

December 3, 1941

Mr. Elliott W. McDowell
Modern Age Books, Inc.
Room 1508
245 Fifth Avenue
New York, New York

Dear Mr. McDowell:

Thanks for your note that you received the revised script. I enclose some notes of minor changes and typographical errors.

I had debated including the enclosed story, "The Survivor," in place of the story I used to illustrate Chapter 15, "The Inquiry." The reason I didn't is that it is rather long and entirely in dialect. However, it still occurs to me that you might prefer it to the other yarn. If you do, I believe it could be worked in with a brief new transitional paragraph about the "inquest" over the body we couldn't find, or something like that.

If the rest of the book should be shaping up favorably with you, please tell me what you think of this suggested change.

Sincerely,

MODERN AGE

245 FIFTH AVENUE, NEW YORK



December 19
19 41

BOOKS, INC.

MURRAY HILL 4-7340

Mr. John Voelker
Prosecuting Attorney's Office
Ishpeming, Michigan

Dear Mr. Voelker:

Thanks for your letter and the corrections and new chapter. All of us have not yet read it and I must apologize for our slowness, but those of us that have agree that it is much improved both by the additions and the cuts. We do believe, however, that you could still make it a better book. Now, don't get your gun and stop reading. I simply mean that there is still not enough of you in the book. The episodes and anecdotes do not reveal your own development, growth, and personality as much as we think they should and could.

However, if you don't agree, I personally believe the decision will be to publish as is. Understand, this is simply my opinion. I can't yet speak until we have all read it. There would be one or two minor conditions which I am sure you'll agree to. In the first place, we all think the present title is definitely out. I believe you agreed to that when you were here. Try to be thinking of some other good ones - something perhaps suggesting crime and the Northern Peninsula (the Finns, etc.).

In the second place, we'd like to have permission to copy-edit a little. We thought some of the wisecracks were a little raw and that there was some "fine writing" here and there. These criticisms, by the way, don't apply to your new material. It seems that your writing is even better than it was in the original stories.

Now, maybe all this doesn't sound as though we are enthusiastic, but remember that we don't publish a book unless we are. We all, including the salesmen, think it's swell reading, but we want to make your first book not just a good one but an excellent one, and I am sure you want to, also.

So, please be thinking about all this and let me have your reactions. In the meantime, we'll finish up the reading and let you have our final decision with any specific, major changes or cuts that we still think advisable.

I hope you'll consider this as Christmas Cheer and Good Tidings for the New Year.

EWM/rw
uopwa #18

Cordially,
E. W. McDowell
E. W. McDowell
Editorial Dept.

December 22, 1941

Mr. Elliott W. McDowell
Modern Age Books, Inc.
Room 1508
245 Fifth Avenue
New York, New York

Dear Mr. McDowell:

Thanks for your encouraging letter of December 19. While I understand that you have yet to reach your final decision, your letter is most cheering, and as fine a Christmas present as I could receive.

I agree that I could probably make the book much more autobiographical, but in doing so I am afraid it would mean writing an entirely new book. I shudder to contemplate that chore. You see, I was more concerned with writing a story about the experiences of one out of the thousands of prosecutors in this country, and was consciously trying to soft-pedal my own personality in the telling of this larger theme. The sheer physical bulk of what I had to tell rather warned me, too, against trying to also give all of little Johnny's reactions, within the scope of any ordinary-sized volume. In addition, I have some rather definite plans of writing a new book in which I shall veritably deluge you or someone with the growing-pains of one American -- to murder the metaphor.

I think I see exactly what you mean. You feel I could make a much more (forgive me the word) "significant" book if my wealth of material unrolled against the backdrop of my own individual development. And I probably could, but it would be another book, a big undertaking, appalling for me even to consider, encroaching on the book I have in mind, and entered into in a mood which might produce some curious results. Few men ever do their best. Why single me out for such immortality?

Let us tentatively ^{leave} have it that I would hesitate to undertake a major rewriting of the book. You cannot know how tired I am of the damned thing. Let me advance the modest suggestion, too, that the fact that you men wish more of me in the book might be pretty good evidence that perhaps I did succeed, to a fair degree, in unconsciously projecting myself in the book.

Taking up your other suggestions, I am in complete agreement that the present title is lousy and must go. At this time I feel that "Prosecutor, U.S.A." might, especially in view of recent developments, be a good, balanced title. A regional title, such as "Northwoods Prosecutor," has its points, but also carries its dangers as well. You will probably appreciate this more than I. I shall give this title business considerably more thought.

