

COPY OF CORRESPONDENCE WITH KERRY A. WHIPPLE

POSTCARD

Little Rock, Arkansas, Ark. 1936
March 27, 1936.

Mr. Henry L. Henschen, Baltimore, Maryland.

You are fit to speak out of your ears to invite Commonwealth College to come to Maryland, when you could not know a thing about what that college stands for.

You are now being sent a condensed copy of the transcript of the evidence regarding that college (?) taken by the Legislative Committee of Arkansas.

We recognize the fact that you are as erratic as hell, but we also believe that you fight fair and are a square-shooter. If that be true, it is up to you - after READING THE TESTIMONY - to give equal publicity to your sentiments as to whether you still want that outfit in Maryland.

Very truly yours,
HERALD WHIPPLE

704 Cathedral Street, Baltimore, April 6, 1936.

Dear Mr. Whipple:

My apologies if I have your name wrong. Your signature is very hard to read.

Your postcard of March 27 says that you were then sending me a transcript of the evidence against Commonwealth College taken before the Legislative Committee. So far, it has not reached me.

Sincerely yours,
H. L. Henschen
(practically illegible)

POSTCARD

Little Rock, 4/8/36

Dear Mr. Henschen -

By this time your Commonwealth College document has reached you. We deemed it wise to get the official written opinion of the U. S. Dist. Atty before putting this stuff in the mails. It's that rotten.

Yes, I know my signature is bad. But - -

It may interest you to find out (we haven't yet) what we frightened Commonwealth into deleting from its Vol. 11, No. 2, of the "Window Quarterly."

Herald Whipple

Best Copy Possible 1

704 Cathedral St., Baltimore, April 11/35

Dear Mr. Shipple -

Thanks very much for your second card. The mimeographed copy of the case against Commonwealth College came in yesterday and I have read it with the greatest interest. I am appalled to discover the brethren have been guilty of introducing the wicked practice of Fornication into Northwestern Artisans. I assume that it was unknown there until they came in, and that when their innocent neighbors became aware of it the whole community was shocked and amazed.

Seriously I see no danger in such outfits. They make a little uproar now and then, but I am convinced that they'll never be able to convert any substantial number of Americans to Communism.

Sincerely yours,
A. L. Mumford

Little Rock, April 15th, 1935.

Dear Mr. Mumford -

I have your letter of the 11th, which was quite clever. But I fear that your attention was too much attracted to that fun on the banks of the creek, rather than to the creek of two potential citizens - country boys - about which their sister testified. (Irene O'Shark, pp. 12-13).

Along these lines of special interest to you, you will find considerably more matter put out by Commonwealth College. In their current issue of "The Pioneer Quarterly," they advise that their current issue has been "seriously censured" and that nineteen pages have been cut out of a story therein entitled "Thundering" which is an excerpt of a book called "Somebody in Boots," by Selma Aigron.

Commonwealth College says that this story "violates eminent labors," which would seem to place it right down your own alley. It alibis its censorship on the ground that the story would "have enlisted the support of thousands of fundamentalists" in this state against Commonwealth College, who otherwise are not much interested in a fight between Commonwealth College and the share-croppers, on one side, and wealthy planters on the other."

Commonwealth strongly advises its readers to buy (price \$2.50) the book and read all of it. It is a very clever way to exploit the book and the important \$2.50 for Commonwealth's benefit.

The author belongs to the John Reed Club in Chicago and that club tendered him a banquet there last night to express its delight at the publication of that worthy work.

After you have read "Somebody in Boots," you might still put our eager minds at rest as to whether you still want to invite Commonwealth College to move to Maryland.

You still have plenty of time. The coming season has not yet opened and I have no doubt the college would welcome your matriculation.

Sincerely yours,
Durand Shipple

100-100000-100000
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 10-10-2000 BY 100000-100000

704 Cathedral Street, Baltimore, April 14, '58.

Dear Mr. Whipple -

Thanks for your letter. I am still convinced, however, that you exaggerate the importance of these fools. I have been denouncing Communism for years, and wrote a book against it as long ago as 1940. But it has never seemed to me to present a serious menace to the United States. The average Communist is indistinguishable from the average Greenwich Villager - that is to say, he is simply an obese and unimportant fellow, who is trying to make a stir in the world. Every time he is taken seriously he is delighted. Until the American Legion began to urge idiotic reprehensible (sic) legislation, the Maryland way of dealing with such persons was simply to laugh at them. It worked extremely well. Several years ago they announced that they were to hold a parade in Baltimore and defied the police to make them get a license. The police responded by issuing a license to a lovely colored brother and marching him at the head of the parade. The whole town laughed, and the Communist cause was set back at least five years.

I don't think these country boys were seriously damaged. They will get over the Communist nonsense soon enough. In any case, I have some doubt that the Methodism they abandoned was any more respectable, intellectually speaking, than the Marxism they embraced.

Sincerely yours,
E. L. Houston.

112 1/2 East Seventh Street
Little Rock, Arkansas
April 26th, 1958.

Mr. Henry L. Houston
704 Cathedral Street
Baltimore, Maryland.

Dear Mr. Houston:

Last Spring the inmates of Commencement College and their aids, were stirring up trouble in several parts of Arkansas. The people attacked by them were, under great provocation, avoiding violence themselves and were doing their best to subdue the disturbances by lawful means.

These disturbances included advocating the "lynching of the landlords," as the investigator for the New York Times (April 14-15) stated.

The only law dealing with such offenses in this state declared them to be misdemeanors with a penalty of a small fine and not more than six months imprisonment in a County Jail. The Legislature sought at this time to amend the law, but the measure, at small cost, was rejected.

Therefore it was determined to put some teeth into the existing law by adding all such disturbances in which violence was advocated from misdemeanors to felonies. No new offense was created.

AN anti-sedition bill - following the limitations laid down by the United States Supreme Court, was introduced in the legislature in the hope that an adequate law would prevent defensive mob violence.

This bill passed the lower house by a huge majority and was re-endorsed by practically the same majority when an attempt was made to recall it from the Senate.

While the bill was pending in the Senate you came into this purely local and "private fight" uninvited. With the power of your ridicule - including your semi-facetious invitation to Commonwealth College to move to Maryland - you aided greatly in preventing the enactment of this bill into law.

You broadcast your invitation without any knowledge whatever as to what Commonwealth College is teaching and doing and without any knowledge of what the bill you protested against contained.

You have now been supplied with full details as to both.

But, - to my great disappointment in you - I note that you are still carefully walking around the initial question with which our correspondence began.

ARE YOU WILLING TO STATE, AND AS PUBLICLY AS YOU FIRST GAVE IT, THAT YOU WOULD WANT COMMONWEALTH COLLEGE TO MOVE TO MARYLAND?

"Answer Yes, or No."

