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HUGO LAFAYETTE BLACK

DOCUMENT - 49

DATE - 9/20/71

COMMUNICATION - Letter from J. Edgar Hoover to Hugo L. Black

TOTAL NUMBER OF PAGES - 1

TOTAL NUMBER OF PAGES RELEASED - 1

**Deletions from this document are listed by page
number as follows:**

No exemptions claimed.

September 20, 1971

PERSONAL

Honorable Hugo L. Black
Associate Justice of the
Supreme Court of the United States
United States Naval Hospital
National Naval Medical Center
Bethesda, Maryland 20014

rl
CD *PJ*

My dear Mr. Justice:

All of us in the FBI were indeed sorry to learn that the Supreme Court is losing one of its most distinguished members. You can take pride in your long and dedicated career and your outstanding contributions to the legal profession will serve as an inspiration to those who follow you on the bench.

I am certain your decision to retire was a most difficult one, but I know your friends and admirers over the world will agree that you have earned your leisure. I want to extend my very best wishes to you for all possible success in any future endeavors, and I trust you will not hesitate to let me know whenever I can be of assistance.

E

Sincerely yours,

J. Edgar Hoover

MAILED 7
SEP 20 1971
FBI

PLST
7

Repk

NOTE: Cordial relations with Justice Black. Address per prior correspondence to him. WFO determined he is still confined at Bethesda and his wife and son are with him.

- Tolson _____
- Felt _____
- Sullivan _____
- Mohr _____
- Bishop _____
- Miller, E.S. _____
- Callahan _____
- Cooper _____
- Conrad _____
- Dalbey _____
- Cleveland _____
- Ponder _____
- Rosen _____
- Tavel _____
- Walters _____
- Soyars _____
- Tele. Room _____
- Holmes _____
- Gandy _____

JCW:mls (3)

REC-53

62-905-18-29

EX-104

SEP 21 1971

57 SEP 28 1971

MAIL ROOM TELETYPE UNIT

1002

HUGO LAFAYETTE BLACK

DOCUMENT - 50

DATE - 9/25/71

COMMUNICATION - Letter from Mr. Hoover to Mrs. Black

TOTAL NUMBER OF PAGES - 1

TOTAL NUMBER OF PAGES RELEASED - 1

**Deletions from this document are listed by page
number as follows:**

No exemptions claimed.

Mr. Tolson	_____
Mr. Felt	_____
Mr. Sullivan	_____
Mr. Mohr	_____
Mr. Bishop	_____
Mr. Miller, E.S.	_____
Mr. Callahan	_____
Mr. Casper	_____
Mr. Conrad	_____
Mr. Dalbey	_____
Mr. Cleveland	_____
Mr. Ponder	_____
Mr. Rosen	_____
Mr. Tavel	_____
Mr. Walters	_____
Mr. Soyars	_____
Tele. Room	_____
Miss Holmes	_____
Miss Gandy	✓

September 25, 1971

Mrs. Hugo L. Black
 619 South Lee Street
 Alexandria, Virginia 22314

Dear Mrs. Black:

I was deeply saddened by the news of the Justice's passing and offer my heartfelt sympathy to you.

The country has lost a wise and prudent leader. The indelible mark he made on our society by his long and distinguished service on the Supreme Court will insure for him his rightful place in the history of our great Nation. His full and fruitful life was dedicated to the best interests of all citizens and I do hope you will find solace in the knowledge that we share your sorrow.

If there is any way in which I can be of help please let me know.

Sincerely yours,

NOTE: Bufiles disclose cordial relations with Justice and Mrs. Black. A letter was sent to Justice Black on 9/20/71 upon his retirement. Mrs. Black has toured the Bureau on several occasions and has met and been photographed with the Director. Home address per Bufile.

REC 25

AWT:sel (3)

Tolson _____
 Felt _____
 Sullivan _____
 Mohr _____
 Bishop _____
 Miller, E.S. _____
 Callahan _____
 Casper _____
 Conrad _____
 Dalbey _____
 Cleveland _____
 Ponder _____
 Rosen _____
 Tavel _____
 Walters _____
 Soyars _____
 Tele. Room _____

51 OCT 1 1971

MAIL ROOM TELETYPE UNIT

62-90518-30

SEP 28 1971

Mailed 9/25/71 2P

WBS

125

Hugo L. Black

HUGO LAFAYETTE BLACK

DOCUMENT - 51

DATE - 1/16/72

COMMUNICATION - Letter from Mrs. Black

TOTAL NUMBER OF PAGES - 2

TOTAL NUMBER OF PAGES RELEASED - 2

**Deletions from this document are listed by page
number as follows:**

No exemptions claimed.

- Mr. Tolson
- Mr. Belmont
- Mr. Rosen
- Mr. Mohr
- Mr. Bishop
- Mr. Miller, E.S.
- Mr. Callahan
- Mr. Casper
- Mr. Conrad
- Mr. Dalbey
- Mr. Cleveland
- Mr. Ponder
- Mr. Bates
- Mr. Waikart
- Mr. Walters
- Mr. Soyars
- Tele Room
- Miss Holmes
- Miss Gandy

January 16, 1972

Dear Mr. Hoover,

With deep gratitude, I acknowledge the letters you wrote in regard to Hugo's retirement and death -- I was able to read your very nice letter to him about his retirement and it pleased him.

I miss him more than I can tell you, but I shall try not to dwell on my great loss, but, instead, remember the fourteen years of happiness I had with this warm and wonderful man.

It was very kind of you to write, and I apologize for the tardiness of my reply.

With best wishes to you, I am

Sincerely

Elizabeth Black

619 South Lee St.
Alexandria, Virginia 22314

COPY:nm

EXP. PROC.

JAN 19 1972

REC-60

JAN 21 1972

58 FEB 3 - 1972

62-40518

M. K. Rice
3/11/72
John

Malmfeldt

AP

HUGO BLACK

1-20
31

[Handwritten mark]

62-40518-31

January 16, 1972

Dear Mr. Hoover,

With deep gratitude I acknowledge
the letter you wrote in regard
to Hugo's retirement and death.

I was able to read your very
nice letter to him about his
retirement and it pleased him.

I miss him more than
I can tell you, but I shall
try not to dwell on my great
loss but, instead, remember
the joy and years of happiness
I had with this warm and
wonderful man.

It was very kind of you
to write, and I apologize for
the tardiness of my reply.
With best wishes to you,
I am

Sincerely,

Elizabeth Black
11700 1st St
Windsor, Ontario, Canada N2S 2S9

Elizabeth Black

(B) Documents #52 through #54 are from an Extortion investigation file wherein Justice Black was a victim.

HUGO LAFAYETTE BLACK

DOCUMENT - 52

DATE - 4/4/69

COMMUNICATION - Director to SAC, Denver with enclosure

TOTAL NUMBER OF PAGES - 5

TOTAL NUMBER OF PAGES RELEASED - 5

Deletions from this document are listed by page number as follows:

No exemptions claimed.

SAC, DENVER

4/4/69

Director, FBI

- 1 - Mr. Sullivan
- Atten: Mr. Dixon
- 1 - Mr. Conrad
- 1 - Mr. McKinnon

UNSUB;
 ANONYMOUS LETTER CONTAINING POSTMARK 3/12/69
 DENVER, COLORADO
 MAILED TO SUPREME COURT JUSTICES
 EARL WARREN, WILLIAM ORVILLE DOUGLAS
 AND HUGO LAFAYETTE BLACK
 EXTORTION

Enclosed for each office are Xerox and true copies of a communication which is anonymous and a copy of the envelope used to mail it bearing the postmark as shown in caption directed to the victims.

Inasmuch as this communication contains veiled threats, Denver promptly bring it to the attention of appropriate USA for a prosecutive decision under the Federal Extortion Statute. Denver & WFO advise appropriate local authorities concerning the receipt of this communication by the victims.

This letter was received at the Post Office U. S. Secret Service as an enclosure to their memo dated 3/28/69. The original is being examined in the Laboratory and you will be advised of results.

Submit results in form suitable for Assassination no later than 4/15/69.

Enclosures (3)

2 - WFO (Enclosures 3)

CRM:m3
(8)

- Mr. Tolson
- Mr. DeLoach
- Mr. Mohr
- Mr. Bishop
- Mr. Casper
- Mr. Callahan
- Mr. Conrad
- Mr. Felt
- Mr. Gale
- Mr. Rosen
- Mr. Sullivan
- Mr. Tavel
- Mr. Trotter
- Tele. Room
- Miss Holmes
- Miss Gandy

MAILED 23
 APR 8 1969
 COMM-FBI

MCT-37

REC-78

SEE NOTE PAGE TWO

19394

51 APR 15 1969

19 APR 4 1969

REC-RECORDED
 19 APR 4 1969

MAIL ROOM TELETYPE UNIT

NOTE:

By communication 3/25/69 U. S. Secret Service forwarded a letter mailed from Denver, Colorado, to the victims. The communication terms the victims communists and criticizes them for overturning the conviction of Dick Gregory. It contains veiled threat to the victims. U. S. Secret Service in their communication stated the original letter was received from U. S. Capitol Police on 3/24/69. The communication from Secret Service does not state if the victims are aware of the existence of it. The Liaison Section, therefore, will insure that the victims' offices are put on notice with regard to this communication. Results will be furnished to victims' offices when received.

The Lab is requested to conduct appropriate examination concerning the original communication and furnish the results to DN & WFO. The Ident Div. is requested to conduct appropriate latent fingerprint examination and advise the same offices the results.

Dear Fellow Comrade,

We are glad to see where you
stand for your "Comrade"
Dick Gregory, and we turned
his conditions at least
you Communist, strike & strike
together. We will be grateful
when you see fit to remove
your kind from the earth and
I hope it won't be long.
It is just to bad as well
and you know best cannot
run well among you
filthy cruds!

A Non Communist Refuser
praying for your
F. H. Casanova

Ray
3-27-69

19394 -1

ENCLOSURE

arrived

*Comunicato on Supreme Court
of Wisconsin - Douglas - Black
Washington, D.C.*

DENVER, CO
-PM
12 MAR
1969

U. S. AIR MAIL
60TH ANNIVERSARY
1903
U.S. POSTAGE
6c

1969-3

136

TRUE COPY

Dear Fellow Comrade,

Was glad to see where you stood up for your "Comrade" dick gregory, and overturned his conviction! At least you communists stick & stink together! Will be grateful when God sees fit to remove your kind from this earth, and I hope it wont be long. Its just to bad an Oswald or James Ray ect cannot run wild among you filthy crudsi.

A Non Communist Taxpayer
praying for your Assinations

TRUE COPY

7 - 49394 - 1

ENCLOSURE

137

HUGO LAFAYETTE BLACK

DOCUMENT - 53

DATE - 4/11/69

**COMMUNICATION - FBI Headquarters Lab Report to SAC, Denver
with enclosures**

TOTAL NUMBER OF PAGES - 12

TOTAL NUMBER OF PAGES RELEASED - 12

**Deletions from this document are listed by page
number as follows:**

No exemptions claimed.



FEDERAL BUREAU OF INVESTIGATION
WASHINGTON D. C.

1 - Mr. Eisker

To: FBI, Denver (9-New)

Date: April 11, 1969

UNSUB; ANONYMOUS LETTER CONTAINING
POSTMARK 3/12/69 DENVER, COLORADO
MAILED TO SUPREME COURT JUSTICES
Re: EARL WARREN, WILLIAM ORVILLE
DOUGLAS AND HUGO LAFAYETTE
BLACK - VICTIMS
EXTORTION

J. Edgar Hoover
John Edgar Hoover, Director

FBI File No. 44-111-3
Lab. No. 6-690401071 LB 1

Examination requested by: Bureau
Reference: Bulet to Denver 4/4/69
Examination requested: Document - Fingerprint
Remarks:

You will be advised separately regarding the latent fingerprint examination of specimens Q1 and Q2 at which time these specimens will be forwarded to the Denver Office for retention.

REC 25

MAILED 3
APR 11 1969
COMM-FBI

ENCLOSURE

ENCLOSURE ATTACHED

4 APR 16 1969

- 1 - Mason _____ Enclosures (2) (2 Lab report)
 - 1 - DeLoach _____ 2 - Denver (9-New) Enclosures (2) (2 Lab report)
 - 1 - Mohr _____ 2 - Washington Field Office (9-New) Enclosures (2) (2 Lab report)
 - 1 - Bishop _____
 - 1 - Casper _____
 - 1 - Callahan _____
 - 1 - Conrad _____
 - 1 - Felt _____
 - 1 - Gale _____
 - 1 - Rosen _____
 - 1 - Sullivan _____
 - 1 - Tavel _____
 - 1 - Trotter _____
- JSL:SS (8)

60 APR 22 1969

TELETYPE UNIT

ADMINISTRATIVE PAGE

139

REPORT
of theFEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

To: FBI, Denver (9-New)

Date: April 11, 1969

Re: UNSUB; ANONYMOUS LETTER CONTAINING
POSTMARK 3/12/69 DENVER, COLORADO, MAILED
TO SUPREME COURT JUSTICES EARL WARREN, WILLIAM
ORVILLE DOUGLAS AND HUGO LAFAYETTE BLACK - VICTIMS
EXTORTIONFBI File No.
Lab. No. D-690404071 LEAvailable in Bureau
Specimens received 4/4/69.

- Q1 Envelope postmarked "DENVER, CO 3A PM 12 MAR 1969" bearing handwritten address "Communists on Supreme Court & Warren - Douglas - Black Washington, D.C."
- Q2 Accompanying one-page handwritten letter beginning "Dear Fellow Comrades, Was glad to see where....."

Result of examination:

Specimens Q1 and Q2 were searched through the appropriate sections of the Anonymous Letter File without effecting an identification; copies have been added thereto.

No watermark, indented writing, or other significant feature was observed in specimens Q1 and Q2 which would indicate the immediate source of this material.

Physical characteristics of these specimens have been recorded and are being retained in the Laboratory for possible future reference.

The submitted evidence has been photographed and is temporarily retained.

Tolson _____
DeLoach _____
Mohr _____
Bishop _____
Casper _____
Callahan _____
Conrad _____
Felt _____
Gale _____
Rosen _____
Sullivan _____
Tavel _____
Trotter _____
Tele. Room _____
Holmes _____
Gandy _____

MAIL ROOM TELETYPE UNIT

140

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NO LAB FILE

Laboratory Work Sheet

Re: UNSUB; ANONYMOUS LETTER
CONTAINING POSTMARK 3/12/69
DENVER, COLORADO, MAILED TO SUPREME
COURT JUSTICES EARL WARREN,
WILLIAM ORVILLE DOUGLAS AND
HUGO LAFAYETTE BLACK - VICTIMS
~~EXTORTION~~ EXTORTION

FILE # 9-4339-2
Lab. # D-690404071 LB

Examination requested by: Bulet to Denver 4/4/69

Examination requested: Document-Fingerprint

Date received: 4/4/69

Result of Examination:

Examination by: Lisker

Specimens submitted for examination

- Q1 Envelope pm. "DENVER, CO 3A PM 12 MAR 1969" bearing hw. address "Communists on Supreme Court % Warren - Douglas - Black Washington, D.C." Commrades,
- Q2 Acc. one-page hw. letter beg. "Dear Fellow ~~Comrade~~, Was glad to see where"

Q 943 / 4-07 1 .0037
Q 944 / 4-07 1 .0001

RETURN EVID....

2cc: Denver

2cc: WFO 9-7-69

Handwritten signature and date: J. Edgar Hoover, 4/11/69

W.D. Griffith
120

SAC, Denver

4/4/69

Director, FBI

- 1 - Mr. Sullivan
- Atten: Mr. Dix
- ~~1 - Mr. Conrad~~
- 1 - Mr. McKinnon

UNSUB,
 ANONYMOUS LETTER CONTAINING POSTMARK 3/12/69
 DENVER, COLORADO
 MAILED TO SUPREME COURT JUSTICES
 EARL WARREN, WILLIAM ORVILLE DOUGLAS
 AND HUGO LAPAYETTE BLACK
 EXTORTION

690404071

Enclosed for each office are Xerox and true copies of a communication which is anonymous and a copy of the envelope used to mail it bearing the postmark as shown in caption directed to the victims.

Inasmuch as this communication contains veiled threats, Denver promptly bring it to the attention of appropriate USA for a prosecutive decision under the Federal Extortion Statute. Denver & WFO advise appropriate local authorities concerning the receipt of this communication by the victims.

This letter was received at the Bureau from U. S. Secret Service as an enclosure to their memo dated 3/25/69. The original is being examined in the Laboratory and you will be advised of results.

Submit results in form suitable for dissemination no later than 4/16/69.

Enclosures (3)

2 - WFO (Enclosures 3)

CRM:md
(8)

SEARCHED INDEXED
SERIALIZED FILED

SEE NOTE PAGE TWO

MAR 3 11 22 AM '69

RECEIVED - CONYER

RECEIVED BY MAIL
 FBI
 APR 15 1969
 FBI - DENVER

Wip

INDEX TAB FILES

NOTE:

By communication 3/25/69 U. S. Secret Service forwarded a letter mailed from Denver, Colorado, to the victims. The communication terms the victims communists and criticizes them for overturning the conviction of Dick Gregory. It contains veiled threat to the victims. U. S. Secret Service in their communication stated the original letter was received from U. S. Capitol Police on 3/24/69. The communication from Secret Service does not state if the victims are aware of the existence of it. The Liaison Section, therefore, will insure that the victims' offices are put on notice with regard to this communication. Results will be furnished to victims' offices when received.

The Lab is requested to conduct appropriate examination concerning the original communication and furnish the results to DN & WFO. The Ident Div. is requested to conduct appropriate latent fingerprint examination and advise the same offices the results.

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

Laboratory Work Sheet

NO LAB FILE

9-49394-2

Re: UNSUB; ANONYMOUS LETTER
CONTAINING POSTMARK 3/12/69
DENVER, COLORADO, MAILED TO
COURT JUSTICES EARL WARREN,
WILLIAM ORVILLE DOUGLAS AND
HUGO LAFAYETTE BLACK
~~EXTORTION~~ EXTORTION

File # D-690404071 LB
Lab. #

Examination requested by: Bulst to Denver 4/4/69

Examination requested: Document-Fingerprint

Date received: 4/4/69

Result of Examination:

Examination by: Lisker

Q1 & Q2 LFP 4/4/69

- PLS return to Denver

gala

Received by LFP
4/11 *[Signature]*

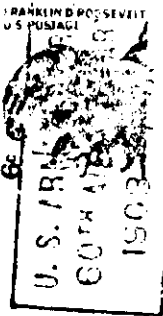
Specimens submitted for examination

Q1 Envelope pm. "DENVER, CO 3A PM 12 MAR 1969" bearing
hw. address "Communists on Supreme Court & Warren -
Douglas - Black Washington, D.C."

