. This continuance obtained on grounds BRUCE BROMLEY defendant's attorney could not be present for the hearing due to his appointment as Judge, and no objection entered by MARCUS. Additional continuances obtained by defendants which was consented to by government. Consent judgment favorable to defendants entered on record and case settled out of Court. COKER was not present during negotiations between defendants, their attorney IRVING R. KAUFMAN, and HERBERT BERGSON, the then A.A.G. Any information received by COKER about negotiations were obtained from MARCUS in conversation.

- HUG -
This investigation was conducted by Special Agent DUWAYNE JOHN WESSELS and the reporting agent.

AT THE SAVANNAH RIVER PLANT,

ALLEN COKER, Assistant General Counsel, Atomic Energy Commission, Savannah River Project, stated that he entered the SHINE CIRCUIT Case in the latter part of 1948, at which time, the government was preparing to go to trial in an attempt to prove civil contempt against the SHINE CIRCUIT defendants. He recalled going to Buffalo, New York in January, 1949, with PHILIP MARCUS, HAROLD LARSON, and MARCUS's secretary for the Civil contempt hearing before United States District Court Judge KNIGHT. COKER's part in the case was to prepare subpoenas, and question witnesses in event the civil contempt hearing was held.

He recalled that the defense attorney for the SHINE CIRCUIT, WILLIAM S. McKay, got up and made a motion for a continuance because BRUCE BROMLEY the defendant's attorney had been elevated to a Judgeship in the State of New York, and the defendants were without the services of an attorney and not prepared for trial. MARCUS did not offer any objection to the motion, however, no reason for his not having done so was given in Court or in privacy. He felt that it would have been normal for MARCUS to object to the continuance since it was common knowledge that BROMLEY had only recently been employed by the defendants and the loss of his service could not have affected the presentation of the defendants' case.

He recalled seeing a memorandum of MARCUS in which MARCUS recommended both civil and criminal contempt be filed against the defendants. This memorandum was directed to HOMER BALDRIDGE, Section Chief, Anti-Trust Division, Department of Justice, a superior of MARCUS. COKER believed it was BALDRIDGE who decided to pursue the issue of civil contempt, rather than criminal contempt. COKER believed there was good legal reasoning back of this decision, as proving civil contempt would materially aid prosecution of the issues in the original case. He knew for a fact that a civil contempt petition had been filed in this case, however, he did not know the exact date.
Shortly after the postponement received by the defendants in January, 1949, at Buffalo, New York, COKER understood that the defendants had retained IRVING R. KAUFMAN, as counsel. After KAUFMAN was retained by the defendants, the defendants received two or three more continuances which the Government agreed to. The reason for the continuances was that the defendants and the Government were nearing an agreement out of Court.

The negotiations regarding the settlement took place between the defendants, KAUFMAN and HERBERT BERGSON, the then Assistant United States Attorney General. He did not know how many conferences the above individuals had when MARCUS was present. On one occasion, MARCUS related to COKER that he observed KAUFMAN and the SHINE Brothers enter BERGSON's office for a conference; that he, MARCUS, was not called to the conference or advised of the results.

MARCUS told COKER that the defendants had accused him of persecuting the defendants, being unco-operative, and on one occasion called him a "Communist". COKER recalled MARCUS telling him that the defendants were attempting to get him (MARCUS) fired.

COKER recalled MARCUS expressed concern over negotiations of settling out of Court. He mentioned MARCUS telling him that BERGSON had made the remark to MARCUS, that he (BERGSON) had gone as far as he would in an attempt to effect a settlement with the defendants. COKER did not know the limits to which BERGSON supposedly had reference. He also mentioned that MARCUS told him BERGSON indicated to MARCUS that he (BERGSON) would like to prosecute the case but indicated that "he had his orders". MARCUS did not explain to COKER what BERGSON meant by the above statement.

COKER recalled that MARCUS was disgusted with the final settlement and at first refused to sign the judgment until some changes had been made. He stated at the time the consent judgment had been entered, he believed the civil contempt complaint was dismissed and that this was a common result when a settlement was reached.
It was COKER's opinion that the defendants received a more favorable decision as a result of the consent judgment than they would have had the case gone to trial. He also advised the SHINE CIRCUIT had received a more favorable settlement than other defendants in Anti-Trust motion picture cases. COKER stated that he did not enter into the negotiations in the settlement of this case and the only information which he could furnish was obtained through conversation which he had had with MARCUS.

COKER stated that he believed the Government could have obtained a better settlement of this case through the Courts, however, this was a question of judgment and the way this case was settled may have been more advantageous to the Government.
ADMINISTRATIVE PAGE

No leads are being set forth and same is being left up to the discretion of the Office of Origin.

COKER explained that he believed negotiations towards settlement of this case progressed faster after IRVING R. KAUFMAN was retained by the defendants. He said he heard a rumor which he could not attribute to a definite source that when IRVING R. KAUFMAN was an Attorney with the Department of Justice, he did an outstanding job on the Lobbying Act cases and as a result it was felt the Department owed KAUFMAN something. After KAUFMAN had been hired by the SHINE CIRCUIT, the favorable settlement which resulted in this case was considered KAUFMAN's "payoff".

REFERENCE: Bureau letter to Washington Field, dated 9/30/52,
SIC, Cincinnati

October 17, 1952

Director, FBI

SPECIAL INSTRUCTIONS

To G. Clark

HERB. AT ATTORNEY GENERAL
PENDING IN OFFICE

The 170 letter dated September 27, 1952, to the Director in which allegations are set out that Louis Rosenstiel, President of Schenley Industries, received assurances from former Attorney General Clark that there would be no Antitrust action against the liquor industry.

There is attached for your office a copy of the report of S. Eugene W. Woh, dated October 15, 1952, at New York City, in which is set out the results of the interview of Rosenstiel. It is noted Rosenstiel advised that he never said he received any assurances from Justice Department officials but stated he had heard such a rumor. Rosenstiel further stated that if attorneys representing his company had received any such assurances, he himself was unaware of it. He advised that the law firm of Nichols, Wood, Harrell and Sinter, 900 Traction Building, Cincinnati, represent his company.

The Cincinnati Office is instructed to immediately contact the law firm of Nichols, et al, to determine if, in connection with their representing Schenley Industries, they received assurances or heard that such assurances were given to the effect that there would never be an Antitrust investigation of the liquor industry.

The New York Office is instructed to interview Ralph S. Reynolds, formerly an attorney representing Schenley and now President of that company, for any information he may have in this connection.

These interviews should be conducted consistent with the instructions set forth in relot and should be completed within twenty-four hours after the receipt of this letter so that a report will reach the Bureau at the earliest possible date.
5:15 PM.

Memorandum for the Director

In regard to the attached memorandum, I called Bob Collier, pursuant to your instructions, and advised him that this was a matter entirely up to him.

Mr. Collier indicated to me that he planned to use two of the Agents who were on loan to the Committee.

Respectfully,

FCH:eff

F. C. Holloman

ADDENDUM:

It should be noted that before calling Mr. Collier, I talked with Mr. Nichols and he advised me that he had no agreement concerning this matter with Malone and that Malone had not mentioned the matter to him at all.
Bob Collier called me and stated that day before yesterday, Congressmen Keating and Chelf and Collier saw the Attorney General and discussed several matters with him. Collier stated the Attorney General had mentioned that the Director had expressed an interest in the handling of Allen Bernard, the free-lance writer who has made allegations concerning former Attorney General Tom Clark. Collier advised that after discussing this matter with the Attorney General and at the Attorney General's suggestion, the Committee has subpoenaed Bernard to be here tomorrow morning for an Executive Hearing at 10:00 AM.

Collier stated that there was a prior indication that Bernard had stated he would furnish some of this information to FBI Agents. Collier stated that when they had conferred with the Attorney General, the AG was reluctant to have Bureau Agents go to Bernard and interview him because of what Bernard might do as a result of the interview in the way of writing a story and the publicity that might ensue of his being interviewed by Agents concerning the matter. Collier advised that at the AG's suggestion it has been agreed that he will be put under oath by the Committee and either "put up or shut up."

Collier advised that if there is any indication that Bernard, at the Executive Hearing, will furnish the information to FBI Agents, the Committee desires to have two Agents outside and then bring them in. He stated that the Committee would like to have the Director's permission to use two of the Agents presently assigned to the Committee and he stated that the Agents would in no way be identified as being with the Committee.***

It was also indicated by Collier that the Attorney General has informed the Committee that if Bernard does not come through with the allegations he has previously made then the Attorney General will consider placing him before a Grand Jury.

I advised Mr. Collier that this matter would be brought to your attention and he would be advised. [RECORDED-113]

Respectfully,

[INDEXED-113 OCT 20 1952]

FCH: eff

[***Collier indicated that the Attorney General had approved having two FBI Agents available for this purpose. See ADDENDUM]
ADDENDUM

After talking to Collier on this and thinking this matter over, I called Collier back and questioned the advisability of having two Agents on loan to the Committee being called in to an Executive Session and identified as FBI Agents, for the purpose of securing information from Bernard. I told him that the Agents on loan were not on our rolls and, technically speaking, were not FBI Agents as of this time, and that it appeared to me that he might want to reconsider this procedure.

Collier stated that anything we wished to do regarding the matter would be acceptable to him and that the only thing he wanted to do was to get the information from this individual if it could be obtained, either through Executive Hearings or by having him furnish it to FBI Agents.

Another alternative would be for us to have two Bureau Agents available so that they could interview Bernard at the Hearings if he expressed a desire to talk to FBI Agents.

I am wondering whether or not this would be advisable and whether or not it would not be better for the Committee to give Bernard a specific period of time in which to furnish information to the FBI, after which time he could be recalled to the Executive Session. I am wondering whether or not it would be advisable for Agents to be available at an Executive Session or to talk to Bernard on the Hill when it would probably be preferable for this to be done in Bureau offices if Bernard expresses a desire to do so.

F.C.H.

Malone tells me he told McNally yesterday afternoon that A. G. had approved the procedure of having two agents present to get Committee desires. This is the first I knew of it. However, if A. G. has approved it I am not going to show how he deems to handle it.
October 9, 1952

TOM C. CLARK

MEMORANDUM FOR THE DIRECTOR

With reference to your notations to the effect that
Malone had told you he had told me yesterday afternoon that the
Attorney General had approved the procedure of having two Agents
present to act if the Committee desires, I wish to advise as
follows:

Only a few moments prior to Mr. Holloman bringing this
memorandum containing your notation to my office, while talking
to Ross Malone on other matters, Malone stated that he was very
uncertain when a discussion arose today involving having two
Agents go in the back door of the Committee, as he did not want
to quote anybody erroneously, but he thought he had told me
about it.

I told him I frankly did not understand what he was
talking about because I had had no discussions with him for several
days regarding the Chief Committee in any way, shape or form, and
that he had not told me anything yesterday regarding the Attorney
General's approving two Agents going into the back door of the
Chief Committee.

He apologized and asked if I would tell Mr. Hoover that
he was in error. He has a distinct recollection that he did make
the statement in a group where he was certain somebody from the
FBI was present, but stated that when he thought about the matter
he has been in no groups where anybody from the FBI was present
other than in groups where the Director was present or I was
present.

He certainly did not mention this to me when I saw him
yesterday nor did he mention it this morning when I saw him before
he went to the Attorney General's conference. This is the first
information I have had on this subject.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
RECORDED 1952
L. B. Nichols
OCT 20, 1952

63 NOV 4 1952

63-227337-63
WASH 14, NYC 2 AND WASH FIELD FROM LA 9-59 A.M.

DIRECTOR, SACS URGENT:

TOM C. CLARK, HERBERT A. BERGSON, MISCONDUCT IN OFFICE
RE WFO LET SEPT. TWENTY SEVEN LAST. HARRY B. SWERDLOW,
FORMER ATTORNEY, ANTITRUST DIVISION, USDIJ, IS IN NYC ON
BUSINESS AND WILL NOT RETURN TO LA UNTIL AFTER OCT. THREE NEXT.
NYC REQUESTED INTERVIEW SWERDLOW, WHO CAN BE REACHED AT
PLAZA HOTEL OR LOEW-S INC., BROADWAY AND FOUR FIVE STREETS,
NYC.

CARSON

END

LAR 4 WA: MIM ALSO RELAYS

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATED 9/13 BY W-X O*RTH

162-9753-7
NOT RECORDED
71 OCT 6 1952
SYNOPSIS OF FACTS:

LEWIS ROSENSTIEL, Chairman of the Board of Schenley Industries, Inc., states he met TOM CLARK for first time about June, 1949, when they discussed plan for "sustained prosperity" which ROSENSTIEL had devised. Met once or twice socially since 1949. Has never discussed pending or contemplated Justice Department suits against liquor industry with TOM CLARK and has received no assurance from any official of the Department of Justice relative to such suits. Claims that he does not know whether attorneys representing his company ever received such assurance.

DETAILS:

LEWIS ROSENSTIEL, Chairman of the Board of Schenley Industries, Incorporated, was interviewed in his office at 350 Fifth Avenue, New York, New York, by SA(A) JOHN M. DUNAY, JR., and the writer.

Mr. ROSENSTIEL advised that from approximately 1949 until recently he was President of Schenley Industries and has been succeeded in his position by RALPH T. HEINSFELT who was formerly an attorney representing the company. Mr. ROSENSTIEL stated that he has been Chairman of the Board of the Schenley Company for many years but that during the period from 1939 to 1945 he was inactive due to illness in his family. He returned to the company in an active capacity about 1945 as Chairman of the Board.
He advised that in his capacity as Board Chairman he formulates general policy for the company.

In 1949 ROSENSTIEL devised a plan for "sustained prosperity." He stated that this plan was developed by him as a program for maintaining the national economy at a prosperity level. After developing the program he discussed it with several cabinet members and heads of various government departments in Washington, D.C., to obtain the reactions of these individuals.

About June, 1949, ROSENSTIEL visited the Department of Justice and discussed his plan with TOM CLARK who was at that time Attorney General. This discussion was purely in connection with ROSENSTIEL's plan and according to ROSENSTIEL there was no discussion of any matters either pending before the Justice Department or contemplated by that department with respect to the liquor industry. ROSENSTIEL advised that this was the first time that he had ever met TOM CLARK.

ROSENSTIEL stated that he met TOM CLARK once or twice subsequent to June, 1949, at social functions. He stated that at these meetings there was no discussion of any matters pertinent to the Justice Department.

Mr. ROSENSTIEL stated that he met HERBERT BERGSON once at a social function and spoke with BERGSON for a few minutes but that there was no mention by either BERGSON or himself of any pending or contemplated liquor investigations or suits.

ROSENSTIEL stated that he does not know PEYTON FORD or HERBERT BORKLAND and has never heard of JOHN SONNERT.

ROSENSTIEL denied that he had ever received any assurance of any kind from an official of the Justice Department with respect to any pending or contemplated suits against the liquor industry or Schenley Industries. He pointed out that the liquor industry is a highly competitive field and that since there would be no basis for an anti-trust suit there would be no need for any assurance with respect to an anti-trust investigation.
Mr. ROSENSTIEL advised that he had never said that he had received any assurance from Justice Department officials but stated that he had heard a rumor that such assurance had been given. He is unable to state the source of the rumor heard by him and does not recall when or where he heard it.

ROSENSTIEL stated that if the attorneys representing his company had ever received any assurance from Justice Department officials, he himself was unaware of it. He said that his company is represented by the law firm Nichols, Wood, Marx and Ginter, 900 Traction Building, Cincinnati 2, Ohio.

In closing Mr. ROSENSTIEL stated that he knows of no effort either by himself or anyone else associated with the liquor industry to forestall or limit any investigation of that industry by the Department of Justice.
LEAD

NEW YORK

At New York, New York

Will interview SIGMUND TIMBERG upon his return to New York.

REFERENCE: Bureau Air Mail Dispatch to New York and Washington Field, 10/9/52.
            New York Air Mail Dispatch to Bureau, 10/13/52.
AIRMAIL DISPATCH

Transmit the following Teletype message to: BUREAU, WASHINGTON FIELD.

THOMAS O. CLARK, HERBERT AUGUSTUS BERGSON, MISCONDUCT IN OFFICE.

REBUFLE SIXTYTWO DASH NINE SEVEN FIVE FIVE SEVEN, WFO TALE V.

SIXTYTWO DASH SEVEN ONE NINE SEVEN. REBULET TO CINCINNATI AND NY OCTOBER SEVENTEENTH LAST AND NY REPORT OF SAA EUGENE W. VAHEY, OCTOBER FIFTEENTH LAST. RALPH T. HEYMSFELD, PRESIDENT OF SCHENLEY INDUSTRIES, INC., INTERVIEWED. DENIES RECEIVING ANY ASSURANCE FROM JUSTICE DEPARTMENT OFFICIALS RELATIVE TO SUITS AGAINST LIQUOR INDUSTRY. STATES HE NEVER KNEW OF ANY SUCH ASSURANCES AND FIRST LEARNED OF RUMOR REGARDING ASSURANCES TO LEWIS ROSENSTIEE WHEN MENTIONED BEFORE CHELF COMMITTEE. SIGMUND TIMBERG ASSISTED PHILIP MARCUS IN NEGOTIATION OF INJUNCTIVE PROVISIONS OF SCHINE DECREE AND HAD NOTHING TO DO WITH DIVESTITURE PROVISIONS. KNEW OF NO EFFORT BY TOM CLARK OR HERBERT BERGSON TO LIMIT OR HINDER HIM AND WAS UPHELD IN SEVERAL INSTANCES BY CLARK. WHEN SCHINE ATTORNEYS APPEALED TIMBERG'S DECISIONS. DOES NOT FEEL THAT CONTEMPT PROCEEDINGS SHOULD HAVE BEEN FILED DURING THE NEGOTIATION OF THE DECREE. REPORT OF SAA EUGENE W. VAHEY WILL BE SUBMITTED OCTOBER TWENTYFOURTH NEXT.
ATTENTION ASSISTANT DIRECTOR A. ROSEN, THOMAS C. CLARK, HERBERT AUGUSTUS BERGSON, MISCONDUCT IN OFFICE. REBU COMMUNICATION.

OCTOBER NINTH LAST. LEWIS ROSENSTIEL, CHAIRMAN OF BOARD, SCHENLEY INDUSTRIES, ADVISED HE MET TOM CLARK FOR FIRST TIME ABOUT JUNE, NINETEEN FORTYNINE WHEN HE DISCUSSED A PLAN FOR SUSTAINED NATIONAL PROSPERITY WHICH HE, ROSENSTIEL, HAD DEVISED. AT THAT TIME HE DISCUSSED HIS PLAN WITH HEADS OF VARIOUS GOVERNMENT DEPARTMENTS TO OBTAIN THEIR REACTIONS. HAS SEEN TOM CLARK SOCIALLY ONCE OR TWICE SINCE JUNE, NINETEEN FORTYNINE. MET HERBERT BERGSON ONCE SOCIALLY AND SPOKE TO HIM FOR A FEW MINUTES. HAS NEVER DISCUSSED WITH CLARK OR BERGSON DEPARTMENT OF JUSTICE BUSINESS NOR ANY PENDING OR CONTEMPLATED SUITS BY THE ANTITRUST DIVISION OR OTHER BRANCH OF THE DEPARTMENT AGAINST THE LIQUOR INDUSTRY. DENIES RECEIVING ASSURANCE FROM ANY OFFICIAL OF DEPARTMENT OF JUSTICE RELATIVE TO SUITS AGAINST THE LIQUOR INDUSTRY. CLAIMS HE DOES NOT KNOW THAT ATTORNEYS REPRESENTING HIS COMPANY EVER RECEIVED SUCH ASSURANCE. REPORT Follows.
The Attorney General

Director, FBI

TOM C. CLARK
HERBERT A. BERGSON
MISCONDUCT IN OFFICE

October 21, 1952

PERSONAL AND CONFIDENTIAL

I am attaching to this memorandum and to the
copies designated for Mr. Murray a copy of the investigative
report of Special Agent Eugene W. Valsey dated October 15, 1952,
at New York, New York.

This investigation is going forward expeditiously
and you will be furnished copies of all investigative reports
as received and reviewed at the Bureau.

Attachment

cc: (2) Assistant Attorney General
Charles B. Murray

(PERSONAL AND CONFIDENTIAL
Attachment)
TO: The Director  
FROM: hwg  
SUBJECT: TOM C. CLARK

Rey Collier called and asked if it would be possible for him to speak to the Director. The Director's absence was explained and he stated that when Mr. Hoover does return to the office, he would appreciate it if he could call him. Mr. Collier outlined the following matter which he wishes to discuss with Mr. Hoover:

He stated they carried an editorial, Jack Klein’s article, on October 13, concerning Judge Clark's error, actually the Kansas City Vote Fraud Case. The gist of the editorial was to criticize the former Attorney General for restricting the FBI in its investigation of the case. He stated the editorial was right sharp on Clark. He stated that strictly off the record, Peyton Ford came in yesterday and brought a whole lot of documents and talked to Ben McKelway at some length and among the documents that he produced were copies of letters and also of testimony by Mr. Hoover on this case. In these statements, in effect, he defends Tom Clark for limiting the FBI in its preliminary investigation out there. Mr. Ben McKelway asked Collier to get in personal touch with Mr. Hoover just for his own enlightenment as to whether or not these letters (one is a copy of a letter Mr. Hoover wrote June 18, 1947 to Senator Ferguson, correcting a misimpression that had arisen as a result of some testimony he had given about Clark's activities and also some copies of testimony by Mr. Hoover in the Kansas City Case and the effect of all of this testimony and of the letter is more or less to defend Clark against any criticism of what he had done in the Kansas City Case. Mr. McKelway told Mr. Collier that Peyton Ford wants the Star to carry a correction in editorial form and Mr. McKelway is inclined to do it provided he is convinced in his own mind that the letters and testimony do, in fact, represent Mr. Hoover's feelings about Tom Clark's activities in that case. In other words, he just wants to be sure in his own mind that this letter, which is a little vague in what it says (Mr. Collier said he wouldn't say it was a complete defense of Tom Clark) does mean that the FBI was not hampered or restricted by Clark in this case, although he doesn't want to make any use of the letter except just to guide him in what kind of a correction the Star should carry. Mr. Collier stated he had gone into this in detail as he thought it might be helpful in preparing Mr. Hoover for his conversation.

I asked if he still had the documents and he stated that Peyton Ford had left copies with Mr. McKelway. One is a copy of the statement by Representative Chelf just recently in which the Committee criticized Clark for restricting Hoover in the investigation. The other is a letter dated October 11, 1946, apparently addressed to the Director of the FBI by the Attorney General, which is a request that certain persons be interviewed in Kansas City in connection with the case, and naming six...
persons in Kansas City, reporters for the Kansas City Star and others, who were to be investigated in a preliminary inquiry. The next item is an excerpt of testimony given by Mr. Hoover before the Subcommittee on the Judiciary in 1947 concerning the foregoing request for investigation of the Kansas City Election, and Mr. Hoover is quoted in that testimony as saying: "I would not consider that (the request that it be limited to six persons) in any way out of line because that has been the practice in practically all of the preliminary investigations of election frauds. We have received many cases here that outline specifically who to interview and exactly what steps we are to take. This is what we could call a preliminary investigation or inquiry typical of what we have made in dozens of election fraud cases.

Mr. Collier stated that the latter part was underlined in red by Peyton Ford because the Star in its editorial had said that this limiting investigation to six persons was unprecedented, and according to Mr. Hoover's testimony it was not unprecedented.

Mr. Collier stated there was a copy of a letter dated June 18, 1947, by Mr. Hoover to Senator Ferguson in which he undertakes to revise, or amplify and clarify some testimony which he said had apparently been misinterpreted regarding Clark's interest in the Kansas City Case and the letter is apparently quoted in full, the highlight being a quotation to the effect that the fact that the FBI had been ordered to make a preliminary inquiry in this case was not unusual, etc. Mr. Collier read the following: "I think in all fairness I should make the observation that in the years the present Attorney General, Tom C. Clark, has been associated with the Department, I have had the opportunity of working with him in innumerable cases and I am glad to state that he had not in any way taken any action to prevent any investigation being conducted to its logical conclusion. I hope that the foregoing will be helpful to you and the members of your Committee in clarifying any misinterpretation which may have arisen with respect to my testimony."

The next item is a letter dated June 13, 1947, from the Attorney General to Theron L. Caudle, Asst. AG, Criminal Division, which starts out: "This will refer to your request that I give you particulars of my participation in the conferences concerning the Kansas City Election," which goes on to tell how he was called by Sam Weir (?) in Kansas City, and that the election commissioners there requested investigation of the primary, etc., which is a lengthy memo, in which Caudle is explaining to the AG his part in the request for an investigation.

There is also a carbon copy of a statement, which is undated and unidentified, but does make reference to the number of Agents and the number of man hours consumed in the investigation of the Kansas City Fraud cases. This appears to be something which may have been gotten up to set forth the time and manpower employed in the investigation of the cases and he thinks it is something the Bureau got up.
He said it was undated and not addressed to anyone and it ended by telling the Bureau to give the matter special attention and submit reports to the Attorney General as promptly as...and the rest of the memo is missing. He stated he would judge it was some kind of explanatory memo to the AG or some committee of Congress, telling them how much time the FBI had spent, what it had cost, etc.

Also there is a photostatic copy of confidential subcommittee print, Kansas City Vote Fraud, July, 1947, from the Subcommittee on the Judiciary in the Senate submitted to the full committee. Apparently this is a recommendation by the subcommittee that the investigation proposed by the Senate Resolutions which had to do with investigating the non-action of the Department of Justice in the alleged irregularities in the Democratic Primary in Missouri. It was the conclusion of the subcommittee that the investigation proposed by the Senate Resolutions would be fruitless and productive of no good result and would duplicate without reason the activities of other agencies and would amount to political harassment and for these and other good reasons the proposed investigation was wholly unjustified.

Also there is a copy of "First Annual Report of the Investigation Subcommittee of the Committee on Expenditures in Executive Departments" pursuant to Senate Resolution 189, a resolution authorizing the Committee on Expenditures of the Executive Department to carry out certain duties, and pages 22 and 23 are marked. This report was submitted January 17, 1949, U. S. Govt. Printing Office, Senate Report No. 5, 81st Congress. They marked just one paragraph in that to the effect that the Subcommittee has held executive hearings concerning the investigation and prosecution of vote frauds in the 46th Congressional Primary Election in Kansas City, Missouri, by the Department of Justice. However, the majority of the Full Committee on Expenditures in the Executive Department decided in June that it would not serve the public interest to hold further public hearings in the case at that time, particularly in view of the hearings previously held on this matter by the Senate Judiciary Committee.

Mr. Collier stated the whole argument of Peyton Ford was that this thing had been thoroughly explored.

He said Mr. McKelway is inclined to run an editorial conceding that The Star had been unfair in view of the record but before he does this he would like to know definitely from Mr. Hoover whether there were any "tongue-in-cheek" attitudes on this or whether there is anything out of context, that he didn't know that what he had was complete and he wants to be sure that he will not be off on the wrong base if he does, in effect, carry a somewhat apologetic correction to Mr. Clark.

I told him I would advise you of the above as soon as you returned.
Justice Clark's Error

The Chief Committee's approach to the Kansas City vote fraud case and the part played in it by former Attorney General Tom Clark is an unusual one. President Eisenhower recently indicted Mr. Clark, now a member of the Supreme Court, on charges of the 1916 Missouri primary in which President Truman undertook a 'purge' of the then Republican ticket. Mr. Slaughter was beaten by Enos Axtell; Mr. Truman's man, in an election which apparently reeked of fraud; Mr. Axtell, in turn, was beaten in the general election by his Republican opponent.

When the fraud charges were brought in Mrs. Slaughter's behalf, the matter went to the FBI for investigation. But there was no precedent for the circumstances under which the FBI was given the case. The investigation was to be preliminary, in nature, as is customary in such cases; but in the instance the hands of the FBI were effectively tied by a memorandum prepared by T. Lamar Caudle and approved by Attorney General Clark—a memorandum which restricted the FBI to questioning six named individuals.

The investigation was a farce, and before it could be renewed, the suspect ballots, which had been impounded, were stolen.

The Chief Committee, which has been investigating the Department of Justice, turned for support in this instance to former Attorney General Biddle, Mr. Clark's predecessor. He was granted a series of questions which did not refer by name to the Kansas City case or to Mr. Clark, but which concerned to the facts of that situation with respect to a memorandum limiting the scope of an FBI investigation. Mr. Caudle said: "It would of course in any way, limit the investigation. That never occurred, so far as I can remember, and I certainly would not have approved it. I don't think it would be appropriate or proper for me to limit the scope of the investigation, because we wouldn't get what we were trying to get.

"It didn't occur, however, during Mr. Clark's regime, and they did not get what they presumably were trying to get. Instead, a situation which had all the earmarks of a sham scandal, and in which the President was indirectly involved, was covered up."

Justice Clark was responsible for the procedure, and the Chief Committee was unable to justify it for this, observation. His (Mr. Clark's) argument characterizes such procedure as more efficient, improper, and unheard of. That is our opinion today, and in the absence of further explanation it stands as our final judgment.

This is a judgment which will be shared by most people unless and until Justice Clark is able to give such explanation as he may have.

Date: OCT 13 1952
TO: DIRECTOR
FROM: Clyde Tolson
SUBJECT: "Justice Clark's Error"

I talked to Ben Collier with reference to his previous call to Miss Gandy relative to Peyton Ford's visit to Ben McKelway of The Star concerning the October 13th Star editorial entitled "Justice Clark's Error."

Mr. Collier repeated in substance what he had already told Miss Gandy concerning this matter and indicated he was anxious to talk to you on behalf of Mr. McKelway merely to determine in his own mind how far he should go in the matter of a retracting editorial.

I pointed out to Mr. Collier that the Kansas City case had been gone into by 3 Congressional Committees, all of whom held that there had been no reflection on the FBI in connection with the Kansas City case. I pointed out again the instructions that we make a limited investigation, confining our contacts with 6 named individuals; that the FBI carried out these instructions, submitted a report to the Department and that upon the basis of this report the case at that time was closed.

Mr. Collier indicated that his only interest at this time was the fact that the editorial had indicated that there was no precedent for the circumstances under which the FBI was given the case and that this is probably incorrect as indicated in the letter which you wrote to Senator Ferguson and in your testimony before the House Committee at which time you stated that there was not anything unusual in the fact that the Bureau had received instructions to interview just 6 people in this case. You stated that we had received many cases where the main Department instructed specifically whom to interview and exactly what steps to take. I gathered that what Mr. Collier proposes to suggest to Mr. McKelway that if any apologetic editorial is written it be confined to this one minor statement about the "no precedent" angle.

I told Mr. Collier that I thought he ought to keep in mind that this case has many ramifications, that the fact remains that the main Department accepted the results of the preliminary investigation and that he probably wouldn't want to place The Star in the position of condoning anything and everything which Mr. Clark had done in connection with the Kansas City case.
Mr. Collier was entirely satisfied with his discussion with me and stated he would indicate to Mr. McKelway that you were not available today.
The Attorney General

October 27, 1952

Director, FBI (62-97557)

PERSONAL AND CONFIDENTIAL

J. C. CLARK
HARRIET A. JORGENSON
MISCONDUCT IN OFFICE

I am attaching to this memorandum and to the copies designated for Mr. Murray, a copy of the investigative report of Special Agent Eugene W. Youngs, dated October 22, 1952, at Cincinnati, Ohio.

This investigation is continuing expeditiously, and copies of reports as received at the Bureau will be forwarded to you and Mr. Murray.

cc: 2 - Assistant Attorney General (Personal and Confidential) (Attachment)

Charles B. Murray

Attachment

APPROPRIATE AGENCIES
AND OTHER OFFICES

DATE

RECEIVED

[Codeword]

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DECLASSIFIED BY (REDACTED) ON

[Redacted]
FEDERAL BUREAU OF INVESTIGATION

Form No. 1

THIS CASE ORIGINATED AT

WASHINGTON FIELD

REPORT MADE AT

CINCINNATI, OHIO

DATE WHEN MADE

10/22/52

PERIOD FOR WHICH MADE

10/22/52

REPORT MADE BY

EUGENE W. YOUNGS

NJB

CHARACTER OF CASE

MISCONDUCT IN OFFICE

SYNOPSIS OF FACTS:

Judge ROBERT S. MARX, Nichols, Wood, Marx and Ginter Law Firm, Cincinnati, who represents LEWIS ROSENSTIEL, Schenley Industries, emphatically denied that any assurance received from former Attorney General THOMAS C. CLARK or others in Department of Justice that no antitrust litigation would be had in the liquor industry.

DETAILS:

1/10 AD
9/12 Murray Negro 14y

1/10 William 61y

RUG

AT CINCINNATI, OHIO

Judge ROBERT S. MARX, Nichols, Wood, Marx and Ginter Law Firm, 900 Traction Building, informed that he and his law firm represented the interests of Schenley Industries and the affairs of LEWIS ROSENSTIEL, President. Judge MARX stated emphatically that he had never received or heard any assurances given by former Attorney General THOMAS C. CLARK or other officials of the Department of Justice to the effect that there would not be antitrust investigations of or litigation against the liquor industry. He termed such allegations as ridiculous.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 10/29/52 BY 888 009000

RUG

PROPERTY OF FBI—THIS CONFIDENTIAL REPORT AND ITS CONTENTS ARE LOANED TO YOU BY THE FBI AND ARE NOT TO BE DISTRIBUTED OUTSIDE OF AGENCY TO WHICH LOANED.

51 NOV 5 1952.
ADMINISTRATIVE PAGE

REFERENCE: Bureau letter dated October 17, 1952
RALPH T. HEYMSFELD, President of Schenley Industries, Inc., denies receiving any assurances from any Department of Justice official relative to suits against the liquor industry. States he never heard rumor that LEWIS ROSENSTIEL had received such assurances until it was brought up by the Chief Committee. SIGMUND TIMBERG assisted PHILIP MARCUS in negotiations of injunctive provisions of SCHINE decree. Knew of no offer by TOM CLARK or HERBERT BERGSON to limit or hinder his negotiations in any way. IRVING KAUFMAN appealed several decisions of TIMBERG to TOM CLARK and TIMBERG was upheld by CLARK. TIMBERG knew that PHILIP MARCUS was dissatisfied with divestiture provisions of decree negotiated by MARCUS and BERGSON but advised that divestiture by litigation would have meant a trial for each theater divested. TIMBERG recalls approving memorandum of MARCUS regarding civil contempt but does not feel that contempt should have been filed during negotiation of the decree.

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE:

DETAILS: This report reflects investigation conducted jointly by SA(A) JOHN M. DUNAY, JR. and the writer.
LIQUOR INDUSTRY

Interview of RALPH T. HEYMSFELD

RALPH T. HEYMSFELD was interviewed in his office in Room 3732, 350 Fifth Avenue, New York, New York. HEYMSFELD advised that he has been President of Schenley Industries, Inc. since September 15, 1952. He has been associated with the Schenley company since 1934 when he joined the company as Resident Counsel. He later became General Counsel for Schenley and, about 1938 or 1939, became a Director of the corporation, as well as a member of the Executive Committee. He stated that he has had a very close association with the management of the company since 1934.

Mr. HEYMSFELD advised that he has never received any assurances from any official of the Department of Justice relative to a suit against the liquor industry and knows of no assurances having been given to any of the other officials of the company. He stated that he never heard the rumor that LEWIS ROSENSTIEL had received assurances that the Department of Justice would not prosecute any suits against the liquor industry until this rumor was mentioned during the hearings conducted by the Chief Committee.

According to Mr. HEYMSFELD, he has had one contact with the Department of Justice in connection with an Antitrust matter. This was on December 9, 1947 when he visited the Department of Justice accompanied by CHARLES PICKETT, of the law firm Chadbourne, Stanchfield and Levy, and FRED ROSENBLUM, an attorney from Philadelphia, Pennsylvania. Mr. HEYMSFELD advised that he and the others visited the Justice Department at the request of the Antitrust Division and spoke to VICTOR KRAMER and Mr. DECKER.

Mr. HEYMSFELD stated that at that time Schenley Industries, Inc. was in the process of buying the assets of the Logansport Distilling Company, which was in liquidation. The assets being purchased consisted of a distillery and a stock of whiskey. The purpose of the Antitrust Division in calling Mr. HEYMSFELD and the others to Washington was to determine whether or not the purchase of the Logansport company by Schenley constituted a possible violation of the Antitrust laws. Mr. HEYMSFELD advised that the Antitrust Division decided that there was no basis for prosecution under the Antitrust laws in connection with the purchase of the Logansport company.
Mr. HEYMSEFELD advised that he first met HERBERT BERGSON at one of the hearings before the Senate Committee. He further advised that he has never met JOHN SONNETT.

According to Mr. HEYMSEFELD, he met TOM CLARK on one occasion in February, 1945 when CLARK was Assistant Attorney General in Charge of the Criminal Division of the Department of Justice.

Mr. HEYMSEFELD advised that in 1945 Schenley had been indicted in Federal Court in Newark, New Jersey, along with a union official named PROSS and several liquor wholesalers in New Jersey. This indictment charged violation of Office of Price Administration regulations in that the individuals involved were alleged to have been selling liquor in the black market. Mr. HEYMSEFELD advised that Schenley had had nothing to do with the black market activities and, since officials of the company felt that the publicity attending the indictment was damaging to the company, Mr. HEYMSEFELD attempted to have the case dropped against Schenley. He visited TOM CLARK in Washington in order to discuss the matter with CLARK. He was unsuccessful in this visit and the case against Schenley was not dropped; however, the case against the other defendants was presented in court and several defendants in the case were acquitted.

Subsequently, on December 8, 1945, the indictment against Schenley was nolle prossed in Federal Court in Newark. Mr. HEYMSEFELD advised that the indictment was nolle prossed because the case against the other defendants had not held up in court. He said that he had never met TOM CLARK on any other occasion and repeated that he had never received any assurances from CLARK or any other officer in the Department of Justice to the effect that cases against the liquor industry would not be prosecuted.

SCHINE CHAIN THEATERS, INC.; ET AL

Interview of SIGMUND TIMBERG

SIGMUND TIMBERG was interviewed at his residence, Apartment 5-A, 444 East 57th Street, New York, New York.
TIMBERG advised that in the fall of 1946 he was placed in charge of the Decree and Surplus Property Section of the Antitrust Division in the Department of Justice. The name of this section was later changed to the Judgment and Judgment Enforcement Section. TIMBERG advised that one of the functions of his section was the preparation or assisting in the preparation of decrees in settlement of Antitrust cases.

He said that in the latter part of 1948, or early 1949, he was assigned by HERBERT BERGSON to work with PHILIP MARCUS in negotiating that portion of the decree in the SCHINE case which applied to the injunctive provisions of the decree.

Prior to TIMBERG's assignment to this case, PHILIP MARCUS and HERBERT BERGSON had been negotiating with the SCHINE attorneys with respect to the divestiture provisions of the decree. TIMBERG had nothing to do with negotiations relative to divestiture. TIMBERG was aware that MARCUS was dissatisfied to some extent with the divestiture provisions which had been agreed upon. TIMBERG asked BERGSON if, during the course of the negotiations relative to divestiture, any commitments had been made to the SCHINE attorneys relative to the injunctive provisions and was assured by BERGSON that there had been no commitments.

TIMBERG stated that in all of the moving picture cases it had been customary to split up the negotiations toward the decree so that one group handled the injunctive provisions and another group, consisting of the Chief Trial Attorney and the head of the Antitrust Division, negotiated the divestiture provisions. He pointed out that divestiture is a very drastic solution to an Antitrust case.

TIMBERG advised that the lawyers representing SCHINE on several occasions went over his head and appealed his decisions to TOM CLARK or HERBERT BERGSON. He was aware of this because he had been told by BERGSON and also recalled one instance when he attended a conference in TOM CLARK's office at which IRVING KAUFMAN was also present. KAUFMAN had gone to CLARK's office to protest one of the provisions which TIMBERG insisted upon and TIMBERG was there to present his views. CLARK upheld TIMBERG.
TIMBERG advised that there were several provisions on which he had insisted and which were appealed to CLARK. One of these had to do with a quality of product provision which TIMBERG desired to incorporate in the SCHINE decree. He said that this provision required that the purchasers of the SCHINE theaters which were to be divested would be guaranteed 40% of the top production pictures available on the market. The SCHINE interests objected to this percentage and appealed the case to TOM CLARK who upheld TIMBERG. TIMBERG is not certain whether it was on this particular provision that he conferred with TOM CLARK and IRVING KAUFMAN or if it were on another provision to which KAUFMAN had objected.

It was pointed out to TIMBERG that in a letter dated May 21, 1949 IRVING KAUFMAN informed TOM CLARK that he was submitting a compromise relative to the guarantee of product provision. TIMBERG stated that he can recall no compromise being suggested by any officials of the Justice Department.

The memorandum submitted by the SCHINE attorneys on April 13, 1949 which stated that assurance had been given by BERGSON that the injunctive provisions of the SCHINE decree should be no more severe than those of the decrees in the RKO and Paramount cases was discussed with TIMBERG. He advised that he recalled this memorandum and that he had discussed it with BERGSON at the time it was received and had received a further assurance that no commitments had been made by him with respect to the injunctive provisions of the decree.

TIMBERG advised that he recalls that PHILIP MARCUS desired to have the decree stipulate that a trustee should be appointed to handle the divesting of the SCHINE theaters. He stated that there was no precedent for a trusteeship in any of the other moving picture cases and no trustee was appointed. According to TIMBERG, he later felt that, if the enforcement of the SCHINE decree was delayed continually by the SCHINE interests, it would have been to the advantage of the Antitrust Division to have had a trustee in charge of the divestiture.

He recalls the memorandum submitted by MARCUS with the approval of BALDRIDGE and himself requesting the filing of civil contempt proceedings against the SCHINE interests. Mr. TIMBERG stated that, while he approved the filing of the contempt charges, there was doubt in his mind as to whether or not contempt could be proved under the judgments which were in existence at that time. He said that if the 1949 judgment had been on record.
prior to the time that the contempts occurred these commitments would have been more clearly defined in these judgments and there would have been no doubt as to the violations involved.

He further pointed out that he does not feel it is good policy to file contempt proceedings while negotiating a settlement with a defendant. He said that in the first place, if a defendant is in contempt, the government should not settle a pending case with him and, secondly, the filing of contempts might be construed as a threat to force the defendant to accept the settlement proposed by the Government.

Mr. TIMBERG advised that he recalls the MARCUS memorandum went to BERGSON's office but he never discussed it with BERGSON and does not know what further action was taken with respect to the filing of contempt proceedings.

TIMBERG advised that after the judgment had been negotiated in the SCHINE case he was requested to present this judgment to the court in Buffalo. He said that usually the trial attorney who handled the case would present the judgment but that MARCUS did not desire to present it because he had been asking for stronger relief with respect to divestiture than was called for in the negotiated decree. It is TIMBERG's understanding that MARCUS felt he would be embarrassed appearing before the court with a decree which was not as strong as his own requests to the court had been. TIMBERG advised that MARCUS was completely satisfied with the injunctive relief contained in the decree but was not completely satisfied with the divestiture portion of the decree. In this connection TIMBERG pointed out that, although the Supreme Court had upheld the Government's position in the SCHINE case, all of the findings of the lower court had not been approved by the Supreme Court. In addition, even though the Supreme Court had upheld the courts, the divestiture of theaters would have been a long involved process since the litigation necessary for the divesting of each theater would have amounted to a court trial.

TIMBERG advised that he was not hindered or limited in any way in the negotiation of the SCHINE decree by either TOM CLARK or HERBERT BERGSON, and repeated that actually he had been upheld in several instances when IRVING KAUFMAN had appealed his decisions to the Attorney General.
REFERENCE

Bureau letter to Cincinnati and New York, 10/17/52.
Report of SA(A) EUGENE W. VAHEY, 10/15/52, New York.
Office Memorandum • UNITED STATES GOVERNMENT

TO : DIRECTOR, FBI (62-97557)  DATE: October 28, 1952

FROM : SAC, WFO (62-7197)

SUBJECT: THOMAS C. CLARK: HERBERT AUGUSTUS BERGSON MISCONDUCT IN OFFICE

Reourlet 10/7/52, which informed that CHALMERS HAMILL, Attorney in Charge of the Small Business Unit, Antitrust Division, Department of Justice, was confined to Saint Mary's Hospital, Rochester, Minnesota, and was not available for an interview for approximately three weeks.

