

The Filson Historical Society

**Berry, John Marshall, 1900-1991
Papers, 1936-2005**

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Size of Collection:

1 cu.ft.

Location Number:

Mss A B534a

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Scope and Content Note

This collection documents the role of John M. Berry, an attorney from Henry County, Ky., in one of the most sensational murder trials in Kentucky history: Commonwealth of Kentucky vs. Henry H. Denhardt (1937).

Berry was a member of the Denhardt defense team that also included Rodes K. Myers, Beckham Overstreet and W. Clark Otte. In addition to Gen. Denhardt, Berry correspondents included his co-counsels, investigators, witnesses and medical experts. Topics of discussion include Berry's concern about Denhardt's public behavior before the trial, the search in New York City for letters in which Mrs. Taylor expressed suicidal thoughts, and the collection of his legal fees. In a letter to Berry dated 14 June 1937, Denhardt discusses their upcoming meeting to settle his legal fees. Ironically, he adds that he doesn't want to meet in Berry's judicial district because he feels his life would be in danger. Also included are letters from Berry's friends and admirers commenting on his role in the sensational trial and correspondence related to the possible sale of Denhardt's Oldham County farm.

Legal papers include Berry's trial notes and memorandums, court filings and trial transcripts. Also present are numerous newspaper clippings that cover the death of Mrs. Taylor, the Denhardt trial and the subsequent shooting death of the General. There are also copies of contemporary magazines, including *American Detective*, *Front Page Detective* and *Master Detective*, which feature articles on the Denhardt trial and his violent death.

Miscellaneous items include an undated letter (circa 1980s) from the Kentucky journalist-historian John Ed Pearce to Berry in which he comments on the Denhardt trial. Also present is a 2005 letter from Alan Q. Zaring, a Kentucky attorney, who sends a recently published article on the trial to John M. Berry, Jr.

See also Henry H. Denhardt Papers, Mss. A D393, The Filson Historical Society.

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Biographical Note

The son of Pryor T. Berry and Martha Jo "Mattie" Carpenter, John M. Berry was born in Henry County, Ky. on 8 Nov. 1900. He graduated with a law degree from George Washington University in Washington, D. C. and opened a private practice in his native Henry County on July 1, 1927. In addition to his law practice, Berry also farmed and was an official in the Burley Tobacco Growers Assoc. The father of Kentucky poet Wendell Berry, he died on 31 Oct. 1991.

The son of William Denhardt and Margaret Geyger, Henry Herman Denhardt was born in Bowling Green, Ky. on 8 March 1876. Denhardt raised a company of volunteers but saw no active service during the Spanish-American War of 1898. He graduated with a law degree from Cumberland University in Lebanon, Tenn. and began practicing law in Bowling Green in 1899. He afterwards served ten years as city prosecuting attorney and two terms as Warren County judge. With his brother he established a local newspaper, the *Bowling Green Times-Journal* about 1901.

Denhardt was promoted from captain to major in the Kentucky State Guard which was re-organized as the Kentucky National Guard in 1912. In this capacity he served with the 3rd Kentucky Infantry in Gen. John J. Pershings' operations along the Mexican Border in 1916. During World War I he saw action with the 319th Field Artillery Regiment in France. Transferred to the 139th Field Artillery he was promoted to the rank of lieutenant-colonel. During the post-war years he led National Guard units ordered to suppress labor unrest in Kentucky and was promoted to brigadier-general in 1921. A staunch Democrat, he served as lieutenant-governor (1923-27) and Kentucky adjutant general (1931-35.)

The daughter of Edward D. Garr and Mary Herndon Pryor, Verna Elizabeth Garr was born in Henry County, Kentucky on 17 June 1896. After the death of her husband, Rowland Barclay Taylor in 1931, she operated a laundry service in LaGrange, Ky. She began to date Gen. Denhardt, who had moved to Oldham County after his divorce, in the summer of 1936. On the night of 6 November 1936, she was found shot to death along a Henry County road. Denhardt, who had been driving with her, claimed that she slipped his pistol out of the glove box and shot herself.