You have my permission to copy-edit all you like, provided that all changes are called to my attention for agreement before any final step is made. You will not find me arty or pig-headed, but I do feel I should know of the proposed changes.

In my bland ignorance of the problems of book-publishing, I have some brave suggestions I should like to offer you in connection with the distribution of the book. I recognize that they are a little premature at this time, and perhaps I should withhold their detail until you take the book. Yet if I give them now, it might help you to take the book!

The fact that there are over three thousand county prosecutors in this country, each with definite addresses, not to mention their hordes of assistants, is a hint of what your canny prosecutor has been plotting. Then too, I had in mind the big lawyer field itself, and the possibility of an experimental penny-postcard campaign directed to the lawyers in one fair-sized city, say Yonkers or Green Bay. It might have interesting results.

Mr. Elliott W. McDowell

December 22, 1941

- 2 -

But since such mercenary thoughts illy become my traditional concept of the temperamental, lofty-minded author, perhaps I had better just perish the idea..... No, I've sold so damn much stuff all my life that I just can't help speculating on how best to sell my book -- despite the fact that it might help me at the same time. If you believe it, it's so.

Your letter has cheered me so much I'm growing garrulous. Perhaps I'd better go over to Louie's and turn it on. I think I'll do just that.

My best wishes to all of you for a fine holiday season.

Sincerely,

P. S.

I enclose some more corrections.

J.D.V.

MODERN AGE

245 FIFTH AVENUE, NEW YORK



BOOKS, INC.

MURRAY HILL 4-7340

February 7th
19 42

Mr. John D. Voelker
Office of Prosecuting Attorney
Ishpeming, Michigan

Dear Mr. Voelker:

I hope you will forgive my intervention in your intimate correspondence with Doc McDowell. We've locked him up at home to do an uninterrupted emergency job of editing and he has asked me to take over the welcome task of telling you that we have decided to ask you to let us publish your book. The mills of the gods grind slowly, as you no doubt have learnt, but they also grind exceedingly small, and what follows is a series of criticisms and rough suggestions, which I know you will not take amiss and will understand is our attempt to make the book as appealing as we can, given so balky an author as yourself.

In the first place, we have taken seriously your suggestion that we do as much sentence, paragraph, and chapter editing as we think necessary, provided you be the final arbiter in accepting such changes. The present version as a whole is far superior, in our opinion, to your original one and it is tantalizingly apparent to us that if you tried again you would come proportionately nearer to perfection. The writing as a whole is still uneven, some of it being extremely effective, and some of it nothing short of careless. When you see the manuscript again, there may be pencilled suggestions on every page, in most cases affecting the style.

But there is one very large change that all of us feel very strongly you ought to make. That concerns the ending. On my own second reading of the book, I was struck with the fact that the chapter on My Pal the Buck is a very natural ending for the book, since the whole episode described takes place in celebration of your third election. The Millar story that follows it is, therefore, of itself anti-climactic, no matter how much you or we might like it. Furthermore, there is internal evidence in the Millar story that the events it describes occurred earlier in your career as prosecutor. For instance, Judge Belden slaps you down in a kindly way for not knowing your law after your "vast experience." Indeed, I am sure that this story belongs earlier in the book, soon after your election. Finally, about this story, we also all agree here that only the first part of it should remain, that is, the actual trial and acquittal episode. The additional matter having to do with the suicide reads like pure fiction of the most melodramatic sort, even after you have cut it down the way you have. We earnestly urge you to cut this second half of the story and to place the whole story earlier in the book, leaving My Pal the Buck for the ending.

(Continued)

2/7/42

As to the suggested story, The Survivor, this is precisely the kind of tale which should not appear in your book in this form, for again it means that obvious fiction is raising its ugly head and it is precisely this sort of thing that you have omitted from the first version and thus improved the book. If there is a core of truth to this story of The Survivor, tell it in your own words, in the proper place, in short compass, or let the old trapper tell it on the witness stand, the way he would tell it on a witness stand, and not as a character of fiction does. It's always amusing, but not pleasant in its effect, when a story told in dialogue suddenly forgets the dialect of the story-teller when he repeats the conversation of educated people.

Several of the new stories are pippins. I liked especially the addition of Luigi's Hunting Tale.

We here are not yet sold on the title, Prosecutor, U.S.A., but we may leave that open for a short while, so that someone here or in Michigan may have a better brainstorm. There is no real hurry about that now.

Sometime next week, I shall send you our regular form contract. If, before you receive it, you have some special terms or ideas you would like to have included, please let us know right away. Meanwhile, you may consider this letter as having dubbed you a Modern Age author and as such your earlier remarks about writing another book become vitally interesting to us. Can you tell us more of that?