In referenced letter it was pointed out that this office would determine, after a three week period, whether Mr. HAMILL had returned to work and was available for interview.

On 10/27/52, contact was had with the Offices of LeROY Mc CAULEY, Administrative Section, Antitrust Division, Department of Justice, and it was learned that HAMILL is still confined to Saint Mary's Hospital, Rochester, Minnesota, and it was not known when HAMILL would be able to return to work.

HAMILL was to be interviewed relative to any knowledge he might have of the Liquor Industry Case, it being noted that he, at one time, was EARNEST BRANHAM's immediate supervisor.

In view of HAMILL's physical condition and the uncertainty relative to his return to duty, plus the fact that information developed to date in the Liquor Case does not indicate that HAMILL could furnish any definite information, it is recommended that this office make no further effort to contact HAMILL. Unless advised to the contrary, no such efforts will be made.

G. L. R.-8

RECEIVED 62-97557-7-71
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EX-102

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DATE 13 OCT 30 1952 RECORDED BY 80-8-RT51LY

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VICTOR KRÄMER did not work on SCHINE case.

ERNEST S. MEYERS was in charge of Consent Decree Section of Antitrust Division until 4/30/46. He recalls that no written decree was submitted to him. Neither KRÄMER nor MEYERS knows of any irregularity in handling of SCHINE case.

HAROLD LASSER has no knowledge of participation by IRVING KAUFMAN in SCHINE case other than having been told by PHILIP MARCUS that KAUFMAN represented SCHINE.

HARRY B. SWERDLOW did not participate actively in any liquor investigation but recalls one in the Denver office, which was practically complete by the time he arrived on 1/1/44. JOHN DRENN HILL, former Assistant Chief, NYATD, participated in discussions relative to Antitrust action in New York State when a New York State statute relating to fixing of liquor prices was invalidated. SWERDLOW or HILL had no information as to any irregular activities in connection with liquor investigations by the Antitrust Division.
NY 46-2632

DETAILS:

SCHINE CHAIN THEATERS, INC., ET AL

Interview of VICTOR KRAMER

VICTOR KRAMER, Chief, General Litigation Section, Antitrust Division, was interviewed by SA(A) ARNOLD J. BROWN and SA THOMAS J. RYAN at the United States Court House, New York, New York.

KRAMER advised that he entered the Antitrust Division on July 27, 1938 as an attorney and in March, 1946 was made Assistant Chief in the Trial Section. In August, 1950 he became Chief of the Trial Section and in January, 1951 was appointed to his present position.

Mr. KRAMER advised that he had no knowledge of the SCHINE antitrust matter other than that the case was handled in the Antitrust Division by PHILIP MARCUS and HERBERT BERGSON. KRAMER stated that he had no occasion to contact them or talk with them concerning this case.

According to KRAMER, he never heard of anything irregular in the handling of the SCHINE matter.

Interview of ERNEST S. MEYERS

ERNEST S. MEYERS was interviewed by SA(A) EDWARD C. PALMER and the writer at the offices of LaPorte and Meyers, 74 Trinity Place, New York, New York.

MEYERS advised that he was employed by the Antitrust Division at Washington, D. C. from September 16, 1938 to April 30, 1946 when he left to join the law firm of Isseks, LaPorte and Meyers.

Mr. MEYERS advised that he held various assignments in the Antitrust Division and about 1944 became Chief of the Consent Decree Section, a position which he held until his resignation from the Department of Justice.
Mr. MEYERS recalls that the SCHINE CHAIN THEATERS case was handled in the Department by ROBERT L. WRIGHT, who was assisted by PHILIP MARCUS.

MEYERS advised that the only possible connection he could have had with the SCHINE case would have been in the preparation of a consent decree and he recalls clearly that no decree was prepared while he was in charge of the Consent Decree Section.

MEYERS stated that theoretically any consent decree entered into by the Antitrust Division would be accepted or rejected by the Consent Decree Section; however, he advised that as a practical matter his approval was not always obtained when a consent decree was accepted. He cited as an example a case which was being tried in the field and in which the attorney handling the case might accept a consent decree without first clearing this decree with MEYERS.

MEYERS does not recall that any decrees were accepted during his term as Chief of the Consent Decree Section which he felt were not good decrees. He does recall that he objected to some decrees which were presented to him and that, as a result of his objection, these decrees were not accepted by the Antitrust Division. He does not recall the specific cases on which the objectionable decrees were presented.

According to MEYERS, the only contact he had with anyone from outside the Department of Justice relative to the SCHINE case while he was employed in the Antitrust Division was a visit by a man named ROSENBAUM who represented SCHINE. MEYERS was told by ROBERT WRIGHT that ROSENBAUM was a banker and not a lawyer. MEYERS thinks that ROSENBAUM was brought to his office by WRIGHT but is not certain on this point.

He said that ROSENBAUM's visit was probably prior to the trial which took place about 1945 and, although he does not recall specifically the discussion which he had with ROSENBAUM, he believes that it was with respect to negotiating a settlement of the SCHINE case. He stated that he was a prolific memorandum writer when he was in the Department and any visits by persons representing outside interests were always made a matter of record by him and he is certain that the SCHINE file contains a memorandum reflecting the visit of ROSENBAUM.
Subsequent to the trial in the SCHINE case, WRIGHT requested MEYERS' assistance in preparing a decree. MEYERS assigned the matter to LEWIS SCHWARTZ and advised that very little was done in connection with this decree prior to the time that MEYERS resigned from the Antitrust Division. He was succeeded as Chief of the Consent Decree Section by SCHWARTZ who also resigned from the Antitrust Division in September of 1946 to accept a position as a professor at the University of Pennsylvania Law School.

MEYERS advised that SCHWARTZ was succeeded as Chief of the Consent Decree Section by SIGMUND TIMBERG.

MEYERS stated that he had no contact with the SCHINE case after leaving the Antitrust Division except that SAMUEL ISSEKKS, who was his law partner and is deceased, represented SCHINE for about one month after MEYERS joined ISSEKKS' law firm.

He advised that he never discussed the merits of the SCHINE case with Mr. ISSEKKS and the only discussion he can recall relative to the SCHINE case was that ISSEKKS told him that SCHINE was a difficult client. According to MEYERS, SCHINE discharged ISSEKKS as his counsel about one month after MEYERS joined the ISSEKKS' firm.

Other than his discussion with ISSEKKS, MEYERS has never discussed the SCHINE case with anyone, either an employee of the Department of Justice or a representative of one of the defendants since leaving the Antitrust Division. He knows of no irregularities in connection with the handling of this case.

Interview of HAROLD LASSER

HAROLD LASSER, attorney, New York Antitrust Office, was interviewed by SA(A) JOHN M. DUNAY, JR. and the writer.

LASSER advised that on a visit to Washington about 1949 he was informed by PHILIP MARCUS that IRVING KAUFMAN had been retained by SCHINE in connection with the pending antitrust case. LASSER advised that this is the full extent of his knowledge of IRVING KAUFMAN's participation in the case. According to LASSER, he does not recall ever telling anyone that Judge KAUFMAN's confirmation was held up by the United States Senate because of his participation in the SCHINE matter and stated that, as a matter of fact, he never possessed this information.
LASSER advised that he vaguely remembers reading in the newspaper at the time of Judge KAUFMAN's confirmation that there was some delay by the Senate in confirming Judge KAUFMAN. He emphatically denied ever having known anything relative to a possible delay in Judge KAUFMAN's confirmation other than the information obtained from the newspaper. In closing, LASSER stated that he does not know Judge KAUFMAN personally and knows nothing relative to any political contributions made or raised by Judge KAUFMAN.

LIQUOR INDUSTRY

Interview of HARRY B. SWERDLOW

The following investigation was conducted by SA(A) ROLAND M. SMITH and JOHN M. DUNAY, JR.

HARRY B. SWERDLOW, who was interviewed at the Plaza Hotel, 59th Street and Fifth Avenue, New York, New York, advised that he was employed by the New York Office of the Antitrust Division as a clerk and messenger from August, 1941 to November, 1942 after which he entered the United States Maritime Service where he remained until December, 1943. From January 1, 1944 to the end of 1945 he was employed as an attorney in the Denver Office of the Antitrust Division and in May, 1946 he was transferred to the Los Angeles Office where he remained until December, 1946.

He advised that he never did participate in any extensive liquor investigations by the Antitrust Division and the only connection he had with this type of case was upon his arrival in the Denver Office where an investigation into the activities of certain liquor dealers had been practically completed. He recalls that shortly after he arrived in Denver he had, at one time, delivered various papers in connection with this case to the attorney who was handling the case and on that particular day appearing in the District Court in Denver. SWERDLOW advised that he does not recall the name of the attorney who was handling the case at that time; that he (SWERDLOW) never conducted any investigation in this case nor did he ever prepare any briefs, letters or memoranda in connection therewith.
SWERDLOW advised that he has no knowledge of any irregular activities on the part of any Department of Justice employee in connection with the handling of the Denver liquor case, or any other liquor case, and that he knows of no instructions or arrangements which would have limited the pursuit of such an investigation to the benefit of any of the liquor interests.

Interview of JOHN DRENN HILL

JOHN DRENN HILL was interviewed at the offices of the Radio Corporation of America, 30 Rockefeller Plaza, New York, New York, and advised that from November, 1947 to May, 1948 he was employed by the Department of Justice at Washington, D. C., where he spent the first few months in the Criminal Division and was later transferred to the Antitrust Division. During this assignment in the Antitrust Division he did not handle any antitrust matters but was assigned to a committee composed of business and government representatives having to do with the voluntary allocation of scarce strategic materials. At that time he worked under the supervision of Assistant Attorney General JOHN F. SONNETT.

In May, 1948 he was appointed Executive Assistant in the New York Office of the Antitrust Division, where he remained until June 1, 1951.

He stated that the only recollection he has of participating in any liquor investigation had to do with a case which involved alleged price fixing activities on the part of various dealers in the New York area during the time when the New York State law covering such activities had been invalidated by the State courts. This state law, which regulated liquor prices, had been invalidated on a technicality and at that time it was fairly certain that when the New York State legislature reconvened a similar law was to be passed.

The question at that time was whether or not the liquor dealers were violating a federal antitrust law during the period that no state statute existed and, to the best of his recollection, various memoranda relating to this situation were sent to the Washington headquarters. HILL advised that no further action was taken in this matter because RODOLFO CORREA or EDWARD HODGES of the Washington Office had expressed the opinion that in view of the short period of time and the
inevitability of a new state law being enacted nothing further should be done. HILL stated that to the best of his recollection the New York State law referred to above was invalidated in February, 1950.

HILL advised that he never noticed any indication that liquor investigations would not be pursued with the same vigor as any other investigation in the Antitrust Division and also that he was not familiar with the 1944 liquor investigation or any other prior liquor investigations.
MISCELLANEOUS

A tentative appointment was made to interview JOHN F. SONNETT at his New York Office on October 7, 1952; however, on October 6, 1952 SONNETT's secretary advised that he would be in Washington, D. C. until Wednesday, October 8, when he would leave for Detroit and was not expected to return to New York until the week of October 13, 1952. She advised that SONNETT could be reached in Washington, care of Cahill, Gordon, Zachary and Reindel, 1000 Vermont Avenue, N.W. She also stated that SONNETT was staying at the Carlton Hotel in Washington.

The above information was furnished to the Washington Field Office by a special delivery letter on October 6, 1952 with a request that SONNETT be interviewed by that office.

No lead has been set forth for the Philadelphia Division to interview LEWIS SCHWARTZ at the University of Pennsylvania since this lead could already have been designated by the Washington Field Office.

LEAD

NEW YORK

At New York, New York

Will interview SIGMUND TIMBERG, care of United Nations, upon his return to New York City after October 15, 1952.

REFERENCE

The Attorney General

November 5, 1952

PERSONAL AND CONFIDENTIAL

Director, FBI

PEYTON FORD, ET AL;
FRAUD AGAINST THE GOVERNMENT
MISCONDUCT IN OFFICE

Reference is made to my memorandum of October 2, 1952 requesting advice as to whether a decision has been reached concerning information furnished by Mr. Curtis Shears of the Department.

Mr. Shears related that Mathias Orfield, Department attorney, believes former Attorney General Tom Clark played an important part in the merger of the United States Steel and Geneva Steel Companies.

To date no reply has been received. It would be appreciated if you would advise if a decision has been reached in this matter.

Charles B. Murray (PERSONAL AND CONFIDENTIAL)
TO: Mr. Ladd
FROM: Mr. Rosen
DATE: November 3, 1952
SUBJECT: TOM C. CLARK
HERBERT A. BERGSON
MISCONDUCT IN OFFICE

This memorandum is a synopsis of information set forth in the attached summary memorandum.

Investigation requested by the Attorney General of allegations of improper handling of two Antitrust cases by Tom Clark and Herbert Bergson is completed with the exception of interviews of two former Department attorneys who are out of the country and one Department attorney who is ill.

The first case concerns the Liquor Industry. Ernest Branham, Department Attorney, reported that Alfonso Landa, counsel for Seagram's, stated Attorney General Clark gave assurances to Lewis Rosenstiel, President of Schenley's, that there would be no action against the Liquor Industry with inference Rosenstiel contributed $100,000 to the Democratic Party in 1949. Department attorneys state the Liquor Industry was not investigated in 1949 because there was no evidence antitrust laws were violated. Landa denies making such statement or knowledge of political contributions by Rosenstiel. Rosenstiel denied any assurances ever given by Clark. Both admit hearing rumors to this effect from unrecalled sources.

The Chelf Committee has criticized the Department of Justice for not undertaking an exploratory investigation of the Liquor Industry in 1949 and points out that although the evidence is not conclusive there was an indication that political contributions by the Liquor Industry were connected to the tapering off of the Antitrust investigation of 1949.

The second case concerns the Schine Theater Circuit. Philip Marcus alleges a consent decree was entered wherein the divestiture provisions were less than the proposed Government judgment, which was considered in accord with the Supreme Court opinion and that contempt proceedings were not filed against Schine although there was evidence of contempt. Marcus alleges Schine employed a number of attorneys, some of whom were for the purpose of negotiating the consent decree. One such attorney, Irving Kaufman, contacted the Attorney General and Bergson over Marcus's head concerning the negotiations. Marcus related rumors that Schine contributed heavily to both parties in 1944 and Kaufman was a fund raiser in the 1943 Democratic campaign.

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ALL INFORMATION CONTAINED HERIN IS UNCLASSIFIED

DATE 6-30-43 BY REESE
Memorandum to Mr. Ladd

Department attorneys state they have no knowledge of any influence or improper handling of the Schine Antitrust case, pointing out that the matter was extremely involved and that Schine employed delaying tactics to effect a more favorable settlement. They state divestiture proceedings would have been long and involved and evidence of criminal contempt doubtful. They state Attorney General Clark backed decisions when counsel for Schine protested.

The subjects have not been interviewed. In the Liquor matter the Democratic Party has not been contacted concerning contributions. In the Schine matter, officials and counsel for Schine have not been interviewed as case still pending in Department. Irving Kaufman, now Federal Judge, Southern District of New York, has not been interviewed. It is felt the Bureau needs the guidance of the Department in the determination of interviewing or not interviewing these persons because the Bureau is not in a position to decide whether the allegations as developed by the investigation are legally or morally right or wrong. Judge John Knight, in whose court the consent decree was filed has not been interviewed. It is felt inquiry into his judicial determination is a matter of high policy to be decided upon by the Department in light of facts developed in this matter.

ACTION:

The Attorney General and Murray, in the attached memorandum, are being advised that no interviews have been conducted with the subjects, counsel and officials of Schine or Federal Judge John Knight, and that the Democratic Party has not been contacted concerning political contributions. The Department is being requested to advise what further specific investigation is desired.
TO: MR. LADD
FROM: A. ROSE
SUBJECT: TOM G. CLARK HERBERT A. BERGSON MISCONDUCT IN OFFICE

DATE: November 3, 1952

PURPOSE:
To summarize results of investigation.

BACKGROUND:
In the course of the Peyton Ford, et al, law firm investigation, a number of collateral allegations were received. These allegations have all been called to the attention of the Attorney General. The Attorney General has requested investigation of allegations that Tom Clark and Herbert Bergson improperly handled two Antitrust cases; namely, the Liquor Industry Inquiry and the Schine Theater Circuit case. Investigation was requested in the Attorney General's memorandum of September 9, 1952. Investigation was ordered to the field on September 22, 1952.

SUMMARY

1. Basic Allegation
Liquor Industry Inquiry

Ernest R. Branham, Department attorney, in a sworn signed statement alleged that in 1950 Alfons Landa, Washington counsel for Seagram's, told him that Lewis Rosenstiel, Chairman of the Board of Directors of Schenley Industries, was telling it around New York he had received assurances from then Attorney General Clark that there would never be any suit of any nature against the Liquor Industry and if there was, Branham would have nothing to do with it.

According to Branham, Landa also discussed his activities as a member of the Democratic National Finance Committee during the 1948 Presidential campaign. In this...
Memorandum to Mr. Ladd

connection, Landa recited the large contributions by various members of the Liquor Industry and advised that Rosenstiel pledged $100,000 to the Democratic Committee.

Branham further alleged he had prepared a memorandum recommending limited investigation by the FBI of the Liquor Industry but that Bergson had stopped the investigation, took the case away from Branham and assigned it to Edward P. Hodges. Branham stated no investigation of the Liquor Industry has ever been conducted.

2. Basic Allegations

Schine Theater Circuit
Antitrust Case

Philip Marcus, Department attorney, in a sworn statement advised that the Supreme Court in 1948 upheld a lower court's decision that the Schine Theater Circuit had violated the Antitrust Statutes and ruled the lower court should provide for divestiture of the theaters. A proposed findings and a proposed judgment in accord with the Supreme Court's decision was filed in the lower court by the Department.

Marcus advised that in 1948 a contempt petition against Schine was recommended to the Attorney General to be filed with the District Court in Buffalo. In November, 1948, Willard S. McKay, counsel for Schine, advised Marcus the contempt petition would not be filed and Marcus believes McKay stated that Schine had been in to see the Attorney General. The contempt petition was never filed.

Marcus states there were a number of postponements of hearings concerning the Government's proposals. The postponements were requested by Irving Kaufman, who was hired by Schine to negotiate a settlement and who was reported to be
Memorandum to Mr. Ladd

close to Tom Clark. On one occasion, McKay advised Marcus in connection with a hearing scheduled in Buffalo in January, 1949, that Marcus would receive a telephone call from Bergson instructing him not to object to a request for postponement. Bergson did call Marcus and so instructed him. No hearing was held.

Marcus stated that contrary to customary procedure Bergson himself conducted the negotiations with Kaufman, without Marcus or other Department attorneys participating. Bergson gave Marcus the impression of working on orders from the Attorney General and one occasion, told Marcus he had to let Kaufman keep a foot in the door because he was close to the Attorney General.

Marcus stated the negotiations culminated in a consent decree wherein the divestiture provisions were considerably less than called for by the Supreme Court's opinion. He felt Bergson was aware that the facts assured a better judgment by trial court than that which was negotiated. He also pointed out that shortly after the judgment was entered, Kaufman was appointed a judge in the Southern District of New York.

In addition to his statement, Marcus pointed out that Tom Clark, when transferring from the Antitrust Division to the Criminal Division, took with him two Antitrust cases, namely, Paramount and the Schine case. Marcus said this was unprecedented in Departmental history and inferred the Antitrust Division had difficulty in getting these cases back.

SUMMARY OF RESULTS OF INVESTIGATION:

1. Liquor Industry Inquiry

Alfons B. Landa, Washington counsel for Seagram's,
Memorandum to Mr. Ladd

admitted in a sworn signed statement that he had discussed an antitrust inquiry into the Liquor Industry with Ernest Branham, but had never discussed with him influence or pressure to have the investigation stopped. He also admitted his activities in raising funds for the Democratic Party during Presidential campaigns over a number of years.

Landa stated he does not know Lewis Rosenstiel personally and has never met him. He stated he has no personal knowledge of any authenticity to the rumor that Rosenstiel had been assured by Clark there would be no investigation of the Liquor Industry. Landa stated he did discuss with Branham this rumor and believes they both had heard it. Landa stated at this time his best recollection was that he had heard the rumor from two or three unrecalled sources. Landa denied that he ever made any statement as was attributed to him by Branham, and denied any knowledge of political contributions by Rosenstiel.

Lewis Rosenstiel, Chairman of the Board of Directors of Schenley's, denies that he received any assurance from any Department official on any matter pending before the Department concerning his company. He stated he had heard rumors to that effect but had no idea as to the source of these rumors.

Interviews with some thirty Department attorneys who are familiar with this matter and who handled or took some action in the Liquor Industry Inquiry reflects no information that there was pressure to have this investigation stopped. It was the opinion of all Department attorneys interviewed with the exception of the original complainant, Branham, that the preliminary inquiry into the Liquor Industry failed to reveal any violation of the Antitrust laws and therefore, it was their opinion there was no basis for an investigation.

The Department files reflect that in 1948 and 1949
Memorandum to Mr. Ladd

A survey of the Liquor Industry was made to determine if there had been any developments along Antitrust lines since a Grand Jury investigation in 1943 had concluded there was no evidence of common ownership or violations of the Antitrust laws. It was the Antitrust Division staff's conclusion that because of rationing and war-time restriction the Liquor Industry had been under close Government restriction from 1943 to 1949 and there was no change in the industry since the Grand Jury findings in 1943. The staff further concluded that in light of other matters more pressing and because it was felt such investigation was not warranted on the basis of facts developed, a memorandum to the FBI proposing a limited investigation should not be sent. It was pointed out there had been developed no information indicating a violation of the Antitrust Statutes.

In this phase of the investigation, two former Department attorneys cannot be interviewed because they are out of the country and one Department attorney cannot be interviewed because he is ill, and his return to duty is unknown. The subjects have not been interviewed and no contact has been made with the Democratic National Committee concerning political contributions of the members of the Liquor Industry. It is believed the Bureau needs guidance from the Department as to whether the subjects should be interviewed and whether the Democratic National Party should be contacted, as the Bureau is in no position to determine the validity of the decision in not proceeding along the lines of the allegations by Branham, which allegations question whether the manner in which the Liquor Industry Inquiry was handled was legally or ethically right or wrong.

It should be noted, the Chaffee Committee in Part H of its report issued October 21, 1952, criticizes the Department for not instituting an exploratory investigation in 1949.
Memorandum to Mr. Ladd

and noted that while the evidence was not conclusive, there was an inference that there was a connection between the contributions of the Liquor Companies and the tapering off of the Antitrust Investigation in 1949.

2. Schine Theater Circuit
   Antitrust Case.

Philip Marcus, original informant, in a supplemental statement advised the Trial Courts' opinion, October 8, 1945, held that Schine had violated the Sherman Act and entered a judgment in March, 1946 containing injunctive provisions, requiring Schine to divest itself of a number of theaters and requiring the appointment of a trustee. The Supreme Court in an opinion of May 3, 1948, affirmed the Trial Courts' holding that Schine had violated the Sherman Act, but held the Trial Court had not gone far enough in determining what divestiture was necessary. The Supreme Court ordered a number of findings of fact vacated and other findings substituted and added upon a further review by the court of the evidence in the case. The Government filed with the District Court in Buffalo, New York a proposed judgment and findings of fact to accord with what the Supreme Court had said should be done.

Marcus stated a consent judgment was entered against Schine on June 24, 1949, which was quite different from what was contained in the Supreme Courts opinion and the judgment proposed by the Government. Marcus summarized the differences by pointing out the provisions of the proposed judgment which were eliminated or lessened in the consent judgment as follows:

1. The consent decree was accompanied by no findings of fact.

2. It contains no references to the violation of the Sherman Act.

3. There was no recital of the violations by the defendants of the Sherman Act.

4. The recommended judgment proposed a five-year period of prohibition whereas the consent decree recommended three years and exempted certain of the prohibitions.
Memorandum to Mr. Ladd

5. There was no provision prohibiting Schine from licensing films in a town where competition did not exist.

6. There was no provision prohibiting Schine from including in its licenses a number of specified privileges.

7. There was no prohibition that whenever a clearance given Schine was attacked as not legal under the decree, the burden should be upon Schine to sustain its legality.

8. Schine was not required to conduct negotiations through the branch office serving the territory in which there was a Schine Theater.

9. The consent decree as entered left the circuit substantially intact and requested divestiture in almost every instance of distinctly inferior theaters.

10. The consent decree divestiture was in contravention to the Supreme Court's decision.

11. There was no provision requiring that unimproved lands available for theater purposes held by Schine in towns where it had theaters be divested.

12. There was no provision for the appointment of a trustee.

13. The provision in permitting acquisitions of theaters without court approval was much more lenient.

14. There was no provision that the Government would recover costs to which it was entitled as the prevailing party.
Memorandum to Mr. Ladd

Concerning contempt proceedings, Marcus advised there had been very flagrant contempt of prior judgments entered against Schine. There were attempts to mislead the court and the Government. It was disclosed that some purported sales of theaters Schine had been ordered to divest were not bona fide. Marcus, Allen Coker, and Harold Lasser drafted petitions for criminal and civil contempt. There was a question of statute of limitations in connection with the criminal contempts. In view of this, Holmes Baldridge felt only civil contempts should be filed. The recommendations and petition went to the office of Bergson in October, 1948. Marcus believes it was forwarded to Attorney General Clark. Marcus referred to his remark in his earlier statement concerning the remark by counsel for Schine that the contempt petition would not be filed and Marcus stated he did not believe the petition had been made public prior to McKay's remark.

Marcus advised that in a letter of February, 1949 the Department advised the court that the Government proposed to offer evidence of violation of the Sherman Act and judgments in the case since 1942. Further contempts brought to Marcus' attention were referred to Bergson and contempt proceedings were recommended. Marcus stated no contempt proceedings have ever been brought and the settling of the case by consent and the various postponements had the effect of the Government not ever presenting any evidence to the court in Buffalo as to the alleged violations.

Marcus stated that since the inception of the case Schine has had some twenty or twenty-five different sets of attorneys, some of whom have been litigating attorneys in the sense they appeared in court, and some have been solely negotiating attorneys in making contacts with the Department. He learned in 1948 Kaufman had been hired to attempt to negotiate a settlement. Marcus stated Kaufman claimed Marcus was prejudiced against Schine, and McKay wrote a letter to the court.
Memo

Rodney H. Ladd

Highly critical of Marcus. Kaufman's allegation was made in Bergson's office. Bergson wrote the court that McKay's charges were unfounded.

Marcus stated he refused to present the consent judgment because over a long period of time he had built a relationship of respect and trust with Judge Knight and had filed with Judge Knight the proposed judgment which he had represented as being in accord with the Supreme Court opinion.

Marcus stated that after Kaufman was made a Federal Judge in New York, Schine hired Harold Horowitza close personal friend of Bergson and an officer in the E. Leitz Company, which had been vested by the Alien Property Custodian. During this period the Schine matter was handled under the supervision of Newell Clapp. Schine did not dispose of a number of theaters as required. Schine was given a number of postponements to comply. Marcus states he called the fact of publicity in Drew Pearsons column concerning Horowitz and the investigation of the Office of Alien Property to the attention of H. Graham Morison, who directed Clapp not to give Schine a further extension. Marcus withdrew from the case in May, 1952 and states at that time Schine had not disposed of theaters as required.

Marcus added that at the time of the trial, there was gossip that Schine had contributed substantial amounts to both political parties in 1948. The remark may have been made by McKay, but Marcus was not sure. He also heard that Kaufman had raised considerable sums for the Democratic political campaign of 1948.

Marcus stated he knew of nothing in connection with any other case in the Division which would give him cause to believe there was any wrong doing.
Memorandum to Mr. Ladd

Nayell A. Clapp, Acting Assistant Attorney General, stated he has a vague recollection that contempt proceedings were contemplated against Schine at one time but could furnish no details. Clapp said Marcus was a capable attorney who has very definite ideas on the course of action he believes should be pursued with respect to movie cases, and he stated Marcus could not always get the other members of the staff to agree with him.

Clapp stated that when he came into the picture, Schine was having a tough time disposing of its theaters in accordance with the consent decree. After conferences a supplemental order was prepared which he described as being tough. Clapp stated that an attorney by the name of Horowitz, representing Schine had attempted to get an extension of time in which to dispose of the theaters. Clapp stated he sat in on these conferences and Horowitz got nowhere in respect to his requests.

Clapp stated he understood that Irving Kaufman went to Attorney General Tom Clark and endeavored to get Clark to give Schine certain consideration. He stated Clark advised Kaufman he was wasting his time and told him to go "downstairs." Clapp stated he knew of no mishandling or improper influence in the Schine case by anyone in the Department.

Sigmund Timberg advised he was formerly Chief of the Judgment and Judgment Enforcement Section of the Antitrust Division. It was the function of this section to prepare or assist in decrees of settlement of Antitrust cases. In 1948 he was assigned to work with Philip Marcus in negotiating the injunctive provisions of the decree in the Schine case.

Timberg stated that Marcus and Bergson negotiated the divestiture provisions of the decree. He knew that Marcus was dissatisfied with the divestiture provisions. In this connection Timberg stated that divestiture is a very drastic solution to an antitrust case. In this particular case it would be a long involved process for the divesting of each theater would amount to a court trial.
Memorandum to Mr. Ladd

Timberg presented the consent decree to the court in Buffalo. He stated that Marcus declined to present the decree, claiming he would be embarrassed because he had insisted on stronger relief with respect to the divestiture although Marcus was satisfied with the injunctive provisions.

Timberg advised he was not hindered or limited in any way in the negotiation by Clark or Bergson and actually been upheld in several instances when Irving Kaufman had appealed some of his decisions to the Attorney General. Kaufman, counsel for Schine on several occasions went over his head to Attorney General Clark. On one of these occasions Timberg was in the Attorney General's office when Kaufman appealed one of Timberg's decisions. The Attorney General upheld Timberg.

Timberg stated that in connection with the contempt proceedings, he felt they were not too strong because the 1949 judgment was not on record at the time of the acts. He stated he did not consider it good policy to institute contempt proceedings while negotiations were in process. It might be considered a threat, and if contempts are strong enough the matter should not be settled by negotiation.

Timberg stated Marcus wanted a trustee appointed to handle the divestiture, however there was no precedent for this in the Theater Industry cases. Timberg stated it was his opinion that a trustee would have been to the advantage of the government if Schine delayed in any manner.

Wendell Berge, former Assistant Attorney General, advised that he has no knowledge of the Schine matter but remarked it was his opinion that Bergson did not appear to have as much zeal for enforcement of Antitrust laws as did other officials in the Department. Berge advised that Bob Wright, former Department attorney who handled the Schine investigation, would not have permitted suppression or any improper handling and no information had ever come to Berge's attention indicating influence or pressure in the Schine matter.

Robert Wright, former Department attorney, advised he handled the Schine case in the U. S. District Court in Buffalo and the Supreme Court Appeal in Washington. He stated he was principally assisted by John Clagett, Milton Kallis, Harold Shields and Philip Marcus.
Memorandum to Mr. Ladd

Wright advised that Schine stalled the case on several occasions by using various sequences of attorneys. He pointed out that Schine apparently had two types of attorneys, those for litigation purposes and those who were politically inclined. He stated on one occasion an individual by the name of Rosenbaum who was not an attorney, wrote a letter on behalf of Schine to the Attorney General in which he attempted to discredit the work Wright had been doing on the Schine case, in an endeavor to have someone else placed in charge of the case.

Wright stated he knew of no mishandling or attempts to exert pressure or suppress action by the Department. He stated he knew that Marcus was unhappy with the final decree and he refused to discuss Marcus's reasons or the merit of Marcus's feelings stating this would have to come from Marcus.

Mr. John Clagett, Department attorney, advised he worked on the Schine case and it was his recollection it was a good case which was upheld by the Supreme Court.

He stated he has no knowledge of any influence or pressure and no knowledge of the contempt proceedings which were proposed in 1948. He continued that Marcus was in favor of pushing the case and was disgusted with the progress.

Clagett stated he could not understand why the Government had not been tough and had not required a real divestiture. The Government agreed to a lenient program of divestiture and actually allowed Schine to select the theaters to be disposed. He stated the Government had used a "powder puff" and dissipated its victory.

Clagett advised he had called this to the attention of Drew Pearson and the city editor of the Washington Daily News but no action was taken in this connection by Pearson or the Daily News.

Clagett advised he now represents two private theater owners who have been directly affected by the Schine group and that any civil suit he filed for them would be based upon the Government's proposals as approved by the Supreme Court and the trial court.
Memorandum to Mr. Ladd

Milton Kallis, Department attorney, advised he knew of no influence or pressure exerted by Clark or Bergson or any other official in the Department as regards this matter. He continued that he had no official connection with the case since completing the trial in 1946.

Holmes Baldridge, Assistant Attorney General advised he supervised the early stages of the Schine Case but had no contact with the matter during the negotiation conferences. He advised he had no information indicating the case was improperly handled.

William A. Underhill, former Department attorney, advised that the Supreme Court decision was in favor of the Government but remanded the case back to the trial court to work out the divestiture provisions based upon a finding of fact being submitted to support each step of any such recommended divestiture. He stated he had no information indicating there was influence or pressure exerted in this matter.

Allen Coker, former associate of Marcus in the Department, advised that Marcus was extremely insistent upon both civil and criminal proceedings. Coker stated it was his opinion that civil proceedings were best. He further stated that Marcus had indicated to him that Herbert Bergson wanted to prosecute but had indicated "He had his orders." He continued that he believed the way in which the case was settled was a question of judgment and may actually have been more advantageous to the Government; however, he had not read the details of the consent decree and could not evaluate on this further.

Some twenty-three Department attorneys who had knowledge of the Schine matter have advised they knew of no pressure or influence. It was indicated that the main part of Marcus's
disgust with the case was the way counsel for Schine was acting
and the constant changing of counsel by Schine.

3. Département Files Concerning
Schine Antitrust Case

The Department files contain a memorandum from Bergson
to the Attorney General dated September 15, 1948, recommending
civil and criminal contempt proceedings against Schine and setting
forth the background of the case. The case at that time
was noted to be on remand from the Supreme Court to the trial
court for consideration of findings of fact and judgment provisions
in addition to those approved by the Supreme Court. It was
set forth that the judgment provisions had been violated by con-
tempt and these provisions were among those expressly approved
by the Supreme Court.

The memorandum outlined the background of this case as
follows:

In 1942, a temporary consent order postponed trial for
three years and ordered Schine to divest of some sixteen
theaters. A trial was subsequently conducted in 1945 and 1946.
A judgment was entered in 1946 finding Schine in violation of
Antitrust Statutes and ordered Schine to discontinue certain
practices. The trial court ordered both sides to submit plans
for divestiture. The court accepted although modified the
Government's plan and rejected the defendants' plan. The
Supreme Court for the most part affirmed the judgment of the
lower court, rejected the divestiture plan but approved pro-
hibition against Schine acquiring additional theaters without
court consent. The Supreme Court's opinion was generally
that divestiture was the remedy provided a finding of facts
was filed in which there was evidence supporting the abuses
of the type alleged in the complaints.
Memorandum to Mr. Ladd

The memorandum sets out seven instances of contempt on the part of Schine. These contempts concern Schine's failure to dispose of theaters to the satisfaction of the Government. The Department files reflect that a consent decree was entered June 24, 1949, modifying the decree of 1942 and requiring the Schine Theater group to dispose of certain of its theaters or theater leases.

A memorandum, Marcus to Bergson, dated December 14, 1948, pointed out the Schine case as a "classic" case, and outlined the minimum relief acceptable to the Department without "giving away the fruits of a long and arduous litigation" without being remiss in our obligation to the public and the independent exhibitors and to some extent our obligation to the Supreme Court to carry out its mandate. In this memorandum, Marcus recommended that settlement be made when Schine was prepared to make a satisfactory offer. However, he argued that it should be handled at the earliest date because the case would be a landmark on the question of divestiture relief. This memorandum sets forth that the proposed judgment was an attempt to translate the Supreme Court's opinion into provisions of this judgment. It was Marcus's further opinion that a litigated decree would be better than a consent decree in view of the knowledge that Schine had quite flagrantly violated past decrees and because of the apparent friendly attitude of the trial court.

In an intra-Departmental memorandum dated December 15, 1948, Holmes Baldridge stated he felt rather strongly in the Schine matter and concurred with Marcus's views as expressed in the memorandum of December 14, 1948.

An intra-Departmental memorandum dated February 3, 1949, to Bergson and prepared by Marcus refers to Bergson's instructing Marcus on February 2, 1949, not to object to a motion for continuance on the part of Schine defendants.

The file reflects that the trial court was headed by U. S. Federal Judge John Knight, U. S. District Court, Buffalo, New York, and that there was correspondence between Judge Knight and the Department concerning postponement of various hearings pending the completion of settlement conferences. The consent decree was entered in District Court for the Western District of New York on June 24, 1949, before Judge John Knight.
Memorandum to Mr. Ladd

Concerning the allegations that Clark took the Schine and Paramount cases with him when he transferred from the Antitrust Division to the Criminal Division, a search of posting cards in the Department failed to record any such transfer of cases. John Clagett, former Department Attorney advised he recalls conferring with Clark about the Schine matter when Clark was head of the Criminal Division but does not recall why he saw Clark as the Schine matter was not a Criminal Division case. Mr. Shelby Fitz, former Department Attorney, advised that Clark took the Paramount case with him to the Criminal Division. He knew this because he transferred to the Criminal Division from the Antitrust Division and was familiar with the movie cases. He did not know if Clark took other movie cases with him. Fitz stated he knew of no improper handling or undue influence but did consider it unusual for the Criminal Division to handle an antitrust case.

In this phase the subjects have not been interviewed and no interviews have been conducted with Judge John Knight, officials of Schine Theater Circuit or with the various counsel for Schine. In this connection it is felt the Bureau needs the guidance of the Department in the decision to interview or not to interview these persons in view of the fact the allegations and the information developed tends largely to indicate a dispute of legal judgment wherein the Bureau is in no position to decide whether the actions taken are legally or ethically right or wrong.

ACTION:

There is attached a memorandum to the Attorney General and Assistant Attorney General Murray advising the status of the investigation and advising that interviews will not be conducted with the subjects, officials and counsel of Schine Theater Circuits, and no contact will be had with the Democratic National Party. The Department is being requested to advise what specific additional investigation is desired.

ECmt.

including Federal Judge Irving Kaufman
**FEDERAL BUREAU OF INVESTIGATION**

**Form No. 1**

**This case originated at**: Washington Field

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**Title**: Thomas C. Clark; Herbert Augustus Bergson

**Character of Case**: Misconduct in Office

**Synopsis of Facts:**

Interviews conducted with Newell Clapp and Albert Boggess in Schine Circuit Theater case and Margaret Brass on liquor industry case. Review also made of Antitrust Division posting cards. John Sonnett, former Assistant Attorney General, also interviewed. Review of correspondence obtained from Philip Marcus set out.

**Enclosure Attached**

**All information contained herein is unclassified**

**Recorded**: 12/28

**Copies of this Report**

- Bureau (62-97557) (Encl.)
- Copies destroyed
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INTERVIEW WITH NEWELL A. CLAPP

NEWELL A. CLAPP, Acting Assistant Attorney General of the Antitrust Division of the Department, was interviewed at the Department of Justice on October 6, 1952, by Special Agents LESLIE B. CHISHOLM, Jr., and CHARLES H. SCHAFFER.

Mr. CLAPP advised he has been with the Department of Justice for the past eleven years and was in the Claims Division until approximately April 1, 1951, having held the position of Acting Assistant Attorney General in charge of the Claims Division. CLAPP said he has been in the Antitrust Division since about April 1, 1951, and has held the position of Acting Assistant Attorney General in charge of the Antitrust Division since July 1, 1952.

CLAPP stated he has a vague recollection that at one time contempt proceedings in the Schine Case were contemplated but could furnish no specific details in respect to this aspect of the case. Mr. CLAPP related PHILIP MARCUS was generally in charge of motion picture matters and that MARCUS was relieved of handling motion picture industry cases at his (MARCUS') request. CLAPP stated MARCUS asked to be relieved because he was unsympathetic to the action which the Government had taken in the Crescent Case and felt that the Government should have taken further action in it. CLAPP said MARCUS was an excellent attorney, and the performance of his duties in handling motion picture industry matters had been very fine. Mr. CLAPP related "MARCUS is a fighter," who has very definite ideas on the course of action he believes should be pursued with respect to movie cases, and he stated that MARCUS could not always get the other members of the staff to agree with him.

Mr. CLAPP added that, when he came into the picture with respect to the Schine Case, SCHINE was either "dragging its feet" or was having "a tough time" disposing of its theaters in accordance with the consent decree. Mr. CLAPP said that many conferences were held to determine what should be done with SCHINE, and thereafter a supplemental order was prepared which CLAPP described as being "tough." According to CLAPP, this order required SCHINE to sell the theaters. CLAPP stated that SCHINE is in arrears with respect to the supplemental order and the problem now existing is what particular theaters should be sold. As CLAPP put it, the Schine Circuit had to dispose of one-third of its theaters by the
Summer of 1952 and that consideration was now being given by the Department to have a trustee appointed to handle the disposition of the theaters. CLAPP added that no extension of time is being given to the Schine Circuit. CLAPP said an attorney representing SCHINE by the name of HOROWITZ came to the Department and endeavored to have the Department grant an extension of time to SCHINE in which to dispose of the theaters. CLAPP stated he sat in on these conferences and that HOROWITZ got nowhere in respect to his requests.

CLAPP related he understood IRVING KAUFMAN went to TOM CLARK, who was then Attorney General, and endeavored to get CLARK to give SCHINE certain consideration. He stated CLARK advised KAUFMAN he was "wasting his time" and that he would have to "go downstairs." According to CLAPP, CLARK never insinuated anyone should get special treatment and, when attempts were made, individuals seeking consideration got "nowhere fast."

CLAPP said he knew of no mishandling or improper influence in the Schine Case by anyone in the Department.

INTERVIEW WITH ALBERT BOGGESS

Mr. ALBERT BOGGESS, Assistant Chief, Transportation Litigation Section, Antitrust Division, was interviewed on October 7, 1952, by Special Agents LESLIE B. CHISHOLM, Jr., and CHARLES H. SCHAFFER.

Mr. BOGGESS advised he entered the Antitrust Division of the Department on October 9, 1940, and has held his present position since February, 1941. Mr. BOGGESS stated he was assigned to the staff handling the Schine Case during his preparatory phases under Mr. ROBERT WRIGHT in 1942. He related the Schine trial, which was scheduled in 1942, was postponed until 1944 due to the fact that a shortage of personnel developed in the Antitrust Division as a result of the war. He said, at the time of the postponement of the trial, he resumed other duties unrelated to the Schine Case. According to BOGGESS, he was recalled to the Schine Case in the Spring of 1944 and worked on this case for a short period while ROBERT WRIGHT, who was in charge of the case, was engaged in trying a steel case in Pittsburgh.

Mr. BOGGESS related he has had no connection with the Schine Case since 1944, and he said he has no knowledge of any mishandling or improper influence in the Schine Case.

Mr. BOGGESS added he understands Mr. PHILIP MARCUS, whom he described as a capable, energetic, and vigorous attorney, took charge of the motion picture industry cases after ROBERT WRIGHT left the Department.
INTERVIEW WITH MARGARET H. BRASS

On October 5, 1952, Miss MARGARET H. BRASS, Attorney, Antitrust Division, U. S. Department of Justice, was interviewed in her office, Room 3412, Justice Building, by Special Agents WILLIAM N. FORSYTH and BERNARD E. BUSCHER.