Q2 Acc. one-page hw. letter beg. "Dear Fellow Comrads, Was
glad to see where"

Q1 & Q2 to Denver with LFP 4-11-69
[Signature]

RETURN EVID....
2cc: Denver
2cc: WFO



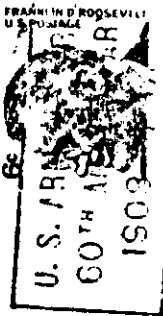
*Communist on Supreme Court
of Warren - Douglas - Black
Washington, D.C.*

145

145

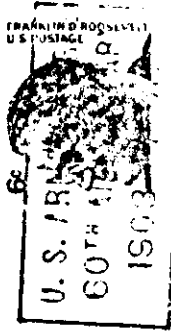
D-690404071 Q1 LB

145



*Communist on Supreme Court
by Warren - Douglas - Black
Washington, D.C.*

D-690404071 Q1 LB



*Committee on Supreme Court
of Warren - Douglas - Black
Washington, D.C.*

D-6904040/1 Q1 LB

RR

arrived

13002
13002



D-690404071 Q1 LR

ADY

D-1-0404071 02 LB

RECEIVED
SUPREME COURT, U.S.
MARSHAL'S OFFICE

1969 MAR 14 AM 10:52

Dear Fellow Comrade,

We're glad to see where you
stood up for your "Comrade"
Dick Gregory, and overturned
his convictions! At least
you Communist strike & strike
together! Will be grateful
when you see fit to remove
your kind from this earth, and
I hope it won't be long.
It's just to bad an overall
or Game Bag let cannot
rub wild among you
filthy cruds!

A Non Communist Taxpayer
praying for your
~~to~~ convictions

Ray
3-24-69

D-690404071 Q2 LB

HUGO LAFAYETTE BLACK

DOCUMENT - 54

DATE - 4/16/69

**COMMUNICATION - FBI Headquarters Lab Report to SAC, Denver
with enclosures**

TOTAL NUMBER OF PAGES - 8

TOTAL NUMBER OF PAGES RELEASED - 8

**Deletions from this document are listed by page
number as follows:**

No exemptions claimed.



FEDERAL BUREAU OF INVESTIGATION

Washington, D. C. 20535

REPORT

of the

IDENTIFICATION DIVISION

LATENT FINGERPRINT SECTION

ma

REC-31

9-44374-3

YOUR FILE NO.
FBI FILE NO.
LATENT CASE NO. A-5204

April 16, 1969

TO: SAC, Denver

11-
3-
1-

RE: UNSUB.;
ANONYMOUS LETTER CONTAINING POSTMARK
3/12/69
DENVER, COLORADO
MAILED TO SUPREME COURT JUSTICES
EARL WARREN, WILLIAM ORVILLE DOUGLAS
AND HUGO LAZYALLE BEACK;
IDENTIFICATION

REFERENCE: Telet to Denver 4/4/69
EXAMINATION REQUESTED BY: Bureau
SPECIMENS: Envelope, (1)
Letter, (2)

The listed Q specimens are described in the laboratory report, which is being furnished separately.

MAILED 3
APR 16 1969
COMM-FBI

Three latent fingerprints of value for comparison were developed on the outside of envelope, Q1 and one latent fingerprint of value for comparison was developed on the letter, Q2. No other latent prints of value were developed.

The latent fingerprint on Q2 was searched in the single fingerprint file, but no identification was effected.

Q1 and Q2 are enclosed.

Enc. (2).

- Mr. Tolson _____
- Mr. DeLoach _____
- Mr. Mohr _____
- Mr. Bishop _____
- Mr. Casper _____
- Mr. Callahan _____
- Mr. Conrad _____
- Mr. Felt _____
- Mr. Gale _____
- Mr. Rosen _____
- Mr. Sullivan _____
- Mr. Tavel _____
- Mr. Trotter _____
- Tele. Room _____
- Miss Holmes _____
- Miss Gandy _____

53 APR 28 1969

WCB:md THIS REPORT IS FURNISHED FOR OFFICIAL USE ONLY

J. Edgar Hoover
John Edgar Hoover, Director

APR 17 1969

MAIL ROOM TELETYPE UNIT

FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE

NO LAB FILE

Recorded: 4/11/69 2:45 p.m. Laboratory Work Sheet

Received: 4/11/69/pa

Re: UNSUB; ANONYMOUS LETTER
CONTAINING POSTMARK 3/12/69
DENVER, COLORADO, MAILED TO
SUPREME COURT JUSTICES EARL WARREN,
WILLIAM ORVILLE DOUGLAS AND
HUGO LAFAYETTE BLACK
~~EXTORTION~~ EXTORTION

File # D-690404071 LB-3
Lab. #

LC# A-5204

Examination requested by: Bureau (Re Bulet to SAC, Denver) 4-4-69

Examination requested: Document-Fingerprint Date received: 4/4/69

Result of Examination: Examination by: Lisker
Bowman

*No latent prints of value found on inside or outside of
envelope. S. H. 414 20 4/11/69
300 copies of ...
1 copy of ...
Specimens submitted for examination*

Specimens submitted for examination

- Q1 Envelope pm. "DENVER, CO 3A PM 12 MAR 1969" bearing hw. address "Communists on Supreme Court % Warren - Douglas - Black Washington, D.C."
- Q2 Acc. one-page hw. letter beg. "Dear Fellow Comrades, Was glad to see where"

*Remove ...
Lab report ...*

RETURN EVID....
2cc: Denver
2cc: WFO

Examination completed 3:10 PM 4/11 Dictated 4/11
Time Date Date



TREASURY DEPARTMENT
UNITED STATES SECRET SERVICE

OFFICE OF THE DIRECTOR

WASHINGTON, D.C. 20226

(yellow)

Date: March 25, 1969

BY LIAISON G.M. McLeod

TO : Federal Bureau of Investigation
Attn: Special Agent Rahnner
FROM : JAMES J. ROWLEY, DIRECTOR
SUBJECT: Unknown Subject

Handwritten notes and signatures:
J.M. McLeod
Rahnner

Attached is a letter addressed to "Communist on Supreme Court", postmarked Denver, Colorado, dated March 12, 1969. The original letter was received from the U.S. Capitol Police on March 24, 1969.

It is not associated with any case which has been investigated by this Service. An investigation is not being conducted by this Service, and if one is conducted by your Bureau, may we be furnished with the results.

REC-37

9-10-1

3

MAR 25 1969

Handwritten initials:
L.M.
L.K.

RECORDED

Attachments

Letter from unknown subject

TRUE COPY

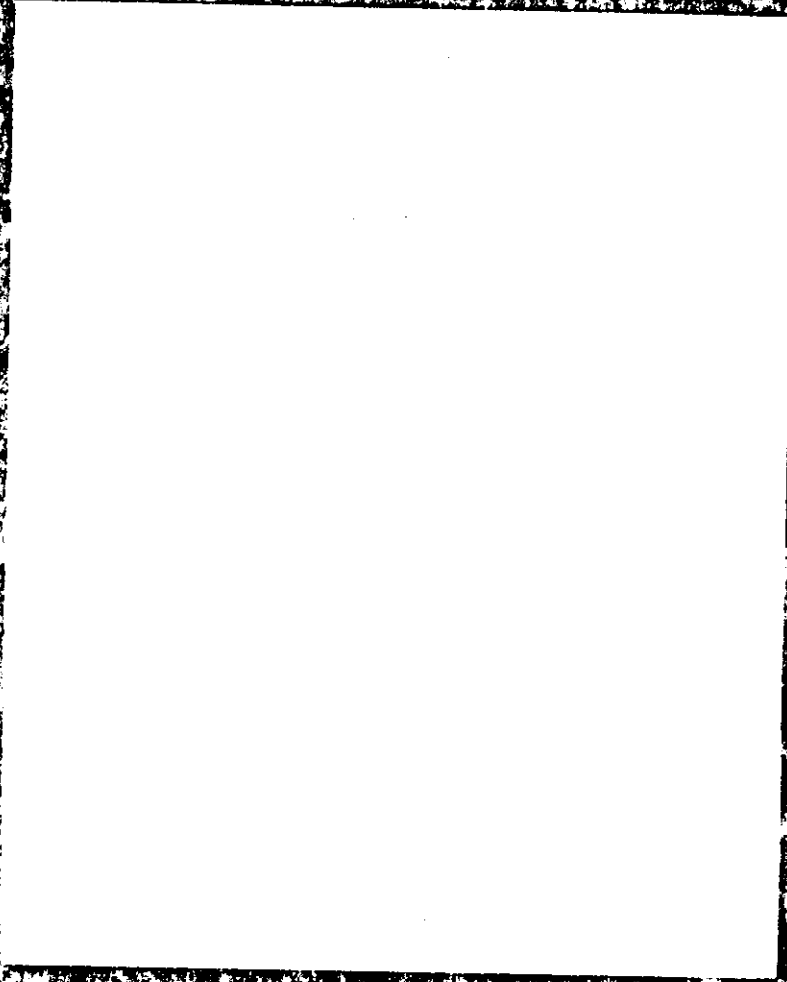
Dear Fellow Comrade,

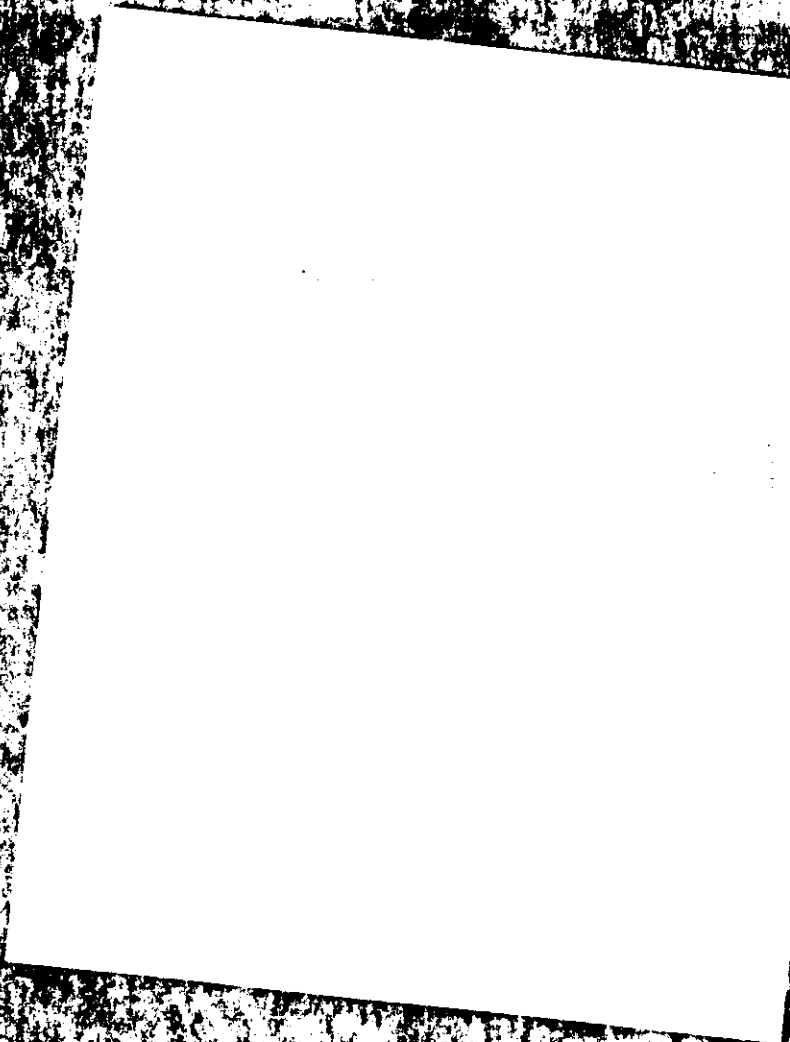
Was glad to see where you stood up for your "Comrade" dick gregory, and overturned his conviction! At least you communists stick & stink together! Will be grateful when God sees fit to remove your kind from this earth, and I hope it wont be long. Its just to bad an Oswald or James Ray ect cannot run wild among you filthy crud!

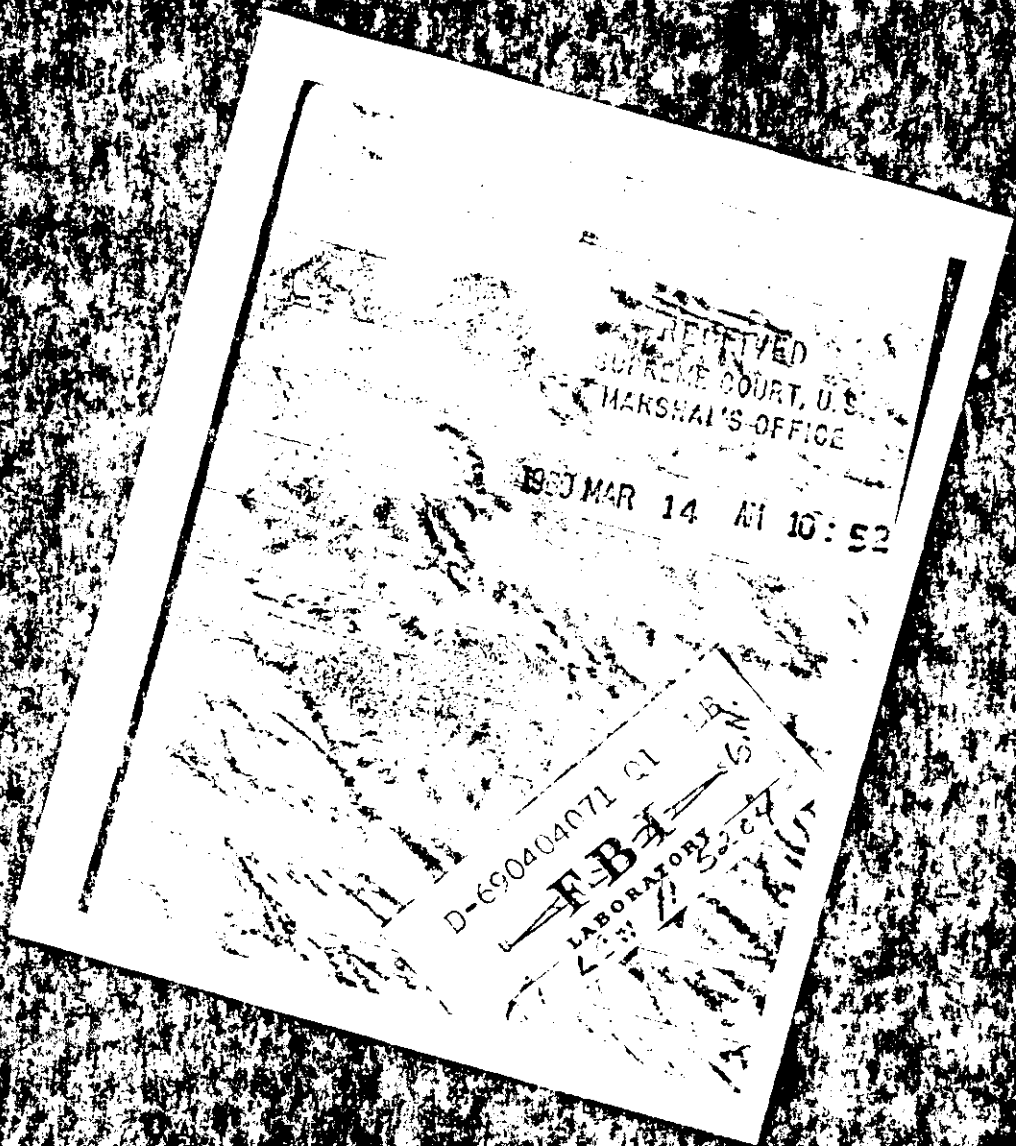
A Non Communist Taxpayer
praying for your Assinations

TRUE COPY

9-11-3
15







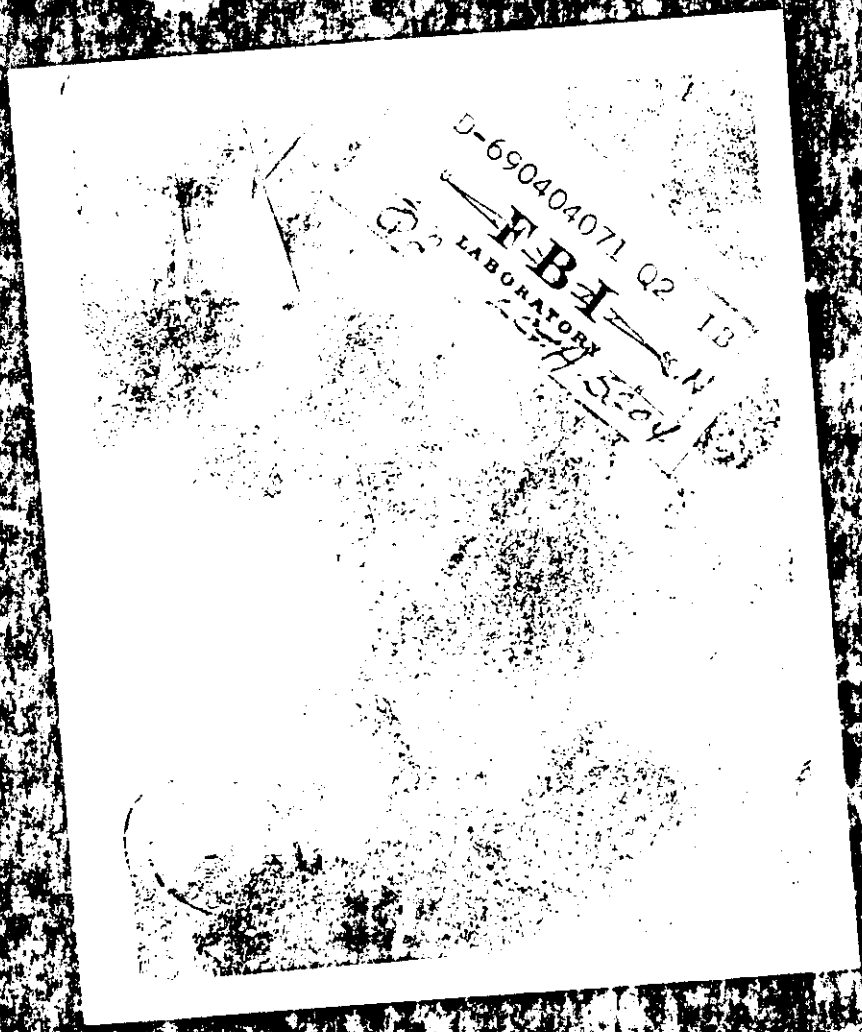
RECEIVED
SUPREME COURT, U.S.
MARSHAL'S OFFICE

1960 MAR 14 AM 10:52

D-690404071 01

FBI
LABORATORY

328



D-690404071 Q2 1B

FBI LABORATORY

5504

(C) Documents #55 through #56 are from an "Alleged Assault of a Federal Officer" file wherein Justice Black was a victim.

