

COPY

MEMORANDUM RE. JAMES KIRKWOOD AND MARY MILES WINTER

James Kirkwood, actor and motion-picture director, was Mary Miles Minter's first director when she commenced making pictures for the American Film Company in Santa Barbara in 1916. She was 15 years of age at the time.

She says that he made love to her, telling her that he had not lived with the woman he was then married to for several years, although she would not give him a divorce. The romance between Mary and Kirkwood reached a climax one day in 1916 when Kirkwood, then 35 years of age, took the young screen actress into the hills near Santa Barbara and, setting her up on a rock, performed a mock marriage ceremony, assuring Mary that they were then "married in the eyes of God."

Kirkwood then consummated the marriage in a much more mundane way as a result of which Mary became pregnant. Intercourse went on for a number of months.

Kirkwood then left for New York (late in 1916 or early in 1917) and a clandestine correspondence commenced between the two. Kirkwood wrote a series of letters to Mary. These were sent to another male member of the motion-picture company who delivered the missives to Mary. The letters were in plain white envelopes labeled "Juliet". (Mary's true name was Juliet Reilly.)

In the meantime Mary's condition was causing her mother, Mrs. Charlotte Shelby, (always a suspect in the Taylor murder,) much concern. The girl's weight continued to increase and the mother tried all kinds of diets.

The correspondence between Kirkwood and Mary continued, but the mother at last intercepted one of the letters. Kirkwood at the time was staying at the Lamb's Club in New York. Mrs. Shelby tore up the ground, to use Mary's words, when she found out what was going on.

Mary was forced to write a letter to Kirkwood saying that they had been found out and that her mother insisted that their romance end at once. Also the mother insisted that Kirkwood return letters written to him by Mary.

The mother then took this collection of letters and kept them in a safe-deposit box. They were given to Mary recently when Mary's sister, Margaret Fillmore, had a falling out with her mother. The mother supposedly kept these letters to hold over Mary's head but Mary says that throughout the many rows between her and her mother since that the latter never mentioned the missives.

Margaret says that her mother once declared she was keeping the letters so if anyone ever accused her of murdering Taylor that she could prove that if she was ever going to murder anyone she would have murdered Kirkwood at the time.

The assortment of letters from Kirkwood contain little factual evidence and are mostly devoted to the outpouring of a man obviously infatuated with the young screen star. He speaks of writing two and three letters a day and all the missives were ended in a long series of "X's", or kisses.

Typical of the character of these fervent letters is the following extract: "My sweetheart, my wife, the mother of my children." The last salutation was underlined.

In the letter Mary wrote telling Kirkwood that all was over she mentions an "operation" performed by Dr. Hutchison. It seems that Kirkwood or Mrs. Shelby arranged for this abortion.

Only five persons, says Mary, ever knew of the extent of this romance. These were her mother, her grandmother, now dead, her sister and Kirkwood.

Mary claims that this definitely ended her romance with Kirkwood and that when she met William Desmond Taylor a year or two later that she realized that her affair with Kirkwood was merely an infatuation and that she really was in love with Taylor.

She says, however, that a year after Taylor's murder in February, 1922, that Kirkwood came to her and wanted to marry her. She says she refused him because she was still in love with Taylor's ghost and a short time later, having obtained a divorce from his first wife he married Lila Lee.

Investigation at the present time, although handicapped by the passage of time, indicates that Kirkwood was in Los Angeles at the time of the Taylor murder at about 7:45 P.M. on the night of February 1, 1922. He may even have been working on the same lot with Mary.

Old directories of the period give his address as the Los Angeles Athletic Club, then the habitat of many screen personalities, including Mickey Neilan and others. It was at the club that a story was widely circulated that Mary one night went to Taylor's bungalow and taking off all her clothes begging him to have intercourse with her. Mrs. Shelby is said to have arrived a few minutes after Mary left and demanded her daughter. Taylor refused to have anything to do with the girl after. It is well established, however, that the mother considered Taylor a menace to her control over her money-making daughter and hated him accordingly.

In a statement taken in New York in 1925 by former Chief Deputy District Attorney Harold Davis Mary recites that her mother "tore" up the earth when any man came around her." She recalled on one occasion, according to the transcript of the statement, that she was present at a railroad station in Santa Barbara or Los Angeles with Kirkwood and others and the mother, being momentarily displeased with Mary, asserted that she would "kill anyone that came between her and Mary," man or woman and even included a dog belonging to one of the company.

The theory of every person closely connected with the Taylor case--Taylor's personal friends, intimates of the Shelby family--has always been that Mrs. Shelby either killed Taylor or influenced some other person to do it.

It appears that Kirkwood had a romantic interest in Mary at the time of the murder and was also in a position to have been under the domination of Mrs. Shelby--he had committed statutory rape when he had intercourse with Mary at the age of 15 and he was still married to his first wife in 1922 and seeking a divorce.

The main witness in the Taylor murder at the time of its commission was Mrs. Douglas MacLean, wife of the comedian who lived in a

bungalow nearby. She heard a shot and looked out in time to see a man leaving the Taylor house. This was unquestionably the murderer. She says it could not have been a woman dressed in man's clothing. The description given at the time closely resembles that of Kirkwood. In addition Mrs. MacLean said that the person appeared to her to resemble someone in a motion-picture get-up or in makeup.

Another witness recalls seeing two men at Taylor's door two nights before the murder at about 6:00 P.M. These were described as tall men (Kirkwood was six feet and weighed 180 pounds) and a very small man weighing about 125 pounds.

Handwritten signature
J. Edgar Hoover