Best wishes and good hunting.

Sincerely,

David Zablodowsky
David Zablodowsky
Manager

DZ/rw
uopwa #18

February 9, 1942

Mr. David Zablodowsky
Modern Age Books, Inc.
245 Fifth Avenue
New York, New York

Dear Mr. Zablodowsky:

I am naturally pleased no end you have decided to take on the book. It is a heady feeling, not unmixed with something akin to dismay, this being informed one has become an author. Your formally asking me to let you publish my book enchants me. It is like Hedy Lamarr asking if she could spend the night with me. You may and she may.

All is forgiven, including your reading what I had not realized was an "intimate" correspondence with Doc McDowell. (I suppose, in view of all this, I should call him Doc?) Nor had I realized that you have joined in a conspiracy with my wife to call me "balky."

It is a good idea, I think, for you to edit the book and then let me go over the changes. I wish I had enough steam to re-write the book again, but I know I haven't, so perfection will have to wait.

I am all for concluding the book with the hunting story, My Pal the Buck. That is the way it was in the original, and I would prefer to wind up in the woods having a drink with old "Dan," with whom, incidently, I had more than several drinks the other night. It is O.K. with me for you to cut out the post-trial portion of Busy Fingers. I agree with your suggestion of putting the castrated version earlier in the book, between some comparatively light chapters, say between Chapters 13 and 14 or in the aromatic vicinity of Luigi's outhouse (Chapter 16), which I am very happy that you like.

Your comments on The Survivor ring the bell. I've always wondered what was wrong with that yarn. Throw it out.

I shall try again to think up a good title. "Prosecutor, U.S.A." should be peculiarly apt in these restless days.

I enclose a form of suggested acknowledgment to possibly take care of the six stories in the book which have already appeared in print, together with a separate detailed comment for your own use. In a later letter I shall send a further list of corrections to the script. Publishing books suddenly strikes me as a hell of a lot of work. I'm increasingly glad I'm a backwoods lawyer.

There are no suggestions as to the form of contract which occur to me. I know next to nothing of this sort of thing. I assume you will send me a form of contract in common usage in the publishing business.

I am grinningly pleased to be dubbed a Modern Age author, and I would like to tell you about my tentative plans for another book, except that I have a bad, lazy habit of considering a "told" story as good as written. I will say I am making almost daily notes on it, it will be about me (which you might have divined), and is tentatively entitled "Between Wars." Has anyone ever used that, to your knowledge?

This prosecutor book isn't copyrighted. I suppose you will take care of this detail in due course.

Thanks for the good hunting wishes. I need them. I fell in a swamp-hole up to my whizzle string yesterday, hunting rabbits, and had to be flushed with hot rum and butter. It was well worth it.

Mr. David Zablodowsky
Modern Age Books, Inc.
245 Fifth Avenue
New York, New York

February 9, 1942

- 2 -

Best wishes to all of you.

Sincerely,

P. S.

Whose balky now?

J.D.V.

February 13, 1942

Mr. David Zablodowsky
Modern Age Books, Inc.
245 Fifth Avenue
New York, New York

Dear Mr. Zablodowsky:

I am returning your copy of the contract duly initialed and signed by me. From the little I know about book publishing, I feel that your terms are very generous, and I am completely satisfied with the contract.

In making the corrections which you mentioned in your letter of February 7, I hope that you will not go through the script and remove what some may consider "offensive" material. While I do not think you intend to do this, I thought it better to clarify this subject at this time. Fumigating out all of the gut laughs might make the book more attractive to some people, but for better or worse they are essentially my style, and I feel very strongly on this point. Where occasionally the going is too rough, I shall welcome your suggestions to ease the blow.

I enclose a list of further corrections, together with a suggested list of titles.

When you have occasion to write me again, I should appreciate it if you would give me some idea of when you hope to publish the book. I have assumed that unless we strike a snag, you intend to bring it out in the Fall.

Sincerely,

MODERN AGE

245 FIFTH AVENUE, NEW YORK



February 16
19 42

BOOKS, INC.

MURRAY HILL 4-7340

Mr. John D. Voelker
Office of Prosecuting Attorney
Ishpeming, Michigan

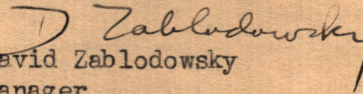
Dear Mr. Voelker:

The contract arrived in good order and we are all set.