Miss BRASS advised that she had been assigned to assist in the liquor investigation at the beginning of the case in 1943 and was connected with the case until it was nearly completed in 1944. She advised that a grand jury was called to hear the evidence in the case and also in order to obtain the right of subpoena so that records of the companies could be examined. Only one outside witness was called before this grand jury, a representative of the Schenley Distillers, and the grand jury was then recessed in order that the Departmental attorneys could study the records and material that had been subpoenaed. The grand jury was never recalled inasmuch as a study of the records and material collected failed to disclose any evidence of any conspiracy on the part of the liquor industry in violation of the antitrust laws. Miss BRASS stated that she did not believe there was any mishandling of the case but rather that the evidence was very meager, and there was "just no point in going ahead after the evidence was examined." She advised that members of the staff who were working on the case went to the various distillers and examined the company files. She further advised that the staff members were in accord that there was insufficient evidence for prosecution.

Miss BRASS advised that this case was under the supervision of Assistant Attorney General PATRIDGE; and, to the best of her recollection, TOM CLARK had no connection with the case and had made no decisions or recommendations concerning the handling of the case.

Miss BRASS volunteered the information that she had testified before the "Chelf Committee" regarding the case and that she had informed that committee that ERNEST BRANHAM had been connected with the liquor case for only about three weeks in the very beginning of the case and had very little basis for any knowledge of the case. She further stated that she had a vague recollection, but could not be sure, that Mr. BRANHAM had left the case, because he was of the opinion that there was very little evidence of a violation and that the case did not warrant prosecution. Miss BRASS emphasized that this was just a vague recollection, and she was not positive of this.
MISS BRASS advised that she did not have anything to do with the case as it was handled in 1948 and 1949 and, therefore, could furnish no information concerning any decisions made at that time. In conclusion, she stated that she was not cognizant of any decisions made by TOM CLARK that were in any way irregular. She advised that she had no personal contact with CLARK and in her subordinate position would have no knowledge of any decisions made on a higher level in the Department.

REVIEW OF ANTI-TRUST DIVISION POSTING CARDS

LEROY MC CAULEY, Administrative Assistant, Administrative Section, Anti-Trust Division, Department of Justice, made available to SA HARRY J. MORGAN the Anti-Trust Division posting cards concerning the Schine Circuit case. These cards were reviewed by SA EUGENE D. THOMPSON on October 6, 1952.

The cards which were made available consisted of 236 cards with the exception of one card, numbered 112, which was missing. Card number 112 probably referred to correspondence or other matter which occurred in July, 1948, as cards number 111 and 113 referred to matters occurring in July, 1948.

These cards were reviewed in an effort to determine if TOM CLARK carried with him the Schine Circuit case when CLARK was transferred to the Criminal Division from the Anti-Trust Division. The cards failed to contain any information to this effect.

ATTEMPT TO LOCATE CHARLES TERREL

SAs GUSTAVE SARIDAKIS and ALPHONSE F. CALABRESE determined through interviews with MRS. JUNE GANGESHAN, Personnel Director, Mutual Security Agency, Washington, D. C., on October 7, 1952, that CHARLES TERREL, former attorney, Anti-Trust Division, Department of Justice, is presently employed as Deputy Chief of Mutual Security Agency Mission to Formosa. MRS. GANGESHAN informed that TERREL is not expected to return to this country until October, 1953.
INTERVIEW WITH JOHN F. SONNETT

JOHN F. SONNETT was interviewed in his law office, 1002 Wire Building, on October 8, 1952, by Special Agents LESLIE B. CHISHOLM, JR. and WILLIAM E. FENIMORE. SONNETT advised he had served as Assistant Attorney General, in charge of the Antitrust Division, Department of Justice, for approximately one year prior to April, 1948. During this period, TOM C. CLARK was Attorney General.

With regard to the "Liquor Case", SONNETT advised he was aware the Department had an interest in this matter but was not cognizant as to whether the interest was active. He stated several months ago he had been contacted by STEVEN MITCHELL, then General Consul of the Chief Committee, who advised him the Committee was looking into the Department's activity concerning the Cooperage Industry. At that time MITCHELL told him that he was supposed to have had a conference with VICTOR KRAMER of the Department, in which he stated the Department should file action on the Cooperage Industry if there was a case. SONNETT advised he could not specifically recall this conversation but has the utmost confidence in KRAMER, and if KRAMER said the conversation took place, he is of the opinion it did. Other than this, SONNETT stated, he had no independent recollection of the Department's interest in the Liquor Industry.

Mr. SONNETT advised he knows no particulars or details concerning the Schine Case. He stated he was aware of the fact that the Department had a case against Schine, but that he does not recall whether he learned this fact while with the Department or as a result of some information he had obtained from an outside source. Mr. SONNETT stated he was familiar with the main motion picture industry case (Paramount), and that he and Mr. ROBERT WRIGHT jointly argued the divestiture provisions of this case before the Supreme Court.

Mr. SONNETT stated he has no knowledge which would indicate any improper pressure or influence was exerted on any matter pending before the Department. As a matter of fact, SONNETT related, he has been proud of his associations with the Department of Justice, and has always had the highest regard for the integrity of TOM C. CLARK. Mr. SONNETT added that during his associations with the Department, Mr. CLARK never told him or indicated to him that he should take action in any case, other than that which his own good judgment dictated.
The following matters from the personal file of PHILIP MARCUS, Attorney in the Antitrust Division of the Department of Justice, were made available to the Washington Field Office on October 6, 1952:

DJS-121 is a memorandum dated December 1, 1948, from PHILIP MARCUS to HOLMES ALDRIDGE which sets forth comments concerning the letter of Mr. KAUFMAN respecting the Schine settlement and draft of a letter dated December 2, 1948, from HERBERT BERGSON to IRVING KAUFMAN which acknowledges the receipt of the letter from Mr. KAUFMAN of November 4th wherein Mr. BERGSON stated that the Department shall continue to be receptive to proposals for settlement in the Schine case, but to merit serious consideration, such proposals must not ignore the opinions of the Supreme Court and the Trial Court as in the Department's opinion the proposal made by KAUFMAN did.

DJS-122 is a memorandum from PHILIP MARCUS to HERBERT A. BERGSON dated December 14, 1948, relating to the importance of the Schine case to the general work of the Antitrust Division. In this memorandum Mr. MARCUS stated "We have everything to lose and nothing to gain by delays" in the Schine case. Mr. MARCUS also stated that in the long history of the litigation there has been no time, even up to the present, when the Schine defendants have come forth with a proposed judgment which could be considered in good faith. He states the Schine case is not the classic one, but is as close to the classic case as the Antitrust Division is likely to get for a long time to come. In addition, Mr. MARCUS states that the Department has an opinion of the Supreme Court which is a definite landmark on the question of divestiture relief. This memorandum further states that in all likelihood on the basis of Judge KNIGHT's past actions, his past attitude, his familiarity with the record and his apparent sympathy with the Government's findings of fact, that the Government is likely to procure a judgment from him considerably more in line with the facts and equities in the case than one likely to be secured from Schine by negotiations.

DJS-123 is a memorandum from PHILIP MARCUS for the files dated March 24, 1949, which relates to a conference held in the Schine case in Mr. TIMBERG's office at which were present Messrs. TIMBERG and MARCUS for the Government and Messrs. KAUFMAN, McKay and ANTEVIL for the Schine defendants.

DJS-124 is a memorandum from PHILIP MARCUS to SIGMUND TIMBERG dated April 8, 1949, which relates to the matter of the proclivities of the defendants in the Schine case.

DJS-125 is a memorandum from IRVING R. KAUFMAN for the Attorney General dated May 18, 1949, wherein KAUFMAN called to the attention of the Attorney General reasons why the Schine Chain Theatres could not agree to a provision known as the Guarantee of Product provision.
DJS-126 is a communication from PHILIP MARCUS to HERBERT BERGSON dated May 28, 1949, wherein MARCUS states he understands KAUFMAN has made a new proposal to the effect that Schine is willing to ruling guarantee that the theatres to be divested will continue to get the products they have been getting. MARCUS states he thinks the Government would be running into serious danger of being criticized not only by the Court, exhibitors, and the public but also by the legal profession if such an agreement was made.

DJS-127 is a memorandum from PHILIP MARCUS to HERBERT A. BERGSON dated June 4, 1949, relating to matters discussed at the Schine conferences held on the Friday previous to the date of the memorandum.

DJS-128 is a letter to HERBERT BERGSON from the Allied States Association of Motion Picture Exhibitors dated July 20, 1949, concerning the Schine consent decree.

DJS-129 is a memorandum from PHILIP MARCUS to NEWELL A. CLAPP dated September 4, 1951, relating to information furnished the Department by Schine and which states that based upon the facts in the memorandum MARCUS recommended that the Government refuse to consent to any further extension of time for Schine to dispose of its theatres.
ENCLOSED

TO THE BUREAU

There are being forwarded herewith two photostatic copies of each of the Exhibits as previously designated in the report re Antitrust investigation of Schine Chain Theatres, Incorporated.

1. Exhibit DJS-121
   Letter dated 12/2/48 from HERBERT A. BERGSON to IRVING R. KAUFMAN with attached letter of 12/1/48 from PHILIP MARCUS to HOLMES BALDRIDGE.

2. Exhibit DJS-122
   Memo dated 12/14/48 from PHILIP MARCUS to HERBERT BERGSON.

3. Exhibit DJS-123
   Memo from PHILIP MARCUS to The Files dated 3/24/49.

4. Exhibit DJS-124
   Memo of 4/8/49 from PHILIP MARCUS to SIGMUND TIMBERG re Schine case.

5. Exhibit DJS-125
   Memo of 5/18/49 from IRVING R. KAUFMAN to the Attorney General re Schine Chain Theatres, Inc.

6. Exhibit DJS-126
   Memo dated 5/28/49 from PHILIP MARCUS to HERBERT BERGSON, Assistant Attorney General.

7. Exhibit DJS-127
   Letter of 6/4/49 from PHILIP MARCUS to HERBERT A. BERGSON.

8. Exhibit DJS-128
   Allied Press Release of 7/20/49 with enclosed envelope.

9. Exhibit DJS-129
   Memo dated 9/4/51 from PHILIP MARCUS to NEWELL A. CLAPP re "Information Furnished Us By Schine."
In the report of Special Agent EDWARD JOSEPH HAYES dated October 3, 1952, at Washington, D. C., it was stated PHILIP MARCUS advised that copies of certain correspondence and other documents were given by him to Investigators of the Chelf Committee and that these documents would be made available to the Washington Field Office. These documents were made available to the Washington Field Office and have been set forth in this report as Exhibits DJS-121 through DJS-129, inclusive.
LEAD

THE WASHINGTON FIELD OFFICE

AT WASHINGTON, D.C.

Will await coverage of leads by auxiliary offices.


Cincinnati letter to Director dated October 2, 1952.
December 1, 1918

Philip Marcus

Comments re Letter of Mr. Kaufman Respecting Schine Settlement

Holmes Baldridge

In a letter of Nov. 21, 1918, Mr. Kaufman, who apparently represents Schine morally for settlement purposes (we have not been advised of any appearance by him in the case), suggested that on the analogy of the Crescent judgment and of the RKO settlement in the Paramount case, we should reconsider rejection of a previous proposal made by him on behalf of Schine for settlement. In that connection, he also refers to drive-in theatres he considers as competition in or near Schine towns. The proposals made by Mr. Kaufman on behalf of Schine would have transferred (to Darnell Theatres, Inc. Schine's theatre holdings on the Eastern Shore of Maryland and in Delaware, Schine's interest in two pooled towns in Ohio, and its interest in one theatre in Kentucky.

1. This proposal would affect some 20 theatres, although the Schine circuit consists of approximately 170 theatres, including closed ones. It would leave the Schine defendants with the major part of their circuit, with all of their theatres in New York State, and almost all of their theatres in Ohio. The core of Schine's monopoly power lies largely in its theatre holdings in New York State. This proposal would not dissipate Schine's monopoly power.

2. Darnell Theatres, Inc. is a corporation of which a son of one of the defendants is the president. In the lower court, the Schine defendants prevailed a break-up of Schine's circuit into several 'family corporations on a much wider scale than the present offer, and this offer was expressly rejected by the Court, after objection. The defendants renewed their proposals before the Supreme Court, and the Government again opposed them. To recommend to Judge Knight a similar and even less far-reaching proposal now would be to let him down badly, put us in a very bad light, and raise the very embarrassing risk of Judge Knight's refusing to enter such a consent decree.

3. The divestiture proposed is much less than that granted by the lower court initially, based merely upon a theory of dissipation of Schine's monopoly power. The Supreme Court's opinion in the Schine case expressly calls for consideration of divestiture of Schine's theatres which were illegally acquired, illegally used, and which were the fruits of the conspiracy, and after that is done, consideration of divestiture necessary to dissipate Schine's monopoly power. The proposal of Mr. Kaufman on behalf of Schine entirely
ignore any of the considerations mentioned by the Supreme Court in its opinion. It would be difficult to justify any settlement which entirely ignored the Supreme Court's opinion and mandate. Schino's proposal is far removed from the proposed findings of fact and conclusions we have filed with the court, or to raise the inference, if we present such a settlement to the court, of bad faith on our part in making such proposals or in recommending such a settlement.

5. In most of the towns in which Schino proposes to dispose of its theatres to Barnoli, Schino has a monopoly of all of the theatre holdings, and one monopoly would be substituted by another. It would be difficult to justify such transfer of interest without any attempt to determine whether in these towns different buyers could not be had for these theatres. In fact, we have in our files comparatively recent letters from independents asking an opportunity to buy some of Schino's theatres which might be required to be divested.

6. With respect to the two pool situations in Ohio, a final order has been entered requiring Schino to get out of those pools, and we could hardly justify allowing Schino to substitute Barnoli in its place. We have consistently taken the position that pooling arrangements between theatre exhibitors in themselves violate the Sherman Act. The other partners in those pools are exhibitors, and of course Barnoli is also an exhibitor. In October of this year, we were advised by a Cleveland firm of attorneys that they had been hired to obtain the return of exclusive control of one of the pooled theatres to a pool partner. In reply to their request for our advice, we referred them to the court's order and to our proposal filed with the court. We could hardly recommend that the pool continue with Barnoli in lieu of Schino as a partner.

6. With respect to Mr. Kaufman's reference to the judgment in the Crescent case, the defendants made the same argument with respect to that case before the lower court and before the Supreme Court. In both instances, the courts rejected the idea that the type of dissolution in the Crescent case should be had in lieu of divestiture in the Schino case. In both courts, we had stated our preference to divestiture as against dissolution. Furthermore, the fact that in the Crescent case we may have gotten less relief than what the courts have said we are entitled to in this case is certainly no reason for going back to the Crescent type of relief.

7. It is not often the Antitrust Division has an opportunity to use a pending case for helpful precedent-making purposes with respect to litigated reliefs. To do so, it is necessary to have an appealing record, a judge not out of sympathy with antitrust enforcement, and some persuasive rules of law. We have those factors in this case.
In the time the writer has been connected with the Antitrust Division, he has known of no litigated decree which has achieved divestiture of the sort we pressed for. And this absence of such decrees has been reflected in consent decrees where divestiture has been conspicuous by its absence. For the first time, in the Schine and Paramount cases, the Supreme Court has laid down broad rules of law with respect to divestiture. The chances of applying those rules in the Paramount or Griffith cases are slight. In the first case, our emphasis is upon divorce, and we do not have the kind of record upon which to press for divestiture. In the Griffith case we have a hostile judge from whom divestiture relief cannot be expected. This leaves the Schine case as the vehicle for determining what divestiture relief is possible in a litigated decree. We have much to gain by a court determination and little to lose. (For what it is worth, Judge Knight has told the writer in chambers that he is inclined to go along with the Government in its proposals, finding of fact.) If a decent settlement offer is made, I think we should accept it, but in view of the above considerations no in substantial offers should merit our attention.

8. Mr. Kaufman makes much of the RKO consent decree as the type of judgment to be entered in the Schine case. The analogy does not exist. In the Paramount case, the major emphasis of the Government has been to divorce distribution from exhibition and that is the basis of the RKO decree. There is no problem of divorce in the Schine case, but there is an acute problem of the existence of monopoly power through theatre holdings and the use of theatres in the active misuse of that power. The Schine case rests upon an entirely different record from that in the Paramount case. The Paramount case, perhaps largely because of the nature of the court before which it was tried, was tried on a statistical basis. To procure divestiture in the Paramount case on the basis of the theories of divestiture expressed by the Supreme Court in the Schine case and in the Paramount case would require a trial of considerable proportions and a record as large as the one already made. In the Schine case it is believed that we could rely upon the present record for the divestiture proposed by the Government in its proposals filed in the trial court. Again with respect to the RKO decree, it is believed that there is no active competition in all the towns in which the RKO theatre holding company was allowed to retain theatres, and such is definitely not the case with respect to the Schine circuit. As to the list of drive-in theatres attached to Mr. Kaufman’s letter, this may be said. It is recognized in the industry that these theatres almost uniformly got what is known as last run in the area. In the New York area in which Schine operates, the climate is such that for many of the best motion picture months of the year drive-ins are not able to be open. They cannot and do not compete with Schine theatres with respect to the runs Schine theatres now enjoy. The RKO judgment of a deep discount to the defendants of a considerable number of theatres
9. It is the opinion of members of the staff familiar with the activities of Darnell and Schino that Darnell has actively aided the Schino defendants in committing contempts of the decree now entered against the Schino defendants. Donald Schino, the president of Darnell, has individually and as a member of several other organizations also actively aided Schino in violating the decree as entered. It is not believed that under such circumstances we could sanction disposal of Schino's theatres to Darnell.
Importance of the Schine case to the General Work of This Division

In this Division, as I suppose in general practice, we never got the classic case, where we have such a strong set of facts, such a sound basis of law, and so sympathetic a court as to insure us of a result equivalent to the full extent of what we desired in bringing suit. We do have, however, from time to time cases which for good or bad go far in determining the extent to which we may go in enforcing the antitrust laws, the factors or strength of the facts, strength of the law, and the attitude of the court necessarily are persuasive factors in our determination when to try to use a case for a precedent. When we decide the precedent value of the case should be considered in determining how to treat negotiations for settlement.

The writer has at your request outlined what he considers the minimum relief the Division could accept without giving away the fruits of a long and arduous litigation, without being remiss in our obligation to the public and the independent exhibitors, and to some extent to our obligation to the Supreme Court to carry out its mandate in the Schine case.

The writer is still prepared to recommend such settlement if and when the Schine defendants will make such offer. However, because of the factors hereinafter stated, it is believed that the Division, even if such offer is made, should consider whether to accept it. At any rate, it is my earnest belief that we should not delay a determination of the court on what judgment should be entered because of pending negotiations with Schine.

We have everything to lose and nothing to gain by such delays. This is all the more so since in the long history of this litigation there has been no time, even up to the present, when the Schine defendants have come forward with a proposed judgment which could be considered made in good faith.

The Schine case is not the classic case but it is as close to the classic case as this Division is likely to get for a long time to come. In the case, we already have an opinion of the Supreme Court, which is a definite landmark on the question of divestiture relief. The full reach of that opinion will undoubtedly not be realized until further cases come to the Supreme Court in which we or the other parties ask to make use of the opinion with respect to the type of divestiture relief granted or denied by a lower court. We are now in the very process of finding out the reach of the Supreme Court's opinion by pending proceedings in the Schine case.
In the Schine case, we do have a hard core of facts which are incontrovertible with respect to the extent and nature of the defendant's violation of the Sherman Act. We have proposed to the trial court a set of findings of fact which are as far-reaching and persuasive in support of our proposed judgment as is true of only a very few cases which the Division has been in a position to present to a court in the past, and this is likely to be true of only an occasional case in the future. For what it is worth, and without attempting any prophecy, the trial court has already indicated to the writer his inclination to go along with our proposed findings of fact.

Any judgment entered in this case will have far-reaching effects as a precedent in future divestiture cases and a precedent which is created through the course of judicial decision is likely to be of much more value than a precedent created by the process of negotiation.

The judgment proposed in the Schine case attempts to translate the Supreme Court's opinion in that case and in the Paramount case into provisions of a judgment, and this is true not only with respect to divestiture provisions, but with respect to injunctive provisions. We have a court which although not given to drastic measures is, on the whole, sympathetic to antitrust enforcement, and has never shown sympathy with the defendants when they have repeatedly charged the Government with persecution, unfairness, and confiscation. The trial court went so far towards adopting the Government's proposed judgment before the Supreme Court appeal that the Government did not feel warranted to take an appeal from the judgment, despite the fact that it did not go as far as the Government proposed. We cannot predict what Judge Knight will do. We can say that in all likelihood, on the basis of his past actions, his past attitude, his familiarity with the record, and his apparent sympathy with the Government's findings of fact, we are likely to procure a judgment from him considerably more in line with the facts and equities in the case than one we are likely to secure from Schine by negotiation. If we submit it to the court, a not insconsiderable factor to be taken into account is that we avoid the criticism that is otherwise bound to be made by the independent exhibitors who have suffered at Schine's hands and who appeared in such great numbers at the trial of the case.

A litigated decree would undoubtedly include a provision for a trustee similar to that which Judge Knight (originally decreed) and, for what it is worth, I think we certainly would feel more at ease with a litigated decree than with a consent decree, in the light of our knowledge that Schine has quite flagrantly violated past decrees.

As earlier stated, the writer is still willing to stand by the minimum divestiture proposal submitted to you as a basis for settlement along with the injunctive provisions of our proposed decree, but it is his belief that in considering settlement in this case we should keep in mind how much we stand to lose by not having a litigated judgment.
December 2, 1918

Irving R. Kaufman, Esq.
Noe & Kaufman, N. Y.
38 Wall Street
New York City, N. Y.

Res: U. S. v. Schine Chain
Montrose, Inc., et al.

Dear Mr. Kaufman:

I have your letter of November 4, in which you refer to certain factors you think should be considered with respect to possible settlement of the above entitled case, or the basis on the offer you presented for our consideration as a whole. I have considered the points you have made in your letter. I feel, however, that they do not furnish a basis for recognizing my opinion that the offer does not present a framework on which a settlement of the case would be possible.

The Government has consistently been of the opinion that the judgment in the Crescent case would not furnish adequate relief in the Schine case. It was and is our feeling thatdivestiture relief is necessary. The recent judgment was called to the attention of the court below and the lower court by the Schine defendants. It was rejected by both courts as a term by which relief in the Schine case should be measured.

With reference to the $5,000 settlement decree, you are undoubtedly aware that the primary aim of the Government in the Paramount case has been divestiture relief, and we feel that that has been effected with respect to RKO by the decree. While we do not consider the Paramount case irrelevant to the question of relief in the Schine case, we do think that the judgment in the Schine case must be related to the record made in the Schine case and not to the record made in the Paramount case. We do not feel it justified to be...
The Silos

March 24, 1919

Philip Marcus

Schino Conference

60-6-30-33-10

Conference was had in Mr. Timberg's office, at which were present Messrs. Timberg and Marcus, for the Government, and Messrs. Kautman, McKay, and Antovil for the Schino defendants. Mr. Timberg asked whether the defendants had anything definite in mind with respect to injunctive relief. Mr. McKay stated that the Schino defendants were satisfied with the judgment as it now stood, except that they desired the elimination of the provision prohibiting Schino from selling theatres without the order of the court. Mr. McKay took the position that that provision never should have been in and that it was inconsistent with the divestiture deal made with Mr. Borgeen. Mr. Marcus stated that that provision had been continued by Judge Knight after considerable argument by counsel for the two parties. Mr. Timberg stated that there might be some use in the provision in the event that a sale or all the theatres in the town was contemplated to one operator, such as Paramount for instance, but he added he would take the matter under consideration.

Mr. McKay urged that Mr. May be dismissed from the suit on the ground that it was unfair for him ever to have been in the judgment and that he was 67 years of age. Mr. McKay stated that if Mr. May left Schino's employ, the decree might prevent him from engaging in other gainful activities. Mr. Timberg stated that in view of Mr. May's age, it was unlikely that he would leave Schino's employ.

Mr. McKay said that in view of the fact that in no other case was the Government asking costs, we should withdraw our application for costs. Mr. Timberg stated he did not know whether that matter was within his jurisdiction, but he would consider it further.

After some discussion, Mr. Timberg suggested that the defendants address themselves to the injunctive provisions suggested by the Government in the proposals filed with the court, that they state in writing their objection to the proposals, and the difficulties the Schino Circuit would have in operating under those provisions. Mr. Timberg said that he was not suggesting these injunctive provisions as the position of the Government with respect to injunctive relief at this time, but that they should serve as a basis for discussion. Mr. Kautman stated that he was under the impression that on the basis of his conversations with Mr. Borgeen, no greater injunctive relief was to be imposed upon Schino than upon the Paramount defendants. Mr. Timberg stated that he believed that any such understanding was confined to the divestiture provisions.
Mr. Timberg suggested that the defendants also state in writing their proposals for injunctive relief and it was agreed that in such proposals the defendants would also state the divestiture provisions. Some discussion was had with respect to particular injunctive provisions, such as the injunction against clearances and putting the burden of proof of reasonableness on Schine. The defendants took the position that the burden of proof in the Paramount case was on the distributors. It was wrong to “place a similar burden” on Schine. Mr. Timberg pointed out that this was a case against Schine as an exhibitor and therefore of recent cases, it was obtained in the Paramount case. There was a brief discussion as to the need for injunctive relief in view of the injunctions in the Paramount case and the injunctions now obtaining in the Schine case. Mr. Carmean stated that the defendants had continued to violate the judgments already entered and had made master agreements. Mr. Foley noted that the question of investigatory provisions in the injunctive relief was raised and there was a suggestion that the defendants agree to have such provisions in the injunction. Mr. Timberg suggested that if any additional matters occurred to him or to counsel which he thought the defendant should consider, he would notify them. The meeting broke up on the understanding that the defendants’ counsel submit in writing the objections respecting the injunctive relief proposed in the government's complaint, a statement of any facts which could not operate upon the case.
into a further discussion of the RKO decree at this time, but there are many other important differences between the Schine case and the RKO situation which in my mind make the one no precedent for the other.

Rest assured that we shall continue to be receptive to proposals for settlement in the Schine case, but to merit our serious consideration, such proposals must not ignore the opinions of the Supreme Court and the trial court, as, in our opinion, your present proposal does.

Sincerely yours,

HERBERT A. BERGSON
Assistant Attorney General
SCHINE CONSENT DEGREE

On June 21 the Government's long pending anti-trust suit against Schine Chain Theatres, Inc. and its principal officers and subsidiaries was terminated by the entry in the United States District Court for the Western District of New York of a so-called consent decree.

This decree is interesting as reflecting a possible softening of the Department of Justice's anti-trust policies and because of its importance as a precedent in future settlements with anti-trust violators.

Back in 1945 the Government won a smashing victory in this case in the District Court. That Court adjudged that the Schine companies "be dissolved, realigned, or reorganized in their ownership and control so that fair competition between them and other theatres may be restored and thereafter maintained." When it came to proposing a plan for carrying out this order the Government was modest. Its plan, which was embodied in the District Court's decree, did not provide for the dissolution of the Schine Circuit through separation of the several affiliated corporations. It merely required Schine to sell one theatre of its selection in each of 33 towns, all but two in each of four larger towns and two of four theatres in Rochester, N.Y. Schine's one-theatre towns were not affected.

On appeal the United States Supreme Court affirmed that decree in part and reversed it in part and remanded the case to the District Court for further proceedings in conformity with its opinion. The reversals were for the most part on minor issues and on technical grounds. The Supreme Court expressly upheld the District Court's findings that the Schine defendants had engaged in an unlawful conspiracy among themselves and that the negotiation by those defendants of certain master agreements brought the distributors into unlawful combinations with them. The Court set aside the findings and order in so far as they related to the theatres to be disposed of, not because they were too drastic, but because it felt the District Court had not fully explored all possibilities of divestiture under the Sherman Act.
WHAT THE SUPREME COURT SAID

The Supreme Court criticized the lower court for approving the Government's milk and water plan because (1) it did not order the dissolution of the combination of the Schine corporations through separation of the theatres into geographical groupings under separate and unaffiliated ownership; and (2) because the lower court made no inquiry to determine what theatres had been acquired by Schine through methods which violate the Act. This latter point was stressed in the opinion: "It (the lower court) did not determine what dividends Schine had obtained from the conspiracy... The upshot of the matter is that the findings do not reveal what the rewards of the conspiracy were." The Court added that the matter did not end there, "for it may be that even after appellants are deprived of the fruits of their conspiracy, the Schine Circuit might still constitute a monopoly power of the kind which the Act condemns... Monopoly power is not condemned by the Act only when it was unlawfully obtained. The mere existence of the power to monopolize, together with the purpose or intent to do so, constitutes an evil at which the Act is aimed."

BIG GUN, LITTLE POP

After the case had been remanded the Government filed in the District Court its proposed findings, conclusions, judgment (i.e. decree) and supporting briefs. This was a fighting document and indicated that the Department of Justice was determined fully to explore all the possibilities of more effective relief set forth in the Supreme Court's opinion. Under the Department's proposed draft of decree Schine would have been divested of virtually all of its theatres. Perhaps the Department took an extreme position in order to explore all the avenues opened by the Supreme Court. Certainly it was not unreasonable for the Department to claim that all theatres acquired by the Schines after they had begun their unlawful practices were dividends of the conspiracy and hence subject to divestiture.

But there the Department's aggressiveness ceased. Further court proceedings were postponed from time to time and the trade papers revealed that Schine was negotiating for a consent decree.

The consent decree, just entered, in so far as it relates to divestiture, is substantially the same as the District Court's decree which the Supreme Court so soundly criticized. It requires the Schines to dispose of approximately 40 theatres within three years at the rate of one-third a year. The Schine organization is left intact, in full possession of its one-theatre towns, with its monopoly power only slightly reduced. There is no provision for trusting the theatres pending divestiture and if they are not sold within the time prescribed, then, upon a showing of due diligence, they may be leased.
Neither is there any limitation on the size of the theatres which may be built to replace theatres destroyed by fire. Thus, as has happened in at least one situation, Schine may replace a relatively small obsolete theatre with a very large ornate one against which independent theatres can scarcely compete.

On this feature the Department of Justice, having the whip hand, nevertheless has settled for less than the Supreme Court plainly indicated it was entitled to. Also the Department has set a precedent which will haunt it for years to come. Anti-trust defendants in reliance thereon will fight their cases through the Supreme Court; and if they lose, they will then apply to the Department for softer terms than the Court ordered. This decree may serve to revive congressional interest in the position taken by Allied's General Counsel before the House Small Business Committee last year, that cases involving the public interest should be compromised, if at all, before there has been a trial and a decision. Compromises made after the courts have ruled in favor of the Government can only be at the expense of the public interest.

SOME INTERESTING INJUNCTIONS

One gets the impression that the Department sought to compensate for the lack of adequate divestiture by injunctions directed against certain monopolistic practices. These injunctions are interesting and if they are enforced may afford some relief, at least for a few years. Sec. 11, Par. 2, of the decree provides, in substance, that for a period of three years from July 1, 19491/ Schine defendants are enjoined from licensing (a) more than 60%2 of the feature films released by the eight major distributors for first run exhibition in any fiscal year and (b) more than 48%3 feature films among the eighty constituting the aggregate of the top allocation pictures of each major distributor in any fiscal year.

Provisions (a) and (b) do not apply to pictures "for which competitors who have had an opportunity to request licenses have not made an offer or have made an insubstantial offer." Herein lies the difficulty. The distributors were dropped from the case when they signed the 1940 consent decree of unhallowed memory. Those distributors, who

1/ In situations where Schine disposes of a theatre pursuant to the decree, the three year period runs from the date of the transfer of the theatre to the new owner.

2/ Two-thirds in towns where Schine has more than one theatre.

3/ Fifty-three in towns where Schine has more than one theatre.
are not parties to the present decree, will decide for themselves whether a Schine competitor has made a substantial or an insubstantial offer for a picture. It is not likely that a distributor will regard an offer by a competitor which is less than Schine's offer as substantial. Thus the effect of the decree may be to force bidding in all competitive situations. While Schine is required by Sec. III, Par. 7, to license pictures theatre by theatre, it is obvious that, with its theatre empire virtually intact, it can afford to outbid its rivals in competitive situations.

It is apparent that this provision will afford no protection to Schine's weaker competitors unless it is strictly enforced according to the declared intent. The Department having made this deal, and having declared that the decree will restore competition, is morally bound to police it to see that the maximum benefit is obtained. This may mean minute supervision of Schine's film deals in competitive situations for a period of three years. But unless that is done, the Schine consent decree will be the greatest bust in the history of anti-trust litigation.

Another interesting injunction is contained in Sec. II, Par. 6. It would prevent Schine "from asking or knowingly receiving, in the licensing of feature films ... discriminatory terms or conditions not available to competitors." It policed and enforced this might be of help in eliminating special favors to Schine in competitive spots, provided Schine licenses pictures theatre by theatre, in good faith. But Schine will continue to operate as a powerful circuit, no matter how it licenses films, and it still may be possible for it to secure special terms and conditions in its closed situations to compensate for parity of treatment in competitive situations, and the end result will be the same.

Here again it will be necessary for the Department to exercise to the fullest the powers granted it by Sec. VI for access to Schine's records for the purpose of checking compliance with the decree. The decree contains additional make-weight provisions which it is unnecessary to discuss at this time. Students of the anti-trust laws will observe the operations under the decree with the keenest interest. Despite current demands that heavier penalties be imposed for anti-trust violations, the Department of Justice appears to have abandoned the remedy of dissolution, long regarded as the Sherman Act's sharpest tooth.

**WHO DOMINATES THE INDUSTRY?**

We have long been of the opinion that the motion picture industry is dominated by the eight major film companies, five of which also operate large theatre chains. During the past few years we have been reinforced in that view by a number of court decisions. Imagine our
surprise, therefore, to read in a recent issue of LIFE the following statement by Joseph Mankiewicz, a producer who releases through 20th Century-Fox:

But isn't it true that a real-estate operator whose chief concern should be taking gum off carpets and checking adolescent love-making in the balcony -- isn't it true that this man is in control? Isn't it true that when he gives you 40% of what he takes in out of the picture you have made and keeps 60%, he thinks he is giving you a hell of a fine deal? These are the men, you see, who control the motion picture industry.

When we first read this our hackles rose because it appeared that Mankiewicz was referring to the exhibitors as a class. The crack could have no possible application to the independent exhibitors. While Mankiewicz took no pains to distinguish between the independent exhibitors and the huge affiliated chains, other participants in the conference were more discriminating. As a result, LIFE'S Round Table Editors deduced that "the worst thing about Hollywood is not in Hollywood at all but in the present relationship between the 'makers of film' and the 'controllers of product,' which must -- and perhaps will -- be altered for the better."

Producer Hal Wallis, another producer, followed Mankiewicz's tirade with the following statement which puts the matter in proper perspective:

This is a situation I think history will very soon take care of. This is something that is already being accomplished: the divorcement of theatres.

Even with this explanation there is much in Mankiewicz's diatribe to alienate his exhibitor friends, if any. He seems to think that the exhibitor, the industry's only point of contact with the public, the man who has to listen to the complaints of the customers, should have no say as to the kind of pictures that are to be shown. Maybe so, but due to our beneficent anti-trust laws the exhibitor no longer has to buy blindly whatever pictures are offered to him. He will buy those pictures which experience tells him the public will patronize because he knows, as Mankiewicz apparently does not, that in the final analysis the PUBLIC controls the industry.

Since Mankiewicz is so clearly out of sympathy with the exhibitors' efforts to please their patrons, he should seek new outlets for his product. We hate to think of his having to continue business relations with those low-brow exhibitors. If he doesn't want his pictures shown in those "farm-life structures with seats in them" this
words), then we suggest that he revive the old-fashioned tent shows. He can find complete freedom of expression in a tent, or a hall, provided he hires it himself.

**MAKING THE CIRCUIT PAY**

Had Mankiewicz confined his strictures to the affiliated circuits and refrained from abusive language, he could have made a point. The circuit film deals that have come to light in the various lay suits indicate that the affiliated circuits have been paying proportionately less for film than the independent theatres. We have reason to believe that this is particularly true of the Fox West Coast chain. Since Fox Film is the parent company and Fox West Coast the subsidiary, Mankiewicz's complaint could have been handled, in part, in the family. We wonder if Mankiewicz ever complained to Spyros Skouras, president of Fox Film, that Charles Skouras, president of Fox West Coast, was not paying enough film rental?

It might seem that we are treating this subject too lightly, as it is a very important matter. Once the affiliated circuits are divorced from the parent film companies, and the latter have no investments therein, the circuits and the film companies will have to deal with each other at arm's length. There will be no incentive for the film companies to grant special terms or privileges to their former affiliates. The circuits which have been used to paying 25% or 30% for pictures for which the independent theatres have had to pay from 35% to 40%, will have to pay more for films — or the rates charged the independent theatres will have to be reduced. The film companies can not assume the risks inherent in continued systematic discrimination in favor of theatres in which they no longer have a financial interest.

It would be a revealing experience for Mankiewicz to move over to the distribution branch of the Fox organization for the next few years. He would be just the man to tell the gay divorceses (with apologies to VARIETY) that they must cough up more dough. His efforts to raise the rates on Charles Skouras should be the battle of the century. We would like to view it — from a safe distance.

**NATIONAL EXHIBITORS FILM COMPANY**

No one recognizes the importance of impending changes more than the divorced or about to be divorced circuit heads and the heads of the big so-called independent circuits whose buying power may be reduced by divestiture. During the past few years these men have been arranging to hold together for mutual protection and for the perpetuation of their special privileges. The first step was the formation
of American Theatres Association which was soon followed by the shotgun wedding between that organization and the old Motion Picture Theatre Owners of America which was followed immediately by the birth of the present Theatre Owners of America. The latest development is the announcement of the formation of National Exhibitors' Film Company for the publicity announced purpose of producing motion pictures.

Conspicuous among the organizers of N. E. F. C. are such well-known circuit heads as Si Fabian, M. A. Lightman, Bob O'Donnell, Sam Finanski, E. H. Royley (Robb & Royley), J. Myer Schine, George Skouras, K. C. Stengel (Crescent) and Frank Walker.

Taking these men at their word, that their purpose is merely to produce more pictures for release through existing agencies and without discrimination in favor of any class of theatres, the movement is in the public interest and should be welcomed. While the major companies controlled most of the big city first-run outlets, there was no incentive for them to produce more pictures than their own theatres could absorb on a "bleed 'em white" policy. This has resulted in a controlled market and a serious film shortage. No greater boon can be conferred on the industry as a whole, and the theatres in particular, than the creation of additional sources of product.

To be legal and hence to succeed the enterprise must be conducted strictly in accordance with the public declarations. Exhibitors may engage in production on an investment basis only; the minute they seek to control distribution of the products, or to appropriate the products to their own exclusive use, or to discriminate against other exhibitors, they will be in hot water. If any circuit head entering into this plan thinks this will be another First National Company that it can grant exclusive franchises or any other form of preferential treatment to its organizers or stockholders, then he should include some recent court decisions in his summer reading.

The trade papers indicate that the syndicate has consulted Robert L. Wright on the legal phases and, if they follow his advice, they cannot go wrong. And if they are sincere in their protestations that no strings will be tied to their products, they will write the necessary protective provisions into their organic papers. If the company charter withholds the power to engage in distribution, then we will know that the scheme is on the up-and-up; at least so far as any favoritism in the licensing of products is concerned. If the company is granted the means whereby it can discriminate, then the government and exhibitors generally will have to be on the alert to see that discrimination is not practiced.
WILL THEY REALLY MAKE PICTURES?

There is no present reason to suppose that the organizers of N. B. F. C. will not go through with their plan. Nevertheless there is skepticism in some quarters and the reasons therefor are worth considering. It is barely possible that the circuit heads are throwing a colossal bluff to impress or even intimidate the major companies. The latter, as we have seen, are almost certain to demand that the circuits yield them a larger share of the boxoffice dollars. It may be that they have already done so. If the film companies should back down on those demands and agree sub rosa to continue granting the circuits preferential treatment, then the circuit heads might drop their plan to produce pictures.

The situation brings to mind a story. During the early 20's W. B. Woodward wrote a book called BUNK. In it he related how a battery company threatened to raise the price of batteries to an automobile manufacturer. A bright young man connected with the latter outlined to the president a plan for building a plant to manufacture their own batteries. The president said it was a great idea, told B.Y.M. to go ahead with the plans and say to it that the matter was given wide publicity. When the B.Y.M. finally presented his plans to the president, he was fired, because, as his boss pointed out, he should have had brains enough to know that the company did not really want to make batteries. The B.Y.M. then learned that, in the meantime, the publicity had brought the battery company into line and a new contract had been made at the old rate.

For the time being we are taking the circuit heads at their word and we think it is a wonderful idea. At the same time we note that at the forthcoming T.O.A. Convention in Los Angeles the producers are going to entertain the exhibitors at a dinner "at which exhibitors will be given an opportunity to present and discuss problems and at the same time, secure first-hand information on problems faced by studios in making and selling films." (FILM DAILY, July 18,) If N. B. F. C. survives this meeting then there will be no just ground for skepticism by anybody, anywhere.

PRODUCTION IS INCREASING

For many years Allied harped on the theme that a product shortage can persist only in a controlled industry; that in a competitive industry the supply will always meet the demand. Allied's theories now are being put to the test and thus far they appear to be working well. The first break came when Metro announced that it was going to release pictures at the rate of 52 a year. Now there are indications that the other film companies are waking up to the need for increased production. THE WALL STREET JOURNAL for June 24 carries a Hollywood
story bearing the caption "U. S. Movie Production Reaches Highest Point in Nearly Two Years." The story asserts that the Hollywood studios then had 43 films before the cameras and predicts that the number will hit 50 in July.

The number of pictures completed this year is lagging slightly behind the 1948 output, but at the present production rate that lag soon should be wiped out.

More pictures in production means that more talents are being utilized and more ideas will reach the screens. That is the doorknob’s order for sagging boxoffice receipts. No one should be dismayed by the dwindling grosses. They merely present another challenge to the resourcefulness of the industry. No other entertainment medium is built on so secure a foundation. Despite the already vast movie audience, we are far from saturation. If the producers will supply fresh, quality product and the exhibitors will roll up their sleeves, two new customers can be found for every one that is lost. But the theatres must have an abundant supply of fresh, clean pictures that will afford relaxation in a troubled world.

**CLEAN MOVIES**

We may agree or disagree with the Legion of Decency’s rating of pictures, or we may condemn the entire procedure as did the unidentified Hollywoodian in LIFE’s Round Table Conference, but we cannot ignore the fact that a considerable number of theatre-goers are affected thereby. And with theatre attendance on the decline it is sheer folly recklessly to ignore the Legion’s standards in motion picture production. It is no answer to say that a picture which was given a "B" or "C" rating has been successful. If given an "A" rating it might have been even more so. At a time like this the industry cannot afford needlessly to flout public opinion or antagonize any organized group.

The foregoing is occasioned by the Legion ratings contained in a recent issue of one of the diocesan journals. We were startled by the number of boxoffice pictures that had been given "B" ratings. Included in the list are many high-allocation pictures. An exhibitor located in the diocese tells us that a few years ago only one hit picture was listed in that category. In any event, here are 17 pictures culled from the list that should attract maximum attendance. No one of them should be handicapped by the unnecessary inclusion of scenes or dialog that deny it an "A" rating.
Champion
Adventures of Don Juan
Big City
El Paso
Girl From Jones Beach
The Great Dan Patch
That Wonderful Urge
Wake of the Red Witch
You Got to Stay Happy
The Great Gatsby
Lust for Gold
Neptune's Daughter
The Palomino
A Song Was Born
South of St. Louis
Three Musketeers
We Were Strangers

It will be noted that we have underscored the words "recklessly," "needlessly" and "unnecessary." We do not intend to become involved in the controversy whether religious, racial or other groups should censor or boycott pictures. We are dealing with a condition, not with theories. Therefore, we deem it is pertinent to inquire whether the scenes or dialogues in the foregoing pictures which caused them to be put in the "B" bracket were essential to the story, the characterization or the entertainment value of the films? Putting it another way, could those scenes or dialogues have been omitted without detracting from the story, force, or entertainment value of the pictures?