Very truly yours,

DORAND WHIPPLE

H. L. HENCKEN
704 Cathedral Street
Baltimore

May 3, 1933

Dear Mr. Whipple -

I find your letter of April 26 on my return to Baltimore. My apologies for this unavoidable delay in replying. I think you greatly exaggerate the effect of my invitation upon the decision of the Arkansas Senate. It had all of the evidence before it and it was perfectly free to act as it pleased. Certainly you are not going to tell me that the Arkansas legislators can be intimidated by demagogues. I see no reason why my invitation to the Commonwealth College brethren should be withdrawn. They are, in my judgment, complete fools, but they are also fools of the sort who make a good show, and thus justify their existence. The menace they offer to the public peace and the public morals is very slight. They are in fact, very mouse-like fellows, and their gabble about a bloody revolution is not to be taken seriously. At the first sight of actual gore they yell for the police.

As for their fermentation, where in this great Republic will you find complete charity? Certainly not here in Maryland. Adultery in all its complicated and dreadful forms is rampant here, and I offer ten to one that there is not or less of it in Arkansas also. If not, I stand corrected.

You say that I entered a "purely local and private fight unwitted," but this is quite inaccurate. I was asked to take a hand in it by the college authorities, and surely they were parties to it. I didn't advise them to do any harm to any Arkansan, whether physically or morally. I advised them to gather up, forthwith, and come to Maryland, where Communists are regarded as scum characters and no one bothers to chase them. Incidentally, the maximum punishment for adultery in this state is \$10 fine, with no alternative of imprisonment. Simple fornication, which seems to be what the Commonwealth brethren are engaged in, is an offense which is quite unknown to the Maryland law.

I wrote a book against Socialists so long ago as 1910, and have denounced them at least a thousand times since. They seem to me to be unmitigated idiots, but they have some clear rights under American law, and I think it is very foolish to harass them. The way to put them down is not to pass laws against them but to let them show how silly they are.

My apologies for this long letter.

Sincerely yours,
H. L. Hunt.

117 1/2 East Seventh Street,
Little Rock, Arkansas.
May 6th, 1935.

Dear Mr. Hunt:

You have now answered my original question, in your letter of the 3rd, and I thank you for that as well as for the proof you give me of the source of that flood of letters and telegrams - including your own protesting against the passage of the anti-Sedition bill.

We were sure before, but had no direct proof, that this flood of propaganda resulted from the appeals of Commonwealth College to the people and organizations that sent it.

When the Arkansas Senate voted on this bill it did not "have all the evidence before it." On the contrary, this testimony, taken in executive sessions of the committee, was not reported and made public until after the legislature had adjourned.

At the time the Senate turned down the bill, it had no more idea than you then did what facts had been found out about that college. If it had known then nothing whatever could have prevented the passage of the bill.

Nothing will prevent its passage when it is offered again.

I agree with you as to all the "gangs" you call the radicals. Only I think you should have described them as rat-like rather than "mouse-like." For it was these same "comic characters" who quit their (to you merely theoretical) "Cobble" down here and went into violent action in both east and west Arkansas, where some of them tried to rouse a mob "to lynch all the planters." (Page Senator Costigan and your other associates who wrote and introduced the anti-lynching bill.)

We now have Lucien Koch, Ward Rodgers and others of these active secessionists convicted and sentenced to jail for these crimes.

Our anti-secession bill merely sought to make it possible to send them to well-heated and sanitary penitentiaries rather than to less comfortable jails. It was a measure of humanitarianism and sanitation, as you may readily see.

Your intelligence is too evident to make it possible for you, at this late date, to attempt the evasion that the fight against these "Complains feels" of Commonwealth College, and their associates, is based on "simple fermentation, which seems to be what they are engaged in."

You actually know that the school is a training school for teachers of radicalism - a Normal School for subversionists, in fact. And yet you support them.

It is to destroy this nest of "Black Widow Spiders" that the fight is being - successfully - waged. The name fits them because the red on their bellies - like that on the spiders' - does not show until they are turned over and exposed.

You "write books against Socialists." You ridicule their objectives - sometimes.

You send telegrams against anti-socialists and you try to belittle their objectives.

It is such a changing course that, doubtless, has caused you to be emboldened in the Who's Who of radical sympathizers in "The Red New York." And justifies my original statement that you are "as erratic as hell."

Your fellow members of the John Reed Club are not likely to relish the way you "call them out of their names" in your letter to me.

Cordially yours,

E. L. MENCKEN How Free Do

A Look at History's Most Puzzling Paradox

WASHTON, D. C., (AP) — MENCKEN

WE need liberty, politically speaking, but two meanings, and very often they are confused. It means the freedom of a whole people to govern themselves as they think best, in the interests of the whole to solve problems. And it means their freedom as individuals with respect to their own government.



E. L. MENCKEN

"The Central Idea of American History is an Absolute Freedom from Outside" Most to Washington from Menckan

DO YOU AGREE?

The American people may be called free in both senses. So long as the government they live under has the sanction of the people it governs, it is as nearly a free agent as anything we can imagine. The people of free nations, in their turn, are protected by various inalienable rights against their government. So far it may go, but no further. Many of the things it is forbidden to do to them are listed in a solemn document called the Bill of Rights, which is a part of the Constitution. And others are guaranteed by the fact that the people reserve to themselves the general right to remove the men at the head of the government with more or less factors such as you find in our elections. There is nothing, legally speaking, to prevent their deposing both the President and Congress and setting up a king. It is a constitutional necessity of these devices that this would be what they could do if they could agree. And this is the case of all the national governments of Europe and Asia as well as of those of the United States.



The two kinds of liberty do not always run together. We see that at the moment of the French Revolution. That is an excellent example, and there is no doubt no more, since the end of the French Revolution of the League of Nations, that the world has not seen a war since the war has been under a certain degree from the 18th century, but that degree is something and the Germans have and give to them all what is left of it. It is the same in the case of France, or Great Britain, or the United States, or so it was made under the Magna Carta.

Not at the very time they struggle for this full freedom do a nation the Germans give us these kinds of liberty as individuals. Under the 18th century they had almost as long a list of rights as Americans had then, but the Germans, they yield up most of them to the state. A large number of Germans hold only citizenship, but there is every reason to believe that a majority are quite content to do so. The argument they use is that it is necessary to give up some of their private liberties in order to preserve what they have left of national liberty.

But the American citizens made no such profit in private freedom by throwing off the English yoke. To be sure, there were certain gains in that direction and they are now embodied in the Bill of Rights, but there have been corresponding and perhaps even larger gains in England itself, and it is not unreasonable to believe that they would have been extended to America as they have been extended to Canada and Australia.

What induced the Italians to select France was not a loss of national independence, but a loss that certain special liberties which the state would give their citizens to secure it and possibly even it. As when Washington proposed a plan to get down those mountains, the majority of Italians followed him, though they had in long order of their own situation in the present. They thought that what they had lost was worth less than what they would stand to lose if the central government was to be broken up, and they followed him to the north, and were arrested in the same way for their connection with the movement back to the Republic.