You are right in assuming that we expect to have the book ready for Fall publication. This seemed to be your most pressing query. And you needn't worry about the type of editing we shall perform on the work. Its intention is not to remove "offensive" material in the sense you probably mean, but only to tone up the passages where your transitions from good writing are a little too abrupt and indicate merely temporary negligence on your part as a stylist.

From now on you'll be Doc's baby and he'll be carrying on the correspondence, if any, with you. Along about the time we should be expecting to send the manuscript to the printer, I imagine you'll be having some more and different manuscripts to show to Doc.

Sincerely,


David Zablodowsky
Manager

DZ/rw
uopwa #18

February 20, 1942

Mr. Elliott W. McDowell
Modern Age Books, Inc.
Room 1508
245 Fifth Avenue
New York, New York

Dear Mr. McDowell:

Mr. Z. writes me that he is passing me back to you and that from now on I'll be "Doc's baby." While this swift transition in paternity is exhilarating, I shall try to see that my letters will not take too much of your time.

I enclose a further list of corrections to the script. I hope that you have had an opportunity to go over these various lists, as most of them are corrections of typographical errors or suggestions to bolster the style or dialect. I mention this now as you have not commented on these corrections, and I thought it would be more desirable that you should incorporate these changes into the script before you return it to me for my final check.

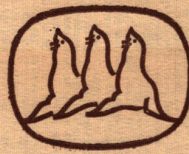
The most pressing change in the enclosed list is to remove the "prostitute-letter" anecdote beginning on the bottom of page 106 through to the sentence beginning "Shortly after I was, etc." on page 107. Prosecutors and judges would scoff at a prosecutor who admitted writing such a letter to a Madame, and the fact is I didn't write "Big Rosie," but had a cop carry the word to her. I only said I did because I was writing a chapter about letters written and received. It isn't too pretty a tale anyway, and I have just had "Big Rosie" banished for rolling a Finnish lumber-jack (see enclosed clipping), and inasmuch as I shall probably have to continue to run for prosecutor I rather think you will agree that, all in all, the anecdote might better be omitted.

Every good wish.

Sincerely,

MODERN AGE

245 FIFTH AVENUE, NEW YORK



BOOKS, INC.

MURRAY HILL 4-7340

April 24, 1942.

Dear Voelker,

At last I have been able to finish the editing job. There have been a lot of interruptions, but I was able to keep the whole in mind fairly well. I believe David already suggested that because of various references to Judge Belden, we have to shift the Millar story back to its initial position and conclude with "My Pal the Buck."

I am sure that when you see the manuscript you will think that for once in your life you are being prosecuted. In most cases I have written in what seem to me the proper revisions, but you may have better ideas. In some cases I have suggested that you rewrite a paragraph or that you make the cut yourself, but there is really no system to the editing. Even where I have actually made a change or a cut I feel sure that revision will make for improvement.

David raised one major issue, namely the question of too many "sex stories," or at any rate, too many of them coming early in the book. Though I don't think it is terribly serious, it is quite possible that some reviewers and readers will accuse you of purposely exploiting the sex stuff and giving a false impression of the proportionate part of your work that it represents. In any case, you might think about it.

You will note that I have cut a number of sexual figures of speech, not because of prudery but merely because they seemed to be in bad taste. Remember, we want some women to read this book too, and though women may like their sex, they seem to have an aversion for men's vocabulary.

I have also cut a good many of the wisecracks that you like to tack on at the end of your paragraphs. They are simply not in keeping with the quality, both humorous and literary, of the rest of the book.

If you plan to read the book through again, keep your eyes open for your heavy dependence upon adjectives and adverbs. I have cut a lot of them and marked some other sections for your critical appraisal, but a lot more could be cut throughout the book.

When you first glance through the manuscript I imagine you will envision a hell of a lot of work, but with the exception of a few pages that incorporate a lot of rewriting, you don't need to retype. We like to send as clean copy as possible to the printer so he won't be delayed in setting. I have written in my changes carefully so they will be easily legible for him.

We have not yet set a definite publication date nor have we settled upon a title, but the sooner we get it off to the printer the better. If reviewers have a month to read a book, they are far more likely to give it attention. We may decide to publish it in July or August---it would make swell vacation reading. I will let you know what our idea of the best title is as soon as we can all get together for a discussion on it.

[Apr. 24, 1942]

- 2 -

Thanks for the suggestion that we give it the appearance of a law book. We'll keep it in mind when we call in the cover artist and the designer.

I hope there is nothing important I have left unsaid. The manuscript is being expressed to you today under separate cover. If you have any questions or quarrels with what I have done, I'll hire myself a lawyer and meet you in court. Seriously, though, both David and I have tried hard to scratch off a few of the rough edges of what we think is a swell collection of tales. I hope you won't think we have been as arbitrary as the manuscript makes it seem. It just takes too damn long to write polite and tactful queries on the margin every time you make a change, and since you are no stranger any more we feel sure you will understand the spirit back of the changes.