The organized producers have not made public acknowledgment to their responsibility or given public assurance of their purpose to keep the movies clean since the big explosion in 1924 when the Legion was formed and the Production Code Administration was created. We therefore suggest that, as a first step in the movement toward better public relations, the producers analyze the pictures with "B" ratings, ascertain just what caused them to be so rated, and determine whether the objectionable parts could have been omitted without violence to the story, message or entertainment value of the pictures.

A little research along those lines would enable the producers to exercise greater care in the future and to launch their pictures without unnecessary handicaps. Censorship of ideas is not to be tolerated but the movie makers must have "a decent respect to the opinions of mankind." This great industry can never afford to be on the wrong side of any moral issue. Therefore, without yielding the freedom of the screen -- which must be preserved at all costs -- the organized industry can and should put itself squarely in opposition to vice, degradation and debauchery as unwarranted constituents of motion pictures. Creative talent is not hampered by the limitations of decency.

The situation that has arisen cannot be improved merely by having the industry put itself on the back in public. Too many in the industry think of public relations merely in terms of motion picture advertising and exploitation. The public, and especially organized groups such as the Legion of Decency, are not going to be impressed
by institutional advertising, go-to-the-movies weeks or other forms of ballyhoo unless they are accompanied by serious pledges of reform. A publicly announced undertaking to weed out offensive material and to discipline the erring stars who reflect discredit on the industry through scandalous conduct, are conditions precedent to any public preening. The industry's good will must be built on the solid rocks of public confidence, not on the shifting sands of hoopla.
Hon. Herbert Bergson
Assistant Attorney General
Department of Justice
Washington, D.C.
To: Mr. Herbert A. Bergson  
From: Philip Marcus  

29-2 Allison Street  
Mt. Rainier, Maryland  
June 4, 1949

At the Schine conferences last Friday the question came up of the product limitation on the better grossing pictures for three years in competitive towns. From Rainmore came the rather time-worn statement that this was a breaking point. Sir checked with you and I understand you stated you would consider dropping that item if the rest of the proposed decree could be agreed upon.

As you know, the product limitation proposals are the most important of the proposed injunctive provisions. The limitation on monopolization of the better pictures is complementary to the limitation on monopolization in terms of numbers. Competition in the sense we want to bring into the Schine areas is not possible if we abandon one half of our proposals.

At the trial of the case Schine's evidence and its cross examination was designed to show that only in a few instances did exhibitors have to close because they did not have any product. We had no difficulty with Judge Knight to show through witnesses and argument that an opportunity to get pictures rejected by Schine and Dracula from Fox was too slender a reed to make competition possible.

In Amsterdam, Schine's competitor was offered rejected pictures and refused to take them. We finally had to sell out to Schine.

In Auburn, Wallace was offered nothing but Schine's rejected pictures except from Columbia.  

In Corbin, the only diet of pictures available to Schine's competitor was Schine's rejects and very old pictures. We had to sell out to Schine.

This happened in Geneva, Lockport and other Schine towns.

This past week on the basis we have in our possession, Sir had some of the men make a study of the recent playing status of theatres in towns where Schine has agreed to divestiture. In almost every instance this study shows that the better pictures played at the theatre or theatres Schine is retaining. The significant thing about this study is that apparently no difficulty was had in determining that commerce
In this industry, now, as in the past, with the exception of an occasional "sleeper" or unexpected "flop", the better grossing pictures are well known before they have had their play-off. Some companies still initially classify pictures as "AA", "BB", etc., pictures. Others do the same by fixing higher prices for some than for other pictures. As far as we are concerned, the workable test would be the distributors' initial determination - a determination which is made for the nation as a whole.

We cannot afford, against the exhibitors' wishes, to let a theatre purportedly in competition with Schine become established in the minds of the community as to be known as the B theatre or the (theatre) playing the poorer pictures. Throughout the settlement negotiations (at which I have been present, no bones have been made by Antiril that Schine's method of operation is to have an "A" theatre and a "B" theatre in a town. Schine made similar statements in a memorandum it filed with the court.

Apparently, our present proposals do not restrict Schine with respect to Republic pictures which in a number of Schine towns are an important factor in successful motion picture operation. As the Narrative shows, Schine has continued to make master agreements for Republic pictures as well as for particular pictures from all of the distributors, and this fact makes even more important a better picture restriction.

These negotiations indicate the colossal bluff Schine (or Kaufman) has been pulling. At the divestiture stage, you were sure they would break off and not consider proposals which I thought were too weak. In the negotiations I've sat in on I have often heard the words "breaking point. They have not broken, and I do not think they will break on the better picture restriction. If they do break on that point, I think we would all have quieter minds and less to worry about than if we abandoned our proposal.

I have written this out and asked my wife to type and sign it for me.

/\S/ Phil Marcus

Ann.

copy to:

Mr. Belbridge
Mr. Timberg
April 8, 1919

Sigmund Timborg

Philip Marcus

Schine Case

60-6-70-35-10

Enclosed herewith is submitted a memorandum on the matter of the proclivities of the defendants.

In 1912, a temporary consent order was entered into, postponing trial for three years. Under this order, the Schine defendants were required to divest themselves of their interest in 16 motion picture theatres they had acquired after commencement of the suit. Schine, according to reports which defendants filed in court, purported to dispose of three of the theatres of which it was required to divest itself by the 1912 order. The Government filed a motion to compel Schine to divest itself of the other theatres and to have a trustee appointed for that purpose. The Court, although it denied the Government's motion, required the defendants to make further efforts to sell these theatres, on pain of a trustee's being appointed for that purpose. To avoid carrying out the decree of the court, Schine has not been loath to resort to any means available. Schine has reported to the court that six of the theatres were sold. He has been anxious to take one of them, Schaeffer, who, after some time, had declined to take any of them. Schaeffer, as we have learned, has been a very close associate of Schine's and has been in Schine's employ.

During the course of the trial in 1914, an independent exhibitor who had been forced out of business by Schine sought to re-acquire the theatres Schine was required to sell under the consent judgment of May, 1912. Thereupon, Schine announced that it had a better offer from one Charles Hayman. The Department had some reason to believe that the relationship between Mr. Hayman and Mr. Schine was rather close and suspected that Schine had taken advantage of this proposed sale. A hearing was held before Judge Knight at which the counsel for Schine assured the court that there was no connection between Schine and Hayman and that the transaction was bona fide. The Government made no independent investigation of its own at that time, and upon the assumption that a purported sale was made to Hayman of Schine's interest in theatres in Appalachia, Va., Corbin and Pikeville, Ky. In 1917, we received a letter from an independent exhibitor who had been a witness at the trial, complaining that Schine had violated and was continuing to violate the judgment of the court and to vitiate our efforts to create a competitive situation. He referred to a number of towns in which he
alleged violations were occurring. An FBI investigation was thereupon initiated. In brief, the following facts were disclosed by the FBI investigation.

Despite the purported sale to Hayman, Schine continued to buy and book pictures for these theatres and a Schine employee managed them. Upon Hayman's death, the theatres were sold to the Hildesheim Corporation, which assumed the Schine corporation. The president of that corporation is the wife of Hyman Schine and the vice-president is an executive in the Schine organization. Subsequently, it appears that some of the theatres were managed by Barnell Theatres, Inc., the president of which is a son of Louis Schine. One of the defendants, Willard M. Brey, was director and officer of various Schine corporations, as well as general counsel, and was also director of Barnell. In three of the corporations created by Hayman before his death, through which the theatres derived from Schine were held, the wife of Louis Schine and one of Louis Schine are officers. These corporations still appear to carry on certain activities with respect to those theatres.

The Memorial Theatre in Mt. Vernon, Ohio was one of the theatres required to be sold under the 1942 judgment. Schine has the other theatres in this town. During the course of the trial and subsequently, Schine's counsel told the court that it's lease on the theatre was shortly to expire. When an independent exhibitor expressed an interest in acquiring the lease of the Memorial, Schine's other two theatres in Mt. Vernon acquired the lease on the theatre and continued to hold it while still acting as Schine's manager. Subsequently, the lease appears to have been acquired by the Union Theatre Company, the principal officers of which were the attorney representing Schine's interests in Ohio, Sol Schafer, a Schine associate, Donald Schine, one of the defendants, and an executive of one of the Schine corporations. The theatre was managed for a considerable time by a person who told the FBI agent that he took his orders from a Schine associate. Recently, control of the theatre appears to have been placed in the hands of the Barnell Theatre Company, with the result that there is no chance of competition in Mt. Vernon. Schine has continued to buy and book pictures for the Memorial Theatre, and has sought to have motion picture distributors help conceal Schine's interest in this theatre.

In Scotia, New York, Schine reported to the court that it had disposed of its interests in the Edsall Corporation. Our investigation reveals that the theatre interest was first conveyed to Sol [Schafer] and then by him to the Edsall Corporation, which was controlled by Sol Schafer and Schine's attorney in Syracuse, New York. The theatre was managed thereafter by an employee of the B & P Confectionery Company, which has its main office in the same building as the Schine theatre's office. Schine's name is on the front desk, and is composed of members of the Schine family. In July of this year, that theatre was iden-
In Cumberland, Maryland, Schine acquired two of the first run theatres after the commencement of the suit. This year, Darnell Theatres, Inc., with the assistance of Schine's general counsel, William H. Hoxey, secured the other first run theatre in Cumberland, thus effectively eliminating competition between first run theatres in Cumberland.

The trial court's and the Government's knowledge of Schine's theatre holdings rests upon answers to interrogatories filed by the defendants and offered in evidence. The defendants did not reveal their interest in theatres in three Kentucky towns, Bonham, Cumberland, and Whitesburg, although they entered into contracts to control the operation of the theatres in these towns at least once before filing the answers, and at least once prior to the time they were offered in evidence. In frequent proceedings in 1945 and 1946 (and even in brief to the Supreme Court) he had with respect to findings of fact and divestiture plans, Schine continued to conceal his interest in these theatres. The trial court's findings of fact and its judgment does not reflect Schine's interest in theatres in these towns. In 1947, Congressman Hulse of Kentucky complained to us that an application to the Housing Expeditor for construction of a theatre in Whitesburg, under the name of one lease, was actually being filed for Schine. An FBI investigation revealed the above stated facts, and also that within the past two years control over theatres in these towns has been acquired by Hildeman Corporation and Darnell Theatres, Inc.

The judgment of the trial court, as affirmed by the Supreme Court, prohibits the Schine defendants from conditioning the licensing of films in competitive situations upon licensing of films in any other situation. We have in our possession numerous Schine deals made in 1945, 1947, and 1948, which violate this section of the judgment.
Dear Herb:

I understand Kauffman has made a new proposal to the effect that Schine is willing to rule (guarantee) that the theaters be divested would continue to get the pictures they have been getting. I believe Sig Timberg had this idea sometime ago. I think there are few members of the division who have a better mind than Sig has. I do not regard myself as one of those few. Nevertheless that idea seems to me to be utterly off-base. Some how or other the more one has to do with Schine report; the more likely one is to begin to suffer from occupational or battle fatigue.

We have been involved in 4 movie cases and have been spending about 10 years of time charging the defendants with agreeing to fix the position of theaters in this country with respect to rents and clearances; and I don't see how the government could be a party to an agreement to fix the position of particular theaters in particular towns. I think we would run into a serious danger of being criticized not only by the Court, exhibitors and the public but also by the legal profession if we made such an agreement.

In some towns where there is now competition and Schine is required to divest the theaters, the effect of this proposal would be to confront the competitor with a mutual interest of Schine and another new exhibitor to preserve their respective positions against him. A substantial number of the theaters Schine has listed as being willing to divest itself of are theaters in same only and not comparable to Schine's other theaters. Nevertheless some of them are so centrally located that they have a definite value as motion picture property and someone might well buy such property to tear it down and put up a modern theater. That is hardly likely to happen if such would-be competitor were to be confronted with a situation where Schine and the government had agreed that he was to get B pictures or second-run pictures, or pictures from Warnemond and local and not from Columbia and United Artists. Suppose Schine comes up and shows that in a certain theater Lor, Fox and United Artists pictures have played. What business is it of ours to assure a would-be exhibitor that he can get pictures from these companies when he may not want to deal with these companies? Fox recently announced that it was determined to get higher prices for its pictures. That announcement has generated a wave of protest by exhibitors. In the face of such a situation are we to tell a would-be buyer of a divested theater "don't worry you can get Fox pictures".

I am sending a copy of this letter to Sig Timberg.

Unfortunately despite the fact that I am 5,000 miles away from Washington the sun continues to "shine" on me even here.
Memorandum for the Attorney General

From: Irving R. Kaufman

Re: Schine Chain Theaters, Inc.

Negotiations over the consent decree seem to have broken over one provision which was never contemplated on our part. It is a provision known as the Guarantee of Product provision, by which the Government seeks to guarantee to competitors and prospective purchasers that they will have a guarantee of feature films at the expense of Schine. It is impossible for us to agree to this provision because Schine would be forced out of operation completely in view of the fact that there is a shortage of product for which he has no responsibility. Furthermore, I call to your attention the following reasons why we cannot agree to any guarantee of product provision:

1. No such provision is contained in either the Paramount or RKO decree which we believed, for good reasons, would be followed in our case.

2. There would not have been an agreement on divestiture if we had been lead to believe that in addition to being forced to sell our theatres, we would have to give up our product in the remaining theatres.

3. I am informed that the Government asked for a guarantee of product provision in the District Court and that Judge Knight refused to grant such provision.

4. There is now a provision in the proposed decree that we can only buy on a theater by theater, picture by picture basis. Also we may not combine open and closed towns in buying pictures for theatres. The latter was the evil complained of in the lower court.

We have agreed upon practically all the other provisions with the exception of language to be employed.
Furthermore, in a government decree with the distributors they are prohibited from licensing pictures except on a theater by theater town by town basis. Thus, there is and will be truly competitive bidding for all pictures. This is the case today. However, the government wants more. In addition, they believe we should agree not to take more than a certain percentage of pictures even though on the basis of honest competition we have outbid competitors.

We have agreed upon practically all the other provisions with the exception of language to be employed. However, there is no room for agreement whatsoever on this provision. We so advised Timberg from the very moment that discussions commenced on the guarantee of product provision and I honestly believe that he would abandon this provision so that negotiations might continue and be successfully concluded. However, for some reason unknown to me, it is being pressed in this case whereas the government saw it fit not to press it in the Paramount and RKO cases. The only answer that I have received to the latter argument is that in the Paramount and RKO cases the government was primarily concerned with divestiture. However, they do admit they were also concerned with divestiture of theatres and that the decree provided for same.

(The following written in ink)

Many thanks for your time. Never thought I'd be annoying you again on this. However, it would be a shame to see all our good work go out the window over a provision which was never anticipated and could not under any circumstances be accepted.

Respectfully,

Irving K
Based upon the facts stated in the memorandum I recommend that we refuse to consent to any further extension of time for Schine to dispose of its theatres. At the end of this memorandum I shall try to spell out in some detail what I think should be done in this situation.

The information given us by Schine does not include the cost data requested in our letter of June 30 and in a previous letter. There is also no statement as to the details regarding the efforts made by the Schine defendants to dispose of the theatres. There is no indication in the letters themselves that all the correspondence had with respect to these theatres had not been included in the copy submitted to us. I do not think we should consider any extension of time until and unless the Schine defendants give us the information requested.

In July of this year, pursuant to the same sort of visitatorial provision in the United Paramount decree as in the Schine Judgment — which was noted in our letter of June 30 to the Schine defendants — we set up an FBI investigation with respect to the theatre situation of United Paramount in several cities. We asked for detailed information, including the value on the books of United Paramount for certain theatres over a considerable period of years. Recently we received a letter from the General Counsel of United Paramount in which he stated that although he did not agree that we had a right to procure this information and reserved all rights to object to any use by us of such information, United Paramount was permitting the FBI to procure this information. I do not believe we can differ to have one rule for United Paramount and another for Schine.

Schine has been anything but cooperative in our procuring information from them despite the assurances I received from Mr. Horowitz on that score. We would have had an FBI investigation on certain complaints against Schine completed by now if it were not for the fact that the FBI was denied access by Mr. J. Hyer Schine to the Schine records. This occurred in July. Since that time we have had to resort to the visitatorial provision in our judgment, with unknown results.

I have no need of the information they have given us. I believe that the prices asked for the theatres in question are outrageously
as reasonable, or difference in reduction of spread of profit between it and other Schine theatres.

(2) Schine may lease 50 per cent of its owned theatres which it is required to sell under terms provided for in judgments against other defendants and may sublease leased theatres under similar terms.

(3) Schine shall agree that in the event it does not dispose of one theatre a month it shall consent to the appointment of a trustee under terms to be determined at the time the application for a trustee is made.

If Schine is unwilling to take these conditions, we should move to punish Schine for contempt for refusing to give us the information requested and for a trustee.
ADDITION

Where Schino has more than two theatres and disposes of one to an operator desiring to play first run, Schino, if he uses more than one theatre on first run, must dispose of that theatre or take a product limitation with the qualifications specified in the Fox and Warner judgments.
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Page 32 ~ Referral/Direct;
Page 33 ~ Referral/Direct;
Page 34 ~ Referral/Direct;
Page 35 ~ Referral/Direct;

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SAC, Washington Field

Director, FBI (62-97557)

THOMAS C. CLARK, ET AL.

RECONDUCT IN OFFICE

Rourlet November 19.

The necessity of covering leads noted in reloet
being presented to Department.

Rourlet October 23. Ascertain if Chalmers Harrell
has returned to active duty and if not when his return is
expected.

EX - 101

ALL INFORMATION CONTAINED
HEREIN IS UNGLASSIFIED
DATE 12/14/83 BY SHP-881521US
TO: DIRECTOR, FBI (62-97557)  
FROM: SAC, WFO (62-7197)  
DATE: November 24, 1952  
SUBJECT: THOMAS C. CLARK  
HERBERT AUGUSTUS BERGSON  
MISCONDUCT IN OFFICE  
Reurairtel 11/21/52. as 16  

Through contact with the office of Mr. LEROY McCauley, Administrative Section, Anti Trust Division, Department of Justice, it was determined that CHALMERS HAMILL, Attorney in charge of the Small Business Unit, Anti Trust Division, has not returned to duty as yet.

It was determined that HAMILL is still confined to St. Mary's Hospital, Rochester, Minnesota, and it is not known when he will return to work.

EJH:M00
It is to be recalled that during the investigation of the captioned case, collateral allegations were forthcoming from various Departmental attorneys who were interviewed. These varied from alleged misconduct to allegations of improper administrative handling of matters. There were some 23 sets of allegations, all of which were referred to the Attorney General and to Assistant Attorney General Murray.

In 4 of the allegations the Attorney General has requested that investigation be conducted. Two of the allegations concern Tom Clerk and Herbert Bergson, one allegation concerns Peyton Ford and Federal Judge Edward Armstrong Touse. The fourth allegation which the Attorney General has requested be investigated concerns allegations of influence in the Claims Division. All of these requests are going forward and are being followed closely to insure they will be completed at the earliest possible date.

We have followed on the above allegations by specific memoranda to the Attorney General with copies to Murray. In this regard, Miss Ethel Braswell advised Winterrowd on November 1, 1952, at Murray had asked her to call and outline what action they had taken concerning these collateral requests in the Criminal Division. It appears that an over-all memorandum has been written and sent to Deputy Attorney General Malone's Office which, according to Miss Braswell, recommends that no further action be taken with respect to the allegations. Miss Braswell does not know whether this memorandum will be approved by Malone.

When and if we receive a reply of the nature described by Miss Braswell, we will carefully analyze the reply in connection with the set of each allegation in order to make certain that none have been overlooked. In the meantime, we will continue to send follow-ups.

ALL INFORMATION CONTAINED HERIN IS UNCLASSIFIED

DATE 11/18/52 BY §P*8 2SYb
Mr. Robert Collier came by Mr. Hannon's office this afternoon and furnished the following information concerning Allen Bernard, the free-lance writer who appeared at an Executive Hearing of the Chief Committee on Friday, October 10.

Bernard read into the record a statement, a copy of which is attached. Thereafter he refused to answer any questions, saying only that he would "stand on his statement." This was done by him upon advice of his counsel. The Committee then moved that the matter of his attitude before the Committee should be taken up by the whole Committee at which time a decision would be reached as to whether he would be cited for contempt. Mr. Collier stated that this concluded the Executive Hearing.

After this the Committee talked to Bernard at length, off the record, at which time he advised that he still desired to cooperate and indicated that he would be able to supply some information within approximately 30 days from his "sources." He denied that he would furnish any information to the FBI, and there was, therefore, no need to use any Bureau Agents.

Mr. Collier stated that Bernard was advised by the Committee that he had two ways to pursu his own contempt: one way being to furnish the Committee with all the information, including the information he received from his sources, and the other to be that he furnish the Committee with all information in his possession and the identities of all his sources so that the Committee could then conduct the necessary investigation. He was extremely upset by the hearing and left the Committee indicating that he fully realized the import of his refusal to answer questions before the Committee.

Mr. Collier stated that they will follow closely with Bernard during the next 30 days and it is the purpose of the Committee to either get the information from him or cite him for contempt.

Attachment

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE

INITIALS ON COVER
I ask for leave to incorporate the following statement in the record as a portion of my testimony.

I reside at 142 East 52nd Street, in the Borough of Manhattan, City, County and State of New York.

I was on the 5th day of January, 1878, served with a subpoena to appear, before the Committee to Investigate the Department of Justice, of the Senate, on Friday, October 12th, 1912, at 10 A.M., at Washington, D.C.

For upward of twenty-five years I have been engaged as a member of the leading press as a reporter, research man and writer, and I am particularly a fraud and writer.

In the course of writing an article on law enforcement agencies of the United States I came across certain facts which seemed to me to be worthy of examination. Statements have been made to me, but I have not yet been able to corroborate these statements, nor to obtain matter which would have the weight of judicial authority. Accordingly, I have been unwilling to publish, or cause to be published, any articles, foreseeing that the publishers thereof would be subjected to suits which could not be successfully defended in the absence of proof having the weight of legal evidence, by virtue of either the moment or this date in entirely legal

ALL INFORMATION CONTAINED HEREBIN IS UNCLASSIFIED
DATE 7/1/12... BY 3L E. MIYAMOTO
I have stated fully and fairly to counsel the present state of my mind; I have been advised by the
first counsel I was consulted of information which would be
relevant and material that I cannot be compelled to dis-
close the source of my information, for their protection,
as well as the protection of persons in public office whose
reputations would be materially injured by interest not yet
unestablished; I must therefore respectfully decline to
reveal the source of that information. I believe that in so
doing I am best serving the public interest because I do not
believe in the wisdom or propriety of airing scandalous gossip
with regard to men highly placed in our government.

Allen Lamon.
The Attorney General

Director, FBI (62-9757)

\[\text{CONFIDENTIAL AND OFFICIAL}

TON C. CLARK

HERBERT A. O'BRIEN

DUESCONDUCT IN OFFICE

Reference is made to my memorandum dated November 3, 1952, setting forth that interviews remained with one former Department attorney who was ill and the former Department attorneys who were out of the country. Those persons are further identified in the following paragraphs:

1. Mr. Chalmers Hamill, attorney in charge of the Small Business Unit of the Antitrust Division, has been confined to St. Mary's Hospital, Rochester, Minnesota, and his return to duty is indefinite as of this date. Mr. Hamill was the immediate supervisor of Mr. Ernest Shahan, Department attorney, who was the original complainant in the Liquor Industry matter.

2. Mr. Charles Terrel, former Department attorney, is now employed by the Mutual Security Agency as Deputy Chief of that agency's mission in Lomosa. He is not expected to return to this country until October, 1953. Terrel is reported to have had routine assignments in connection with the Schine Theater Circuit case.

3. Mr. V. Wallace Girnpatrick, former Department attorney, is now employed with the State Department in Germany and is not expected to return to this country until February, 1953. Mr. Girnpatrick was assigned to phases of both the Liquor Industry matter and the Schine Theater case.

Your advice is requested as to whether further action is desired in connection with the interview of Mr. Hamill, Mr. Terrel and Mr. Girnpatrick.
By memorandum of reference also pointed out that the subjects of this case have not been interviewed. In the liquor industry matter, there has been no investigation at the Democratic National Committee to determine the details of political contributions by various liquor companies. In the Schine Theater Circuit case, the various counsel and officials of Schine have not been interviewed inasmuch as this matter is still pending in the Department. Federal Judge John Keight, Buffalo, New York, before whom the Schine consent decree was filed, and Federal Judge Irving Kaufman, former counsel for Schine, have not been interviewed. It would be appreciated if you would advise if a decision has been reached as to whether further investigation is desired in this matter.

cc: (2) Assistant Attorney General
Charles E. Larray (Personal and Confidential)
TO: Director, FBI (62-97557)
FROM: SAC, WFO (62-7197)

DATE: November 19, 1952

SUBJECT: THOMAS C. CLARK; HERBERT AUGUSTUS BERGSON
MISCONDUCT IN OFFICE

Remylets October 7 and October 28, 1952.

It is requested that the Bureau advise if it is proceeding to effect arrangements for the interview of W. WALLACE KIRKPATRICK, former Departmental Attorney, now employed in Germany by the State Department. It was recommended that efforts be made to have him interviewed abroad since he will not return until February, 1953.

It is also requested that the Bureau advise its decision relative to an interview with CHARLES TERREL, former Departmental Attorney, who is currently in Formosa. It was recommended that no attempt be made to interview him.

Except for the above possible leads, no investigation is currently outstanding in this case.
The Attorney General

November 3, 1962

Director, Al

The Honorable

I am attaching to this memorandum and to the copies designated for review a copy of the report of special agent Terence O. Vady, dated October 2, 1962. In the transition of this report the investigation is completed with the conduct of two or more of our attorneys who are out of the country and one report at attorney who is ill.

There is attached to the copy of this memorandum an additional copy of part of the report of the staff committee released October 21, 1962. This report deals with the only before the Committee concerning the liquor industry.

I want to call your attention to the fact that the subject in this case has not been interviewed. In the liquor industry as in the Democratic national committee has not been contacted to determine the details of the political contribution of the various liquor companies. In the Schine theatre circuit case the various counsel and officials of Schine have not been interviewed in view of the fact that this matter is still pending in the court. Federal Judge John Knight, Buffalo, New York, before whom the Schine consent decree was filed and Federal Judge Irving Kaufman, former counsel for Schine, have not been interviewed.

Your have caused a review of the investigation to be made in the various investigative reports taken in both furnishing to you and Mr. Vardy, I would appreciate if you would advise us further specific investigation is desired in this matter.

cc: 2-Assistant Attorney General

Charles D. Hurley

DECLASSIFIED BY ON 10/11/83

DECLASSIFIED BY ON 10/11/83

EC: how
Office Memorandum  

TO: DIRECTOR, FBI (62-97557)
FROM: SAC, WFO (62-7197)
SUBJECT: THOMAS C. CLARK  
HERBERT AUGUSTUS BERGSON  
MISCONDUCT IN OFFICE

Remylet 11/19/52.

Except for possible leads outstanding outside the country to interview W. WALLACE KIRKPATRICK former departmental attorney now in Germany and CHARLES TERREL former departmental attorney now in Formosa all investigation has been completed in this case.

By letter dated 11/21/52 the Bureau advised that the necessity for covering the above leads was being presented to the department. It is requested that the Bureau advise the present status of this case.

EJH: DEB

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 7/11/83 BY 81-87530

RECORDED-1

6: 16 JAN 14 1953
Assistant Attorney General
Charles B. Murray

Director, FBI (62-97558)

December 12, 1952

PERSONAL AND CONFIDENTIAL

FRAUD AGAINST THE GOVERNMENT
MISCONDUCT IN OFFICE

TOM C. CLARK, H. R. P. BARBOUR
MIL CHIEF IN OFFICE

FRAUD FORD, EDWARD ARMSTRONG TO BE
MISCONDUCT IN OFFICE

This will confirm the conference on December 9, 1952, between you, members of your staff, and representatives of the Bureau regarding the questions in captioned matters on which the Bureau has sought the advice of the Department.

Pursuant to your request, there is attached a memorandum setting forth the various questions now awaiting your consideration. Three copies of this memorandum were given to Mr. A. F. Oehmann of your office on December 11, 1952.

It will be appreciated if you will advise the Bureau whether any further investigation is desired regarding the various questions, after a review has been made of the pertinent background material concerning each item.

Attachment

CC: 62-97557
62-98103

WJH: enm

DECLASSIFIED BY SS-8 IN 1983
ON 1/1/83

1952

NOT RECORDED
16 DEC 16 1952

DEC 22 1952
December 11, 1952

MEMORANDUM

QUESTIONS REMAINING TO BE ANSWERED BY THE DEPARTMENT OF JUSTICE IN FOLLOWING CASES:

PEYTON FORD, ET AL
FRAUD AGAINST THE GOVERNMENT
MISCONDUCT IN OFFICE

TOM C. CLARK, HERBERT BERGSON
MISCONDUCT IN OFFICE

PEYTON FORD, EDWARD ARMSTRONG TOLCH
MISCONDUCT IN OFFICE

COLLATERAL ALLEGATIONS DEVELOPED IN BASIC INVESTIGATION RE: PEYTON FORD, ET AL

1. Peyton Ford, et al
Fraud Against the Government
Misconduct in Office

This investigation involves allegations that the Ford, Bergson, Borkland, Adams, law firm may have obtained clients prior to the time that its principals left the Department of Justice. The basic allegation appears on Pages 2 and 3 of a Bureau memorandum to the Attorney General, July 6, 1952, captioned "Chief Committee Investigations." A copy of this memorandum was not designated for Assistant Attorney General Murray. Additional information in the matter was furnished to the Attorney General by Bureau memorandum dated July 14, 1952, captioned "Chief Committee Investigations, Herbert Bergson, Peyton Ford, Herbert Borkland, Albert P. Adams." A copy of this memorandum was designated for Mr. Murray. (Bureau memorandum dated November 11, 1952, to the Attorney General and Mr. Murray advised of the completion of all investigation requested by the Department.

Questions regarding possible additional investigation are:

(a) Is it desired that the principals be interviewed?
(b) Is any additional information desired?

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DATE 7-11-52 BY 58-3860 62-9753 7-1-52

ENCLOSURE
Tom C. Clark
Herbert A. Bergson
Misconduct in Office

The first of two phases of an allegation involving captioned individuals concerns the possible fact that the Liquor Industry was not subject to Antitrust laws as a result of alleged heavy political contributions. Bureau memorandum dated August 18, 1952, to the Attorney General with a copy to Mr. Murray, under the caption, "Peyton Ford, et al., Fraud Against the Government, Misconduct in Office" called attention to information set out on pages 135 and 136 of the report of Dr. Thomas J. Jenkins dated August 16, 1952, at Washington, D. C., in the Ford Investigation. In Bureau memorandum dated November 26, 1952, it was pointed out to the Attorney General and Mr. Murray that Chalmers Hamill, of the Antitrust Division, had not been interviewed because he was confined to a hospital. Hamill was the immediate supervisor of Ernest Brannam, Department Attorney, who made the original complaint in this instance. The questions remaining are:

(a) Is it desired that the principals be interviewed?

(b) Is it desired that the Democratic National Committee be questioned regarding campaign contributions by the Liquor Industry?

(c) Should further efforts be made to interview Chalmers Hamill?

(d) Is any additional investigation desired in this matter?

3. Tom C. Clark
Herbert Bergson
Misconduct in Office

The second phase of the inquiries regarding captioned individuals pertain to allegations that a consent decree against the Schine Theatre Circuit was considerably less severe than a Supreme Court decision permitted and that contempt charges were not filed against the defendants despite evidence of contempt.
The matter was first brought to the attention of the Attorney General and Mr. Murray by a Bureau memorandum dated August 15, 1952, captioned, "Peyton Ford et al., Fraud Against the Government, Misconduct in Office." Bureau memorandum to the Attorney General and Mr. Murray dated November 11, 1952, bearing the caption at the head of this section pointed out that certain interviews had not been conducted. This is the same memorandum mentioned in the preceding section concerning the Liquor Industry campaign contribution matter. Questions remaining for the Department are:

(a) Is it desired that the principals be interviewed?

(b) Should efforts be made to have Charles Terrel and W. Wallace Kirkpatrick, former Department Attorneys now abroad, interviewed?

(c) Should the counsel for the Schine Theatres be interviewed? It is understood that this case is still pending in the Antitrust Division.

(d) Should Federal Judge John Knight, before whom the consent decree was filed, be interviewed?

(e) Should Federal Judge Irving Kaufman, former counsel for Schine, be interviewed?

(f) Is any further investigation desired in this matter?

4. Peyton Ford
   Edward Armstrong, Tows
   Misconduct in Office

It was alleged that Judge Tows received an appointment as Chief Justice of the Supreme Court, Territory of Hawaii, by paying Peyton Ford. Investigation was based on Bureau letter to the Attorney General, copy to Mr. Murray, dated September 8, 1952, captioned "Peyton Ford et al., Fraud Against the Government, Misconduct in Office." Investigation was initiated pursuant to a request from the Attorney General dated September 9, 1952. Bureau memorandum to the Attorney General, with a copy to Mr. Murray, dated November 5, 1952, under the caption appearing at the head of this section pointed out the extent of the investigation conducted. The questions remaining for the Department are:

(a) Is it desired that the principals be interviewed?
(b) Is any investigation desired concerning the political backing of Touse?

(c) Is it desired that efforts be made to locate and examine the bank accounts of Peyton Ford?

5. Collateral Allegations Raising During Investigation of Peyton Ford, et al, Fraud against the Government Misconduct in Office

Set out below are individual paragraphs concerning various collateral allegations that arose during the investigation concerning Peyton Ford, et al. A brief statement concerning the nature of the allegation is made and the date of the initial communication to the Department follows such statement. In all these instances, the Department has been asked if any investigation in the matter is desired.

(a) Unknown subject; Inquiry by Secretary of a Congressman.

Judson C. Bowles, Department Attorney advises he received a call from a secretary of a Congressman requesting that a particular case against two men be dropped. Bowles did not identify the case or the Congressman pending specific authority from the Attorney General. August 26, 1952.

(b) John Sonnett, Former Assistant Attorney General.

Curtis Shears, Department Attorney, alleged that Sonnett was reluctant to recommend Antitrust action in an anti-racketeering case since he felt such action would hurt his chances of becoming a Federal Judge. August 29, 1952.

(c) Merger of United States Steel and Geneva Steel.

Curtis Shears stated he believed Mathias Orrfield was transferred from the Antitrust Division because he protested the merger of these two companies. September 2, 1952.

(d) Gillette Committee Investigating A. & P.; Telephone Call by one Bergan, Gordon Grant, Department Attorney, advised that
Paul Hadlick, while serving as counsel for the Gillette Committee investigating the A. & P. case, received a telephone call from a person who identified himself as "Bergson". The call requested exhibits and statistics prepared by the Committee. Hadlick thought the call was from Herbert Bergson whereas it actually was made by Bergson's brother, who was understood to represent the A. & P. interests. August 29, 1952.

(e) T. Lamar Caudle-Tobacco Interests in North Carolina.

Curtis Shears advised that Caudle had inquired concerning Antitrust interest, involving Tobacco companies and suggested that if no action had been taken in these cases, Caudle may have been responsible. August 29, 1952.

(f) Milk Industry

Kenneth R. Lindsay, Department Attorney, suggested that failure to bring Antitrust action against the Borden and National Dairy Products firms might have been caused by outside influence. September 3, 1952.

(g) Milk Case in St. Louis.

Kenneth R. Lindsay alleged that John Skiles had been told by the Federal Judge handling the Antitrust suit in St. Louis that he could not indict certain people. Skiles was later taken off the case. September 3, 1952.

(h) Pitney-Bowes, Incorporated.

Kenneth R. Lindsay suggested that Victor Kramer, head of the Antitrust section handling a case against Pitney-Bowes, may have been responsible for the case having been dropped, since Kramer owns stock in the company. September 3, 1952.

(i) Alleged Influence in Case Involving Empire Ordnance Corporation.

Thomas F. McGovern, Department Attorney, stated that he heard there were indications of pressure in the Empire Ordnance case. September 17, 1952.
(j) Antonie Gasda, Carlikon Machine Works.
Influence by Former Attorney General J. Howard McGrath.

Thomas F. McGovern advised he had heard there was pressure or influence in three patent infringement cases handled by the Department involving Bofors and Carlikon, Swiss and Swedish companies owned by Gasda. Gasda was stated to be close to former Attorney General McGrath. September 11, 1952.

(k) Tom Clark. Allegations that Railroad Cases Were Stifled.

Frank L. Barton, former Department Attorney, alleged that inquiries concerning transportation charges to the Government by railroad companies was stifled by former Attorney General Clark. September 19, 1952.

(l) Peyton Ford, Jess Larson; Surplus Republic Steel Plant.

Gordon Grant, Department Attorney, stated that Ford and Larson stopped a bid by Preston Tucker on a surplus plant owned by Republic Steel Company in Cleveland, Ohio. September 23, 1952.

(m) Judge Samuel Kaufman, Purchase of Judgeship.

T. Lazar Caudle stated under oath that Larry Krohl told him Judge Kaufman paid $100,000 for his appointment. September 26, and October 30, 1952.

(n) Interlocking Directorates Case, Antitrust Matter.

Allen A. Dobey, Department Attorney, advised Herbert Bergson would not authorize filing a complaint in this matter. After Bergson left the Department, a complaint was authorized. October 6, 1952.
The question of further investigation in captioned matter has been presented to the Department and to date there has been no request for further investigation. This matter is being followed with the Department and you will be immediately advised if such a request is received.

Pending further instructions from the Bureau, this matter may be placed in a pending, inactive status in your Office.

cc: Mr. Winterrowd

ECW: RAV

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 1-1-53 BY 5982
PAGING TOM CLARK

Published today on Page 2 is the latest report of the Chief committee investigating the Department of Justice. Chief subject in this extraordinary chapter of the "mess in Washington" is T. Lamar Caudle, and the web in which he found himself—or put himself.

This largely is Caudle's story, from which a majority of the Chief committee draws the conclusion that he was an "honorably motivated" employee but too naive, despite his position as Assistant Attorney General, for the "corrupting sophistication of Washington."

There is one appropriate dissent from this charitable judgment.

Congressman Byron C. Rogers, Denver Democrat, wrote in the committee report that Caudle knew the difference between right and wrong and that the present judgment of his fellow committee members will not "promote good government."

Besides, the newest Chief report is much more than a recitation of cocktail party influence and meddles with Justice who operated from Congress and even the White House, all reflecting the "decay" within the Truman Justice Department.

The meat of this report concerns what the committee pungently calls the "unusual" expedients of former Attorney General Tom C. Clark and his fair-haired boy, Peyton Ford, who became second in command.

The committee describes how Mr. Clark personally took over the files of hot criminal cases, including the Amaasia white-wash, and displaced the attorneys who had been handling them. It describes how Mr. Ford followed a similar policy, excluding subordinates from such politically dangerous cases as the Kansas City vote frauds.

This kind of procedure the committee holds, was "injustified and improper" and has not been "adequately explained" by the officials involved—meaning Mr. Clark and Mr. Ford.

Next month, Congress will be urged to continue the Chief committee, this time under Republican direction.

In the face of this latest report, a continued investigation is both logical and essential. And the first witness should be Mr. Justice Clark, who should volunteer to testify if he doesn't, he should be handed a subpoena.

The fact that the former Attorney General now is a Supreme Court justice should impose no restraint on the investigation. That fact makes the inquiry all the more urgent.

Prime Minister Churchill will call for the United States Dec. 31, with some Happy New Year plans for a fountain of youth.

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Date: DEC 3 1953

Date: 78 JAN 14 1953

— ALL —

Times-Herald

Wash. Post

Wash. News

Wash. Star

N.Y. Mirror

N.Y. Compass
TO: Mr. Ladd
FROM: Mr. Rosen
SUBJECT: CONVERSATION WITH MR. OLNEY
        RE TOM-CLARK

It is recalled that while talking with Mr. Olney on
February 6, 1953, he mentioned that he wanted to follow the
Tom Clark matter. Upon my return to the office, it was ascertainment
that a memorandum had been sent to former Assistant Attorney
General Murray under date of December 12, 1952. There was attached
to this memorandum a number of questions pending consideration.
This memorandum was dated December 11, 1952, and three copies had
been handed to Mr. A. F. Oehmann who was then in Mr. Murray's
office.

ACTION TAKEN:

This memorandum indicated the Bureau's position and as
we had not received any reply from the Department as yet, Mr. Olney
was advised of the existence of this memorandum in order that he
could follow Mr. Clark. He stated he appreciated being advised.

A tickler should be set up to follow this matter within
ten days.

[Signature]

AR:ush
Mr. Ladd

Mr. Rosen

PEYTON FORD, ET AL.
FRAUD AGAINST THE GOVERNMENT
MISCONDUCT IN OFFICE

January 26, 1953

There are attached four envelopes containing photostats of various documents furnished to Bureau by the Chief Committee at the outset of captioned investigation. Appropriate copies of all of this material has been furnished to the Attorney General and copies of the documents deemed necessary have also been furnished to the Washington Field Office, which is Office of origin in captioned case.

The documents in each of the attached envelopes are being described as follows:

ENVELOPE I

Two photostats of tax returns as follows:

(a) Neil House Company, 1946, 1947, 1949
(b) Hotel U. S. Grant, 1946, 1947
(c) Frankland Hotel, 1947 thru 1949
(d) Harvard Hotel, 1948, 1949
(e) DaSiler Wallick Hotel, 1946 thru 1949
(f) Lake Shore Management, 1947, 1948

ENVELOPE II

Two photostats of tax returns as follows:

(a) Fritzer Foundation, 1947 thru 1950
(b) Jay A. Fritzer, 1946 thru 1950
(c) Paul Ziffren, 1943, 1946 thru 1950
(d) Amy N. Fritzer, 1946 thru 1950

ENVELOPE III

Two photostats of income tax returns as follows:

(a) Paul Ziffren and Dave Bazelon, 1948, 1949
(b) Paul Ziffren and M. K. Bazelon, partnership, 1949

Attachments

Bureau File 62-97558
cc: 1 - 62-97557

6 JAN 29 1953

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 1-1-73 BY 8X8 STAMP

INITIALS OR ORIGINAL

NOT RECORDED 146 JAN 29 1953
Two Photostats of a petition filed in Franklin, Ohio, dated July 26, 1950, by Fifty West Brand, Inc.

Two Photostats of income tax returns as follows:

(a) Harold E. Borowitz, 1945 thru 1950
(b) Albert J. Adams, 1946 thru 1950
(c) Herbert A. Bergerson, 1946, 1950
(d) Herbert Borkland, 1946 thru 1950
(e) Peyton Ford, 1951

Two Photostats of Chelf Committee memoranda captioned and dated as follows:

(f) David L. Bazelon, undated
(g) Tom Clark, 7-10-52
(h) Gordon Bazelon, 7-10-52
(i) Peyton Ford, 7-9-52
(j) Albert Adams, 7-9-52
(k) Herbert Borkland, 7-9-52
(l) Herbert Bergerson, 7-9-52
(m) Chicago Parole cases, 7-16-52

A folder with extra Photostats and carbon copies of above.