HUGO LAFAYETTE BLACK

DOCUMENT - 55

DATE - 5/9/52

COMMUNICATION - Mr. Rosen to Mr. Ladd memo

TOTAL NUMBER OF PAGES - 2

TOTAL NUMBER OF PAGES RELEASED - 2

Deletions from this document are listed by page number as follows:

No exemptions claimed.

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Ladd

DATE: May 9, 1952

FROM : Mr. Rosen

SUBJECT: HUGO LAFAYETTE BLACK
SUPREME COURT JUSTICE
ALLEGED ASSAULT ON FEDERAL OFFICER

SEARCHED
SERIALIZED
INDEXED
FILED
MAY 10 1952
FBI - WASH DC
JTB

PURPOSE:

To record information received from R. Reikowski of the Washington Post indicating that "someone had taken a shot at Supreme Court Justice Hugo Black."

DETAILS:

Reikowski of the Washington Post advised that he had information indicating "someone had taken a shot at Supreme Court Justice Hugo Black." This was supposed to have occurred at Justice Black's residence in Alexandria.

SAC Johnson, Richmond, was contacted and he advised, he had no information regarding this alleged incident. He was instructed to make inquiry at Alexandria to verify or disprove this allegation.

Above allegation was referred to Inspector McGuire, who advised as follows: if allegation was verified and Richmond furnished no information reflecting a desire of Justice Black to keep this matter quiet, it would be satisfactory to advise Washington Post that we were making an inquiry into this matter to determine whether a Federal violation existed.

As a result of the call to Richmond, SA W. P. Linstomb, Senior Resident Agent at Alexandria called and advised that he had checked with Russell Taves, Superintendent of Police, and found that no shooting had occurred at Justice Black's immediate residential area and the only information in possession of the police department was an inquiry made by CIA Violanti (PH) of the Washington Post, in this regard. The police department further indicated that Violanti (PH) or some other Post reporter had gone to Black's residence, prowled around a bit and found that the house was completely closed up and dark.

cc: Mr. Nichols

RAA:bjl

RECORDED - 58
MAY 10 1952
L.A.

Reikowski was recontacted for the source of his information, which he declined to furnish, but he did state that he had some subsequent information, from what he called a reliable source, indicating that Justice Black had been involved in a snooting with the Metropolitan Police Department, place unknown. He stated his inquiries in Alexandria resulted negatively and that if he obtained any further information concerning this matter he would advise the Bureau.

RECOMMENDATION:

It is recommended that we have the Washington Field Office check through its contacts in the Metropolitan Police Department to determine if there is anything to this allegation.

Yes.
W.C.
11/11/52
11/11/52
11/11/52

W.C.

HUGO LAFAYETTE BLACK

DOCUMENT - 56

DATE - 5/9/52

COMMUNICATION - Mr. Rosen to Mr. Ladd memo

TOTAL NUMBER OF PAGES - 1

TOTAL NUMBER OF PAGES RELEASED - 1

**Deletions from this document are listed by page
number as follows:**

No exemptions claimed.

112

Office Memorandum • UNITED STATES GOVERNMENT

TO : Mr. Ladd

FROM : Mr. Rosen

SUBJECT: REPORT OF ALLEGED ATTEMPT TO
SHOOT JUSTICE HUGO BLACK

DATE: May 9, 1952

ASAC Howard Fletcher from the WFO called the Bureau with further reference to the confused report which a Washington Post newspaper reporter gave to the Bureau indicating that someone had taken a shot at Justice Hugo Black of the U. S. Supreme Court.

Mr. Fletcher stated that inquiries by the Washington Field revealed that at 9:30 last night, Mr. Rutledge, clerk in the Chambers of Judge Black, entered the Judge's office and turned on the light. He heard a noise near the ceiling and saw a small hole in the glass the size of the lead in a lead pencil.

He called the building guards and they looked around and in turn, called metropolitan Police Officers. The police located small splinters of glass, observed the small hole, but found no bullets. The sound of a gun was not heard. The hole was 14 feet above the floor and the observation was made that possibly someone had shot a B-3 gun at the window. Justice Black was not present at the time, and no one was injured.

Fletcher furnished this data for the Bureau's information and the Washington Field Office is taking no further action.

cc: Mr. Nichols

FLP:dwl

MAY 10 1952

25

(D) Documents #57 through #85 are references to plaintiff's subject, Hugo L. Black, described as cross references. More specifically, Hugo Black's name was indexed in the "main" files of other individuals or organizations because of his association, contact, or sometimes the mere mention of his name.

HUGO LAFAYETTE BLACK

DOCUMENT - 57

DATE - 5/6/36

COMMUNICATION - Memo for Mr. Tolson from T. D. Quinn

TOTAL NUMBER OF PAGES PERTAINING TO REQUEST - 1

TOTAL NUMBER OF PAGES RELEASED - 1

Deletions pertaining to this request which have been made from this document are listed as follows:

No exemptions claimed.

Federal Bureau of Investigation

U. S. Department of Justice

Washington, D. C.

TDQ:A

May 6, 1936

Joseph
18

100-11

MEMORANDUM FOR MR. TOLSON

H
1

Mr. Haigler, Secretary to Senator Black of Alabama, telephoned and wanted to know if the Director had found it possible to appear at the Sheriffs' & Peace Officers' Convention to be held in Montgomery, Alabama, on May 13, 14 and 15. He stated that the people in Alabama were most anxious to hear the Director and also to see him and wanted the Director to know the Senator would consider it a personal favor if he could attend this meeting.

I informed the Secretary that on account of Mr. Hoover's present commitments it would be impossible to accept this kind invitation and pointed out to him that in connection with certain major cases personally handled by the Director it has been necessary to cancel engagements made of long standing. He stated he appreciated the situation and stated that the Bureau did an excellent piece of work, particularly the Director, in apprehending "Public Enemy No. 1".

Respectfully,

T. D. Quinn

T. D. QUINN

6: 21 - 71X

RECORDED

INDEXED

MAY 21 1936

100-11
100-11

HUGO LAFAYETTE BLACK

DOCUMENT - 58

DATE - 5/2/36

COMMUNICATION - Memo for the Director from T. D. Quinn

TOTAL NUMBER OF PAGES PERTAINING TO REQUEST - 1

TOTAL NUMBER OF PAGES RELEASED - 1

Deletions pertaining to this request which have been made from this document are listed as follows:

No exemptions claimed.

Federal Bureau of Investigation

U. S. Department of Justice

Washington, D. C.

May 2, 1936.

Joseph - M...
...

TDQ:RCL

S

MEMORANDUM FOR THE DIRECTOR.

H
H

The Secretary to Senator ~~Black~~ telephoned and stated that the Senator was hoping Mr. Hoover would be able to accept the invitation extended to him to appear as a speaker before the Alabama Peace Officers Association during their convention which would be held this month and that the officials of the association had communicated with the Senator and solicited his assistance in endeavoring to have the Director accept.

I told the Secretary that I would be only too glad to convey his congratulations to Mr. Hoover upon his return to the office, but that I doubted seriously whether he would be able to accept the invitation to speak in view of certain developments in major cases.

Respectfully,

T. D. Quinn.

RECORDED & INDEXED

MAY 14 1936

MAY 14 1936

ROBERT JOSEPH

OK

HUGO LAFAYETTE BLACK

DOCUMENT - 59

DATE - 8/12/37

COMMUNICATION - Memo from Office of the Director

TOTAL NUMBER OF PAGES PERTAINING TO REQUEST - 1

TOTAL NUMBER OF PAGES RELEASED - 1

Deletions pertaining to this request which have been made from this document are listed as follows:

No exemptions claimed.

OFFICE OF DIRECTOR
FEDERAL BUREAU OF INVESTIGATION
UNITED STATES DEPARTMENT OF JUSTICE
August 12, 1937

2⁴⁵ pm

Mr. Chichester in the Department advised me that Sen. Black's name was submitted to the Senate early this afternoon for the Supreme Court vacancy.

st

RECORDED
&
INDEXED

- Mr. Tolson
- Mr. Clegg
- Mr. Coffey
- Mr. Egan
- Mr. Glavin
- Mr. Ladd
- Mr. Nichols
- Mr. Rosen
- Mr. Tracy
- Mr. Carson
- Mr. Hendon
- Mr. Quinn
- Mr. Nease
- Miss Gandy

HUGO LAFAYETTE BLACK

DOCUMENT - 60

DATE - 9/18/37

COMMUNICATION - Memo from E. A. Tamm

TOTAL NUMBER OF PAGES PERTAINING TO REQUEST - 1

TOTAL NUMBER OF PAGES RELEASED - 1

Deletions pertaining to this request which have been made from this document are listed as follows:

No exemptions claimed.

Federal Bureau of Investigation
United States Department of Justice
Washington, D. C.

EAT:MC

September 13, 1937.

Time: 9:43 A.M.

MEMORANDUM FOR THE FILE

Colonel Gates of the Department called and inquired as to what information, if any, the Bureau has with reference to an informant being killed in Alabama with regard to the inquiry as to Senator Black's being a member of the Ku Klux Klan.

I told him the Bureau has absolutely no information on this matter and if any inquiry is received from any newspaper man as to whether Sprigle, of the Pittsburgh Post-Gazette, was called to Washington at the request of the Bureau, concerning his articles on this matter, he can deny this rumor in the Director's name.



E. A. TAMM

RECORDED
&
INDEXED

62-21585-6

SEARCHED	SERIALIZED
INDEXED	FILED

SEP 15 1937

7

HUGO LAFAYETTE BLACK

DOCUMENT - 61

DATE - 9/17/37

COMMUNICATION - Memo from E. A. Tamm

TOTAL NUMBER OF PAGES PERTAINING TO REQUEST - 1

TOTAL NUMBER OF PAGES RELEASED - 1

Deletions pertaining to this request which have been made from this document are listed as follows:

No exemptions claimed.

Federal Bureau of Investigation
United States Department of Justice
Washington, D. C.

EAT:MC

September 17, 1937.

Time: 4:47 P.M.

MEMORANDUM FOR THE FILE

Mr. Allen Dibble of the Universal Press called with reference to the allegation that Spregal, of the Pittsburgh Post Gazette, author of stories about Senator Black's being a member of the Ku Klux Klan, is to be called to the Bureau for a conference with reference to the alleged situation in which his principal source of information was an informant in Alabama who had been killed by a railway train under mysterious circumstances and inquired as to whether the Bureau did ask Spregal to come to Washington for a conference and if the Bureau did conduct any investigation in connection with Spregal's articles of possible violence to his informant.

I told him that the Bureau cannot make any comment with regard to these matters.

EAT
E. A. TAMM

RECORDED
&
INDEXED

62-27595-8

7

171

HUGO LAFAYETTE BLACK

DOCUMENT - 62

DATE - 9/16/37

COMMUNICATION - Memo from Mr. Tolson

TOTAL NUMBER OF PAGES PERTAINING TO REQUEST - 1

TOTAL NUMBER OF PAGES RELEASED - 1

Deletions pertaining to this request which have been made from this document are listed as follows:

No exemptions claimed.

Federal Bureau of Investigation
United States Department of Justice
Washington, D. C.

WRG:MAM

- Mr. Tolson _____
- Mr. Baughman _____
- Mr. Clegg _____
- Mr. Coffey _____
- Mr. Dawsey _____
- Mr. Egan _____
- Mr. Foxworth _____
- Mr. Glavin _____
- Mr. Harbo _____
- Mr. Joseph _____
- Mr. Lester _____
- Mr. Nichols _____
- Mr. Quinn _____
- Mr. Schilder _____
- Mr. Tamm _____
- Mr. Tracy _____
- Miss Gandy _____

Date September 16, 1937

MEMORANDUM FOR MR. TOLSON

Former Special Agent Richard Finkel called me this afternoon and stated that he had been advised by a friend of his that the Washington Evening Star and the Washington Times were contemplating publishing certain criticisms of the Attorney General and the Director for failure to ascertain former Senator Black's connection with the Klu Klux Klan before he was appointed to the Supreme Court. Finkel stated that this information had come to him confidentially. He did not know the name of the employee on the Star who was supposed to have given the information out, but said he would ascertain it if possible and let me know. I thanked Finkel for the information.

RECORDED & INDEXED

RECORDED
INDEXED

62-27578-9

SEARCHED
SERIALIZED
INDEXED
FILED
FEB 11 1938
FBI - WASH DC

Signature

HUGO LAFAYETTE BLACK

DOCUMENT - 63

DATE - 9/23/37

COMMUNICATION - Memo from E. A. Tamm to the Director

TOTAL NUMBER OF PAGES PERTAINING TO REQUEST - 1

TOTAL NUMBER OF PAGES RELEASED - 1

Deletions pertaining to this request which have been made from this document are listed as follows:

No exemptions claimed.

Federal Bureau of Investigation
United States Department of Justice
Washington, D. C.

EAT:RP

September 23, 1937.

KRM

Eat

MEMORANDUM FOR THE DIRECTOR

Drew Pierson called at my office on September 17, 1937, and stated that the newspapers were considerably concerned about a story to the effect that the Bureau had asked one Spiegel, a representative of the Pittsburgh Post Gazette, to proceed to Washington, since Spiegel was the newspaper man who originated the stories about Senator Black being a member of the Ku Klux Klan. According to Pierson, Spiegel claims his key witness in the Black story has been killed by a train under very mysterious circumstances in Alabama.

I subsequently discussed this situation with you and then by telephone contacted Mr. Pierson at his home, informing him that the Director desired to inform Pierson personally and confidentially that Spiegel had not been called to the Bureau; that the Bureau had never heard of the man and was not, as a matter of fact, conducting any investigation into the alleged membership of Senator Black in the Ku Klux Klan.

Respectfully,

E. A. Tamm.

RECORDED
INDEXED

67-2758 11

SEARCHED
SERIALIZED
INDEXED
FILED

SEP 23 1937

U.S. DEPARTMENT OF JUSTICE

WASHINGTON

7

HUGO LAFAYETTE BLACK

DOCUMENT - 64

DATE - 9/24/37

COMMUNICATION - Letter from Director to Boake Carter
and a transcript of Carter's Broadcast

TOTAL NUMBER OF PAGES PERTAINING TO REQUEST - 2

TOTAL NUMBER OF PAGES RELEASED - 2

Deletions pertaining to this request which have
been made from this document are listed as follows:

No exemptions claimed.

copy

JEH:HCB/t

September 24, 1937.

Mr. Boake Carter,
1622 Chestnut Street,
Philadelphia, Pennsylvania.

Dear Boake:

I do want to take this opportunity to express to you my profound appreciation of your staunch defense of the FBI in connection with the Justice Black situation, as related during your broadcast last Wednesday evening. I was in California listening to you, and you can't imagine the feeling of warmth that swept over me as your familiar voice came over the air, expressing your confidence in the FBI just as the unfounded criticism referred to is appearing in the press. I am indeed grateful to you for taking this opportunity to squelch some of that criticism.

Hoping to see you soon, and with very best regards, I am

Sincerely,

SPECIAL DELIVERY

Mailed 9/26 from New York.

RECORDED
&
INDEXED

62-47537-12

ENCLOSURE
MCS

SEP 25 1937

U.S. DEPARTMENT OF JUSTICE

ORIGINAL FILED

The following is an excerpt from the broadcast of Boake Carter,
September 22, 1957. 6:45 p.m.

Well, in the last week or so there has been a growing editorial criticism directed against the Federal Bureau of Investigation, and it is based in general upon these lines: That the FBI must be a pretty poor outfit if, after investigating the record of Mr. Justice Hugo Black, they gave him a clean bill of health and then to have a newspaper man come along and make some very startling revelations about the new Associate Justice and his alleged connection with the KKK. That criticism has been based on absolutely no knowledge of facts. This was made clear today by Attorney General Cummings in Washington. His attention was drawn to these criticisms of the Department of Justice, but he flatly declared today that the Department of Justice had made no investigation of Hugo Black either before or after Mr. Roosevelt named the ex-Senator to the High Court, and this editor is in a position to know beyond the question of a doubt from other and equally reliable sources direct that whatever may have occurred within the Attorney General's Office, at least no request was ever made to the Federal Bureau of Investigation to examine Mr. Black's qualifications, and as those close to the picture say, the FBI cannot be blamed for any negligence regarding Mr. Black, for it not only didn't investigate him, but wasn't asked to investigate him. Whatever the politics followed, the FBI is usually requested by the Attorney General to make a report on the candidates for Federal Judgeships, U. S. District Attorneys, U. S. Marshals, and other similar offices coming under the Department of Justice's jurisdiction. This has been a standing practice for many years but it would be the height of impertinence for the Department of Justice to blandly investigate Supreme Court Justices, for the Supreme Court is an independent body with no connection whatsoever with the Department of Justice. As Mr. Cummings pointed out, no investigations were ever made of any of the present members of the Supreme Court with the exception of the Associate Justice Stone and only then when he was a candidate for the Attorney Generalship and not for the Court. Thus, in the light of the facts, it becomes clear that to blame the FBI for not presenting the facts of Mr. Black's purported Klan connections is unwarranted and misdirected for the reason that the FBI was not even requested to make any such investigation in the first place.

* The recording was very indistinct here and the first part of this sentence is not written verbatim.