It may be said that, in spite of this, most civilized peoples seem to be strongly in favor of national independence, and ready to make great sacrifices to get and keep it. It probably makes a false case to say that Italy is not free since the time of American independence, and never has been, is surrounded by more powerful neighbors, he is necessarily less secure, but not many can be said to be willing to see the American Empire extended and themselves brought into it. As with the Poles, the Lithuanians, the Czechs, the Lithuanians, and all the rest, the principle of independence sometimes goes to great lengths. In 1941 thousands of the United States entered from the United States and fought for independence for free through years, and even to this day the theory of state sovereignty as which they wish to be protected by others of America.

It is naturally assumed that one sort of liberty carries the other with it. But that does not follow necessarily. The French, after a great struggle, won a large measure of independence from England, and yet some were trying to get rid of the absence of independence that remain, but it would be hard to prove that, in order to do so, they are much more free than they were before. The same thing is to be observed in some of the independent states that have succeeded the old empire in the Balkans and all up the Balkans. It has been long argued, and with no little plausibility,

But the great responsible example, perhaps, is provided by Colombia, one of the provinces of Spain. It lost its independence in 1811, but it has never given up hope of recovering it, and is trying to do so at the present moment.

What is at the bottom of this impulse? There have been many answers all of them more or less unsatisfactory. One is that people naturally dislike strangers and object to being governed by rulers and officials from afar. But that is rather lame, for though the position was

...and the ...

People crowded around the boat when we landed, and they just walked straight through them, carrying me in his arms, with my feet drawn under like a sturgeon's tail.

"He was down on the side then," "Mister," he said, "you had no chance at all!" Did you honestly think it was a real success?

"Oh no—hardly!" I said, "I might just as well get it over with right away."

"Laugh!" They roared in the general voice. He bowed over and kissed the hand on my forehead.

"Kiss," he said very solemnly, "that you to the ground, and I ever love to my life!" My heart started beating.

"And the answer," he added, "had better be the best, but it was all body and not a bit of spirit."

"Oh, Mister, when I couldn't find you after we separated—" My own lips parted about me. "Only—" He was once standing and out of breath, just as if he was almost faint with tiredness.

"Oh, Mister!" I said. "Oh—Tipt!" "Well, it isn't difficult to understand why, when anybody asks me, I always say my favorite subject is the sea, and, in it."

In that's body—the whole. They'll come with her again, enjoy most of her delicious—old appetizers, in further stories about her by Puffin Blowing in early season of Liberty.

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We Want To Be?

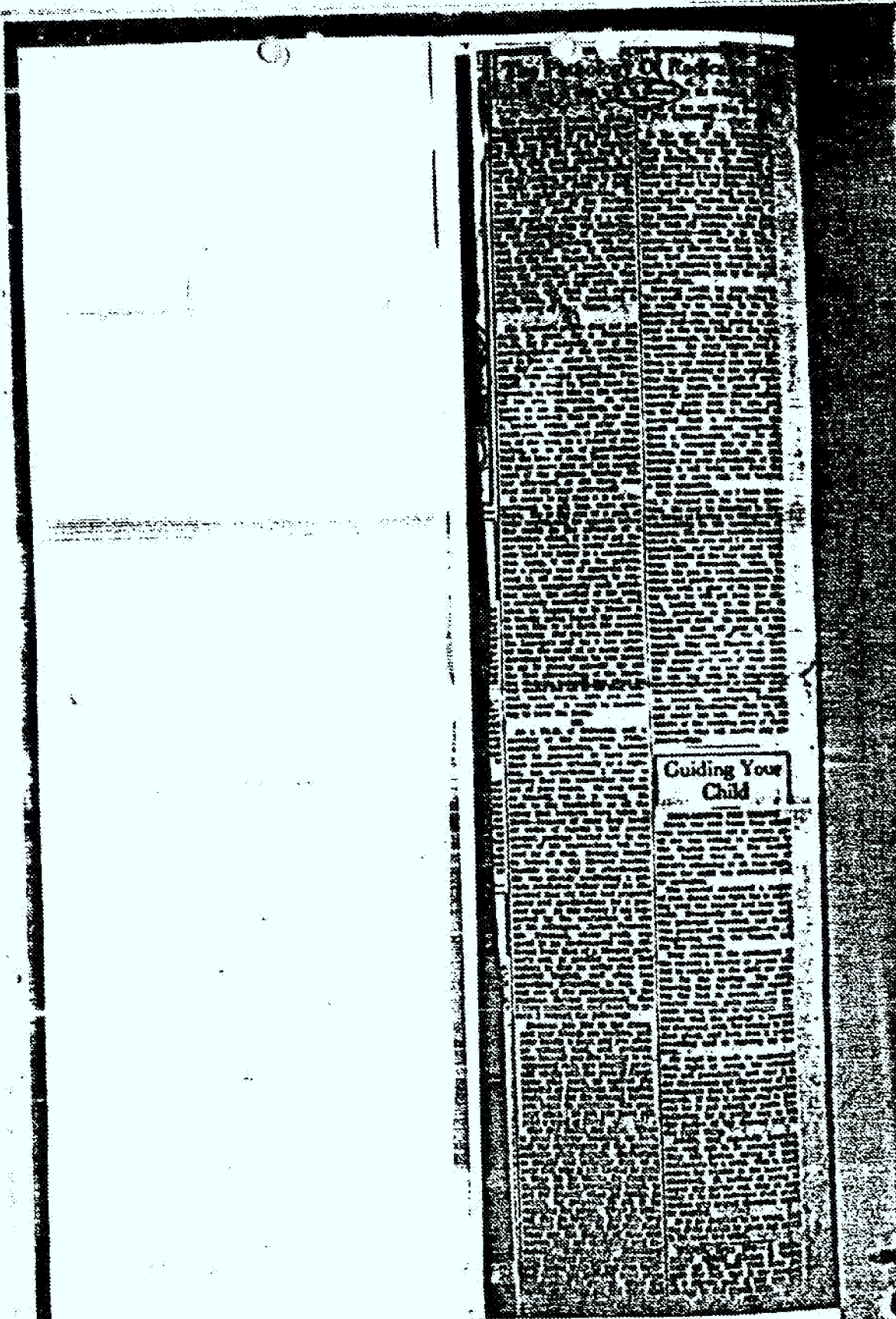


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**Guiding Your
Child**

FEDERAL BUREAU OF INVESTIGATION
FREEDOM OF INFORMATION/PRIVACY ACTS SECTION
COVER SHEET

SUBJECT: HENRY LOUIS MENCKEN

FILE 62-32351

JEM:GD

July 19, 1934.

MEMORANDUM FOR MR. TOLSON

The attached article appearing in Liberty Magazine, entitled "What To Do With Criminals," by H. L. Mencken, is a very interesting article, and I note that Mr. Mencken refers to some statistics from the Division of Investigation. I think it would be well to send to Mr. Mencken a copy of each of our releases. I would suggest that a letter be addressed to him, referring to his article, and inclosing the releases which we have sent out from time to time. I think he should be placed upon the mailing list to receive future releases.

Very truly yours,

John Edgar Hoover,
Director.

Summary statistics

Incl.