ACTION:

None. This is for record purposes only.
Office Memorandum

TO: Mr. Rosen
FROM: Mr. Evans
SUBJECT: TOM C. CLARK, et al., FRAUD AGAINST THE GOVERNMENT - BRIBERY

DATE: June 10, 1954

On the afternoon of June 9, 1954, Department Attorney Arthur M. Presmont advised SA E. C. Williams that he had made a preliminary review of some 40 or 45 sections of the file concerning a number of allegations against Clark. He continued that he had recommended to the Criminal Division that in view of the Statute of Limitations barring prosecution in all of the allegations, these matters be closed and no further action be taken. Presmont advised that the Criminal Division had concurred in this recommendation. He did not state whether any advice in this regard would be furnished to the Bureau.

Presmont did not identify all of the matters concerning Clark but did mention the "Campagna matter", the "liquor industry allegations", and the "Schine matter."

It is believed the "Campagna matter" refers to allegations investigated in the matter, "Louis Campagna, was., et al, Bribery, Parole Matter." In this, five Capone hoodlums sentenced in an Anti-Racketeering matter were paroled after serving one-third of sentence. It was alleged there was bribery in connection with this parole. Extensive investigation which has been completed developed no evidence.

In the "liquor industry matter", it is believed this refers to allegations that Tom Clark, Attorney General in early 1949, assured Lewis Rosenstiel, Schenley Industries Incorporated, there would be no Antitrust action taken against the liquor industry in view of a large contribution to the Democratic Party. The reference to the "Schine matter" is believed to be allegations that Tom Clark and Herbert Bergson acted improperly in January, 1949, in connection with contempt proceedings against the Schine Theater circuit then involved in Antitrust litigation. Investigation of these matters as regards Clark have been completed and there is no action remaining for the Bureau.

The above is submitted for your information and for record purposes.


UNCLASSIFIED
EX-112
Recently the trial of Hamill, former Assistant Attorney General, was held in the U.S. District Court for the District of Columbia. During that trial the defense served a subpoena duces tecum on the U.S. Attorney. A great deal of research was conducted by the Attorney and a motion to quash was filed, together with a brief. The motion was granted and the subpoena quashed.

There are enclosed herewith to the Bureau, four copies of a motion and brief. It is believed that this material would be helpful to the Bureau in any case where a subpoena duces tecum is served on the Bureau. At least the authorities cited and the results of research conducted by the U.S. Attorney could be called to the attention of the appropriate U.S. Attorney who might file such motion on behalf of the Bureau.

TJJ:CAS

Encls - 4
Office Memorandum • UNITED STATES GOVERNMENT

TO: Mr. Tolson
FROM: L. B. Nichols

DATE: November 29, 1953

CONFIDENTIAL

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE.

Mike Horan called and stated that he wanted to check with us on requests of the Jenner Committee growing out of the hearings on Tuesday so that there would be no duplication of work.

1. He stated that Morris had asked the Attorney General whether there had been any dissemination of the letter of November 27, 1945, other than to the White House and asked the Attorney General to furnish details of that letter to General Vaughan.

2. The dissemination of the November 27 memorandum on Soviet Espionage. Horan pointed out the Attorney General has stated that he already referred to this in his statement to the press. I told Mike the details on this have been furnished to the Department.

3. Morris had asked him about the dissemination of the letter dated February 1, 1946, to General Vaughan. I told Horan that I felt sure the details had been furnished to the Department.

4. Details on dissemination of Harold Glasser, Frank Coe, and Victor Perlo.

5. Whether Irving S. Friedman and William Henry Taylor were still employed. The Attorney General stated he would have to check on this. I told Horan that, of course, to answer the question would necessitate a check immediately prior to the answer; that it was my understanding that Friedman and Taylor were still employed, but this was something they should check on.

Horan then stated that Morris had advised the Director of the request of the Attorney General to supply dissemination data on Glasser, Coe, Perlo and others and in response to the specific question, the Director had stated that the dissemination data would not violate security, although the Director would be opposed to producing the reports.

Horan then stated that in view of the fact that we have had liaison with the Jenner Committee, he was wondering whether we should handle this or he should handle it. I told Mike that it appeared that this had been taken out of our hands, the request had been directed to the Department and I felt that this was something that would probably be more appropriate for him to handle. In this

cc - Mr. Ladd

cc - Mr. Balmont
connection, Morris told me last night that he was pressing the Department for dissemination data on Glasser, Coe, Perlo and Soloman Adler to be used in a hearing on Monday.

We probably should have the dissemination data readily available for our own use. As pointed out in my memorandum yesterday, we will probably have to furnish the Department with the dissemination data unless this has previously been done.
TO: Mr. Nichols

Lou - attached are some photostats you indicated an interest in. The blurred stamp in date on Mr. Foley's note is Apr 17, 1943. We do not find that these were used.

JWY

COPY
Office Memorandum  UNITED STATES GOVERNMENT

TO : Mr. Tolson
FROM : L. B. Nichols

SUBJECT : HARRY DEXTER WHITE

DATE: November 14, 1953

For record purposes, Mr. Warren Olney requested copies of the Director's memorandum of February 21, 1946, the Director's memorandum of February 25, 1946, and referred to a memorandum dated February 1, 1949, addressed to the Bureau by Tom C. Clark acknowledging the Bureau memorandum of January 17, 1949. Mr. Olney requested a copy of each of these memoranda. Copies have been furnished to Mr. Olney also requested advice as to whether Tom Clark's memorandum of January 17, 1949, had been acknowledged. He was advised that the note was not acknowledged.

Copies of the memoranda which were furnished to Mr. Olney are attached.

cc: Mr. Ladd
cc: Mr. Belmont

LBN#MP

NOT RECORDED
Dec. 8 1953

62 - 11

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 2/1/83 BY 58-80872/11

DECL. 11/1953
Extensive investigation requested by the Department in
specified matters has been completed. Investigation was based on
information developed by the Chief (now Keating) Committee investi-
gating the Department of Justice, alleging that Ford, Bergson, et al.,
used their positions with the Department to obtain clients for a
future law practice. In the course of the investigation allegations
were received that Tom Clark and Herbert Bergson improperly handled
two Antitrust cases, that Edward Tows paid Peyton Ford for his
appointment as Chief Justice in Hawaii and in some 14 collateral
matters.

The Investigation developed no specific overt acts of
misfeasance or malfeasance on the part of the subjects. There was
considerable difference of opinion as to legal conclusions. Any
determination therefrom is the administrative responsibility of
the Department. In view of the nature of the investigation and
the results thereof and because the results were being furnished
to the Chief Committee, we have taken the stand the Department
should issue specific instructions that the subjects be interviewed
and further investigation conducted.

We have posed the question of interviewing the subjects as
well as further investigation to the Criminal Division in memoranda
and by conference and oral follow-ups. The Criminal Division did
reply by memoranda dated February 16, 1953, requesting investigation
in six collateral matters and advising no investigation was necessary
in the remaining eight. This last requested investigation has all
been completed.

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HEREIN IS UNCLASSIFIED

ATTACHMENT

DATE: APRIL 30, 1953

FILE: 62-9575

INITIALS ON ORIGINAL
Memorandum to Mr. Ladd

We have similarly followed the Criminal Division in the Judge David Bazelon matter, which is also an outgrowth of the Chief Committee, and received a memorandum dated April 15, 1953, advising the reports had been reviewed and no further investigation is warranted. While it is believed the other phases as set forth above are being reviewed in the Department for the benefit of Mr. Olney, nevertheless it is felt we should forward the attached memorandum so we can be on record in view of the lapse of time. It is recalled former Attorney General McGranery raised a question as to the necessity of follow-ups we were sending. Inasmuch as the new Mr. Olney has been in office for approximately three months, it is felt this memorandum is warranted.

RECOMMENDATION:

If you approve, there is attached a memorandum to Assistant Attorney General Warren Olney III summarizing the questions which have been posed to the Criminal Division and advising these matters are being closed by the Bureau, subject to being reopened upon receipt of a request for further specific investigation.
Assistant Attorney General
Warren Olney III

Director, FBI

PEYTON FORD, ET AL;
FRAUD AGAINST THE GOVERNMENT;
ADMINISTRATIVE INQUIRY

TOM C. CLARK, HERBERT BERGSON;
ADMINISTRATIVE INQUIRY

PEYTON FORD, EDWARD ARMSTRONG TOWSE;
ADMINISTRATIVE INQUIRY

Reference is made to my memorandum dated December 12, 1952, which enclosed a memorandum dated December 11, 1952, setting forth the various questions pending your consideration in connection with the three captioned investigations, and the collateral allegations developed in the course of these investigations.

The questions presented in referenced memorandum of December 11, 1952, were briefly as follows:

1. Peyton Ford, et al;
FRAUD AGAINST THE GOVERNMENT;
ADMINISTRATIVE INQUIRY
(Formerly Misconduct in Office)

This investigation involves allegations that the Ford, Bergson, et al law firm may have obtained clients prior to the time that its principals left the Department of Justice. The basic allegations were furnished by the Chief Committee and the Assistant Attorney General was advised of these allegations by memorandum dated July 8, 1952. Bureau memorandum dated November 11, 1952, to the Attorney General and former Assistant Attorney General Charles B. Murray advised of the completion of all investigation requested by the Department.

The questions regarding possible additional investigation which have been called to your attention for advice are whether the principals of this investigation should be interviewed and whether any additional information is desired.
2. Tom C. Clark, Herbert Bergson;  
Administrative Inquiry  
(Formerly Misconduct in Office)

This investigation concerned allegations in connection with two antitrust matters. In the first, it was alleged the Liquor Industry was not subject to Antitrust Laws as a result of heavy political contributions. In the second, it was alleged that a consent decree against the Schine Theatre Circuit was considerably less severe than a Supreme Court decision permitted and that contempt charges were not filed against the defendants despite evidence of contempt.

By memorandum dated November 26, 1952, it was pointed out to the Attorney General and former Assistant Attorney General Murray that Chalmers Hamill of the Antitrust Division had not been interviewed because he was confined to a hospital. The Criminal Division's advice was sought as to whether it was desired that the principals be interviewed, whether the Democratic National Committee should be questioned regarding campaign contributions by the Liquor Industry, whether further efforts should be made to interview Mr. Hamill and whether additional investigation was desired.

In connection with the Schine matter, our memorandum of November 26, 1952, captioned as above, pointed out that certain interviews had not been conducted. The Criminal Division's advice was sought as to whether the principals should be interviewed, whether efforts should be made to have Mr. Charles Terrel and Mr. W. Wallace Kirkpatrick, former Department attorneys, now on assignment in foreign countries, interviewed, whether counsel for Schine should be interviewed in view of the pending Antitrust matter, whether Federal Judge John Knight, before whom the consent decree was filed, should be interviewed, whether Federal Judge Irving Kaufman, former counsel for Schine, should be interviewed and whether further investigation was desired in this matter.
Assistant Attorney General
Warren Olney III

3. Peyton Ford, Edward Armstrong Towse;
   Administrative Inquiry (Formerly
   Misconduct in Office)

   In this matter, it was alleged that Judge Towse received
an appointment as Chief Justice of the Supreme Court, Territory
of Hawaii, by paying Peyton Ford. The Bureau, by memorandum
dated November 5, 1952, to the Attorney General with copies for
former Assistant Attorney General Charles B. Murray, pointed out
the extent of the investigation that had been conducted and sought
the advice of the Criminal Division on three questions. Advice
was sought as to whether the principals should be interviewed,
whether investigation was desired concerning the political
backing of Towse and whether it was desired that efforts be
made to locate and examine the bank accounts of Peyton Ford.

   The Bureau, by memorandum dated December 4, 1952, to
the Attorney General and Mr. Murray, had pointed out the extent
of the investigation and the pending questions and advised that
the matter was being closed in the Bureau subject to being reopened
at the request of the Criminal Division for further specific
investigation.

4. Collateral Allegations developed during

   By memoranda dated February 16, 1953, the Criminal
Division requested investigation in six collateral matters and
advised that no investigation was necessary in the remaining
eight collateral matters. The matters investigated are set
forth below under individual captions and the date of our
memorandum advising the requested investigation had been
completed is noted.

   a. Miss LUCY W. LONERGAN, Secretary Office of
      Congressman WAYNE L. HAYS of Ohio
      Misconduct in Office-Miscellaneous
      Memorandum dated March 11, 1953.

   b. PITNEY-BOWES, INC.
      Miscellaneous-Information Concerning
      Memorandum dated March 13, 1953.
Assistant Attorney General
Warren Olney III

c. ANTOINE GAZDA
OERLIKON MACHINE WORKS
Miscellaneous-Information Concerning
Memorandum dated March 23, 1953.
d. SAMUEL KAUFMAN, Federal Judge
Southern District of New York
Miscellaneous-Information Concerning
Memorandum dated March 11, 1953.
e. INTERLOCKING DIRECTORATES CASE
SEARS ROEBUCK COMPANY
SIDNEY J. WEINBERG
Miscellaneous-Information Concerning
Memorandum dated March 13, 1953.
f. MILK CASE IN CINCINNATI
Miscellaneous-Information Concerning
Memorandum dated April 13, 1953.

Our memorandum of December 12, 1952, sets forth a brief statement concerning the nature of each of the collateral matters.

* * * * *

Inasmuch as no request for further investigation has been requested in connection with the matters set forth above, the first, Peyton Ford, et al and the second, Tom C. Clark, Herbert Bergson matter, are being closed in the Bureau's files as was the Peyton Ford, Edward Armstrong Towse matter. The collateral matters are also being closed in the Bureau. However, these matters are subject to being reopened immediately upon the receipt of advice from you that further specific investigation is desired.
TO: Mr. Ladd
FROM: Mr. Rosen
SUBJECT: REQUEST OF HEARING COMMITTEE REGARDING TOM C. CLARK, FORMER ATTORNEY GENERAL

SYNOPSIS:

By memorandum dated May 27, 1953, Deputy Attorney General William P. Rogers requested advice as to whether the FBI has ever furnished the Department with any information relative to five allegations concerning Clark furnished by Congressman Keating that Clark was in disrepute in Texas for dealings in hot oil cases, received payoffs to influence prosecutions, passed "back" checks, had questionable associates and visited Benny Binion in Las Vegas and Willie Heeney in Florida.

The numerous references have been reviewed and results thereof are being furnished to Rogers. In addition to reports and memoranda mentioned in Rogers' memorandum, the file check located two memoranda and two investigative reports which appear pertinent to Rogers request. The two memoranda dated February 7, 1947, and August 3, 1949, to the Attorney General appear to concern the allegation that Clark was in disrepute in Texas by virtue of dealings in hot oil cases. In March, 1948, confidential informant Moe Sedway advised Tom Clark visited the home of Benny Binion in Las Vegas. No investigation conducted and information not furnished Department at that time. The two investigative reports, both dated June 3, 1953, concern the Bureau's investigation of allegation that Clark visited Willie Heeney in Florida. The investigation to date has failed to either prove or disprove this allegation. Additional leads are being expeditiously covered to run out this allegation. These reports have been furnished to Olney in connection with the investigation captioned "Louis Campagna, was., et al, Bribery; Parole Matter; Falsely Claiming Citizenship; Perjury."

RECOMMENDATION:

There is attached a memorandum dated June 18, 1953, to Deputy Attorney General Rogers advising the results of our file check and advising Rogers of information alleging Clark visited Benny Binion in March, 1948.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

Attachment
DATE 6/18/53 BY 8-8 RCD

INITIALS ON ORIGINAL
DETAILS:

By memorandum dated May 27, 1953, Deputy Attorney General Rogers requested in connection with a request of the Keating Committee advice as to whether the FBI has ever furnished the Department with any information relative to the following allegations concerning Tom C. Clark, which are set out verbatim as furnished by Congressmen Keating, and set forth in Rogers' memorandum.

"1. Allegations indicate Clark in disrepute in Texas by virtue of dealings in hot oil cases.

2. Alleged he received pay-offs from oil companies to persuade his partner, Bill McGraw, not to prosecute when McGraw State Attorney General.

3. Alleged Clark passed back checks.

4. Alleged Clark known to have had questionable associates.

5. Alleged Clark, while Attorney General, associated with notorious Benny Benion in Las Vegas, Nevada, and 'Willie Mooney in Florida.'"

Mr. Rogers advised the only information from the FBI in Mr. Clark's personnel file which appears relative to the above allegations is that furnished by the Bureau as a result of the pre-employment investigation of Mr. Clark. This information relates only to allegations 1 and 2 and is found in the copies of the newspaper items which were transmitted with our memoranda of December 9, 1936, and December 21, 1936, and in FBI reports dated 12-10-36 by T.E. Rowe at San Antonio, Texas, 12-21-36 by J.O. Jenkins at Dallas, Texas, and 11-27-36 by H.T. Arterberry at Dallas Texas. *

Rogers noted that there was a memorandum from the Bureau dated August 6, 1941, to the Assistant to the Attorney General, enclosing two copies of an anonymous communication, addressed to Mr. Stephen J. Farly, relative to Mr. Clark, but there was no indication whether the writer of the anonymous communication was referring to a matter which was related to any of the above allegations.

By memorandum dated June 3, 1953, Mr. Rogers was advised the appropriate review of the numerous references in our files was being immediately conducted and he would be advised of the results thereof as soon as possible.

( * 1936 investigation of Clark entirely favorable with exception of allegation of lobbying activities in Texas. 77-8766)
RESULTS OF FILE CHECK:

The numerous references have been checked and the information appearing to be pertinent to Rogers' request is set out below in relation to the five quoted allegations.

ALLEGATION 1 AND 2

1. Allegations indicate Clark is disreputable in Texas by virtue of dealings in hot oil cases.

2. Alleged he received pay-offs from oil companies to persuade his partner, Bill McGraw, not to prosecute when McGraw State Attorney General.

Rogers referred to our memorandum to the Assistant to the Attorney General dated August 6, 1949, enclosing two copies of an anonymous communication addressed to Mr. Stephen J. Farly relative to Mr. Clark and point out there is no indication whether the writer of the anonymous communication was referring to a matter related to any of the cited allegations. There is no information in our files to further identify this matter with any of the cited allegations. However, it is noted the anonymous communication is captioned "In Re: Texas Hot Oil" and alleged Clark was receiving money from a number of people in Texas for guaranteeing protection from Federal interference.

The following two memoranda refer generally to allegations 1 and 2 and Mr. Rogers is being advised inasmuch as these are not mentioned in his memorandum:

(1) By memorandum to the Attorney General dated February 7, 1947, captioned "Unknown Subject, George W. Wilburne - Victim, Extortion" additional information which appears applicable to allegations 1 and 2 was furnished to the Department. The information refers to Clark as "Hot Oil Tcm" and alludes to Clark's association with "Hon. Bill McGraw."

(2) By confidential memorandum dated August 3, 1949, to the Attorney General captioned "Domestic Administrative Issues, Internal Security - C," information concerning inquiries being made by the Communist Party into the Texas Senate Investigating Committee, which in 1937 investigated Clark's law partner, was furnished to the Department and enclosed a Photostat of a news article from the "Daily Worker" of August 3, 1949, captioned "Witchhunter Clark was Stood for Oil Firms." The article points out that Clark was a $12,000 a year representative of the oil interests in Texas.

ALLEGATIONS 3 AND 4

3. Alleged Clark passed back checks.

4. Alleged Clark known to have had questionable associates.
Bureau files do not reflect any information concerning above allegations.

**ALLEGATION 5**

5. Alleged Clark, while Attorney General, associated with notorious Penny Binion in Las Vegas, Nevada, and Willie Heeney in Florida.

In connection with the allegation that Clark visited Penny Binion in Las Vegas, Nevada, we received information to this effect. Salt Lake City by memorandum dated March 16, 1948, marked Personal and Confidential, set forth information furnished by Confidential Informant that between 12:01 a.m. and 5:00 a.m. on March 9, 1948, Attorney General Clark visited the home of Benny Binion in Las Vegas. Binion was described as the former Dallas, Texas, hoodlum who then owned the Las Vegas Club in Las Vegas. There is no indication this information was furnished to the Department at that time. Mr. Rogers is being furnished this information with the advice that no investigation was conducted inasmuch as no violation was alleged.

In connection with the allegation that Clark, while Attorney General, associated with Willie Heeney in Florida, the Bureau is presently conducting an investigation into allegations that Clark visited Heeney in Florida. This investigation is captioned "Louis Cernahan, et al., Bribery, Parole Matter, Falsely Claiming Citizenship, Perjury," and copies of reports in this matter have been furnished to the Department. Concerning Clark's alleged visit with Heeney in Florida, the reports of Special Agents John R. Phillips dated June 3, 1953, Chicago, Illinois, and Charles J. Mathews dated June 3, 1953, have been furnished to Assistant Attorney General O'Ney. The investigation to date has failed to either prove or disprove this allegation. Additional leads are being expeditiously covered to run out this allegation.
TO: Mr. Tolson
FROM: L.F. Nichols

S U B J E C T:

Mr. Boren of the Department stopped by my office advising
Mr. McGuire today that Mr. Rogers had sent a memorandum to the Director
on May 27, 1953, regarding certain question the Keating Committee pro-
posed in regard to former Attorney General Tom C. Clark, and that the
Director, under date of June 3, 1953, replied to Mr. Rogers to the
effect that a review was being made of the material in the Bureau and
that the results would be transmitted to Rogers as soon as possible.
Boren advised that Bob Collier, Counsel for the Keating Committee,
would be in the Department this afternoon and Mr. Rogers had inquired
as to whether we had any idea when the review might be completed.

Mr. McGuire checked with Mr. Melley in the Investigative
Division who stated the review had been completed and was in the typing
process this afternoon and was being sent through for approval late
this afternoon. Accordingly, Boren was informed that the Bureau re-
view was in the finishing stages and would probably be over to Mr.
Rogers in the next day or so.

Boren stated this was fine as they did not know whether to
tell Collier it would be another week or ten days, but they would,
respectively, tell Collier they will have the answers the Keating
Committee requested within the next few days.

cc: Mr. Ladd
Mr. Rosen

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/6/53 BY Semi-Comp
INITIALS ON ORIGINAL

56 JUL 7 1953
June 13, 1953

Mr. J. Willard Hays
Deputy Attorney General
Director, FBI

Reference is made to your memorandum of May 27, 1953, advising that in connection with a request of the Keating Committee you desire to know whether the FBI has ever furnished the Department with any information relative to five allegations concerning Tom C. Clark which were set out verbatim as furnished by Congression Keating. A check of our files for the five matters outlined in your memorandum has been completed and the results thereof are being set out below in relation to each of the five allegations.

 Allegations 1 and 2

"1. Allegations indicate Clark in disrepute in Texas by virtue of dealings in not oil cases."

"2. Alleged he received pay-offs from oil companies to persuade his partner, Bill McGraw, not to prosecute when McGraw State Attorney General."

You refer to my memorandum to the Assistant to the Attorney General dated August 6, 1941, enclosing two copies of an anonymous communication addressed to Mr. Stephen J. Farley, relative to Mr. Clark and point out there is no indication whether the writer of the anonymous communication was referring to a matter related to any of the cited allegations. There is no information in our files to further identify this matter with any of the cited allegations. (62-90723)

In addition to the memorandum of August 6, 1941, the following two communications to the Attorney General appear to concern the above allegations:

(1) Memorandum to the Attorney General dated February 7, 1947, captioned "Unknown Subject, Gage, J. Willbanks - Victim, Extortion." (62-97557)


[Signature]

INITIALS ON ORIGINAL
Mr. William H. Murray
Secretary Attorney General

ALL CASIES 3 AND 4

"3. Alleged Clark passed back checks.

"4. Alleged Clark known to have had questionable associates."

Bureau files do not contain any information concerning the above allegations.

ALLIATION 5

"5. Alleged Clark, while Attorney General, associated with notorious Benny Binion in Las Vegas, Nevada, and Willie Keeney in Florida."

In connection with the allegation that Clark, while Attorney General, associated with Willie Keeney in Florida, the Bureau is presently conducting an investigation into allegations that Clark visited Keeney in Florida. This investigation is captioned "Louis Campagna, et al., Bribery, False Claiming Citizenship, Forjury," and copies of reports in this matter have been furnished to the Department. Concerning Clark’s alleged visit with Keeney in Florida, the reports of Special Agents John R. Phillips dated June 2, 1953, Chicago, Illinois, and Charles J. Lutes, dated June 3, 1953, Miami, Florida, have been furnished to Assistant Attorney General Olney. The investigation to date has developed no information to prove or disprove this allegation. The remaining investigation concerning this allegation is being expeditiously handled and the results thereof will be forwarded to Mr. Olney. It is further noted that in the investigation concerning Louis Campagna, et al., referred to above, Tom C. Clark’s name has been mentioned. However, none of the information or allegations, with the exception of that concerning Willie Keeney, appear to have any relation to the allegations cited by Representative Keating. As noted above, copies of reports in the Campagna matter have been furnished to the Department.

There is no record of the Bureau having specifically furnished any information alleging that Clark, while Attorney General, associated with Benny Binion in Las Vegas, Nevada. However, in March of 1948, a confidential informant of known reliability advised that on March 9, 1948, between the hours of 12:01 a.m. and 5:30 a.m., Tom Clark visited the home of Benny

- 2 -
Mr. William W. Grooms
Chief District Attorney

Ginza in Las Vegas. This information was not furnished to the Department and no investigation was conducted by this Bureau in such as no violation was alleged.

In the absence of further instructions from you, it is not contemplated that any additional action will be taken by the Bureau in this matter.
Director, FBI

June 18, 1953

SIC, FPO (62-7101)

KEATING COMMITTEE

On this date, Special Agent J. MADE BROMWELL, who is on loan to the Keating Committee, made available the following enclosures, which are being furnished the Bureau herewith:

1. Copy of letter from Chairman KEATING to Justice TOM C. CLARK, inviting him to testify before the Committee

2. Copy of letter dated June 17, 1953, from Justice TOM C. CLARK to Chairman KEATING

3. Attachment accompanying letter of Justice CLARK of June 17, 1953

4. Copy of press release issued by the Committee on the Judiciary, Subcommittee to Investigate the Department of Justice, released at 6:30 P.M., June 17, 1953.

Enclosures (4)
June 17, 1953

MEMORANDUM FOR MR. TOLSON
MR. LADD
MR. BELMONT
MR. NICHOLS

I called the Attorney General to let him know that former Attorney General Clark has refused to appear before the Committee. He was most appreciative of receiving this information.

Very truly yours,

John Edgar Hoover
Director

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 7/1/53 BY SCRIBAL
Office Memorandum • UNITED STATES GOVERNMENT

TO: Mr. Ladd
FROM: Mr. Rosen

SUBJECT: CONVERSATION WITH MR. OLNEY TODAY

DATE: February 6, 1953

This morning during my conversation with Assistant Attorney General Olney he asked whether there was anything else that need be done in connection with the investigation concerning Tom Clark. I advised him that we had sent numerous memoranda to the Department and had been following Charles Murray on this matter regularly, and personnel in his office who were assisting Murray.

I advised him that I would check into the matter immediately and let him know what to do in order that he could follow his people on the matter.

I have a copy of a memorandum that was sent to Murray under date of December 12, 1952, which attaches a memorandum setting forth the various questions now awaiting consideration. This memorandum is dated December 11, 1952, and three copies were handed to Mr. A. F. Oehmann, who was then in Mr. Murray's Office.

In the light of the above it is recommended that I advise Mr. Olney of the existence of this memorandum so that he can immediately follow Oehmann, or whoever is presently handling the case in the Department.

Attached hereto is a tickler of the memorandum to which I have referred.

The memorandum of reference indicated herein relates to the investigation which was conducted concerning Peyton Ford, Tom Clark, Edward Towse, and matters arising out of the Chelf Committee hearings.

Olney also mentioned that there had been an allegation that Tom Clark had gotten about $250,000 for handling the parole of some persons out in Chicago. He wondered whether Tom Clark had been talked to on this matter. I advised him that Tom Clark had been interviewed and had denied this; that the interview had been completed and the results thereof had been transmitted to the Department.
Memorandum for Mr. Ladd

He stated that he knew our investigation was continuing with reference to the parolees but he was particularly concerned about Tom Clark.

(Tom Clark was interviewed by SAC Hood and denied that he received any funds in connection with any of the paroles.)
OCTOBER 6, 1954

SAC, WASHINGTON FIELD (62-7197) (RCS)

THOMAS G. CLARK, LT 'L, M1 CONDUCT IN OFFICE. RECOMMEND 9/29/54.

CAPTIONED MATTER MAY BE CLOSED IN YOUR OFFICE, SUBJECT TO BEING
REOPENED IN THE EVENT FURTHER INVESTIGATION IS REQUESTED BY THE
DEPARTMENT.

HOOPER

RECORDED 9

62-97557 - 85

ECW:dem

EX. - 107

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 7/1/82 BY 56-82-019

Tolson
Boardman
Nichols
Belmont
Glavin
Harbo
Rosen
Tamm
Tracy
Mohr
Winterrowd
Tele. Room
Holloman
Miss Gandy

COMM = FBI
OCT 6 1954
MAILED 30
This case has been carried in a pending inactive status in accord with Bureau instructions contained in Bulletin January 6, 1953.

Bureau authority to close this case, subject to being reopened in the event additional investigation should become necessary, is respectfully requested.

All information contained herein is unclassified.
TO: DIRECTOR, FBI (62-97557)

FROM: SAC, WFO (62-7197)

SUBJECT: THOMAS C. CLARK
HERBERT A. BERGSON
MISCONDUCT IN OFFICE

Re: Buairtel 10/6/54.

The Bureau is requested to advise WFO if the bulky exhibits presently being maintained may be destroyed or otherwise disposed of.

These exhibits are Photostats of documents as listed on pages 164 thru 167 of report of SA EDWARD J. HAYES, dated 10/3/52, at Washington, D. C.

EJA: dct
(3)

RECORDED - 88

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED
DATE 2/1/55 BY 885 845/04

8 SEP 20 1955

3/13/55
SIGNED WFO
SAC, Washington Field (62-7197)  

RECORDED-37  
Director, FBI (62-97557)  

THOMAS CLARK;  
HERBERT A. BERGSON  
MISCOURT IN OFFICE  

Reurmemo 9/16/55.  

A copy of the enclosures forwarded to the  
Bureau with the report of SA Edward J. Hayes, dated  
10/3/52, at Washington, D. C., are being retained by  
the Bureau. Accordingly, it will not be necessary  
for your office to retain Photostats of the exhibits.  

RGK: dls  
(4)  

Tolson  
Boardman  
Nichols  
Belmont  
Harbo  
Mohr  
Parsons  
Rosen  
Tamm  
Sizoo  
Winterrowd  
Tele. Room  
Holloman  
Gandy  

ALL INFORMATION CONTAINED  
HEREIN IS UNCLASSIFIED  
DATE 9-1-83 BY 88-8885K.20
CHANGED TO

62-72944-398X, 440X, 449X

JUN 5-1970

MIT

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED

DATE 7/11/73 BY SE-880471V
Memorandum

TO: Mr. Geyer

FROM: [Blank]

DATE: 7-31-69

SUBJECT: THOMAS C. CLARK; ET AL. MISCONDUCT IN OFFICE

Bulky Exhibit File Number: 62-97557-55

We are in the process of reviewing all bulky exhibits in order that we may dispose of those which serve no further purpose. Inasmuch as many of the bulky exhibits pertain to inactive cases and are occupying badly needed space, it is requested that the appropriate substantive supervisor review the above-listed bulky exhibit and render a decision as to its retention or disposition. A notation as to the decision reached may be placed on this memorandum. The memorandum should be returned to the Filing Unit of the Records Branch, Room 1116, Identification Building, for filing in the case file.

RECOMMENDATION:

That captioned bulky exhibit be reviewed and a decision rendered as to the retention or disposition of the material.

OTB: [Blank]

☐ Retain  ☑ Destroy  ☐ Other Disposition

Reason for Decision: Exhibit consists of Photostats of Documents from Antitrust Division. P.L. sent to Department with copy request. Statute of Limitation ran on all allegations. Case closed January 54

Signature of Reviewing Supervisor: [Blank]

[Handwritten note: Destroyed 8/18/69]

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED

DATE 7/8/69 BY 8-8 10-50

7/8 AUG 8 1969

188 AUG 8 1969

NOT RECORDED
Office Memorandum - UNITED STATES GOVERNMENT

FROM: David L. Bazelon, Assistant Attorney General
TO: Mr. J. Edgar Hoover, Director
Attention: Mr. J. Edgar Hoover

SUBJECT: George J. Kormela v. Tom J. Clark, Attorney General, as successor to the Alien Property Custodian, the United States (Request No. 6)

DATE: August 22, 1945

This investigation is being requested for the purpose of ascertaining facts upon which the defense of this action may be predicated.

This suit was filed in the Southern Division of the United States Court for the Northern District of California on April 23, 1945. The plaintiff alleges that he is a native born citizen of the United States and that he is not an enemy or an ally of an enemy, and that the suit is brought under the provisions of Section 5(b) of the Trading with the Enemy Act, as amended. He alleges that on July 27, 1941, he became the owner of the said business conducted by him under the fictitious name and style of Hollister Seed Company. The assets of the business consisted of (1) personal property of the value of $5,000; (2) goodwill of the value of $1,000; and (3) four bank accounts in the Bank of America designated as follows: (a) a commercial account of $1,235.49; (b) a savings account, No. 4150, of $16,505.11; (c) a savings account, No. 4934, of $3,036.42; and (d) another commercial account in the amount of $58,90.

The Alien Property Custodian vested this business by issuing Vesting Order No. 4979, dated February 10, 1944, and recorded in 9 Federal Register 6262 on June 9, 1944. The Vesting Order was predicated upon the claim and finding by the Custodian that the seized property was owned by Joe G. Yamanaka, a national of Japan. The plaintiff, on the other hand, alleges that he purchased the seized property from his father, Joe G. Yamanaka, on July 25, 1941.

The defendants in their answer set up three special defenses:

1. The plaintiff failed to state a claim against the defendants upon which relief may be granted.

2. (a) The purported transfer from Joe G. Yamanaka on July 25, 1941, to the plaintiff was to "deceit and conceal" the fact that Joe G. Yamanaka was one of the beneficial owners of the Hollister Seed Company and its assets. (b) The purported transfer of title was effected by the plaintiff and others in a conspiracy to defraud the United States by concealing the true beneficial ownership of the Hollister Seed Company and its assets and thereby prevent seizure in the event of war, in furtherance of the alleged transfer.

3. [Additional defenses not fully legible in the image]
was a "claim" in, did not transfer ownership of the Hollister Seed Company and its assets to the plaintiff. (c) Between July 25, 1941, when title to the Hollister Seed Company and its assets were allegedly transferred to the plaintiff, and February 16, 1944, when the property was vested by the Act, the real and beneficial ownership of Hollister Seed Company and its assets continued to be in Joe G. Yamana, a national of a designated enemy country (Japan) within the purview of the Trading with the Enemy Act, as amended, and Executive Order No. 9066, as amended. (d) The sums at all times deposited in savings account No. 4934 and the commercial accounts opened by the plaintiff in his own name in the Bank of America, Hollister Branch on January 17, 1942 and April 25, 1944, respectively, represented sums belonging to the Hollister Seed Company and have constituted part of its assets.

3. At all times since the purported transfer of title to Hollister Seed Company and its assets to the plaintiff on July 25, 1941, the plaintiff, with respect to this business and its assets, including the sums at all times deposited in the savings and commercial accounts opened by the plaintiff in his own name, has been controlled by or acting for or in behalf of and has been a cloak for Joe G. Yamana, a citizen and subject of Japan residing within that country since before December 5, 1941. The plaintiff is therefore a national of a foreign and of a designated enemy country (Japan) within the meaning of the Trading with the Enemy Act, as amended, Executive Order No. 839, as amended, and Executive Order No. 9066, as amended, and has no standing to institute or maintain this action and fails to state a claim upon which relief may be granted.

Statement of Facts

The plaintiff, George G. Yamana, is a citizen of the United States and of the State of California and was born on October 5, 1922 in Hollister, San Benito County, California. He lived in Japan from 1934 to January 31, 1935, and from September 10, 1936 to June 12, 1941. His father, Joe G. Yamana, his mother, Hikuyo, two sisters, Haru and Flora, and his brother, Thomas (two of them having been born in Hollister, California) are all residents of Hiroshima, Japan. Joe G. Yamana was born in Hiroshima, Japan, on October 20, 1889, and entered the United States through the port of San Francisco July 19, 1905. He worked at farming and eventually established the business of growing and selling vegetable seeds at Hollister, California. On December 11, 1935, he filed a certificate with the Clerk of San Benito County stating that he was doing business under the firm name and style of Hollister Seed Company. During the period 1934 to 1941 Joe G. Yamana lived in Japan 51 out of 83 months and has been a resident of Japan from August 3, 1941, to date. Upon his return to the United States on June 12, 1941,
he was accompanied by the plaintiff, who was then fifteen years of age.

Five weeks later on July 19, 1941, Joe G. Yamana filed an application for reentry permit. In this application he stated in answer to questions in the application for reentry permit that he was a Sears Roebuck and Co. merchant with a place of business at Hollister, California, and that he was employed by himself. He also stated that his reason for going abroad was to "see my ill wife, business" and that he "would like to receive the permit as soon as possible. If my wife becomes too ill, I wish to sail on the vessel leaving August 8". He was granted reentry permit No. 1356160 on July 24, 1941. According to the regulations of the Immigration Department the applicant was required to call for it in person at 107 Customs House, San Francisco, California.

On July 25, 1941, the plaintiff and Joe G. Yamana went to the office of Seki Kido, an attorney, 1123 Webster Street, San Francisco. A bill of sale was prepared which recites that Joe G. Yamana sold to George J. Yamana (the plaintiff) the business conducted under the name of Hollister Seed Company, together with all of the furniture, fixtures, stock, etc., or the sum of $10,000, the receipt of which was acknowledged in the bill of sale. In a declaration dated January 2, 1942, filed with the Federal Reserve Bank, San Francisco, by the plaintiff contains the following statement: "Plaintiff feels that it was a gift from his father to him as he only paid $10,000 for said business." However, Helen Katsumura, the sister of the plaintiff, in connection with an investigation of the occupation of land by Japanese was asked "Did your father turn the business over to you only or did you do any work for said business?" to which she answered "We had a bill of sale. It was more of a gift as there was no consideration given." She also stated: "In July of 1941, my father turned over the Hollister firm to my brother George J. Yamana, and he left for Japan on August 3, 1941."

On the same date, July 25, 1941, the plaintiff and his father, Joe G. Yamana, called at the bank of America, Hollister Branch, and advised Harry Kobayashi, Chief Clerk, that he was transferring part of his account and the business of the Hollister Seed Company to his son. The account was carried in the name of Joe G. Yamana as sole owner, but authorization to sign checks was extended to his daughter, Helen Yamana (Katsumura). Joe G. Yamana made a check payable to the plaintiff in the amount of $3,300, which immediately opened a new commercial account in the name of the Hollister Seed Company. Joe G. Yamana, L. K. Yamana and the plaintiff were authorized to make withdrawals and to sign checks. In other words, after the change was made only difference in the account was that it now purported to be owned by the plaintiff, although his father and sister could still utilize funds.

There were three motor vehicles registered in the name of Joe G. Yamana, and he signed the pink title slips which would permit the transfer of ownership of these vehicles to the plaintiff. The
bill of sale was not recorded, but there was published in the Free
Lance, a newspaper of general circulation published in Hollister,
California, a certificate in which the plaintiff stated that he was
the owner of the seed business and would continue to do business under
the firm name and style of Hollister Seed Company. Joe G. Yamazaki
sailed for Japan on August 29, 1941. There was no change in the opera-
tion of the business. It was operated after July 25, 1941 as before
by the son-in-law, Main F. Matsura and Est. Matsura, the daughter
of Joe G. Yamazaki. The plaintiff, in the meantime, continued his
studies at the Hollister High School.

The Bank of America, Hollister, California, filed a report form
TM-300, series 2, with the Federal Reserve Bank at San Francisco on
December 26, 1941, in which it reported the account of the plaintiff
doing business as Hollister Seed Company, and under part D1 appears
the following: "See publication of ownership attached (Free Lance,
Hollister, California, July 26, 1941) also copy of signature card placed
in our files at opening of present acct. on 7/25/41. Geo. J. Yamazaki
and Est. Matsura arc brother and sister and U.S. citizens. Joe G.
Yamazaki is father and left for Japan about 7/25/41. Instead of daugh-
ter and manager of the Co. was picked up on Dec. 14/41 by F.B.I. but re-
leased 12/10/41. His name is Main Takei Matsura." Paragraph 2 under
part D directed the bank to describe any adverse or other claims, etc.
Under this heading the bank wrote "Please refer to letter sent J. H.
Callarte, Int. Clerk, International Banking Dept., Bank of America,
1755, Reed Offices, San Francisco, Calif. dated Dec. 12, 1941, a copy
of which he was requested to turn over to your office." A telegram
from the San Francisco office of the Alien Property Custodian to the
Custodian dated Dec. 25, 1945 reads as follows:

"* * * We are advised by Mr. Sherman of Foreign Funds that
the subject accounts of Hollister Seed Co. were not blocked
pursuant to specific instruction of Department but that
bank originated blocking action for the reason that Joe G.
Yamazaki had authority to draw on such accounts and on the
theory that Joe G. Yamazaki had an interest in such accounts
and was subject to blocking under Executive Order No. 9069.
Apparently because of such blocking, applications were made
for Treasury operating licenses which were granted."

After the funds were blocked it was necessary to secure licenses
to operate the business. Sixteen applications were filed. The appli-
cant was described as George J. Yamazaki, doing business as Hollister
Seed Company, but the signature of the application read Hollister Seed
Company by George J. Yamazaki. The first three applications are the
most significant. The application read "(3) The applicant is and has
been a citizen of" and "(4) The nationality of the applicant is". In
every application the answer to (3) is "Hollister, California". The
answer to number (4) is not uniform. In application of 1944, dated
December 31, 1941, the answer to (4) is "Japanese". Application of 17222,
dated January 5, 1942, the answer to (4) is "Japanese (American Citizen)".
In application of 17223, dated January 8, 1942, the answer to (4) is
"Japanese (American Citizen)". In the next four applications the answer to (a) is "American Citizen (Japanese ancestry)", followed by the next application in which the answer to (a) is "U.S. Citizen) Japanese descent", followed by seven applications in which (a) is answered "American Citizen (Japanese ancestry)" and finally an application for a personal license by George J. Yamane, in which the answer to (a) is "American Citizen (Japanese ancestry)". The business was operated under these licenses until May 21, 1942 and was vested by the Alien Property Custodian on February 16, 1944.

The following facts of a general nature throw some light on the transfer from Joe G. Yamane to the plaintiff: an income tax return was filed on behalf of Joe G. Yamane, doing business as the Hollister Seed Company, for the period January 1, 1941 to July 25, 1941. George J. Yamane, doing business as the Hollister Seed Company, filed an income tax return for the period July 26, 1941 to December 31, 1941. Although the plaintiff reported net income for the period of $2,257.21, Joe G. Yamane took a deduction of $23.31 for the plaintiff as a dependent.

One explanation that the plaintiff gave for the transfer of the business to him is contained in an affidavit which he filed with the custodian in December 1944, reading as follows:

"It was understood at that time [apparently when his father returned to Japan in 1936 to take up residence with his family] that as soon as I, George J. Yamane, was able my father Joe G. Yamane would give me the Hollister Seed Company and all its assets. My father was sick and diabetes and intended to return to Japan."

Despite the alleged sale on July 25, 1941, the three motor vehicles were registered for the year 1942 in the name of Joe G. Yamane. Since George J. Yamane was unable to secure insurance he applied for a Treasury license and subsequently transferred title from Joe G. Yamane to himself. On February 4, 1942, John I. Lewis, Esquire, the district attorney of San Bunto County, and apparently the attorney for the plaintiff, wrote a letter to the Federal Reserve Bank at San Francisco, California, as follows:

"Do you feel that we should make a return on the gift tax and pay our tax, or do you feel that it is a subterfuge. The boy is only holding it as a trustee, and do you further feel that the boy will be entitled to continue doing business under the temporary license."