62-275-512

HUGO LAFAYETTE BLACK

DOCUMENT - 65

DATE - 9/22/37

COMMUNICATION - Memo for Mr. Tamm from the Director

TOTAL NUMBER OF PAGES PERTAINING TO REQUEST - 1

TOTAL NUMBER OF PAGES RELEASED - 1

Deletions pertaining to this request which have been made from this document are listed as follows:

No exemptions claimed.

JEL:GAN

September 22, 1937.

Time - 6:45 P.M.

MEMORANDUM FOR MR. TAMM

Re: Boak-Carter Broadcast.

The following is an excerpt from the above broadcast that pertains to this Bureau:

"During the past week or so there has been a brewing editorial criticism against the Federal Bureau of Investigation, and it is based in general upon these lines: That the FBI must be a pretty poor outfit if after investigating the record of Mr. Justice Hugo Black and give him a clean bill of health and then having a newspaper man come along and make some very startling revelations about the new Associate Justice and his alleged connection with the KKK. That criticism has been based upon absolutely no knowledge of facts. This was made clear today by Attorney General Cummings in Washington. His attention was drawn to these criticisms through the Department of Justice, but he made it clear today that the Department of Justice had made no investigation of Hugo Black either before or after Mr. Roosevelt named the ex-Senator to the high court, and this editor is in a position to know beyond the question of a doubt from other equally reliable sources tonight that whatever may have occurred within the Attorney General's Office, at least no request was ever made to the Federal Bureau of Investigation to examine Mr. Black's qualifications, and as those close to the picture say, the FBI cannot be blamed of any matters regarding Mr. Black. For it not only did not investigate him, but wasn't asked to investigate him. The policy followed by the FBI is usually at the request of the Attorney General's office. The FBI investigates the applicants for Federal Judgeships, U. S. District Attorneys, U. S. Marshals and other similar offices coming within the Department of Justice. It would be the height of impertinence for the Department of Justice to blandly investigate Supreme Court Justices, for the Supreme Court is an independent body with no connection whatsoever with the Department of Justice. As Mr. Cummings pointed out, no investigations were ever made of any of the present members of the Supreme Court, with the exception of Associate Justice Stone, and only then when he was a candidate for the Attorney Generalship and not for the Court. Thus, in the light of the facts, it becomes clear that to blame the FBI for not presenting the facts of Mr. Black's Klan connections is unwarranted and misdirected, inasmuch as the FBI was not even requested to make any such investigation in the first place."

SEP 28 1937
FEDERAL BUREAU OF INVESTIGATION
U. S. DEPARTMENT OF JUSTICE

RECORDED & INDEXED

62-27575-13

Very truly yours,

John Edgar Hoover,
Director.

HUGO LAFAYETTE BLACK

DOCUMENT - 66

DATE - October, 1937

COMMUNICATION - October term of Supreme Court of U. S.
for 1937

TOTAL NUMBER OF PAGES PERTAINING TO REQUEST - 2

TOTAL NUMBER OF PAGES RELEASED - 2

Deletions pertaining to this request which have
been made from this document are listed as follows:

No exemptions claimed.

RECEIVED
HES. DIV.

SUPREME COURT OF THE UNITED STATES.

No. —, Original.—OCTOBER TERM, 1937.

Ex parte Albert Levitt,
Petitioner. } Motion for leave to file a petition for an
order requiring Mr. Justice Black to
show cause why he should be per-
mitted to serve as an Associate Justice
of this Court.

[October 11, 1937.]

PER CURIAM.

The grounds of this motion are that the appointment of Mr. Justice Black by the President and the confirmation thereof by the Senate of the United States were null and void by reason of his ineligibility under Article I, Section 6, Clause 2, of the Constitution of the United States, and because there was no vacancy for which the appointment could lawfully be made. The motion papers disclose no interest upon the part of the petitioner other than that of a citizen and a member of the bar of this Court. That is insufficient. It is an established principle that to entitle a private individual to invoke the judicial power to determine the validity of executive or legislative action he must show that he has sustained or is immediately in danger of sustaining a direct injury as the result of that action and it is not sufficient that he has merely a general interest common to all members of the public. *Tyler v. Judges*, 179 U. S. 405, 406; *Southern Railway Company v. King*, 217 U. S. 524, 534; *Newman v. Frizzell*, 238 U. S. 537, 549, 550; *Fairchild v. Hughes*, 258 U. S. 126, 129; *Massachusetts v. Mellon*, 262 U. S. 447, 488.

The motion is denied.

RECEIVED

NOT RECORDED

275

SUPREME COURT OF THE UNITED STATES.

No. —, Original.—OCTOBER TERM, 1937.

Ex parte P. H. Kelley, } Motion for hearing on the title of Mr.
Petitioner. } Justice Black as a member of this
Court.

[October 11, 1937.]

PER CURIAM.

The motion is denied. *Ex parte Albert Levitt*, decided this day.

HUGO LAFAYETTE BLACK

DOCUMENT - 67

DATE - 10/4/37

COMMUNICATION - Memo from L. B. Nichols to Mr. Tolson

TOTAL NUMBER OF PAGES PERTAINING TO REQUEST - 1

TOTAL NUMBER OF PAGES RELEASED - 1

Deletions pertaining to this request which have been made from this document are listed as follows:

No exemptions claimed.

Federal Bureau of Investigation
United States Department of Justice
Washington, D. C.

LBN/AEK

October 4, 1937.

MEMORANDUM FOR MR. TOLSON

It is believed that you and the Director would be interested in the following incident depicting the ethics of the press in getting news.

On the afternoon of September 29, 1937, while proceeding from Mt. Vernon to Quantico, Virginia, with several photographers and representatives of the press, Mr. Roger Hawthorne of the Associated Press noticed an AP photographer at the point where the road from Mt. Vernon intersects with the Richmond Highway. In view of the fact that Mr. Hawthorne had instructed a photographer to accompany him to Quantico, he got out of the car and went back to talk with him, and upon his return to the car advised that the local editor of the AP, a photographer, and other individuals had secured a Virginia State Trooper to stop the car of Mr. Justice Hugo Black which was supposed to pass there at any time en route from Norfolk to Washington. It was planned to have the officer stop Mr. Justice Black's car, whereupon the editor would attempt to interview him and the photographer would photograph him.

The writer could not resist asking Mr. Hawthorne what he would do if he were in Mr. Justice Black's place, whereupon Mr. Hawthorne replied that he would stamp on the accelerator and "go like Hell."

Respectfully,

L. B. Nichols
L. B. Nichols.

This certainly shows how low some press representatives have sunk.

RECORDED
&
INDEXED

62-7585-15

Handwritten initials and scribbles

HUGO LAFAYETTE BLACK

DOCUMENT - 68

DATE - 10/11/37

COMMUNICATION - Memo from L. B. Nichols to Mr. Tolson

TOTAL NUMBER OF PAGES PERTAINING TO REQUEST - 1

TOTAL NUMBER OF PAGES RELEASED - 1

Deletions pertaining to this request which have been made from this document are listed as follows:

No exemptions claimed.

LEE:DL5

October 11, 1937.

MEMORANDUM FOR MR. TOLSON

Recently Robert S. Allen published an article in the September 25, 1937 issue of the Nation, entitled "Who Exposed Black?" In this article Allen asserts that Paul Block, "a Hearst stooge" of the North American Newspaper Alliance and certain other interests hired a private detective named Frank Prince, with offices on Fifth Avenue in New York City, and it was Prince who dug up the material on which the Black Klan articles were based, which were syndicated through the Pittsburgh Post-Gazette, according to an item which appeared in the New York Evening Journal-American under date of September 29, 1937. Max D. Steuer, counsel for Paul Block, demands Robert S. Allen to retract this article.

During the International Association for Identification Convention the writer overheard Mr. Dibble of the United Press, and Mr. Roger Hawthorne of the Associated Press discussing this, and during their conversation Mr. Dibble stated that Allen had himself out on a limb, and would probably get his shins skinned before this was over.

This is being submitted as a matter of interest to the Director and yourself.

Respectfully,

L. B. Nichols.

RECORDED

~~INDEXED~~

62-27585-16

FEDERAL BUREAU OF INVESTIGATION

OCT 14 1937

TOLSON

FAMM

HUGO LAFAYETTE BLACK

DOCUMENT - 69

DATE - October, 1937

COMMUNICATION - October term of Supreme Court of U. S.
for 1937

TOTAL NUMBER OF PAGES PERTAINING TO REQUEST - 2

TOTAL NUMBER OF PAGES RELEASED - 0

Deletions pertaining to this request which have
been made from this document are listed as follows:

This document is a duplicate copy of Document 66
and has been released.

HUGO LAFAYETTE BLACK

DOCUMENT - 70

DATE - 9/24/37

COMMUNICATION - Letter from Director to Boake Carter
and a transcript of his broadcast of
9/22/37

TOTAL NUMBER OF PAGES PERTAINING TO REQUEST - 2

TOTAL NUMBER OF PAGES RELEASED - 2

Deletions pertaining to this request which have
been made from this document are listed as follows:

No exemptions claimed.

JEH:HCb/d

September 24, 1937.

Mr. Boake Carter,
1622 Chestnut Street,
Philadelphia, Pennsylvania.

Dear Boake:

I do want to take this opportunity to express to you my profound appreciation of your staunch defense of the FBI in connection with the Justice Black situation, as related during your broadcast last Wednesday evening. I was in California listening to you, and you can't imagine the feeling of warmth that swept over me as your familiar voice came over the air, expressing your confidence in the FBI just as the unfounded criticism referred to is appearing in the press. I am indeed grateful to you for taking this opportunity to squelch some of that criticism.

Hoping to see you soon, and with very best regards, I am

Sincerely,

Signed
(J. Edgar Hoover)

SPECIAL DELIVERY

1 ENCL.

RECORDED
&
INDEXED

162-35663-217

SEP 28 1937
U.S. DEPARTMENT OF JUSTICE

FILE

*mailed
9/26
from
New York*

- Mr. Nathan
- Mr. Tolson
- Mr. Baughman
- Mr. Clegg
- Mr. Coffey
- Mr. Crowl
- Mr. Egan
- Mr. Foxworth
- Mr. Glavin
- Mr. Harbo
- Mr. Hottel
- Mr. Lester
- Mr. McGuire
- Mr. Naughton
- Mr. Nichols
- Mr. Rosen
- Mr. Tracy
- Miss Gandy

RECORDED COPY FILED IN 62-27585-12

195

The following is an excerpt from the broadcast of Boake Carter,
September 22, 1937. 6:45 p.m.

Well, in the last week or so there has been a growing editorial criticism directed against the Federal Bureau of Investigation, and it is based in general upon these lines: That the FBI must be a pretty poor outfit if, after investigating the record of Mr. Justice Hugo Black, they gave him a clean bill of health and then to have a newspaper man come along and make some very startling revelations about the new Associate Justice and his alleged connection with the KKK. That criticism has been based on absolutely no knowledge of facts. This was made clear today by Attorney General Cummings in Washington. His attention was drawn to these criticisms of the Department of Justice, but he flatly declared today that the Department of Justice had made no investigation of Hugo Black either before or after Mr. Roosevelt named the ex-Senator to the High Court, and this editor is in a position to know beyond the question of a doubt from other and equally reliable sources direct that whatever may have occurred within the Attorney General's Office, at least no request was ever made to the Federal Bureau of Investigation to examine Mr. Black's qualifications, and as those close to the picture say, the FBI cannot be blamed for any negligence regarding Mr. Black, for it not only didn't investigate him, but wasn't asked to investigate him. *Whatever the politics followed, the FBI is usually requested by the Attorney General to make a report on the candidates for Federal Judgeships, U. S. District Attorneys, U. S. Marshals, and other similar offices coming under the Department of Justice's jurisdiction. This has been a standing practice for many years but it would be the height of impertinence for the Department of Justice to blandly investigate Supreme Court Justices, for the Supreme Court is an independent body with no connection whatsoever with the Department of Justice. As Mr. Cummings pointed out, no investigations were ever made of any of the present members of the Supreme Court with the exception of the Associate Justice Stone and only then when he was a candidate for the Attorney Generalship and not for the Court. Thus, in the light of the facts, it becomes clear that to blame the FBI for not presenting the facts of Mr. Black's purported Klan connections is unwarranted and misdirected for the reason that the FBI was not even requested to make any such investigation in the first place.

* The recording was very indistinct here and the first part of this sentence is not written verbatim.

62-35663-217

196

HUGO LAFAYETTE BLACK

DOCUMENT - 71

DATE - 9/22/37

COMMUNICATION - Memo for Mr. Tamm from the Director

TOTAL NUMBER OF PAGES PERTAINING TO REQUEST - 1

TOTAL NUMBER OF PAGES RELEASED - 1

Deletions pertaining to this request which have been made from this document are listed as follows:

No exemptions claimed.

19

P
Y
JEH:GAN

September 22, 1937.

Time - 6:45 P.M.

MEMORANDUM FOR MR. TAMM

Re: Doak-Carter Broadcast.

The following is an excerpt from the above broadcast that pertains to this Bureau:

sp
w
"During the past week or so there has been a brewing editorial criticism against the Federal Bureau of Investigation, and it is based in general upon these lines: That the FBI must be a pretty poor outfit if after investigating the record of Mr. Justice Hugo Black and give him a clean bill of health and then having a newspaper man come along and make some very startling revelations about the new Associate Justice and his alleged connection with the KKK. That criticism has been based upon absolutely no knowledge of facts. This was made clear today by Attorney General Cummings in Washington. His attention was drawn to these criticisms through the Department of Justice, but he made it clear today that the Department of Justice had made no investigation of Hugo Black either before or after Mr. Roosevelt named the ex-Senator to the high court, and this editor is in a position to know beyond the question of a doubt from other equally reliable sources tonight that whatever may have occurred within the Attorney General's Office, at least no request was ever made to the Federal Bureau of Investigation to examine Mr. Black's qualifications, and as those close to the picture say, the FBI cannot be blamed of any matters regarding Mr. Black.. For it not only did not investigate him, but wasn't asked to investigate him. The policy followed by the FBI is usually at the request of the Attorney General's Office. The FBI investigates the applicants for Federal Judgeships, U. S. District Attorneys, U. S. Marshals and other similar offices coming within the Department of Justice. It would be the height of impertinence for the Department of Justice to blandly investigate Supreme Court Justices, for the Supreme Court is an independent body with no connection whatsoever with the Department of Justice. As Mr. Cummings pointed out, no investigations were ever made of any of the present members of the Supreme Court, with the exception of Associate Justice Stone, and only then when he was a candidate for the Attorney Generalship and not for the Court. Thus, in the light of the facts, it becomes clear that to blame the FBI for not presenting the facts of Mr. Black's Klan connections is unwarranted and misdirected, inasmuch as the FBI was not even requested to make any such investigation in the first place."

Very truly yours,

RECORDED & INDEXED

John Edgar Hoover,
Director.

62-35663-218

19

HUGO LAFAYETTE BLACK

DOCUMENT - 72

DATE - 6/11/46

COMMUNICATION - Newsclip from "Washington News"

TOTAL NUMBER OF PAGES PERTAINING TO REQUEST - 2

TOTAL NUMBER OF PAGES RELEASED - 2

Deletions pertaining to this request which have been made from this document are listed as follows:

No exemptions claimed.

Jackson Black Feud May Bring Congressional Probe of Court

- Mr. E. A. Tamm
- Mr. Clegg
- Mr. Coffey
- Mr. Glavin
- Mr. Ladd
- Mr. Nichols
- Mr. Rosen
- Mr. Tracy
- Mr. Carson
- Mr. Egan
- Mr. Hendon
- Mr. Pennington
- Mr. Quinn Tamm
- Mr. Nease
- Miss Gandy

United Press
The unprecedented spectacle of open warfare between two members of the U. S. Supreme Court today hurled Congress into a feud involving Justices Robert H. Jackson and Hugo L. Black.

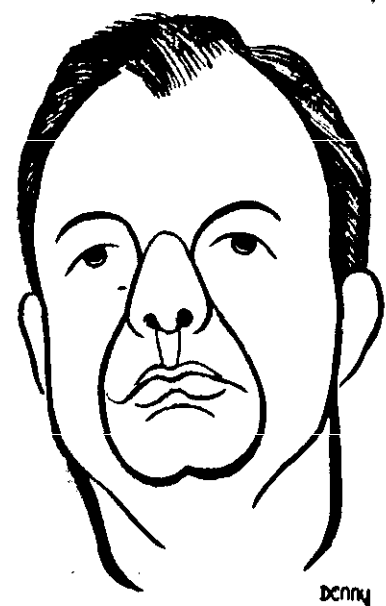
It raised the possibility of a congressional investigation and public linen-washing such as the staid old court never has experienced since it was founded in 1789.

The ramifications conceivably could involve impeachment proceedings against one or both of the brawling members of the nation's highest tribunal. And it could stall the pending nomination of Fred M. Vinson to be chief justice.

The feud between Justices Jackson and Black had been smoldering with unofficial congressional cognizance for more than a year. An angry blast by Mr. Jackson, questioning his associate's judicial policy if not his honor, brought it forcefully into the open.

NO COMMENT

Mr. Black received the news with stony silence. So did members of President Truman's official family.



MR JACKSON
Congress should have facts

Congress, despite stunned indignity that a Supreme Court justice could shatter the traditional serenity with public charges against a colleague, reacted vocally.

There were demands for an investigation into the entire factional strife between New Dealers and conservatives on the high bench along with the personal vendetta between the two members. Mr. Black, acting chief justice, heads the New Deal bloc. Mr. Jackson often votes the conservative line.

HERE'S THE LINEUP

Charging that the private war among the justices goes as far as impeaching "the reputation of the court for nonpartisan and unbiased decision," Mr. Jackson named the feud lineup as:

On Black's side: Associate Justices Stanley F. Reed, William O. Douglas, Frank Murphy and Wiley Rutledge.

On Jackson's side: Associate Justice Felix Frankfurter and former Justice Owen J. Roberts.

WON'T DELAY

Some Congressmen expressed fears that unless the matter is solved swiftly and completely it may jeopardize public faith in the court set up in the Constitution as the model of impartial jurisprudence.

Chairman Pat McCarran (D. Nev.) of the Senate Judiciary Committee said Mr. Jackson's charges "naturally will be looked into." He saw no reason, however, why the committee shouldn't act as scheduled this week on the Vinson nomination.

Mr. Jackson loosed his blast against Justice Black from Nuremberg, Germany, where he has been serving as war crimes prosecutor. He cabled copies to the Senate and House Judiciary committees.