- Mr. Nathan
- Mr. Tolson
- Mr. Clegg
- Mr. Laughman
- Chief Clerk
- Mr. Coffey
- Mr. Cowley
- Mr. Edwards
- Mr. Egan
- Mr. Harbo
- Mr. Keith
- Mr. Lester
- Mr. Quinn
- Mr. Tamm

EW

10/11/34

SECTION MAILED

10 Dec 7/21/34

62-32351-1

RECORDED & INDEXED

JUL 20 1934

U. S. DEPARTMENT OF JUSTICE

CO A

DIVISION OF INVESTIGATION

Room 420. 7/23 1934.

- To: _____ Director
_____ Mr. Nathan
_____ Mr. Tolson
_____ Mr. Edwards
_____ Mr. Clegg
_____ Mr. Egan
_____ Mr. Harbo
_____ Mr. Renneberger
_____ Miss Gandy
_____ Mrs. Kelley
_____ Miss Beahm
_____ Miss Sheaffer
_____ Chief, Unit _____
_____ Files Section
_____ Supervisor, Steno. Pool.
_____ Supervisor
 Mr. *Suffern*

W. H. D. Lester.

What to do with CRIMINALS



Sheriff Lillian Holley, Prosecutor Eastl, and Dillinger in the jail at Crown Point.

H. L. MENCKEN

Proposes the Novel Experiment
of Entering the Laws We Have

"Killing a Man Is Safer Here than Anywhere Else on Earth," He Says. "When a Conspicuous Criminal Is at Large, It Is Because Getting Loose, Under the Grotesque System Which Now Prevails Among Us, Is at Least Twice as Easy as Staying in Jail" . . . You'll Be Reminded of What He Means by a Glance at the Picture Above

IN crime, as in industry, overproduction has unpleasant consequences, and from them we now suffer in the United States. Just how many criminals are roving the country seeking whom they may snatch, stick up, or bump off, I do not know and neither does any one else; but certainly the number goes far beyond a sufficiency. The front pages of the newspapers are black with their felonious capers, and inside, on the editorial pages, there is a constant boiling of the subject. Nor is our native press alone in giving it ink. All over the world the news that people get from America today has to do mainly with murders, robberies, and kidnappings. A few years ago it was Henry Ford that they thought of whenever their fancy turned this way, and when they got tired of Ford they thought of the gods and goddesses of Hollywood, but now they think of Machine-Gun Kelly, the Tuohys, Pretty Boy Floyd, and Dillinger.

At home this pest has naturally brought forth a great flood of remedies. Virtually every publicist in practice among us has taken a hand, from presidents and governors down to the editors of little country weeklies and the pastors of run-down churches behind the railroad tracks. The Brain Trust, led by the gifted Professor Raymond Moley, has grappled with it in a brave and free-hand manner, and out of the riches of a universal expertness; and

The remedies have tended to fall into a few well defined classes. One class has the aim of taking the detection and prosecution of crime away from the states and handing it over to federal agents, apparently on the theory that they are more-enterprising and intelligent than the local cops, and not so much hampered by political entanglements and state lines. Another proposes that all criminals (if, when, and as they are caught) be exposed to psychiatrists for psychoanalysis, and that those found to be *mashuggah* be quartered in comfortable hospitals and reeducated. A third urges that all Americans be registered, fingerprinted, and maybe even licensed, so that the cops will be able to put their hands on any one at a moment's notice.

A fourth seeks to distinguish between professional criminals and chance amateurs, and urges that the latter be kept away from the former, to prevent them really learning their trade. A fifth favors reviving the whipping post; a sixth argues for deportation to Alaska, the Virgin Islands, or Guam; a seventh calls for a revival of religion; an eighth advocates prohibiting the sale of firearms; a ninth is for sterilization; a tenth is for lynching.

After all this, I greatly fear that my own remedy will sound somewhat feeble. It involves but one change in the existing laws, and that is a small one. Otherwise it pro-

ties will engage in it. Let them be enforced in any given state for even so little as six months, and criminals will avoid it.

The blame for the current terror, it seems to me, is always laid at the wrong door. The poor cops are the common goats. When a conspicuous criminal is at large, they are denounced for not taking him at once, and not uncommonly it is hinted that they are afraid to tackle him or have been bribed to let him go. But in nearly every such case they have actually taken him already, not once but half a dozen times. He is not loose because they have failed but because the whole machinery of justice above them has failed—because it has fallen, in only too many American states, into the hands of incompetent, unfaithful, and only too often crooked men. He is loose because getting loose, with the grotesque system which now prevails among us, is at least twice as easy as staying in jail.

Why are there so many more murders in the United States than in any other civilized country? For the obvious reason that killing a man is safer here than anywhere else on earth. But is that because the cops do not do their duty? Many Americans, I suppose, would answer yes, but if so they would answer wrong. The returns of the United States Bureau of Investigation, covering 596 American cities, exhibit the plain facts. They show that in all the cases of murder reported in 1933 arrests were made in 80.5 per cent, and that in all the cases of manslaughter they were made in 89.4 per cent.

Certainly there is no sign of neglect of duty here. The cops go out at the risk of their lives and drag the scoundrels in. Scores of them are killed at the business every year, and unnumbered hundreds are shot, mauled, and crippled. In the year 1932, according to the Bureau of the Census, there were 11,000 homicides in the United States, and during the same year, if we take the figures of the Bureau of Investigation, the cops arrested 9,000 of the murderers. But of the 9,000 only 130 went to the gallows or the chair, and of the rest probably not more than a third even went to prison.

And how many, having got behind the bars, stayed there? The answer is to be found in another report of the Census Bureau. It shows that the normal prison population of the country is about 125,000, and that in an average year about 75,000 new prisoners are dressed in, and about the same number are turned loose. And how and why are they turned loose? A hundred or so, as I have just said, depart in coffins, executed for their crimes. A thousand die from natural causes. Two thousand take French leave over the wall. Twenty-five thousand, or only about one third, finish their sentences. All the rest, running to more than 40,000 in an average year, are pardoned, paroled, or "otherwise released."

TWO things are responsible for this wholesale and intolerable cheating of justice. The first and foremost is the chaotic state of legal procedure in the United States—not of law, mind you, but of mere procedure. The law is everywhere sufficient to deal with every kind of serious crime. In forty of the forty-eight states the punishment for deliberate murder is death, and in all there are severe penalties for the lesser crimes of violence. If these laws were enforced for a year at least 2,000 murderers would go to the gallows instead of 130. But they are nowhere enforced adequately, and in many states scarcely at all.

What stands in the way of their execution is simply the almost incredible imbecility and lack of conscience of so many American judges and lawyers. A murder trial in most states is no longer an orderly effort to discover the guilty man and bring him to punishment. It is, instead, a gaudy public combat between two gangs of prima-donna lawyers, with a decayed ex-lawyer on the bench to act as referee. As likely as not the chief lawyer for the defense is a professional jury fixer, with no more respect for the law than the prisoner in the dock. And almost certainly the chief lawyer for the prosecution is a political hack seeking publicity, and hopeful of higher office.