Subsequently, he was asked to make an explanation of this statement, and Mr. Lewis said that he was asking a question and not making a statement, and that it was apparent to him that the misinterpretation came from improper punctuation and that there should have been no period after the word "subterfuge" and that it should have been followed by the word "and". He also stated that he probably was not counsel for the plaintiff when he wrote this letter. The books of the plaintiff's court payments to him of $25.50 on December 31, 1941, $2.50 January 2, 1942, and $2.00 on
April 3, 1942. The Federal Reserve Bank endorsed this letter on February 5, 1942, and is quoted in part as follows:

"It would appear that in the summer of 1941, Yamanaka transferred the title of his business interest in the Hollister Seed Company to George Yamanaka last July or August, such transfer would have been permissible at that time under General License No. 66, provided however that the latter was qualified as a generally licensed national under General License No. 66. Any further transaction with respect to this property should be consummated under special licence since the boy George Yamanaka appears to be a minor, am. that being so there still remains an interest in the business for the father."

Returning again to July 25, 1941, the day on which the alleged transfer took place, certain things happened on that day which might have caused the transfer. The San Francisco News is an afternoon newspaper published in San Francisco and available on the news stands in San Francisco at 11:00 a.m., and in the neighboring communities, such as Hollister, at 3:00 P.M. The following headlines appeared in the issue of that day: "JOE G. YAMANAKA, 1106 W. 5TH ST., HOLLISTER, CALIFORNIA, TO BE DISCONNECTED FROM GAS SERVICE: TUESDAY, JULY 25, 1941, HYDE PARK." Then followed the story. The San Francisco Chronicle is a morning newspaper published in San Francisco and is available at the news stands in San Francisco at 6:30 P.M., and in Hollister at 9:00 P.M. on the evening of the day preceding its date. On July 25, 1941, the Chronicle published a story dated July 26, 1941. The story was carried as follows: "JOE G. YAMANAKA, 1106 W. 5TH ST., HOLLISTER, CALIF., JULY 25, 1941," followed by the detailed story announcing the freezing of Japanese assets. It also appears that L. Merrill, Foreign Funds Control had as a result of telephone conversations with Washington arranged for placing supervisors in Japanese banks in San Francisco on July 25, 1941. L. Merrill, of the Office of the Chief of National Bank Examiners, stated that supervisors were placed in Japanese banks about 4:00 P.M. on July 25, 1941. L. Milson, Liquidator of the Yokohama Specie Bank, stated that his records show that supervisors were placed in that bank at 4:00 P.M. on July 25, 1941.

All of this is important in relation to the reasons why Joe G. Yamanaka made the transfer to the plaintiff. The plaintiff has stated in an affidavit that neither he nor his father had any information of the President's contemplated action. As pointed out above, as recently as July 19, 1941, Joe G. Yamanaka had filed an application for a reentry permit which was granted on July 24, 1941, and which he was required to call for in person. If therefore, Joe G. Yamanaka was in San Francisco on July 25, 1941, it is extremely unlikely that he failed to inform either through the newspapers or banking connections that the President was to issue
an executive order that day freezing all Japanese assets in the United States.

An examination of such of the books as have been made available throw very little light on the question of whether the transaction was a

sale or fraud. Although the plaintiff opened a new account in the

same name, Hollister Seed Company, he nevertheless continued to use the

old printed checkbook of Hollister Seed Company. The checks read

"Hollister Seed Company, Joe G. Yamanaka, Prop." The plaintiff by using

a rubber stamp blocked out the name of Joe G. Yamanaka and substituted

his own as proprietor. In one book at the top of a new page is a heading

"1941 Geo. J. Yamanaka." The first entry was July 26, 1941, but the six

was made over into the figure five. There was a deposit in the account

of Hollister Seed Company on July 26, 1941, in the amount of $500.00

which came from Joe G. Yamanaka. There were several entries in the cash

book which indicated that the plaintiff continued to pay the debts of

Joe G. Yamanaka. On October 26, 1941, there is an item of $302.00,

a check to the Bank of America, with a notation (J.Y. followed by Japanese

characters), and another on November 17, 1941, for $176.75, also to the

Bank of America, with an entry "(JJ)". On November 5, 1941, there was a

check drawn on the Bank of America in the sum of $500.00 payable to the

Hollister Seed Company and signed Joe G. Yamanaka by J. Y. Yamanaka and

bearing a rubber stamp endorsement of Hollister Seed Company. The check

was returned to the Hollister Seed Company with the notation "account

Blocked — we charge your account and return your credit". On page 45 of

the book recording collections the collections for July 25 and 26, 1941,

were entered in the book. They were then lined out and again entered on

page 47 under the name of George J. Yamanaka.

Investigation requested

1. Joe G. Yamanaka filed an application for a reentry permit

on July 19, 1941. Permit No. 1356160 was issued on July 21, 1941. The

applicant was required to call for it in person at the office of Immigra-

tion and Naturalization, 107 Customs House, San Francisco, California.

Examine the records of that office to determine the exact time and date

that Joe G. Yamanaka received his permit and whether he was accompanied

by the plaintiff, George J. Yamanaka. Photostat all records which would

place Joe G. Yamanaka in San Francisco on July 25, 1941.

2. Examine the files of the San Francisco News and secure either

an original or a photostat of the issue of July 25, 1941, which appeared

on the streets of San Francisco at 11:00 A.M. on that date carrying the

story that Japanese assets would be frozen. Also secure a statement

from a reliable official as to the time that this particular issue was

sold on the streets of San Francisco in Hollister.

3. Examine the files of the San Francisco Chronicle and secure

either an original or a photostat of the issue dated July 26, 1941,
carrying the story that Japanese assets in America had been frozen and
also secure a statement from a reliable official as to the time that this particular issue was sold on the streets of San Francisco and also in Hollister.

4. Interview Saburo Hido, an attorney, whose last known address was 1623 Nob Hill Street, San Francisco, California. He drafted the bill of sale from Joe G. Yamazaki to George J. Yamazaki and also prepared the certificate that George J. Yamazaki was doing business under the trade name and style of Hollister Joz Company. The statement should cover all the circumstances surrounding the visit of the Yamazakis and the drafting of these documents. Ascertain the exact time and day on July 25, 1941, that the Yamazakis arrived at his office, how long they remained, who was present and the time they left, the substance of their conversations and particularly the reason for the transfer of the business. Determine that discussion, if any, was had of the fact that George J. Yamazaki was a minor 16 years of age and that steps had to be taken in order for him as a minor to operate the business. What was the consideration for the transfer? How much was paid and how was this amount arrived at? Was there any discussion of whether the transfer was a gift and if so whether a gift tax return should be filed? Did he personally witness the signature of Joe G. Yamazaki on the pink transfer slip authorizing the transfer of title to three motor vehicles to George J. Yamazaki? Secure copies of all files, diary notes or any book, also a copy of his bill for services. Ascertain whether Hido or the Yamazakis had any knowledge at that time of the prospective freezing order. Ascertain to what extent the property was to be held for Joe G. Yamazaki and whether the property was to be held under the name and style of the business for his father, Joe G. Yamazaki. Photostats should be obtained of all signature cards of all accounts at the bank from 1935 to date in which Joe G. Yamazaki or George J. Yamazaki had any interest. Photostat a letter dated December 12, 1941, from the Hollister Branch of the Bank of America to J. H. Callarte, Assistant Cashier, International Banking Department, Bank of America. Interview Lt. John Water, Chief Clerk, Bank of America, Hollister Branch, with respect to the conversations had with the Yamazakis on July 25, 1941. It will be necessary to account for the activities of the Yamazakis every hour of the day of July 25 a.m. 26, 1941, so for that purpose great care should be exercised in determining the time and place and termination of all conferences. That reason, if any, was given for the transfer from Joe G. Yamazaki to George J. Yamazaki?
that arrangements were made with the bank for permitting the plaintiff to use the printed checks formerly used by Hollister Seed Company when it was owned by Joe G. Yamnaka? That arrangements were made to pay checks which were outstanding on the account of Joe G. Yamnaka? Were they charged to a balance in the account of Joe G. Yamnaka, or were they charged to the account of Hollister Seed Company, George J. Yamnaka? Secure an explanation of the following transactions:

(a) A deposit in the Hollister Seed Company account on July 26, 1941, by Joe G. Yamnaka.
(b) A payment to the Bank of America on October 29, 1941, for $202.00.
(c) A payment to the Bank of America on October 29, 1941, for $101.00.
(d) A payment to the Bank of America on October 23, 1941, for $200.00.
(e) A deposit in the Bank of America on August 2, 1941, of two coupons - $.70.00.
(f) A deposit in the Bank of America of coupons in the amount of $.70.00 on August 11, 1941.
(g) A payment to the Bank of America on November 17, 1941, of $176.75.
(h) Did the Bank of America refuse a deposit to the plaintiff's account on December 3, 1941, and if so, why?
(i) A charge of $.05 for the return of a check of Joe G. Yamnaka.
(j) A check to the Yokohama Specie Bank, dated August 13, 1941.

Ascertain whether the Yamnakas made any mention of having knowledge of the prospective freezing order at the time the account was transferred. Obtain a photostat of a letter from Joe G. Yamnaka to the Bank of America, dated August 2, 1941, authorizing delivery of 146 shares of Bank of America stock and 760 shares of Transamerica stock. Examine the entire file of the bank with respect to the accounts of Joe G. Yamnaka and George J. Yamnaka and make photostats of all relevant documents.

6. Examine the records of the telephone company for calls from San Francisco to the Yamnakas on July 25, 1941. The telephone numbers of Hollister Seed Company were Hollister 15 7-12 and 15 7-13. Check also the telephone records of Saburo Kido, as no may have telephoned the information about the freezing order to the Yamnakas.

7. Obtain a copy of the record of attendance by George J. Yamnaka at Hollister High School from June, 1941 until the time he was evacuated in 1942.

8. Examine the records of the Free Lance, a newspaper published in Hollister, California, for July 26, 1941. Obtain an original or a
photostat of that issue containing the notice that George J. Yamazaka
was the owner of and doing business under the firm name and style of
Hollister Seed Company. Interview the publisher and determine the
time the notice was delivered to him for publication and any conversa-
tion he had relative thereto with Joe G. Yamazaka or George J. Yamazaka.

9. Examine the records of the Division of Motor Vehicles for
the State of California and obtain certified copies of records of
registration of three motor vehicles (1) a 1939 Ford-6 pickup, (2) a
1940 Chevrolet Six, engine No. 3437664, and (3) a 1938 Chevrolet Six,
engine No. 1496974, which were registered in 1941 and again in 1942 in
the name of Joe G. Yamazaka and transferred later in 1942 to George J.
Yamazaka. Obtain photostats of the pink slips transferring the title,
together with all correspondence relative thereto.

10. According to an affidavit filed by the plaintiff, his
father, Joe G. Yamazaka, was sick with diabetes and that was one of the
reasons he was returning to Japan. Check the local doctors in Hollister
to see if he had ever been treated and also whether any of the people
at the bank knew he was a sick man.

11. Examine the records of Selective Service to determine why
George J. Yamazaka was refused for service. Obtain photostats of any
pertinent documents. It is understood that the plaintiff will testify
that he volunteered for service. Ascertain from the records whether
this statement is true.

12. Interview Miss Kate Dooling at Hollister, California, who
owned the ranch on which the Hollister Seed Company was operated. The
lease originally was from Kate Dooling to the daughter of Joe G.
Yamazaka, whose name was I. H. Yamazaka. Matsumura. Ascertain whether
Kate Dooling transferred the lease to George J. Yamazaka when he became
the owner of the Hollister Seed Company, and that if any conferences
were had with the Yamazakas relative to the transfer of the business
and the reasons therefor.

13. Examine the records of ... J. Holbrook & Company, Hollister,
California. They are the insurance agents for the Hollister Seed Com-
pany. Find out whether the insurable interest in all of their fire,
theft and automobile policies was transferred from Joe G. Yamazaka to
George J. Yamazaka on July 25, 1941, or subsequent to that date.

14. Interview the Clerk of San Diego County, California, who
is located at Hollister, and obtain a certified copy of the certificate
filed by Joe G. Yamazaka on December 11, 1935, that he was doing busi-
ness under the firm name and style of Hollister Seed Company, and also
a certified copy of the certificate filed by George J. Yamazaka on
July 26, 1941, that he was doing business as the Hollister Seed Company.
The Clerk has advised that the certificate of George J. Yamazaka was
filed on July 26, 1941, but she was unable to give the exact time of
filing. Interview her and any others in the office with a view to determining the exact time the certificate was filed, as well as any conferences or correspondence relative thereto. Also obtain a certificate that the records do not contain a copy of the bill of sale dated July 25, 1941 from Joe C. Yamanaka to George J. Yamanaka.

15. Examine the files of the Federal Reserve Bank in San Francisco and obtain photocasts of all correspondence and with the Hollister Seed Company, George J. Yamanaka, or John T. Lewis. Photocasts of a letter from John T. Lewis to the bank, dated February 4, 1942, in which he intimated that the plaintiff was holding the property for his father, and the reply of the bank to Lewis, dated February 5, 1942, should be obtained. Interview the officials of the bank to secure an explanation of why the Bank of America blocked the account of the Hollister Seed Company without being directed to do so.

16. Some time after George J. Yamanaka was evacuated all the books and records, correspondence files, etc., of the Hollister Seed Company were shipped to him. The books of account are in our possession, but the checkbooks, bank statements, correspondence files, etc., from which we may be able to determine whether any change was made in the operation of the business after the alleged transfer, are apparently in possession of George J. Yamanaka. These records should be examined, if possible, to determine that, if any, changes were made in the operation of the business. Does the correspondence to the customers reflect the change in ownership? Were all the invoices and letterheads changed from Joe C. Yamanaka, Proprietor, to George J. Yamanaka, Proprietor? Do all the cancelled checks show that the plaintiff was the new owner?

Conclusion

This case will be on the trial list late in September or early in October and your report will be necessary at that time. Michael L. Looney, Litigation Branch, Justice, Extension 267, is directly responsible for the case. Please reply to the attention of Mr. Henry G. Milken, Chief, Operations Branch.
SAC, San Francisco

September 13, 1947

Director, FBI

GEORGE J. YAMA.NAKA V. TOM C. CLARK
ATTORNEY GENERAL
ALIEN PROPERTY CUSTODIAN MATTER

There is enclosed a copy of a memo received from the Dept. dated 8/29/47, outlining the investigation desired in this case by the Director, Office of Alien Property.

You will note that the case is scheduled for trial in late September or early October 1947, and accordingly it is requested that you make every effort to complete the investigation at an early date.

Enclosure
TO: DIRECTOR, FBI
FROM: SAC, SAN FRANCISCO
SUBJECT: GEORGE J. YAMANAKA v. TOM C. CLARK, ATTORNEY GENERAL
ALIEN PROPERTY CUSTODIAN MATTER

DATE: September 23, 1947

A photostatic copy of a memorandum from the Department to the Bureau requesting certain investigations concerning the above matter is being forwarded to the Salt Lake City Division, with a copy of this letter. On page eight of this request, the Department desired certain information from one SAHURAY KIDO. His last address, according to the files of this office, was 415 Beacon Building, Salt Lake City.

It is requested that Salt Lake City conduct the investigation requested concerning KIDO, and if KIDO is not in Salt Lake, it is desired that if possible, his present whereabouts be determined.

It will be noted that this case is scheduled for trial in late September or early October, and the Bureau has requested that the investigation be expedited.

RIJ/jo
114-2
2 cc Salt Lake (Airmail)(Encl.)
Federal Bureau of Investigation
United States Department of Justice
301 Continental Bank Building
Salt Lake City, Utah
September 29, 1947

Director, FBI

Re: GEORGE J. YAMANAKA vs. TOJ. C. CLARK
ATTORNEY GENERAL
ALIEN PROPERTY CUSTODIAN MATTER

Dear Sir:

For the information of the Los Angeles Office, the San Francisco Office forwarded a letter to Salt Lake City, dated September 23, 1947, as follows:

A photostatic copy of a memorandum from the Department to the Bureau requesting certain investigations concerning the above matter is being forwarded to the Salt Lake City Division, with a copy of this letter. On Page 3 of this request, the Department desired certain information from one SABURA KIDO. His last address, according to the files of this office, was 415 Beacon Building, Salt Lake City.

It is requested that Salt Lake City conduct the investigation requested concerning KIDO, and if KIDO is not in Salt Lake City, it is desired that, if possible, his recent whereabouts be determined.

It will be noted that this case is scheduled for trial in late September or early October, and the Bureau has requested that the investigation be expedited.

SABURA KIDO is now permanently residing in Los Angeles, California, having an office at 257 South Spring Street.

Los Angeles is requested to locate and interview KIDO in accordance with the photostatic copy of a memorandum from the Department, which is enclosed.

In view of the fact that there is no further investigation to be conducted by the Salt Lake City Division, this case is being referred upon completion to the office of origin.

Very truly yours,

Special Agent in Charge

AMSD
cc: Los Angeles (Encd.) (AMSD)
cc: San Francisco
DLL:FS
114-1
TO: Director, FBI
FROM: SAC, San Francisco
SUBJECT: GEORGE J. YAMANAKA v. TOM C. CLARK
ATTORNEY-GENERAL
ALIEN PROPERTY CUSTODIAN MATTER

DATE: October 11, 1947

GEORGE J. YAMANAKA is suing the government for the return of property that was seized by the government during the war. The department contends that the property was transferred to GEORGE J. YAMANAKA from his father, JOE G. YAMANAKA, an alien, so that the property could not be seized.

Certain investigation was requested by the department, including the following: Examine the records of Selective Service to determine why GEORGE J. YAMANAKA was refused for service; obtain photostats of any pertinent documents, it is understood that the plaintiff will testify that he volunteered for service; ascertain from the records whether this statement is true.

YAMANAKA was reportedly interned at the Poston, Arizona, Camp at the time he was required to register for Selective Service.

GEORGE YAMANAKA was born October 9, 1922, at Hollister, California; his father is JOE G. YAMANAKA, and his mother is KIKUYO YAMANAKA.

Phoenix is requested to conduct investigation above outlined.
TO: DIRECTOR, FBI

FROM: SAC, San Francisco

SUBJECT: GEORGE J. YAMANAKA vs. TOM C. CLARK, ATTORNEY GENERAL
ALIEN PROPERTY CUSTODIAN MATTER

Reference is made to your letter dated September 13, 1947.

Mr. WAYNE COLLINS, Plaintiff's Attorney, has agreed to make available all records presently in the possession of the Plaintiff sometime during the week of October 12, 1947. Mr. COLLINS also advised that he would not consent to a trial of the matter until Plaintiff's father JOE YAMANAKA could be returned from Japan as a witness for the Plaintiff. He expected that the trial would not be held for several months.

It is anticipated that a report in this matter should be forwarded to the Bureau by approximately October 20, 1947.
FEDERAL BUREAU OF INVESTIGATION

REPORT MADE AT

LOS ANGELES

DATE WHEN MADE

10-9-47

PERIOD FOR WHICH MADE

10-3, 6-47

REPORT MADE BY

CHESTER C. ORTON

FILE NO. 114-1

THIS CASE ORIGINATED AT SAN FRANCISCO

REPORT NO. 1

SYNOPSIS OF FACTS:

SABURO KIDO's recollection is poor on meeting with JOE G. YAMANAKA on 7-25-41. Believes JOE called on him alone at his San Francisco offices in afternoon. JOE said he was returning to Japan and wanted to put his business in order and make a gift of the Hollister Seed Co. to his son, GEORGE J. YAMANAKA. KIDO prepared bill of sale after JOE left office and JOE executed bill of sale at KIDO's house in Berkeley that night. KIDO was only witness. Consideration of $10 was not paid. KIDO recalls no conversation about gift taxes or transfer of "pink slips" to three automobiles. KIDO destroyed all his records at time of evacuation. KIDO unable to recall conversation with JOE re Presidential Order freezing Japanese funds. Property was not to be held for JOE but was considered outright permanent gift to GEORGE as JOE did not intend to return to USA.

REFERENCE:

Letter from Bureau to San Francisco, September 13, 1947.
Letter from Salt Lake City to Bureau, September 29, 1947.

DETAILS:

At LOS ANGELES, CALIFORNIA

Mr. SABURO KIDO presently maintains his offices in Room 416, Douglas Building, 257 South Spring Street, Los Angeles, telephone Michigan 9708. He is a member of the firm of WIRIN, OKIND and KIDO. KIDO resides at 2674 South Vermont Avenue, Los Angeles, and has no phone.

REFERENCES:

Bureau
San Francisco (AMSD)
(1 USA San Francisco)
Los Angeles

COPIES OF THIS REPORT

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KIDO advised that in 1941 he maintained offices at 1623 Webster Street, San Francisco, and at that time resided at 1804 Stewart Street, Berkeley, California. Some time before 1941, possibly a couple of years, KIDO had a probate matter which concerned an individual who was a teacher of a Japanese language school, the same being located on the ranch which was rented by JOE YAMANAKA, and in working on this matter he visited Hollister, California and became acquainted with the YAMANAKA family.

Thereafter, JOE YAMANAKA sent an account in to KIDO for collection. This was the extent of KIDO's association with the YAMANAKA family prior to July 25, 1941. He had never represented YAMANAKA on any prior occasion other than mentioned and he did not consider himself YAMANAKA's attorney.

KIDO stated that it was extremely difficult to recall particular instances which occurred on a particular afternoon of six years ago. However, the following is the information concerning instant matter, to the best of his recollection, inasmuch as he does not have any diary, office records, bills or files to refresh his memory in connection with this matter as all of these papers and documents were destroyed by him at the time of the evacuation and prior to his leaving California in 1942.

On the afternoon of July 25, 1941, JOE G. YAMANAKA, who hereinafter will be referred to as JOE, called in person at KIDO's office. KIDO remembers particularly that it was after lunch and believes that it was approximately in the middle of the afternoon. To the best of KIDO's recollection JOE was alone and was not accompanied by his son, GEORGE J. YAMANAKA, who hereinafter will be referred to as GEORGE.

The conversation opened with a statement by JOE that he was returning to Japan and either had made or had secured the necessary papers for his departure, and added that it was his, JOE's, intention to put his business in order prior to his leaving. KIDO does not remember but it is his recollection that some statement was made by JOE to the effect that it was not his, JOE's, intention to return to the United States but to remain permanently in Japan with his wife.

JOE told KIDO that he was the owner of the Hollister Seed Co. and that he wanted to make a gift of the company to his son, GEORGE. KIDO prior to that time was always of the opinion that the Hollister Seed Co. was a corporation and it was not until this particular conversation with JOE that he found out it was individually owned.

KIDO told JOE that the best way that this could be done was for him to prepare a bill of sale from JOE to GEORGE transferring JOE's interest in the Seed Company to his son. JOE was in somewhat of a hurry.
inasmuch as he was sailing in a few days and he did not want to make any other trips to San Francisco. KIDO promised to have the bill of sale drawn up and told JOE that he would have it ready for his signature that night (July 25, 1941) at his home, which was 1804 Stewart Street, Berkeley.

KIDO said that in all transactions of this kind which were gifts that a nominal sum was always inserted for the consideration, and as a matter of practice he had always inserted the sum of $10 as a consideration. To the best of KIDO's recollection, the sum of $10 was not paid, he himself did not receive it, and it was his belief that it was JOE's intention not to receive any money for this transaction.

During the conversation in the office, which lasted approximately one hour, JOE made mention of the fact that his oldest daughter was M. HELEN and that she was married to EDWIN T. MATSUURA, and that they had been operating the Hollister Seed Co. for a number of years while both JOE and GEORGE had been in Japan and also because GEORGE was in school and had not as yet reached his majority. At this point KIDO ascertained from JOE that GEORGE was then only seventeen years of age but would soon be eighteen, and believed that in view of the fact that he would soon be eighteen it would be proper to make the conveyance in the manner proposed.

KIDO believes there was some conversation in which JOE said that it was his intention for his oldest son to own the company and it was a Japanese custom for the oldest male child to receive the principal inheritance. KIDO recalls JOE several times during the conversation making the statement that it was a gift, that it was complete, and that inasmuch as GEORGE would ultimately receive it he was going to give him the business at that time. However, it was JOE's intention that until GEORGE reached the proper age and until he had completed his education, it was his, JOE's, intention that the business continue to be operated by HELEN and EDWIN MATSUURA.

KIDO was questioned extensively as to who was present in the office at the time of the first conversation and who was present at home at the time the bill of sale was signed. He consistently stated that to the very best of his recollection JOE was alone at the office and at home Mrs. KIDO was in the house but was not present in the room at the time of the signing of the bill of sale.

With regard to a bill, KIDO said that in instances of this kind where there was only one instrument to be drawn up and there was no further work to be done, that most of his clients asked him when the thing was completed how much the bill would be, that he told them, and that they would pay the money on the spot, and the only record that KIDO would have was his deposits in the bank and a record on the stubs of his check books.
KIDO said that the preparation of a bill of sale in this type of transaction would be 15 to 25, depending upon the amount of property involved, and to the best of his knowledge JOE paid him cash that night after signing the bill of sale.

KIDO advised that practically all of his bills, used check book stubs, office notes, files, etc., were destroyed by him prior to his evacuation from San Francisco on May 10, 1942. However, a few are still maintained in his home at 413 South Fourth East Street, Salt Lake City, telephone Salt Lake 4-1776. KIDO communicated with his wife and was told that upon a search of his papers no information regarding instant case is presently available.

In connection with the preparation of a certificate that GEORGE was doing business under the firm name and style of Hollister Seed Co., he stated that he did have a conversation with JOE on this matter and believed that he advised him to go to the newspaper in Hollister and that there JOE could obtain the regular forms used by the paper in the publication of notices of persons doing business under a fictitious name. He does not recall that he himself prepared any such certificate.

With relation to the transfer of the property as a gift and the preparation of gift tax returns, KIDO reaffirmed the many statements on the part of JOE that it was an outright gift. He does not recall any conversation with regard to the preparation of a gift tax and does not believe that there was any discussion on the part of either himself or JOE concerning gift taxes. He believed that the matter would be handled by JOE himself.

With relation to the pink ownership certificates for the three motor vehicles from JOE to GEORGE, KIDO is unable to recollect any conversation concerning not only the pink slips but even the trucks themselves. He does not recall that JOE mentioned the cars and he does not think that he made any reference to them because, first of all, he was not apprized that there were three trucks, and, secondly, he thought that the matter would undoubtedly be taken care of by JOE through the Department of Motor Vehicles in the event that it was JOE's desire to transfer the trucks to GEORGE along with the business. He assumed that the same thing would be true in connection with bank accounts and that if he desired these changed JOE would probably handle the matter himself directly with the bank.

In connection with the Executive Order issued by the President of the U. S. freezing the assets of Japanese nationals in the United States as of July 26, 1941, KIDO is unable to recall any circumstance surrounding the freezing order. He does recollect that he had read the newspapers and heard something about it in the news broadcasts over the radio. He is of the impression that when the subject was first brought out in the news it
was very abstract and he thinks there was some confusion as to what kind of property was to be frozen and the manner in which it was to be accomplished, and it was some days or weeks later that he became apprised of the full significance and extent of the Executive Freezing Order.

KIDO does not recall reading or hearing of the Order prior to the time that JOE came to his office and, too, he does not recall that JOE made any mention of this fact to him during his conversation at the office. He is fairly positive of this opinion. However, he believes that during the evening when JOE came to his house in Berkeley that there may have been a conversation about this matter; however, he does not recollect it.

KIDO belittled the idea that JOE could have read or heard about the Order while in Hollister, jumped into a car and driven madly to San Francisco because it is a trip of some sixty-five miles and it is one that is normally planned in advance.

KIDO stated that some time ago, he can not recollect when, he was contacted by Mr. WAYNE M. COLLINS, an attorney in San Francisco, and asked by him if he was the attorney who prepared the bill of sale for JOE which dealt with the transfer of the Hollister Seed Co. to GEORGE. KIDO told COLLINS "Yes" and does not recollect that there was any further conversation on the matter. KIDO stated that COLLINS is the attorney for the Northern California American Civil Liberties Union and occupies the same position there in San Francisco as his associate, Mr. A. L. WIRIN, does in Los Angeles, as the firm of WIRIN, OKRIND and KIDO are attorneys for Civil Liberties in this city.

KIDO was intensively questioned regarding his recollection of any conversation regarding the true purpose and character of this transaction. He reiterated again that JOE told him that he was going to Japan, that he was not going to return, that if he died he would bequeath the company to his son, and in view of all these circumstances he was going to give it to him now rather than later. KIDO denied that there was any conversation at all which dealt with the Freezing Order; he denied that there was any conversation that the property was to be conveyed to GEORGE because he was a citizen and JOE was not so that the Freezing Order could be circumvented.

With regard to the meeting at night in his home, KIDO recalls that it was approximately one hour in length and that JOE got there between 6:30 and 7:30 and had to leave early because it was approximately a two-hour drive from Berkeley to Hollister.
SA\textsuperscript{19}, Washington Field

Director, FBI

GEORGE J. YAMANAKA vs. TOM C. CLARK,
ATTORNEY GENERAL
ALIEN PROPERTY CUSTODIAN MATTER

Reference San Francisco memorandum to the Bureau dated September 24, 1947, a copy of which was furnished to your office.

There is enclosed herewith a photostatic copy of a memorandum dated August 29, 1947, received at the Bureau from Mr. David L. Bazelon, Assistant Attorney General, Director, Office of Alien Property, which sets forth the background of this case and the nature of the investigation desired.

Your office should immediately institute an investigation in this matter and submit a report as soon as possible, noting that the case may come to trial at an early date. Los Angeles is office of origin in this case.

Enclosure

KEC addr

COMMUNICATIONS SECTION
\textsuperscript{19} MAILED 11
10 1947 P.M.
Federal Bureau of Investigation
United States Department of Justice
Room 422, Federal Office Building
Civic Center, San Francisco, California
September 24, 1947

Director, FBI

AIR MAIL

RE: GEORGE J. YAMANAKA VS.
TO: C. CLARK, Attorney General
ALIEN PROPERTY CUSTODIAN MATTER

Dear Sir:

Reference is made to letter from the Director to San Francisco dated September 13, 1947 and the enclosures to that letter which requested certain investigations.

Mr. G. B. PARKER, Manager of the Credit Department, Federal Reserve Bank of San Francisco advised that all records of their Foreign Funds Department were transferred to the Treasury Department, Foreign Funds Control, 734 - 15th Street, Northwest Washington 25, D. C., in January 1947.

It is requested that you furnish Washington Field a copy of the enclosure to referenced letter so that they may conduct investigation requested on Page II of the enclosure.

Very truly yours,

HARRY H. KIMBALL
Special Agent in Charge

RIJ/fmn
114-2
cc: Washington Field

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[Handwritten Notes]
References is made to a memorandum from the Phoenix Office to the
Bureau dated October 17, 1947, requesting the Washington Field Office to locate
the War Relocation Authority file of George J. Yamanaka to determine the home
address furnished by him at the time of his registration under the Selective
Training and Service Act in order that the Selective Service file might be
located.

It would appear that a more satisfactory method to obtain the desired
information concerning the address given by Yamanaka, at the time of his original
registration under the Selective Service, would be for the San Francisco
Office to determine the necessary facts through interview with him. Accordingly,
the Washington Field Office should hold this lead in abeyance pending advice to
the contrary from the San Francisco Office.

The attention of the San Francisco Office is also directed to the fact
that copies of reports in these matters are furnished to the Director of the
Office of Alien Property and leads to auxiliary offices should request the submision of the desired information in report form.
Office Memorandum  •  UNITED STATES GOVERNMENT

TO  :  Director, FBI  
FROM  :  SAC, Phoenix  

DATE: October 17, 1947

SUBJECT: GEORGE J. YAMANAKA v. TOM C. CLARK
ATTORNEY GENERAL
ALIEN PROPERTY CUSTODIAN MATTER

Reference San Francisco letter to the Bureau dated October 11, 1947.

Commander W. V. KETCHAM, Director, Office of Selective Service Records,
Phoenix, Arizona, advised that a search of the files in his office failed to
reflect a registration for Selective Service by GEORGE J. YAMANAKA. He explained
that undoubtedly YAMANAKA was registered at the time he was interned at the War
Relocation Camp for Japanese at Poston, Arizona, but that his record of registra-
tion would have been sent to the place the registrant showed as his home address
or legal residence.

For the information of the Washington Field Office, GEORGE J. YAMANAKA
is suing the Government for the return of property that was seized by the Govern-
ment during the war. Certain investigation was requested by the department,
including the following: Examine the records of Selective Service to determine
why GEORGE J. YAMANAKA was refused for service; obtain photostats of any pertinent
documents, as it is understood that the plaintiff will testify that he volunteered
for service; ascertain from the records whether this statement is true. GEORGE J.
YAMANAKA was born October 9, 1922, at Hollister, California; his father is JOE G.
YAMANAKA, and his mother is KIKUYO YAMANAKA.

The Washington Field Office, at the Archives, Washington, D. C., will
review the file of YAMANAKA maintained by the War Relocation Authority in an
effort to determine what he claimed for his legal residence or address and set
out an appropriate lead for the office covering such place to check the Selective
Service records for the purpose of securing the information desired by the depart-
ment.

In view of the information secured from the director of the Office of
Selective Service Records at Phoenix, it is suggested that the San Francisco
Office endeavor to locate YAMANAKA's Selective Service registration record from
the State Director of Selective Service records in California, if the home address
or legal residence of YAMANAKA at the time he was required to register for Select-
ive Service is available to the San Francisco Office.
Office Memorandum  
UNITED STATES GOVERNMENT

TO:  Mr. E. A. Tamm

FROM:  A. Rosen

SUBJECT:  GEORGE YAMANAKA vs Tom C. Clark  
ALIEN PROPERTY CUSTODIAN MATTER

DATE:  10-27-47  
Call:  10:00 AM

SAC Hottel of Washington Field called at the above time and advised they had received a lead from the San Francisco Division to search the files of the Federal Reserve Bank and obtain photostatic copies of letters and correspondence concerning the above matter. Mr. Hottel advised that the Treasury Department is liquidating the Foreign Funds Control Unit and 12 boxes of files have just arrived from San Francisco which are believed to contain the information requested from the San Francisco Division. Mr. Hottel advised that Treasury has informed the Washington Division that they do not have the personnel to open and review these files and that it may be a year before they can handle this material. He further advised that Treasury informed them that Agents of the Washington Field could open these boxes and search the files.

I advised Mr. Hottel that this procedure would not be desirable and unless advised to the contrary no further action should be taken at the present time.
November 15, 1947

Mr. Commons

Assistant Attorney-General David L. Faehlmen
Director, Office of Alien Property
Attention: Mr. B. M. Milton
Director, Alien Property Custodian

There is enclosed herewith one copy of the report of Special Agent
Irvin Peterson dated October 28, 1947 at San Francisco, California, together
with two protestations to each of the fifty-four items mentioned therein as
enclosures.

Investigation is still pending concerning the Selective Service
Rosters reflecting the results of this investigation will
be sent you upon their receipt at the Bureau.
# FEDERAL BUREAU OF INVESTIGATION

**Form No. 1**
**This Case Originated At**   
**BUREAU SAN FRANCISCO**
**File No.** 114-2

<table>
<thead>
<tr>
<th>REPORT MADE AT</th>
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<tr>
<td>SAN FRANCISCO</td>
<td>10/28/47</td>
<td>9/23-26-30; 10/7,8,15,17,27/47</td>
<td>RAYMOND IRVIN JOHNSON</td>
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**Title**

GEORGE J. YAMANAKA VS. TOM C. CLARK, ATTORNEY GENERAL

**Character of Case**

ALIEN PROPERTY
- CUSTODIAN MATTER

**Synopsis of Facts:**

Bank of America official remembers that Plaintiff, Father, JOE YAMANAKA, and sister, H. M. YAMANAKA, were in the Hollister Bank shortly before closing time (3:00 p.m.) 7/25/41, to arrange for transferring a sum from JOE to Plaintiff. Bank records reflect entrance was made to safe deposit box in same bank prior to 10:45 a.m., 7/25/41.

San Francisco News containing news of freezing order appeared on streets of SF approximately 10:45 a.m. 7/25/41. San Francisco Chronicle containing story of freezing order appeared on streets of SF at approximately 7:15 p.m. 7/25/41. Photostatic copies of various pertinent documents are enclosed.

**Details:**

The following investigation was conducted by SA P.J. VALONE:

AT S. COLUMBUS, CALIFORNIA

Sgt. COY LCONG, California Highway Patrol, advised that all California Department of Motor Vehicle records prior to January 1, 1943, have been destroyed.

**Reference:**

Letter from Bureau to San Francisco dated 9/13/47.
Letters from San Francisco to Bureau dated 9/24/47 & 10/8/47.

**Details:**

The following investigation was conducted by SA P.J. VALONE:

AT S. COLUMBUS, CALIFORNIA

Sgt. COY LCONG, California Highway Patrol, advised that all California Department of Motor Vehicle records prior to January 1, 1943, have been destroyed.

FRIEDA D. LTON, Clerk, Selective Service Records, State of California, checked the files of Local Draft Board No. 122, Hollister, California, and could find no record for YAMANAKA. Local Draft Boards 120, Salinas, California, and 119, Monterey, California, were likewise checked with negative results. It should be noted that Local Board 122 is the only board in San Benito County, and there is no alphabetical list of registrants for California.
The following investigation was conducted by J. M. W. .

AT HOLLISTER, CALIFORNIA

For clarity purposes results of the agent's investigation are being set forth as the requests for each item appear in reference Memorandum from the Department, following the page and paragraph numbers.

E.G.L. 8 (Paragraph 5)

Mr. RANDY R. BLACK, formerly connected with the Bank of America, Hollister, California, now Cashier of the Hollister National Bank, furnished the following information regarding his dealings with the YAMALALAS.

(c) Mr. BLACK stated that to the best of his recollection JOK G. YAMALAL, his son, GEORGE J. YAMALAL, and daughter, M. Y. YAMALAL, were at the Bank of America shortly before closing time (3:00 p.m.) on July 25, 1941, to arrange for the transfer of $3,300.00 from the account of JOK G. YAMALAL to GEORGE J. YAMALAL.

(b) Mr. BLACK stated that the bank had no rules as to minors holding commercial accounts as long as they were competent.

(c) Mr. BLACK advised that to the best of his recollection nothing was said as respect the transfer being a gift or a sale. The bank had no information that GEORGE J. YAMALAL was holding the business for his father.

(d) Photostats were obtained of all signature cards of all accounts at the bank from 1938 to date in which JOH G. YAMALAL or GEORGE J. YAMALAL had any interest and are transmitted herewith (EXHIBIT 1).

(e) Photostat of letter dated 12/12/41, from the Hollister Branch of the Bank of America to J. H. GALLARTE, Assistant Cashier, International Banking Department, Bank of America, and is transmitted herewith (EXHIBIT 2).

(f) Mr. BLACK advised that as stated in paragraph (a), the YAMALAL's were in the bank shortly before closing time (3:00 p.m.), July 25, 1941, to the best of his recollection. JOK G. YAMALAL gave as his reason for transferring his account to GEORGE J. YAMALAL the fact that he was going back to Japan and wanted to put the money in his son's name in case anything happened to him.

(g) Mr. BLACK stated he could not recall any arrangements having been made permitting GEORGE J. YAMALAL to use the printed checks formerly used by the Hollister Seed Company when it was owned by JOK G. YAMALAL.
(i) L. LUMI stated that JOE G. YAMADA purposely left enough money in the account in his name to take care of any outstanding checks, and the outstanding checks were consequently charged to his account.

Explanations of the following transactions:

(a) A deposit in the Hollister Seed Company account on July 26, 1941, by JOE G. YAMADA.

This deposit is apparently one dated July 25, 1941, to the account of $552.27 (EXHIBIT 3), as it is noted that the name of "JOE G. YAMADA" was originally shown as the depositor, but his name is crossed out and the name of the Hollister Seed Company substituted. This deposit, together with the deposit of $3,300.00 dated July 2, 1941 (EXHIBIT 4), were used to open the new account in the name of the Hollister Seed Company on July 25, 1941. It is noted that the ledger sheet (EXHIBIT 5) does not reflect a deposit on July 22, 1941. The ledger sheet of JOE G. YAMADA for the month of July 1941 (EXHIBIT 8) reflects the withdrawal of $3,300.00 on July 25, 1941 and it also reflects a deposit of $350.00 on the same date. This deposit was a withdrawal from the account of the Hollister Seed Company (JOSEPH J. YAMADA) as reflected by deposit slip dated July 25, 1941 (EXHIBIT 7).

(b) A payment to the Bank of America on October 29, 1941, for $202.00.

This represents a withdrawal from the commercial account of the Hollister Seed Co., as reflected by ledger sheet for the month of October 1941 (EXHIBIT 3). In tracing this withdrawal it was determined that a draft $127,676 in the amount of $202.00 was made payable to the Yokohama Specie Bank (EXHIBIT 9), on application signed by one E. J. MATSUDA (EXHIBIT 10).

(c) A payment to the Bank of America on October 29, 1941, for $101.00.

It was determined that this was also a withdrawal from the commercial account of the Hollister Seed Co., as reflected by ledger sheet for the month of October 1941 (EXHIBIT 8). In tracing this withdrawal it was determined that a draft $127,676 in the amount of $101.00 was made payable to the Yokohama Specie Bank (EXHIBIT 9), on the same application of E. J. MATSUDA, mentioned in paragraph (b).

(d) A payment to the Bank of America on October 29, 1941, for $200.00.
The ledger sheet for the commercial account of the Hollister Seed Co. for the month of October 1941 (EXHIBIT 18) does not reflect this transaction. However, the ledger sheet for August 1941 (EXHIBIT 12) reflects a payment to the Bank of America of $200.00 on August 23, 1941. In tracing this withdrawal it was determined that a draft $127303 in the amount of $200.00 was made payable to the Yokohama Specie Bank, (EXHIBIT 13), on application signed by E. J. MATSUBA, (EXHIBIT 14).

(e) A deposit in the Bank of America on August 2, 1941, of two coupons, $70.00.

It was determined that these coupons in the amount of $70.00 were added to the bottom of deposit slip for the Hollister Seed Co., dated August 2, 1941 (EXHIBIT 15). It was noted that these were evidently New York coupons, and were returned under date of August 11, 1941 as reflected by ledger sheet for August 1941, returned under date of August 11, 1941 as reflected by ledger sheet for August 1941 (EXHIBIT 12). "Charge Slip" 5358601, dated August 11, 1941, stated reason for charge as follows, "Coupons deposited by JUN G. MATSUBA returned as a letter of transmittal is required." (EXHIBIT 16).

(f) A deposit in the Bank of America of Coupons in the amount of $70.00 on August 11, 1941.

The ledger sheet for August 1941 (EXHIBIT 12) does not reflect a deposit of $70.00 on August 11, 1941, however, it shows a charge of $70.00 on August 11, 1941, which is covered in above paragraph (e).

(g) A payment to the Bank of America on November 17, 1941, of $176.75.

The ledger sheet for the commercial account of the Hollister Seed Co. for the month of November 1941 (EXHIBIT 17) reflects a withdrawal of $176.75, on November 17, 1941. In tracing this item it was determined that draft $127776 in the amount of $176.75 was made payable to the Yokohama Specie Bank (EXHIBIT 18) on Application signed by H. MATSUBA (an employee of GEORGE Y. MATSUBA), P. O. Box 741, Hollister, California (EXHIBIT 19). It is noted that this is the address of the Hollister Seed Co. at the time it was operated by the MATSUBAs.

(h) Did the Bank of America refuse a deposit to GEORGE J. YAMANAKA's account on December 8, 1941.

Reference to ledger sheet of the Hollister Seed Company for December 1941, reflects no deposits having been made on December 8, 1941. Mr. BLOHM advised that he recalled that GEORGE Y. MATSUBA came into the Bank on December 8, 1941 to make a deposit in his account. Mr. BLOHM stated he told him the account was "BLOCKED" and the bank could not accept a deposit.
(1). A charge of $1.05 for the return of a check of JOE G. YUJII.HI.

