
Exchange of Communications between Attorney General A. Mitchell Palmer and President Woodrow Wilson Regarding the Case of *United States v. Rose Pastor Stokes* [October 1 & 4, 1920]

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(1) Mitchell Palmer to Woodrow Wilson.

Washington, DC, October 1, 1920.

Dear Mr. President:

In the case of the *United States v. Rose Pastor Stokes* a situation has developed which I deem of sufficient importance to call to your attention.

Mrs. Stokes was tried, convicted, and sentenced for a violation of the Espionage Act. Upon writ of error to the Circuit Court of Appeals for the Eighth Circuit, the judgment was reversed (264 Federal, 18). The ground of reversal was that the instructions to the jury by the court below were somewhat inflammatory and, consequently, prejudicial to the defendant's rights. The question now is, Shall we try Mrs. Stokes again? The case must either be set for trial or dismissal at the November term of the District Court for the Western District of Missouri, and the United States Attorney is asking me for instructions.

Mrs. Stokes is a conspicuous member of the ultra-radical element and her offense was quite as clear as that of many others who were convicted and punished under the Espionage Act during the war. Many of these have served either the sentences imposed by the court or smaller terms of imprisonment to which you have commuted their sentences. In view of the great pressure on behalf of so-called political prisoners and because this defendant is a woman and the war is over

for all practical purposes, I am very strongly inclined to think that we ought to drop the case; but as it involves a question of policy which will affect the disposition of indictments pending against other persons not yet tried, I would appreciate it if I could have your view as to what ought to be done.

Yours faithfully,

A. Mitchell Palmer.

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(2) Woodrow Wilson to Mitchell Palmer.

The White House,
4 October, 1920.

My dear Mr. Attorney General:

I have your letter of October 1st about the case of Rose Pastor Stokes and hasten to reply. I believe that Mrs. Stokes is one of the dangerous influences of the country and I hesitate to advise that the suit against her be dropped, but I feel the embarrassment of pressing the suits now, which began under the authority of the Espionage Act, because I think the country feels that the time for that is past. I hope, therefore, that you will not make an exception of Mrs. Stokes's case, but rather put it on the same footing that you are putting all others that have arisen in the same way. I think this is the fair and wise thing to do.

Very sincerely yours,

Woodrow Wilson.

Edited by Tim Davenport

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