There are, of course, exceptions in both directions. We are refreshed now and then by the spectacle of a prose-

even examples of defense lawyers who are scrupulous and disdain to violate their oaths. But certainly they are not numerous. The average is precisely as I have described it. The defense is carried on without the slightest regard for either the law or the facts, and the prosecution is hardly more than a show put on for the newspapers. And on the bench sits an elderly vacuum who, having failed at the bar, now sweats and suffers on the bench, scarcely knowing what it is all about.

In England a judge actually runs his court. If a shyster defending a criminal resorts to trickery and obfuscation he is hauled up at once, and if he persists he is as good as disbarred. And if a prosecuting officer, forgetting the solemnity of the inquiry before him, begins to strike attitudes and tear his hair, he is hauled up just as quickly, and thereafter he prosecutes no more. An English judge is supposed to know the law, and he does know it. There is no way to deceive him, and there is no way to intimidate him. He makes up his mind without delay, he sees that his orders are obeyed instantly, and it is seldom that his judgments are upset on appeal.

IN the United States a criminal trial is a tin-pot melodrama while it is going on, and before and after it there are almost endless delays. It takes an average of at least a year to bring a well heeled criminal to trial, and after he is convicted it takes another year, and maybe even two or three, to get him into jail, even though his guilt may be gross and glaring. Back in 1931 a rich Southern politician, banker, and general rogue was put in the dock in North Carolina for a series of swindles, and by some accident was promptly convicted. But it was May, 1934, before he was actually behind the bars. During the same year of 1931 a rich crook of the same kidney was brought to trial in England. He was arraigned on July 20, convicted on July 31, and jailed on August 31, and in jail he remained until the end of his term.

How can any one argue that the American system is rational, or that it serves the ends of justice? By the time the criminal comes to trial half the witnesses against him have disappeared, and before he gets into jail the rest are dying of old age. And once he is behind the bars, if he ever arrives there, it is at least two to one that he will be out again before his term has expired.

The blame for all this rests squarely upon the bench and bar of the country. Half the delays in justice among us are due to the failure of lawyers to show a reasonable professional conscience, and the other half are due to the failure of judges to bring them to book. There are so many shysters in practice everywhere that even decent lawyers must resort to dodges in order to get an even break. And there is so much incompetence on the bench that the central object of all criminal law, to bring evildoers to punishment, is allowed to be forgotten, and a prosecution becomes no more than a preliminary to a long and scandalous conspiracy to cheat justice.

Under cover of this wholesale failure there is lush opportunity for the quacks and sentimentalists who regard all criminals as poor unfortunates who ought to be coddled instead of punished. We have a great swarm of such professors in the United States, and they are chiefly responsible for the fact that the odds against a felon staying in prison, once he ever gets there, are lengthening. They whoop up various complicated and improbable theories about the causes and nature of crime, some of them political, some economic, and some alleged to be medical; but all of those theories resolve themselves into the doctrine that a criminal deserves sympathy rather than detestation, and that it is somehow disgraceful to believe that he should be punished.

In this doctrine I can discover nothing save hooey. It is against human nature and it is against common sense. When a bold and atrocious crime has been committed normal people are not interested in hearing a long discourse on the criminal's psychology, couched in mummy, pseudo-scientific language; what they are interested in is hearing that he has been promptly and adequately punished. And by adequate they do not mean merely sufficient to make him transiently sorry; they mean sufficient to make

The sentimentalists argue that the desire for revenge is unworthy of civilized man, and is hence confined to a small and backward minority of the population. But that is only more hooey. The desire for revenge is quite as natural an emotion as any other, and it is universal in mankind. No healthy human being ever suffers a wanton injury without feeling a powerful impulse to revenge it. People who lack that impulse are not normal men and women; they are saints, and the number of them is almost infinitesimally small. The rest of us, when we are put upon, try to strike back, and if the putting upon is violent we strike back just as violently.

What is thus natural to individuals is quite as natural to society as a whole. When a Dillinger runs amuck in a community he menaces every man, woman, and child in it, and the whole population demands that he be put down. It wants the cops to seize him at once, and the courts to punish him quickly and severely. No one save a few soft-heads calls for a report on his psychology, or a study of how he might have been saved from crime by feeding him on better victuals or sending him to a different school. What is demanded is simply his condign and adequate punishment, that he may pay up for his crimes and be prevented from repeating them. No one is interested in reforming him, for no one really believes that he can be reformed; what every one wants is to get rid of him.

The effort of the theorizers to prove that criminality is a disease is the thing mainly responsible for that gross abuse of the parole system which turns loose more than half of all the criminals of the United States every year. But the more elaborately they describe their "psychopathic personalities" and other such laboratory confectiories, the more plain it becomes that they are simply describing what all rational men call criminals. And the more they argue that these criminals ought to be treated as invalids, the more convinced all rational men become that they ought to be sent to prison for life, and if possible hanged.

THE same wizards are unanimously opposed to capital punishment. Their chief argument is that it is not an effective deterrent—that it really doesn't prevent murders. But if it doesn't prevent them, then it is only because we have never given it a fair trial. We hang only 130 murderers out of 11,000, a proceeding almost as silly as trying to hold back Niagara with a tennis racket. What if we hanged 1,000, or 2,000, or 3,000? Would it dissuade the "psychopathic personalities" of the year following from committing other murders? Perhaps not all of them, but certainly some—and meanwhile we'd be rid of 1,000, 2,000 or 3,000 murderers. Society would be relieved of their menace once and for all time.

The English, at the close of the seventeenth century, faced a wave of crime far worse than our own. All the roads of their country became so unsafe as to be almost impassable, and in London itself there were endless robberies and murders in the streets. They got rid of the nuisance during the century following by the simple process of hanging it out. When a robber or murderer was caught he was turned over to Jack Ketch. It was a brutal business, and in some of its details it was un-

doubtedly carried on with undue ferocity, but it worked. By the end of the eighteenth century almost every criminal strain in England had been obliterated, and the country has been notably free from crimes of violence ever since. But it does not relax its vigilance. Commit a murder in England tomorrow, and you will be hanged almost infallibly within six months.

Here I come to the one change that I would propose in our laws. Let them be so modified that a professional brigand will be put to death as soon as his adoption of the trade can be proved, whether he has actually killed or not. Let the fact that he is ready to do so be taken as sufficient evidence that he will. I do not suggest depriving him of his first bite; no doubt he has an inalienable right to it, like any other dog. Let him go to a comfortable jail or reformatory for his first offense, and let him be paroled in due course. But if he is caught with a gun in his hands a second time, ready and willing to take the lives of innocent people, let him go to the gallows or the chair instantler.

I see no objection to parole for amateur and accidental criminals. It works, in fact, pretty well, and a large proportion of them, given another chance, try to make decent livings. But it is manifestly absurd to turn loose professionals. What good would it do to parole Machine-Gun Kelly—as will be actually done, no doubt, on some near tomorrow? The only fit dose for such foul and incorrigible criminals is death. They will keep on killing, whether in prison or out, so long as they are alive. The only way is to get rid of them as soon as possible, finally and forever.