The agent was unable to locate any record in the bank reflecting a charge of $1.05 for the return of a check of JOE G. YUJII.HI. However, it was noted that on the ledger sheet for the Commercial Account of the Hollister Seed Company, for the month of December 1941 (EXHIBIT 20), under the date of December 18, 1941, there was a withdrawal of $1.05 against the account which is marked "Cash bank." The officials at the bank advise that the amount of $1.05 does not sound like a charge for the return of a check. Upon further checking it was determined that this $1.05 charge on December 13, 1941, was a check issued by an unknown party on bank #33-550-6, which is the bank number of the Miami Beach 1st National Bank, Miami Beach, Florida. This is reflected on deposit slip dated December 2, 1941 (EXHIBIT 21). It was further noted that on the bank's "List of Rejected checks for November 8, 1941" there is carried a check for $500.00, drawer - JOE G. YUJII.HI., reason for rejection given "Account Blocked" (EXHIBIT 22). Officials at the bank advise that in transactions of this kind where checks were returned because accounts were blocked, it was not their practice to charge a fee for the return of a check.

(j). A check to the Yokohama Specie Bank, dated August 13, 1941.

A search of all checks issued by the Bank of America to the Yokohama Specie Bank from July 25, 1941 to December 8, 1941 was made, but there was no record of any being issued on August 13, 1941. However, one was found to have been issued on December 6, 1941, #127287, in the sum of $180.00, (EXHIBIT 23), which was based on an application dated December 5, 1941, signed by L. J. MITSURA, (EXHIBIT 24). It was further learned that this was charged against the Commercial Account of the Hollister Seed Co., on December 8, 1941, as per ledger sheet (EXHIBIT 20). Further, that this check was "frac"ed" by the Yokohama Specie Bank in San Francisco, California, and the Hollister Seed Co. account was reimbursed later in the above amount. Correspondence covering this transaction is carried as (EXHIBITS 25, 26 and 27).

Mr. BLOOM, who handled the transfer of the account from JOE G. YUJII.HI. to GEORGE J. YUJII.HI. on July 25, 1941, stated he could not recall the account was transferred. He advised that in his opinion they did not, because if they had, he may have been dubious about making the transfer. Mr. BLOOM stated he had no personal knowledge himself of the prospective freezing order going into effect.

A photocopy of the letter from JOE G. YUJII.HI. to the Bank of America dated August 2, 1941, authorizing delivery of 140 shares of Bank of America Stock and 700 shares of Transamerica Stock was obtained as reflected by (EXHIBIT 23). Also obtained was receipt form #3111291 covering the 700 shares (EXHIBIT 23), and form #331192 covering the 140 shares (EXHIBIT 20).
It was noted that under date of September 1, 1936 Safety Deposit Box 31425 was rented by JOE G. YAMAKA and KIMURO HAMAKA at the Hollister Branch of the Bank of America. Under date of July 25, 1941 this box was transferred to GEORGE J. YAMAMOTO, MASA M. TSURUGA, and SHUSUI S. HISASHI. KIMURO HAMAKA married ED T. TSURUGA on January 7, 1924 and SUSAN S. HISASHI married SHUSUI S. HISASHI on November 1, 1925. It was noted that this transfer was witnessed by V. STEPHENSON. It was determined that V. STEPHENSON is now married and her name is WULA HURST, however, she still is employed in the Safety Deposit department of the bank. MRS. HURST was unable to recall the exact time the YAMAMOTOs were in the bank to make the above transfer, but advised the entrance ticket, which an individual is required to sign before entering the vault, should show the exact time. The entrance ticket signed by JOE G. YAMAMOTO on July 25, 1941 was obtained, but the time-stamp was so dim the exact time of entrance to the vault was not readable, however, entrance was made in the ARM. MRS. HURST also advised that this particular ticket was the first one for the date of July 25, 1941, and upon referring to the second ticket issued noticed that the time on it was readable and it read 10:45 a.m., July 25, 1941. It was therefore the opinion of MRS. HURST that JOE G. YAMAMOTO being the first to enter the vault on July 25, 1941, probably entered between the time the bank opens (10:00 a.m.) and 10:45 a.m., which was the time the second party to utilize the vault entered on July 25, 1941. Photostatic copy of entrance ticket dated July 25, 1941 signed by JOE G. YAMAMOTO is transmitted herewith (EXHIBIT 31).

The entire file of the bank with respect to the accounts of JOE G. YAMAMOTO and GEORGE J. YAMAMOTO, and the HOLLISTER SEED CO. was examined and the following documents believed to be relevant were selected:

(1) Affidavit furnished by GEORGE J. YAMAMOTO, dated at Hollister December 20, 1941. (EXHIBIT 32).

(2) Letter dated at Hollister, California, March 22, 1944, from Bank of America to A. L. STOEFL, Office of Alien Property Custodian, San Francisco, California (EXHIBIT 33).

(3) Ledger Card of Savings Account #4120 in name of GEORGE J. YAMAMOTO, showing original deposit of $11,000.00 (EXHIBIT 34).

(a) Signature Card of GEORGE J. YAMAMOTO dated May 18, 1942 (EXHIBIT 35).

(b) Deposit Slip for $11,600.00, dated May 18, 1942 in name of Hollister Seed Co. account #4120 (EXHIBIT 36).
(a). Ledger Card of George J. Yamada in name of George J. Yamada, showing original deposit of $32.00 (EXHIBIT 27).

(b). Deposit slip for $32.00, dated 1/17/42 (EXHIBIT 32).

(c). Signature Card of George J. Yamada, dated 1/17/42 (EXHIBIT 33).

(d). Deposit slip for $32.00, dated 1/17/42 in the name of George J. Yamada, account 4234 (EXHIBIT 33).

(e). Ledger sheet for month of August 1941 for Commercial account of John G. Yamada, showing final balance of $87.45. This is the amount which was later blocked. (EXHIBIT 40.)


PAM 2 (PARAGRAPH 6)

It was determined at the Hollister Branch of the Pacific Telephone and Telegraph Company that records covering toll-charges are kept for only approximately nine months and are then destroyed. It was therefore not possible to determine whether any calls had been made by the YAMADA to or from San Francisco, California on July 2, 1941.

PAG 9 (PARAGRAPH 7)

A record of attendance by George J. Yamada at Hollister High School from September 8, 1941 to the time he was evacuated was obtained. (EXHIBIT 42). It was noted he was absent three days and the last day he attended was April 13, 1942. A supplemental record reflected that George Yamada was born October 3, 1922 and his parents name was listed as Hideo Matsuura (sister). Last school attended was "Middle School" Japan. Employment was given as Hollister Seed Co. "Clerk", after school.

PAGE 9 (PARAGRAPH 8)

Through Mr. Millard F. Boyle, Publisher of the Hollister Free Lance, a photographic copy of page 1 and page 6 of the Free Lance for July 23, 1941 was obtained and is transmitted herewith (EXHIBIT 43). It is noted that on page 3 of this issue is the notice that George J. Yamada was the owner of and was doing business under the firm name and the style of Hollister Seed Co.

Mr. Boyle stated that due to the lapse of time he could not recall anything regarding the probably time any of the YAMADAs were in the office to have the above notice published. Mr. Boyle checked his correspondence records and records covering applications filed for publication notices, but stated he could find no information regarding instant transaction. He advised due to the time which has transpired any record that old probably has been destroyed.
See (Paragraph 14) which sets forth additional information regarding the time and manner of filing certificate dated July 26, 1941.

**PAGE 10 (PARAGRAPH 10)**

In an effort to ascertain whether or not JOE G. YAMULKA was sick with diabetes several people who were well acquainted with him were contacted. They are, with their comments, as follows:

(a). MR. HOARD O'BRIEN, Postmaster, Hollister, California, advised that JOE G. YAMULKA had leased the ranch of his aunt, Miss KATE DOUGLAS, for about 20 years. Mr. O'BRIEN stated that JOE YAMULKA was always a husky man and worked hard on the ranch. He further stated that he saw JOE YAMULKA at least once a week when he was in the United States and never knew him to be ill or suffering from diabetes.

(b). MR. FRED WALDO ROBERTS, Route 2, Box 435, Hollister, California, advised he took over the Hollister Seed Co. at the time the YAMULKA's were evacuated. He stated that prior to that time he had been well acquainted with JOE G. YAMULKA and did business with him. Mr. ROBERTS stated he had never heard him complain about being sick or suffering from diabetes.

(c). MR. HERB N. BELL, c/o E. L. HOLBROOK & CO., Hollister, California, advised she had been well acquainted with the YAMULKA family, who had resided on her sister's ranch, and she had also handled their insurance for them. She stated she had never heard JOE G. YAMULKA complain to her about suffering from diabetes.

(d). MR. LEONARD E. HOLBROOK, c/o E. L. HOLBROOK & CO., Hollister, California, described JOE G. YAMULKA as a "wild old coyote". He stated he was one of the hardest working men he knew and had never heard JOE YAMULKA say he was ever ill or suffering from diabetes.

(e). MR. MARY R. BROWN, Cashier, Hollister National Bank, Hollister, California, advised that at the time JOE G. YAMULKA was in the bank on July 2, 1941 he appeared in good health, and made no mention that he was suffering from diabetes.

(f). MR. L. L. EGGY, Ugr., Bank of America, Hollister, California, stated he could furnish no information as to JOE G. YAMULKA being ill or suffering from diabetes. He stated he had always appeared to be in good health.
It was determined from MR. HICARDO O'BRIEN, Postmaster, Hollister, California, that Miss HANE DOOLING was his aunt, but that she had passed away on June 4, 1947. It is noted that the YAMAMAR leased the land on which they operated from Miss DOOLING. Mr. O'BRIEN stated he was the heir of the Estate of Miss DOOLING, however, that his aunt had been a very poor business woman and upon settling the estate he could find no lease between the YAMAMAS, or the HOLLISTER SEED CO. and his aunt. However, Mr. O'BRIEN advised that at the time GEORGE J. YAMAMA and his sister, HELEN Matsuura, had been evacuated they had made an assignment of lease to FRED MALDO KOBERT, who had taken over the land and growing crops and seeds of the HOLLISTER SEED CO. It was the opinion of Mr. O'BRIEN that the assignment of lease would show to whom the original lease was made.

MR. FRED MALDO KOBERT, Route 2, Box 435, Hollister, California, advised that his company had taken over the land and crops and seeds of the HOLLISTER SEED CO. He made available to the writer the documents he had in his possession regarding this transaction. Photostats of these documents were made and are enclosed herewith. They are as follows:

(Exhibit 44) Assignment of Lease, dated 4/2/42, between HELEN MATSUURA, party of the 1st part, HANE DOOLING, party of the 2nd part, and MALDO KOBERT CO. called 3rd party. (It is noted that this assignment of lease makes reference to the fact that HELEN MATSUURA was the holder of a certain lease dated 10/25/40 by and between HANE DOOLING, called the lessor, and HELEN MATSUURA, called the lessee. This would apparently indicate that the original lease was never transferred from HELEN MATSUURA to GEORGE J. YAMAMAI.

(Exhibit 45) Power of Attorney dated 4/3/42 from GEORGE J. YAMAMAI to FRED KOBERT.

(Exhibit 46) Quitclaim dated 4/3/42 from HELEN MATSUURA to MALDO KOBERT CO.

(Exhibit 47) Agreement dated 4/2/42 between HELEN MATSUURA, party of the 1st part, and MALDO KOBERT CO., party of the 2nd part.

The records of the E. E. HOLBROOK & CO., Hollister, California, insurance agents for the HOLLISTER SEED COMPANY, were checked to ascertain whether the insurable interest in the policies was transferred from JOE G. YAMAMAI to GEORGE J. YAMAMAI on July 25, 1941, or subsequent to that date.
CES. WILL C. THOMAS, of the ... DOLLSTER SEED CO., advised that their records indicated that Policy 221518, for Fire Insurance in the amount of $2,000.00, in the Springfield Fire and Marine Insurance Co., was issued for one year (11/1/41 to 11/1/42) for Garden Seeds, to the DOLLSTER SEED CO. This was cancelled 12/23/41.

Policy 221520, in the Springfield Fire & Marine Insurance Co., was issued in the amount of $700.00 for canvas sheets to the DOLLSTER SEED CO. for three years (10/30/41 to 10/30/44). The application on this policy showed the Policy to be in the name of DOLLSTER SEED CO., Land Owner, KATE NOELF, renter, JOE YAMADA.

Policy 221750 for Fire Insurance ($1000 on Seed Warehouse, and $250 on Office Furnishings and Fixtures) for three years (10/2/41 to 10/2/44), running to DOLLSTER SEED CO.

It is noted that the above policies were all issued after the transfer of interests took place, and due to the lapse of time involved there was no available information as to whether or not insurable interests in the previous policies had ever taken place. However, information was developed to the fact that Springfield Policy 224723 for Fire Insurance on Dwelling and contents, which was a renewal of an old policy in the name of JOE G. YAMADA, was changed to name of GEORGE YAMADA on September 10, 1942. This was a renewal of an old policy in the name of JOE G. YAMADA, and the new policy was made up of an old policy in the name of JOE G. YAMADA, and the new policy was made up based on information in the old policy, which would indicate that the interests were never changed from JOE G. YAMADA to GEORGE YAMADA in the old policy.

PAGE 10 (FEATHER 14)

From RALPH T. TOWN, County Clerk, San Benito County, Hollister, California, the following documents were obtained and are transmitted herewith.

(EXHIBIT #38). Certified copy of the Certificate filed by JOE G. YAMADA on December 11, 1925, that he was doing business under the firm name and style of DOLLSTER SEED COMPANY.

(EXHIBIT #49). Certified copy of the Certificate filed by GEORGE J. YAMADA on July 26, 1941 that he was doing business as the DOLLSTER SEED COMPANY.

(EXHIBIT #60). Certificate from the County Clerk that his records do not contain a copy of the Bill of Sale dated July 26, 1941 from JOE G. YAMADA to GEORGE J. YAMADA.
It should be noted (EXHIBIT No.), above, Certificate filed by GEORGE J. YUHIN on July 23, 1941, reflects on the second page the following information as to time of filing which has been "K3" ext. "Recorded at the request of M. F. NOYCE, Jr., July 23, 1941 at 1 min. past 11 O'clock in Vol. 21 of Official Records page 51, San Benito, County." It should be further noted that M. F. NOYCE is the publisher of the Hollister Free Lance.

Regarding the above, RILEY S. THAHL, County Clerk, advised that the instrument had been received by mistake taken to the County Recorder's Office, where they had stamped the time and had started to record it, but evidently later found it should have been recorded in the County Clerk's Office. Mr. Thahl or Miss HURILE PRITTM, who filed the instant instrument could not recall any additional information relative to the circumstances surrounding the filing of same.

Mr. MILLER P. NOYCE, Jr., Publisher of the Hollister Free Lance, was shown the above instrument in an effort to refresh his memory. However, he stated he could not place the transaction, but in his opinion it was a safe bet that the instrument had been mailed to him by the attorney for publishing and recording. He stated it was the usual practice of out of town attorneys to have him record the instruments for them, and that was most probably happened in this case. He advised that if the instrument had been brought in by any of the YUHIUS, it would have been the common practice for one of them to have recorded it.

PAGe 11 (PARAGRAPh 16)

It was determined that GEORGE J. YUHIN and his sisters HANNA Y. YUHIN and SUMIE S. NISHINARA are presently residing on the Freitas Ranch, Route 1, Box 40, San Juan Bautista, California. GEORGE YUHIN advised the writer that most of his correspondence, stationery, invoices and letterheads from the HOLLISTER SEED CO. had evidently been destroyed at the time the Alien Property Custodian had auctioned off the office files and equipment and furniture. He stated that he had some of the old check stubs, bank statements and cancelled checks in his possession, and some correspondence, but before allowing agent to look through them, he would like to have the written consent of his attorney. He stated his attorney was H. ALDEN H. COLLINS, with offices in the Mills Tower, San Francisco, California.

The following investigation was conducted by writer:

AT SAN FRANCISCO, CALIFORNIA

H. ALDEN COLLINS, Plaintiff's attorney, Mills Tower Building, San Francisco, furnished that he advised to be all records still in the possession of plaintiff for the writer's scrutiny.
There were bank statements from August 1941 through 1943 and check stubs from about 1940 through 1943. The check stubs showed merely Payer, Date, Check Number and Amount. The cancelled checks for August and September 1941 revealed that on the end of each check there was printed:

"HOLLISTER SEED CO.
GARDEN SEED GROcers
JOE G. YAMADA, Proprietor".

In all except one of the checks examined, the printed "JOE G. YAMADA" was crossed out and "GEORGE J. YAMADA" was inserted. Some of the insertions were made in ink and others with a rubber stamp.

Mr. COLVIN advised at this time that he did not intend to consent to a trial on this matter until Plaintiff's father, JOE YAMADA, could be brought from Japan to San Francisco to testify for the Plaintiff. He stated that was the only way a true story of the transfer could be presented to the Court.

Mr. FREDERICK F. FORBES, City Circulation Manager, San Francisco Chronicle, furnished a copy of the Chronicle containing its first story of the order freezing Japanese credits in this country. This paper is dated Saturday, July 26, 1941, but appeared on the streets the previous evening, as described in the following statement furnished by Mr. FORBES:

"September 23, 1947

"TO WHOM IT MAY CONCERN:

"I, Frederick F. Forbes, voluntarily furnished the following statements to Rey I. Johnson, who has identified himself as being a Special Agent of the F.B.I.

"I know these statements may be used in the Court of Law.

"I was City Circulation Manager during 1941 and am now City Circulation Manager.

"I have identified a copy of the San Francisco Chronicle dated Saturday, July 26, 1941. This paper containing the headlines "U S Ties Up All Japanese Assets". This issue of the paper usually appeared on the newsstands of the Streets of San Francisco at approximately 7:15 p.m. the day prior to date on paper.

"In July 1941 there was an agreement between the San Francisco Examiner and the Chronicle not to release until this time."
"The first edition containing the information concerning the Japanese assets being frozen would be the "COCO" edition leaving San Francisco at midnight and arriving in Hollister between four and five a.m.:

/c/ FREDERICK F. FORBES
Frederick F. Forbes
City Circulation Manager

"Witness
RAY I. JOHNSON
Special Agent, F.B.I.
San Francisco"

A copy of the paper is enclosed as EXHIBIT 51 and the signed statement enclosed as EXHIBIT 52.

MR. K. J. DEBENHAM, Assistant Circulation Manager, San Francisco News, made available from the paper's library a volume containing all editions published on July 25, 1941. Photostatic copies were made of the first two editions containing the order freezing Japanese assets. These photostatic copies are being enclosed as EXHIBIT 62.

MR. DEBENHAM furnished the following statement reflecting the time these issues appeared on the streets of San Francisco and Hollister:

"San Francisco, Calif.
Sept. 24, 1947

"I, K. J. DEBENHAM, make the following voluntary statement to RAY I. JOHNSON, who has identified himself as being a Special Agent of the F.B.I. I know this statement may be used in a court of law.

"I have been assistant circulation manager of the San Francisco News since 1938. As such, I can say that to the best of my knowledge the "A" edition of the "News" is printed for out of town sale at about 10:00 A.M. each day and is sent to Hollister, Calif. by Greyhound bus to arrive there about 4:15 P.M. each day. The "B" edition is the first edition to appear on the streets of San Francisco each day, and it appears at about 10:45 A.M. each day. Therefore the "A" issue of July 25, 1941 would appear on the streets of Hollister soon after 4:15 P.M. that same day, and the "B" issue would appear on streets of San Francisco at about 10:45 A.M. July 25, 1941.

"I have read the above statement and it is true to the best of my knowledge and belief.

"/c/ HERBERT J. DEBENHAM"

"Witness
"RAY I. JOHNSON
"Special Agent, F.B.I., San Francisco"
Mr. D.תיק, Manager of the Credit Department, Federal Reserve Bank in San Francisco, advised that his department was formerly the Foreign Funds Department. As reflected in the reference letter, he advised that all records from the Foreign Funds Department had been forwarded to Washington in January 1947.

Mr. PARKER also advised that individual banks throughout the country had authority to block Japanese alien accounts in their banks if they believed that the accounts were covered by the order. He stated that they usually notified the Federal Reserve Bank before they blocked them, however in several instances they did not.

Mr. JACOB E. FLEISHER of the office of Immigration and Naturalization Service, San Francisco, advised that he had been in charge of handling all re-entry permits for over 15 years. He stated that pursuant to instructions from I. & E.S. Headquarters, he had destroyed his records on delivery of re-entry permits issued prior to June 30, 1944. Mr. FLEISHER and Mr. HERBERT H. NICKEY searched all records pertaining to JOE YAMANAKA and the ship he sailed on on August 3, 1941 and could find no information concerning the time the permit was picked up by JOE. They advised that their main office in Philadelphia had copies of applications for their permits, but the only place that the actual time the permit was obtained by the applicant was on the delivery cords that had been destroyed.

ENCLOSURES: TO THE BUREAU:

EXHIBIT 1

DESCRIPTION

1. 2 photostatic copies each of the following:
   Commercial Signature Card, Joe G. YAMANAKA, dated 7/16/41.
   Authorization to mail Card, JOE G. YAMANAKA, dated 7/16/41.
   Commercial Signature Card, JOE G. YAMANAKA, dated 3/6/22.
   Authorization to mail, JOE G. YAMANAKA, dated 12/31/31.
   Authorization to return uncollected checks, JOE G. YAMANAKA,
   Commercial Signature card, HOLLISTER SELL CO. dated 7/25/41.
   Commercial signature card, GEORGE J. YAMANAKA, dated 12/26/41.
   Commercial signature card, GEORGE J. YAMANAKA, dated 4/22/44.

2. 2 photostatic copies of:
   Copy of letter dated 12/12/41, addressed to Mr. J. H. CALDWELL,
   Assistant Cashier, International Banking Dept., San Francisco
   Headquarters, written by Harlow B. Ford.
EXHIBIT A

DESCRIPTION

The photostatic copies each of the following:

3. Commercial deposit slip, HOLLISTER SLEO CO., dated 7/25/41, $632.27.
Commercial deposit slip, HOLLISTER SLEO CO., dated 12/2/41, $295.35.
Commercial deposit slip, HOLLISTER SLEO CO., dated 12/4/41, $244.79.


5. Commercial account statement, HOLLISTER SLEO CO.,
   from July 23, 1941 to July 30, 1941.

6. Commercial account statement, JOE J. YUKAWA,
   from June 20, 1941 to July 20, 1941.


8. Commercial account statement, HOLLISTER SLEO CO.,
   from September 30, 1941 to October 31, 1941.

9. S.F. Draft 127677 payable to Yokohama Specie Bank,
   $202.00, dated October 29, 1941.

10. Application for drafts dated October 29, 1941 for
    $101.00 and $202.00 purchased by L. J. MATSUMI.

11. S.F. Draft 127676 payable to Yokohama Specie Bank,
    $101.00, dated October 29, 1941.

12. Commercial account statement, HOLLISTER SLEO CO.,
    from July 31, 1941 to August 30, 1941.

13. S.F. Draft 127308 payable to the Yokohama Specie Bank, Ltd.,
    $200.00, dated August 23, 1941.

14. Application for draft dated August 23, 1941, for $200.00
    purchased by E. T. MATSUMI.

15-16. Commercial deposit slip of August 2, 1941,
    HOLLISTER SLEO CO., $1010.38.

17. Misc. 6--Advice of Charge (copies) 358592 thru 358901.

18. Commercial account statement, HOLLISTER SLEO CO.,
    from October 31, 1941 to November 22, 1941.

19. SF Draft 127776 payable to Yokohama Specie Bank,
    $178.75, dated November 17, 1941.
Two photostatic copies each of the following:

219. Application for draft dated November 17, 1941 for $176.75 purchased by S. J. Matsutake.

220. Commercial account statement, HOLLISTER SEED CO., from November 23, 1941 to December 30, 1941.

221. Deposit ticket dated 12/2/41 in amount of $386.35 for account of HOLLISTER SEED CO.

222. Rejected check list for 11/8/41.

223. S.F. Draft #27887 payable to Yokohama Specie Bank, $180.00, dated December 6, 1941.

224. Application for draft dated Dec. 6, 1941, for $180.00 purchased by E. T. Mitsurra.

225. Letter dated January 23, 1942, from The Yokohama Specie Bank, Ltd., returning check for $180.00 remitted by YUKI MITSURRA.

226. Copy of letter dated January 23, 1942 to Mr. GEORGE J. KIMA, The Yokohama Specie Bank, San Francisco, California, written by HARU. B. FORD.


231. Deposit Box Entrance ticket dated July 25, 1941, signed JOL G. YAMAHA.
### Exhibit #

<table>
<thead>
<tr>
<th>Exhibit</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.32</td>
<td>3 pages, duplicate copy of Transfer Record of the HOLLISTER SEED CO. from JOS. T. YAMAHATA to GEORGE J. YAMAHATA, dated December 20, 1941.</td>
</tr>
<tr>
<td>1.33</td>
<td>Copy of letter dated March 22, 1944, to A. L. STUHL, Acting Manager, Office of Alien Property Custodian, 417 Montgomery St., San Francisco, California.</td>
</tr>
<tr>
<td>1.34</td>
<td>Savings Ledger Card, Account #4190, HOLLISTER SEED CO.</td>
</tr>
<tr>
<td>1.35</td>
<td>Savings Account #4190 signature card, HOLLISTER SEED CO., dated May 18, 1942.</td>
</tr>
<tr>
<td>1.36</td>
<td>Savings deposit slip, Account #4190, HOLLISTER SEED CO., #11600.00.</td>
</tr>
<tr>
<td>1.37</td>
<td>Savings Ledger Card, Account #4934, GEORGE J. YAMAHATA.</td>
</tr>
<tr>
<td>1.38</td>
<td>Savings deposit slip, GEORGE J. YAMAHATA, #4934, dated January 17, 1942.</td>
</tr>
<tr>
<td>1.39</td>
<td>Savings Account #4934 signature card, dated January 17, 1942.</td>
</tr>
<tr>
<td>1.40</td>
<td>Commercial account statement, JOS. T. YAMAHATA, from July 31, 1941 to August 12, 1941.</td>
</tr>
<tr>
<td>1.41</td>
<td>Commercial account statement, HOLLISTER SEED CO., from August 30, 1941 to September 30, 1941.</td>
</tr>
<tr>
<td>1.42</td>
<td>Record of Attendance at San Benito County High School by GEORGE YAMAHATA.</td>
</tr>
<tr>
<td>1.43</td>
<td>Photographic copy of pages 1 &amp; 6 of the HOLLISTER FM 5 LASS for 7/26/41.</td>
</tr>
<tr>
<td>1.44</td>
<td>Assignment of Lease, dated April 2, 1942, given by HELEN HATSUURA.</td>
</tr>
<tr>
<td>1.45</td>
<td>Power of Attorney signed by GEORGE YAMAHATA, April 3, 1942.</td>
</tr>
<tr>
<td>1.46</td>
<td>Quitclaim, dated April 3, 1942, signed by HELEN HATSUURA.</td>
</tr>
<tr>
<td>1.47</td>
<td>Agreement, dated April 2, 1942, signed by HELEN HATSUURA and FRED SALDO ROBERTI.</td>
</tr>
<tr>
<td>EXHIBIT</td>
<td>DESCRIPTION</td>
</tr>
<tr>
<td>---------</td>
<td>-------------</td>
</tr>
</tbody>
</table>
| #48     | Two photostatic copies of:  
| #49     | Two photostatic copies of:  
Certified copy of Certificate signed by A.A., dated July 25, 1941, recorded July 26, 1941. |
| #50     | Two photostatic copies of:  
| #51     | The 20* edition of the San Francisco Chronicle dated Saturday, July 26, 1941. |
| #52     | Photostatic copy of A and B editions of San Francisco News  
Friday, July 25, 1941. |
| #53     | Original signed statement of FRANK F. FOPPES. |
| #54     | Original signed statement of H. B. DUBLINHAM. |

- CLOSED -
Office Memorandum • UNITED STATES GOVERNMENT

TO : Director, FBI

FROM : SAC, Los Angeles

SUBJECT : GEORGE J. YAMANAKA vs TOM C. CLARK
ATTORNEY GENERAL
ALIEN PROPERTY CUSTODIAN MATTER

DATE: November 8, 1947

Reference is made to a memorandum from Washington Field to the Bureau dated October 31, 1947, a copy of which was furnished Los Angeles Office with sixteen enclosures.

Inasmuch as Los Angeles has no interest in these enclosures they are being forwarded with a copy of this letter to San Francisco Office. RUG.

CC: Washington Field (llh-3)
San Francisco (ENCLOSURES 16)
SAC, San Francisco

November 20, 1947

Director, FBI

GEORGE J. YAMANAKA vs. TOM C. CLARK
ATTORNEY GENERAL
ALIEN PROPERTY CUSTODIAN MATTER

Reference your memorandum to the Bureau dated November 7, 1947, concerning the enclosures furnished you by the Washington Field Office with its memorandum of October 31, 1947. Reference is further made to Los Angeles memorandum to the Bureau dated November 8, 1947, advising that its copies of the same enclosures were being forwarded to your office.

Copies of these enclosures have been furnished to the Director, Office of Alien Property, by the Bureau and the Bureau has no objection to the destruction of the copies in your office at such time as you consider them of no further value to the investigation.
TO: Director, FBI
FROM: SAC, San Francisco

SUBJECT: GEORGE J. YAMANAKA vs. TOM C. CLARK
ATTORNEY GENERAL
ALIEN PROPERTY CUSTODIAN MATTER

DATE: November 7, 1947

Reference is made to letter from Washington Field to the Director dated October 31, 1947.

Reference letter listed several enclosures which were sent to Los Angeles, the Director, and this office. There appears to be no reason to keep these enclosures in this office. It is requested that you advise whether you desire that they be maintained here, and, if not, what disposition should be made of them.
SAC, Washington Field

November 15, 1947

Director, FBI

George J. Vasa vs. Tom C. Clark,

Attorney General

Alien Property Custodian Matter

Re Bureau memo 10/10/47, which indicated Los Angeles as office of origin in this case.

The records of your office should be changed to reflect that San Francisco is properly office of origin in this matter.

114-101
November 13, 1947

Mr. David L. Bazelon
Assistant Attorney General
Director, Office of Alien Property
Attention: Mr. Henry G. Hilken

GEORGE J. YAMANAKA

vs. TOM C. CLARK, ATTORNEY GENERAL

Alien Property Custodian Matter

Reference is made to your memorandum of August 29, 1947 in the above-entitled matter.

On page eleven of your memorandum a request was set forth to examine certain files of the Federal Reserve Bank of San Francisco. Inquiry at San Francisco has determined that all records of the Foreign Funds Department were transferred in January of 1947 to the Treasury Department, Foreign Funds Control, at Washington, D.C.

Such records as were available at Washington were made available by Mr. Walter F. White, Acting Chief, Office Services, Foreign Funds Control, Treasury Department, and there are enclosed herewith a photostatic copy of each of the following pertinent documents:

Application to engage in a foreign exchange, etc., SF-16554, dated December 31, 1941, signed by George J. Yamanaka and jurat executed by John T. Lewis, Notary Public.

Letter dated March 16, 1942, from Assistant Cashier, Federal Reserve Bank, San Francisco, California, to George J. Yamanaka, re application dated December 31, 1941, assigned application number SF-16554

Application to engage in a foreign exchange, etc., SF-22016, dated March 9, 1942, signed by George J. Yamanaka and jurat executed by John T. Lewis, Notary Public.
Letter dated March 12, 1942, from the Federal Reserve Bank, San Francisco, California to George J. Yamanaka, d.b.a. Hollister Seed Company, re application dated March 9, 1942, assigned application number SF-22016.

Application to engage in a foreign exchange transaction, #40881, dated March 7, 1944, signed by George J. Yamanaka. Not approved.

Letter dated March 21, 1944, from R. H. Morrill, Assistant Cashier, Federal Reserve Bank, San Francisco, California, to George J. Yamanaka, re application dated March 7, 1944, assigned application number SF-40881.

Letter dated March 16, 1944, signed George J. Yamanaka, to Federal Reserve Bank, San Francisco, California, re application number 40881.

Letter dated March 10, 1944, signed R. H. Morrill, Assistant Cashier, to George J. Yamanaka, re application dated March 7, 1944, assigned application number SF-40881.

Letter dated June 7, 1944, signed "For the Alien Property Custodian, Lloyd L. Shaulis, Secretary to the Executive Committee", addressed to "The Honorable, The Secretary of the Treasury, Washington, D.C.", re Hollister Seed Company, as described in Vesting Order #3179.

Memorandum dated June 5, 1945, signed H. R. Pollak, re George J. Yamanaka vs Alien Property Custodian and the Treasurer of the United States.

Memorandum dated May 23, 1945 from H. R. Pollak to Mr. Moskovitz re George J. Yamanaka, Hollister Seed Company.

Telegram dated San Francisco, May 21, 1945, signed "Sherman" to Foreign Funds Control, attention Mr. Schugh, re stipulation whereby liquidation of personal property of Hollister Seed Company would proceed.

Telegram dated San Francisco, May 21, 1945, signed "Sherman" to Foreign Funds Control, attention Mr. McKee, re Hollister Seed Company account at Bank of America, NTSA. Hollister was blocked in Fall, 1941, because of possible interest of Joe G. Yamanaka, then living in Japan.

Letter dated April 26, 1945, signed Merritt Sherman, Assistant Cashier, Federal Reserve Bank, San Francisco, California, to Foreign Funds Control, Treasury Department, Washington, D.C., attention Mr. H. "J. Glenn, re George J. Yamanaka vs James F. Farkham, Alien Property Custodian, and "C. A. Julian, Treasurer
of the United States — District Court of the United States for the Northern District of California, Southern Division — Civil Action #247168. (2 pages)

Confidential report dated February 11, 1942, of Lyford H. Morris, Treasury Agent, Investigative Section, San Francisco, California, re George J. Yamanaka, d.b.a. Hollister Seed Company, Post Office Box 741, Fallon Road, Hollister, California, application number SF-17223, covering subjects of ownership, nature of business, assets, correspondence files, etc. (9 pages)

Copy of memorandum dated June 1, 1942, re Hollister Seed Company, Fallon Road, Hollister, California, covering type of business, owners of record, nature and extent of enemy interest, etc. This memorandum does not show the author thereof. (2 pages)

Letter dated February 2, 1942, signed by R. E. Emerson, Assistant Cashier, Federal Reserve Bank, San Francisco, to Mr. John F. Pehle, Assistant to the Secretary, Foreign Funds Control, Treasury Department, Washington, D.C., enclosing in duplicate affidavit TFEE-1, #SF-467, executed by George J. Yamanaka, owner, Hollister Seed Company, Hollister, California, signed by George J. Yamanaka, and sworn to on January 8, 1942, before John T. Lewis, Notary Public. (5 pages)

Mr. White advised that the records received from the Federal Reserve Bank at San Francisco are contained in a shipment consisting of twelve large wooden boxes which have not been opened, since his office is operating with only a skeleton force and sufficient personnel for this work has not been available. He explained that the Foreign Funds Control Division is in the process of liquidation and it is indefinite as to when these records might be available.

Inasmuch as the complete files of Foreign Funds Control relating to this case are inaccessible, no further action is contemplated with respect to their examination. Reports reflecting the results of the other investigation requested will be furnished you upon their receipt at the Bureau.

Enclosures

FEC:DRF
114-101
Office Memorandum • UNITED STATES GOVERNMENT

TO: Director, FBI

FROM: SAC GUY HOTTEL, Washington, D.C.

DATE: October 31, 1947

SUBJECT: GEORGE J. YAMANAKA—vs—TOM C. CLARK,
ATTORNEY GENERAL
ALIEN PROPERTY CUSTODIAN MATTER

Reference is made to your memorandum dated October 10, 1947, with enclosures, wherein it is mentioned that all records of the Foreign Funds Department of the Federal Reserve Bank of San Francisco were sent to the Treasury Department, Foreign Funds Control, 734 15th Street, N.W., Washington, D.C., in January, 1947. On page 11 of the photostatic enclosure dated August 29, 1947, addressed to the Bureau from Mr. DAVID L. BAZELON, Assistant Attorney General, Director, Office of Alien Property, the following lead in paragraph 15 of Mr. BAZELON's memorandum is set out for coverage by this office.

"Examine the files of the Federal Reserve Bank of San Francisco and obtain photostats of all correspondence had with the Hollister Seed Company, GEORGE J. YAMANAKA, or JOHN T. LEWIS. Photostats of a letter from JOHN T. LEWIS to the bank, dated February 4, 1942, in which he indicated that the plaintiff was holding the property for his father, and the reply of the bank to LEWIS, dated February 5, 1942, should be obtained. Interview the officials of the bank to secure an explanation of why the Bank of America blocked the account of the Hollister Seed Company without being directed to do so."

On October 17, 1947, Special Agent (A) JOSEPH A. GENAU of this office contacted Mr. WALTER F. WHITE, Acting Chief, Office Services, Foreign Funds Control, Treasury Department, 734 15th Street, N.W., who advised that twelve large wooden boxes containing records were received from the Federal Reserve Bank, San Francisco, California, and that these boxes are now in storage in the General Electric Building, 1320 New York Avenue, N.W., Washington, D.C. Mr. WHITE stated that these boxes have never been opened for the reason that the Foreign Funds Control Division is now in the process of liquidation and operating with a skeleton force. However, Mr. WHITE did make available to Special Agent GENAU the files of the Washington headquarters office of the Foreign Funds Control containing correspondence and applications for a license to engage in foreign exchange transactions.
A review of these files disclosed that the two specific letters and other correspondence desired in this case by the Office of Alien Property, Department of Justice, were not contained therein.

In these files there was found a confidential report dated February 11, 1942, prepared by LIFORD M. MORRIS, Treasury Agent, Investigative Section, San Francisco, California, and on page three in the second paragraph of this report, under the heading "Assets", the following is shown:

"The bank account of the Hollister Seed Company, Hollister Branch of the Bank of America, was in the name of JOE G. YAMANAKA and with the transfer of business to GEORGE J. YAMANAKA in July, 1941, it was placed under the name of the Hollister Seed Company with the authorized signatures of son GEORGE J. YAMANAKA, daughters HELEN MATSUKURA and SUSAN MILLS HISHIMURA, and father JOE G. YAMANAKA. It was due to the father's authorized signature that the account was blocked."

Photostats of certain pertinent papers found in the files of the Foreign Funds Control, Washington, D. C., were photostated and they are herewith listed and made a part of this letter as enclosures to the Bureau, Los Angeles and San Francisco Division:

Application to engage in a foreign exchange, etc., #16554, dated December 31, 1941, signed by GEORGE J. YAMANAKA and jurat executed by JOHN T. LEWIS, Notary Public.

Letter dated March 16, 1942, from Assistant Cashier, Federal Reserve Bank, San Francisco, California, to GEORGE J. YAMANAKA, re application dated December 31, 1941, assigned application number SF-16554.

Application to engage in a foreign exchange, etc., #22016, dated March 9, 1942, signed by GEORGE J. YAMANAKA and jurat executed by JOHN T. LEWIS, Notary Public.

Letter dated March 12, 1942, from the Federal Reserve Bank, San Francisco, California to GEORGE J. YAMANAKA, d.b.a. Hollister Seed Company, re application dated March 9, 1942, assigned application number SF-22016.
Application to engage in a foreign exchange transaction #40881, dated March 7, 1944, signed by GEORGE J. YAMANAKA. Not approved.

Letter dated March 21, 1944, from R. H. MORRILL, Assistant Cashier, Federal Reserve Bank, San Francisco, California, to GEORGE J. YAMANAKA, re application dated March 7, 1944, assigned application number SF-40881.

Letter dated March 16, 1944, signed GEORGE J. YAMANAKA, to Federal Reserve Bank, San Francisco, California, re application number 40881.

Letter dated March 10, 1944, signed R. H. MORRILL, Assistant Cashier, to GEORGE J. YAMANAKA, re application dated March 7, 1944, assigned application number SF-40881.

Letter dated June 7, 1944, signed "For the Alien Property Custodian, LLOYD L. SHAULIS, Secretary to the Executive Committee", addressed to "The Honorable, The Secretary of the Treasury, Washington, D. C.", re Hollister Seed Company, as described in Vesting Order #3179.

Memorandum dated June 5, 1945, signed H. R. POLLAK, re GEORGE J. YAMANAKA, vs Alien Property Custodian and the Treasurer of the United States.

Memorandum dated May 23, 1945 from H. R. POLLAK to Mr. MOSKOVITZ re GEORGE J. YAMANAKA, Hollister Seed Company.

Telegram dated San Francisco, May 21, 1945, signed "SHERMAN" to Foreign Funds Control, attention Mr. McHugh, re stipulation whereby liquidation of personal property of Hollister Seed Company would proceed.

Telegram dated San Francisco, May 21, 1945, signed "SHERMAN" to Foreign Funds Control, attention Mr. McHugh, re Hollister Seed Company account at Bank of America, NTSF. Hollister was blocked in Fall, 1941, because of possible interest of JOE G. YAMANAKA, then living in Japan.

Letter dated April 26, 1945, signed MERRITT SHERMAN, Assistant Cashier, Federal Reserve Bank, San Francisco, California, to Foreign Funds Control, Treasury Department, Washington, D. C., attention Mr. H. W. GLENN, re GEORGE J. YAMANAKA vs JAMES E. MARKHAM, Alien Property Custodian, and W. A. JULIAN, Treasurer of the United States — District Court of the United States for the Northern District of California, Southern Division — Civil Action #24716S. (2 pages)
Confidential report dated February 11, 1942, of LYFORD M. MORRIS, Treasury Agent, Investigative Section, San Francisco, California, re GEORGE J. YAMANAKA, d.b.a. Hollister Seed Company, Post Office Box 741, Fallon Road, Hollister, California, application number SF-17223, covering subjects of ownership, nature of business, assets, correspondence files, etc. (9 pages)

Copy of memorandum dated June 1, 1942, re Hollister Seed Company, Fallon Road, Hollister, California, covering type of business, owners of record, nature and extent of enemy interest, etc. This memorandum does not show the author thereof. (2 pages)

Letter dated February 2, 1942, signed R. E. EMERSON, Assistant Cashier, Federal Reserve Bank, San Francisco, to Mr. JOHN W. PEHL, Assistant to the Secretary, Foreign Funds Control, Treasury Department, Washington, D. C., enclosing in duplicate affidavit TPE-1, #SF-467, executed by GEORGE J. YAMANAKA, owner, Hollister Seed Company, Hollister, California, signed by GEORGE J. YAMANAKA, and sworn to on January 8, 1942, before JOHN T. LEWIS, Notary Public. (5 pages)

On October 23, 1947, Mr. WALTER F. WHITE, Acting Chief, Office Services, Foreign Funds Control, Treasury Department, Washington, D. C., addressed the following letter to the Washington Field Office:

"Reference is made to your letter of October 20, 1947, requesting photostats of certain material in our files be made available to Special Agent GENAU of your office.

"Such material as was readily available was shown to Agent GENAU. However, we regret that the correspondence files shipped to us by the Federal Reserve Bank of San Francisco are in storage, in twelve large wooden packing cases.

"Foreign Funds Control is in process of liquidation and operating with a skeleton force. Unfortunately, we are unable at this time to supply the personnel and labor required to open these crates and examine their contents.

"I have discussed the situation thoroughly with Agent GENAU and informed him that if your office could furnish the necessary personnel, (one laborer with crow-bar and one clerk to search the files) this office would be pleased to make the files available, at your convenience."
The opening and examination of the contents of the twelve wooden cases mentioned above, will not be undertaken by this office unless otherwise instructed by the Bureau.