Indicted for murder, Denhardt was released after the April, 1937 trial ended in a hung jury. On the night of 20 September 1937 he was shot to death on the streets of Shelbyville by Verna Taylor's brothers, Dr. Edward S. Garr (1888-1939), Roy Pryor Garr (1891-1962), and Jack Tyler Garr (1899-1963). The trio, who claimed they were motivated by vengeance and the desire to protect their late sister's reputation, were afterwards acquitted on the grounds of self-defense.

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Folder List

- Folder 1: Commonwealth vs. Denhardt: Correspondence and Legal Papers, Nov.-Dec., 1936.
- Folder 2: Commonwealth vs. Denhardt: Correspondence and Legal Papers, Jan. - March, 1937.
- Folder 3: Commonwealth vs. Denhardt: Correspondence and Legal Papers, April-June, 1937.
- Folder 4: Commonwealth vs. Denhardt: Correspondence and Legal Papers, July-Sept., 1937.
- Folder 5: Commonwealth vs. Denhardt: Correspondence and Legal Papers, Oct.-Dec., 1937.
- Folder 6: Commonwealth vs. Denhardt: Correspondence and Legal Papers, Jan.-May, 1938.
- Folder 7: Commonwealth vs. Denhardt: Correspondence, ca. 1980 and 2005.
- Folder 8: Commonwealth vs. Denhardt: Legal Papers, n.d.
- Folder 9: Commonwealth vs. Denhardt: Trial Transcripts, April, 1937.
- Folder 10: Commonwealth vs. Denhardt: Trial Transcripts, April, 1937.
- Folder 11: Commonwealth vs. Denhardt: Trial Transcripts, April, 1937.
- Folder 12: Commonwealth vs. Denhardt: Trial Transcript Index.
- Folder 13: Newspapers Clippings, 1936.
- Folder 14: Newspapers, 1936-1937.
- Folder 15: Newspaper Clippings, *St. Louis Post-Dispatch*, 25 April, 1937.
- Folder 16: Newspaper, *Louisville Courier-Journal*, 23 Sept. 1937.
- Folder 17: Newspaper Clippings, 1937.
- Folder 18: Newspaper Clippings, n.d.
- Folder 19: Detective Periodicals, 1937; 1985.
- Folder 20: Commonwealth vs. Barton: Legal Papers, ca. 1937.

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Added Entries

Attorney and client – United States
Berry, John M., Jr., 1935-
Cannady, J. Cleve, 1884-1958.
Chandler, Happy, 1898-1991.
Chapman, Virgil, 1895-1951.
Denhardt, Henry H., 1876-1937.
Denhardt, Henry H., 1876-1937 – Trials, litigation, etc.
Denhardt, Jesse Grider, 1873-1958.
Detective and mystery stories, American - Periodicals.
Felts, Ernest J., 1884-1957.
Floods – Kentucky – 20th century.
Haager, Jacob H., 1863-1939.
Honor killings.
Hundley, Juett B., 1906-1996.
Jones, J. Everett, ca. 1892-
Keen, Paul E., ca. 1901
Kentucky State Reformatory.
Keightley, William Smith, 1896-1956.
Kinsolving, H. B. (Herbert B.), 1888-1961.
Lawyers – Fees – United States
Marshall, Charles C. (Charles Cotesworth), 1868-1943.
Maxey, George W., 1878-ca. 1950.
McCormack, Arthur Thomas, 1872-1943.
McMahan, L. S. (Louis S.), ca. 1870-
Milliken, G. D., Sr. (George Duncan), 1877-1967.
Mourat family.
Myers, Rodes Kirby, 1900-1960.
Otte, William Clarke, 1893-1959
Overstreet, Beckham, 1886-1942.
Pearce, John Ed, 1917-2006.
Renaker, Clayton Boyers, 1894-1974.
Richardson, E. L. (Edwin Leland), 1904-1977.
Ricketts, Dillard L., 1872-1955.
Stevenson, Julie LaSalle, fl. ca. 1936
Taylor, Verna Garr, 1896-1936.
Trial practice – United States - Cases
Trials (Crimes of passion).

Van Norte, W. L. (William Lesley), 1876-1946.

Wight, William A., 1872-1961.

Zaring, Alan Q. (Alan Quincy), 1968-