Thanks again for your patience and cooperation. We will be eagerly awaiting the finished manuscript.

I don't think you ever invited me, but I have made definite plans to visit you for a little fishing after I retire on the profits of Country Prosecutor.

Cordially,

Doc
Doc McDowell

ECM:E
UOPWA #18

May 2, 1942

Mr. Elliott W. McDowell
Modern Age Books, Inc.
245 Fifth Avenue
New York, New York

Dear Doc:

First of all I want to congratulate and commend you on the swell job you did on the manuscript. I think you have vastly improved the whole book. My profound thanks to you.

I am returning the manuscript with my comments. Where changes you have made are not referred to, you may assume they are all right. Most of the changes I have agreed to, the majority whole-heartedly, some reluctantly, and one or two (mostly deletions) I definitely do not like.

I hope that you will take my comments in the same spirit that I have taken yours. There is no rancor, though I could put on the gloves with you over a few of the deletions you suggest.

David's objection to the number of sex stories is understandable, but I do not think he realizes how very many such cases there are, at least up here. If one were to include stories in the book on the basis of numerical occurrence, however, it would be mostly about drunkards, drunk-drivers and wife-beaters -- and damned dull, to boot. My judgment is (though I did not consciously think of it when I wrote them) that these stories will do more to sell the book than not.

None of the material is re-typed because there seemed to be no occasion for it. My failure to do so may be excused by my speed in returning the script. I have been and am desperately busy, what with one hundred and ninety-four blue-books to correct (I have recently been appointed a State Bar Examiner), a heavy term of court to prepare for, and trout season just started. Most of the work on this revision has been done at our old camp on Lake "Traver." It is the only place I could work without distraction.

If there are any particular sheets you still want re-typed or revised (for example, if you still do not like the ending to Chapter 12, "Children of Suomi"), please let me know or mail me the pages in question, and I shall work on them.

July or August publication would be swell. The sooner you publish the better for me. I do not think I can finish the present book I am writing while this prosecutor yarn is unpublished -- for reasons I cannot fully understand, so cannot explain.

You have not returned the acknowledgment page, but I assume you have this business in mind.

You are most welcome to come up here fishing. I believe you would enjoy it. Don't wait too long. Most people do.

Please let me know what you decide on a title and binding and publication date.

My best regards to you and the others.

Sincerely,

P. S.

David's letter just received. The "war page" will follow in a few days.

J.D.V.

July 27, 1942

Mr. Elliott W. McDowell
Modern Age Books, Inc.
245 Fifth Avenue
New York, New York

Dear Doc:

I enclose the suggested new ending to Millar's story. Please let me have your comments on it. I would have had this material to you sooner, but I am just recovering from a "strep" sore throat, which has left me disinterested even in fishing.

Sincerely yours,

NORTHWOODS PROSECUTOR

(Revised ending to Millar's story)

1: Strike everything on the last page following the sentence:

"A fellow who was twenty-nine and in for life, and all the rest."

2: Add the following:

But I never got to see Millar again. I wanted to. It seemed to me that there must be something wrong that a man like him should be kept in a cage. I even picked out some of my favorite books for him to read. But in less than two weeks after the trial I ran across this news item in the Daily Mining Gazette:

"David Millar of Detroit, inmate of the Iron Bay prison for the past seven years, was found dead early yesterday in his cell. He had been in solitary confinement since his ^{trial} ~~trial here last week~~ in circuit court, when he was acquitted of the murder of a fellow-inmate. Coroner Hodgebender pronounced the death suicide by hanging, stating Millar had used a belt made from strips of his clothing. No inquest will be held."

NORTHWOODS PROSECUTOR

(Revised ending to Millar's story)

1: Strike everything on the last page following the sentence:

"A fellow who was twenty-nine and in for life, and all the rest."

2: Add the following:

But I never got to see Millar again. I wanted to. It seemed to me that there must be something wrong that a man like him should be kept in a cage. I even picked out some of my favorite books for him to read. But in less than two weeks after the trial I ran across this news item in the Daily Mining Gazette:

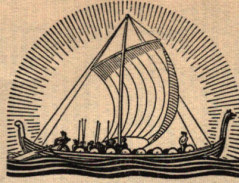
"David Millar of Detroit, inmate of the Iron Bay prison for the past seven years, was found dead early yesterday in his cell. He had been in solitary confinement since his ^{recent} trial here last week in circuit court, when he was acquitted of the murder of a fellow-inmate. Coroner Hodgebender pronounced the death suicide by hanging, stating Millar had used a belt made from strips of his clothing. No inquest will be held."

should be kept in a cage. So I planned to see him. I even picked out some books for him to read.