THE END

Just how big a risk does a murderer run in the United States nowadays? Here are the official figures for 1932: homicides, arrests—and executions. As Mencken observes, it certainly doesn't look like "neglect of duty" on the part of the cops!



HOMICIDES
11,000

ARRESTS
9,000

EXECUTIONS
130

MAIL: FIG

July 21, 1934.

Mr. H. L. Mencken,
704 Cathedral Street,
Baltimore, Maryland.

Dear Mr. Mencken:

I have read with extreme interest your article entitled, "What To Do With Criminals", in "Liberty" for July 23, 1934. Quite naturally I was particularly interested in the statistics quoted from the Division's "Uniform Crime Reports" bulletin.

As of possible interest to you there are inclosed copies of the following bulletin, booklets and memoranda, dealing with the work and activities of this Division looking toward the suppression of crime in this country:

- Uniform Crime Reports - First Quarterly Bulletin, 1934
- The War on Crime
- Fingerprints
- Photography of Fingerprints on Multi-Colored Objects
- The Work and Functions of the Division of Investigation
- Adoption of Standard Classification of Criminal Offenses
- Civil Identification
- Installation of a Single Fingerprint File
- The Division of Investigation
- Crime Statistics
- The Establishment of a Technical Laboratory in the Division of Investigation
- The Identification Unit
- Development and Admissibility of Ballistics and Firearms Evidence
- Bulletin Upon Fugitives Wanted by Police
- International Exchange of Fingerprints
- Interesting Latent Fingerprint Cases
- Statistics Compiled from Fingerprint Cards from January 1 to December 31, 1933
- Training of Personnel

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INDEXED

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JUL 23 1934

- Mr. Nathan
- Mr. Tolson
- Mr. Clegg
- Mr. Baughman
- Chief Clerk
- Mr. Coffey
- Mr. Cowley
- Mr. Egan
- Mr. Harbo
- Mr. Keith
- Mr. Lester
- Mr. Quinn
- Mr. Tamm

In addition, I am taking the liberty of having your name placed upon the Division's mailing list so that in the future you will receive all Division publications as they are issued.

JUL 22 1934 *
Division of Investigation
U. S. DEPARTMENT OF JUSTICE

W. H. ...

Mr. H. L. Hancock

- 2 -

July 21, 1934

Upon your next trip to Washington, it will give me pleasure to have you shown through the Division and its Identification Unit, Technical Laboratory, Single Fingerprint and Statistical Sections, which I believe would prove extremely interesting to you.

With expressions of my kind regards, I beg to remain

Sincerely yours,

J. Edgar Hoover
John Edgar Hoover,
Director.

Incl. #323197.

JEH:HW

February 14, 1935.

Time-10:39 A.M.

MEMORANDUM FOR MR. TOLSON

RE: Mr. W. L. Hencken

During a telephonic conversation with Mr. Stanley, I advised him that we were expecting Mr. W. L. Hencken this afternoon and that I would like very much for the Attorney General to see him also. Mr. Stanley agreed that it would be nice for the Attorney General to see Mr. Hencken, and he asked me to contact him as soon as Mr. Hencken arrived..

Very truly yours,

John Edgar Hoover,
Director.

- Mr. Nathan
- Mr. Tolson
- Mr. Clegg
- Mr. Baughman
- Chief Clerk
- Mr. Coffey
- Mr. Edwards
- Mr. Egan
- Mr. Harbo
- Mr. Keith
- Mr. Lester
- Mr. Quinn
- Mr. Schilder
- Mr. Tamm
- Mr. Tracy
- Miss Gandy

RECORDED

FILES SECTION
MAILED
★ FEB 15 1935 ★
U. S. DEPARTMENT OF JUSTICE

62-32351-3

FEB 16 1935

U. S. DEPARTMENT OF JUSTICE

H. L. MENCKEN
904 CATHEDRAL STREET
BALTIMORE

December 19, 1935.

Dear Mr. Hoover:

Thanks very much for your memorandum on civil identification. It is full of most interesting and even amazing stuff, and I surely hope to make some reference to it in the Evening Sun in the near future. At the first chance I shall drop into your studio and have my own fingerprints made.

Here's hoping that you'll be lucky in 1936!

Sincerely yours,

(S) H. L. Mencken

RECORDED

JAN 16 1936

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62-32351-4

FEDERAL BUREAU OF INVESTIGATION
JAN 14 1936
U. S. DEPARTMENT OF JUSTICE
JOSEPH FOUR IDENT UNIT

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COPY

JEC:MCL:MT

January 7, 1936.

62-32351-4

RECORDED

Mr. H. L. Mencken,
704 Cathedral Street,
Baltimore, Maryland.

Dear Mr. Mencken:

I have been away from the city and must apologize for my delay in answering your letter of December 19, 1935. It is indeed gratifying to learn that the publication entitled "FBI Civil Identification" proved to be of interest to you.

As suggested by you, I am pleased to advise that you have my permission to use any part of the pamphlet in the Evening Sun.

It pleases me very much to learn that you plan to visit the Bureau and have your fingerprints taken for inclusion in the Civil Identification files. If you wish arrangements will be made for you to take a tour of our various facilities while here.

Assuring you of my very best wishes for a happy and prosperous New Year, I am

Sincerely yours,

J. Edgar Hoover

ORIGINAL FILED IN 62-32351-4

Washington Field Office, Rm. 5252,
Washington, D.C.

April 23, 1936.

PERSONAL AND CONFIDENTIAL

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

Dear Mr. Hoover:

On Monday night, April 20, 1936, I received a personal telegram from Mr. Joseph Hergesheimer, the prominent novelist, in which he advised that he would arrive in Washington, Tuesday and desired that I meet him at the Carlton Hotel.

On Tuesday night, April 21, 1936, I met Mr. Hergesheimer at the Carlton Hotel and we had dinner together during which he expressed a desire to meet you.

I communicated the following morning with Mr. C.E. Kleinkauf of your Office and was later advised by him that you would be very glad to see Mr. Hergesheimer at 3:00 P.M., Friday, April 24, 1936. I then got in touch with Mr. Hergesheimer and advised him of the date and hour of the appointment.

During my conversation with Mr. Hergesheimer, he spoke most highly of the Director and of the accomplishments of the Federal Bureau of Investigation and stated that sometime during his three weeks' sojourn in Washington he desired to see some of the exhibits and activities of the Bureau. He also mentioned that during the next three weeks, Mr. H. L. Mencken of Baltimore, Maryland would visit him in Washington.

I do not know whether you have met Mr. Mencken or that he has been on a tour of the Bureau and, if you so desire when I see Mr. Mencken, I shall be very glad to extend him an invitation.

I know you will be interested to learn that while

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MAY 8 1936

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FEDERAL BUREAU OF INVESTIGATION	
MAY 6 1936 A. M.	
DEPARTMENT OF JUSTICE	
TOLSON	JOSEPH

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conversing with Mr. Hergenrother, so confidentially mentioned the fact that he had been informed by the Publisher of the Baltimore Sun that Senators Glass and B. rd of Virginia and Senator Tydings of Maryland have "jumped back on the band wagon" which would indicate that there is no doubt that President Roosevelt will be re-elected in the coming elections.