PORTAL-TO-PORTAL PAY

His complaint was based principally on the fact that Black participated in a court decision in 1945—involving the

famed Jewell Ridge, Va., coal company "portal to portal" mine pay case.

Mr. Jackson felt that Mr. Black should have disqualified himself since the United Mine Workers Union, successful litigants in the case, was represented by Black's former law partner, Crampton Harris of Alabama.

The deep-seated difference between the two associate justices was evident at the time. But a recent column by Doris Fleson in The Washington Star on President Truman's problem in filling the chief justiceship was the final straw that evoked Mr. Jackson's outburst.

PRESIDENT'S DILEMMA

It credited a Senate source with quoting Mr. Truman to the effect that "Black says he will resign if I make Jackson chief justice and tell the reasons why; Jackson says the same about Black."

Mr. Jackson withheld comment until Mr. Vinson's nomination because, he said, he didn't want to be put in the position of pleading for the post. He stressed that his statement should in no way be considered an objection to the selection of Mr. Vinson.

But, he said, he wanted to set the record straight in regard to his own feud with Mr. Black and particularly to denounce the charge that he had voiced any threats to the President.

TIME FOR FACTS

"If war is declared on me I propose to wage it with the weapons of the open warrior, not those of the stealthy assassin."

Mr. Jackson said he made no charge that Mr. Black's participation in the coal case involved "lack of honor."

EX-2 INDEXED 364

SEP 3 1946



MR. BLACK
In stony Silence

It was rather a "question of judgment as to sound judicial policy," he declared.

DECISION IN QUESTION

Mr. Jackson recalled that when defeated litigants in the coal case requested a rehearing last year and asked that Mr. Black be excluded from participation because of his past relations with the opposing attorney, the court argued about the decision to be rendered.

All agreed that the petition should be denied and that there was no judicial power to disqualify a court member.

Mr. Jackson wanted the decision written so it would set forth clearly the fact that altho the court was unanimous in denying a rehearing, it wasn't unanimous on the question of Mr. Black's participation under the circumstances. He said Mr. Black



Mr. Murphy



Mr. Rutledge



Mr. Reed



Mr. Douglas



Mr. Roberts



Mr. Frankfurter

Lined up for Justice Black

On Jackson's side

wanted a simple denial which would not draw attention to his participation or the other circumstances.

"There may be those who think it quite harmless to encourage the employment of a justice's former law partners to argue close cases by smothering the objections which the bar makes to this practice," Mr. Jackson said. "But in my view such an attitude would soon bring the Court into dispute."

His statement also indicated—by reference to "my future work on the Court"—that he has no intention of resigning now.

Congressional leaders believed that if Mr. Jackson had any intention of leaving the Court he would have submitted a resignation, along with his formal statement. Former Senate colleagues of Justice Black likewise doubted that he would quit under fire. His status appeared to hinge principally on the gravity with which Congress views Mr. Jackson's charges.

"It is high time these stories of feuds cease to be mysteriously and irresponsibly set out and that Congress had the facts," he said.

If any impeachment proceedings do

result from the affairs, it would be thru cumbersome machinery provided in the Constitution. Impeachment proceedings against a Supreme Court justice must be initiated by the House and tried by the entire Senate.

Only once has impeachment action been taken against a member of the High Court. That was in 1803 when Associate Justice Samuel Chase was accused of misconduct in the trial of persons charged with violating the sedition law. He was acquitted by the Senate after a trial that lasted from Nov. 30, 1804, to March 1, 1805.

HUGO LAFAYETTE BLACK

DOCUMENT - 73

DATE - 5/22/36

COMMUNICATION - Memo for the Director from E. A. Tamm

TOTAL NUMBER OF PAGES PERTAINING TO REQUEST - 1

TOTAL NUMBER OF PAGES RELEASED - 1

Deletions pertaining to this request which have been made from this document are listed as follows:

No exemptions claimed.

EAT:CDW

May 22, 1936.

Time -

MEMORANDUM FOR THE DIRECTOR

Senator Black telephoned me and said that he has just received a letter from a cousin of his in Hot Springs, which makes some very serious charges against an attorney in Arkansas who is also a United States Commissioner. He wanted to send this letter to the Bureau for analysis so that we might determine what should be done under the circumstances.

I suggested to Senator Black that if he forwards this letter to you under personal and confidential cover, you would be glad to look the matter over and determine if there is anything this Bureau can do under the circumstances.

Respectfully,

E. A. TAMM.

RECORDED

INDEXED

62-29157-38304

JUN 16 1936

JUL 1

EAT

*Richard Tamm, 9/11/36
Senator Black
The letter is in my file
R. Tamm*

HUGO LAFAYETTE BLACK

DOCUMENT - 74

DATE - 7/7/36

COMMUNICATION - Memo for The Attorney General from
Director, FBI

TOTAL NUMBER OF PAGES PERTAINING TO REQUEST - 1

TOTAL NUMBER OF PAGES RELEASED - 1

Deletions pertaining to this request which have
been made from this document are listed as follows:

No exemptions claimed.

22

HUGO LAFAYETTE BLACK

DOCUMENT - 75

DATE - 3/8/37 and 2/22/37

COMMUNICATION - Letter to Senator Black from Harold Nathan
and letter from Senator Black to
The Attorney General

TOTAL NUMBER OF PAGES PERTAINING TO REQUEST - 2

TOTAL NUMBER OF PAGES RELEASED - 2

Deletions pertaining to this request which have
been made from this document are listed as follows:

No exemptions claimed.

LMC:MC

~~9-1662~~

March 8, 1937.

62-28915-3382

RECORDED

Honorable Hugo B. Black,
United States Senate,
Washington, D. C.

My dear Senator:

I am in receipt of your communication of February 28, 1937, by reference from the Attorney General, concerning the status of the investigation with reference to certain charges made by Dr. Homer A. Wright against United States Commissioner C. Floyd Huff and others at Hot Springs, Arkansas.

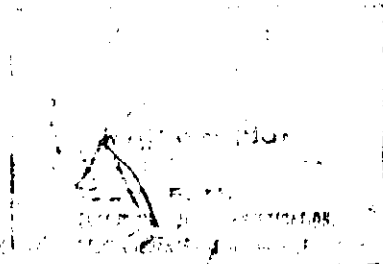
Kindly be advised that an investigation of this matter is being conducted at the present time, and I will be pleased to inform you of further developments upon the completion of same.

With expressions of my highest esteem and best regards, I am

Sincerely yours,
For the Director,

Harold Nathan,
Assistant Director.

Mr. Tolson	
Mr. E. A. Tamm	
Mr. Clegg	
Mr. Glavin	
Mr. Ladd	
Mr. Nichols	
Mr. Rosen	
Mr. Tracy	
Mr. Carson	
Mr. Coffey	
Mr. Hendon	
Mr. Pennington	
Mr. Quinn	
Mr. Nease	
Miss Gandy	



RECEIVED
 MAR 10 1937
 U.S. DEPARTMENT OF JUSTICE
 DIVISION OF INVESTIGATION

[Handwritten scribbles and initials]

[Handwritten initials]

HUGO LAFAYETTE BLACK

DOCUMENT - 76

DATE - 3/6/35 - 3/4/35 - 2/25/35

COMMUNICATION - 3 letters: One from Director to Hollums;
One from Hollums to Director;
One from Hollums to Senator Hugo Black

TOTAL NUMBER OF PAGES PERTAINING TO REQUEST - 4

TOTAL NUMBER OF PAGES RELEASED - 4

Deletions pertaining to this request which have
been made from this document are listed as follows:

No exemptions claimed.

TDQ:RCL

March 6, 1935.

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7

66-2523-5912

DED

Mr. E. L. Hollums,
Chief of Police,
Birmingham, Alabama.

My dear Chief:

I desire to acknowledge receipt of a copy of your letter dated February 25, 1935 addressed to the Honorable Hugo Black, U. S. Senator from Alabama, and to express not only my official, but my personal thanks for the great interest which you have shown with regard to the Special Agents of this Bureau.

The very friendly expressions contained in your letter concerning the welfare of Special Agents mean a great deal to me and I trust that in the not too far distant future some equitable plan may be devised that will adequately protect the families of those Agents called upon to sacrifice their lives in the line of duty.

Again thanking you for your interest in the Bureau and with expressions of my high esteem and best personal regards, I am,

Sincerely yours,

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

FILES SECTION
MAILED
★ MAR 6 1935 ★
F. B. I.
DIVISION OF INVESTIGATION,
U. S. DEPARTMENT OF JUSTICE

62 SEP 18 1947

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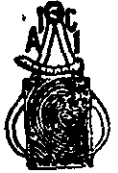
21



E. L. HOLLUMS, CHIEF OF POLICE
 C. L. MULLINS, ASST. CHIEF
 E. A. LYONS, INSPECTOR

DEPARTMENT OF POLICE

CITY OF
 BIRMINGHAM, ALA.



BUREAU OF IDENTIFICATION
 M. E. McDUFF, SUPT.
 G. C. GILES, CHIEF OF DETECTIVE

BIRMINGHAM, ALA.

March 4, 1935.

J. E. Hoover, Director,
 Bureau of Investigation,
 Washington, D. C.

Dear Sir:

Refer to copy of my letter to Senator Hugo I. Black of February 25. I quote below Senator Black's reply:

"Your letter of February 25th received. I have always favored some kind of relief for the widows of administrative officers killed in the actual performance of their duty. I fully agree with the ideas expressed in your letter of February 25th.

"If the law in this regard is changed, however, it should come as a recommendation from the Department of Justice. They have heretofore taken care of those officers who were actually killed.

"With kind regards, I am

Sincerely your friend,
 (S) Hugo Black.

This is for your information.

Yours very truly,

E. L. Hollums
 CHIEF OF POLICE.

ELH:lf

MAR 8 - 1935

RECORDED
 &
 INDEXED

66-2523-59x2
 DIVISION OF
 MAR 7 1935
 POLICE DEPT.
 BIRMINGHAM

0 (P...)

1 am...

*Wife
 Chief
 Hollums
 3/6
 J.E.H.*

Mr. Ne
Mr. To
Mr. Ba
Mr. Ba
Chief
Mr. Cl
Mr. Co
Mr. Ed
Mr. Eg
Mr. Ha
Mr. Ke
Mr. Le
Mr. Qi
Mr. Sc
Mr. Sn
Mr. Ta
Mr. Tr
Miss G

February 25, 1935.

Hon. Hugo Black,
United States Senator,
Washington, D. C.

My dear Senator:

Within the last twelve, or eighteen months several Federal Agents in the Bureau of Investigation, Department of Justice have been killed by bandits while acting in their line of duty, caused perhaps by their increased activities caused as result of new legislation passed by the Congress.

The deaths of these officers, occurring as they did, quite naturally caused the question to be asked among peace officers, and particularly among members of this department, whether or not that branch of the Federal Government's law enforcement agencies was protected with pensions for the widows and children. The answer is No, they are not protected.

Knowing you as I do and that you have had first hand insight while acting in the capacity of Prosecuting Attorney of Jefferson County, of the hazardous occupation of officers of the law and knowing, furthermore, that your sympathy and friendship towards officers of the law is generally recognized by all of us whose privilege it is to know you, the thought has occurred to me that this is an opportune time for the enactment of such legislation as would provide a pension for the widows, children and other dependents of those agents of the Bureau of Investigation of the Department of Justice. At the same time providing a pension for disability and retirement, after long years of faithful service, to the man in this line of work, and fortunate enough to live beyond the age of usefulness.

If any of the legislation that should be enacted in the line of the legislation outlined above be enacted into law, the field from which these agents are recruited, such as lawyers and accountants, would be greatly enlarged.

66-225-23-5

MAR 2 1935

RECORDED

MAR 8 - 1935

COLSON
MAR 2 1935

3/6

#2. Hugo Black, continued:

I trust you will give this subject the thought and consideration it deserves, with the hope that you will come to a decision and introduce the bill in the Senate of the United States, to fulfill this great need.

Assuring you of my continued friendship and well wishes, I am

Yours cordially,

E. J. Hoover
CHIEF OF POLICE.

ELH:lf

HUGO LAFAYETTE BLACK

DOCUMENT - 77

DATE - September, 1941

COMMUNICATION - "Who's News and Why"

TOTAL NUMBER OF PAGES PERTAINING TO REQUEST - 5

TOTAL NUMBER OF PAGES RELEASED - 5

Deletions pertaining to this request which have been made from this document are listed as follows:

No exemptions claimed.

CURRENT BIOGRAPHY

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

7 Files
6-14-43
[Signature]

WHO'S NEWS AND WHY

Vol. 2 No. 9 September 1941

The H. W. Wilson Co., New York



BISHOP, WILLIAM AVERY—*Continued*
Ohio, where Bishop served as member of a British air mission, that he wrote his first book, *Winged Warfare* (1918). He then recruited in Canada and instructed in England until the spring of 1918.

Back in France, with a price on his head, Billy Bishop kept on flying his silver machine with its easily-recognized blue snout into and out of tight places. Once his squadron actually lost eleven planes out of eighteen in one day. In May 1918 he formed his own squadron, No. 85, picking the cream of the pilots from the English, the Canadian and the United States Air Forces. But the next month the General Staff decided he was too valuable to run further risks, and he was given 12 days in which to prepare to leave for London to do administrative work and help with recruiting.

Up to that time Bishop had shot down the startling total of 45 German planes. In the next twelve days he shot down twenty-five more—a larger number than the entire RAF had downed during the first month of the War—five of them in two hours on his last day as a pilot! When Billy Bishop finally signed on as a first grade staff officer (lieutenant colonel) on the Canadian General Staff his record showed 72 enemy aircraft destroyed, 170 battles fought in mid-air, 10 well-earned decorations. The King suggested this time: "There are no more letters we can put after your name, so I suggest we put some before it, and call you 'Archbishop.'"

In the period between the two Wars Bishop mingled business and flying. First he went to the United States and traveled through the country lecturing, but he soon returned to England, where he lived for 10 years, "prominent in financial and polo circles." In 1922 this skilled airman, who during the War had once fallen 4,000 feet in a burning plane and who had often limped back home in his plane with scores of bullet holes in its fuselage, came nearer to losing his life than he ever had before. Injured in a civil flying accident, he nearly lost his sight; the plastic surgeons had to go to work on him; and, once restored to health, he did not pilot a plane for 12 or 13 years.

In 1931 Bishop came back to Canada to become vice-president of the McColl-Frontenac Oil Company, Limited, Montreal, one of Canada's largest companies. (His business career has included successful operations in investment banking, and he is a director of the English Electric Company of Canada.) By this time he had also attained the honorary rank of group captain in the Royal Canadian Air Force, and soon he was wanting to fly again. He asked a friend to lend him a ship. As he tells it: "In 13 years they'd made new rules in my game—had made flying a science. There was only one thing to do—I had to learn flying all over again."

After a few lessons from an expert, Bishop was as confident as ever. In 1936 he was promoted to the rank of Air Vice-Marshal, in 1938 to Air Marshal—and in August 1938 he was made a member of the Honorary

Air Advisory Committee to the Minister of National Defense. He had previously written that Canada's aviation policy was one of "drifting," and had urged training an extensive air personnel and building machines of the best quality. Now he was to take an active part in carrying out his own advice. After Canada joined Great Britain in declaring war against Germany, on September 8, 1939 Bishop was called up for active service with the Royal Canadian Air Force, and not long afterward he was given the office of Director of Air Force Recruiting.

Today Bishop is "a short man with very blue eyes and a closely cropped mustache" whose formerly sandy hair has thinned out and grizzled, while his earlier slimmness has given place to some increase in girth. Quentin Reynolds (see sketch March issue) calls him "an intelligent, cultured gentleman, a *bon vivant*, an extraordinary host, one of the keenest businessmen in Canada." His wife collects china dogs; his own "collection" hangs on his library walls, and includes the blue-snouted propeller of 1918 days and the wing tip of Richtofen's plane. In his library might also be found another book he has written since that War with Rothesay Stuart-Wortley: *The Flying Squad* (1927). Among his most treasured possessions is a book presented to him by the Berlin Aero Club at a banquet in 1928, when Bishop, as their guest, was photographed with Goering (see sketch August issue). In it Goering and others have inscribed "greetings to a competitor from the other side."

Riding, golf, polo and tennis are Billy Bishop's sports. Of the usual Canadian winter doings this amazing man says: "No. I can't skate. It hurts my shins. As for skiing—say, I don't know where those fellows get the courage. The falls you take. I shiver every time I see one of them go down. I'd be scared stiff to try it!"

References

- Collier's 96:87-90 N 21 '36 por
- Life 8:44 My 20 '40 il pors
- Halstead, I. Wings of Victory p131-7 1941
- Kiernan, R. H. Captain Albert Ball 1933
- Who's Who
- Who's Who in Canada

BLACK, HUGO (LA FAYETTE) Feb. 27, 1886—Associate Justice of the United States Supreme Court

Address: b. Supreme Court Bldg, Washington, D. C.; h. Birmingham, Ala.

Hugo Black took his position as Associate Justice of the United States Supreme Court in August 1937 after one of the most bitter and vigorous discussions of all time, after "an orgy of vituperation." Today lawyers and laymen alike are praising his "succinct, lawyer-like and pointed opinions" on this court, the "clarity, power and perspicacity of his dissents."



The New York Public Library

HUGO BLACK

The man who holds one of the highest legal positions in the land never finished secondary school, never completed an undergraduate course at college. Hugo La Fayette Black was born in Harlan, Clay County, Alabama and spent the first five years of his life on a farm there, the next fifteen in the county's metropolis of Ashland, where his father and mother, William La Fayette and Martha Ardellah (Toland) Black, ran a general store. Summers he worked, winters he attended a "primitive" sort of academy called Ashland College. When his older brother, who was a doctor, decided that Hugo should become a doctor, too, he fell in with his wishes enough to complete a two-year medical course in one year at the University of Alabama. Then he decided to become a lawyer, switched over to the University's law school and in 1906 received his LL. B.