~~I wanted to~~
must be bud and

But I never got to see Miller again. It seemed to me that there was something wrong there a man like he have. I even had some books. But in less than two weeks after the trial I read this ~~letter~~ news item in the Mining Gazette's briefs:

"



PUBLISHERS • THE VIKING PRESS INC • NEW YORK • NY

Cable address • *Vikpress*

18 EAST 48TH STREET

Telephone • *PLaza 5-4330*

October 23, 1942.

Mr. John D. Voelker
Ishpeming, Michigan

Dear Mr. Voelker:

Enclosed is a memorandum from our editor, who is a very good judge of the fine points about a book. It was not intended for your eyes, but I think you would rather have the straight reaction instead of a filtered version.

On the whole, our feeling is that your book is too good to let it go through with a few minor sour spots which might damm it in the eyes of the critics and might hurt its chances with a good many readers. We think you have, consciously or unconsciously, let yourself be too colloquial or labored your humor too much at a few points. Things that would go over well in face-to-face conversation sometimes look quite different when you see them in print. You might also be surprised to know how easily the so-called taste or conventional standards of the public can be offended. People will take a great deal in conversation which will shock them when it appears in print.

It's a matter partly of "good taste," partly of loose writing or over-popularizing. We are not at all worried about the obscenity laws. We want to make the best possible impression on the public and not hurt the book with an audience which would otherwise like it very much. I am thinking, for example, of the book club judges, who would never touch this book in its present form but might easily be interested in it when it is brushed up just a little.

When you go through the galleys you will see that what I am talking about is of minor importance. The cuts we have suggested will hardly be noticeable, yet if the passages were left in they would stand out of the context with an emphasis entirely out of proportion to their importance. I hope you will feel that you can take these suggestions. I am sorry that we were not in on the book from the beginning, or it would not have been necessary to bring this up again at this stage.

As to libel, you as a lawyer should be the best judge, but if you have not had much occasion to deal with libel cases, we strongly recommend your careful attention to the passages marked as possibly libelous.

The final word is yours.

Sincerely yours,

Marshall A. Best
THE VIKING PRESS INC.

MAB/mt



THE VIKING PRESS

Memorandum

DATE 10/22/42

FOR Editorial Dept.

FROM JS

Voelker

This text still requires a number of revisions aimed at freeing it of objectionable subject matter and lapses in style that mar the narrative. As examples of the first, there are the two rape cases (galleys 31-32 and galleys 61-62), which would probably give offense to many readers. Also there are several passages in the proofs which have been marked as possibly libelous.

A general improvement in style could be effected by deletion of most uses of "quite" and "alas." These words have their value, but here their too frequent use merely clutters the text.

Many specific alterations in phrasing are suggested in the proofs to cure excessive "folksiness," needless rhetoric, or what some readers might call "corniness."

October 26, 1942

Mr. Marshall A. Best
The Viking Press, Inc.
18 East 48th Street
New York, New York

Dear Mr. Best:

Thank you for your letter enclosing your editor's suggestions of possible revisions of the proofs, and containing your detailed explanation of the relative unimportance of the proposed revisions compared with the favorable results to the finished book.

I like the friendly spirit in which your letter is written, and I think I see just what you mean. If you will forward the proofs to me, I shall give my most serious consideration to all of your kindly suggestions to improve the book.

Sincerely yours,

October 29, 1942

Mr. Marshall A. Best
The Viking Press, Inc.
18 East 48th Street
New York, New York

Dear Mr. Best:

I have gone over the galley, which I return. I enclose a list of my comments. Most of your suggestions I have adopted. I have softened the details of the rape case on galleys 61-62. I have made several small changes in the rape case on 31-32 but have asked that it otherwise remain unchanged, for the reasons stated in the enclosed comments. For the most part I have tried to avoid writing on the galleys because of my unfamiliarity with proof correction; hence my use of separate comments.

I have made the addition of new material on page 4 and on page 45, at the top of the page. On pages 69 and 70 I have changed the name of Myrtle Blair to Lucille Blair for the reasons stated.

The galleys you sent me do not reflect the corrections which I sent to Modern Age on August 24, 1942, a copy of which I sent you on October 5. In your letter of October 9 you state that these corrections were made on the galleys, but I am mentioning it again to make sure, as some of the mistakes were glaring and some of the corrections important.