Respectfully,

E. K. THOMPSON,
Special Agent.

FXT:JBL

April 25, 1936.

RECORDED

62-32351-5

Mr. E. K. Thompson,
Federal Bureau of Investigation,
U. S. Department of Justice,
Washington, D. C.

Dear Mr. Thompson:-

Thank you very much indeed for your letter of April 23rd concerning the visit of Mr. Joseph Hergasheimer to Washington on Tuesday next.

B.S.
I also note your reference to Mr. H. L. Mencken and, as Mr. Tolson orally advised you, I think it would be a very good idea to invite Mr. Mencken to make a tour of the Washington headquarters of the Bureau.

Sincerely yours,

John Edgar Hoover,
Director.

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x

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Mr. Nathan
Mr. Tolson
Mr. Baughman
Chief Clerk
Mr. Clegg
Mr. Coffey
Mr. Edwards
Mr. Egan
Mr. Foxworth	.....
Mr. Harbo	.....
Mr. Joseph	.....
Mr. Keith	.....
Mr. Lester	.....
Mr. Quinn	.....
Mr. Egan	.....
Mr. Tamm	.....
Mr. Tracy	.....
Miss Gandy	.....
Mr. Nease	.....

7/3 8/8

PLEASE CHANGE YOUR MAILING LIST

H. L. MENCKEN
 HAS REMOVED TO
 1524 HOLLINS STREET
 BALTIMORE, MD.

Handwritten notes:
 6-1-36
 10-4-36
 1-3-37
 changed from
 1524 Hollins St
 to 1524 Hollins St
 Baltimore, Md

Handwritten note:
 noted

RECORDED

62-32351-6
 FEDERAL BUREAU OF INVESTIGATION
 MAY 23 1936
 U. S. DEPARTMENT OF JUSTICE
 WASHINGTON, D. C.
 IDENT. UNIT
 STAT. SECT.
 FILE

JUN 6 1936

Handwritten initials:
 HX

NDV:JEM

June 16, 1939

Mr. H. L. Mencken
1524 Hollins Street
Baltimore, Maryland

Dear Mr. Mencken:

I was very glad indeed to receive a copy of your article entitled "Reflections on Homicide," which appeared in the Baltimore Sun for June 4, 1939.

Your keen analysis of this topic indicates a clear understanding of this particular phase of crime, and I am sure that your readers enjoyed your discussion.

With best wishes and kind regards,

Sincerely yours,

J. Edgar Hoover

- Mr. Tolson
- Mr. Nathan
- Mr. E. A. Tamm
- Mr. Clegg
- Mr. Coffey
- Mr. Crowl
- Mr. Egan
- Mr. Foxworth
- Mr. Glavin
- Mr. Harbo
- Mr. Lester
- Mr. Nichols
- Mr. Quinn Tamm
- Mr. Tracy
- Miss Gandy

ENCLOSURE

COMMUNICATIONS SECTION
MAILED
JUN 16 1939
P. M.
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

RECORDED & INDEXED

62-32351-7
FEDERAL BUREAU OF INVESTIGATION
JUN 17 1939
U. S. DEPARTMENT OF JUSTICE

RECEIVED
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

"REFLECTIONS ON HOMICIDE" By H. L. Mencken
which appeared in June 4, 1939 issue of the
Baltimore Sun, refers to the sentencing
of Aurelio Marco Tarquinio "who had killed
and quartered the girl of his dreams" and
reflects that "our categories of homicide
are ancient and hence more or less archaic."

rel

(Sent in Baltimore Sun envelope - apparently
by Mencken.)

1524 Hollins St., N.E.

Reflections On Homicide

By H. L. MENCKEN

NOT many people will object to the sentence passed on the Hon. Aurelio Marco Tarquinio a week or so ago by three learned judges in the Criminal Court. There was plenty of room in the law to save him from the gallows, and there was even more room in common sense. It was clearly established that he had killed and quartered the girl of his dreams, but it was also established that the provocation was an almost irresistible one to what his attorney described frankly as "a person of low mentality." Moreover, it was proved up to the hilt, as a sort of side effect or after action, that the lady was not only a private poet but also a public nuisance, and that her butchery was thus hardly anti-social in any rational sense, though it was accompanied unquestionably by a very grave kind of domestic conduct.

Our categories of homicide are ancient, and hence more or less archaic. They make it the same crime, precisely, for an otherwise virtuous wife to poison a drunken and brutal husband and for a professional bandit to assassinate an innocent stranger. To be sure, judges and juries usually manage to distinguish effectively between the two offenses, but not always. If the wife commonly escapes the deathhouse, then so, very often, does the bandit, and by the use of artistry invented to save the wife. What is needed is a sharp distinction between murders that are deliberate but nevertheless have some plausible support in logic, and murders that are purely gratuitous and vicious.

The late Judge Frederick Baumman, of Seattle, Wash., a highly intelligent jurist, once suggested that no homicide be classed as murder in the first degree which one could imagine an ordinarily reputable person committing under the circumstances. He did not propose that such slayings be grouped with justifiable or excusable homicides, which would relieve them of all punishment; he simply advocated putting them into a category of their own with penalties taking account of their relative veniality, and never including death.

The fact that the Hon. Mr. Tarquinio, as his able counsel suggested, was "a person of low mentality" was scarcely sufficient, in itself, to save him from Walter Brady's lethal engine. Persons who have the kind of low mentality which impels them to reckless murder are too dangerous to be allowed at large, and society is surely within its rights when it cuts off their wind, if only as a cheap and sanitary means of getting rid of them. But even a man of reasonably high mentality, afflicted by so abandoned a woman as the Hon. Mr. Tarquinio's late lady, might have been tempted irresistibly to knock her in the head, though not, perhaps, to smother her afterward.

Not all murders at the domestic hearth show some such element of plausibility, and thus fall short of deserving capital punishment. They are essentially private affairs, with no appreciable effects upon the public safety. They are dragged into the category of serious crime only by the legal fiction that any attention upon a subject is an attention upon the King. They should be inquired into, of course, if only to establish their private character, but once it is determined the law should cool off considerably, and cease treating the perpetrator as a common criminal.

Very few women make away with their husbands without perfectly sound reasons, sufficient in their own sight and in that of most sensible persons. It is rare, when they are detected and brought to heel, that they suffer the full punishment of the atrocious crime that they are assumed in theory to have committed. Judges and juries are lenient in such cases, not because the accused is a woman, but because they can't get rid of the feeling that she had plenty of excuse for what she did, and that in any event there was no public loss or damage.