He went back to Ashland and opened a law office over a grocery store. Since the town's population of 500 didn't allow for much legal business, it was rather a relief to Black when the grocery store burned down and gave him an incentive for moving on to Birmingham. In Birmingham business was better. Black made connections with the trade-unions, representing the miners' union in its first Alabama strike and the carpenters' union in an important suit, and built up a general practice as well. Then, in 1910, he received his first judicial experience. Elected a police court judge, for 18 months he spent his mornings in a hot dingy courtroom disposing of defendants, mostly Negro, "hauled in for shooting craps, loafing, fighting and connubial incompatibility." His next public position was that of solicitor for Jefferson County, Alabama and lasted from 1915 to 1917.

After the War, during which Black served as a captain in the 81st Field Artillery and

as adjutant in the 19th Artillery Brigade, he settled down to private law practice in Birmingham and to home life with Josephine Patterson Foster, whom he married in 1921. Although Raymond Clapper has called him "a failure as a country lawyer," others have vouched for his ability in cross examination technique (his was always "the soft question which provokes the wrathful answer"), for his uncanny knowledge of the law's loopholes, for his success.

In 1926 Black decided to campaign in the primaries for the Senate seat of Oscar Underwood, who had announced his retirement. John Bankhead, since elected to the Senate, and three others decided to do the same thing. Undiscouraged, Black climbed into his Model T Ford and stumped the State, dressed in a wrinkled suit, sleeping at the home of any farmer who would put him up, speaking at every crossroads store "the right words to win both Ku Klux Klan" and A F of L support. This support won him the nomination and eventually the election.

Black made news in his first year in the Senate just once: he was "among those present" at one of Coolidge's famous White House breakfasts. The rest of the time he studied routine, made himself familiar with legislative business and kept discreetly silent. When he had thoroughly prepared himself he began to battle to restore Muscle Shoals to public operation—his first Senate speech was on this. He went on to fight with Senator Norris of Nebraska against the utility interests.

It wasn't until Roosevelt was elected, however, that he came into his own. During Roosevelt's first term Black voted for each of the 24 major measures of the New Deal program and consistently supported all labor legislation. He himself presented a bill in the Senate for a 30-hour week and got it passed, although it never became law in its original form. Instead it was incorporated in part into the NRA, which Black, incidentally, denounced, one of the few men in the Senate "who had the acumen and vision to perceive precisely what the NRA was and what it would be."

From the 30-hour-week fight, Black threw himself into the problem of merchant marine subsidies. He had been working on this ever since 1928, when he had held up an appropriation bill carrying Coolidge's salary in an attempt to force into it an amendment to limit the salaries of Shipping Board officials to \$10,000 a year. In 1930 he again investigated the whole question of subsidies and by 1933 was conducting a full-fledged investigation. Sensational headlines resulted from his hearings. He wrung out testimony "by convincing those who take the stand that he already has the facts but merely wishes them confirmed for the record out of the mouths of the witnesses."

As Raymond Clapper described it then, "armed with stacks of letters and documents, Senator Black sits back easily in his chair, puffs slowly on his cigar, rolls his large open eyes quite innocently and with a wise smile

BLACK, HUGO—Continued

undertakes to refresh the memory of a squirming witness." The disclosures of the Black committee were startling. Contributions from taxes, it was proved, "in great part found their way into the pockets of profiteers, stock manipulators, political and powerful financial groups, who never flew a plane, who never invented an engine, who never improved an airplane part. Huge subsidies paid by the government to build up a merchant marine have been diverted from that channel and have been largely spent in high salaries, extravagant expense accounts, highly paid lobbyists and huge dividends."

After "almost singlehandedly saving the Administration from defeat" in the Utility Holding Company fight of 1935, Black went on to stir up even larger headlines as head of the Senate Lobby Investigating Committee. This work wasn't new to him, for the late Senator Caraway of Arkansas had asked him to become a guest on his lobby committee back in 1929. Black plunged in with enthusiasm; not long afterward he was accused of violating the Fourth Amendment and severely taken to task by the District of Columbia Court of Appeals. He had ordered the Postal Telegraph and Western Union Companies to comb their files for all wires which smacked of high pressure lobbying methods and later had subpoenaed the complete telegraphic correspondence of more than 1,000 specified persons and groups. More than 5,000,000 wires were piled up, and with them the wrath of the newspapers, those being investigated, the public and the courts. Black's rejoinder was to call it all "a gross and malicious campaign of misrepresentation."

During Black's last year in Congress he drove the Wages and Hours Bill through the Senate at great risk to his own political neck, for his sponsorship aroused violent reactions among Alabama employers who would have made a determined effort to defeat him if he had run for a third term. Every weekday, in office hours from 10 to 2 and on Saturdays from 10 to 1, he met his constituents. Between sessions he rented a house in Birmingham and traveled around his own and neighboring states on speaking tours. But all this came to an end on August 12, 1937 when President Roosevelt nominated him for the position of Associate Justice of the Supreme Court.

Senator Ashurst asked for the Senate's unanimous consent. Senator Johnson objected, and a senatorial precedent to confirm the nomination of any member to office without reference to committee was shattered. Objections flew. Emphasis was placed on the fact that he was a partisan litigant rather than a calm, impartial weigher of opposing arguments; on his lack of judicial experience. Senator Henry Cabot Lodge, Jr., found him insufficiently "tolerant, liberal and judicial in his view of the religious faiths and racial equality of his fellow citizens"; *Commonweal* called the President's choice "an unfortunate impulse of the moment"; fellow Senators brought up legal technicalities against his appointment. Only the liberals and liberal magazines like *The Nation*, which once called him

"a passionately sincere humanist guided throughout by his understanding of the fundamental truth of the new militant liberalism," applauded the choice. Yet Black received his commission and, unknown to the public, on the same day took his oath as Associate Justice. Then he sailed for Europe.

Less than a month later Ray Sprigle, a reporter for the Pittsburgh *Post-Gazette*, wrote a series of six articles for that paper and the North American Newspaper Alliance in which he showed that Black had joined the Robert E. Lee Klan Number One, Invisible Empire, Knights of the Ku Klux Klan on September 11, 1923 and resigned on July 9, 1925 on the eve of his campaign for the Democratic nomination for United States Senator; that he had been welcomed back and made a life member on September 2, 1926 and given a gold "grand passport." The outcry was almost unanimous. Black had "betrayed" Roosevelt, it was said; the whole was "a deplorable episode without precedent or parallel in the history of this Republic"; and Hugh Johnson asked: "What difference does it make if Hugo Black is a uniformed Kluxer? . . . It was plain from his record that he is a born witch burner—narrow, prejudiced and class conscious." Black had his defenders, however. The *New Republic* explained Black's joining of the Klan as the error of years back, unimportant today; Max Lerner called it "simply a piece of political behavior," necessary for his election, and stated firmly: "Hugo Black is no Klansman. Everything that he has stood for in his 11 years in the Senate runs counter to what the Klan has stood for."

Black himself said, coming from abroad and Roosevelt told the press: "I know only what I have read in the papers." Black returned to explain his actions in a radio speech. It began with a discourse on religious liberty and continued: "I did join the Klan. I have resigned. I never rejoined. . . I have never considered and do not now consider the unsolicited card given to me shortly after my nomination to the Senate as a membership of any kind in the Ku Klux Klan. I never used it. I did not even keep it."

Black took his seat on the Supreme Court, his first official act to hear two separate but similar motions which challenged his right to the office. It was expected that from then on Black would go slowly, give himself a chance to mellow. He didn't. Although the cases assigned to him in his first year on the Court were small in number and narrow in issue, he managed to distinguish himself as a loud, lusty and lone dissenter. In less than eight months on the bench he had given out thirteen dissents. This was lauded by the *New Republic* as a sign of liberalism; by the late Paul V. Anderson as revealing an attitude that "may well guide the Court out of the metaphysical wilderness into which it has wandered."

Marquis Childs, however, stated in magazine articles that Black's dissents were notable less for their liberalism than for their tech-

nical incompetence and went on further to say that Black's legal training and experience had been revealed as painfully unequal to his position on the nation's highest tribunal. His opinions, he stated, often had to be rephrased by colleagues to conform to Court standards. He himself had been unable to carry his share of routine work; his presence had been "an acute discomfort and embarrassment" to the other justices. Raymond Clapper collaborated this in his newspaper column, and the *Daily News* went so far as to say that Supreme Court members "had hitched up their judicial robes and in dignified fashion were in the process of putting the slug on their colleague." Denials then flooded the pages of newspapers, magazines, law periodicals. Walton Hamilton, professor of law at Yale, said Black had "courage almost to the point of audacity," praised his "eminently lawyer-like opinions" and prophesied that Black would be "an outstanding figure in the history of the court," for he "brings a breath of fresh air into a rather musty courtroom." Harold C. Havighurst of Northwestern University supported Hamilton, insisting with him that the dominant distinction between Black and his fellow jurists was his "insistence upon reality."

The controversy died down in the course of time, even though in 1941 Justice Black is still a frequent dissenter. Some of his decisions have been notable: in February 1940 he delivered a decision, freeing four Negroes who under torture had confessed to crimes, which was called "far and away the most direct, sweeping and brilliantly written application of the 14th Amendment to human rights that has come from our highest Court"; for this and for another denouncing the exclusion of Negroes from trial jury panels Black's name was added to the Honor Roll of Race Relations by the Schomburg Collection of Negro Literature in the New York Public Library in 1941. Later, in April 1941, he voted that Negroes had a right to receive equal train accommodations with whites.

In February 1941 Black had the triumph of participating in a Supreme Court decision certifying the constitutionality of the child labor provisions of the Wages and Hours Law which he had helped to get passed. In that same month he vigorously protested a Felix Frankfurter (see sketch June issue) decision upholding the right of state courts to issue injunctions against picketing "set in a background of violence." Somewhat removed from these cases was his opinion in March 1941 outlawing agreements by which manufacturers of hats and dresses sought to eliminate style "piracy" by registering new creations and penalizing anyone copying the designs.

There are many today who believe that Black is a "legislator among judges"; many who now agree with Walton Hamilton's summing up of his decisions: "There is no verbal display of priestcraft, no strutting of the

higher pyrotechnics, no triumphant victory over difficulties of the jurist's own creation. Instead a recitation of the facts, a sharp definition of the issue, an argument that turns not to right or left but marches straight to its goal—and the trick is done. All the cases are disposed of deftly, simply, certainly, in accordance with justice and common sense."

Black, who was once a great joiner, former Grand Chancellor of the Knights of Pythias of Alabama and member (to his later sorrow) of almost every organization that asked him to join, doesn't go out much now except on family jaunts with Mrs. Black and their three children or to spend an occasional evening with a fellow justice or an Administration friend. He dislikes games and drinking and is reported to be happiest when reading works on history and economics at home.

References

- Atlas 163:667-74 My '39
 Newsweek 2:17 N 11 '33 por; 7:21 Mr
 14 '36 por; 10:7-9 Ag 21 '37 pors
 R of Rs 89:18-20+ Ap '34 por
 Scholastic 24:19 My 5 '34 por; 27:25
 S 21 '35 por
 Time 26:14-17 Ag 26 '35 por (cover);
 30:10-11 S 27 '37 por
 Univ Chicago Law R 8:20-41 D '40
 Lerner, M. Ideas Are Weapons p254-66
 1939
 Who's Who in America
 Who's Who in Government
 Who's Who in Law
 Who's Who in the Nation's Capital

BOLLES, STEPHEN (bols) June 25, 1872—July 8, 1941 Republican Representative in Congress from Wisconsin; foe of New Deal and the La Follettes; veteran newspaper editor who had been a journalist since 1890.

References

- Who's Who in America
 Who's Who in Journalism

Obituaries

- N Y Times p21 J1 9 '41 por

BOWERS, CLAUDE G(ERNADE) (bou-
 érz) Nov. 20, 1878(?)—United States Am-
 bassador to Chile; historian
 Address: Department of State, Washington,
 D. C.

In the fall of 1939, when Claude G. Bowers sailed for Chile to become United States Ambassador there, it was with the hope that he would "be able further to contribute toward the mutual understanding and growing feeling of our friendship not only with Chile but all South American republics." Ambassador Bowers is far from being the usual career diplomat. Until 1933, when he was appointed Ambassador to the Spanish Republic, he had been known as a "newspaperman, editorial writer, historian and speech maker." An authority on Jefferson and on Jackson, he has also been called "the greatest living practitioner of what for want of a

HUGO LAFAYETTE BLACK

DOCUMENT - 78

DATE - 9/16/37

COMMUNICATION - Memo for Mr. Tolson

TOTAL NUMBER OF PAGES PERTAINING TO REQUEST - 1

TOTAL NUMBER OF PAGES RELEASED - 1

Deletions pertaining to this request which have been made from this document are listed as follows:

No exemptions claimed.

copy
WRG:MAM

Date September 16, 1937

MEMORANDUM FOR MR. TOLSON

Former Special Agent Richard Finkel called me this afternoon and stated that he had been advised by a friend of his that the Washington Evening Star and the Washington Times were contemplating publishing certain criticisms of the Attorney General and the Director for failure to ascertain former Senator Black's connection with the Klu Klux Klan before he was appointed to the Supreme Court. Finkel stated that this information had come to him confidentially. He did not know the name of the employee on the Star who was supposed to have given the information out, but said he would ascertain it if possible and let me know. I thanked Finkel for the information.

ORIGINAL FILED IN

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INDEXED

94-8-127-33

SEARCHED
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INDEXED
FILED

SEP 21 1937

FBI - WASHINGTON

/s/ WRG
Signature

HUGO LAFAYETTE BLACK

DOCUMENT - 79

DATE - 10/1/36 - 9/26/36 - 9/21/36

COMMUNICATION - Director's letter to Senator Black;
Senator Black's letter to Director;
Letter from Duncan to Hoover

TOTAL NUMBER OF PAGES PERTAINING TO REQUEST - 3

TOTAL NUMBER OF PAGES RELEASED - 3

Deletions pertaining to this request which have
been made from this document are listed as follows:

No exemptions claimed.

October 1, 1936.

RECORDED

Honorable Hugo L. Black,
United States Senator,
Birmingham, Alabama.

My dear Senator:

I have received your letter dated September 26, 1936, with which you enclosed a copy of a letter dated September 21, 1936, addressed to me by Dr. L. N. Duncan, President of the Alabama Polytechnic Institute at Auburn, Alabama, extending me an invitation to address the annual dinner of the senior class which is to be held at a date to be selected between October 19 and November 6, 1936.

I want you to know that I am sincerely appreciative of the invitation which Dr. Duncan extended to me and it would give me a great deal of pleasure to address the students of this Institute. I have found it necessary, however, to advise him that because of my present commitments, I must disregard my personal desires and decline the interesting engagement.

I have advised Dr. Duncan that I shall be very glad to designate another official to give the address if he so desires.

With expressions of my highest esteem and best regards, I am

Sincerely yours,

Mr. Nathan
Mr. Tolson
Mr. Belmont
Mr. Clegg
Mr. Glavin
Mr. Ladd
Mr. Nichols
Mr. Rosen
Mr. Tracy
Mr. Egan
Mr. Gurnea
Mr. Harbo
Mr. Hendon
Mr. Pennington
Mr. Quinn
Mr. Nease
Miss Gandy

CC BIRMINGHAM
MAILED
OCT 2 - 1936

Handwritten signatures and initials

HUGO L. BLACK, ALA., CHAIRMAN
 ROYAL S. COPELAND, N. Y. WILLIAM E. BORAH, I.
 DAVID I. WALKER, MASS. JESSE H. METCALF, R. I.
 LOUIS MURPHY, IOWA ROBERT M. LA FOLLETTE, JR., WIS.
 ELBERT D. THOMAS, UTAH JAMES J. DAVIS, PA.
 JAMES E. MURRAY, MONT.
 VIC DONAHEY, OHIO
 RUSH D. HOLZ, W. VA.
 SCOTT McLOFTIN, FLA.

KENNETH HAIGLER, CLERK

United States Senate

COMMITTEE ON
 EDUCATION AND LABOR

252 Federal Building
 Birmingham, Alabama
 September 26, 1936

Mr. Cullen	✓
Mr. Tamm	
Mr. Taft	
Mr. Clegg	
Mr. Coffey	
Mr. Dawson	
Mr. Egan	
Mr. Foxworth	
Mr. Glavin	
Mr. Harbo	✓
Mr. Joseph	
Mr. Lester	
Mr. Nichols	
Mr. Quinn	
Mr. Schilder	
Mr. Tamm	
Mr. Tracy	
Miss Gandy	

L
PH

Hon. J. Edgar Hoover, Director,
 Division of Investigation,
 Department of Justice,
 Washington, D. C.

Dear Mr. Hoover:

Enclosed you will please find copy of letter dated September 21, 1936 addressed to you by Dr. L. N. Duncan, President of our Alabama Polytechnic Institute, Auburn, Alabama, which is self-explanatory.

I hope you can come to Alabama and wish to join Dr. Duncan in extending a cordial invitation to address the senior class at Auburn at their annual dinner.

With kind regards, I am

Sincerely yours,

Hugo L. Black
 HUGO L. BLACK.

ack
10-1-36

encl.

RECORDED
 &
 INDEXED

OCT 6 1936

91-1-650-4
FEDERAL BUREAU OF INVESTIGATION
SEP 28 1936
U. S. DEPARTMENT OF JUSTICE
TOLSON
RES. DIV.

1 ENCL W

Handwritten notes and signatures

Handwritten initials

Alabama Polytechnic Institute
Auburn, Alabama

Office of the President

September 21, 1936

Honorable J. Edgar Hoover
Department of Justice
Washington, D. C.

Dear Sir:

The senior class at the Alabama Polytechnic Institute now totals 425 who are expected to graduate next May. We would like for them to know, before graduation, more about the enormous crime problem as it presents itself to the people of this nation. We believe that it is a problem which should be of great concern to all college men and women and, of course, to every good citizen.

With this in view we are writing to invite you to come to Auburn this fall and address our senior class at their annual dinner. The date can be arranged to meet your convenience. We prefer, however, to make it any Tuesday, Wednesday, or Thursday evening between October 19 and November 6.

If you come to Auburn for this occasion we expect to arrange with the peace officers of Alabama for them to meet you in Birmingham the next day, provided you would be willing to meet with this group also.

Since crime seems to grow in the face of all that government- federal, state, and local- is doing we believe that institutions of higher learning should give more attention to it. We are pleased to cooperate with you and your associates in an educational way.