I am also enclosing the CCG clipping relative to your criticism of Chapter 24. (See galley pages 67-68.) I surely hope that you will conclude to retain this chapter.

Some of my comments may sound caustic, as perhaps a few are, but for the most part I have tried hard to see your point of view and to be reasonable. This is the second battle of the blue pencil I have waged with this script -- which is of course not your fault or mine -- and I hope you will appreciate the sense of dismay and the hunted feeling that overcomes a writer when he sees what he conceives to be his best mots falling like ninepins.

My suggested addition to the Foreword (see page 4 reference in comment), touching on the "sensational" material in the book and my page 20 and page 32 notes in the comment to you contain a fair statement, I think, of my position in retaining some of the material you proposed to delete.

If, after going over this material, there are some particular items you still think should be changed, I shall be pleased to have you send me the particular galley pages, together with your comments. In view of the rapidity with which I am returning this material, this should not cause undue delay.

Sincerely yours,

October 30, 1942

Mr. Marshall A. Best
The Viking Press, Inc.
18 East 48th Street
New York, New York

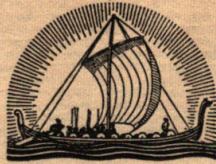
Dear Mr. Best:

Supplementing my letter of yesterday returning the corrected galley, I suggest that you consider the following addition to the Foreword to take the place of the one I included in my comments of yesterday:

"There is much in the work of a prosecutor's office that is unpleasant and ugly. Some of the incidents related in this book are far from reflecting the loftiest aspirations of man. The tolerant should try to understand that any truthful account of the work of a prosecutor cannot ignore these realities. And I have not done so. For that is the way it is."

I plan to leave on a deer-hunting trip November 14, to be gone most of the following week. I mention this so that you may have an opportunity to write me about any further galley revisions before that date, if this should seem desirable or necessary.

Sincerely yours,



THE VIKING PRESS INC . PUBLISHERS

18 EAST 48TH STREET . NEW YORK . NY

Cable: Vikpress Telephone: PL 5-4330

October 31, 1942.

Mr. John D. Voelker
Ishpeming, Michigan

Dear Mr. Voelker:

Thank you for your prompt
and good-natured reply to our suggestions.

We have had a great deal of
fun glancing over your comments and will
try to decide the open questions in the
same spirit. I will not comment further
until I have done so.

Sincerely yours,

Marshall A. Best

THE VIKING PRESS INC.

MAB/mt

November 6, 1942

Dear Mr. Best:

As a doctor a day keeps the apples away,
So a letter a day may hold ennui at bay.

I am enclosing the original Chapter One which I wrote for the book, "A Lawyer Graduates." Present Chapter One, "Home," was Chapter Two, and so on. Modern Age liked the original opening chapter but felt that it retarded getting into the main story. I did not quarrel with their deleting it, but I have always felt that in a story as autobiographical as mine, it would serve well to gain sympathetic initial interest, and set somewhat the humorous, "tongue-in-the-cheek" tone of much of the book. And it would tend to increase the illusion of plot, which is not too strong a feature of the book. Then, too, sordid commercial thought, if Hollywood should start ogling the book, they would have ready-made their chief requirement -- Romance, the love story!

It is not my wish to thrust this new chapter on you. Personally, I will not insist that it go in. I merely want you to know of the existence of this material. My considered judgment is, however, that it would definitely enliven the opening of the book and create an immediate sympathy for and interest in the book's main character -- which is, after all, this chap Traver.

If you decide to include this new material in the book, it could be done with little change. Certain present references to my being called Johnny and meeting Grace at Ann Arbor could be deleted from later chapters, and the beginning of present Chapter Three, "Assistant Prosecutor," could be deleted down to: "Following my graduation from law school and return home to Hematite, I spent a month 'resting'." I would then suggest inserting the following sentence: "What I should be resting from I had not the vaguest idea after twenty-four odd years of slavish devotion to the art." Then carry on from there: "This was at the insistence, etc."

I do not know why I failed to call your attention to this sooner. I guess I forgot. If you don't care for it, send it back. No harm will be done. Maybe I can make a short story out of it.

In view of my defeat in the election it may be well to add a brief sentence to the present Foreword, near the end, to the present paragraph ending: "In this book I propose to get one of these monkeys drunk, and tell you some of my experiences and observations as prosecutor, in court and out, over a period of nine years -- two as assistant prosecutor and nearly eight as head man."

I would add this sentence to the above paragraph: "This is a long time in office for a prosecutor, a "toe-stepping" job where the voters have ordained that the mortality rate shall be dismayingly high. By the time you read this book I may be devoting all of my time to hunting and fishing."

