

JR-JER-EM

February 23, 1940.

MEMORANDUM FOR MR. FISHER,

In re

DAVID D. WAYNE.

Pursuant to your request, I have read all of the contents of the twelve large envelopes pertaining to the David D. Wayne matter. You will recall that Wayne is the individual who is alleged to have recently been instrumental in causing charges against the Dies Committee to be brought by Congressman Hook on the floor of the House upon documents which seem to have been fraudulent.

The papers examined by us were delivered to the Federal Bureau of Investigation by one Harold Weisberg, who purportedly stated that the documents constituted the files of Wayne. Several days ago Congressman Hook turned over to the Department copies of the alleged forged documents, as well as other papers, which he asked the Department to study. These papers are not part of the ones under consideration here, although there are some duplicates of his papers among those here considered.

Memo. for Mr. Fisher --3--

The documents here considered consist of various letters and copies of letters which purportedly passed between Ebyne while he was agent in Washington for William Dudley Felley and other persons allegedly in Felley's employ during the years 1938 and 1939. There are also some pamphlets which were purportedly published by some of Felley's concerns during that time. Among these is a pamphlet published during 1939, which makes certain scandalous references to the President in connection with birthday balls held for the purpose of raising funds to be used in fighting infantile paralysis. All the evidence on this point consists of the pamphlet itself, which, of course, adds nothing to what information we have already received on this phase of Felley's activities. As this phase of the matter was investigated thoroughly last year by several attorneys in the Department, of course I am expressing no opinion on it in this memorandum.

Excepting this pamphlet referring to the President, and assuming that the mails were used in connection with the various other papers herein considered, which could easily be shown, I can find no Federal statute which seems to have been violated in the premises.

Respectfully submitted,

JAMES E. RUFFIN,
Special Assistant to the Attorney General.