Looking forward to having you in Auburn, I am

Sincerely yours

L. N. Duncan
President

LND/a

HUGO LAFAYETTE BLACK

DOCUMENT - 80

DATE - 9/16/37

COMMUNICATION - Memo for Mr. Tolson

TOTAL NUMBER OF PAGES PERTAINING TO REQUEST - 1

TOTAL NUMBER OF PAGES RELEASED - 1

Deletions pertaining to this request which have been made from this document are listed as follows:

No exemptions claimed.

copy
WRG:MAM

Date September 16, 1937

MEMORANDUM FOR MR. TOLSON

Former Special Agent Richard Finkel called me this afternoon and stated that he had been advised by a friend of his that the Washington Evening Star and the Washington Times were contemplating publishing certain criticisms of the Attorney General and the Director for failure to ascertain former Senator Black's connection with the Klu Klux Klan before he was appointed to the Supreme Court. Finkel stated that this information had come to him confidentially. He did not know the name of the employee on the Star who was supposed to have given the information out, but said he would ascertain it if possible and let me know. I thanked Finkel for the information.

Handwritten notes:
Finkel
Klan
K

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2-2-38

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194 1066 200

TOLSON
PERSONNEL
Miss Gandy

/s/ WRG
Signature

HUGO LAFAYETTE BLACK

DOCUMENT - 81

DATE - 10/6/47

COMMUNICATION - "Washington News" newsclipping

TOTAL NUMBER OF PAGES PERTAINING TO REQUEST - 1

TOTAL NUMBER OF PAGES RELEASED - 1

Deletions pertaining to this request which have been made from this document are listed as follows:

No exemptions claimed.

And Jackson Again May Air Squabble as Court Convenes

- Mr. E. A. Tamm
- Mr. Clegg
- Mr. Coffey
- Mr. Glavin
- Mr. Ladd
- Mr. Nichols
- Mr. Rosen
- Mr. Tracy
- Mr. Carson
- Mr. Egan
- Mr. Hendon
- Mr. Pennington
- Mr. Quinn Tamm
- Mr. Nease
- Mrs. Gandy

United Press

The Supreme Court reassembles today for a new term that is expected to bring significant decisions on the Taft-Hartley law and basic civil liberties.

At the stroke of noon, the justices gowned in black robes will file to their place behind the bench for a brief and tradition-marked first day session.

Chief Justice Fred M. Vinson starts his second term as presiding magistrate as resolute as ever to main-



JUSTICE JACKSON

in peace among his erstwhile rowing colleagues. No hint of the deep-seated personal quarrels bubbled to the surface last year.

The Court opens its 158th year with 400 cases already on the docket. A handful raise fringe issues under the new labor law. More, now rapidly coursing their way thru lower courts, are likely to reach the tribunal before the year is over.

Other new cases demand interpretations of civil liberties assured by the Constitution's Bill of Rights. The Court must rule on efforts of racial minorities to overthrow private home zoning agreements; systematic exclusion of Negroes from state juries; the line between freedom of the press and libelous comment; and the teaching of religion in public schools.

After opening formalities today, Mr. Gen. Clark will present the new solicitor general, Philip B. Perlman, to the Court. A half hundred attorneys will be admitted to practice before the bar. The tribunal then will recess until next Monday when the justices will hear their first cases and hand down their first orders.

During the intervening week, the justices will meet daily in private conferences to consider the backlog of cases that has piled up during the three-and-a-half-month vacation.

One of these cases may again bring into the open the differences between Justices Robert H. Jackson and Hugo L. Black.



JUSTICE BLACK

Justice Black's former law partner has filed an appeal in an Alabama case of minor significance. Justice Jackson publicly denounced Mr. Black for voting in the last case in which the same lawyer, Crampton Harris, argued before the high bench. Mr. Jackson said if the circumstances were ever repeated he would make his remarks at that time look "like a letter of recommendation."

The sometimes forgotten fact that the Court is made up of men as well as judges may be brought into focus this term, just preceding an election year. Justice Vinson and Justice William O. Douglas frequently have been mentioned as potential presidential or vice presidential timber.

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&
INDEXED

111

F B I
43 NOV 9 1947

NOV 16 1947

WASHINGTON NEWS

Page

HUGO LAFAYETTE BLACK

DOCUMENT - 82

DATE - 8/31/58

COMMUNICATION - Newsclipping from "The Washington Post"

TOTAL NUMBER OF PAGES PERTAINING TO REQUEST - 2

TOTAL NUMBER OF PAGES RELEASED - 2

Deletions pertaining to this request which have been made from this document are listed as follows:

No exemptions claimed.

Tolson _____
 Belmont _____
 Mohr _____
 Nease _____
 Parsons _____
 Rosen _____
 Tamm _____
 Trotter _____
 W.C. Sullivan _____
 Tele. Room _____
 Holloman _____
 Gandy _____

The Washington Merry-Go-Round

Things Which Shaped the Justices

By Drew Pearson

IF YOU STUDY the lives of the nine men of the Supreme Court, you can pretty well understand how and why they feel strongly about civil rights and school integration. Most of them were born to hardship, reared in an atmosphere where convictions were firm. Here are their backgrounds:

Chief Justice ~~Elli~~ Warren, of Norwegian descent, was the son of a locomotive engineer in Bakersfield, Calif., and first worked as a roundhouse callboy, bicycling messages to railroad crews notifying them when they were to go on duty. Warren's father was murdered when he was a child, and he worked intensively to put himself through school and support his mother.

He became a crusading district attorney, cleaned up crime on the Oakland waterfront, was elected Governor of California. As such he appointed a Negro classmate at the University of California, Walter Gordon, to be head of the State Parole Board; cracked down on the exclusion of Mexicans from a municipal park in San Bernadino; defended the professors of the state universities in their refusal to take loyalty oaths regarding past political affiliations.

He antagonized California doctors by urging what they called "socialized medicine," insisted on greeting President Truman when he entered California in the 1952 presidential campaign despite the frowns of Eisenhower backers—and chalked up a record as the most courageous Governor California ever had.

Justice ~~Hugh~~ Black is an Alabama lawyer whose first case involved the return of a sow which had strayed to a neighbor's farm and produced a litter. From a starvation law practice he became the most prosperous lawyer in Birmingham, gave up that practice to run for the Senate. When elected, he disbanded his law office—unlike many other Senators—and told his wife she would have to reduce her income from \$60,000 to \$10,000 a year.

In the Senate, Black became the indefatigable promoter of Roosevelt's New Deal legislation. When appointed to the Court, the press put him through a baptism of fire over his membership in the Ku Klux Klan; which he had joined as a young candidate for public office. That bath of abuse has helped make Black impervious to current criticism and his one-time membership in the Klan may well have influenced his ringing stands for the Negro, Catholics and Jews and against the intolerances of the Klan.

Justice Felix Frankfurter was born in Austria, brought to the United States as a baby and became Harvard's most noted law professor. He led the crusade to save Sacco and Vanzetti when they were accused of the Braintree, Mass., murder; and won the reputation of recommending more men to public office under Roosevelt's New Deal than anyone else in the Nation. Some of them, notably Henry L. Stimson and Dean Acheson, influenced history as members of the Cabinet.

On the court, Frankfurter has wavered from his onetime liberalism, has been criticized for ducking decisions on constitutional grounds. Now the oldest member of the Court in years, he is more susceptible to public opinion than some of his colleagues. Justice William O. Douglas was born in Minnesota, reared in Washington State and

Handwritten notes:
 2.00
 3.50

Wash. Post and Times Herald 15
 Wash. News _____
 Wash. Star _____
 N. Y. Herald Tribune _____
 N. Y. Journal-American _____
 N. Y. Mirror _____
 N. Y. Daily News _____
 N. Y. Times _____
 Daily Worker _____
 The Worker _____
 New Leader _____

Date _____

AUG 31 1958

REC-30

NOT RECORDED
 167 SEP 3 1958

67 SEP 5 1958

Handwritten: 3

HUGO LAFAYETTE BLACK

DOCUMENT - 83

DATE - 11/25/40

COMMUNICATION - Newsclipping from "The New York Times"

TOTAL NUMBER OF PAGES PERTAINING TO REQUEST - 1

TOTAL NUMBER OF PAGES RELEASED - 1

Deletions pertaining to this request which have been made from this document are listed as follows:

No exemptions claimed.

HIGH COURT FREES CONVICTED NEGRO

Black, in Unanimous Opinion, Says Texas County Barred Race From Grand Juries

Special to THE NEW YORK TIMES.
 WASHINGTON, Nov. 25—The Supreme Court unanimously ruled today that exclusion of Negroes from a Texas grand jury was ground for reversing the conviction of an 18-year-old Negro sentenced to life imprisonment for rape.

The effect of the decision is to free the prisoner after two years in jail, because of the statute of limitation. **WGO LAFAYETTE**

Justice Black, who wrote the opinion, noted that the Texas jury law was capable of being administered without racial discrimination, but, he added, the discretion permitted in selecting grand jurors could be applied to exclude Negroes. It was "inescapable," he asserted, that this had been done in Harris County, where the Negro, Edgar Smith, was convicted.

"What the Fourteenth Amendment prohibits," he stated, "is racial discrimination in the selection of grand juries. Where jury commissioners limit those from whom grand juries are selected to their personal acquaintances, discrimination can arise from commissioners who know no Negroes as well as from commissioners who know but can eliminate them."

There had been discrimination, when the state had ingeniously circumvented the conviction cannot be.

The decision was one more in a line upholding civil liberties and constitutional rights.

Black Is Negro's Advocate
 Justice Black has been prominent in decisions asserting the basic rights of Negroes. In February, 1939, he wrote an opinion saving a Louisiana Negro from the death sentence because his race was barred from the jury. Last February, the court, in an opinion by him, overturned the convictions of four Florida Negroes when evidence showed they endured a harsh third degree.

An Alabaman, he stood aside when the Supreme Court acted on the case of the "Scottsboro boys," because of the controversy over the Ku Klux Klan at the time of his appointment. The attitude of Justice Black in these cases has attracted wide attention.

After handing down the Black opinion and four others and issuing the usual formal orders, the court recessed from the bench until Dec. 9. One of the orders refused to grant a test of the "common control" features of the Georgia Unemployment Compensation Law, while another granted a review to the Fashion Originators Guild, which has been charged by the Federal Trade Commission with monopolistic practices.

In the Edgar Smith case, Justice Black repeated testimony to show that Negroes had long been excluded from the grand jury in Harris County, which includes Houston. Negroes, he stated, constituted more than 20 per cent of the county population and almost 10 per cent of the poll-tax payers. A minimum of 3,000 to 6,000, he added, fill qualifications for grand jury service.

The court clerk, said Justice Black, testified, however, that in 1931-38, inclusive, only five of the 334 grand jurors in that period were Negroes; of 512 persons called for grand jury duty, only eighteen were Negroes; of these eighteen the names of thirteen appeared as the last name on the sixtieth man

list, the custom being to choose the twelve-man grand jury in the order that the names were listed.
 "It is part of the established tradition in the use of juries as instruments of public justice that the jury be a body truly representative of the community," said Justice Black. "For racial discrimination to result in the exclusion from jury service of otherwise qualified groups not only violates our Constitution and the laws enacted under it but is at war with our basic concepts of a democratic society and a representative government."

No-Bias Law "Not Enough"
 "We must consider this record in the light of these important principles. The fact that the written words of a State's laws hold out a promise that no such discrimination will be practiced is not enough. The Fourteenth Amendment requires that equal protection to all must be given—not merely promised. "Here, the Texas statutory scheme is not in itself unfair; it is capable of being carried out with no racial discrimination whatsoever. But by reason of the wide discretion permissible in the various steps of the plan, it is equally capable of being applied in such a manner as practically to proscribe any group thought by the law's administrators to be undesirable. And from the record before us the conclusion is inescapable that it is the latter application that has prevailed in Harris County.

"Chance and accident alone could hardly have brought about the listing for grand jury service of so few Negroes from among the thousands shown by the undisputed evidence to possess the legal qualifications for jury service. Nor could chance and accident have been responsible for the combination of circumstances under which a Negro's name, when listed at all, almost invariably appeared as No. 16, and under which, No. 16 was never called for service unless it proved impossible to obtain the required jurors from the first fifteen names on the list."

The convicted man pleaded that the "systematic" exclusion of Negroes denied him the right of equal protection guaranteed by the Fourteenth Amendment. The State of Texas denied there had been arbitrary exclusion. Two of the three commissioners who drew the September, 1938, grand jury panel admitted that they did not select any Negroes, although the subject was discussed, but, they continued, there was no arbitrary discrimination.

The Black decision reversed the Texas Court of Criminal Appeals, which had affirmed the conviction in the trial court. Both of the Texas courts held that the evidence failed to support the charge of racial discrimination.

Georgia Review Is Refused
 By The Associated Press.
 WASHINGTON, Nov. 25—The Supreme Court refused today to review a Georgia Supreme Court decision which State officials asserted would "seriously endanger" the administration of unemployment-compensation programs of thirty-three States.

The decision barred the State from lumping concerns under the same ownership into a single unit to determine whether there were enough employes to warrant the collection of assessments under the unemployment compensation statute.

A 1937 Georgia law permitted assessments against such concerns if, together, they employed eight or more persons.

Texas Will Release Smith
 By The Associated Press.
 HOUSTON, Texas, Nov. 25—Edgar Smith, a Negro, whose life imprisonment conviction on a charge of criminal assault was set aside today by the United States Supreme Court, will be freed from the Harris County jail in a few days. He has been held since Aug. 1, 1938, at now 20 years old.

Court attaches here said that because the statute of limitations on the charge is one year in length, Smith cannot be reindicted and therefore will be freed as soon as the mandate from the Supreme Court arrives.

*Supreme Court Decisions
 Texas Jury Law*

NOT RECORDED
 INDEXED 44-0-A
 NEW YORK TIMES 11/25/40

HUGO LAFAYETTE BLACK

DOCUMENT - 84

DATE - 4/15/69

COMMUNICATION - SAC, Denver to Director with a two-page
letterhead memorandum

TOTAL NUMBER OF PAGES PERTAINING TO REQUEST - 3

TOTAL NUMBER OF PAGES RELEASED - 3

Deletions pertaining to this request which have
been made from this document are listed as follows:

No exemptions claimed.

UNITED STATES GOVERNMENT

Memorandum

TO : DIRECTOR, FBI

DATE: 4/15/69

FROM : SAC, DENVER (9-1818) (C)

SUBJECT: ANONYMOUS LETTER
CONTAINING POSTMARK 3/12/69
DENVER, COLORADO
MAILED TO SUPREME COURT JUSTICES
EARL WARREN, WILLIAM ORVILLE DOUGLAS
AND HUGO LAFAYETTE BLACK
EXTORTION

Enclosed for the Bureau are an original and three copies of a letterhead memorandum regarding this case which is self-explanatory.

2 - Bureau (Enc. 4) ENCLOSURE
1 - Denver
JHG:lbh
(3)

REC 54

17 APR 16 1969



5010-108-02

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan



In Reply, Please Refer to
File No.

UNITED STATES DEPARTMENT OF JUSTICE

FEDERAL BUREAU OF INVESTIGATION

Denver, Colorado

April 15, 1969

UNKNOWN SUBJECT;
ROBERT P. CUNNINGHAM - COMPLAINANT

By memorandum dated March 25, 1969, the United States Secret Service, Washington, D.C., advised that the United States Supreme Court, Washington, D.C., had furnished to them the following possible threatening letter which was postmarked March 12, 1969, at Denver, Colorado, addressed "Communists on Supreme Court, care of Warren - Douglas - Black, Washington, D.C." and read as follows:

"Dear Fellow Comrade, Was glad to see where you stood up for your "Comrade" dick gregory, and overturned his conviction! At least you communists stick & stink together! Will be grateful when God sees fit to remove your kind foom this earth, and I hope it wont be long. Its just to bad an Oswald or James Ray ect cannot run wild among you filthy cruds!

/s/ A Non Communist Taxpayer
praying for your Assinations"

On April 8, 1969, the facts of this investigation were presented to Assistant United States Attorney Milton C. Branch, Denver, Colorado, who advised after reading the letter in question that he was declining prosecution as the letter fails to contain a threat coming within the purview of the Federal Extortion Statute.

On April 8, 1969, Detective Richard Sherwitz Denver, Colorado, Police Department, Detective Bureau, was advised regarding the letter and the opinion of the Assistant United States Attorney. He stated this matter is being made an item of record with the police department.

ENCLOSURE

On April 11, 1969, Mr. W. F. Rhame, Assistant Operations Officer, 114th MI Group, Denver, Colorado, was advised regarding the letter involved and of the Assistant United States Attorney's opinion at Denver, Colorado.

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HUGO LAFAYETTE BLACK

DOCUMENT - 85

DATE - 3/8/59

COMMUNICATION - Newsclipping from "The New York Daily News"

TOTAL NUMBER OF PAGES PERTAINING TO REQUEST - 6

TOTAL NUMBER OF PAGES RELEASED - 6

Deletions pertaining to this request which have been made from this document are listed as follows:

No exemptions claimed.

THEIR WORD IS LAW

But Supreme Court Judges Learn That Nobody Likes Umps

By ARTHUR WATSON

WASHINGTON, March 7.—By now, the nine august jurists of the Supreme Court must feel a little like the umpires at the old Brooklyn Dodgers games—totally unappreciated.

For months, their decisions in key issues have been drawing boos from the bleachers. Fiery integrationists have denounced them for opening Southern schools to Negroes. Zealous patriots have assailed them for being soft, legally speaking, on Reds.

A delegation led by a determined lady named Opal Tanner White has even demanded they be impeached, apparently on general principles. Threatening letters have caused the FBI to post a guard around the Chief Justice.

All this has saddened the justices, of course. Still, they are understanding men who realize that a judge's lot, like an umpire's, is not a happy one. They expect a certain amount of dissent from the spectators.

But just the other day the house of delegates of the staid American Bar Association—their own colleagues, so to speak—gave them the bit.

In measured prose, the ABA faulted 23 of the high tribunal's

legal calls and suggested, in effect, that Congress review the court's umpiring and enact some laws that would change the rules.

In an earlier day, such quarreling with the court's decisions might have provoked a testy justice into challenging a detractor to a duel or at least naming him. But the years have imposed a tradition of chilly aloofness that makes it unthinkable for the justices to retaliate even in words.

Today, they must take no notice of their critics—in public, at least. Privately, more than one member of the court is fuming at the faultfinding that besets them on all sides.