Certainly every man of wordly experience must recall instances when, at the obsequies of an acquaintance, he has caught a glint in the widow's eye which suggested triumph rather than grief. Perhaps if we were ideal citizens of an ideal commonwealth

would drop an anonymous postcard to the police in every such case, advising them to dig up the carcass and submit it to chemists. But we do that only rarely (I have done it myself no more than half a dozen times in forty years), simply because we are well aware that the deceased, if he was actually bumped off, deserved it in equity if not in law, and that his exitus involved no ponderable loss to the world.

THE QUESTION as to the human value of the Hon. Mr. Tarquinio's late lady did not enter into his trial, for it could not be fetched in by our rules of law. We assume officially that all citizens (not to mention aliens) are of precisely equal value, and that killing one is the same crime as killing another. But that assumption, plainly enough, is nonsensical, and popular opinion rejects it as such, whatever its dignity in law. If, while the late Mr. Dillinger was still alive, I had sneaked upon him from the rear and shot him through the head, no one in his right senses would have advocated hanging me, though I'd have been as clearly guilty of murder in the first degree as Dillinger himself was.

In the days when there was a pretense of constructive criticism in the country I once succumbed to it myself long enough to suggest that this very sensible attitude be adopted by the law—that is, that a person accused of crime against the person be permitted to plead the character of his victim. It is done, of course, even now, but only by indirection, only by getting round the rules of evidence. No man accused of murder would be permitted to argue in open court that killing the deceased was a public service. In the gory Prohibition era gunmen were often found guilty of murder in the first degree, and even hanged, for dispatching other gunmen.

What I had especially in mind, at the time I made my suggestion, was the case of incompetent, corrupt and anti-social public officials. Getting rid of them by strictly legal means, as everyone knows, is a tedious and expensive process. Consider, for example,

- Mr. Nathan
- Mr. E. A. Tamm
- Mr. Clegg
- Mr. Coffey
- Mr. Crowl
- Mr. Egan
- Mr. Foxworth
- Mr. Glavin
- Mr. Harbo
- Mr. Lester
- Mr. Quinn
- Mr. Tracy
- Miss Gandy

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a judge who pollutes and disgraces the bench by gross ignorance of the law, by violent prejudice, or by excessive boozing. As things stand, the only way to fetch him is by impeachment, which takes a lot of time, carries no adequate penalties, does not compensate the aggrieved, and is very likely to degenerate into a political buffoonery.

My proposal was that any reputable citizen who repeated this public outrage sufficiently to enter the offending jurist's court, pull him from the bench and give him a good beating, or even slit his throat, should be allowed to plead public convenience and necessity in mitigation of punishment — in other words, that the jury should consider the victim's deserts and the public interest in determining the degree, if any, of the culprit's crime.

In case the judge succumbed to the assault and the jury decided on its oath that society was well rid of him, then his assailant would be turned loose at once, or, at most, fined a few dollars for constructive contempt of court. In case the jury decided that the judge deserved to be beaten up but not killed, then the penalty would be fixed by subtracting that for assault from that for murder. And in case the jury concluded that His Honor was innocent and his death a public calamity, then the accused would be hanged like any other murderer.

I argued for this scheme with some eloquence, but when friends learned in the law informed me that it was hoogy I abandoned it, and no one else has ever revived it. Nevertheless, I still think it had some merit, if only because it introduced the concept of net public loss or damage into the metaphysic of the criminal law. As things stand, that law is supposed to be coldly impartial, but it is, in fact, almost grotesquely partial. It groups together in one rigid category acts that have no more in common than hamstringing a valuable thoroughbred and setting a trap for a rat. It assumes idiotically that the dispatch of a useful, impeccable and indispen- sible citizen is no more damaging to the common welfare than the dispatch of a radio crooner, a share-cropper or a member of the Legislature.

H. L. MENCKEN
1524 HOLLINS ST.
BALTIMORE.

February 10, 1944.

Dear Mr. Hoover:

I am engaged at the moment upon a somewhat elaborate supplement to my old book, "The American Language," and I hope to get into it a great deal of accumulated material about words and speechways that have arisen since my last edition. In particular, I'd like to have a really accurate note on the term G-man. Do you happen to know where and by whom it was invented, and at what time precisely? Also, what is its derivation, and is it used officially?

My most abject apologies for bothering a busy man with such questions. It occurs to me that somebody in your office may be able to answer. G-man is occasionally discussed in the newspapers, but always without any show of authority.

Sincerely yours,

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2-10-44
R.H.

Handwritten signature:
H. L. Mencken
ORIGINAL

2-32351-8

February 26, 1944

Mr. E. L. Mencken
1524 Hollins Street
Baltimore, Maryland

Dear Mr. Mencken:

I wish to acknowledge your recent communication regarding the supplement you are doing on your book "The American Language."

With reference to the origin and the popular use of the term "G-Man," I wish to advise that "G-Man," of course, refers to Government men. The term "G-Man" was first popularized and applied to the Federal Bureau of Investigation following the apprehension of "Machine-Gun" Kelly in Memphis, Tennessee, on September 26, 1933. If you will recall the case, "Machine-Gun" Kelly made numerous boasts that he would never be taken alive and that whosoever apprehended him would find it rather difficult facing his machine gun.

Kelly was the subject of a nationwide man hunt as a result of his participation in the kidnaping of Mr. Charles F. Brockel in Oklahoma on July 28, 1933. After an intensive investigation, "Machine-Gun" Kelly and his wife, Ethelene Kelly, were located in a private home in Memphis, Tennessee. The premises were surrounded at dawn on the morning of September 26, 1933. At the appointed time, the Agents identified themselves and went into the house. The door to the back room was closed. The Agents knew Kelly was in this room. They pushed open the door and rushed into the room, naturally expecting an exchange of gunfire. However, they were greeted by "Machine-Gun" Kelly, set with a machine gun, but Kelly standing in the corner with his hands in the air saying: "Don't shoot, G-Man! Don't shoot!" These words became the subject matter of many headlines as they typify

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Heaven

in regard to the beautiful Kelly and since that time, the
appellation "G-Man" has become the widely used and popular
reference to Special Agents of the FBI.

With best wishes and kind regards,

Sincerely yours,

(s) J. Edgar Hoover
ailed by the Director

H. L. MENCKEN
1524 HOLLINS ST.
BALTIMORE.

March 6, 1944.

- Mr. Tolson ✓
- Mr. E. A. Tamm
- Mr. Clegg
- Mr. Coffey
- Mr. Glavin
- Mr. Ladd
- Mr. Nichols ✓
- Mr. Rosen ✓
- Mr. Tracy
- Mr. Mohr
- Mr. Carson
- Mr. Hendon
- Mr. Mumford ✓
- Mr. Jones ✓
- Mr. Quinn Tamm
- Mr. Nease
- Miss Gandy

Dear Mr. Hoover:

My very best thanks. You tell me precisely what I wanted to know, and I'll certainly make a note of it in my book, and with due credit.

I seize the opportunity to hope that you are in the best of health and spirits. As for me, I am making very fair progress with my book, despite the advance of age, and hope to finish it by the end of the year. My best thanks again.

Sincerely yours,

H. L. Mencken

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FBI
27 MAR 18 1944

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DATE: 3/23/57
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*No Ans
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