The lead for this office contained in the Phoenix Division letter to the Bureau, dated October 18, 1947, will be covered and the results of investigation will be forwarded to the office of origin.

cc - SAC Los Angeles (Encl)(Air Mail)  
    SAC San Francisco  (Encl) (Air Mail)

Enclosures
SYNOPSIS OF FACTS:
Subject registered for Selective Service 6/26/42. Classified I-A on 7/2/46 and on 9/13/46, classified 4-F (H), physical unfitness due to "persistent hypertension". Selective Service files fail to reflect that subject had ever volunteered for service.

REFERENCE:
Bureau letters dated 9/13/47 and 11/3/47

DETAILS:
The Selective Service file of the subject was reviewed at the California State Selective Service Headquarters, 730 - 24th Street, Sacramento, by SA SIDNIT P. PARK. The entire file was photographed and is being enclosed herewith to the Bureau.

The review reflected that subject registered for Selective Service on June 26, 1942; was classified I-A on July 2, 1946, and 4-F (H) on September 13, 1946. He was rejected as being physically unfit due to "persistent hypertension". The review failed to reflect that the subject ever volunteered for service in the U.S. Armed Forces.

ENCLOSURE:
To the Bureau, subject's Selective Service file described below:

1. Cover of Selective Service Folder
2. DSS Form 1 (front)
3. DSS Form 1 (back)
4. DSS Form 40 - page 1
5. DSS Form 40 - page 2
6. " " " " 3
7. " " " " 4
8. DSS Form 40, page 5
9. " " " 6
10. " " " 7
11. " " " 8
12. DSS Form 221 dated 11/6/46, page 1
13. DSS Form 221, dated 11/6/46, page 2
14. DSS Form 221, dated 11/6/46, page 3
15. DSS Form 221, dated 11/6/46, page 4
16. Laboratory report, tests taken 9/11/46, front
17. Laboratory report, tests taken 9/11/46, reverse
18. DSS Form 212
19. DSS Form dated 3/29/46
20. Form AF-5 (Change of Address) dated 7/12/45
21. Letter from War Department to Sel. Ser. Hqts. 1/1/46
22. Letter from subject to LDB 120 dated 10/21/42
23. " " " " " " " " " " "

-PENDING-
Sac, San Francisco

April 33, 1942

Director, F.B.I.

C. C. Y. MAHAN, vs. H. C. CLAY,
Attorney General

"FEDERAL MOURNY VS. F. K. MURPHY"

Your letter dated 4-15-42. The Bureau desires that this case be remained in a pending inactive status in your office in order that a periodic check may be made of the court records in the Southern Division of the U. S. Court for the Northern District of California, to ascertain the disposition of the suit pending in this matter.

A closing report should be submitted upon the disposition of the suit of this case.

114-101-16

RECORDED 12/19/42

EX-137

WASHWOGO
To:  Director, FBI  
From:  SAC, San Francisco  
Subject:  GEORGE J. YAMANAKA, vs. TOM C. CLARK,  
          Attorney General  
          Alien Property Custodian Matter  

Inasmuch as there is no additional investigation to be conducted in this matter this case is being considered closed unless advised to the contrary.
SA3, San Francisco

November 16, 1945

Reference Bureau memorandum 4-30-43. The Bureau desires to be informed as to the status of this case in the U. S. District Court for the Southern Division of the Northern District of California.

114-101
TO: Director, FBI
FROM: SAC, San Francisco
SUBJECT: GEORGE J. YAMANAKA vs TOM C. CLARK, Attorney General
ALIEN PROPERTY CUSTODIAN MATTER
Bureau File 114-101


Assistant U. S. Attorney ARTHUR J. DE LORIMIER advised that this matter has not been set for trial and that he will notify this office when he receives any information as to when the trial will be held.
TO: Director, FBI
FROM: SAC, San Francisco
SUBJECT: GEORGE J. YAMANAKA vs. TOM C. CLARK,
   Attorney General
   ALIEN PROPERTY CUSTODIAN MATTER
   Bureau File 114-101

ReBulet 6/15/49.

Assistant U. S. Attorney E. HUGH HENES advised that the trial of this matter has not been scheduled, he has no information as to when it might be scheduled and that there is a notation in the file that this office will be notified whenever a trial is set.

RIJ: mah
114-2

RECORDED - 130
37 JUL 1949

EX-31
EX-59

R-571
58 JUL 22 1949
Office Memorandum • UNITED STATES GOVERNMENT

TO:        DIRECTOR, FBI

FROM:      AG, San Francisco

DATE:      11/25/40

SUBJECT:   GEORGE J. YUMIYAMA vs. TOM C. CLARK
            Attorney General
            ARMED FORCES DISMISSAL MATTER
            Bureau File 111-101

            This is to advise that Assistant United States Attorney E. HUGH
            HENES, San Francisco, advised that the trial of this matter has not been
            scheduled. He advised that there is a notation in the file that this office
            is to be notified when the trial is scheduled.
Office Memorandum - UNITED STATES GOVERNMENT

TO: Director, FBI  DATE: 12-28-49
FROM: SAC, San Francisco
SUBJECT: GEORGE J. YAMANAKA vs. McGrath, et al
(formerly Yamanaka vs. TOM C. CLARK)
ALIEN PROPERTY CUSTODIAN MATTER
File 114-101

FRANK J. HEFNESSY, U. S. Attorney, San Francisco, advised that the above case has been set for trial on 3-9-50.
SAC, San Francisco

Director, FBI

GEORGE J. ARMSTRONG, v. J. OSWALD MCGRATH,
Attorney General
ALIEN PROPERTY CUSTODIAN MATTER
(Your file 114-2)

January 11, 1950


There are forwarded to you herewith and to the Washington Field Office two copies of a memorandum from Acting Director Harold I. Baynton, Office of Alien Property, dated January 6, 1950, outlining additional investigation desired in this case.

The Washington Field Office is instructed to have an experienced accountant contact Mr. Byron C. Baum, Attorney, Litigation Branch, Office of Alien Property, Room 234, NOLC Building, for the purpose of examining the books and records of Hollister Seed Company.

Acting Director Baynton refers to a report of Special Agent Raymond Irvin Johnson, dated October 8, 1947, which no doubt should be October 28, 1947.

If the policies and applications or photostats thereof referred to in Mr. Baynton's letter are not available at E. E. Holbrook and Company, Hollister, California, appropriate leads should be set out promptly to obtain same.

All investigation pertaining to this matter is to be in report form. This investigation is to be given expeditious, preferred and continuous attention and three copies of all reports, including reports covering leads, are to reach the Bureau by February 13, 1950.

Enclosures

MJB: JHK

114-101 - 22
January 6, 1950

To: J. Edgar Hoover, Director
Federal Bureau of Investigation

Attention: Mr. Alex Rosen

From: Harold L. Baynton, Acting Director
Office of Alien Property

Subject: Yamanaka v. McGrath
9-21-1174

The above-entitled action is now pending against the Attorney General of the United States in the United States District Court for the Northern District of California to recover certain property vested by the Alien Property Custodian. The case has been set for trial in San Francisco for March 9, 1950. The suit has been brought by George J. Yamanaka, an American citizen who claims that on July 25, 1941 his father, Joe G. Yamanaka, a Japanese citizen, who was about to return to Japan, made a gift to the plaintiff of all of the assets of Hollister Seed Company, Hollister, California, a sole proprietorship owned by said Joe G. Yamanaka. This alleged gift was made on July 25, 1941, which was the day preceding the date on which all Japanese assets in the United States were blocked by Executive Order of the President. It is the position of this Office that this gift was made for the sole purpose of evading the freezing controls instituted by the President's Executive Order, and for the purpose of preventing seizure of the property in the event of war between Japan and the United States. We, therefore contend that the gift was not bona fide, and was a sham, and that the beneficial ownership of the property involved remained in the father, Joe G. Yamanaka.

It is unnecessary for present purposes to re-state the facts in this case in detail. Your Bureau was requested to undertake an investigation in this matter by memorandum from this Office dated August 29, 1947, which sets forth the facts in considerable detail. The investigation requested was promptly completed and received by this Office. It is the purpose of the present memorandum to request additional investigation as follows:
This Office is now in possession of the account books of the Hollister Seed Company, the subject of the alleged gift, and it would appear therefrom that certain payments may have been made to the father, Joe G. Yamanaka, after the alleged transfer in July 1941. If we can establish such payments it would be of great assistance to us in proving that no bona fide gift was, in fact, made. In addition, certain admissions as to the father's interest in this property have been made by an attorney named John T. Lewis, who now denies that he was acting as attorney for George J. Yamanaka at the time. We would also like to ascertain whether the books of account show any payments to said attorney for services rendered from the time of the alleged gift until the business ceased operation in the spring of 1942. In addition, we should like to ascertain whether the books show any payments received for the benefit of the father during this period. It is, therefore, requested that you assign an agent who is an accountant to examine these books in order to assist us in determining whether said books contain information which may be useful in maintaining this action. The books of this account are now in the possession of Mr. Lyron C. Baum, an attorney in the Litigation Branch of this Office, who is located in Room 234 of the E.O.L.C. Building.

Pursuant to a previous request for investigation you forwarded to us a report made at San Francisco on October 13, 1947 by Agent Raymond Irvin Johnson. On page 10 of this report Agent Johnson referred to the fact that he had contacted a representative of E. E. Holbrook and Co., insurance agents in Hollister, California, concerning insurance policies which had been issued on certain assets of the Hollister Seed Company. The report refers to three policies, Nos. 221316, 221320, and 221759, issued on various dates in September and October 1941 to the Hollister Seed Company. As to the second of these policies the report states that the application apparently in October 1941 was in the name of Joe Yamanaka, the alleged donor. We would like to obtain, if possible, the original applications for these insurance policies or at least photostatic copies thereof for possible use as evidence in the trial. We should also like to obtain, if available, the insurance policies themselves which were issued on the basis of these applications.
If you have any further questions with respect to this matter, Mr. Baum is available to supply any needed information. His telephone extension is 274.

Your prompt cooperation in this matter will be appreciated.
ACCOUNTING REPORT

Examination of books of account of Hollister Seed Company reflects that five checks totaling $859.75 were drawn to purchase drafts payable to Yokahama Specie Bank during period July 25, 1941 to December 6, 1941. These checks apparently for purpose of sending money to JOE G. YAMANAKA. This compares with net income per tax return, before salary to son-in-law, of $2,767.71. Son-in-law paid salary of $750.00 and daughter paid $650.00 during same period. No other record that monies received by business were received for benefit of JOE G. YAMANAKA. Payments totaling $51.00 made to JOHN T. LEWIS from December 31, 1941 to May 15, 1942. Of total deposits of $8,824.07 made to Savings Account 4934, six deposits totaling $2,370.65 traced to company funds. Statement of Income and Expense set out.

REFERENCE:
Bureau File No. 114-101
Bureau letter to San Francisco dated January 11, 1950
Reference Bureau letter enclosed a memorandum dated January 6, 1950 from HAROLD J. BAYNTHON, Acting Director, Office of Alien Property, advising that that office was in possession of the account books of the Hollister Seed Company. The memorandum requested, in part, that the books be examined for the purpose of establishing payments to the father of the Plaintiff, JOE G. YAMANAKA, after July 25, 1941, the date the father allegedly gave the business to his son GEORGE. It was also requested that it be determined what payments were made to JOHN T. LEWIS, an attorney, during the period July 25, 1941 to the time the business terminated in the Spring of 1942. It was also requested that it be determined if any monies were received for the benefit of the father during that period.

Mr. MYRON C. BAUM, Attorney, Office of Alien Property, made available the books of account. The case was discussed with him and he requested, in addition to the above, that an attempt be made to prove from the books that the monies deposited in Savings Account No. 4934, Bank of America, in the name of the Plaintiff be traced to company operations. He also requested that a summary of income and expense for the period July 25, 1941 to the Spring of 1942 be prepared.

Nine books of account were made available for examination. Of these, six contained transactions during the pertinent period. They are described as follows:

1. A bank register covering the period May 1, 1941 to May 18, 1942, which lists checks drawn, deposits made and balance in bank. No check numbers are shown and no attempt is made to classify checks drawn.

2. Cash Payment Book covering the period December 3, 1940 to May 15, 1942. This book records check and cash disbursements and classifies the disbursements into various types of expense. About one-half of the checks listed in the bank register are entered in the Cash Payment Book.

3. Cash Collection Book for the period October 17, 1940 to August 15, 1942. This book lists collections in the form of stamps, cash, money orders and checks.
4. Sales Record for the period January 2, to May 16, 1942.

5. Day Book from 1910 to April, 1942, crudely kept, appearing to record petty cash expenditures.

6. Accounts Receivable Ledger from 1928 to 1941.

In addition to above, there were made available certified copies of the personal Federal income tax returns of JOE G. and GEORGE YAMANAKA for 1939, 1940, 1941 and 1942.

The above-described records were poorly kept and much difficulty was encountered attempting to reconcile the entries in the records with bank records and tax returns. There were no general ledger nor inventory records.

The records were examined to determine to what extent the information requested by Mr. BAUM was available and the results of the examination are set out in the following sections of this report.

**PAYMENTS TO JOE G. YAMANAKA**

**July 25, 1941 to Spring of 1942**

The only record indicating payments to JOE G. YAMANAKA during the above period is the bank register. It records the following checks drawn:

<table>
<thead>
<tr>
<th>Date</th>
<th>Payee</th>
<th>Remarks</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>8-23-41</td>
<td>Bank of America</td>
<td></td>
<td>$200.00</td>
</tr>
<tr>
<td>10-29-41</td>
<td>Bank of America</td>
<td>(J.Y. for the purpose of sending money)</td>
<td>202.00</td>
</tr>
<tr>
<td>10-29-41</td>
<td>Bank of America</td>
<td></td>
<td>101.00</td>
</tr>
<tr>
<td>11-17-41</td>
<td>Bank of America</td>
<td>(J. Y.)</td>
<td>176.75</td>
</tr>
<tr>
<td>12-6-41</td>
<td>Bank of America</td>
<td></td>
<td>180.00</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td></td>
<td></td>
<td><strong>$859.75</strong></td>
</tr>
</tbody>
</table>

Investigation concerning these checks was conducted by Special Agent (A) RAYMOND IRVEN JOHNSON as reported by him at San Francisco October 28, 1947. Pages three through five of that report reflect each of the above checks were used to purchase drafts payable to the Yokahama Specie Bank. The
draft in the amount of $180.00, drawn on December 6, 1941, was blocked because of the war, declared on December 8, 1941, and the draft was returned to the Bank of America, which credited the proceeds back to the Hollister Seed Company account on January 31, 1942. The remarks listed above are those appearing in the bank register. The notation "for the purpose of sending money" under date of October 29, 1941, is a translation of Japanese characters entered in the book, the translation being made by JOSEPH H. STIMPSON, Translation Unit of the FBI. All of the above checks were drawn on the Hollister Seed Company account at the Hollister Branch, Bank of America.

It will be seen from the above that there was sent to Japan, apparently for JOE YAMANAKA, $679.75 and an attempt was made to send him an additional $180.00 for a total of $859.75 for the period July 25, 1941 to December 6, 1941.

In comparing this amount with payments to other members of his family during the same period, the following was noted:

Net Income from business from July 25, to December 31, 1941 per Federal income tax return filed by GEORGE J. YAMANAKA, before salary paid to E. T. MATSUURA

$2,767.71

Salary paid to E. T. MATSUURA, son-in-law ($150 a month)

$750.00

Monies paid to S. NISHIMURA, daughter ($130.00 a month)

$650.00

Drafts payable to Yokahama Specie Bank (as above)

$859.75

No similar checks were recorded payable to GEORGE J. YAMANAKA during this period. The salary paid E. T. MATSUURA was claimed as a business expense, whereas the monies paid S. NISHIMURA and for the purchase of drafts could not be traced into the tax return. In addition to the above amounts, the bank register lists some checks which appear to be in payment of personal bills such as doctor fees, gifts, etc. It is not clear on whose behalf they were issued and some of the items cannot be definitely identified between
personal or business expenditures. However, from the above tabulation, it might be argued that after the alleged transfer took place, the father continued to receive a major portion of profits. Attention is also brought to the periodic nature of the payments to the father.

In addition to the above listed checks which purchased drafts payable to the Yokahama Specie Bank, the following entries were recorded in the Bank Register.

On July 25, 1941, the date of the alleged transfer, there was drawn on the checking account of JOE G. YAMANAKA a check in the amount of $500 payable to the Sumitorno Bank. Of the money remaining in the account after this check, a net of $2,650 was transferred to a new account in the name of the Hollister Seed Company. The balance of $504.29 remaining in JOE's account was recorded on page 152 of the bank register as a liability to him. On July 29, 1941, the check, payable to the Sumitorno Bank was returned unpaid and the liability to JOE was increased to $1,004.27. On July 31, 1941, a check in the amount of $500.00 was drawn on the account of JOE G. YAMANAKA payable to GEORGE J. YAMANAKA and the liability to JOE was reduced back to $504.27, at which amount it still remains. From these entries, it appears that the $500 check to GEORGE on July 31, 1941 was for the benefit of his father, but since it arose from transactions occurring before the alleged transfer, it was not included in the above tabulation.

On August 8, 1941, a check in the amount of $100.00 was made out to the Sumitorno Bank for J. Y. but was not used.

On August 13, 1941 a check in the amount of $100.00 was made payable to the Yokahama Specie Bank but was returned unused on August 16, 1941.

Inasmuch as the funds of these latter two checks did not reach JOE they were not included in the above tabulation.

**PAYMENTS TO JOHN T. LEWIS**

There is recorded in the Cash Payment Book the following amounts TO JOHN T. LEWIS during the period July 26, 1941 to May 18, 1942:
WPO No. 114-3

<table>
<thead>
<tr>
<th>Date</th>
<th>Remarks</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>12-31-41</td>
<td>Notarizing, etc., affidavit</td>
<td>$12.50</td>
</tr>
<tr>
<td>1-9-42</td>
<td>Notary Public Affidavit</td>
<td>12.50</td>
</tr>
<tr>
<td>1-24-42</td>
<td>Notary Public</td>
<td>1.00</td>
</tr>
<tr>
<td>2-17-42</td>
<td>Attorney</td>
<td>1.00</td>
</tr>
<tr>
<td>2-24-42</td>
<td>Notary Public</td>
<td>.50</td>
</tr>
<tr>
<td>3-3-42</td>
<td>-</td>
<td>2.50</td>
</tr>
<tr>
<td>3-9-42</td>
<td>Notarize</td>
<td>.50</td>
</tr>
<tr>
<td>5-1-42</td>
<td>-</td>
<td>20.00</td>
</tr>
<tr>
<td>5-15-42</td>
<td>Notarize</td>
<td>.50</td>
</tr>
</tbody>
</table>

Total Recorded Payments $51.00

All of the above amounts were listed in the column "General Expense."

Monies Received for the Benefit of JOE G. YAMANAKA

There were no entries in the available records indicating any portion of the receipts after July 25, 1941 were received for the benefit of JOE G. YAMANAKA, other than the items discussed earlier in this report.

Savings Account No. 4934 in Name of GEORGE J. YAMANAKA

Savings Account No. 4934 was opened in the name of GEORGE J. YAMANAKA at the Hollister Branch, Bank of America on January 17, 1942 with an initial deposit of $382.00. From that date until December 27, 1943, twenty deposits were made to the account totaling $8,824.07.

Of the twenty deposits only the following could be identified from the books of account as coming from the Hollister Seed Company funds:

<table>
<thead>
<tr>
<th>Date</th>
<th>Source</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>1/17/42</td>
<td>Checking a/c of G. J. YAMANAKA</td>
<td>$382.00</td>
</tr>
<tr>
<td>2/24/42</td>
<td>** ** ** ** Hollister Seed Co.</td>
<td>30.06</td>
</tr>
<tr>
<td>3/3/42</td>
<td>** ** ** Hollister Seed Co.</td>
<td>50.00</td>
</tr>
<tr>
<td>4/27/42</td>
<td>S. Kase, Beryl, Utah</td>
<td>150.00</td>
</tr>
<tr>
<td>6/12/42</td>
<td>Ferry Morse Seed Co.</td>
<td>364.84</td>
</tr>
<tr>
<td>8/31/42</td>
<td>Salinas Valley Veg. Exch.</td>
<td>1,393.75</td>
</tr>
</tbody>
</table>

TOTAL $2,370.65
The first two deposits are recorded in the Bank Register as transfers of funds. The remaining four are identified by similarity of amount.

**SUMMARY OF INCOME AND EXPENSE**

**July 25, 1941 to May, 1942**

The following summary of income and expense was obtained by combining the two Federal Income Tax Returns filed by GEORGE J. YAMANAKA for the periods July 25, 1941 to December 31, 1941 and January 1 to May, 1942. The extent to which the figures are supported by the books of account is commented upon following the statement.
WFO No. 114-3

Total Receipts

Cost of Goods Sold

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Beginning Inventory</td>
<td>$4,444.37</td>
</tr>
<tr>
<td>Merchandise bought for sale</td>
<td>$9,020.28</td>
</tr>
<tr>
<td>Labor</td>
<td>$3,762.80</td>
</tr>
<tr>
<td>Materials and Supplies</td>
<td>$476.31</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$20,983.12</strong></td>
</tr>
</tbody>
</table>

Other Costs

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Freight and Express</td>
<td>$186.34</td>
</tr>
<tr>
<td>Telephone &amp; Telegraph</td>
<td>$173.53</td>
</tr>
<tr>
<td>Printed Matter</td>
<td>$1,479.54</td>
</tr>
<tr>
<td>Postage</td>
<td>$1,439.45</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$20,983.12</strong></td>
</tr>
</tbody>
</table>

Less Ending Inventory

Cost of Goods Sold

Gross Profit

Other Business Deductions

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>Salaries</td>
<td>$1,781.00</td>
</tr>
<tr>
<td>Bad Debts</td>
<td>$1,963.72</td>
</tr>
<tr>
<td>Depreciation</td>
<td>$1,156.97</td>
</tr>
<tr>
<td>General Expense</td>
<td>$253.84</td>
</tr>
<tr>
<td>Advertising</td>
<td>$260.35</td>
</tr>
<tr>
<td>Gas &amp; Oil</td>
<td>$486.57</td>
</tr>
<tr>
<td>Electricity</td>
<td>$61.64</td>
</tr>
<tr>
<td>Commission &amp; Refund</td>
<td>$1,129.72</td>
</tr>
<tr>
<td>Auto Expense</td>
<td>$260.80</td>
</tr>
<tr>
<td>Insurance</td>
<td>$325.24</td>
</tr>
<tr>
<td>Hawaii Check Exchange</td>
<td>$8.00</td>
</tr>
<tr>
<td>Rent</td>
<td>$1,200.00</td>
</tr>
<tr>
<td>Repairs</td>
<td>$27.13</td>
</tr>
<tr>
<td>Feed</td>
<td>$10.42</td>
</tr>
<tr>
<td>Electricity for irrigation</td>
<td>$185.86</td>
</tr>
<tr>
<td>Fertilizer</td>
<td>$576.15</td>
</tr>
<tr>
<td>Seed for crops</td>
<td>$312.38</td>
</tr>
<tr>
<td>Equipment</td>
<td>$2,671.82</td>
</tr>
<tr>
<td>General Field Expense</td>
<td>$310.68</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$18,982.29</strong></td>
</tr>
</tbody>
</table>

Net Income for Period

<table>
<thead>
<tr>
<th>Item</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total</strong></td>
<td><strong>$5,774.03</strong></td>
</tr>
</tbody>
</table>
The net income reported for each period was as follows:

<table>
<thead>
<tr>
<th>Period</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>July 25 to December 31, 1941</td>
<td>$2,017.71</td>
</tr>
<tr>
<td>January 1 to May, 1942</td>
<td>$3,656.32</td>
</tr>
<tr>
<td>Understatement of 1942 income due to error in addition on return</td>
<td>$100.00</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td><strong>$5,774.03</strong></td>
</tr>
</tbody>
</table>

Attempts were made to reconcile the entries in the books of account with the income tax returns. Among the difficulties encountered were the following:

The reported figure of total receipts apparently represents sales and not collections, as bad debt losses are claimed in the return. Inasmuch as the available sales records are incomplete, the total of $45,739.44 reported in the returns could not be verified. This figure compared with recorded collections of $42,577.60.

No inventory records were available.

Equipment and Depreciation schedules were not available. In this connection, it appears that in 1941, a tractor costing $2,323.44 and a disc costing $323.52 were purchased. These costs apparently are included in the item "Equipment", thereby effecting a deduction in their entirety for 1941 and they are also set up in the depreciation schedule and depreciated thereby causing an understatement of profit in 1941 of $2,651.96. Because of the incomplete records, it cannot be definitely stated that such is the case.

The remaining expense items are for the most part supported by entries in the books, however, they were not sufficiently complete to support the items of Labor, Postage and several of the small items.

On February 10, 1950, the matters dealt with in this report were discussed with Messrs. MYRON C. BAUM and PERCY BARSHAY, Office of Alien Property, at which time they advised that Mr. BARSHAY was moving to California and would handle the trial of this case. No further investigation was requested by them.
WASHINGTON 2-7 FROM SAN FRANCISCO 1-23-50 1-23-50

DIRECTOR

URGENT

GEORGE J. YAMAMAYA v. J. NOYARD MC GRATH, AG, APCH, DUNFREY ONE FOURTH IN CASH ONE NAUGHT O'VE. REP BEING SUBMITTED ASDD FEBRUARY FOURTH.

KINDELL

END

ACK PLSS

SF R 7 MA

DISCONNECT PLSS
February 21, 1950
Mr. Harold I. Paynton
Acting Director
Office of Alien Property
Room 654
101 Indiana Avenue, N. W.
Washington, D. C.

REFERENCE IS MADE TO YOUR MEMORANDUM DATED JANUARY 6, 1950, YOUR REFERENCE JH$13Btpg, 9-21-1174.

There are forwarded herewith the following described records obtained by our San Francisco Office from Mrs. Irene H. Regan of the E. E. Hollbrook and Company, Hollister, California:

(1) Farm Policy Form for Springfield Fire & Marine Insurance Company Policy #221316 dated September 11, 1941.

(2) Farm Application and Farm Policy Form covering Springfield Fire & Marine Insurance Company Policy #221520 dated October 6, 1941.

(3) Farm Application and Farm Policy Form covering Insurance Policy #221759 of the Springfield Fire & Marine Insurance Company dated October 9, 1941 in the name of the Hollister Seed Company.

(4) Farm Application Form #750 and Farm Application Form for $1,250, both dated September 10, 1942 in the name of Joe G. Yamanaka and Farm Policy Form for Policy #224793 issued by the Springfield Fire & Marine Insurance Company. It is noted that this policy has attached to it an endorsement blank dated October 5, 1942, endorsing this policy over to George Yamanaka.

Mrs. Regan advised that the above documents were the only documents in their possession covering insurance issued to the Hollister Seed Company or to Joe Yamanaka, and any other documents they may have had have been destroyed due to a lapse of time. She advised that the Yamanakas had never
Mr. Harold L. Baynton

Signed any insurance applications over the past several years they have had insurance with them, and it was the policy that they would come into the insurance company and advise her what insurance they wanted and she would type out an application form and send it to the home office where a policy would be made up and mailed back to the L. E. Hollbrook & Company. Mrs. Hegan said that the policies would then be either mailed to the Yamanakas or delivered to them in person, and that they would have possession of any policies. She stated that the above application forms were copies of the ones requesting insurance of the insurance company.

It is requested that as soon as the above documents have served their purpose, that they be returned to this Bureau so that they may be returned to the L. E. Hollbrook and Company.
TO: DIRECTOR, FBI
FROM: SAC, SAN FRANCISCO
SUBJECT: GEORGE J. YAMANAKA v. J. HOWARD McGrath
Attorney General
ALIEN PROPERTY CUSTODIAN MATTER
(Bureau File 114-101)

DATE: Feb. 14, 1950

Reference is made to Bureau letter dated Jan. 11, 1950.

Mrs. IRENE H. REGAN of the E. E. Hollbrook & Company, Hollister, California, furnished to Special Agent MILLARD E. SHAFFER of this office the following documents which were available covering insurance issued by her company to the Hollister Seed Company and JOE YAMANAKA:

1. Farm Policy Form for Springfield Fire & Marine Insurance Company Policy #221316 dated Sept. 11, 1941.

2. Farm Application and Farm Policy Form covering Springfield Fire & Marine Insurance Company Policy #221520 dated Oct. 6, 1941.

3. Farm Application and Farm Policy Form covering Insurance Policy #221759 of the Springfield Fire & Marine Insurance Company dated Oct. 9, 1941 in the name of the Hollister Seed Company.

4. Farm Application Form $750 and Farm Application Form for $2,250, both dated Sept. 10, 1942 in the name of JOE G. YAMANAKA and Farm Policy Form for Policy #224793 issued by the Springfield Fire & Marine Insurance Company. It is noted that this policy has attached to it an endorsement blank dated Oct. 5, 1942, endorsing this policy over to GEORGE YAMANAKA.

Mrs. REGAN advised that the above documents were the only documents in their possession covering insurance issued to the Hollister Seed Company or to JOE YAMANAKA, and any other documents they may have had have been destroyed due to a lapse of time. She advised that the YAMANAKAS had never signed any insurance applications over the past several years they have had insurance with them, and it was the policy that they would come into the insurance company and advise her what insurance they wanted, and she would type out an application form and send it to the home office where a policy would be made up and mailed back to the E. E. Hollbrook & Company.

MSS:ams
114-2
Encls.
Mr. H. E. K. said that the policies would then be either mailed to the
YAMAKAS or delivered to them in person, and that they would have
possession of any policies. She stated that the above application
forms were copies of the ones requesting insurance of the insurance
company.

It is noted that the books and records of the Hollister Seed
Company are in possession of the Office of Alien Property, Room 234,
MCLE Building, Washington, D. C., and that these records may contain
some of the old insurance policies of the YAMAKAS.

It is requested that as soon as the above documents obtained
from the E. E. Hollbrook & Company, Hollister, California have served
their purpose that they be transmitted to this office so that they
may be returned to the E. E. Hollbrook & Company.
February 23, 1930

Mr. Harold T. Sayton, Acting Director
Office of Alien Property

March 1, 1930

The Bureau has reviewed the report of Agent Sayton dated at Washington
February 21, 1930, and it is believed that an agent assigned to our San Francisco
office could readily handle the same work after receiving the books and records and
income tax returns in connection with Agent Sayton's report. The work does not
appear to be particularly complicated or complex with the background information
now available in back of our San Francisco office should have no difficulty in
taking the review in a relatively short period of time.

It is suggested that, if you have no objection to an accountant assigned
to our San Francisco office handling in this case, you wish be immediately
forward the records to your San Francisco office where they may be available for
review. If this agrees with your approval, immediate action is requested so that
our San Francisco office may be instructed to obtain the necessary records and
make such investigation as is required prior to the expected trial date.

cc - San Francisco (Your File 114-2)

114-101
Office Memorandum • UNITED STATES GOVERNMENT

TO: MR. ROSEN
FROM: R. D. SCOTT
SUBJECT: GEORGE J. YAMANAKA VS. J. HOWARD MCGRATH, ATTORNEY GENERAL
ALIEN PROPERTY CUSTODIAN MATTER

DATE: February 27, 1950

PURPOSE

To advise you of the request of Acting Director Harold I. Baynton, Office of Alien Property, to have SAA Charles C. Haynes of the WFO testify on March 9, 1950, at San Francisco, California.

BACKGROUND

Joe G. Yamanaka, a Japanese National, is reported to have given his son, George J. Yamanaka, his business, the Hollister Seed Company, just prior to the freezing order on July 25, 1941. The Office of Alien Property vested all assets (approximately $33,000) by vesting order number 3179 on February 16, 1944. George J. Yamanaka is suing the government for return of the property claiming same is his and not that of his father, a Japanese National. Trial is set for March 9, 1950, at San Francisco. Government's contention is that plaintiff's father, the alleged donor, continued to receive income from the business after he had supposedly given it away and that this income was transmitted to him in Japan after he had left the United States and, therefore, the assets of the company were those of the father and come within the Trading with the Enemy Act.

OBSERVATIONS

The Office of Alien Property requested the examination of the books and records to:

1. Establish payments to Joe G. Yamanaka after July 25, 1941.
2. Ascertain payments to John T. Lewis, attorney for the plaintiff.
3. Trace moneys received for the benefit of Joe G. Yamanaka.
4. Trace moneys deposited in savings account number 4934, Bank of America in the name of George J. Yamanaka from company operations.
5. Summary of income and expense.

The report of SAA Charles C. Haynes dated at Washington February 13, 1950, is a nine page accounting report. It has been reviewed and it is noted that schedules in most instances were prepared from books of accounts and tax returns. It does not appear that the books of accounts and tax returns were voluminous and the schedules prepared appear relatively simple and contain only a few items. Due to the analysis work already made and reported in this case, it is believed that an accountant assigned to the San Francisco Division could review the records in a relatively short period of time and testify to

Attachment
114-101

MJB: MG
Memorandum to Mr. Rosen

the facts in this case, thereby making it unnecessary for Agent Haynes to travel to San Francisco.

RECOMMENDATION

Attached hereto is a letter to Acting Director Harold I. Baynton, Office of Alien Property, recommending that the books and records be forwarded to their San Francisco Office to be reviewed by an Agent Accountant of our San Francisco Office for the purpose of testifying in this case.
To: COMMUNICATIONS SECTION.

Transmit the following message to:

SAC, SAN FRANCISCO

GEORGE J. YAMAHA VS J. HICARD MCGRAW, ATTORNEY GENERAL, AG.
OFFICE

ONE COPY YOUR FAX T.O. REFERRING MEMORANDUM TO OAP DATED FEBRUARY TWENTY-NIGHT,
COPY FURNISHED YOUR OFFICE. HAVE ACCOUNTANT IMMEDIATELY CONTACT ATTORNEY

FROST HARKER, OAP, SECURE RECORDS, CONTACT NECESSARY EXAMINATION AND BE
PREPARED TO REVIEW CASE WITH ATTORNEYS MARCH EIGHT AND TESTIFY FOLLOWING DAY.

HOOVER

114-101

MJB:klh

Attorney M. C. Baum, OAP, telephonically advised 3:15 p.m., 3/1/50, he is
agreeable to accountant our San Francisco Office testifying in case providing
he can prepare necessary data prior to trial.

Mr. Tolson
Mr. Glegh
Mr. Glavac
Mr. Lezlie
Mr. Nicholas
Mr. Busen
Mr. Tracy
Mr. Ryan
Mr. Gurnee
Mr. Babka
Mr. Martinez
Mr. Pemberton
Mr. Quinn Tyson
Mr. Hesse
Mr. Cady
SAN FRANCISCO 10 FROM WASH DC

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GEORGE J. YAMANAKA VS J. HOWARD MCGRATH, ATTORNEY GENERAL, APCM.

REURFILE ONE ONE FOUR DASH TWO. REFERENCE MEMORANDUM TO OAP DATED FEBRUARY TWENTYEIGHT, COPY FURNISHED YOUR OFFICE. HAVE ACCOUNTANT IMMEDIATELY CONTACT ATTORNEY PERCY BARSHAY, OAP, SECURE RECORDS, CONDUCT NECESSARY EXAMINATION AND BE PREPARED TO REVIEW CASE WITH ATTORNEYS MARCH EIGHT AND TESTIFY FOLLOWING DAY.

HOOVER

HOLD PLSheet 1...
Office Memorandum • UNITED STATES GOVERNMENT

TO: J. Edgar Hoover, Director  
Attention: Alex Rosen

FROM: Harold I. Baynton, Acting Director  
Office of Alien Property

DATE: February 21, 1950

SUBJECT: Yamanaka v. McGrath

Reference is made to my memorandum of January 6, 1950, in which I requested some additional investigation in California, and in which I also requested that an accountant be assigned to examine and analyze the books of account of the Hollister Seed Company, the business enterprise which is the subject of the above-entitled action, in order to assist us in the defense of this action. Pursuant to this request you assigned Special Agent Charles G. Haynes, of the Washington Field Office, to examine the books of account referred to. Agent Haynes made an examination of these books extending over a period of approximately ten days, and rendered a report thereon dated February 13, 1950 (WFO File No. 114-3). This report is very useful to this Office, since it discloses a breakdown of the income of this business enterprise for the second half of the year 1941, which shows that the several members of the Yamanaka family, including the father, whom we claim to be the real owner, all shared in that income. This tends to refute the contention of the plaintiff that the property was transferred to him as a gift by his father in 1941, and that he was the sole owner. Furthermore, this report discloses numerous entries in the books which reveal that attempts were made to transfer a total of $859.75 to the alleged donor in Japan within a six-month period, again refuting the contention that the son became the real owner of this property.

As I have previously advised you the trial of this action is scheduled to take place on March 9, 1950 in the United States District Court for the Northern District of California. As part of our defense upon this trial we intend to rely heavily upon the fact that the plaintiff's father, the alleged donor, continued to receive income from the business after he had supposedly given it away, and that this income was transmitted to him in Japan after he had left the United States. The only way in which we can with certainty prove these facts is by the testimony of a qualified accountant who, with the books before him, can testify in court as to what the books reveal. In view of the fact that Agent Haynes has made an extensive analysis of these books he appears to be the only witness available at this time who can qualify as an accountant familiar with the books.
On the basis of the foregoing, therefore, it is respectfully re­quested that authority be granted to Agent Haynes to travel to San Francisco for the purpose of testifying as witness on behalf of the Government in the above-entitled action on March 9, 1950. It is anticipated that the trial will take not more than two days. In order that Agent Haynes' testimony may properly be prepared in advance of trial, it is further requested that he be instructed to report to the San Francisco Office, Office of Alien Property, 208 Federal Building, San Francisco, on March 8, 1950, to consult with Messrs. Myron C. Baum and Percy Barshay, attorneys who will be responsible for the trial of this action.

Your prompt attention to this matter will be appreciated.
J. Edgar Hoover, Director

Attention: Alex Rosen

DATE: March 1, 1950

Reference is made to your memorandum of February 28, 1950, in which you advise that it is not necessary to send Agent Haynes to San Francisco to testify in this action, as previously requested, but that you will arrange to have an agent in the San Francisco Office inspect the books and records and be available to testify if so requested. Such agent must, of course, be an accountant.

This will confirm a telephone conversation between Mr. Myron C. Baum of this Office and Agent Marshall Bell of your Bureau, wherein Mr. Baum requested that an agent in San Francisco be immediately assigned to examine the books and records in this matter in order that he may be prepared to testify to the facts stated in the report of Agent Haynes. These books and records are now in the possession of Mr. Percy Barshay, of our San Francisco Office, and Mr. Baum will be in San Francisco on March 7, 1950 prepared to confer with the agent assigned in this matter as to the nature of the testimony he may be able to give.

Mr. Bell stated that immediate authority would be transmitted to the agent in San Francisco to handle this matter in the manner suggested. We would appreciate your advice when this has been accomplished.
TO: Director, FBI  
FROM: SAC, San Francisco  
DATE: 3-13-50

SUBJECT: GEORGE J. YAMANAKA vs  
J. HOWARD McGRATH, ATTORNEY GENERAL  
ALIEN PROPERTY CUSTODIAN MATTER

Mr. PERCY BARSHAY, Office of Alien Property, San Francisco, advised that this case has been postponed until 10-3-50. He stated he would contact this office when he desired an accountant to consult with him.

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114-2
OFFICE OF ALIEN PROPERTY
DEPARTMENT OF JUSTICE
SAN FRANCISCO 2
214 Federal Office Bldg.

March 23, 1950

Mr. J. Edgar Hoover, Director
Federal Bureau of Investigation
Department of Justice
Washington, D. C.

Re: George J. Yamanaka vs. J. Howard McGrath,
Attorney General
Alien Property Custodian Matter

Dear Sir:

Reference is made to your memorandum of February 21, 1950, to
Harold I. Baynton, Acting Director, Office of Alien Property,
Washington, D. C., with which you transmitted the following documents:

(1) Farm Policy Form for Springfield Fire & Marine
    Insurance Company Policy #221316 dated September 11, 1941.

(2) Farm Application and Farm Policy Form covering Springfield
    Fire & Marine Insurance Company Policy #221520 dated
    October 6, 1941.

(3) Farm Application and Farm Policy Form covering Insurance
    Policy #221759 of the Springfield Fire & Marine Insurance
    Company dated October 9, 1941 in the name of the Hollister
    Seed Company.

(4) Farm Application Form #750 and Farm Application Form for
    #1,250, both dated September 10, 1942 in the name of Joe
    G. Yamanaka and Farm Policy Form for Policy #224793 issued
    by the Springfield Fire & Marine Insurance Company. It is
    noted that this policy has attached to it an endorsement
    blank dated October 5, 1942, endorsing this policy over to
    George Yamanaka.

You stated that these documents had been obtained by your
San Francisco office from Mrs. Irene H. Regan of E. E. Hollbrook and
Company, Hollister, California, and requested that they be returned
to you for transmittal to that company.
Our Washington office has forwarded the documents to us for our use in preparing the above action for trial. In order to avoid unnecessary handling, we have today delivered them to your San Francisco office with a covering letter, a copy of which is enclosed.

Yours very truly,

Harold I. Baynton
Acting Director
Office of Alien Property

BY

Valentine C. Hammack, Manager
San Francisco Office
DEPARTMENT OF JUSTICE
OFFICE OF ALIEN PROPERTY
SAN FRANCISCO 2
214 Federal Office Bldg.
March 23, 1950

Federal Bureau of Investigation
Room 422, Federal Office Building
San Francisco, California

Attention: Mr. Ellidge, Special Agent

Re: George J. Yamanaka vs. J. Howard McGrath
Attorney General
Your File No. 114-2

Gentlemen:

Reference is made to a memorandum dated February 21, 1950, from
J. Edgar Hoover, Director, Federal Bureau of Investigation to Harold
I. Bayton, Acting Director, Office of Alien Property, Washington,
D. C., Therewith were transmitted the documents enumerated below
obtained by your office from Mrs. Irene H. Regan of E. E. Hollbrook
and Company of Hollister, California:

(1) Farm Policy Form for Springfield Fire & Marine Insurance
Company Policy #221516 dated September 11, 1941.

(2) Farm Application and Farm Policy Form covering Springfield
Fire & Marine Insurance Company Policy #221520 dated October
6, 1941.

(3) Farm Application and Farm Policy Form covering Insurance
Policy #221765 of the Springfield Fire & Marine Insurance
Company dated October 9, 1941 in the name of the Hollister
Seed Company.

(4) Farm Application Form #750 and Farm Application Form for
$1,250, both dated September 10, 1942 in the name of Joe
G. Yamanaka and Farm Policy Form for Policy #224795 issued
by the Springfield Fire & Marine Insurance Company. It is
noted that this policy has attached to it an endorsement
blank dated October 5, 1942, endorsing this policy over to
George Yamanaka.

Mr. Hoover's memorandum requested that the documents be sent back
to his office, in order that they might be returned to E. E. Hollbrook
and Company.

114-101-31

ENCLOSURE
Our Washington office has transmitted the documents to us for our use in preparing the above action for trial. In order to avoid unnecessary handling, we are herewith delivering the documents to you direct instead of forwarding them to your Washington office. A copy of this letter is being sent to your Washington office in order to acquaint it with the disposition of the documents.

Yours very truly,

Harold L. Payton
Acting Director
Office of Alien Property

[Signature]
Valentine G. Harrack, Manager
San Francisco Office
Mr. PERCY BARSHAY, Office of Alien Property, Federal Office Building, San Francisco, advised that as far as he can ascertain this case will be tried during the latter part of October this year. He also stated that inasmuch as the Office of Alien Property now has a staff of accountants in San Francisco it probably won't be necessary for the FBI to do any additional work. Mr. BARSHAY stated that he will advise this office if any additional work is desired and also the outcome of the case.

114-2
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SYNOPSIS OF FACTS:

- C -

DETAILS:


- CLOSED -

[Signature]

[APPROVED AND forwarded:]

[Special Agent in Charge:]

[DO NOT WRITE IN THESE SPACES]

[COPIES OF THIS REPORT]

114-111-33

3 - Bureau (114-111-33)
2 - San Francisco

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