For instance, the officially denied story that Chief Justice Earl Warren is furious at President Eisenhower is still going strong here. Warren is said to feel that the President let him down badly by not disputing the court's critics, particularly on the integration issue.

Only the crackpots among the court's detractors have launched their attacks on a personal level. To almost everyone else, friend and foe alike, the men who sit on the nation's highest bench are impersonal and remote.

But beneath those flowing black robes and all that dignity are nine ordinary men, who, like other men, put their pants on one leg at a time. What really separates them from the rest is that they are prisoners of their jobs.

And, now that they are popping into the news every day or so, a closeup on them is apropos. Take Chief Justice Warren . . .

AFTER spending most of his life in the rough and tumble of politics, Warren has found it difficult to adjust to the frigid inaccessibility that has become traditional with the court.

The genial ex-governor of California is a glad-hander at heart and, unlike some of his



(Associated Press photo)

Outdoorsman of court is hiker Douglas, who's shown here taking 180-miler along old canal trail from Cumberland, Md., to Washington.

- Tolson
- Belmont
- DeLoach
- McGuire
- Mohr
- Rosen
- Tamm
- Trotter
- W.C. Sullivan
- Tele. Room
- Holloman
- Gandy

- The Washington Post and Times Herald _____
- The Washington Daily News _____
- The Evening Star _____
- New York Herald Tribune _____
- New York Journal-American _____
- New York Mirror _____
- New York Daily News 10 _____
- New York Post _____
- The New York Times _____
- The Worker _____
- The New Leader _____
- The Wall Street Journal _____

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starchy predecessors, he feels that his social gadding does not detract from the dignity of his position.

"There isn't a friendlier man in Washington," says capital reporter Ed Folliard, who knows the Chief Justice well.

Warren is known to have been shocked and dismayed by the FBI decision that the threats against him were serious enough to warrant a round-the-clock guard. Until his appointment to the high bench the only enmity he aroused was political and impersonal.

"Who would take a potshot at a judge?" he asked, wonderingly, when he was told of the security measures.

The threatening letters have not curtailed Warren's frequent attendance at Washington galas, where he usually can be found off in a corner talking politics—his favorite topic—with old friends and fellow veterans of the political wars.

Some Wonder if Warren Is Eyeing White House

His passion for politics, undiminished even after five years of isolation from the bustings, has caused some observers to wonder if he secretly harbors White House ambitions despite his very definite disclaimer back in 1952.

But those who know him best are convinced his interest in politics is now purely conversational and that his true love is that of a lawyer for the court. Anyway, he is 67—a little old for the Presidency.

Next to politics, Warren's chief outside interest is sports. He is said to have put the court on a five-day week in 1955 so that he would be free for Saturday's football games.

For the Army-Navy game in Philadelphia that year, the Chief Justice hired a private railroad car, arranged for lunch and dinner to be served on it, and invited his eight court colleagues and their wives to attend the inter-service classic as his guests. He even picked up the tab for the tickets, if there was a tab. (The services are secretive about their free list to the big game.)

Warren's "football special" was an annual junket until this past fall, when it was cancelled for undisclosed reasons. Mrs. Tom Clark ventured the explanation that perhaps the host "couldn't get tickets," but this

seems hardly likely considering who the host is.

An explanation nearer the mark might be that the FBI was reluctant to permit the nine justices to afford a bunched target for a crackpot who could post himself along the track with a homemade bomb.

Athletically inclined himself, Warren keeps in tip-top shape with frequent exercises and handball games in the basement gym of the Supreme Court Building. Like most big men—he's 6 feet 1 and normally weighs over 200 pounds—the Chief Justice wages a constant battle with fat.

In less than a year after he traded a vigorous outdoor life in California for the sedentary routine of the court, Warren learned to his horror that he was gaining weight at an alarming rate. He immediately went on a sugarless and starchless diet and trimmed off 20 pounds.

The Warrens live modestly in a hotel-apartment with their unmarried daughter, Virginia, one of the reigning belles of the capital. Mrs. Warren usually cooks the meals when they dine at home, and her husband has his food sent up from the hotel kitchen when she is in California visiting her grandchildren.

AT the foot of the long conference table that Chief Justice Warren presides over in the Supreme Court's "inner sanctum," where decisions are sometimes hotly argued, sits the ranking associate justice, courtly but quick-tempered Hugo Lafayette Black, 72.

Appointed from the Senate in 1937, Alabama-born Black took his seat on the court amid a bitter controversy over the disclosure that he had once held a card in the bigotry-peddling Ku Klux Klan.

Though he explained that the KKK card was issued to him unsolicited (in the South in the 1920s it was a rare politician who could escape a Klan card), Black's swearing-in was held up almost two months while the argument raged.

Like Warren, he has the true politician's genuine liking for people. His easy manner and Old South charm, plus a real talent for mimicking pontifical public speakers and TV commentators, made him a sought-after guest until the death of his wife six years ago, when he disappeared from the social scene.

For almost four years Black

shuttled disconsolately between the court and his acre-and-a-half estate overlooking the Potomac in nearby Alexandria, where he turned to planting roses, camellias and pyracantha.

Then, two years ago, he surprised Washington by marrying his buxom brunette secretary, Elizabeth Seay DeMerritte, a divorcee 20 years his junior, who came here from Birmingham, Ala., to join his staff on the recommendations of his family, it is said.

Now the Blacks are back in the social whirl.

Black's vigor is that of a man 20 years younger. A tennis player of near professional skill, the justice is up at the crack of dawn, and, weather permitting, bounces balls off the fence of his tennis court for a half-hour or so.

On weekends he is said to play four or five sets a day, usually with neighbors or his law clerks or friends from the Army-Navy Club, where he has played in competition.

'Tennis, Anyone?' Fetches Black

A story is that when Black was in his 40s he was cautioned by his doctor against playing singles.

"Singles aren't good for men in their 40s," the doctor warned. "Well, then," Black replied, "I can't wait until I'm 50."

Black's drive carries over into the court, where his readiness to argue his convictions and expound his knowledge of law is said to touch off some heated exchanges with Justice Felix Frankfurter, no man to withhold his point of view on any subject.

Relations between the two are said to be rigidly formal, since Black is believed to have never forgiven Frankfurter for siding with the late Justice Robert Jackson in a feud that began when Black refused to disqualify himself in a case involving his former law partner.

FRANKFURTER is by far the most disputatious—and controversial—member of the court. A professor at Harvard Law School from 1914 to 1939, when he was appointed to the court, Frankfurter's knowledge of the law is unchallenged but his interpretations of it frequently come under fire.

"Felix was a great law professor," says an expert on the court, "and he knows the law. But judg-

ing ~~more~~ than knowing the law. Judging is a technique, a great measure of which is determining what can be accomplished."

Though no justice on the minority side of a decision is ever assigned to write an opinion, dissenting Frankfurter always does. He even writes separate opinions expressing his views when he is with the majority.

On the bench, Frankfurter is often testily impatient with his colleagues and does not hesitate to interrupt the Chief Justice if he thinks his superior's questions (the justices do a great deal of questioning from the bench) are straying from the point.

Frankfurter Demands Contentious Clerks

Unlike the other members of the court, Frankfurter drafts all his clerks from Harvard Law and insists that the dean send him only young men spunky enough to argue with him—not only on points of law but also on the proper wording of opinions.

(Frankfurter's employment of Harvard types was the basis of an old quip about left-wingers in government: "How to get ahead in Washington—go to Harvard Law and turn left.")

Capital society seldom sees the bustling little justice—he is scarcely more than 5 feet and wears a pince-nez with a black ribbon that makes him look like a wise old owl. His wife, Marion, suffers from arthritis and hardly ever leaves their three-story gray brick house in Georgetown.

Probably, Frankfurter doesn't miss the social scene.

"Felix has only two interests anyway," says a friend. "One is the law and the other is his wife."

The best-known member of the court outside Warren is Justice William O. Douglas, 60, whose marathon hikes and mountain climbing expeditions into faraway lands have made him a familiar, if puzzling, figure to millions of newspaper readers.

Irrepressibly outspoken, Douglas is no respecter of precedent. For example, his speech to labor

after the 1948 Presidential election involved a member of the court in the forbidden area of politics. But he is a stalwart defender of freedom of speech, including his own, and sees no reason why his position should prevent him from speaking his mind.

He and his animated and earnestly intellectual wife, Mercedes, are very active socially and have a wide circle of friends. Theirs was a second marriage for both. Mrs. Douglas, daughter of a Louisiana sheriff, was the wife of an Interior Department official whom she divorced to marry Douglas.

The romance was an open secret, but all four of the principals were so well known and liked that it escaped becoming a scandal.

A one-time employe of former Rep. Helen Gahagan Douglas (R-Calif.), Mrs. Douglas is colleague as well as wife and has helped her husband prepare a number of books. Last year, they moved into a house overlooking one of the locks of the Chesapeake and Ohio canal, where he walks and walks and walks.

POSSIBLY the happiest man on the high bench is Tom Clark, a former U. S. attorney general who got his heart's desire when President Truman appointed him to the Supreme Court 10 years ago. A lawyer through and through, Clark's dream even in law school was to sit on the court.

While it was generally agreed that he was a skilled politician and a shrewd lawyer, there were some who doubted that Clark was qualified to be a justice.

But even these critics agree now that Clark has grown with the job. A hard worker—"I've got to work twice as hard because I'm not as smart as some of the other fellows," he once said—Clark is emerging as a sound if not brilliant judge.

On the generally liberal Warren court, Clark finds himself leaning toward the conservative side; a recent instance was his reasoned and forceful dissent in the case that opened the FBI

files to defendants. This opinion, it is said, cleared him to FBI chief J. Edgar Hoover.

Off the bench, the tall, slender Texan has the Westerner's friendly casualness. He calls most everyone "partner," pronouncing it, Texas-style, as "pardner," and is totally unassuming—so much so, in fact, that he is the only member of the court to list his name in the telephone book.

Though he still affects Texas dress—big hat and light-colored suits—Clark has made one concession to the ultra-conservative tradition of the court. He discarded his collection of 150 of the gaudy bow ties he habitually wore, and now wears only black ones.

The Clarks live in the capital's most exclusive apartment house, where they entertain frequently. His principal outside interest is golf, which he plays at Burning Tree (the President's club), usually with retired Justice Stanley Reed, an old friend.

Four Other Justices Are Widely Unknown

The remaining four justices are little known in Washington and virtually unknown in the rest of the U.S.—three because they prefer it that way and the fourth because he has just joined the court.

The clue to 58-year-old Justice John Marshall Harlan's personality lies in his given name. Named for John Marshall, the nation's greatest chief justice, Harlan has striven all his life to apply Marshall's principles to his own legal career.

The law, it is said, is his whole life. A neighbor in Georgetown, Mrs. Francis Biddle, says she frequently sees Harlan coming home after dark "with an armload of work."

He is so seldom seen otherwise that it came as a surprise to his community when he joined a citizens association dedicated to preserving the historic streets and homes of Georgetown. But he rarely puts in an appearance at meetings.

Considered a judge's judge, Harlan's promotion from the U.S. Court of Appeals in New York somewhat offset the lack of judicial background in an earlier Eisenhower appointee—Warren, who had never been a judge.

Harlan and his wife, Ethel, are a quiet couple whose chief recreation is an occasional walk about historic Georgetown.

Another member of the court named for a famed chief justice is 57-year-old Charles Evans Whittaker (Marshall and Charles Evans Hughes wrote the two great opinions on the Supreme Court's power to determine the

law of the land) who was appointed from the U. S. District Court in Kansas City a year ago.

A Missouri country boy who worked his way through law school to become a highly regarded "office lawyer" in Kansas City, Whittaker has a reputation for being the most deliberate man on the court.

"Old Charley reads everything, looks everything up and weighs every 'uh' and 'whereas' before making up his mind," says new man Jack Williams, who knew him for years in Kansas City.

Whittaker and his wife, Wilfred, live near the William Douglases and are stay-at-home. The justice is an unknown quantity to capital reporters who cover the court; he refused even his friend Williams' request for an interview on how he liked living in Washington.

THE first Roman Catholic to serve on the court since the death of Justice Frank Murphy in 1949 is Justice William Brennan, 52, a son of Irish immigrant parents, who was appointed two years ago from the New Jersey Supreme Court.

A Democrat, though never active politically, Brennan's appointment came as a complete surprise to him. He got a call one day from ex-U.S. Attorney General Herbert Brownell Jr. who asked him to be in Washington the next day on "important business."

It was not until Brennan reached the capital and met the President that he learned he was to succeed Justice Sherman Minton, who retired because of failing health.

A specialist in labor law before he was named to the New Jersey Supreme Court, Brennan established a reputation as a moderate liberal and a defender of civil rights. But he has not been a member of the Supreme Court long enough to be classified as a liberal or a conservative.

Like the Whittakers, the Brennans thus far have not been seen much socially around the capital. But in times they undoubtedly will be—Brennan has a warm, friendly personality, likes people and is too dynamic to seclude himself behind the marble pillars of the court.

The Brennans live in fashionable Georgetown. They have three children, William J. 3d, 25; Hu L., 20, and Nancy, 10.

The youngest member of the court in years and seniority Justice Potter Stewart, 48, was appointed last October. He once turned down a chance to be mayor of Cincinnati, his home town, because he thought the job would take too much time from his family.

That was in 1951, when Stewart, then a rising figure in R

publican politics in Cincinnati, led the ticket for election to the city council. He was in line for the mayor's job under a system in which the majority party on the council elects the mayor from its own membership.

Although he never held a judicial job until he was named to the U.S. Court of Appeals in Cincinnati a little over four years ago, Stewart was brought up in an atmosphere of law.

His father, Ohio Supreme Court Justice Garfield Stewart, a leading trial lawyer, discussed his cases at the dinner table and made the law a romantic calling to his son.

Stewart studied at Yale and Cambridge, and practiced in New York after war service as an officer aboard a Navy tanker. He married a Long Island girl, Mary Ann Bertles, and in 1947 they returned to Cincinnati.

The Stewarts haven't yet settled down in Washington. Their first taste of the capital was a heady one—President and Mrs. Eisenhower's dinner for the justices and their wives—and left Mrs. Stewart breathless.

"I was tremendously impressed by their graciousness and warmth," she said.

Like the Brennans, the Stewarts have three children: Harriet, 13; Potter Jr., 10, and David, 7.

Though he's just a fledgling, Potter has already learned one thing: booing the umpire is not limited to the ball park.



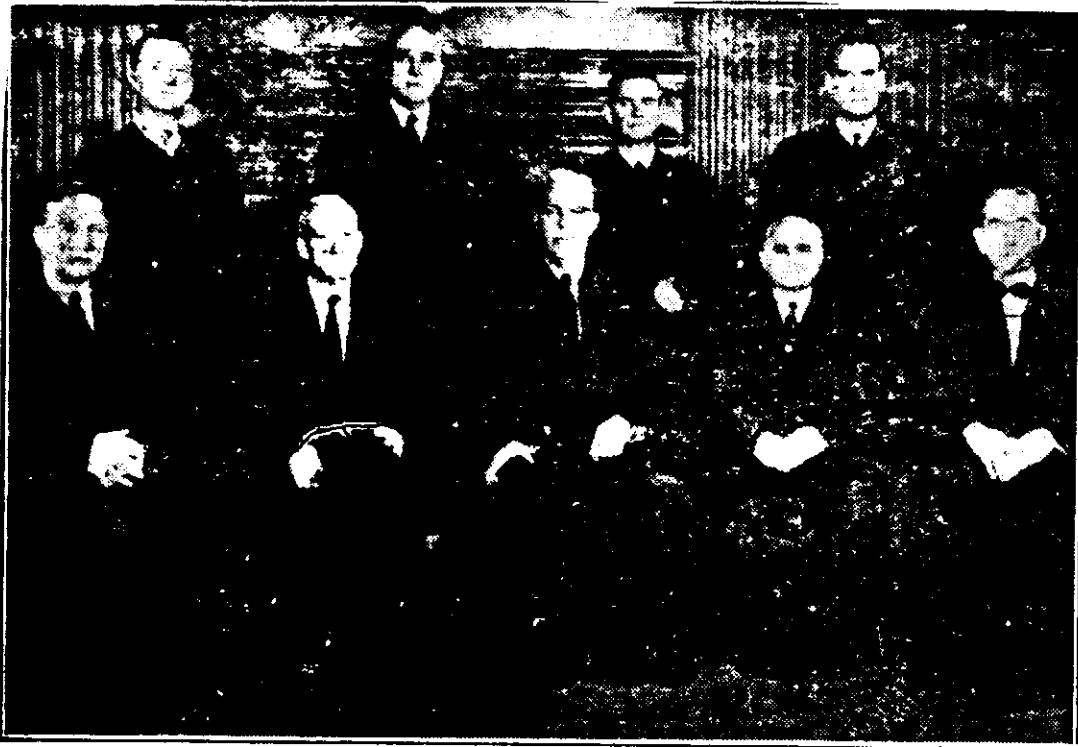
(Wide World foto)

Said to be happiest man on court, Clark's appointment was culmination of dream that began in law school. He's checking gun here for hunting trip.



They Review All Non-Judicial Decisions

Proof that romance can bloom in court's solemn air, 71-year-old Justice Black fondly walks with second wife, divorcee Elizabeth DeMerritte, 50 (←) who was his secretary until they wed 18 months ago. Black was widower. In unusual picture (A), wives of justices assume court-type pose. Sitting, l. to r., are Mrs. Douglas, Mrs. Black, Mrs. Warren, Mrs. Harold Burton (her husband has since retired); standing, l. to r., are Mrs. Brennan, Mrs. Clark, Mrs. Harlan and Mrs. Whittaker. Empty chair was for Mrs. Frankfurter, who suffers from arthritis and was unable to pose.



Everybody Seems to Be Picking on Them

Though they appear properly serene here (A), nine judges of most controversial U.S. Supreme Court in years are said to be fuming over mounting criticism of recent rulings. Sitting, l. to r., are Justices William O. Douglas, Hugo L. Black, Chief Justice Earl Warren, Felix Frankfurter, Tom C. Clark; standing, l. to r., are Charles Evans Whittaker, John Marshall Harlan, William J. Brennan Jr. and Potter Stewart, newest member of high tribunal. A chip off old bench, 43-year-old Stewart got booming congratulations from his father, James Garfield Stewart, member of Ohio Supreme Court, at swearing-in (→) last fall. His wife, Mary Ann, was just as proud.