- 2 -

One more thing and I shall draw today's Market Letter to a close: Jose Garcia Villa was the first man to accept my short stories. This was back in 1932. He was then editing a little magazine called CLAY. CLAY coagulated, however, before he got to print the yarns. Then I did not hear of him again until you published his book of poems. I found his Washington address in last Sunday's Times' book supplement and wrote him a note.

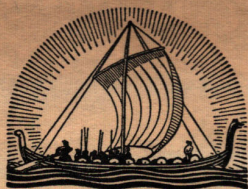
I didn't tell him it was a small world.

Sincerely yours,

P. S.

I should greatly appreciate it if you would send me Villa's book. I will send you my check.

Mr. Marshall A. Best
The Viking Press, Inc.
18 East 48th Street
New York, New York



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18 EAST 48TH STREET

Telephone · PLaza 5-4330

November 13, 1942

Mr. John D. Voelker
Prosecuting Attorney's Office
Marquette County
Ishpeming, Michigan

Dear Mr. Voelker,

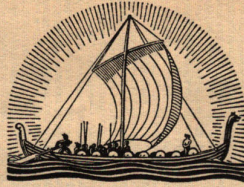
In the absence of Mr. Best I am answering your recent letter regarding your original first chapter for your book. Although we like the story very much the consensus of opinion here seems to be to leave this chapter out. Your book is not, for which we are thankful, a formal autobiography and, therefore, we have no intention of presenting it as such. The chapter would give the prospective buyer the impression that he is in for reading an autobiography. Although the anecdotes center about you the stories are of many people and things. It is the good old American broad humor, around-the-stove-spitting-tobacco kind. So with your friendly indulgence let's leave well enough alone. We all feel that the book has good sales possibilities.

Under separate cover we are sending you a copy of Villa's book with our compliments.

Sincerely yours

PASCAL COVICI

PC/rw



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November 19, 1942.

Mr. John D. Voelker
Ishpeming, Michigan

Dear Mr. Voelker:

Thank you for your letter of November 6 and for the suggested new chapter one, which has now made the rounds of the office. The feeling is pretty strong that it would be a mistake to put so much emphasis on the personal narrative angle. While the book has your personality as a core, its interest lies chiefly in the stories you tell and the people you encounter, rather than in your own personal history. We may be wrong, but we like the book better as it is. We will, however, make the change suggested in your present foreword.

That's interesting about José Garcia Villa. I hope you have now received a copy of his book and will enjoy it.

Sincerely yours,

Marshall A. Bee

THE VIKING PRESS INC.

MAB/mt

November 23, 1942

Dear Mr. Best:

As I wrote Mr. Covici, it is entirely agreeable with me to omit the contemplated new chapter.

I note in your letter of November 19 you are going to make the "change suggested" in the present foreword. I recently have made two suggested changes to the foreword: one in my letter to you of October 30 and the other on November 6; the first concerning the unpleasantness inherent in any true account of a prosecutor's work; the second concerning the voters' droll tendency to defeat prosecutors. When you have an opportunity, I wish you would consider both additions and let me learn your reaction.

Villa's book is an absorbing, tremendous thing -- the human heart lying raw and exposed. Thank you so much for sending the book to me.

Sincerely yours,

Mr. Marshall A. Best
The Viking Press, Inc.
18 East 48th Street
New York, New York

December 16, 1942

Mr. Marshall A. Best
The Viking Press, Inc.
18 East 48th Street
New York, New York

Dear Mr. Best:

I should like to suggest the following changes in the manuscript if it is not too late to make them:

In the chapter "A-Hunting Louie Goes," where Louie is telling about having made "fi'e eighty-seex a dollar," I think that "dollar" should be changed to "doll'."

Then farther on in the same chapter I suggest changing "dere, dat's how I, Luigi, blasta Cappy's ----- house!" to add the word "com'" so that it reads, "dere, dat's how I, Luigi, com' blasta Cappy's ----- house!"

And if I have not already done so, I should like to strike the following two sentences from the second paragraph of the War Page which I submitted:

"Or any other state. In fact, I have some engaging theories to the contrary."

This sounds unduly flippant and is susceptible to a misinterpretation that I certainly do not intend. It is possible that this may have been stricken earlier, but since I do not have a copy of the latest galley proofs, I am not certain.

Something over a month ago Robert Hatch wrote me about the possibility of a spread in Life magazine concerning the book, but I have heard no further word from him, and I am wondering if he has abandoned the idea.

Very truly yours,