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Series: Marguerite ("Missy") LeHand Papers

Box 10; Folder = Correspondence: Roosevelt, James, 1939

Correspondence: Roosevelt, James, 1939

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729 SEVENTH AVENUE
NEW YORK

November 27, 1939.

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Doc
11/29/39

Mark
Brown

Basil O'Connor, Esq.,
O'Connor & Farber,
120 Broadway
New York, N.Y.

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O'CONNOR & FARBER
120 BROADWAY, N.Y.

Dear Doc:

Harold Goldman came in today and left the enclosed with me. He wishes to talk to Missey concerning the questions which are asked. I thought probably Missey would want to talk to you about it anyway, so will you be good enough to talk with her and then let Goldman know what you want to do.

Incidentally, Missey never did mention the matter to me. I met Hale through an entirely different source.

Always my best to you.

Sincerely,

Jimmy Roosevelt
B.

COPY

GOODWIN, PROCTER & HOAR

Counsellors at Law

84 State Street

BOSTON, MASS.

November 23, 1939

Harold Goldman, Esquire,
122 East 42nd Street,
New York City, New York

RE: SHERIDAN v. NATIONAL GRAIN YEAST CORP.

Dear Mr. Goldman:

The complete transcript of the deposition of Cornelius C. Sheridan, taken on the second day on which he was orally examined by Mr. Wallis, will not be transcribed until the end of the week. We will send you a copy as soon as it is ready, and will wire you that it has been mailed.

While the examination necessarily was long and detailed in order to exhaust every possible claim which Sheridan might have, the relevant testimony can be boiled down to a few simple allegations as follows:

That, on October 19 and at other times in the fall of 1933, Frank J. Hale promised to give Sheridan "25% of the Yeast Corporation" if Sheridan would arrange an introduction between Hale and Miss Marguerite LeHand under favorable circumstances. The purpose of this introduction was to give Hale an opportunity to ask Miss LeHand to persuade Mr. James Roosevelt to become President of National Grain Yeast Corporation and to obtain his father's approval of this plan.

That in order to perform his part of this agreement, Sheridan arranged a meeting between Mr. Hale and Mrs. Rochon and made arrangements for Mr. Hale to give Mrs. Rochon a certain amount of financial assistance in settling debts which she had run up.

That sometime in late October or early November, 1933, Mrs. Rochon, her lawyer Mr. Ryerson, and a Mrs. Ramsey went to Washington in Sheridan's car and visited Miss LeHand. At that time Mrs. Rochon delivered to Miss LeHand at the White House, certain papers relating to the National Grain Yeast Corporation.

That after the Washington trip, Sheridan arranged a meeting between Mrs. Rochon, Miss LeHand and Mr. Hale. This meeting took place on December 26, 1933, at the Copley Plaza Hotel in Boston. At this meeting, affairs of the National Grain Yeast Corporation were discussed with Miss LeHand.

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In view of this testimony you can appreciate the importance to us of obtaining testimony from Miss LeHand in order to contradict these claims made by Sheridan. We would like to get Miss LeHand's statement on the following topics:

1. Opportunities which Mr. Hale had to meet Miss LeHand other than through Sheridan:

- (a) Did Miss LeHand ever meet Mr. Hale prior to the alleged meeting at the Copley Plaza?
- (b) Did Miss LeHand ever hear of Mr. Hale prior to this meeting, or did she know any mutual acquaintances?

2. Direct contradiction of Sheridan's testimony:

- (a) Under what circumstances was the meeting between Mr. Hale and Miss LeHand at the Copley Plaza arranged? Did Mrs. Rochon suggest the meeting or did Miss LeHand suggest it?
- (b) At this meeting at the Copley Plaza, what if any discussion took place relating to the affairs of the National Grain Yeast Corporation?
- (c) What if any conversation was there at the Copley Plaza relating to the possibility of Mr. James Roosevelt becoming associated with the National Grain Yeast Corporation?
- (d) Were any papers relating to National Grain Yeast Corporation delivered to Miss LeHand at the White House by her sister or any one else during the Fall of 1933, and, if so, what was the nature of these papers?

3. Miss LeHand's lack of connection with Mr. James Roosevelt's association with the National Grain Yeast Corporation:

- (a) Did Mrs. Rochon ever discuss with Miss LeHand the National Grain Yeast Corporation and what if anything was said at these discussions?
- (b) What if anything was said between Mrs. Rochon and Miss LeHand relating to Mr. James Roosevelt becoming associated with National Grain Yeast Corporation?

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- (c) What if anything was discussed by Mr. Hale and Miss LeHand relating to National Grain Yeast Corporation or the possibility of Mr. James Roosevelt becoming associated with it?
- (d) What if anything did Miss LeHand do to bring about a meeting between Mr. Hale and Mr. James Roosevelt or to further his association with National Grain Yeast Corporation?

As you know, the new Federal Rules of Civil Procedure provide that witnesses may be interrogated before the trial of a case if certain formal conditions are complied with. We feel that it is very desirable to take Miss LeHand's deposition before trial to help establish the falsity of Sheridan's claim. Once her deposition has been taken, our chances are greatly improved of settling the case on the basis of its nuisance value without the necessity of trial in open court with all the inevitable publicity that it would bring.

Under the Rules of Civil Procedure the original deposition of a witness, certified by the officer before whom the deposition is taken, is transmitted to the court in a sealed envelope. It is the practice of our court not to allow such depositions (in law cases) to be opened except with the consent of both parties or on order of court for cause shown. The parties to the action have a right to receive a copy of such deposition from the officer who takes it, upon payment to the officer of the reasonable cost thereof. No other person is entitled to know or has any opportunity to find out what the deposition contains.

In the case of Sheridan's deposition his attorney did not order a copy because of the expense involved, and I should guess that the same situation would prevail if Miss LeHand's deposition were taken. Therefore, it is reasonable to suppose that no publicity would be given to her testimony, since no copies would be available except the sealed copy deposited with the court and the copy in our possession. Of course, it is possible that Sheridan or his attorney might order a copy and allow its contents to become public. But, even in such an event, since Miss LeHand's testimony will not be of a sensational nature, we see no reason to fear any unpleasant publicity arising from the taking of her deposition.

Very truly yours,

(signed) GOODWIN, PROCTER & HOAR